

S.V. ✓

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S EIGHTH FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
SEPTEMBER 30, 2008
4:00 P.M.

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.

DUPLICATE AUDIO CDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

1. CALL TO ORDER
2. ANNOUNCEMENT RE. COMPLIANCE WITH OPEN MEETING LAW
3. Bill No 2008-44 – Updates the parking infraction procedures of the Municipal Code relating to leased or rented vehicles, and the procedures pertaining to the collection fees that are chargeable for fines and penalties referred to a collection agency. Proposed by. Mark R Vincent, Director of Finance and Business Services
4. Bill No. 2008-45 – Updates various provisions of the City's zoning regulations relative to certain land use categories and development standards Proposed by. M. Margo Wheeler, Director of Planning and Development
5. CITIZENS PARTICIPATION. Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited
6. ADJOURNMENT

ALL INTERESTED PERSONS ARE INVITED TO ATTEND. 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 Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2008

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

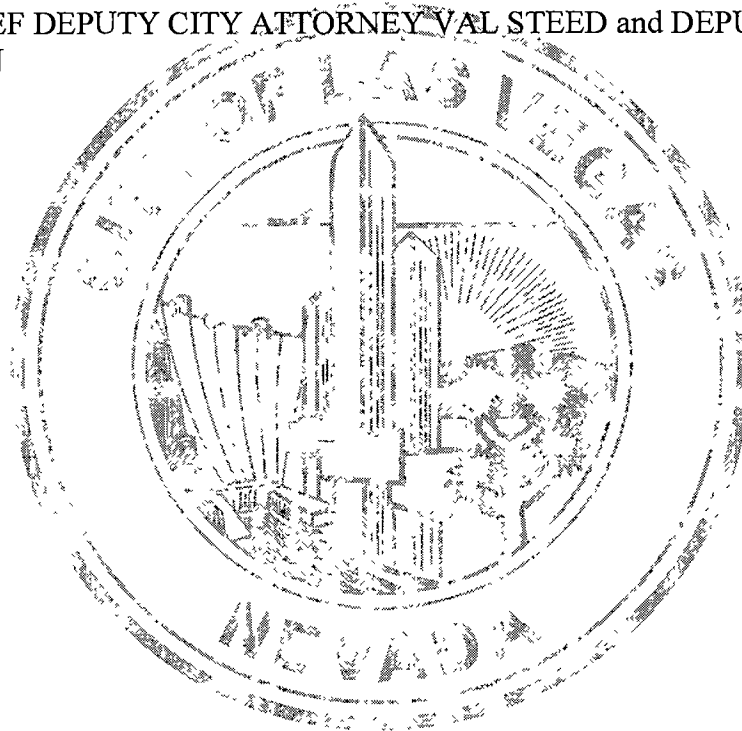
CALL TO ORDER

Minutes:

COUNCILWOMAN TARKANIAN called the meeting to order at 4:00 p.m.

PRESENT: COUNCILMEMBERS TARKANIAN and BARLOW (via telephone conference)

Also Present: CHIEF DEPUTY CITY ATTORNEY VAL STEED and DEPUTY CITY CLERK
LEAN COLEMAN



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2008

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

Minutes:

ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations: City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge Bulletin Board, City Hall Plaza (next door to Metro Records), Las Vegas Library, 833 Las Vegas Boulevard North, Clark County Government Center 500 S. Grand Central Parkway, Grant Sawyer Building, 555 E. Washington Avenue



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2008

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2008-44 – Updates the parking infraction procedures of the Municipal Code relating to leased or rented vehicles, and the procedures pertaining to the collection fees that are chargeable for fines and penalties referred to a collection agency. Proposed by: Mark R. Vincent, Director of Finance and Business Services

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend the parking infraction procedures of the Municipal Code to increase the time within which vehicle leasing or rental agencies are required to notify the City of operator information in order for the operator to be held responsible for an infraction. The bill will also conform the Code to current practices regarding the collection fees that are chargeable for parking fines and penalties referred to a collection agency.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

- 1. Bill No. 2008-44
- 2. Business Impact Statement

Motion made by RICKI Y. BARLOW to Approve as Do Pass

Passed For: 2; Against: 0, Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, RICKI Y. BARLOW, (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that some vehicle rental/leasing companies made staff aware that the time in which they are required to notify the City of Las

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2008

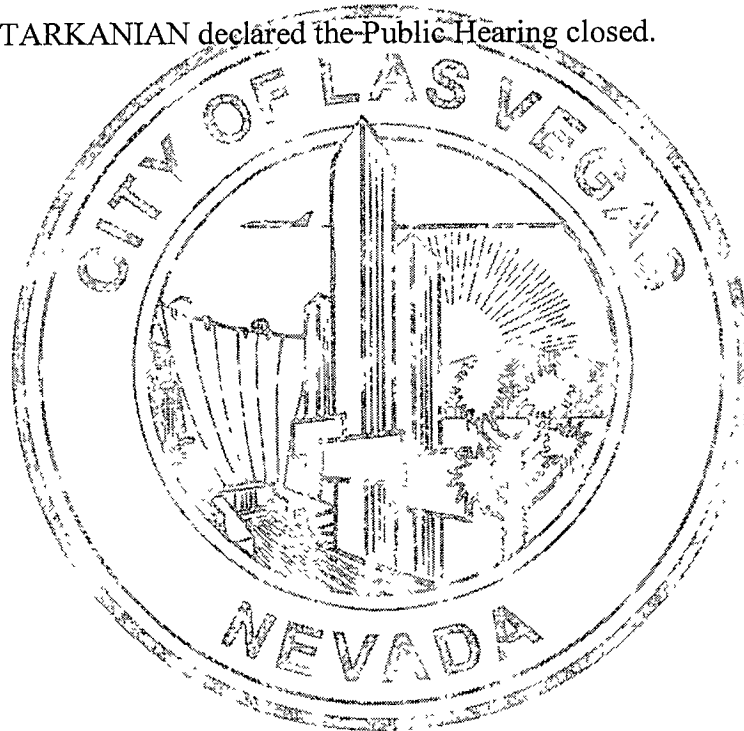
Vegas of operator information in order for the operator, not the owner, to be held accountable for infractions was not sufficient. In addition, when delinquent accounts are referred to a collection agency, the collection fee can be up to 25 percent.

With this bill, the notification timeframe will change from seven to 30 calendar days, and the Code will be amended to reflect that the amount of the fee may not exceed 25 percent and this fee can be incorporated into the judgment. Staff recommends approval

KEITH DUFFY, Enterprise Rental Car, appeared on behalf of the rental companies and expressed support, in that the proposed changes will be mutually benefitting.

COUNCILWOMAN TARKANIAN thanked MR. DUFFY for his appearance and support.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.



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BILL NO. 2008-44

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE THE PARKING INFRACTION PROCEDURES OF THE MUNICIPAL CODE RELATING TO LEASED OR RENTED VEHICLES, AND THE PROCEDURES PERTAINING TO THE COLLECTION FEES THAT ARE CHARGEABLE FOR FINES AND PENALTIES REFERRED TO A COLLECTION AGENCY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark R. Vincent, Director of Finance and Business Services

Summary: Updates the parking infraction procedures of the Municipal Code relating to leased or rented vehicles, and the procedures pertaining to the collection fees that are chargeable for fines and penalties referred to a collection agency.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

AS FOLLOWS:

SECTION 1: Title 11, Chapter 10, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.10.070: (A) The operator of a vehicle is liable for the civil fines and civil penalties which are imposed pursuant to this Chapter. The registered owner of the vehicle, even if he is not the operator thereof, is also liable for such civil fines and civil penalties unless he is able to demonstrate that the vehicle was used without his permission, express or implied. A registered owner who pays any civil fine and/or civil penalty pursuant to this Chapter has the right to recover from the operator of the vehicle the civil fine and/or civil penalty so paid and has a cause of action in any court which has appropriate jurisdiction against the operator of the vehicle for the amount so paid.

(B) In order to hold the operator of a leased or rented vehicle primarily responsible for the issuance of the Notice of Infraction, the name, address and phone number of the person renting or leasing a vehicle found parked in violation of this Title must be provided by the rental or leasing agent or agency to the Director of Finance and Business Services or his designee within ~~seven~~ thirty calendar days of receiving notice of such infraction. Nothing in this provision shall absolve the owner of responsibility for the issuance of the Notice of Infraction as provided in this Chapter.

SECTION 2: Title 11, Chapter 10, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **11.10.140:** (A) The schedule of civil fines which is contained in Sections 11.10.150 to
2 11.10.180, inclusive, is established for infractions of the parking laws and regulations which are set
3 forth in this Code.

4 (B) The owner and/or operator shall be liable for an additional collection fee where
5 the collection of the fines and penalties provided for herein [are] is referred for collection to a private
6 collection agency. The amount of such fee [shall be] may not exceed twenty-five percent of the
7 outstanding indebtedness or two hundred fifty dollars, whichever is less. [Upon application of the Las
8 Vegas City Attorney's office, a judgment or amended judgment entered under this Title shall include
9 the fee provided for in this provision.] The amount of any such collection fee shall accrue and become
10 due and payable at the time the indebtedness is referred for collection to the collection agency, and
11 that amount may be added by the collection agency to the amount sought to be collected. Any
12 judgment or amended judgment entered under this Chapter may include the amount of the collection
13 fee authorized by this Subsection (B).

14 (C) When a notice of nonpayment of a civil fine imposed under this Chapter has
15 been filed with the Nevada Department of Motor Vehicles and Public Safety pursuant to NRS
16 484.444, the City is authorized to charge the party liable an administrative fee of ten dollars to cover
17 the costs of the filing, handling and release of the notice of nonpayment. The administrative fee shall
18 be paid at the time the fine is collected and the release authorized.

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

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SECTION 4: 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 _____, 2008.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steel 9-4-08
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2008, 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 _____, 2008, 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:

BEVERLY K. BRIDGES, CMC
City Clerk

**BUSINESS IMPACT STATEMENT
BILL NO. 2008-44**

(Updates the parking infraction procedures of the Municipal Code relating to leased or rented vehicles, and the procedures pertaining to the collection fees that are chargeable for fines and penalties referred to a collection agency)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2008-44, that would update the parking infraction procedures of the Municipal Code relating to leased or rented vehicles, and the procedures pertaining to the collection fees that are chargeable for fines and penalties referred to a collection agency

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

No comments solicited, although the portion of the measure applicable to businesses is at the request of one or more affected businesses.

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

The portion of the bill that has an effect on businesses will benefit those businesses (vehicle leasing and rental agencies) by giving them additional time to meet Code requirements for holding vehicle operators liable for their own parking infractions.

Direct effects:

The portion of the bill that has an effect on businesses will benefit those businesses (vehicle leasing and rental agencies) by giving them additional time to meet Code requirements for holding vehicle operators liable for their own parking infractions.

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: September 3, 2008

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2008

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2008-45 – Updates various provisions of the City’s zoning regulations relative to certain land use categories and development standards. Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will update the zoning regulations to provide clarification regarding the allowability of certain uses; add use categories for grocery stores, convenience stores, and solar panels; update related development standards; and provide minor clarifications and corrections.

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. 2008-45

Motion made by RICKI Y. BARLOW to Approve as Do Pass with a First Amendment

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development, stated that this is a housekeeping item that pertains to the City's zoning regulations relative to uses that have conflict or are not allowed in various zoning categories.

Referencing the Airport Overlay District, MS. WHEELER confirmed that staff has obliged Nellis Air Force Base on a previous request, which entailed including them in areas where staff considers height and airport impacts.

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2008

Regarding the development standards, staff is in agreement with the development community to reduce the amount of acreage for traditional development (TD) from 80 acres to 40 acres, as this is a more exact size within quarter sections and would be in compliance with the section roads within Southern Nevada.

With the existing Code, solar panels are considered a height extension. To increase the height, a variance would be required and makes them less preferred. As a result, staff is proposing that solar panels not be counted as part of the height of the structure.

In conclusion, staff would like to add use categories for grocery stores, convenience stores and solar panels; update the development standards accordingly; and provide minor clarifications and corrections.

COUNCILMAN BARLOW thanked MS. WHEELER for introducing this bill. He questioned if there were restrictions within the bill limiting the height of the solar panels, as there could be an issue with unsightly views if too high. MS. WHEELER responded that the solar panels would still be reviewed as part of a site development plan review. Staff proposes that roof mounted solar panel units be allowed as a conditional use, which would allow staff to review them. Staff has to ensure the angle and height is appropriate in order for the solar panel to function.

Responding to COUNCIL WOMAN TARKANIAN'S query, CHIEF DEPUTY CITY ATTORNEY STEED and MS. WHEELER clarified that "TCP" represented temporary commercial permit. This type of commercial permit is not needed if the use meets Title 19 requirements. CHIEF DEPUTY CITY ATTORNEY STEED explained that one of the purposes of the bill is to include it in the use table to eliminate inconsistencies with the table and the existing Code.

CHIEF DEPUTY CITY ATTORNEY STEED suggested an amendment to Sections 1 and 16, to include the reduction in the minimum TD acreage from 50 to 40 acres.

COUNCIL WOMAN TARKANIAN declared the Public Hearing closed.

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BILL NO. 2008-45

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE VARIOUS PROVISIONS OF THE CITY'S ZONING REGULATIONS RELATIVE TO CERTAIN LAND USE CATEGORIES AND DEVELOPMENT STANDARDS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: M. Margo Wheeler, Director of Planning and Development

Summary: Updates various provisions of the City's zoning regulations relative to certain land use categories and development standards.

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

SECTION 1: Title 19, Chapter 2, Section 40, Subsection (D), Paragraph (4), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(4) T-D Traditional Development District. The purpose of the T-D District is to provide for the development of comprehensively-planned mixed-use communities, with a minimum of [eighty] fifty contiguous acres of land under one ownership or control, which can provide a balanced mix of residential, commercial and civic uses. For purposes of the preceding sentence, acreage is "contiguous" if it shares a common boundary with other commonly-owned property, or is acreage that is separated from other commonly-owned property only by a public right-of-way whose dedication or acquisition caused the separation. Developments planned under the T-D zoning regulations will feature pedestrian-oriented neighborhoods, an interconnected hierarchy of streets, and demonstrate an appropriate relationship between street type, building type, and use. Communities within the T-D District are intended to feature civic amenities, and retain and incorporate existing natural features where feasible as organizational and recreational elements of the community.

SECTION 2: Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 1 that appears therein to read as follows:

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Table 1
Interpretation of Land Use Table (Table 2)

Symbol	Meaning
P	The use is permitted as a principal use in that zoning district as a matter of right.
A	The use is permitted as an accessory use to a main use in that zoning district. The listing of an accessory use does not exclude other land uses which are generally considered accessory to the primary use
C	The use is permitted, but only in accordance with the conditions specified in the table for conditional uses
S	The principal use is permitted in that zoning district only after first obtaining a Special Use Permit (SUP) as set forth in Section 19.18 060. Base standards may apply to an SUP approval, as specified in the table for special uses.
H	The use is permitted by means of a Home Occupation Permit
T	The use is permitted by means of a Temporary Commercial Permit [in accordance with Section 19.18.100.] <u>unless otherwise specified in this Title</u> .
	A blank square indicates that the use is not allowed in that zoning district as a principal use.

SECTION 3: 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, is hereby amended by deleting from the "Institutional and Community Service" element thereof the entry for the use "Psychiatric Hospital."

SECTION 4: 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, is hereby amended by amending the entry for the use "Gaming Establishment, Non-Restricted," as found in the "Recreation, Entertainment and Amusement" element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Gaming Establishment, Non-restricted																	S	S		S	S
	Description: An establishment which is used or intended to be used for the conduct of gaming activities for which a non-restricted gaming license is required pursuant to <u>LVMC Title 6</u> . For informational purposes, this description refers to an establishment whose gaming operations consist of 16 or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool at that establishment. <u>When operated in conjunction with a hotel having more than 200 rooms, this use includes any number of ancillary alcoholic beverage-related uses with an on-sale component, without regard to the requirements of LVMC Chapter 19 04, but only to the extent such uses conform to the applicable requirements of LVMC Chapters 6 40 and 6 50.</u>																				

USE	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Gaming Establishment, Non-restricted (Continued)	<p>Minimum Special Use Permit Requirements:</p> <p>*1 Except as otherwise exempted by State law, non-restricted gaming establishments must be located within the Gaming Enterprise Overlay District described in Section 19 06 070</p> <p>*2 A Special Use Permit is required for</p> <ul style="list-style-type: none"> a Any new non-restricted gaming establishment b Any increase in the amount, variety or magnitude of gaming to be offered within an existing non-restricted gaming establishment whether or not the existing gaming was approved by means of a Special Use Permit <p>*3 The Special Use Permit requirement in Paragraph (2) above</p> <ul style="list-style-type: none"> a Applies to all property in the City, wherever located and whether or not it is located in the Gaming Enterprise Overlay District, b Applies to existing non-restricted gaming establishments whether or not they have applied for an increase in the amount, variety or magnitude of gaming to be offered; c Applies to any property or establishment irrespective of any rights or purported rights established by prior adjudication, to the extent such rights have not become vested by the exercise thereof; and d Supersedes and prevails over every other provision of the Municipal Code to the contrary, or that might be deemed to be interpreted to the contrary 		
<p>On-site Parking Requirement One space for each 90 square feet of gross floor area</p>			

SECTION 5: 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, is hereby amended by adding to the "Retail and Personal Services" element thereof an entry for the use "Convenience Store," reading as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Convenience Store	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
<p>Description: A facility, limited in size and scope, that is primarily used for the retail sale to the public of merchandise for off-site consumption, including prepackaged food products, sundries, household items and similar consumer items. The term does not include a retail business licensed as a "drugstore" pursuant to LVMC Title 6</p>																					
<p>Conditional Use Regulations:</p> <ul style="list-style-type: none"> 1 The building or portion thereof that is dedicated to the use shall have a minimum size of 1200 square feet, and shall be designed to have no more than 5000 square feet of floor space, exclusive of warehouse and office areas, devoted to the display of merchandise 2 All loading areas shall be screened from view from adjacent residential properties 3 In the N-S District, the following are not permitted <ul style="list-style-type: none"> a The sale or dispensing of gasoline or other automotive fuels b The sale of alcoholic beverages for off-premise consumption 																					
<p>On-site Parking Requirement: One space per 175 square feet of gross floor area</p>																					

SECTION 6: 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, is hereby amended by

1 amending the entry for the use "General Retail Store, Other Than Listed (3500 Square Feet or More),"
 2 as found in the "Retail and Personal Services" element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
General Retail Store, Other Than Listed (3500 Square Feet or More)																	P	P	S	P	P
	Description: A facility (with 3500 square feet or more) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. <u>This use does not include a "grocery store," "convenience store," or other retail facility that is specifically defined in Chapter 19 20.</u>																				
	On-site Parking Requirement: 1 If less than 25,000 square feet, one space per 175 square feet of gross floor area 2 If 25,000 square feet or more, one space per 250 square feet of gross floor area																				

10 SECTION 7: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
 11 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
 12 amending the entry for the use "General Retail Store, Other Than Listed (Less Than 3500 Square
 13 Feet)," as found in the "Retail and Personal Services" element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
General Retail Store, Other Than Listed (Less than 3500 Square Feet)														C	A	C	P	P	S	P	P
	Description: A facility (with less than 3500 square feet) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. <u>This use does not include a "grocery store," "convenience store," or other retail facility that is specifically defined in Chapter 19 20.</u>																				
	On-site Parking Requirement: One space [for each] per 175 square feet of gross floor area																				

20 SECTION 8: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
 21 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
 22 adding to the "Retail and Personal Services" element thereof an entry for the use "Grocery Store,"
 23 reading as follows:

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USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Grocery Store																	P	P	S	P	P
Description: A facility, over 5000 square feet in size, that is primarily used for the retail sale of household foodstuffs for offsite consumption, including any combination of fresh produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, baked foods, prepared foods, and beverages. This use may include the sale of other household supplies and products, but only if secondary to the primary purpose of food sales.																					
On-site Parking Requirement																					
1 If less than 25,000 square feet, one space per 175 square feet of gross floor area																					
2 If 25,000 square feet or more, one space per 250 square feet of gross floor area																					

SECTION 9: 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, is hereby amended by amending the entry for the use "Hotel Lounge Bar," as found in the "Retail and Personal Services" element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Hotel Lounge Bar																	S	S	S	S	S
Description A bar located in a lounge area of a hotel which has a minimum of 150 rooms, unless the City Council determines that public health, safety and welfare are not compromised by a lesser number of rooms, wherein																					
1 Alcoholic beverages are served and consumed only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incident to room service,																					
2 Persons are not permitted to purchase or obtain alcoholic beverages directly from such lounge bar,																					
3 No other business, trade, profession or entertainment that requires a license under Title 6 is conducted or performed in the lounge bar area, and																					
4 The maximum available customer seating in the lounge bar area does not exceed 75 seats																					
The use does not include a bar that is ancillary to a "Non-Restricted Gaming Establishment," as defined in this Title																					
Minimum Special Use Permit Requirements:																					
1 No hotel lounge bar business use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children or City park																					
2 Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed hotel lounge bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed hotel lounge bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of																					
a Any leasehold parcel, or																					
b Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1																					
3 In the case of a proposed hotel lounge bar located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line from the nearest property line of the existing use to the nearest portion of the structure in which the hotel lounge bar will be located, without regard to intervening obstacles																					

USE	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Hotel Lounge Bar (Continued)	Minimum Special Use Permit Requirements (Continued) 4 When considering a Special Use Permit application for a hotel lounge bar which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision 5 The minimum distance requirement in Requirement 1 does not apply to an establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992 *6 All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50 On-site Parking Requirement. No additional parking required beyond that which is required for the principal use(s) on the site		

SECTION 10: 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, is hereby amended by amending the entry for the use "Retail Establishment with Accessory Package Liquor Off-Sale," as found in the "Retail and Personal Services" element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MNP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Retail Establishment with Accessory Package Liquor Off-Sale																	P	P		S	S
Description. A retail establishment: <ol style="list-style-type: none"> Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold, and In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location																					
Minimum Special Use Permit Requirements: *1 Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park *2 Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of <ol style="list-style-type: none"> Any leasehold parcel, or Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1 *3 In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line <ol style="list-style-type: none"> From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles, or 																					

USE	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Retail Establishment with Accessory Package Liquor Off-Sale (Continued)	<p>Minimum Special Use Permit Requirements (Continued)</p> <p>b In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles</p> <p>4 When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision</p> <p>5 The minimum distance requirements in Requirement 1 do not apply to</p> <p>a An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992, or</p> <p>b A proposed establishment having more than 50,000 square feet of retail floor space</p> <p>*6 All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50</p> <p>7 The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of Section 19.040.050(A)(4), may be waived</p> <p>a In accordance with the provisions of Section 19.040.050(A)(4) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District,</p> <p>b In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan, [or]</p> <p>c <u>In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space, or</u></p> <p>[c] <u>d In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet</u></p> <p>On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site</p>		

SECTION 11: 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, is hereby amended by adding to the "Utilities, Communication and Transportation" element thereof an entry for the use "Solar Panel," reading as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Solar Panel	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
	<p>Description: A small-scale unit that is designed and used, on an incidental or accessory basis, to generate power or heat (or both) to be supplied to the principal use on the site. This use</p> <p>1 Does not include an "electric generating plant" or any other utility facility that is specifically defined in Chapter 19.20, and</p> <p>2 Shall not be deemed an accessory structure for purposes of the standards of this Title that govern accessory structures</p>																				

USE	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Solar Panel (Continued)	<p>Conditional Use Regulations:</p> <ol style="list-style-type: none"> 1 When visible from a public right-of-way, solar panels shall be installed so that they project no more than 40 inches from the roof surface 2 When mounted on a sloped roof, the enclosure cladding and support structure of solar panels (excepting the solar collection cells) shall match the roof in color and appearance 3 Roof-mounted hot water storage systems shall not be visible from neighboring properties or public rights-of-way 4 Within an area designated as an Historic District, the location of the proposed unit must first be reviewed and approved pursuant to LVMC 19 06 090 <p>On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.</p>		

SECTION 12: 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, is hereby amended by amending the entry for the use "Seasonal Outdoor Sales," as found in the "Temporary Uses" element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL			
Seasonal Outdoor Sales	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-J	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M	
													T ₁	T ₂			T ₃	T ₄	T ₅	T ₆	T ₇	
	<p>*No Temporary Commercial Permit required if the sales operation</p> <ul style="list-style-type: none"> - Takes place on the same site as, and is in conjunction with, the operation of an established commercial business with a valid business license for that site and - Conforms with all applicable City ordinances and standards. 																					
	<p>Description.</p> <p>The temporary outdoor sale and display of the following (and only the following) holiday goods in connection with the corresponding holidays</p> <ol style="list-style-type: none"> 1 Christmas trees, 2 Halloween pumpkins, 3 Valentine's Day flowers; and 4 Mother's Day flowers <p>This use does not include fireworks sales, which are governed by LVMC Chapter 9 28 and are subject to the requirements of the Department of Fire and Rescue</p>																					
	<p>On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site</p>																					

SECTION 13: 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, is hereby amended by amending the entry for the use "Temporary Contractor's Construction Yard," as found in the "Temporary Uses" element of Table 2, to read as follows:

...
...

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Temporary Contractor's Construction Yard	T ₁	T ₂	T ₃	T ₄	T ₅	T ₆	T ₇	T ₈	T ₉	T ₁₀	T ₁₁	T ₁₂	T ₁₃	T ₁₄	T ₁₅	T ₁₆	T ₁₇	T ₁₈	T ₁₉	T ₂₀	
	*No Temporary Commercial Permit required if the use is located on the same site as the approved development and is operated in conformance with all applicable City ordinances and standards.																				
	Description: An on-site or off-site facility for the storage of construction materials and equipment intended for use in conjunction with a specific development, to be removed at the time the development is completed. This use may include a temporary batch plant.																				
	On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.																				

SECTION 14: Title 19, Chapter 4, Section 50, Subsection (A), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(A) General. Except as otherwise provided in this Subsection (A), [Any] any use that is marked with the letter "S" in the Land Use Tables for a particular zoning district may be permitted only by means of a Special Use Permit. A Special Use Permit may also be required by other provisions of law for other activities that are not listed as a use in the Land Use Tables. Notwithstanding the provisions of the first sentence of this Subsection (A), alcoholic beverage-related uses with an on-sale component that are ancillary to a non-restricted gaming establishment operated in conjunction with a hotel having more than two hundred rooms are deemed to be part of that use and are allowed without regard to the requirements of Chapter 19.04, provided that each such use otherwise conforms to the provisions of this Title and LVMC Chapters 6.40 and 6.50.

SECTION 15: Title 19, Chapter 6, Section 80, Subsection (A), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

A. Establishment

(1) There is hereby established an Airport Overlay District which consists of those certain areas that are delineated on the following maps:

(a) The McCarran International Airport Official Airspace Zoning Map, sheet number three, prepared by the Clark County Airport Engineering Department, dated July 18, 1990; hereafter known as the "McCarran Airport Overlay Map" and;

(b) The North Las Vegas Air Terminal Official Airspace Zoning Map, consisting

1 of one sheet, prepared by the Clark County Airport Engineering Department, dated July 18, 1990;
2 hereafter known as the "North Las Vegas Airport Overlay Map."

3 (2) An area which is identified on more than one airport map is considered to be only in
4 the map with the more restrictive height limitations.

5 (3) Copies of the "McCarran Airport Overlay Map" and the "North Las Vegas Airport
6 Overlay Map," are maintained in the Department of Planning and Development.

7 (4) Although not included as part of the Airport Overlay District, consideration shall be
8 given to the protection of the Nellis Air Force Base airspace.

9 SECTION 16: Title 19, Chapter 6, Section 160, Subsection (D), of the Municipal Code
10 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 (D) Minimum Site Area for Rezoning. The minimum site area that is eligible for rezoning to the
12 T-D District is [eighty] fifty acres, which is the minimum area deemed necessary to accommodate a
13 balanced mix of housing, commercial, and civic uses. Any additional tract which contains less than
14 the minimum site area and which is contiguous to property previously zoned T-D may also be zoned
15 T-D by the City Council if it otherwise qualifies for the T-D zoning designation and, at the time of
16 such rezoning, is owned by or is under the control of the same property owner (including its successors
17 and assigns) that applied for and obtained T-D zoning on the original property so zoned. The rezoning
18 of any such additional property shall be made subject to the approved Development Standards and
19 Design Guidelines applicable to that property.

20 SECTION 17: Title 19, Chapter 8, Section 40, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 1 that appears therein
22 (exclusive of the accompanying notes) to read as follows:

23 **Table 1. Single-Family Residential District Development Standards**

24

STANDARD	U	R-A	R-E	R-D	R-1	R-CL	R-MH	R-MHP
25 Min Lot Size (s f)	20,000	40,000	20,000	11,000	6,500	3,500 ²	6,500	4,000
26 Dwelling Units per Lot	1	1	1	1	1	1	1	1
27 Min Lot Width (ft)	100 ⁶	100 ⁶	100 ⁶	90 ⁶	65 ⁵	35 ^{3 6}	65 ⁶	45 ⁶
28 Min Front Yard Setback (ft)	50 ¹	50 ¹	50 ¹	25	20	14 ⁴	15	5
Min Side Yard Setback (ft)	10 ⁷	10 ⁷	10 ⁷	10 ⁷	5 ⁷	10 ^{5 7}	5 ⁷	5 ⁷

STANDARD	U	R-A	R-E	R-D	R-1	R-CL	R-MH	R-MHP
Min Corner Side Yard Setback (ft)	15 ⁷	15 ⁷	15 ⁷	15 ⁷	15 ⁷	10 ⁷	10 ⁷	5 ⁷
Min Rear Yard Setback (ft)	35 ⁷	35 ⁷	35 ⁷	30 ⁷	15 ⁷	10 ⁷	10 ⁷	5 ⁷
Max Lot Coverage	NA	NA	NA	NA	50%	50%	50%	NA
Max. Building Height (ft.)	2 stories or 35 feet, whichever is less ^a							

SECTION 18: Title 19, Chapter 8, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 1 that appears therein to include a new note accompanying the table, designated as Note 8, reading as follows:

8. All Districts -- Roof-mounted solar panel units that are permitted as a conditional use pursuant to Table 2 of the Land Use Tables set forth in Section 19.04.010 shall not be considered as a part of the building height for purposes of this Table

SECTION 19: Title 19, Chapter 8, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 2 that appears therein (exclusive of the accompanying notes) to read as follows:

Table 2. Residential District Development Standards, Other than Single-Family

STANDARD	R-2	R-3	R-4	R-5
Minimum Lot Size (s.f)	6,500	6,500	6,500	7,000
Dwelling Units per Gross Acre	6-12	13-25	26-50	unlimited ¹
Min Lot Width (ft)	NA	NA	NA	NA
Min Front Yard Setback (ft.) ³	20	20	10	10
Min. Side Yard Setback (ft) ³	5 ⁴	5 ⁴	5 ⁴	5 ⁴
Min Corner Side Yard Setback (ft.) ³	5 ⁴	5 ⁴	5 ⁴	5 ⁴
Min Rear Yard Setback (ft) ³	20 ⁴	20 ⁴	20 ⁴	20 ^{2,4}
Max Lot Coverage ³	NA	NA	NA	NA
Max Building Height (ft) ³	2 stories or 35 feet, whichever is less ⁶			5 stories or 55 feet, whichever is less ⁶

SECTION 20: Title 19, Chapter 8, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 2 that appears therein to include a new note accompanying the table, designated as Note 6, reading as follows.

6. All Districts -- Roof-mounted solar panel units that are permitted as a conditional use pursuant to

1 Table 2 of the Land Use Tables set forth in Section 19.04.010 shall not be considered as a part of the
2 building height for purposes of this Table.

3 SECTION 21: Title 19, Chapter 8, Section 50, Subsection (C), of the Municipal Code
4 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Note 2 that
5 accompanies Table 2 appearing therein. In particular, Paragraph (f) of Note 2 is amended to read as
6 follows:

7 f Exemptions Chimney and vent stacks; roof structures for the use of elevations, stairs, tanks,
8 ventilation, solar panels, and similar necessary mechanical equipment; visual screens which surround
9 mounted mechanical equipment; skylights; and whip and mounted antennas and flag poles up to forty
10 feet in height may be erected above the required height limits. In no case shall structures above the
11 permitted height limit be constructed for the purpose of providing additional floor space.

12 SECTION 22: Title 19, Chapter 8, Section 50, Subsection (E), Paragraph (4), of the
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the
14 introductory paragraph (only) to read as follows:

15 (4) Screening and Lighting. The following uses and equipment shall be screened from public view
16 from all rights-of-way, pedestrian areas, and parking lots: Trash and refuse collection areas;
17 mechanical equipment such as air conditioners, pumps and motors; propane tanks and other storage
18 tanks; electrical equipment such as switching equipment and transformers; emergency generators;
19 valves; vents; utility meters; satellite dishes; [solar collectors;] grouped mailboxes; and any
20 commercial project which abuts a residential property Screening includes, without limitation, solid
21 walls and landscaping of a density sufficient to screen the use.

22 SECTION 23: Title 19, Chapter 8, Section 50, Subsection (E), Paragraph (4),
23 Subparagraph (c), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
24 amended to read as follows:

25 (c) Mechanical and Electrical Equipment. In the initial design stage of a development project,
26 mechanical and electrical equipment should be incorporated into the architectural form and layout of
27 the proposed building to reduce the need for screening (See Figure 28)

28 (1) Mechanical and electrical equipment. [solar collectors,] satellite dishes and any other

1 communications equipment, excluding communications towers and antennas, shall be concealed from
2 view of public rights-of-way and neighboring properties from street level within one hundred feet of
3 the property boundary. Communication antennas shall be of a design, and installed in such a manner,
4 as to blend in with the architecture and design of the building on which they are mounted. Where
5 reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be
6 painted in a neutral color to blend with roofing materials (See Figure 29).

7 (ii) Ground and wall mounted mechanical and electrical service equipment, such as utility
8 boxes, valves, gas and electric meters, shall be screened from public view with materials
9 architecturally compatible with the finishes and character of the principal structures within the
10 development or through the use of shrubs and landscaping, and shall be screened to the height of the
11 tallest equipment, integrated with the building design, or both (See Figure 30).

12 SECTION 24: Title 19, Chapter 8, Section 50, Subsection (E), Paragraph (4),
13 Subparagraph (d), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
14 amended to read as follows:

15 (d) Mechanical Equipment on Sloped Roofs.

16 [(i) With the exception of solar panel equipment,] Except as otherwise specifically
17 provided in this Title, no mechanical equipment shall be mounted on or attached to any sloped roof.

18 [(ii) When mounted on sloped roofs, solar panel equipment, with the exception of the solar
19 collection cells, shall match the roof in color and appearance. Panels shall be mounted directly to the
20 roof plane and be integral to the roof design. Roof mounted hot water storage systems shall not be
21 visible from neighboring properties or public rights-of-way.]

22 SECTION 25: Title 19, Chapter 8, Section 60, Subsection (B), Paragraph (3), of the
23 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
24 follows.

25 (3) Exceptions.

26 (a) The following structures may project a maximum of twelve feet above the Proximity
27 Slope:

28 (i) Chimney and vent stacks.

1 (ii) Roof structures for the use of solar panel units, elevators, stairs, tanks,
2 ventilation and similar necessary mechanical equipment.

3 (iii) Visual screens which surround mounted mechanical equipment.

4 (iv) Skylights.

5 (v) Whip and mounted antennas.

6 (b) Church steeples, utility transmission lines and towers, and municipal utility facilities
7 such as water towers are exempt from the maximum height provisions.

8 SECTION 26: Title 19, Chapter 12, Section 40, Subsection (B), Paragraph (1), of the
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending
10 Table appearing therein, including the accompanying notes, to read as follows:

11 **Table 2 Perimeter Landscape Buffer – Spacing of Trees**

12

STANDARD	RESIDENTIAL (MULTIFAMILY)	COMMERCIAL	INDUSTRIAL	RESIDENTIAL (SINGLE-FAMILY)
Minimum Trees (24" box minimum)	1 per 20 linear feet <u>1 per 30 linear feet³</u>	1 per 20 linear feet ¹ 1 per 30 linear feet ^{2,3}	1 per 20 linear feet ¹ 1 per 30 linear feet ^{2,3}	1 per 30 linear feet

13
14
15

16 1. Where adjacent to any residential use.

17 2. Where adjacent to any commercial or industrial use.

18 3. Where adjacent to any right-of-way classified as a freeway.

19 SECTION 27: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting therefrom the term "Psychiatric
21 Hospital" and its corresponding definition.

22 SECTION 28: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
23 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term "Gaming
24 Establishment, Non-Restricted" to read as follows.

25 "Gaming Establishment, Non-restricted" means an establishment which is used or intended to be used
26 for the conduct of gaming activities for which a non-restricted gaming license is required pursuant to
27 LVMC Title 6, [of the Las Vegas Municipal Code] For informational purposes, the term refers to an
28 establishment whose gaming operations consist of sixteen or more slot machines, or any number of

1 slot machines together with any other game, gaming device, race book or sports pool at that
2 establishment. When operated in conjunction with a hotel having more than two hundred rooms, the
3 use includes any number of ancillary alcoholic beverage-related uses with an on-sale component,
4 without regard to the requirements of LVMC Chapter 19.04, but only to the extent such uses conform
5 to the applicable requirements of LVMC Chapters 6.40 and 6.50.

6 SECTION 29: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term "General
8 Retail Store, Other Than Listed" to read as follows:

9 "General Retail Store, Other Than Listed" means a facility for the retail sale of general merchandise
10 to the general public for direct consumption and not for wholesale. The term does not include a
11 "grocery store," "convenience store," or other retail facility that is specifically defined in this Chapter.

12 SECTION 30: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate locations,
14 the following terms and their corresponding definitions:

15 "Convenience Store" means a facility, limited in size and scope, that is primarily used for the retail
16 sale to the public of merchandise for off-site consumption, including prepackaged food products,
17 sundries, household items and similar consumer items. The term does not include a retail business
18 licensed as a "drugstore" pursuant to LVMC Title 6.

19 "Grocery Store" means a facility, over five thousand square feet in size, that is primarily used for the
20 retail sale of household foodstuffs for offsite consumption, including any combination of fresh
21 produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, baked foods,
22 prepared foods, and beverages. A "grocery store" may include the sale of other household supplies
23 and products, but only if secondary to the primary purpose of food sales.

24 "Solar Panel" means a small-scale unit that is designed and used, on an incidental or accessory basis,
25 to generate power or heat (or both) to be supplied to the principal use on the site. A "solar panel"

26 (1) Does not include an "electric generating plant" or any other utility facility that is
27 specifically defined in Chapter 19 20; and

28 (2) Shall not be deemed an accessory structure for purposes of the standards of this Title

1 that govern accessory structures.

2 SECTION 31: For purposes of Section 2.100(3) of the City Charter, LVMC 19.02.040,
3 19.04.010, 19.04.050, 19.06.080, 19.06.160, 19.08.040, 19.08.050, 19.08.060, 19.12.040, and
4 19.20.020 are deemed to be subchapters rather than sections.

5 SECTION 32: If any section, subsection, subdivision, paragraph, sentence, clause or
6 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
7 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
8 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
9 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
10 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
11 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
12 invalid or ineffective

13 SECTION 33: All ordinances or parts of ordinances or sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this ____ day of _____, 2008.

17 APPROVED

18 By _____
19 OSCAR B. GOODMAN, Mayor

20 ATTEST

21 _____
22 BEVERLY K. BRIDGES, CMC
City Clerk

23 APPROVED AS TO FORM:

24 Val Steed 9-4-08
Date

25
26
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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 _____, 2008, 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 _____, 2008, 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:

BEVERLY K. BRIDGES, CMC
City Clerk

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2008

DEPARTMENT: CITY CLERK

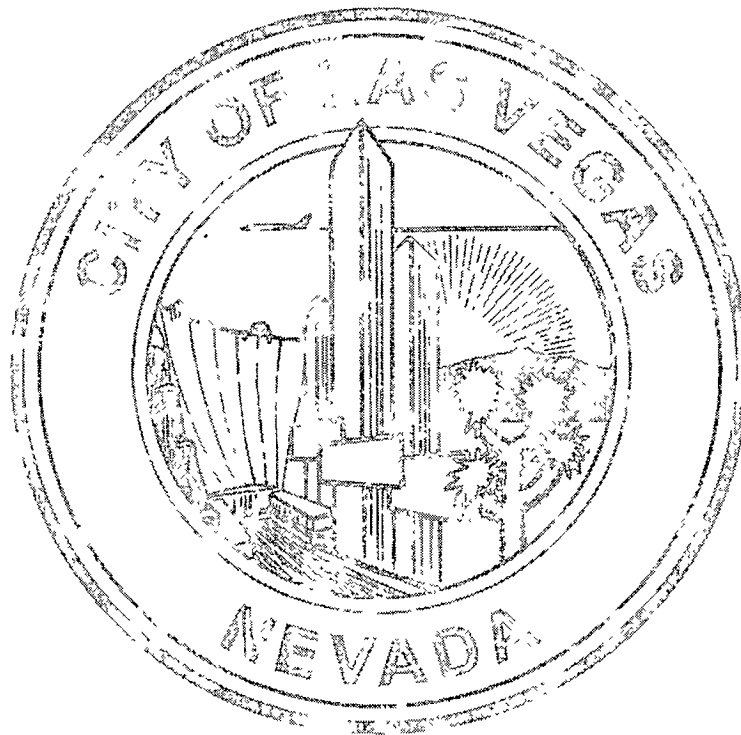
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited

Minutes:

None



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2008

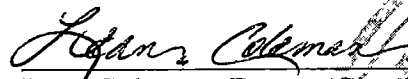
DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

Consent Discussion

SUBJECT:
ADJOURNMENT

Minutes:
Meeting adjourned at 4:13 p.m.

Respectfully submitted,


Leah Coleman, Deputy City Clerk II
October 3, 2008

