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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: www.lasvegasnevada.gov
FEBRUARY 16, 2010
9:00 A.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. 2010-9 – Adopts an amended development agreement with the Board of Regents of the Nevada System of Higher Education, on behalf of the College of Southern Nevada, regarding property located in the vicinity of Durango Drive and Oso Blanca Road Sponsored by. Councilman Steven D Ross
4. Bill No 2010-10 – Authorizes the City Manager or a designee, rather than the City Council, to waive ordinance requirements pertaining to the undergrounding of electrical and similar distribution lines. Proposed by. Jorge Cervantes, Director of Public Works
- 5 Bill No. 2010-11 – Authorizes the waiver of land development and zoning application fees on behalf of certain local and regional agencies. (TXT-36429) Proposed by: Elizabeth N. Fretwell, City Manager
6. Bill No. 2010-12 – Updates the City's zoning regulations pertaining to transit passenger facilities (TXT-36430) Sponsored by Councilman Steven D Ross
- 7 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
- 8 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.

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City of Las Vegas

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

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

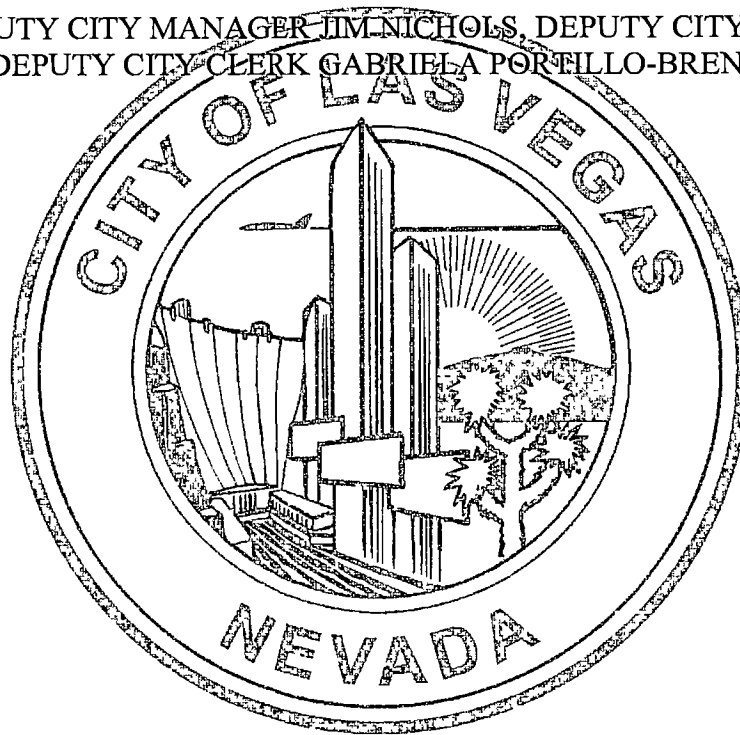
CALL TO ORDER

Minutes:

COUNCILMAN BARLOW called the meeting to order at 9:16 a.m.

PRESENT: COUNCILMEN BARLOW (via telephone conference) and ANTHONY

Also Present: DEPUTY CITY MANAGER JIM NICHOLS, DEPUTY CITY ATTORNEY VAL STEED and DEPUTY CITY CLERK GABRIELA PORTILLO-BRENNER



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

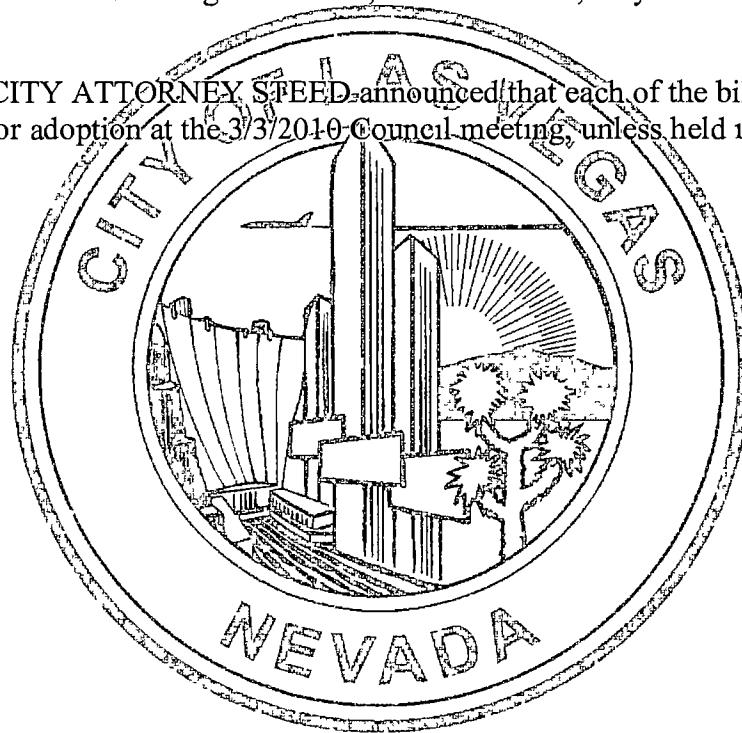
SUBJECT:

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; Clark County Government Center, 500 South Grand Central Parkway; Las Vegas Library, 833 Las Vegas Boulevard North; Grant Sawyer Building, 555 East Washington Avenue; Bulletin Board, City Hall Plaza (next to Metro Records)

CHIEF DEPUTY CITY ATTORNEY SPEED announced that each of the bills on this agenda would be eligible for adoption at the 3/3/2010 Council meeting unless held in abeyance.



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2010-9 – Adopts an amended development agreement with the Board of Regents of the Nevada System of Higher Education, on behalf of the College of Southern Nevada, regarding property located in the vicinity of Durango Drive and Oso Blanca Road. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

No Impact Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will formalize the adoption of an amended development agreement with the Board of Regents of the Nevada System of Higher Education, on behalf of the College of Southern Nevada, regarding property located in the vicinity of Durango Drive and Oso Blanca Road. The amendment, which is scheduled for approval by vote of the City Council at its February 3, 2010, meeting, will authorize additional extensions of time for the College to obtain a land patent beyond the single extension authorized in the original agreement.

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 2010-9

Motion made by STAVROS S. ANTHONY to Approve as Do Pass

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

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

FLINN FAGG, Planning and Development, reported that the College of Southern Nevada entered into an agreement for property that limited the college to secure the patent within 18 months, with a six-month extension, but the college has had difficulty accomplishing that. The proposed amendment includes additional six-month extensions, upon approval.

COUNCILMAN BARLOW declared the Public Hearing closed.

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BILL NO. 2010-9
ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THAT CERTAIN AGREEMENT ENTITLED "AMENDED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION ON BEHALF OF THE COLLEGE OF SOUTHERN NEVADA," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross Summary: Adopts an amended development agreement with the Board of Regents of the Nevada System of Higher Education, on behalf of the College of Southern Nevada, regarding property located in the vicinity of Durango Drive and Oso Blanca Road.

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

SECTION 1: That certain amended development agreement entitled "Amended Development Agreement Between the City of Las Vegas and the Board of Regents of the Nevada System of Higher Education on Behalf of the College of Southern Nevada," which was approved by the City Council on February 3, 2010, and which is on file with the City Clerk's Office, is hereby adopted in conformance with the provisions of NRS Chapter 278.

SECTION 2: This Ordinance, as well as the amended development agreement adopted by Section 1, shall be recorded in the office of the County Recorder in accordance with the provisions of NRS Chapter 278.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence,

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

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

12 PASSED, ADOPTED and APPROVED this _____ day of _____,
13 2010.

14 APPROVED:

15 By _____
16 OSCAR B. GOODMAN, Mayor

17 ATTEST:

18 _____
19 BEVERLY K. BRIDGES, MMC
City Clerk

20 APPROVED AS TO FORM:
21 Val Steed 1-21-10
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the ____ day of _____, 2010, and referred to the following committee
3 composed of _____ and _____ for
4 recommendation; thereafter the said committee reported favorably on said ordinance on the
5 ____ day of _____, 2010, which was a _____ meeting of
6 said Council; that at said _____ meeting, the proposed ordinance was
7 read by title to the City Council 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, MMC
City Clerk

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2010-10 – Authorizes the City Manager or a designee, rather than the City Council, to waive ordinance requirements pertaining to the undergrounding of electrical and similar distribution lines. Proposed by: Jorge Cervantes, Director of Public Works

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Under current ordinance provisions, requirements pertaining to the undergrounding of electrical and similar distribution lines may be waived by the City Council. This bill will give the City Manager or a designee the option to waive such requirements where deemed appropriate, such as waiver requests that are minor or routine in nature.

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. 2010-10
2. Business Impact Statement
3. Submitted at Meeting – Written Comments of Charleston Neighborhood Preservation by Juanita Clark for Items 4 and 5

Motion made by STAVROS S. ANTHONY to Approve as Do Pass as a First Amendment

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

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

JORGE CERVANTES, Director of Public Works, stated this bill involves an amendment to Title 13.52.170, to allow the City Manager or a designee to waive ordinance requirements pertaining to undergrounding in cases where only maintenance is necessary, which would facilitate the process. Any work requiring additional capacity or involving any controversy would be forwarded to the Council for consideration.

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

COUNCILMAN BARLOW confirmed with MR. CERVANTES that the waiver only pertains to undergrounding where maintenance is required. However, the Councilman wondered what would happen in cases where the property owner is unable to pay, to which MR. CERVANTES replied that such matters would be between the owner and NV Energy.

COUNCILMAN BARLOW noted that he is concerned about constituents that may contact him about decisions made at the administrative level. MR. CERVANTES assured the Councilman that the manager would only handle cases with a strong likelihood of being approved. Anything controversial would be scheduled before the Council. COUNCILMAN BARLOW insisted on adding language requiring matters with opposition by constituents to be forwarded to the Council for consideration. MR. CERVANTES assured the Councilman that he would work with the City Attorney's Office on adding language.

JUANITA CLARK, Charleston Neighborhood Preservation, submitted and read a written document. She asked if the Recommending body is considered a legislative body. COUNCILMAN BARLOW answered that the Councilmembers are appointed to the Recommending Committee to consider proposed bills and make recommendations to the Council, and they are considered legislators.

EDGAR PATINO and PRISCILLA RAUDENBUSH of NV Energy were present. MR. PATINO supported the amendment because he believes it will help residents, especially when only maintenance is involved because residents will not be inconvenienced, adding that approving a waiver does not mean residents or businesses will incur any costs.

MS. RAUDENBUSH interjected that NV Energy is also crafting verbiage indicating that should the City Manager or a designee want undergrounding, consideration by the Council would be required. COUNCILMAN BARLOW was amenable to that, and MR. CERVANTES indicated that a provision for appeals would be added.

CHIEF DEPUTY CITY ATTORNEY STEED suggested that rather than having a provision for an appeal, Subsections B and C be re-written to require that any cases wherein the City Manager or a designee is considering denial or are of any concerns be automatically forwarded to the Council. This would not give the City Manager or a designee any authority to deny. MR. PATINO agreed with this suggestion. MR. CERVANTES added that this makes sense because only denials incur additional costs to the residents, not approvals.

COUNCILMAN BARLOW declared the Public Hearing closed.

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BILL NO. 2010-10

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER OR A DESIGNEE, RATHER THAN THE CITY COUNCIL, TO WAIVE ORDINANCE REQUIREMENTS PERTAINING TO THE UNDERGROUNDING OF ELECTRICAL AND SIMILAR DISTRIBUTION LINES UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Jorge Cervantes, Director of Public Works Summary: Authorizes the City Manager or a designee to waive ordinance requirements pertaining to the undergrounding of electrical and similar distribution lines.

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

SECTION 1: Title 13, Chapter 52, Section 170, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.52.170: (A) An application may be made to the Director of Public Works requesting approval [by the City Council] of a waiver of the requirements of this Chapter pertaining to underground installation of distribution lines for any of the following reasons:

- (1) In cases of emergency where public health and safety would be jeopardized;
- (2) Unavailability of materials necessary for underground installation;
- (3) Topographical or subsurface conditions making such underground installations economically unreasonable or impractical; or
- (4) Requiring the underground installation does not promote the purposes stated under Section 13.52.010 or is unreasonable due to other circumstances presented by the applicant.

(B) The approval authority may approve the application [shall be reviewed by the Director of Public Works who shall make recommendations for approval or denial to the City Council. After reviewing the recommendations of the Director of Public Works, the City Council shall approve the application] if it comes within one of the categories set out in Subsection (A) of this Section for which a waiver may be granted to the applicant.

(C) For purposes of Subsection (B) of this Section, the "approval authority" is:

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- (1) The City Manager or the City Manager's designee; or
- (2) The City Council, if the City Manager determines that the nature and scope of the application warrants Council consideration.

SECTION 2: 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 3: 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 _____, 2010.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Heed 1-20-10
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2010, 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 _____, 2010, 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 APPROVED:

12
13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
18 City Clerk
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BUSINESS IMPACT STATEMENT

BILL NO. 2010-10

(Authorizes the City Manager or a designee, rather than the City Council, to waive ordinance requirements pertaining to the undergrounding of electrical and similar distribution lines)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2010-10, that would authorize the City Manager or a designee, rather than the City Council, to waive ordinance requirements pertaining to the undergrounding of electrical and similar distribution lines.

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.

Not applicable

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:

Possibility of expedited waiver requests

Direct effects:

Possibility of expedited waiver requests

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: January 20, 2010



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

Phone/Fax: 702-877-2438

DATE: Feb 16, 2010 is scheduled recommending Committee Meeting
TO: THE RECOMMENDING COMMITTEE (unnamed persons)
FROM: Charleston Neighborhood Preservation
RE: Legislative items noted below

#4. Bill No. 2010-10

Copy of this proposed legislation did not reveal why this power "to waive ordinance requirements .." should be delegated to the UNElected City Manager or an UNElected designee which this unelected city manager designates.

We note this bill is mentioned as item #48 on the Jan. 17, 2010 CLV City Council Agenda to be brought for a vote at a "later" meeting.

As voting constituents of you City Counselors who sit for the term of this meeting as THE RECOMMENDING COMMITTEE, will you tell us or write us in a timely manner our 'standing' before you during this meeting? Legal wording identifies this bill as "legislation" so does it also identify you as a legislative body?

Our President and Board emphatically request that you "formulate a recommendation to the City Council forREJECTION.....of this Bill No. 2010-10

#5 Bill No. 2010-11

WOW. We note the summary waivers land development, but wonder whether "fees" is best placed between "development and "and" since the objective of this bill seems to be fee waivers rather than land development waivers.

"We need the money!" cries our president, "Formulate a recommendation to city council for REJECTION."

Again we note that the Unelected position of City Manager "may" have the power to waive fees. Because our elected representatives are changing titles and interchanging duties, we now are subjected to appointees having the powers of the elected representatives? Noooooooooooooooooo.

Charleston Neighborhood Preservation will stand on the straight response, "We need the money." even though we read this bill as trying to provide monetary relief as government feeds on itself.

Thank you for listening to our pleadings.

June Ingram, President

and Board of Charleston Neighborhood Preservation

June Ingram
C N P President

Submitted At Meeting

Date *2/16/10* Item

#4/25-

BOARD & ADVISORY MEMBERS

Dennis Ardine-Vicki Arnold-Dick Bratton-Erna Clark-Juanita Clark-Miriam Een- Danielle Hanslip-Rose Honrath-June Ingram-Rick Johnson-Jolanta Krol-Rod & Betty Larsen- Geno & Pearl Lonardo-Flo Montalvo-Dorothy Orr-Jim Seward-Pamela Stancliffe-Tim Volz-Marcus Gobel-Ginger Norton-Denise Reitz-Layne Rushforth-Jeanne Sweany-Julia Whaun-Jean Withers-Others

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2010-11 – Authorizes the waiver of land development and zoning application fees on behalf of certain local and regional agencies. (TXT-36429) Proposed by: Elizabeth N. Fretwell, City Manager

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will authorize the City Manager to waive land development and zoning application fees on behalf of certain local and regional agencies. Those agencies currently include members of the Southern Nevada Regional Planning Coalition and agencies that work with the Coalition on local/regional air pollution and transportation issues.

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. 2010-11

Motion made by STAVROS S. ANTHONY to Approve as-Do-Pass

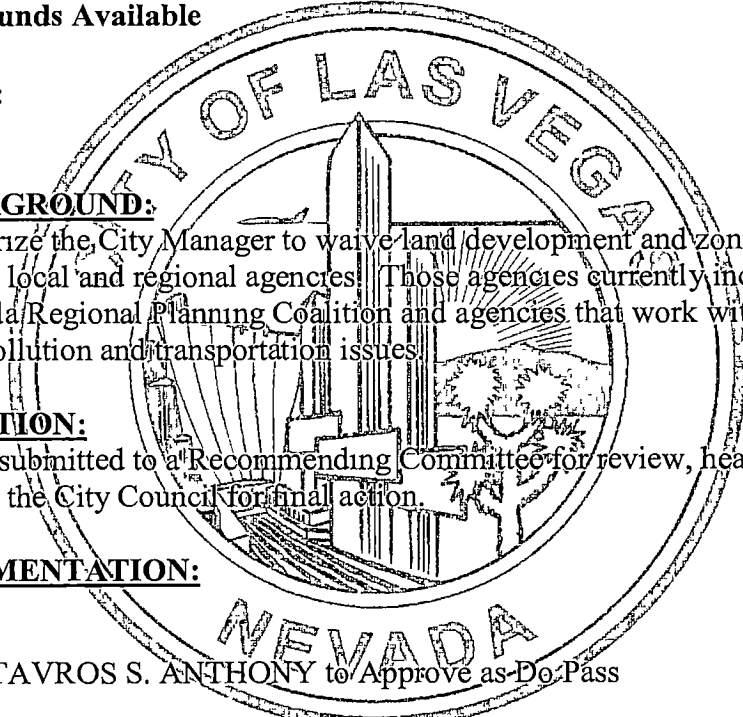
Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

FLINN FAGG, Planning and Development, reported that public entities file site plans and are required to pay required fees; however, like the City, their revenues are diminishing. Staff is proposing to add text to Titles 18 and 19 to allow the City Manager to waive fees for public agencies, and he enumerated the types of agencies that would qualify. The requirement to file site plan applications would remain.



RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

JUANITA CLARK, Charleston Neighborhood Preservation, submitted and read a written document.

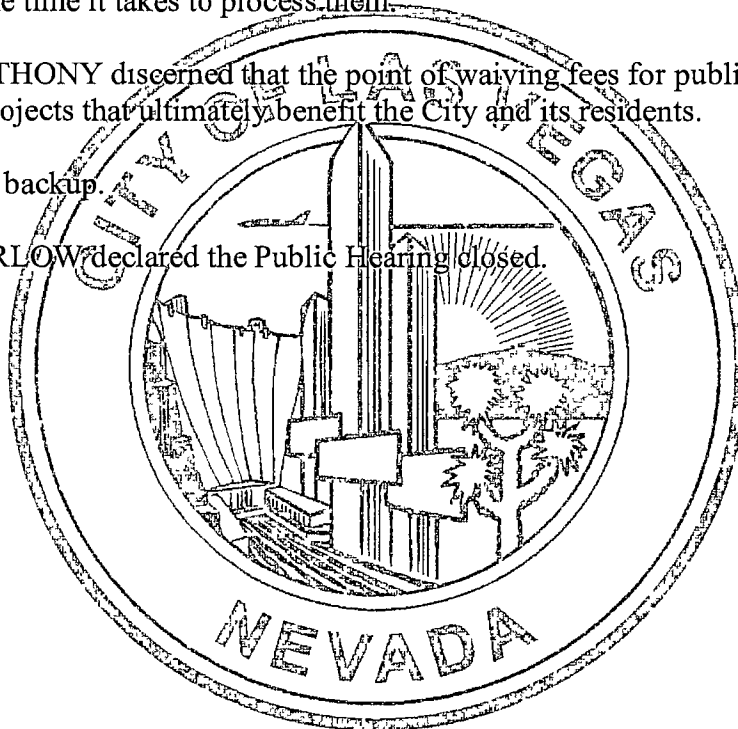
COUNCILMAN BARLOW discussed with MR. FAGG that authorizing the City Manager to waive fees would expedite the process, thereby expediting the City's ability to move forward with providing better transportation.

COUNCILMAN ANTHONY asked if waiving fees would mean revenue loss for the City. MR. FAGG indicated there will be a loss of City staff time that cannot be recuperated. The Councilman expressed concern about revenue loss, which will add to the budget problems. He asked if the City could have its fees waived and how much of a revenue loss is the City facing with approval of this bill. MR. FAGG could not answer, but he estimated the application fees amount to less than the time it takes to process them.

COUNCILMAN ANTHONY discerned that the point of waiving fees for public agencies is to move forward with projects that ultimately benefit the City and its residents.

See Item 4 for related backup.

COUNCILMAN BARLOW declared the Public Hearing closed.



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BILL NO. 2010-11

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE WAIVER OF LAND DEVELOPMENT AND ZONING APPLICATION FEES ON BEHALF OF CERTAIN LOCAL AND REGIONAL AGENCIES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by:
Elizabeth N. Fretwell, City Manager

Summary: Authorizes the waiver of land development and zoning application fees on behalf of certain local and regional agencies.

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

SECTION 1: Title 18, Chapter 22, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 30, reading as follows:

18.22.030: The City Manager may waive any fee referred to in the Fee Schedule on behalf of:
(A) Any member of the Southern Nevada Regional Planning Coalition; or
(B) Any entity with whom the Coalition is required to integrate long-term planning programs pursuant to NRS 278.02584.

SECTION 2: Title 19, Chapter 18, Section 10, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

- (C) Fees.
- (1) Adopted. The Director is authorized to charge fees related to the processing of applications in accordance with the Fee Schedule. The Fee Schedule set forth in Title 19 is hereby adopted as part of this Title and may be amended from time to time by resolution of the City Council.
 - (2) When Payable. Fees for filing applications and other requests under this Title are set forth in the Fee Schedule and are due at the time the application or request is filed.
 - (3) Additional Fees. With respect to any application under this Title that requires notification of a public hearing, the applicant shall also pay the notification and advertising costs identified in the Fee Schedule. Payment of those costs shall be made upon filing of the application.
 - (4) Waiver of Fees. The City Manager may waive any fee referred to in the Fee Schedule on behalf of:

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- (a) Any member of the Southern Nevada Regional Planning Coalition; or
- (b) Any entity with whom the Coalition is required to integrate long-term planning programs pursuant to NRS 278.02584.

SECTION 3: For purposes of Section 2.100(3) of the City Charter, LVMC 19.18.010 is deemed to be a subchapter rather than a section.

SECTION 4: 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 5: 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 _____, 2010.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:
Val Steed 1-20-10
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2010, 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 _____, 2010, 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 BEVERLY K. BRIDGES, MMC
City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2010-12 – Updates the City’s zoning regulations pertaining to transit passenger facilities. (TXT-36430) Sponsored by: Councilman Steven D. Ross

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill update the City’s zoning regulations pertaining to transit passenger facilities. The bill will specifically identify the category of “park and ride” facilities and establish the circumstances under which those and other transit passenger facilities may be approved either as a conditional use or by means of special use permit.

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. 2010-12

Motion made by STAVROS S. ANTHONY to Approve as-Do Pass

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

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

FLINN FAGG, Planning and Development, stated this bill proposes to add a definition and to allow transit passenger facilities in C-1 and CP-V zoning with the minimum standards, which are outlined in the bill. The Regional Transportation Commission (RTC) is attempting to encourage greater ridership by creating smaller park and ride facilities through arrangements with entities such as churches, which would be used on the weekends as satellite parking facilities.

COUNCILMAN BARLOW declared the Public Hearing closed.

1 **BILL NO. 2010-12**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO UPDATE THE CITY'S ZONING REGULATIONS PERTAINING TO
4 TRANSIT PASSENGER FACILITIES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Steven D. Ross

Summary: Updates the City's zoning regulations pertaining to transit passenger facilities.

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 Title 19, Chapter 4, Section
10 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
11 amending the description of the use "Transit Passenger Facility," as found in the "Utilities,
12 Communication and Transportation" element of Table 2, to read as follows:

USE: Transit Passenger Facility																				
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
																C	IPIC	C	P	P
Description: A facility, including a park and ride, for the loading and discharging of train or bus passengers.																				
Conditional Use Regulations:																				
1. The facility must be operated by a public entity.																				
2. The facility must be located along a collector or arterial street.																				
3. The principal operating hours of the of the commuter parking lot must not significantly conflict with those of other uses on the parcel.																				
4. The use must be ancillary to a primary use, and the number of parking spaces dedicated to commuter parking shall not exceed 10% of the total amount of parking required for the primary use under Chapters 19.04 and 19.10.																				
On-site Parking Requirements: To be determined on a case-by-case basis.																				

23 SECTION 2: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term "Transit
25 Passenger Facility" to read as follows:

26 "Transit Passenger Facility" means a facility, including a park and ride, for the loading and
27 discharging of train or bus passengers.

28 SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate location,
2 the following term and its corresponding definition:

3 "Park and Ride" means a facility for the boarding and debarking of transit vehicles that includes an
4 area for the parking of commuters' vehicles in connection with their use of transit vehicles.

5 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010
6 and 19.20.020 are deemed to be subchapters rather than sections.

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

15 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
16 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
17 1983 Edition, in conflict herewith are hereby repealed.

18 PASSED, ADOPTED and APPROVED this ____ day of _____, 2010.

19 APPROVED:

20
21 By _____
OSCAR B. GOODMAN, Mayor

22 ATTEST:

23 _____
24 BEVERLY K. BRIDGES, MMC
City Clerk

25 APPROVED AS TO FORM:

26 Val Steed 1-20-10
Date

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

DEPARTMENT: CITY CLERK

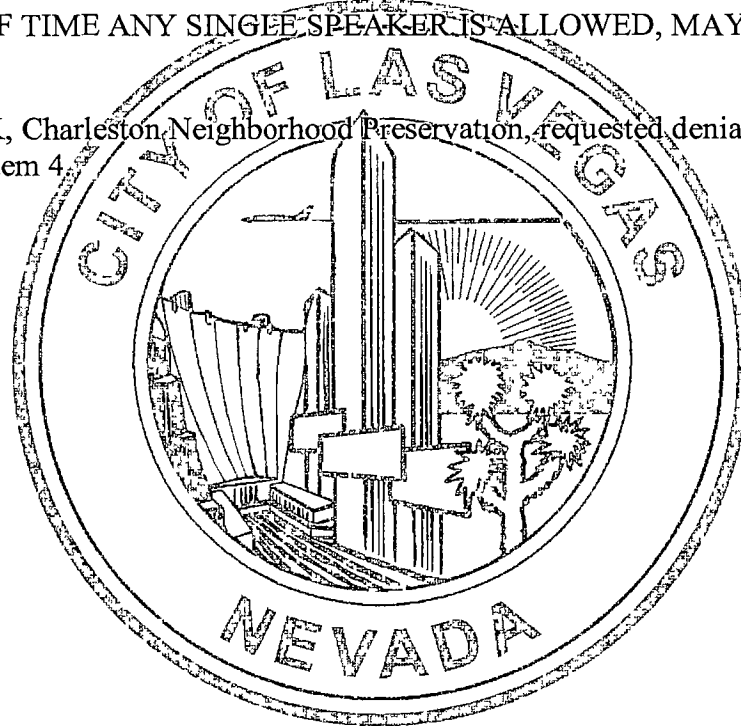
DIRECTOR: BEVERLY K. BRIDGES

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:

JUANITA CLARK, Charleston Neighborhood Preservation, requested denial of the bill considered under Item 4.



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 16, 2010

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

Consent Discussion

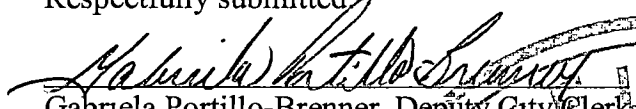
SUBJECT:

ADJOURNMENT

Minutes:

The meeting was adjourned at 9:43 a.m.

Respectfully submitted:


Gabriela Portillo-Brenner, Deputy City Clerk
February 16, 2010

