REVISIONS TO TITLE 19 AS OF APRIL 30, 2005

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The City of Las Vegas

Zoning Code

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APRIL 30, 2005

March 1997 • Revised September 2003

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B. Commercial Districts

Ord 5738 12/15/04

1. **P-R Professional Office and Parking District.** The P-R District is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single family structures should be retained or new development in the P-R District should be constructed to maintain a residential character. The P-R District is consistent with the Office category of the General Plan.

2. **N-S Neighborhood Service District.** The purpose of the N-S District is to provide for the development of convenience retail shopping, services and professional offices principally serving neighborhood needs and compatible in scale, character and intensity with adjacent residential development. This district is intended to be located at intersections of streets designated as collector or larger. The N-S District should also be used as a buffer between residential and more intense retail/commercial uses. The N-S District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

3. **O Office District.** The Office District is designed to provide for the development of office uses, supporting service uses and low intensity commercial uses performing administrative, professional and personal services. These may be small office buildings developed in a cluster with an internal traffic circulation system or one larger office building. This district may be used as a buffer between residential and more intense retail/commercial uses. The O District is consistent with the Office category of the General Plan.

Ord 5488 6/19/02

4. **C-D Designed Commercial District.** The purpose of the C-D District is to provide standards for the development of a select type of light commercial uses which will be in harmony with the neighborhood in which it is to be located. The C-D District is consistent with the Service Commercial, Office and Neighborhood Center categories of the General Plan.

5. **C-1 Limited Commercial District.** The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

6. **C-2 General Commercial District.** The C-2 District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors. The C-2 District is consistent with the General Commercial category of the General Plan.

C. Industrial Districts

Ord 5738 12/15/04

1. **C-PB Planned Business Park District.** The C-PB District allows industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, research, development and testing laboratories; medical related uses and ancillary commercial uses in an Industrial Office Park setting; and mixed-use developments. The C-PB District is consistent with the Light Industry/Research category of the General Plan.

2. **C-M Commercial/Industrial District.** The C-M District is a general commercial and restricted industrial district designed to provide for a variety of compatible business, warehouse, wholesale, office and limited industrial uses. This district is intended to be located away from areas of low and medium density residential development. The C-M District is consistent with the Light Industry/Research category of the General Plan.

3. **M Industrial District.** The M District is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The M District is consistent with the Light Industry/Research category of the General Plan.

D. Special Purpose Districts

1. **C-V Civic District.** The C-V District is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V District is consistent with the Public Facilities category of the Northwest General Plan Amendment.

2. **P-C Planned Community District.** The purpose of the P-C District is to permit and encourage the development of comprehensively planned communities, with a minimum of 3,000 contiguous acres of land under one ownership or control, which can flourish as unique communities as a result of the comprehensive planning required for this large scale development.

3. **R-PD Residential Planned Development.** The purpose of the R-PD District is to allow maximum flexibility to permit imaginative and innovative residential design and to utilize land for the development of residential communities which are planned and developed with appropriate amenities to establish a clear sense of community. It is intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and a homogeneity of use patterns. Portions of an R-PD development may have a higher or lower density than permitted by the General Plan if the overall density for the entire development is in compliance with the General Plan. The maximum density permitted in an R-PD will be a function of the location and land use designation of a particular R-PD District and a determination of compatibility with surrounding development.

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CHAPTER 19.04 PERMISSIBLE USES

19.04.010 LAND USE TABLES

Buildings, structures and land shall be used in accordance with the uses permitted in the following Land Use Tables, subject to all other applicable requirements of this Title.

Table 1. Interpretation of Land Use Tables

SYMBOL	MEANING
P	The use is permitted as a principal use in that zoning district by right.
A	The use is permitted as an accessory use to a main use in the district. This does not exclude other land uses which are generally considered accessory to the primary use.
C	The use is permitted subject to meeting specified conditions. These conditions are listed in Subchapter 19.04.040.
S	The principal use is permitted in that zoning district only after first obtaining a Special Use Permit (SUP) as set forth in Subchapter 19.18.060.
* (by name of use)	Base standards are required for this SUP approval. These standards are listed in Subchapter 19.04.050.
+ (by name of use)	Special standards are associated with certain uses. These standards are listed in Subchapter 19.04.060.
	A blank square shall mean that the use is not allowed in that zoning district as a principal use.

Table 2. Land Use Tables

P=Permitted A=Accessory Use C=Permitted with Conditions (see Subchapter 19.04.040) S=SUP H=Home Occupation Permit (see Subchapter 19.04.060) TCP=Temporary Commercial Permit
"*" (by name of use) Base standards are required for this SUP approval (Subchapter 19.04.050)
"+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

	RESIDENTIAL												PERMITTED USES	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	RURAL & ANIMAL-RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Ord 5446 2/20/06 Ord 5728 10/6/04	S	S	S										Animal Hospital, Clinic, or Shelter with Outside Pens					S	P		P	P
Ord 5446 2/20/02													Animal Hospital, Clinic, or Shelter without Outside Pens			S	S	S	P		P	P
	C	C	C										Animal Keeping & Husbandry									
Ord 5728 10/6/04	C	C											Animal Keeping , Wild or Exotic									C
	P	P											Animal Production									
	P	P											Crop Production									
	S	S	S										Horse Corral or Stable (Commercial)					C	C		C	C
Ord 5722 9/1/04	C	C	C	C									Horse Corral or Stable (Private)									
Ord 5609 6/18/03 Ord 5675 3/17/04	S	S	S	S	S								Keeping of Carrier or Racing Pigeons				S	S	S		S	S
Ord 5728 10/6/04	C	C	C										Livestock Farming (Bovines/Horses)									
Ord 5737 12/15/04													Pet Boarding*					S	S		C	C

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"+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

	RESIDENTIAL												PERMITTED USES	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	RESIDENTIAL & LODGING	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Ord 5728 10/6/04							S	P	P	P			Assisted Living Apartments					S	P			
	S	S	S	S	S	S	S	S	S	S			Bed & Breakfast Inn	S	S							
								P	P	P			Boarding or Rooming House								S	
	C	C	C										Caretaker's Quarters/Domestic or Security Unit					A	A		A	A
Ord 5728 10/6/04							P	P	P	P			Condominium	C	C	C	C	C	C			
								P	P	P			Convent or Monastery									
								S	S	S			Fraternity, Sorority House, or Private Dorm									
	C	C	C	C	C	C	C	C	C	C			Group Residential Care Facility									
	C	C	C	C	C								Guest House/Casita									
	H	H	H	H	H	H	H	H	H	H	H	H	Home Occupation									
													Hotel or Motel						P	S	P	
									S	S			Hotel, Residence					S	S	S	P	
	P	P	P	P	P	P	P	P	P	P	P		Individual Residential Care Facility									
	P	P	P	P	P	P	P	P	P	P	P		Manufactured Home + (qualifying for treatment as Single Family Detached Dwelling)									

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"+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

	RESIDENTIAL												PERMITTED USES	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	RESIDENTIAL & LODGING, CONTINUED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
											P	P	Manufactured Home (not qualifying for treatment as Single Family Detached Dwelling)									
											P	P	Mobile Home +									
												P	Mobile Home Park +									
Ord 5565 2/5/03								P	P	P			Multi-Family									
	P	P	P	P	P	P	P	P	P	P	P	P	Patio Cover									
Ord 5638 11/19/03								C	C	C			Senior Citizens Apartments*					S				
							P	P	P	P			Single Family, Attached									
	P	P	P	P	P	P	P	P	P	P	P		Single Family, Detached									
						P							Single Family, Zero Lot Line +									
										S			Single Room Occupancy Residence						S		P	
Ord 5728 10/6/04													Time Share Development						C			
								P	P	P			Townhouse									
							P	P	P	P			Two-Family Dwelling									
													Trailer/RV Camp/Park *					S	S		S	P

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"+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

	RESIDENTIAL												PERMITTED USES	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	INSTITUTIONAL & COMMUNITY SERVICE	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													Blood Plasma Donor Center						S		S	S
Ord 5728 10/6/04	C	C	C										Cemetery/ Mausoleum						C		C	C
	P	P	P	P	P	P	P	P	P	P			Child Care - Family Home (1-6 Children)									
	S	S	S	S	S	S	S	S	S	S	S		Child Care - Group Home (7-12 Children)*									
	S	S	S	S				S	S	S	S	S	Child Care Center	C	C	C	P	P	P	P	P	P
	S	S	S	S	S	S	S	S	S	S	S	S	Church/House of Worship *	P	P	P	P	P	P	P	P	P
													College, University, or Seminary			S		P	P	P	P	P
	S	S	S	S	S	S	S	S	S	S			Convalescent Care Facility/Nursing Home *					S	S	P		
													Crematorium						C		C	C
													Emergency Ambulance Services, Ground					S	P	P	P	P
Ord 5633 11/5/03													Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse					S	S		C	C
													Government Facility	P	P	P	P	P	P	P	P	P
Ord 5628 10/1/03								S	S	S			Halfway House						S		S	
		S	S					S	S	S			Hospice	S	S	S	P	P	P		S	

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"*" (by name of use) Base standards are required for this SUP approval (Subchapter 19.04.050)
"+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

	RESIDENTIAL												PERMITTED USES	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	INSTITUTIONAL & COMMUNITY SERVICE, CONTINUED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													Hospital			S		C	P	P	P	P
													Library, Art Gallery or Museum (Public)	P	P	P	P	P	P		P	P
													Mortuary or Funeral Chapel					S	P		P	P
													Post Office, Local Service	P	P	P	P	P	P	P	P	P
													Post Office, Regional						P	P	P	P
													Prison/Custodial Institution								S	S
Ord 5728 10/6/04	C	C	C	C	C	C	C	C	C	C	C	C	Public or Private School, Primary	C	C	S	S	S	C	C	C	C
	S	S	S	S	S	S	C	C	C	C	C	C	Public or Private School, Secondary	C	C	S	S	S	S	S	S	S
													Rescue Mission or Shelter for the Homeless						S		S	S
Ord 5633 11/5/03													Sex Offender Counseling Facility					S	S		C	C
													Social Service Provider, except Rescue Mission or Homeless Shelter			S	S	S	S		S	S
	S	S	S	S	S	S	S	S	S	S			Transitional Living Group Home									

Ord 5633 11/5/03

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P=Permitted A=Accessory Use C=Permitted with Conditions (see Subchapter 19.04.040) S=SUP H=Home Occupation Permit (see Subchapter 19.04.060) TCP=Temporary Commercial Permit
"*" (by name of use) Base standards are required for this SUP approval (Subchapter 19.04.050)
"+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

	RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
Ord 5551 12/4/02	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RETAIL & PERSONAL SERVICES	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													Antique/Collectible Store		S			P	P		P	P
Ord 5564 2/5/03													Astrologer, Hypnotist, or Psychic Art and Science	S	S			P	P		P	P
Ord 5728 10/6/04													Banquet Facility					P	P	A	P	
Ord 5728 10/6/04													Business School			P		P	P	P	P	P
Ord 5728 10/6/04													Catering Service	C	C		C	P	P	P	P	P
													Cleaners, Commercial / Industrial*						S		P	P
													Copy Center	P	P	P	P	P	P	P	P	P
													Dry Cleaners*		P	S	S	P	P	S	P	P
													Garden Supply/Plant Nursery		C		C	C	C		P	P
													General Personal Service		P	A	P	P	P	S	P	P
													General Retail Store, Other than Listed, 3500 Sq. Ft. or more					P	P	S	P	P
													General Retail Store, Other than Listed, Less than 3500 Sq. Ft.		C	A	C	P	P	S	P	P
													Hotel Lounge Bar						.S	S	S	
													Jewelry Store, Class III					S	S		S	C
													Jewelry Store, New					P	P	.	P	P

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	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RETAIL & PERSONAL SERVICES CONT.	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													Laundry, Self Service		S			P	P		P	P
													Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) *					S	S		S	S
													Liquor Establishment (Tavern) *					S	S	S	S	S
Ord 5606 6/4/03													Massage Establishment*	A	A	A	A	S	S	S	S	C
													Museum or Art Gallery (Private)	S	P	P	P	P	P	P	P	P
Ord 5728 10/6/04													Open Air Vending/ Transient Sales Lot					C	C		C	C
													Pawn Shop					S	S		S	C
Ord 5561 1/22/03													Pawn, Auto*								S	C
													Pet Shop		S			C	C		C	C
													Rental Store, w/ Outside Storage						S		P	P
													Rental Store, w/o Outside Storage		S			P	P		P	P
													Restaurant with Service Bar *		S	S	S	S	S	S	S	S

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	RESIDENTIAL												PERMITTED USES	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	RETAIL & PERSONAL SERVICES CONT.	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													Restaurant, 2000 Sq. Ft. or more, w/ Drive-Through					P	P		P	P
													Restaurant, 2000 Sq. Ft. or more, w/o Drive-Through			A		P	P	P	P	P
													Restaurant, Less than 2000 Sq. Ft., w/ Drive-Through		S			P	P		P	P
													Restaurant, Less than 2000 Sq. Ft., w/o Drive-Through		P	A		P	P	S	P	P
Ord 5728 10/6/04													Secondhand Dealer					S	S		C	C
													Service Station					S	S		C	C
													Supper Club *		S	S	S	S	S	S	S	S
Ord 5688 4/21/04													Swap Meet *					S	S		C	C
													Tattoo Parlor/Body Piercing Studio						S		P	P
Ord 5607 6/18/03													Tavern-Limited Establishment					S	S	S	S	S
Ord 5728 10/6/04													Thriftshop					S	S		C	C
													Thriftshop, Non-profit					S	S		S	C
Ord 5728 10/6/04													Wedding Chapel					P	P		P	P

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	RESIDENTIAL												PERMITTED USES	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	COMMERCIAL & BUSINESS SERVICES	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Ord 5653 12/17/03													Bailbond Service					S	S		P	P
													Building & Landscape Material/Lumber Yard					S	C		P	P
													Building Maintenance Service & Sales					S	C	S	P	P
													Cleaners, Commercial						P	S	P	P
													Commercial, Other than Listed						P	S	P	P
													Construction Material Supply Yard								P	P
													Custom & Craft Work					S	C		P	P
													Daily Labor Service					S	S		S	S
													Desktop Publishing	P	P	P	P	P	P	P	P	P
													Employment Agency	P	P	P	P	P	P	P	P	P
													Electrical, Watch, Clock, Jewelry & Similar Repair		P	A	P	P	P	S	P	P
													Food Processing						C		P	P
													Heavy Machinery & Equipment (Rental, Sales & Service)								P	P
5633 11/5/03													Laboratory, Medical or Dental	A	A	A	A	P	P	P	P	P
													Mobile Home/Trailer Sales Lot								P	P
													Off Premise Advertising Sign					S	S		S	S
													Trade School			C		P	P	P	P	P

Table 2. I--d Use Tables

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	RESIDENTIAL												PERMITTED USES	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	AUTO & MARINE-RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													Auto Broker					C	C		C	C
													Auto Dealer Inventory Storage	S				S	S	S	S	S
													Auto Paint & Body Repair Shop *						S		C	C
													Auto Parts (Accessory Installation)					C	P		P	P
													Auto Parts (New & Rebuilt) (Accessory Sales Service)					S	C		P	P
Ord 5505 9/4/02													Auto Repair Garage, Major*						S		C	C
													Auto Repair Garage, Minor					S	C		C	C
													Auto Smog Check					C	C		C	C
Ord 5728 10/6/04													Automobile Rental					S	C		C	C
													Automobile Repossession Agency					C	C		C	C
													Boat & Trailer Dealership (New and Used)						S		C	C
													Car Wash/Auto Detail					S	P		P	P
Ord 5499 8/7/02													Car Wash, Self Service*					S	P		P	P
Ord 5552 12/4/02													Motorcycle/Motor Scooter Sales*					S				
													Motor Vehicle Sales (New)						C		C	C
													Motor Vehicle Sales (Used)						S		C	C
													Parking, Commercial	C		S	S	P	P	P	P	P
Ord 5589 4/16/03 Ord 5498 8/7/02													Recreational Vehicle and Boat Storage*		S			S	C		C	C
													Taxicab/Limo Yard								P	P
													Towing & Impound Yard								C	C
													Towing Service, No Storage						S		P	P
													Truck Rental						S		P	P
Ord 5619 8/6/03													Valet Parking		C	C	C	C	C		C	C

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RESIDENTIAL												*PERMITTED USES*	*COMMERCIAL*						*INDUSTRIAL*		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MH	**INDUSTRIAL & MANUFACTURING**	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Asphalt or Concrete Batch Plant									P
												Environmentally Hazardous Materials									P
												Light Assembly & Fabrication					C	C	P	P	P
												Manufacturing, Heavy								S	P
												Manufacturing, Light							P	P	P
S												Mining, Sand & Gravel Excavation								S	S
												Printing & Publishing							P	P	P
												Salvage or Reclamation of Products (Indoors)							S	P	P
												Salvage or Reclamation of Products (Outdoors)									C
												Slaughter and Processing of Live Poultry					S	S		S	P
												Welding Repair								P	P

Ord 5613
7/2/03

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RESIDENTIAL												PERMITTED USES	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	WHOLESALE, DISTRIBUTION & STORAGE	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Cold Storage Plant						P		P	P
												Contractors Plant, Shop & Storage Yard								P	P
												Heavy Construction Trade Yard									P
												Landfill									S
P	P	P	P	P	P	P	P	P	P	P	P	LPG Installation 288 Gallons or Less +	P	P	P	P	P	P	P	P	P
												LPG Installation over 288 Gallons +					S	S	S	S	S
												Mini-warehouse		S			S	C		C	C
												Outside Storage +						C	A	C	C
												Recycling Collection Center								C	C
												Warehouse/ Distribution Center							S	P	P
												Wholesale Showroom Facility						P	S	P	P

Ord 5589
4/16/03

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	RESIDENTIAL												PERMITTED USES	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	UTILITIES, COMMUNICATIONS & TRANSPORTATION	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													Airport, Heliport or Landing Field								P	P
													Bus Charter Service & Service Facility								P	P
													Electric Generating Plant						S	S	S	S
	S							S	S	S			Electric Utility Substation			S	S	P	P	P	P	P
													Helipad			S		S	S	S	P	P
Ord 5478 5/1/02	S	S	S	S	S	S	S	S	S	S	S	S	Monorail	S	S	S	S	S	S	S	S	S
	S	C	C	C	C	C	C	P	P	P	P	P	Mounted Antenna of 15' or Less (Ultimate Height)	P	P	P	P	P	P	P	P	P
	S	S	S	S	S	S	S	S	S	S	S	S	Mounted Antenna over 15' (Ultimate Height)	S	S	S	S	S	P	S	P	P
Ord 5685 4/21/04	C	C	C	C	C	C	C	C	C	C	C	C	Private Streets									
													Radio Broadcasting			P	P	P	P	P	P	P
													Radio, TV, Microwave Communication Tower			S	S	S	S	S	S	P
													Railroad Yard or Shop									P
													Recording Studio					S	P	S	P	P
													Transit Passenger Facility						P		P	P

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	RESIDENTIAL												PERMITTED USES	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	UTILITIES, COMMUNICATIONS & TRANSPORTATION, CONTINUED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Ord 5655 12/12/03													Trucking Company*						S		P	P
													TV Broadcasting & Other Communication Service			S		S	S	S	P	P
	S	S	S	S	S	S	S	S	S	S	S	S	Utility Installation, Other than Listed	S	S	S	S	S	P	P	P	P
	C	C	C	C	C	C	C	C	C	C	C	C	Utility/ Transmission Lines	C	C	C	C	C	C	C	C	C
	C	C	C	C	C	C	C	C	C	C	C	C	Wireless Communication Facility, Stealth Design	C	C	C	C	C	C	C	C	C
	S	S	S	S	S	S	S	S	S	S	S	S	Wireless Communication Facility, Non-Stealth Design*	S	S	S	S	S	S	S	S	S

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	RESIDENTIAL												PERMITTED USES	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	TEMPORARY USES	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Ord 5551 12/4/02													Parking Lot/Sidewalk Sale		TCP			TCP	TCP	TCP	TCP	TCP
Ord 5551 12/4/02	TCP	TCP	TCP										Seasonal Outdoor Sales	TCP	TCP			TCP	TCP	TCP	TCP	TCP
Ord 5551 12/4/02	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	Temporary Contractor's Construction Yard	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP
Ord 5551 12/4/02	TCP	TCP	TCP										Temporary Outdoor Commercial Event					TCP	TCP	TCP	TCP	TCP
Ord 5551 12/4/02 Ord 5663 1/21/04	C	C	C	C	C	C	C	C	C	C	C	C	Temporary Real Estate Sales Office	C	C	C	C	C	C		C	C

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	RESIDENTIAL												PERMITTED USES	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	MIXED USES	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Ord 5738 12/15/04								S	S				Mixed Use*	S	S	S		S	S	S		

19.04.020 ACCESSORY USES AND STRUCTURES

A. General

An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land shall be permitted as an accessory use without being separately listed as a permitted use.

B. Particular Accessory Uses

In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property's use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:

1. The renting of rooms, providing of board, or both, for not more than three unrelated persons, where no care is provided;

2. Garage or yard sales, provided that:

   a. No property may be offered for sale which has not been owned and used by the occupant of the premises;

   b. No more than two garage or yard sales shall be conducted on the premises in any calendar year;

   c. No garage or yard sale shall be conducted for longer than three days duration;

   d. Garage or yard sales may be conducted during the daylight hours only; and

   e. No more than one outdoor sign may be used to advertise a garage or yard sale. Such a sign must not exceed sixteen square feet in size and must be located within the boundaries of the lot on which the garage or yard sale takes place or on other private property, with the consent of the owner thereof.

19.04.030 TEMPORARY COMMERCIAL PERMITS

Temporary uses are permitted in accordance with the standards and procedures found in Subchapter 19.18.100.

Ord 5633
11/5/03

19.04.040 CONDITIONAL USES

A. General

In addition to the other requirements of this Title, the following regulations shall apply to each of the uses in districts where they are indicated with a "C' in the Land Use Tables. The Conditional Uses are listed alphabetically below in Section (C). The bracketed references to zoning districts are for convenience only, and the Land Use Tables shall prevail in the event of any conflict.

B. Special Use Permit Required

Expect as otherwise specifically provided regarding a particular use, when not all the itemized conditions can be met, a Special Use Permit is required for the use. Special Use Permit approval may require additional conditions beyond those itemized below.

C. Conditions

ANIMAL KEEPING AND HUSBANDRY [U, R-A, R-E]

1. The applicant must submit to the Planning and Development Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.
2. All operations and activities shall be in accordance with LVMC Title 7.

Ord 5728 10/6/04

ANIMAL KEEPING--WILD OR EXOTIC [U, R-A, M]

1. Animals shall be confined at all times within a secured, enclosed or fenced area.
2. Animals which are kept outdoors must be located at least 1,500 feet from any residential dwelling, school, childcare facility or public park.
3. The site must have a minimum area of 2 acres.
4. All operations and activities shall be in accordance with LVMC Title 7.

AUTO BROKER [C-1, C-2, C-M, M]

1. No more than two vehicles may be displayed or stored on the property.
2. Required on-site parking shall be provided in accordance with the applicable provisions of Section 19.10.010(F).
3. The installation and use of an outside public address system or bell system is prohibited.
4. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
6. The repair or servicing of vehicles is not allowed.

7. No retail sales of vehicles is allowed.

8. The Special Use Permit provisions of Section 19.04.040(B) do not apply to an auto broker use.

AUTO PAINT & BODY REPAIR SHOP [C-M, M]

1. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.

2. All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.

3. Openings in service bays shall not face public right-of-way and shall be designed to minimize visual intrusion into adjoining properties.

4. All repair work shall be performed within an enclosed building.

AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) [C-2]; AUTO PARTS (ACCESSORY INSTALLATION) [C-1]

1. If an installation service is offered, the service shall be restricted to the installation of minor parts only, including batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, but excluding engine, transmission and differential service, repair or installation.

2. All installation work shall be done within a completely enclosed building.

3. Access doors to the installation bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

4. No dismantling, re-manufacturing or rebuilding shall be permitted.

5. No used or discarded minor automotive parts shall be located or stored in any open area outside of an enclosed building.

AUTO REPAIR GARAGE, MAJOR [C-M, M]

1. All repair and service work shall be performed within a completely enclosed building.

2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.

4. No outside storage of stock, equipment or residual used equipment shall be located or stored in any open area outside of the enclosed building.

5. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets.

AUTO REPAIR GARAGE, MINOR [C-2, C-M, M]

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
5. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

Ord 5728, 10/6/04

AUTOMOBILE RENTAL [C-2, C-M, M]

1. The minimum site area shall be 25,000 square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Service bays for repairs, installations, cleaning or gas dispensing services facing a public street or a residential zoning district shall be screened to a height of at least eight feet.

AUTOMOBILE RESPOSSESSION AGENCY [C-1, C-2]

1. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
2. No vehicle repair or maintenance shall take place on the premises.
3. Required on-site parking shall be in accordance with the requirements of Section 19.10.010(F) for motor vehicle rentals.
4. No used or discarded automotive parts or equipment shall be located in any open areas.

AUTO SMOG CHECK FACILITY [C-1, C-2, C-M, M]

1. The facility must have a minimum size of 400 square feet, of which a minimum of 200 square feet must be an enclosed structure, with the remainder of the facility allowed to be located under services canopies.
2. All equipment must be stored and utilized within the enclosed structure.
3. If conducted as an accessory use to a service station, minor auto repair facility, or major auto repair facility, the Auto Smog Check facility shall be designed to be architecturally compatible with the primary building on the site.

4. If service bay doors are provided, openings to service bay doors shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

5. When operated as a primary use, no other automobile repair shall be permitted in conjunction with an Auto Smog Check facility.

6. No required parking spaces shall be used or eliminated to provide for the Auto Smog Check facility.

Ord 5682 4/21/04
Ord 5561 1/22/03

AUTO TITLE LOAN [C-M, M]

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
   a. Cover more than twenty percent (20%) of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

BOAT AND TRAILER SALES DEALERSHIPS, NEW AND USED [C-M,M]

1. The minimum site area shall be 25,000 square feet.
2. No vehicle, boat or trailer service or repair work shall occur except within a fully enclosed structure.
3. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.

BUILDING & LANDSCAPE MATERIAL/LUMBER YARD [C-2]

1. Outside storage and sales are prohibited.
2. Outside storage shall be screened from view of adjacent properties and streets.

BUILDING MAINTENANCE SERVICE & SALES [C-2]

Outside storage shall be screened from view of adjacent properties and streets.

CARETAKER'S QUARTERS/DOMESTIC OR SECURITY UNIT [U, R-A, R-E]

1. Unit shall not be taller than main structure.
2. A caretaker or domestic unit shall be designed as a separate dwelling containing a bedroom, bathroom, kitchen and other living space, provided the living quarters are attached to and have interior access to the main dwelling.
3. The unit shall only be occupied by a caretaker or domestic employee of the occupant of the main dwelling.
4. No unit shall be used for rental purposes.

CATERING SERVICE [P-R, N-S, C-D]

1. The number of delivery vehicles shall be limited to two.
2. The maximum floor area shall not exceed 2,500 square feet.

CEMETERY/MAUSOLEUM [C-2, C-M, M]

1. A decorative masonry and/or wrought iron fence with a minimum height of six feet shall be constructed around the perimeter of the cemetery site. The wall along the primary street frontage shall be set back a minimum of 35 feet from the front property line. The front yard area shall not be used for interment and shall be landscaped.
2. Cemeteries shall only be allowed on parcels abutting and having access to collector streets or larger.

CHILD CARE CENTER (MORE THAN 12 CHILDREN) [P-R, N-S, O]

1. Access to the child care center shall be by means of a collector street or larger.
2. The maximum lot coverage shall not exceed 30 percent.
3. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking shall be approved by the City Traffic Engineer prior to the issuance of any building permits.
4. Where structures or play areas have residential adjacency:
   a. An eight foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of 24 inch box and shall be installed at a minimum of 20 feet on center and shall be a variety that will grow together to form a visual screen.

b. The building entrance and access shall be oriented away from residential uses on local streets.

c. Outdoor play shall be limited to daylight hours.

d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.

5. The use is subject to the child care regulations and standards of the Department of Finance and Business Services.

COMMUNITY CENTER, PRIVATE (ACCESSORY) [U, R-A, R-E, R-D, R-1, R-CL, R-2, R-MH, R-MHP]

1. The Community Center must be located on a collector street or larger.
2. The structure shall be limited to a single story.
3. A maximum of 3,000 square feet in floor area is allowed.
4. The structure shall be designed to be integrated into the community.
5. No commercial/retail sales shall be permitted.
6. The community center shall be for the exclusive use and enjoyment of the residents of the development.

Ord 5728, 10/6/04

CONDOMINIUM (RESIDENTIAL) [P-R, N-S, O, C-D, C-A, C-S] (Limited Area)

1. The condominium use is limited to the following area:
   The Downtown Las Vegas Redevelopment Area, as established by Ordinance Nos. 3218, 3339, 3637, and 4036.
2. The condominium use shall be developed only in connection with ground-level nonresidential development, and, in the case of a multi-floor structure, shall not itself be permitted on the ground floor, except for access and entryways.
3. Structures associated with the use shall comply with the following design criteria:
   a. The primary resident/guest entryway to the condominium use shall be independent of ground floor commercial uses, and shall be directly from and oriented to a street.
   b. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

CREMATORIUM [C-2, C-M, M]

1 All operations of a crematory shall be within a completely enclosed building.
2. There shall be no audible or noticeable indication of the use outside of the building.
3. All structures shall be set back 100 feet from any residential use.

CUSTOM & CRAFT WORK [C-2]

1. All work shall be performed within an enclosed building.
2. All outside storage shall be screened from view of public streets and adjacent property

Ord 5682 4/21/04
Ord 5561 1/22/03

FINANCIAL INSTITUTION, SPECIFIED [C-M, M]

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
   a. Cover more than twenty percent (20%) of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

FINANCIAL INSTITUTION WITH DRIVE-THROUGH [O, C-D]

1. Drive-throughs shall not be located on property adjacent to residential uses. Drive-throughs shall be separated from residential properties by an intervening building.
2. Drive-throughs shall not have access to local residential streets.
3. Stacking lanes for drive-through service windows shall accommodate at least six cars per lane, and shall be screened per Section 19.12.040 (C).

FOOD PROCESSING [C-2]

1. Food processing shall be permitted in conjunction with retail use.
2. A maximum of 5,000 square feet in floor area shall be permitted.

GARDEN SUPPLY/PLANT NURSERY [N-S, C-D, C-1, C-2]

1. Garden tools, supplies and fertilizer may be allowed outside an enclosed building provided all storage is screened from view from any abutting streets.

2. Live plants may be located outside of an enclosed building.

GENERAL RETAIL STORE, other than listed, less than 3,500 sq. ft. [N-S, C-D]

1. The sale or dispensing of gasoline or other automotive fuels is not permitted.
2. The sale of alcoholic beverages for off-premise consumption is not permitted.
3. Outdoor storage and sales are prohibited.
4. All loading areas shall be screened from view of adjacent residential properties.

GROUP RESIDENTIAL CARE FACILITY [U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4, R-5]

1. The facility must be located on a parcel with minimum size of 6,500 square feet.

2 Off-street parking shall be provided on the basis of at least one space per six residents, plus an additional space for the administrator.

3. Common area shall be provided on the basis of a minimum of 15 square feet per resident.

4. A facility may not be located closer than 660 feet from another Group Residential Care Facility, measured by means of the shortest distance from property line to property line. The provisions of Section 19.04.040(B) do not apply to this Condition #4. However, a waiver of the distance limitation may be obtained from the City Council, after a recommendation from the Planning Commission, as follows:

   a. A public hearing must be conducted by both the Planning Commission and City Council, after notice of hearing has been provided as in the case of a Special Use Permit.

   b. The applicant must demonstrate to the satisfaction of the City Council that approval of the waiver will not have a detrimental impact on surrounding properties.

   c. Approval of a waiver may be conditioned upon measures designed to ensure compatibility of the use.

5. The facility must comply on an ongoing basis with all governmental licensing requirements.

6. Conditions 1-4 shall not apply to the first Group Residential Care Facility to locate within any particular neighborhood. Such facility shall be treated as a single family dwelling.

GUEST HOUSE/CASITA [U, R-A, R-E, R-D, R-1]

1. A guest house/casita shall not:

   a. Be located on a lot or parcel whose width is less than 80 feet.

   b. Exceed the height of the principal dwelling.

c. Consist of more than one occupant room, a bathroom and a walk-in closet. Kitchens are not permitted.

2. A guest house/casita may be attached or detached from the principal dwelling and, where attached, is not required to have internal access to the principal dwelling.

3. A guest house/casita may be located in a front yard if it meets the required setbacks and:

   a. Is architecturally designed to be integrated into the front elevation of the principal dwelling, so that it incorporates the exterior colors, materials, features and style thereof and does not resemble an accessory structure;

   b. When viewed from the street, the guest house/casita does not dominate the façade of, nor obstruct the view of the main entrance to, the principal dwelling.

   c. Is located in relation to the principal dwelling so as to create an internal courtyard;

   d. Access to the guest house/casita is not visible from the street which the principal dwelling fronts;

   e. If the guest house/casita is above ground floor and access thereto is by stairwell, the stairwell shall be enclosed, and its access shall not be perpendicular to the street.

4. A guest house/casita may be located in a rear or side yard if it meets the required setbacks and, if detached from the principal dwelling, it shall have a minimum separation of ten (10) feet from the principal dwelling and a minimum setback of five (5) feet from side and rear property lines.

HEALTH CLUB [N-S]

The structure shall not exceed 5,000 square feet in size.

HORSE CORRAL OR STABLE (COMMERCIAL) [C-1, C-2, C-M, M]

1. Stables or corrals shall be placed more than 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.

2. All structures shall be placed a minimum of five feet from any side or rear property line abutting a residential zoning district.

Ord 5722 9/1/04

HORSE CORRAL OR STABLE (PRIVATE) [U, R-A, R-E, R-D]

1. Stables or corrals shall be placed at least 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.

2. Structures shall be placed at least five feet from any side or rear property line abutting a residential zoning district.

3. Barns and other structures shall conform to the standards for accessory buildings.

4. Except as otherwise provided in Paragraph (5) below, no more than three horses may be stabled for each one-half acre of land included in the building site.

5. In the R-D Zoning District, no more than two horses may be stabled on the building site, and the site must have a minimum net lot size of eighteen thousand square feet.

HOSPITAL [C-1]

Hospitals shall be located on a secondary thoroughfare or larger.

JEWELRY STORE, CLASS III [M]

1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No Class III Jewelry Store shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

LIGHT ASSEMBLY & FABRICATION [C-1, C-2]

1. No outside storage is permitted. [C-1 only]
2. All exterior storage of material shall be in sturdy containers or enclosures which screen storage from surrounding properties and abutting streets. Storage containers for flammable materials shall be constructed of nonflammable material. [C-2 only]
3. All processing, manufacturing, and storage of materials, equipment and products shall be performed in a completely enclosed building.
4. There shall be no audible or noticeable indication of a manufacturing operation outside the building.
5. There shall be no smoke, dust or foreign matter emitted.
6. The bulk manufactured items and raw materials stored shall not exceed four percent of the cubic content of the building. [C-1 only]
7. No more than seven employees shall be engaged in the manufacture, treatment or processing operation. [C-1 only]
8. Only the following operations shall be allowed: [C-1 only]
   a. Lens grinding
   b. Jewelry manufacture
   c. Wholesale medallion sales and assembly
   d. Wholesale and retail cooking
   e. Sewing and embroidery shop
   f. Stained glass assembly
   g. Drapery manufacture
   h. Wholesale printing

Ord 5728, 10/6/04

LIVESTOCK FARMING (BOVINE/HORSES) [U, R-A, R-E]

1. The minimum allowable parcel size is 1¼ (one and one quarter) acres.
2. A maximum of twenty-five animals (bovines or horses) is allowed per parcel.
3. No more than one bovine or horse is allowed per seven thousand five hundred square feet of lot area.
4. The parcel must also be occupied by a habitable dwelling.
5. Bovines may not be kept at any location south of Cheyenne Avenue.

Ord 5606 6/4/03

MASSAGE ESTABLISHMENT [M]

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. The use may not be located within four hundred feet of any church, synagogue, school, city park, child care facility, or any parcel zoned for residential use.
4. The use may not be located within one thousand feet of any other massage establishment.
5. The hours of operation shall be limited to the period between 8:00 a.m. and 9 p.m.

MINI-WAREHOUSE [C-2, C-M, M]

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles which shall be completely screened from view from surrounding properties and abutting streets.
3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items on the premises is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each 100 storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.
9. Truck and trailer storage shall be screened from the street and adjacent property.

10. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

MOTOR VEHICLE SALES (NEW) [C-2, C-M, M (generally)]

1. Motor vehicle sales may include an outdoor used car sales lot when operated by a franchised, new car dealer. The used car sales shall be located directly adjacent to the new car sales and service facility and be operated as an incidental use.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. All accessory service shall be performed inside an enclosed area.
6. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
7. Accessory automobile rental is permitted.

*8. Any motor vehicle sales use to be located north of Cheyenne Avenue must be within the GC-TC land use designation.

MOTOR VEHICLE SALES (USED) [C-M, M]

1. The minimum site area shall be 25,000 square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
6. Accessory automobile rental is permitted.

MOUNTED ANTENNA OF 15' OR LESS (ULTIMATE HEIGHT) [U THROUGH R-2]

Mounted antennas shall not exceed 15 feet in ultimate height and shall not be placed on top of principal or ancillary residential structures.

Ord 5728, 10/6/04

OPEN AIR VENDING/TRANSIENT SALES LOT [C-1, C-2, C-M, M]

1. No signage, including temporary signage, is allowed.
2. The site must be kept free of any litter or debris at all times.
3. No structures shall be allowed within the public right of way.

OUTSIDE STORAGE [C-2, C-M, M]

1. Storage shall not be permitted within required setbacks or buffer yards.
2. Except as otherwise provided in this Title, storage shall be limited to no more than five percent of the lot area containing the main use. [C-2 and C-M only]
3. Outside storage areas, not screened by an intervening building, shall be screened from view from any public street by a screening device at least eight feet in height. In addition, outside storage areas shall be screened from view of any adjoining property by a screening device at least eight feet in height, except along adjacent property lines zoned C-M or M.

PARKING, COMMERCIAL [P-R]

1. The parking facility must be ground-level.
2. The parking facility shall conform with any applicable provisions of Chapter 19.10.
3. A six-foot-high masonry wall shall be installed and maintained along all property lines that adjoin any residential zone.
4. The use of the parking facility shall cease between 9:00 p.m. and 6:00 a.m., including all exterior lighting, except for security lighting.

PAWN SHOP [M]

1. The use shall comply with the applicable requirements of Title 6.60 of the Las Vegas Municipal Code.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5682 4/21/04
Ord 5561 1/22/03

PAWN, AUTO [M]

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.

5. Window signs shall not:

   a. Cover more than twenty percent (20%) of the area of all exterior windows;

   b. Include flashing lights or neon lighting; or

   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

7. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).

8. No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (8), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Ord 5737 12/15/04

PET BOARDING [C-M, M]

1. All animals shall be confined within an enclosed area or on a leash at all times.

2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.

3. Pens shall be screened from view from adjacent streets and adjoining properties.

4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of fifty feet from the parcel.

5. All operations and activities shall be in accordance with LVMC Title 7.

PET SHOP [C-1, C-2, C-M, M]

1. All animals shall be confined within an enclosed building at all times.

2. The building shall be designed to provide complete sound barriers and odor protection for the adjacent property.

Ord 5685 4/21/04
Ord 5735 12/1/04

PRIVATE STREETS (ALL RESIDENTIAL DISTRICTS)

1. **Eligibility as Conditional Use.** Private streets are permitted pursuant to the following provisions only if:

   a. The streets are public streets within an existing subdivision that are proposed to be converted to privates streets, and

   b. All the lots within the subdivision conform to the minimum lot size requirements of Title 19.

2. **Design and Construction Standards.** Unless otherwise approved by the City Council or otherwise provided by means of a specific regulation governing private streets, every private street shall conform to the same standards that govern the design and construction of public streets.

3. **Access Restrictions.** The entrances to all private streets must be marked with a sign stating that it is a private street. Guard houses, access control gates and cross arms may be constructed. All restricted access entrances shall be manned twenty-four hours every day or provide an alternative means of ensuring access to the subdivision by the City and other emergency and utility service providers with appropriate identification. If the association fails to maintain reliable access as required to provide City services, the City may enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the association. The association documents shall contain provisions in conformity with this paragraph which may not be amended without the written consent of the City.

4. **Access Restricted Entrance Design Standards.** Any private street which has access control gates or cross arms must be of a break-away design. A turn-around space must be located in front of any restricted access entrance to allow vehicles denied access to safely exit onto public streets. Any guardhouse, or other entry feature designed as a drive-through, must have a minimum clearance of fourteen feet in height above the road surface.

5. **Streets Excluded.** Streets shown on the Master Plan of Streets and Highways shall not be used, maintained, or constructed as private streets. Also, the Department may deny the creation of any other private street if it is determined that the private street would have any of the following effects:

   a. Negatively affect traffic circulation on public streets,
   b. Impair access to property either on-site or off-site to the subdivision;
   c. Impair access to or from public facilities including schools, parts and libraries; or
   d. Delay the response time of emergency vehicles.

Ord 5735 12/1/04

6. **Property Owner's Association Required.** Subdivision developed with private streets must have a mandatory property owners' association which includes all property served by private streets. The association shall own and be responsible for the maintenance of private streets and appurtenances. The association documents must establish a reserve fund for the maintenance of streets and other improvements. Such documents are subject to review and approval by the City to ensure that adequate provision for maintenance has been made.

7. **Private Street Requirements.** Private streets must be located on property that is separately owned by a property owner's association or is subject to perpetual access easements running in favor of the owners of lots within the subdivision. Private streets must include provisions for appropriate easements to be granted to the City and to other utility providers allowing necessary use and access for utilities and the maintenance thereof. The easements must also provide the City and protective service providers with the same right of access they would have it the streets were public streets.

8. **Waiver of Services.** The subdivision final map, property deeds and property owners association documents shall note that certain City services shall not be provided on private streets. Among the services which will not be provided are: routine police patrols, enforcement of traffic and parking ordinances, preparation of accident reports and other services which may not be reasonably or properly available within a particular development. All private regulatory signs shall conform to State of Nevada regulations.

9. **Special Use Permit.** In cases where a Special Use Permit is required to allow private streets that do not conform to the provisions of Paragraphs (1) through (5) above, the provisions of Paragraphs (1) through (8) above are minimum standards that shall presumptively apply to a Special Use Permit for this use. The prohibitions and requirements in Paragraph (5) through (8) are not waivable in connection with a Special Use Permit approval.

Ord 5728, 10/6/04

PUBLIC OR PRIVATE SCHOOL, PRIMARY [ALL RESIDENTIAL DISTRICTS, P-R, N-S, C-PB, C-M, M]

Adequate pick-up and drop-off areas shall be provided on-site.

PUBLIC OR PRIVATE SCHOOL, SECONDARY [R-2 THROUGH R-MHP, P-R, N-S]

Schools shall be located on a collector street or larger.

Ord 5498 8/7/02

RECREATIONAL VEHICLE AND BOAT STORAGE [C-2, C-M, M]

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas.

2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height, except along the property line of any adjoining property that is zoned C-M or M.

3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

RECYCLING COLLECTION CENTER [C-M, M]

1. A collection center, located in a parking lot, may not occupy required off-street parking spaces.

2. A collection center shall be sited as to not impede traffic flow.

3. The owner of the property and the owner of and operator of the collection center shall:

   a. Remove products stored at the collection center at least once a week;

   b. Keep the collection center in proper repair and maintain a neat and clean appearance on the exterior of the center; and

   c. Keep the building site clean and in a neat appearance and shall dispose of cans and other litter from the building site where the collection center is located.

SALVAGE OR RECLAMATION OF PRODUCTS (OUTDOORS) [M]

1. The minimum site area shall be 25,000 square feet.

2. All areas used for the parking and storage of operable vehicles shall be paved.

3. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.

4. In addition to the requirements in Chapter 19.12.060, mature evergreen trees shall be installed along the perimeter property lines to screen the vehicle parts storage area from surrounding properties.

5. Perimeter walls, a minimum of eight feet in height, shall be installed along all property lines.

6. Repair activities and vehicle loading and unloading shall be prohibited on adjoining streets and alleys.

7. Service bays with access from the exterior of the structure shall not face the public rights-of-way.

8. All on-site lighting shall be stationary and directed away from adjoining properties. All lighting shall be shielded, hooded or otherwise designed so that direct glare and reflections are contained within the boundaries of the parcel. No light shall extend into any residential zoning district.

9. All repair activities and operations shall be conducted entirely within an enclosed structure. Outdoor hoists shall be prohibited.

10. Repair facilities shall close all windows and doors when performing body and fender work, hammering, sanding or other noise-generating activities.

11. All hazardous materials resulting from the repair, storage, or dismantling operation shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable federal, state, and local regulations.

Ord 5728, 10/6/04

SECONDHAND DEALER [C-M, M]

1. No outdoor display, sales or storage of any merchandise shall be permitted.

2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5638 11/19/03

SENIOR CITIZEN APARTMENTS [R-3, R-4, R-5]

For any development that is over three stories in height:

1. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.

2. Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

SERVICE STATION [C-M, M]

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:

   a. The dispensing of petroleum products, water and air from pump islands.

   b. The provision of emergency service of a minor nature.

   c. The sale of items via vending machines which shall be located next to the main structure.

2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.

3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.

4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.

5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.

6. The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060 (B).

SEXUALLY-ORIENTED BUSINESSES [C-M, M]

1. Definitions As used in this Title:

   a. "Specified anatomical areas" means:

      1) Less than completely and opaquely covered:

         a) Human genitals,

         b) Pubic region,

         c) Buttocks, or

         d) Female breast below a point immediately above the top of the areola.

      2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

   b. "Specified sexual activities" means:

      1) The fondling or other touching of human genitals, pubic region, buttocks or female breasts;

      2) Ultimate sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;

      3) Masturbation; or

      4) Excretory functions as part of or in connection with any of the activities set forth in subparagraphs (1), (2) and (3) above.

   c. "Sexual novelty" means any instrument, device, apparatus or paraphernalia that:

      1) Depicts a specified anatomical area;

      2) Performs, mimics, demonstrates or is designed for use in connection with a specified sexual activity; or

      3) Is used for the stimulation of human genitals, whether the stimulation is self-induced or performed upon another person.

2. Definitions - Sexually Oriented Business

For purposes of this Title, the following are "sexually oriented businesses" and are respectively defined as follows:

a. "Adult emporium" means an establishment which engages in the sale, rental or trade of books, films, videotapes, sexual novelties, discs, magazines and other periodicals and which:

1) Will or does derive thirty-five percent or more of its gross revenue from the sale, rental or trade of sexual novelties or books, films, videotapes, discs, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specific sexual activities or specific anatomical areas;

2) At any particular time devotes thirty-five percent or more of its inventory floor and wall space to the types of inventory described in subparagraph (1) above;

3) At any particular time has, as thirty-five percent or more of its total inventory or any category thereof, the types of inventory described in subparagraph (1) above; or

4) Holds itself out, by advertising or otherwise, primarily as an outlet for the types of inventory described in subparagraph (1) above.

b. "Adult mini-motion picture theater" means an enclosed building with a capacity of less than 50 persons used for presenting material distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

c. "Adult motel" means a motel wherein material is presented, as part of the motel services, via closed circuit television or otherwise, which is distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

d. "Adult motion picture arcade" means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion pictures, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

e. "Adult motion picture theater" means an enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

f. "Adult paper rack" means each self-operated device or container, except those located in an adult emporium, which is primarily used for the distribution of magazines, papers or periodicals which are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas or the advertisement of other sexually oriented businesses.

g. "Massage parlor" means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with specified sexual activities or where any person providing such treatment, manipulation or services related thereto exposes specified anatomical areas.

h. "Model studio" means any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity.

i. "Nude-show" means any establishment which provides and permits the viewing of live performances of specified sexual activities or the display of specified anatomical areas upon its premises as entertainment or any attraction for business. The term does not include the display of specified anatomical areas in the showroom of a resort hotel and casino with over 300 rooms which is subject to the casino entertainment tax described in NRS 463.401 and which is located within the Downtown Casino Overlay District. For purposes of the preceding sentence, a showroom must contain a minimum of 300 seats. Any nude show which takes place at an establishment which is licensed or is required to be licensed to sell alcoholic beverages is subject to LVMC 6.50.430.

j. "Sexual encounter center" means any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in personal contact with or to allow personal contact by, employees, devices or equipment or by personnel provided by the establishment which appeals to the prurient interest of the patron, to include, but not limited to, bathhouses, massage parlors and related or similar activities.

3. Prohibited Where - Establishment

a. No person shall cause or permit the establishment of any sexually oriented business in an area zoned other than C-M or M. In addition, no person shall cause or permit the establishment of any sexually oriented business within 1000 feet of any other sexually oriented business, church, public or private school, day care, teen dance center, park or playground. The distance shall be the shortest distance between two property lines, one being the property line of the proposed sexually oriented business 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 sexually oriented business. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this subsection, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

b. The "establishment" of a sexually oriented business includes the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area or the conversion of an existing business location to any sexually oriented business.

c. Any person establishing a sexually oriented business must first file with the Department of Finance and Business Services the name and address of the business and the type of sexually oriented business to be conducted.

4. Existing as of September 16, 1992

Any business existing as of September 16, 1992, that is made non-conforming by the provisions of Ordinance 3674 shall be permitted to remain in operation provided, however, that:

a. No such business may be increased, enlarged, extended or altered, except to change the use to a conforming use; and

b. If any such business is terminated or is abandoned for a period of at least 30 days, any future use of the property shall conform to the provisions of Ordinance 3674.

Ord 5504 8/21/02 **5. Certain Nonconforming Uses**

The provisions of Paragraphs (3) and (4) above and the provisions of Chapter 19.16 shall apply to sexually oriented businesses; provided, however, that any existing sexually oriented business located in the M Zoning District that was made nonconforming as to a separation requirement by either of the following circumstances shall be deemed a conforming use for purposes of expansion, enlargement or alteration:

a. The adoption of a different method of measuring distance; or

b. The intervening establishment within the required separation area of either a protected use or another sexually oriented business.

Any such business shall continue to be subject to the provisions regarding discontinuation and removal that are set forth in Sections 19.16.030(A)(3) and 19.16.040, respectively.

6. Other Prohibitions Unimpaired

Nothing in this Title pertaining to sexually oriented businesses is intended to make legal any business or activity that is expressly declared illegal under any other provisions of the Municipal Code or under any State of Federal laws.

7. The Special Use Permit provisions of Section 19.04.040(B) do not apply to a sexually oriented business.

Ord 5688 4/21/04 **SWAP MEET [C-M, M]**

1. No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.

2. No repair, installation or service work is permitted outside of an enclosed building.

3. All signage, including any temporary signage, shall comply with LVMC Chapter 19.14.

4. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

TEEN DANCE CENTER [C-1, C-2, C-M, M]

1. The establishment must be located more than 1,000 feet from any sexually oriented business. The distance shall be the shortest distance between the property line of the proposed teen dance center which is closest to the existing sexually oriented business, and the other being the property line of the sexually oriented business which is closest to the proposed teen dance center. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this subsection, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

2. The hours of operation shall be limited to the period between 6:00 pm and midnight.

3. The floor area shall not exceed 5,000 square feet.

Ord 5663 1/21/04

TEMPORARY REAL ESTATE SALES OFFICE

1. Within any residential district:

   a. The use may be located within a model home or trailer;

   b. The sales activity shall be limited to lots within the subdivision in which the model home or trailer is located; and

   c. The use shall not be permitted to operate until the requirements of LVMC 18.28.010 have been met, including the approval of a final subdivision map.

2. Within any commercial or industrial district:

   a. The use may be located within a trailer or an existing commercial structure; and

   b. The use shall not be permitted to operate and is not entitled to a certificate of occupancy until a Site Development Plan has been approved for the development to which the sales pertains.

3. If the temporary real estate sales office is a model home or is conducted from a commercial structure, the use shall expire two years from the date of building permit approval or whenever sales are completed, whichever occurs first. If the temporary real estate sales office is a trailer, the use shall expire six months from the date of approval by the Department of Building and Safety.

4. Upon termination of the use, all temporary access improvements from this site to the abutting street(s) shall be removed and replaced with permanent access improvements that meet all City standards, as required by the Department of Public Works.

5. Pursuant to LVMC 18.12.310, direct vehicular access from primary and secondary street(s) through the back of bordering lots is prohibited unless approval is granted by the Director of Planning and Development.

6. All development must be in conformance with the submitted plot plan and floor plan.

7. Any signage for this use must first be approved in writing by the Planning and Development Department.

8. A minimum of five paved on-site parking spaces shall be provided, and the spaces provided shall be in compliance with ADA parking requirements and LVMC Chapter 19.10. In any commercial or industrial district, the Director may waive one or more of the required on-site spaces if an equivalent number of on-street parking spaces is available on a street that directly abuts the lot on which the use is located.

Ord 5728, 10/6/04 **THRIFTSHOP [C-M, M]**

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

THRIFTSHOP, NON-PROFIT [M]

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

Ord 5728, 10/6/04 **TIME-SHARE DEVELOPMENT [C-2]**

1. No individual time-share unit may serve as a person's primary residence.
2. No access to any accessory use (gift shop, restaurant, beauty shop, etc.) shall be permitted other than from within a time-share development.
3. No exterior advertising or lighting is permitted in excess of that allowed for residential developments.

TOWING & IMPOUND YARD [C-M, M]

1. All areas used for the parking and storage of operable vehicles shall be paved.
2. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.

TRADE SCHOOL [O]

1. Welding shall be prohibited.
2. Working on vehicles shall be prohibited.

UTILITY LINES & TRANSMISSION [ALL DISTRICTS]

The location of routes for lines which are 15,000 volts or above must first be approved by the Planning Commission.

Ord 5619 8/6/03

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

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

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

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

WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN [ALL DISTRICTS]

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:

   a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.

   b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is no subject to appeal.

2. The facility must qualify as one or more of the following:

   a. An Antenna that is to be co-located on an existing antenna tower or other existing structure.

   b. An antenna tower that is to be located on property in the C-V Zoning District.

   c. An Antenna tower that is to be located:

      1) On property in the C-M or M Zoning District; and

      2) A minimum distance of 600 feet from residentially-zoned property.

   d. An antenna tower that is proposed to be located on property developed with a utility substation, and is to be located within that substation.

   e. A slim-line design pole wireless communication facility.

3. Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.

4. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.

5. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN [ALL DISTRICTS]

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:

   a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.

   b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is no subject to appeal.

2. No residential use may exist on the property.

3. The design must conform to the definition of the term "Wireless Communication Facility, Stealth Design," as set forth in Section 19.20.020 and as determined by the Director.

4. Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.

5. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.

6. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

Ord 5685 4/21/04

19.04.050 SPECIAL USE PERMITS

A. General

1. The uses in this Subchapter require a Special Use Permit and have base requirements, which shall be met prior to approval of the Special Use Permit. In the Land Use Tables, these uses may be indicated by an "S" and by an asterisk (*) placed by the name of the use.

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

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

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

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

Ord 5728 9/1/04

B. Minimum Requirements

ANIMAL HOSPITAL, CLINIC, OR SHELTER WITHOUT OUTSIDE PENS [O, C-D, C-1]

1. The use shall have access to a collector street or larger.

2. Animals shall be confined within an enclosed building at all times.

3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.

4. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.

5. Noise levels must comply with the applicable provisions of LVMC Title 7.

6. No more than 25% of the floor area may be used for the boarding of animals.

AUTO DEALER INVENTORY STORAGE [P-R, C-1, C-2, C-PB, C-M, M]

1. All areas used for the parking or storage of vehicles shall be paved.
2. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
3. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and accessed through a parcel located on a primary or secondary thoroughfare.
4. Lighting shall be shielded from adjacent properties.
5. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of parking area that is provided in excess of required parking for other uses. For purposes of this Paragraph, the amount of required parking shall be calculated in accordance with the current standards set forth in Chapter 19.10.

Ord 5728, 10/6/04

AUTOMOBILE RENTAL [C-1]

1. The minimum site area shall be twenty five thousand square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Service bays for repairs, installations, cleaning or gas dispensing services facing a public street or a residential zoning district shall be screened to a height of at least eight feet.

Ord 5505 9/4/02

AUTO REPAIR GARAGE, MAJOR [C-2]

1. All repair and service work shall be performed within a completely enclosed building. All windows and doors shall be completely closed when body and fender work, hammering, sanding or other noise-generating activities are being performed.
2. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
3. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. All disabled or wrecked vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets.
5. Outdoor hoists are prohibited.
6. All hazardous materials resulting from the repair, storage, or dismantling of vehicles shall be properly stored and removed from the premises in a timely manner. Storage, use and removal

of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable federal, state, and local regulations.

7. No vehicle may be parked on the premises for the purposes of offering the vehicle for sale.

8. Outdoor bells and loudspeakers are prohibited.

Ord 5682 4/21/04 **AUTO TITLE LOAN [O, C-D, C-1, C-2]**

*1. The use shall comply with all applicable requirements of LVMC Title 6.

*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not:

   a. Cover more than twenty percent (20%) of the area of all exterior windows;

   b. Include flashing lights or neon lighting; or

   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

7. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

BED & BREAKFAST INN [U THROUGH R-5; P-R, N-S]

1. The establishment must have a minimum of two and a maximum of five guest bedrooms.

2. Off-street parking shall be provided with a minimum of one parking space per guest bedroom and two parking spaces for the owner or operator. The required off-street parking for guest bedrooms shall be screened by a six foot fence or by dense landscaping.

3. Access to the parcel on which the establishment is located must be by means of a paved street with a right-of-way width of at least fifty feet.

4. Cooking facilities for guest rooms are not permitted.

5. The Department of Fire and Rescue must inspect and approve the occupancy of an establishment before it may be used as a bed and breakfast inn.

6. Individual guest occupancy is limited to no more than one month in any three month period.

7. No sale or display of merchandise or other commodities may occur in connection with the establishment.

8. Private functions such as weddings, receptions, luncheons, parties and similar activities are not permitted, except to the extent such activities represent personal activities of the owner/resident.

9. Not more than one on-premise sign shall be permitted. With respect to that sign:

   a. The copy may contain only the name and address of the establishment.
   b. The sign may not exceed three square feet in size or four feet in height.
   c. The sign may be freestanding or may be located on the dwelling itself or on a fence or wall.
   d. Any sign illumination must be exterior to the sign and must be shielded so as not to produce glare upon an adjacent property or a public right-of-way.
   e. The design materials and colors of the sign must be compatible with the architectural style of the dwelling.

Ord 5499 8/7/02

CAR WASH (SELF-SERVICE) [C-1]

1. The hours of operation shall be limited to the period between 7:00 A.M. and 10:00 P.M.

2. Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.

4. No retail sale of vehicles is allowed.

5. No repair or servicing of vehicles is allowed.

6. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.

7. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.

8. Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use.

9. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.

10. An attendant must be on the premises during all times the equipment is operational.

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

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

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

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

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

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

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

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

CHURCH/HOUSE OF WORSHIP [ALL RESIDENTIAL DISTRICTS]

1. The Special Use Permit may include such activities as religious services, religious instruction, church club activities and similar activities.

2. Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director of the Department of Planning and Development, are ancillary to the primary use are also permitted provided, however, that all proposed uses shall be specifically stated in the application.

3. If, after approval of the Special Use Permit, additional uses not specifically covered by the existing Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.

*4. Thrift shops, homeless shelters and other similar activities are prohibited in residential districts and are permitted only in the zoning districts which permit such uses as primary uses.

*5. Churches on sites larger than five acres shall not be permitted in the U District or an R-prefixed district.

CLEANERS, COMMERCIAL / INDUSTRIAL [C-2]

1. The plant operation shall be within a fully enclosed building.

2. The use shall be at least 50 feet from any property which is zoned P-R, N-S, O, C-D, C- 1, or zoned for any residential use. The distance requirement with respect to a nearby commercially-zoned property may be waived if the applicant demonstrates that the use is compatible with the area.

CONVALESCENT CARE FACILITY/NURSING HOME [U THROUGH R-2]

1. The minimum parcel size required shall be 20,000 square feet.
2. The maximum number of beds per acre of land shall be 25.
3. Setbacks for buildings shall be the same as required for a single family dwelling in the zoning district where located.
4. The maximum building height of a convalescent care facility shall be two stories.
5. Care facilities shall be located on a collector street or larger.

CONVALESCENT CARE FACILITY/NURSING HOME [R-3, R-4, R-5]

1. The minimum parcel size required shall be 10,000 feet.
2. The maximum number of beds per acre of land shall be 50.
3. Care facilities shall be located on a collector street or larger.
4. Building setbacks and height are as follows:
   a. A one-story structure shall be setback a minimum of 25 feet from all property lines.
   b. A two-story structure shall be setback a minimum of 35 feet from all property lines.

DAILY LABOR SERVICE [C-1, C-2, C-M,M]

*1. The use must be located on a primary or secondary thoroughfare.

2. The use shall not be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, City park, or residential zoning district.

*3. The hours of operation shall be limited to the hours between sunrise and sunset.

*4. Signage must be posted on the premises indicating that loitering on the premises is not allowed. The signage may not exceed four square feet in size.

*5 Persons who are seeking employment must wait for employment within a fully-enclosed structure or an area screened from public view.

DRY CLEANERS [O, C-D, C-PB]

1. The operation shall be within a fully enclosed building.

ESCORT BUREAU [C-1, C-2]

1. The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church, school, child care facility or park, measured in each case from property line to property line without regard to intervening obstacles.

2. No escorts or escort runners shall be physically dispatched from the property.

3. No business may be transacted with patrons on the property.

4. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the business.

Ord 5682 4/21/04

FINANCIAL INSTITUTION, SPECIFIED [O, C-D, C-1, C-2]

*1. The use shall comply with all applicable requirements of LVMC Title 6.

*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.14.090) such as balloons inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not:

   a. Cover more than twenty percent (20%) of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).

7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

FRATERNITY, SORORITY HOUSE OR PRIVATE DORM [R-3, R-4, R-5]

The minimum lot area shall be 6,000 square feet for the first five occupants of the building's designed occupancy and 900 square feet for each additional residential occupant.

GAMING ESTABLISHMENT, NONRESTRICTED [C-1, C-2, C-M, M]

*1. Except as otherwise exempted by State law, non-restricted gaming establishments must be located within the Gaming Enterprise Overlay District described in Subchapter 19.06.070.

*2. A Special Use Permit is required for:

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.

*3. The Special Use Permit requirement in Paragraph 2 above:

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.

Ord 5628 10/1/03

HALFWAY HOUSE [R-3, R-4, R-5, C-2, C-M]

*Shall be spaced a minimum of 1,500 feet from each other.

HELIPAD [C-1, C-2]

1. The heliport shall be permitted only as an accessory use to a hospital, medical facility or medical office.

2. The heliport shall designate a flight path which does not fly over adjacent residential areas.

HOTEL LOUNGE BAR [C-2, C-PB, C-M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

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 twelve children or City park.

2. Except as otherwise provided in Paragraph 3 below, the minimum distances referred to in Paragraph 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 Paragraph 1.

3. In the case of a proposed hotel lounge bar located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 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.

4. When considering a Special Use Permit application for a hotel lounge bar which also requires a waiver of the distance limitation in Paragraph 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 Paragraph 1 does not apply to an establishment which has a non-restricted 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 Chapter 6.50 of the Las Vegas Municipal Code.

JEWELRY STORE, CLASS III [C-1, C-2, C-M]

*1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

*2. No outdoor display, sales or storage of any merchandise shall be permitted.

*3. No Class III Jewelry Store shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5607 6/18/03
Ord 5463 4/3/02
Ord 5516 9/18/02

LIQUOR ESTABLISHMENT (ON-SALE/OFF-SALE/ON-OFF-SALE) [C-1, C-2, C-M, M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

*1. Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of

any church, synagogue, school, child care facility licensed for more than twelve children, or City park.

*2. Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor 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 liquor 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:

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 Subsection 1.

*3. In the case of a liquor establishment proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed liquor 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 liquor establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a liquor establishment which also requires a waiver of the distance limitation in Subsection 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 requirements in Subsection 1 do not apply to:

a. An establishment which has a non-restricted 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

b. A proposed retail establishment having more than 50,000 square feet or retail floor space.

*6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

7. The minimum distance requirements set forth in Subsection 1, which are otherwise non-waivable under the provisions of this subdivision, may be waived:

a. In accordance with the provisions of Subsection 19.040.050(A)(4) for any liquor establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any liquor 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

c. In connection with a proposed retail establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

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.

LIQUOR ESTABLISHMENT (TAVERN) [C-1 THROUGH M]

(1) Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within fifteen hundred feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.

(2) The distance separation referred to in Paragraph (1) shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) 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 liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

(3) For the purpose of Paragraph (2), and for that purpose only:

(a) The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of a liquor establishment (tavern) refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

(A) Using the property line of that parcel for the purpose of measuring the distance separation referred to in Paragraph (1) would qualify the parcel under the distance separation requirement;

(B) The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of one hundred feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;

(C) All parking spaces required by LVMC Chapter 19.10 for the liquor establishment (tavern) use will be located on the same parcel as the use; and

(D) The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the liquor establishment (tavern) will be located, execute and record an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

(4) The distance separation requirement set forth in Paragraph (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.

Bill 2005-14
4/20/05

(5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed liquor establishment (tavern) that:

(a) Will be located on a parcel within the C-V District or the Downtown Casino Overlay District;

(b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as historic property, historic building, or landmark; or

(c) Will be located within a regional mall; or

(d) Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.

(6) The use shall conform to the provisions of LVMC Chapter 6.50.

LPG (LIQUEFIED PETROLEUM GAS) INSTALLATION OVER 288 GALLONS [C-1, C-2, C-PB, C-M, M]

1. An LPG installation which includes tanks with an aggregate water capacity of 288 gallons or less is permitted as of right in a zoning district. Such use will be subject to the requirements applicable to the district if the installation complies with the provisions of NRS 590.465 et seq. and these regulations.

*2. An LPG installation which includes tanks with an aggregate water capacity of more than 288 gallons shall be excluded in any U zoning district or any zoning district with an "R" prefix.

*3. An LPG installation which includes tanks with an aggregate water capacity of more than 288 gallons is not permitted as of right in any zoning district and is allowed with the approval of a Special Use Permit in the C-1, C-2, C-PB, C-V, C-M and M Zoning districts.

4. The aggregate capacity provisions of this section shall not apply to mobile parks or similar multiple-unit installations whose units are served by individual tanks if:

   a. The tanks are not interconnected; and

   b. Each individual tank has a water capacity of less than 125 gallons.

5. Any LPG installation which is made non-conforming by these specific standards is subject to the expansion and discontinuance provisions set forth in Chapter 19.16.

Ord 5606 6/4/03

MASSAGE ESTABLISHMENT [C-1, C-2, C-PB, C-M]

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The use must be located on a secondary thoroughfare or larger.

3. The use may not be located within four hundred feet of any church, synagogue, school, city park, child care facility, or any parcel zoned for residential use.

4. The use may not be located within one thousand feet of any other massage establishment.

5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis.

Ord 5589 4/16/03

MINI-WAREHOUSE [N-S, C-1]

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles which shall be completely screened from view from surrounding properties and abutting streets.
3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items on the premises is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.

9. Truck and trailer storage shall be screened from the street and adjacent property.

10. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

MIXED-USE [R-3, R-4, P-R, N-S, O C-1 and C-2 and C-PB]

Ord 5738 12/15/04
Ord 5662 1/21/04
Ord 5562 2/5/03

*1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of Special Use Permit within a PR, N-S, O, C-1, C-2, or C-PB Zoning District.

*2. Nonresidential uses permitted as of right in the P-R, N-S, O, and C-1 Zoning Districts may be permitted by means of Special Use Permit within an R-3 or R-4 Zoning District.

3. When residential and non-residential uses are approved for a single parcel:

   (a) The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street; and

   (b) The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

Ord 5478 5/1/02

MONORAIL [ALL DISTRICTS]

1. A Special Use Permit may be approved only in conjunction with the approval of necessary licensing for the monorail and the approval of an agreement to authorize the operation of the monorail system within the City.

2. Conditions may be imposed upon associated passenger terminals, power propulsion systems, parking lots, maintenance facilities and other accessory land and buildings that are referred to in the application.

3. Accessory commercial uses may be permitted in conjunction with the system if they are specified in the application.

4. Structures shall be designed to be architecturally compatible with existing buildings and structures in the vicinity of the system. Structures associated with the system may be permitted at heights greater than otherwise permitted by this Title if the heights are specified in the application.

5. Site development standards otherwise applicable, such as yard setbacks, building separation or location requirements, may be reduced or eliminated in connection with the approval of a Special Use Permit.

6. Ground level equipment, power propulsion systems and maintenance facilities shall be screened from streets and residential development with a decorative block wall not to exceed 10 feet in height; landscaping sufficient to screen the equipment, systems and facilities; or a combination thereof, as required in connection with the approval of a Special Use Permit. If the height of the block wall exceeds 6 feet, a notarized letter of approval must be obtained from the owner of any adjacent property that is developed.

7. Advertising signs are permitted only in accordance with the applicable requirements of this Title or as permitted in an agreement with the City to authorize the operation of the monorail system.

8. Approval of a Special Use Permit shall not be deemed to give the monorail system the right to use property of any person without that person's consent or to compel the City to use its power of eminent domain to acquire property for the system.

Ord 5552 12/4/02

MOTORCYCLE/MOTOR SCOOTER SALES [C-1]

1. All display and sales shall take place in an enclosed building.

2. The minimum gross floor area of the building shall be 7,000 square feet.

OUTCALL ENTERTAINMENT REFERRAL SERVICE [C-1, C-2]

1. The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church, school, child care facility or park, measured in each case from property line to property line without regard to intervening obstacles.

2. No outcall entertainers shall be physically dispatched from the property.

3. No business may be transacted with patrons on the property.

4. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertised the address or physical location of the business.

Ord 5682 4/21/04

PAWN, AUTO [C-M]

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.
5. Window signs shall not:
   a. Cover more than twenty percent (20%) of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

7. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).

8. No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (8), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

PAWN SHOP [C-1, C-2, C-M]

*1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

*2. No outdoor display, sales or storage of any merchandise shall be permitted.

*3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5737 12/15/04

PET BOARDING [C-1, C-2]

1. All animals shall be confined within an enclosed area or on a leash at all times.

2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.

3. Pens shall be screened from view from adjacent streets and adjoining properties.

4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of fifty feet from the parcel.

5. All operations and activities shall be in accordance with LVMC Title 7.

Ord 5589 4/16/03
Ord 5498 8/7/02

RECREATIONAL VEHICLE AND BOAT STORAGE [N-S, C-1]

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas. Within the N-S District, no such storage is permitted within fifty feet of property zoned for residential use.

2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height, except along the property line of any adjoining property that is zoned C-M or M.

3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

RESTAURANT SERVICE BAR [N-S THROUGH M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

1. No restaurant service bar business use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

2. Except as otherwise provided in Paragraph 3 below, the minimum distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed restaurant service 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 restaurant service 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 Paragraph 1.

3. In the case of a restaurant service bar proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

   a. From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant service bar will be located, without regard to intervening obstacles; or

   b. In the case of a purposed restaurant service bar 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 restaurant service bar will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a restaurant service bar which also requires a waiver of the distance limitation in Paragraph 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 Paragraph 1 does not apply to an establishment which has a non-restricted 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. In the O District, a restaurant service bar is permitted only as an accessory use.

*7. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

728, 10/6/04

SECONDHAND DEALER [C-1, C-2]

*1. No outdoor display, sales or storage of any merchandise shall be permitted.

*2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

*3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5754 3/16/05
Ord 5638 11/19/03

SENIOR CITIZEN APARTMENTS [C-1]

1. For any development that is over three stories in height:

   a. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.

   b. Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

2. The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartment themselves must be located above the ground floor, but access ways, entryways and community rooms may be located on the ground floor.

3. The primary resident or guest entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street.

4. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

5. For any development that, in accordance LVMC 19.08.045, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements and all minimum setback requirements for the C-1 District shall be met.

SERVICE STATION [C-1, C-2]

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:

   a. The dispensing of petroleum products, water and air from pump islands.

   b. The provision of emergency service of a minor nature.

   c. The sale of items via vending machines which shall be located next to the main structure.

2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.

3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.

4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.

5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.

6. The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060 (B).

Ord 5613 7/2/03

SLAUGHTER AND PROCESSING OF LIVE POULTRY [C-1, C-2, C-M]

1. The slaughter and processing --of live poultry shall be limited to chickens. The slaughter or processing of any other poultry or animals is prohibited.

2. The use may not be located closer than one thousand five hundred feet from any other facility used for the slaughter and processing of live poultry.

3. The slaughter and processing of poultry shall occur only as an accessory use to a retail commercial establishment.

4. The sale of poultry on the site shall be limited to retail sales of processed poultry.

5. There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off-site.

6. All live poultry shall be stored within an enclosed structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, State and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.

7. The maximum number of live birds allowed to be kept or maintained on site at any one time is fifty.

8. The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 8:00 a.m. and 8:00 p.m.

9. The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on-sit activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.

10. Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.

11. All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 a.m. and 8:00 p.m.

12. No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature-controlled, sealed room.

13. All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.

14. No live poultry shall remain on-site overnight. Any live poultry not sold by 4:00 p.m. must be slaughtered, processed and packaged for sale with other poultry products.

15. The processing facility shall be landscaped and screened as required in connection with Site Development Plan Review.

SUPPER CLUB [N-S THROUGH M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

1. No supper club use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

2. Except as otherwise provided in Paragraph 3 below, the minimum distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed supper club 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 supper club. 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 Paragraph 1.

3. In the case of a supper club proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

   a. From the nearest property line of the existing use to the nearest portion of the structure in which the supper club will be located, without regard to intervening obstacles; or

   b. In the case of a proposed supper club 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 supper club will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a supper club which also requires a waiver of the distance limitation in Paragraph 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. In the O District, a supper club is permitted only as an accessory use.

*6. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

Ord 5688 4/21/04

SWAP MEET [C-1, C-2]

1. No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.

2. No repair, installation or service work is permitted outside of an enclosed building.

3. All signage, including any temporary signage, shall comply with LVMC Chapter 19.14

4. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

Ord 5728, 10/6/04

THRIFTSHOP [C-1, C-2]

*1. No outdoor display, sales or storage of any merchandise shall be permitted.

*2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas

THRIFTSHOP, NON-PROFIT [C-1, C-2, C-M]

*1. No outdoor display, sales or storage of any merchandise shall be permitted.

*2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

TRAILER/RV CAMP OR PARK [C-1, C-2, C-M]

1. The maximum density permitted in a recreational vehicle park is 20 recreational vehicle sites per acre.

2. Recreational vehicle parks shall have a minimum frontage of 100 feet at the building setback line.

3. Recreational vehicle sites, office buildings, accessory buildings and other facilities shall be set back at least 10 feet from any property lines. When adjacent to any property line adjoining a public street, the required setback shall be 15 feet

4. Vehicular spacing:

a. Pull-through recreational vehicle sites shall maintain 15 feet between vehicle parking on adjoining sites.

b. Back-in recreational vehicle sites shall maintain 10 feet between vehicles, to include automobiles parking in adjoining sites.

5. Recreational vehicle sites shall be setback 20 feet from any building.

*6. A minimum of 10 percent of the total area of the park shall be reserved for purposes of open space or recreational facilities. Open space area shall be of sufficient size and distribution as to be a functional part of the entire park.

*7. All access drives shall be a minimum of 20 feet wide and approved by the City Traffic Engineer.

TRANSITIONAL LIVING GROUP HOME [U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4, R-5]

1. The home must be located on a parcel with a minimum size of 6,500 square feet.

2. Off-street parking shall be provided on the basis of at least one space per six residents, plus an additional space for the administrator.

3. Common area shall be provided on the basis of a minimum of 15 square feet per resident.

4. The facility must comply on an ongoing basis with all governmental licensing requirements.

Ord 5655 12/17/03

TRUCKING COMPANY [C-2]

1. The use shall be limited to office operations and the parking of trucks and trailers.

2. No more than five trucks or trailers, or combination of trucks and trailers, shall be permitted on the site at any one time.

3. The parking of trucks and trailers shall be restricted to locations to the rear of onsite structures so as to not be visible from adjoining streets.

4. None of the following activities shall be permitted on site:

   a. The repair or servicing of vehicles.

   b. The storage or warehousing of goods or merchandise.

   c. The loading or unloading of goods or merchandise.

WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN [ALL DISTRICTS]

*1. No residential use may exist on the property.

*2. Any antenna tower that forms part of the facility shall conform with both the setback requirements of the zoning district and the separation requirements of Subchapter 19.08.060.

*3. Except in the C-V Zoning District, no antenna tower that forms part of the facility may be located within 600 feet of:

a. Any other antenna tower that forms part of a wireless communication facility; or

b. Any pole or tower structure of any other type that has a height of at least 60 feet.

*4. Antenna towers and associated components shall be initially painted and thereafter repainted with a flat paint, using a color that is approved by the City Council. Except as otherwise required by the Federal Communications Commission or the Federal Aviation Administration, the color of any antenna tower must generally match the surroundings or background so as to minimize its visibility.

*5. Failure to perform necessary maintenance and repainting shall be grounds for administrative and other enforcement action, including action pursuant to Condition 9 below.

*6. Any proposed antenna tower must be designed to accommodate at least two communication providers or, in the case of a tower that exceeds 80 feet in height, at least three communication providers.

*7. No signals, lights, or other attention gaining devices are permitted on any antenna tower or antenna unless required by the Federal Communication Commission or the Federal Aviation Administration; provided, however, that this condition shall not be construed to prevent the mounting of an antenna on a signal, light or sign that has been legally permitted and installed.

*8. All ground level equipment, buildings and the base of any antenna tower must be screened so as not be visible from streets and residences, with appropriate landscaping designed to ensure compatibility with surrounding uses.

*9. Any abandoned or unused antenna tower, and the associated components of any facility, shall be removed within six months after operations at the site cease. In the event that removal is not timely performed, the City may remove, or cause the removal of, the antenna tower and associated components, and assess the costs of removal against the property. Before taking such action, the City must deliver or mail to the property owner a notice of the City's intent to do so. The property owner shall have 30 days from the date notice is delivered or mailed to request a hearing. The failure to request a hearing shall be deemed to be a waiver of the right to be heard, and the City may immediately cause the removal of the antenna tower and any associated components, and may assess the costs against the property.

Ord 5674
3/17/04

C. Exceptions to Special Use Permit Requirements for Certain Alcohol Related Uses.

The Special Use Permit requirements of this Section 19.04.050 do not apply to:

(1) The locations of facilities that are intended to be operated solely as a Gift Basket Limited; a Gift Shop Limited; a Convention Facility; a Keg Beer; a Nonprofit Club General, with or without a Nonprofit Club Restaurant Service Bar; or a Beer/Wine/Cooler Art Event;

(2) A Liquor Caterer; or

(3) The location of any facility specified in liquor catering permit, provided that not more than sixteen catering permits are issued per calendar month to such location.

19.04.060 STANDARDS FOR CERTAIN USES

Ord 3560 1/22/03

A. General

(1) This Section provides specific standards for certain uses which otherwise would be permitted as a matter of right. The uses listed are not permitted as a matter of right unless the standards described in this are met. The uses which require these minimum standards are indicated with a "+" by the name of the use in the Land Use Tables.

(2) Except as otherwise specifically provided regarding a particular use, when not all the conditions itemized in Subsection (B) can be met, a Special Use Permit is required for the use. The approval of a Special Use Permit may include additional conditions beyond those itemized in Subsection (B).

(3) Some uses listed in Subsection (B) may be accessory uses, and in that case will not be listed in the Land Use Tables as a primary use (e.g. Satellite Dishes). The following uses may be permitted as specified, subject to full and complete compliance with all the standards described.

B. Special Standards

LIQUEFIED PETROLEUM GAS (LPG)

1. An LPG installation which includes tanks with an aggregate water capacity of 288 gallons or less is permitted as of right in any zoning district, subject to the requirements applicable to the district, if the installation complies with the provisions of NRS 590.465 et seq. and these regulations.

2. An LPG installation which includes tanks with an aggregate water capacity of more than 288 gallons is excluded in the U zoning district or any zoning district with an "R" prefix.

3. An LPG installation which includes tanks with and aggregate water capacity of more than 288 gallons is not permitted as of right in any zoning district and is allowed with approval of a Special Use Permit in the C-1, C-2, C-PB, CM and M zoning districts.

4. The aggregate capacity provisions of this section shall not apply to mobile parks or similar multiple-unit installations whose units are served by individual tanks if:

   a. The tanks are not interconnected; and

   b. Each individual tank has a water capacity of less than 125 gallons.

5. Any LPG installation which is made non-conforming by these specific standards is subject to the expansion and discontinuance provisions set forth in Chapter 19.16.

MANUFACTURED HOME/MOBILE HOME /MOBILE HOME PARK

Display and sales of manufactured/mobile homes shall be prohibited in the R-MHP District; provided, however, that this prohibition does not apply to:

1. The sale in-place, by the owner or his agent, of a manufactured/mobile home that has previously been located and continuously occupied in that mobile home park by the owner.

2. The sale in-place, by a manufactured/mobile home dealer, of a manufactured/mobile home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.

3. The placement of a manufactured/mobile home within a mobile home park for the purpose of sale or display, or both, as a sales model only.

4. For the purposes of this section, a financial institution that has succeeded to the interest in a manufactured/mobile home of an owner through foreclosure shall be deemed to be the agent of the owner.

MANUFACTURED HOME (QUALIFYING FOR TREATMENT AS SINGLE FAMILY DETACHED DWELLING) [U,R-A, R-E, R-D, R-1, R-CL, R-2, R-4, R-5]

In order to qualify for treatment as a Single Family Detached Dwelling, a manufactured home must:

1. Have been constructed or manufactured within the 5 years immediately preceding the date on which it is affixed to the residential lot;

2. Consist of at least 1,200 square feet of living area, unless the Director approves a reduction in size;

3. Be permanently affixed to the residential lot;

4. Have its foundation masked architecturally or by landscaping, berming or planters; and

5. Be demonstrated to be compatible with homes in the immediate vicinity, in terms of siding material, roofing, color, building configuration, design features, etc.

SATELLITE DISHES

Satellite dishes shall be allowed in any district as an accessory use, provided that they meet the following conditions:

1. **Location.** Satellite dishes are permitted in single-family residential districts in the rear yard only, except that dishes 18 inches in diameter or smaller are also permitted in the side yards. In districts other than single-family residential, satellite dishes are allowed in yard areas or on rooftops.

2. **Screening.** Satellite dishes shall be fully screened from view of streets and public open areas. When located on ground level, they shall be screened to the full height of the structure with landscaping. When located on a rooftop, they shall be located and screened so as to minimize visual impact from other properties in the area.

3. **Size.** Satellite dishes shall not exceed 10 feet in diameter, nor 12 feet in height when the dish is vertically positioned.

SINGLE-FAMILY, ZERO LOT LINE [R-CL]

1. Roof overhangs and any architectural projections shall not be permitted to cross property lines.

2. No architectural openings of any kind shall be permitted on walls sited less than three feet from the property line.

STORAGE AND/OR DISPLAY OF PRODUCTS/EQUIPMENT

1. **N-S, P-R, O and C-1 Districts.** Unless otherwise permitted in this Title, all storage or display of merchandise or equipment in the N-S, P-R, O and C-1 Districts shall be within a completely enclosed permanent building. No trailers or other portable structures may be used for storage purposes. Live nursery products may be displayed and stored outdoors in the C-1 District.

2. **C-D District.** All storage or display of merchandise or equipment in the C-D District shall be within a completely enclosed permanent building. No trailers or other portable structures may be used for storage purposes.

3. **C-2 District.** Unless otherwise permitted in this Title, all storage and display of merchandise or equipment in the C-2 District shall be within a completely enclosed permanent building unless the merchandise or equipment is appropriately screened as determined by the Director of Planning and Development; provided, however, that the screening shall not be required for a franchised new car dealership or for those uses which are permitted in the C-2 District by way of a Special Use Permit. Furthermore, incidental items which are normally associated with operations which are permitted as a matter of right in the C-2 District shall be allowed without screening or being within a completely enclosed building. No trailers or other portable structures may be used for storage purposes.

4. **C-M, C-PB and M Districts.** Unless otherwise permitted in this Title, all outdoor storage and display of merchandise and equipment in the C-M, C-PB and M Districts shall be screened from view from the public rights-of-way and adjacent residential districts.

TENNIS COURTS, ACCESSORY [U through R-5]

1. Lights shall be shielded from adjacent residences.

2. Courts shall be screened from adjacent residences.

Ord 5623 9/3/03
Ord 5434 2/6/02

VEHICLES [All Residential Districts]

1. Except as otherwise provided in Paragraphs 2 to 13, inclusive, motor vehicles, including passenger cars, trucks and motorcycles which are not designed or used for racing or for purposes other than transportation, may be parked, stored or repaired on any property in a residential district, provided the same do not constitute a nuisance, health or fire hazard offense under the provisions of this Code and do not have a detrimental effect on the neighborhood. The motor vehicles shall be stored:

a. Within a completely enclosed structure;

b. In the front yard, either on an approved driveway, or on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the vehicle; or

c. In the side yard, either obscured by a six-foot-high fence to adequately screen the vehicles from view, stored on an approved driveway or stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length of the vehicle; provided, however, that the vehicle storage complies with the other provisions set out in Paragraphs 1 to 13 inclusive.

2. Except as otherwise provided in Paragraph 10 below, on a single- family residential lot:

a. No more than three operable vehicles may be stored, or one vehicle per 1,250 square feet of lot area, whichever allows the greater number of vehicles;

b. No more than fifty percent of the front yard area may be used for the storage of vehicles; and

c. No more than six vehicles, whether operable or inoperable may be stored at one time.

3. In any residential district, a recreational vehicle or trailer, or combination thereof, may be stored only as follows:

a. Within an enclosed structure;

b. In a rear yard, if stored on a surface of concrete or asphaltic paving, gravel or chat which extends the full length and width of the stored item;

c. In a front yard, provided that:

i. The side and rear yards are not reasonably accessible for storage purposes. A corner lot shall be deemed to have reasonable access, and the existence of a fence or block wall, by itself, shall not be deemed to prevent reasonable access to the side or rear yards; or

ii. The recreational vehicle or trailer, or combination thereof, is stored entirely in the yard area with no portion of the unit located closer than one foot from an adjacent public street or sidewalk; and

iii. The recreational vehicle or trailer, or combination thereof, is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the stored item.

d. In a side yard, if the recreational vehicle or trailer, or combination thereof, does not extend closer to the street than the front of the main building on the property, and if it is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the stored item.

4. Any vehicle being repaired, stored or parked for more than four hours on property in a residential district shall have a manufacturers rated carrying capacity not to exceed one ton,

and any vehicle being repaired must be owned by a permanent resident at the location where the repair takes place, except as provided in Paragraph 9 below.

5. Except as otherwise provided in Paragraph 10 below:

   a. Any vehicle that is located in a residential district and is in mechanically inoperable condition shall be stored or repaired in a garage, shed or other enclosure; in a driveway; or in a rear yard that is enclosed by a six-foot-high fence to adequately screen the vehicle from view; provided, however, that if the abutting property is undeveloped, the fencing shall not be required until the adjacent property is developed.

   b. In a residential district, no repair outside of an enclosure may occur later than nine p.m. or earlier than seven a.m.

6. Except as otherwise provided in Paragraph 10 below:

   a. In a residential district, no more than one vehicle that is in a mechanically inoperable condition shall be stored or repaired at any time outside of a fully enclosed building on the premises, and there shall be no repair of vehicles or storage of mechanically inoperable vehicles in the side yards.

   b. A vehicle shall not be stored in a mechanically inoperable condition in a residential district for more than ninety days.

7. There shall be no storage of junked vehicles, or parts thereof, in any residential district. Only serviceable parts for owned vehicles may be stored on the premises. Such storage shall not be permitted in the front or side yards but shall be permitted in the rear yard only if such storage is either fully enclosed by a six-foot-high fence to adequately screen the parts from view, or in a fully enclosed building; provided however, that if the abutting property is undeveloped, the fence or enclosed building shall not be required until the adjacent property is developed. No more than two hundred square feet of outside space shall be used for the storage of serviceable parts.

8. On any lot within a residential district, the following are prohibited, except in connection with an approved construction yard or except as necessary to perform grading or construction work on the premises pursuant to a development permit:

   a. The repair or storage of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction, or industrial equipment; or

   b. The parking for more than four hours, of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction or industrial equipment.

9. Nothing in Paragraphs 1 to 13, inclusive shall be construed to permit the operation of a business as defined in Title 6. There shall be no repair, restoration or modification of non-owned vehicles for money or barter on residential property. However, nothing in Paragraphs 1 to 13, inclusive, prohibits the temporary emergency repair of owned or non-owned vehicles which have become mechanically inoperable while on the property or in the street.

10. On any residential lot owned by a member of a duly-recognized organization of automobile collectors or restorers, the owner may exceed the limitations on vehicle storage and repair set

forth in Paragraphs 2, 5(a) and 6 above with respect to the restoration, refurbishing or rebuilding of his or her own classic or antique vehicle if

a. any such vehicle is covered with a fitted full-vehicle pullover cover when it is not being worked on.

11. In order to facilitate vehicle inspection and enforcement under Paragraphs 1 to 13 inclusive, any person engaged in the storage, repair, restoration or modification of any vehicle shall, upon request, provide to any authorized enforcement officer:

a. Evidence regarding the ownership of the vehicle, such as current registration, title, bill of sale or other documentation;

b. As applicable to the exception set forth in Paragraph 10, evidence sufficient to indicate the person's membership in a duly-recognized organization of automobile collectors or restorers; and

c. As applicable to the exception set forth in Paragraph 10, evidence sufficient to indicate that the vehicle or vehicles in question are actually and currently in the process of being restored, refurbished or rebuilt.

12. The provisions of Paragraphs 1 to 13, inclusive, shall apply to any person in control or lawful possession of any real property within a residential district, including an owner, tenant, occupant, lessee or otherwise

13. For purposes of Paragraphs (1) and (3), an "Approved driveway" means a driveway that complies with all applicable curb cut requirements that have been established by the City.

19.04.070 USE RESTRICTIONS FOR P-R AND C-D DISTRICTS

A. P-R District

All uses in the P-R District shall conform to the following:

1. No products shall be stored, displayed or sold on the premises.

2. No trucks, vans or other commercial vehicles shall be stored or parked on the property overnight.

3. No service shall be performed upon a client except those related to the service of the medical profession including dentists, opticians, optometrists, chiropractors, etc.

4. Services shall not include the production or repair of any goods except as an incidental use to a permitted service.

5. Instructional services must be limited to a two to one pupil/instructor ratio provided, however, in connection with instructional services to be provided at a physician's office, the Director of the Department of Planning and Development may approve a higher pupil/instructor ratio upon a showing that sufficient off-street parking is available for the number of pupils anticipated. Equipment used for instructional purposes must be stored within the building.

6. There shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.

7. No use or business activity shall remain open to the public for business between the hours of 9:00 PM through 7:00 AM. All exterior lighting, except for security lighting, shall be turned off.

B. C-D District

All uses in the C-D District shall conform to the following:

1. Retail shops shall sell new merchandise exclusively except for antique shops. All products produced, whether primary or incidental, shall be sold at retail on the premises, and not more than two persons shall be engaged in the production of such products.

2. There shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.

3. No use or business activity shall remain open to the public for business between the hours of 9 PM and 7 AM.

4. All uses and activity shall be contained within a completely enclosed building and there shall be no outside storage, service or sales.

19.04.080 SIMILAR AND PROHIBITED USES

A. Unlisted Uses

The uses permitted in this Chapter are classified on the basis of common operational characteristics and land use compatibility. Uses not specifically listed in this Chapter are prohibited. However, additional new and unlisted uses may be permitted by the Director if the Director finds that the use is similar to other uses listed in the same zoning district.

B. Appeals

An applicant who is aggrieved by the decision of the Director with respect to the allowability of an unlisted use may appeal the decision to the City Council. The appeal shall be filed in the office of the City Clerk, with a copy to be filed in the office of Department of Planning and Development. Unless otherwise stated in the Council's action, the determination of the Council with respect to the appeal shall constitute a permanent and consistent interpretative decision which the Director shall apply in all future instances.

C. Conditions

When considering requests to permit a new or unlisted land use as being similar to a listed use, the Planning Director or City Council shall consider the potential effects of the use on adjacent properties in terms of requirements for services, visual impact, traffic generation, the extent to which the use is consistent with other uses allowed in the district, and other issues they deem appropriate. Based upon such consideration, the Director or Council, in approving a request under this Subchapter, may impose appropriate and reasonable conditions designed to ensure compatibility and consistency of uses.

D. Authorization of New Uses

New uses which have been permitted by the Director or City Council, pursuant to the subchapter shall be added by ordinance amendment on a periodic basis.

19.04.090 INTENT AND EFFECT OF CROSS-REFERENCING TOOLS

The Land Use Tables that appear in Subchapter 19.04.010 and the various minimum standards that are set forth in other Subchapters of this Chapter 19.04 include certain cross-referencing tools that are intended to assist the City and the public in using and applying the Zoning Code. For example, the Land Use Tables include asterisks and plus signs that are intended to remind the user to consult other portions of the Zoning Code for additional information. Likewise, language in the other Subchapters of this Chapter occasionally refers to the Land Use Tables to help the user correlate the various provisions of the Code that apply. These cross-referencing tools are for the sake of convenience and assistance only, and do not diminish the applicability of substantive standards and limitations of this Code. Except as otherwise specifically indicated, the absence or omission of an asterisk or plus sign in the Land Use Tables shall not be deemed to limit or negate any other provision of this Code.

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3. **Planned Community Program Procedures.** A Planned Community Program shall contain procedures to provide for modification of and deviation from the program pursuant to review by the Director of the Department of Planning and Development, the Planning Commission or the City Council, or any combination thereof, and such procedures shall be exclusive of any other procedure, other than the procedures for notification of public hearings, that is provided in this Title for the approval of any Rezoning, Variance or Special Use Permit. With respect to any modification or deviation that requires approval by the Planning Commission or City Council, or both, the modification or deviation may be approved only upon a finding by the Planning Commission or City Council, as the case may be, that:

   a. The requested modification or deviation, if approved, will not affect the rights of property owners or residents within the P-C District to maintain and enforce previously approved conditions, covenants and restrictions and other rights in the Planned Community Program; and

   b. The requested modification or deviation, if approved, will be consistent with the planning objectives and goals of the approved Planned Community Program.

4. **Department of Planning and Development Conformance Review-Appeal.** Each Development Plan that is submitted in connection with the implementation of a Planned Community Program shall be reviewed for conformance therewith by the Director of the Department of Planning and Development. The Director may require modifications that bring the Development Plan or site plan into conformance with applicable standards of health, safety and welfare and may recommend design adjustments to better fulfill the intent of the Planned Community Program approval and the purposes of the P-C District.

5. **Appeal of Director's Decision.** An applicant who is aggrieved by the decision of the Director with respect to a proposed Development Plan or site plan may request a review of such decision by the Planning Commission. An applicant who is aggrieved by the decision of the Planning Commission may appeal such decision to the City Council by filing a written request for appeal with the City Clerk within fifteen calendar days after the date of the Planning Commission's decision.

G. Open Space And Landscape Area Requirements

A minimum of 20 percent of the gross property area in the P-C District shall consist of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements shall be set forth in the Planned Community Program.

H. Street And Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in Title 18 of the Las Vegas Municipal Code, except as otherwise provided for specifically in an approved Planned Community Program.

I. Nonapplicability Of Other Provisions- Analogous Applications

1. The Development Standards may contain provisions for the processing and review of Minor Exceptions, Deviations, Plot Plan Reviews, Development Plan Modifications and other land use control procedures. If such procedures are so provided, they supersede the corresponding procedures set forth in this Title.

2. With regard to any issue of land use regulation that may arise in connection with the PC District and that is not addressed or provided for specifically in this chapter or in an approved Planned Community Program, the Director of the Department of Planning and Development may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Planned Community Program.

19.06.040 R-PD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

A. Intent Of R-PD District And Minimum Site Area

The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. As with previous versions of this Title, the R-PD District represents an exercise of the City Council's general zoning power as set forth in NRS Chapter 278. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. (Example, R-PD4 allows up to four units per gross acre.)

The minimum site area that is eligible for rezoning to the R-PD zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD, may also be zoned R-PD by the City Council if it otherwise qualifies for the R-PD zoning designation. Both such properties must be owned by or be under the control of the same property owner.

B. Pre-Application Conference

Prior to the acceptance of a rezoning application to an R-PD District, a pre-application conference is required with the developer or an authorized representative and the staff of the Department of Planning and Development.

C. Development Review

1. Concurrently with the submission of a rezoning application to an R-PD District, the owner shall submit a Development Review application for the proposed project.

2. Site Development Plans shall show the following information:

   a. The proposed uses for the property and the dimensions and locations of all proposed lots, setbacks, heights, open space and common areas, private drives, public streets and the exterior boundaries. In addition, the layout and design of all perimeter walls, landscaping, access control gates, and guard stations shall be provided. If the development is to be

constructed in phases, each phase shall be delineated on the Site Development Plan. Each set of plans shall also include floor plans and elevations of the buildings.

b. Drainage and grading information which shall consist of either a contour map or sufficient information indicating the general flow pattern or percentage of slope.

c. For any development site where 20% or more of the aggregate site has a slope of natural grade above 4%, a cross section, which must extend a minimum of 100 feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials; and the elevations of existing and proposed conditions.

3. The conditions, covenants and restrictions proposed for the development shall also be submitted.

D. Development Standards

The development standards for a project, including minimum front, side and rear yard setbacks, grade changes, maximum building heights, maximum fence heights and fence design, parking standards, standards for any guest houses/casitas and other design and development criteria, shall be established by the Site Development Plans.

E. Permitted Land Uses

1. Single-family and multi-family residential and supporting uses are permitted in the RPD District to the extent they are determined by the Director to be consistent with the density approved for the District and are compatible with surrounding uses. In addition, the following uses are permitted as indicated:

   a. Home Occupations for which proper approvals have been secured.

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

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

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

F. Plans Approval, Conditions, Conformance

Site Development Plans shall be reviewed and approved by the Planning Commission and the City Council during the rezoning public hearing. The Planning Commission and the City Council may attach to the Site Development Plans whatever conditions they deem necessary to ensure the proper

amenities and to assure that the proposed development will be compatible with surrounding existing and proposed land uses.

G. Allocation of Open Space and Common Recreational Facilities

1. Each residential planned development containing 12 or more dwelling units shall allocate and provide open space and common recreational facilities which, at a minimum, comply with the following formula:

   DENSITY (UNITS PER ACRE, TO THE NEAREST TENTH) X 1.65 = PERCENTAGE OF GROSS LAND REQUIRED FOR OPEN SPACE/ RECREATIONAL AREA

2. Except as otherwise permitted under Subsection (4) of this Section (G), the following do not qualify as required open space or common recreational facilities:

   a. Rights-of-way;

   b. Required setback areas;

   c. Drainage easements;

   d. Vehicle parking areas;

   e. Landscaped entry features;

   f. Landscape planters located along major thoroughfares or collector streets; or

   g. Any area which is not platted as a separate lot, unless it is made available for public use by means of an appropriate access and use easement.

3. Any area allocated for public multi-use trails may be counted toward the requirement for open space and common recreational facilities unless it is not intended for open space or common recreational facilities as indicated on the list of exclusions for the trail area.

4. Any area allocated for streetscape within a subdivision may be counted toward the requirement for open space and common recreational facilities if:

   a. The streetscape conforms to the following:

      1) A minimum of one (1) twenty four inch (24") tree shall be provided for every thirty feet (30') of gross frontage, with a maximum distance of thirty feet (30') on-center between any such tree and the tree nearest to it, whether on the same or different lot;

      2) A minimum of four (4) shrubs, each with a minimum size of five (5) gallons, shall be provided for every tree; and

      3) Bare soil is not permitted. Any streetscape area not covered by vegetation must contain a minimum of two inches (2") of rock mulch or decomposed granite.

   b. Where practical, such streetscape is provided on both sides of the street on all internal streets within the subdivision;

c. The area allocated for streetscape is not less than five feet (5') in width, and is directly adjacent to the sidewalk or curb; and

d. The area allocated for streetscape is dedicated as a common lot and maintained by an owners' association.

5. Open space and common recreational facilities shall be configured so as to permit optimal utilization and shall be more or less centrally located so as to be reasonable and readily accessible from all residences built or proposed for the development. A sidewalk system shall be provided to connect all residential areas to required open space and common recreational facilities. Easy and safe shortcut access to such facilities (or to any adjacent trail system, public park or public recreational facility) should be provided by means of alleyways or pathways that:

a. Are cleared and provide for the safe passage of pedestrians or bicycle traffic only, or both;

b. Are improved, either with or without paving;

c. Have minimum widths as follows:

1) When lined on at least one side with a solid wall of a height not greater than forty-two (42) inches, a minimum width of five (5) feet;

2) In any other case in which the alleyway or pathway does not exceed one hundred sixty (160) feet in length, a minimum width of ten (10) feet; or

3) In the case of an alleyway or pathway that exceeds one hundred sixty (160) feet in length, a minimum width of ten (10) feet, plus one (1) additional foot in width for each additional eight (8) feet in length beyond one hundred sixty (160) feet.

H. Subdivision Procedure Conformance

A Residential Planned Development shall follow the standard subdivision procedure. The tentative map shall include the public and private street design and dimension, lot design and dimension, location of driveways, buildings, walls, fences, walkways, open space areas, parking areas, drainage information, street names and location of utilities. The final map shall indicate the use, location and dimension of all proposed structures, streets, easements, driveways, walkways, parking areas, recreational facilities, open spaces and landscaped areas.

19.06.050 PD PLANNED DEVELOPMENT DISTRICT

A. Intent of District

The intent of the Planned Development District (PD) District is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. The rezoning of

property to the PD District may be deemed appropriate if the development proposed for the District can accomplish one or more of the following goals:

1. Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.

2. Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities.

3. Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts.

4. Providing for cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design.

5. Providing for the redevelopment of areas where depreciation of any type has occurred.

6. Providing for the revitalization of designated areas.

7. Promoting or allowing development to occur in accordance with a uniform set of standards which reflect the specific circumstances of the site.

8. Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities.

9. Encouraging area-sensitive site planning and design.

10. Contributing to the health, safety and general welfare of the community and providing development which is compatible with the City's goals and objectives.

B. Definitions

For purposes of this subchapter:

1. "Master development plan" means a specific written plan and accompanying maps which identify, with respect to a PD District development, the proposed location and size of development parcels, land uses and zoning designations; transportation plans and a traffic impact analysis; open space, community facilities and amenity plans; and the applicable development regulations and design standards.

2. "Development standards" means the minimum
3. m standards for development in the Planned Development District, including but not limited to standards for intensity and type of use; densities; building design, layout, configuration, height, coverage, spacing, bulk and setback requirements; provision for utilities; topography and drainage patterns; signage; open space and landscaping; on-site vehicular and pedestrian circulation and parking; urban design elements and features; and site amenities.

C. Rezoning And Minimum Site Area

Property may be rezoned to the Planned Development District by the City Council in accordance with the requirements of this Chapter and Chapter 19.18.040. Each rezoning parcel shall be described as a separate district, with distinct boundaries and specific design and development standards. Each district shall be assigned a district development project number or label, along with the designation "PD". The rezoning shall include the adoption of a specific master development plan and development standards.

The minimum site area for a Planned Development District is five acres, except that the City Council may waive this requirement when proper planning justification is shown.

D. Application Requirements

1. In the case of property that is sought to be reclassified to the Planned Development District by the property owner, the owner or authorized representative must meet with the Director of Planning and Development, or the Director's designee, before the City has any obligation to accept the rezoning application as complete.

2. In addition to the submittals required by Chapter 19.18, the following must accompany an application for rezoning submitted by a property owner:

   a. A metes and bounds description of the proposed Planned Development District.

   b. A proposed master development plan for the entire site.

   c. Development standards that are proposed to be applied to the development. The development standards must include provisions regarding the installation of utility boxes and aboveground utilities that are at least as restrictive as those set forth in Section 19.12.050(D).

   d. Any proposed conditions, covenants and restrictions for the development, including easements and grants for public utility purposes.

   e. The location of primary and secondary thoroughfares proposed for the development, including right-of-way widths and the location of access points to abutting streets.

   f. Identification of all rights-of-way, easements, open spaces or other areas to be dedicated, deeded or otherwise transferred to the City.

   g. A plan for the extension of any necessary public services and facilities, including sewer facilities and facilities for flood control and drainage.

   h. Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design, landscape, open space and signage concepts.

   i. The location and description of all buffering that is proposed between the development site and adjacent properties.

j. Additional information and detail as may be required in order to respond to the unique characteristics of the site and its location.

E. Permitted Uses and Standards

Any combination of residential, commercial, industrial or public uses may be permitted within a specific Planned Development District to the extent they are consistent with the Master Development Plan for that District. The uses to be permitted within the District must be specified in the adopted Master Development Plan for the District. Because of the nature and purpose of the PD District, and notwithstanding any other provision of this Subchapter:

1. An application to rezone property to the PD District may be denied by the City Council, at its complete discretion, if it finds that the proposed development is incompatible or out of harmony with surrounding uses or the pattern of development within the area.

2. No use, type of development or development standard is presumptively permitted within the PD District unless it already has been included in the adopted plan for the District.

3. An application to allow within the PD District a particular use, type of development or development standard which has not already been included in the adopted plan for the District may be denied if it is incompatible or out of harmony with the surrounding uses or the pattern of development within the area.

F. Approval Of Master Development Plan and Development Standards

In connection with the approval of a Planned Development District, the City Council shall adopt a Master Development Plan and Development Standards, which will thereafter govern the development of property within the District. In considering the approval of a Master Development Plan and Development Standards for a Planned Development District, the Planning Commission and City Council shall be guided by the following objectives, and may impose such conditions and requirements deemed necessary to meet those objectives:

1. Consistency of the proposed development with the General Plan; this Title; the Design Standards Manual; the Landscape Wall, and Buffer Standards Manual; and other applicable plans, policies, standards and regulations.

2. Compatibility of the proposed development with adjacent and surrounding development.

3. Minimization of the development's impact upon adjacent roadways and neighborhood traffic, and upon other public facilities and infrastructure.

4. Protection of the public health, safety, and general welfare.

G. Modification of Master Development Plan and Development Standards

The development of property within the Planned Development District may proceed only in strict accordance with the approved Master Development Plan and Development Standards. Any request by or on behalf of the property owner, or any proposal by the City, to modify the approved Master Development Plan or Development Standards shall be filed with the Department of Planning and Development. In accordance with Subsections (1) and (2) of this Section, the Director shall determine if the proposed modification is "minor" or "major," and the request or proposal shall be processed accordingly.

1. Minor Modification. A Minor Modification is a modification which is requested or agreed to by the property owner and which is intended to accomplish one or more of the following:

   a. A change in the location of a use from the location specified in the approved Master Development Plan, but only if the change in location will not have a significant impact on other uses in the area.

   b. The addition of uses that are comparable in intensity to those permitted in connection with the rezoning approval or the approval of a Master Development Plan for the District.

   c. A change in parking lot layout, building location or other similar change that conforms with the intent of the previously approved Master Development Plan and Development Standards.

   d. A change in the species of plant material proposed for the District.

   e. A decrease in the density or intensity of development from that previously approved for the District.

   f. Any other change or modification of a similar nature which the Director determines will not have a significant impact on the District or its surroundings. A Minor Modification shall be reviewed and acted upon administratively by the Director. An applicant who is aggrieved by the Director's decision may appeal that decision to the Planning Commission by filing a written appeal with the Department no later than 10 days after the date the applicant receives notice of the administrative decision.

2. Major Modification. A Major Modification includes any modification which does not qualify as a Minor Modification. A Major Modification shall be processed in accordance with the procedures and standards applicable to a rezoning application, as set forth in Sections (H) to (M), inclusive, of Subchapter 19.18.040.

H. Site Development Plan Review

All development within a PD District is subject to the site development plan review procedures set forth in Subchapter 19.18.050.

I. Issue Resolution – Analogous Standards

With regard to any issue of land use regulation that may arise in connection with a Planned Development District and that is not addressed or provided for specifically in this subchapter or in the approved Master Development Plan and Development Standards for that District, the Director may apply by analogy the general definitions, principles, standards and procedures set forth in this Title, taking into consideration the intent of the approved Master Development Plan and Development Standards.

Ord 5550
12/04/02

19.06.060 DOWNTOWN OVERLAY DISTRICT

A. Intent

The intent of the Downtown Overlay District is to establish special design standards for development within the City's established urban core. The boundaries of the District shall be as indicated at the end of this Subchapter 19.06.060.

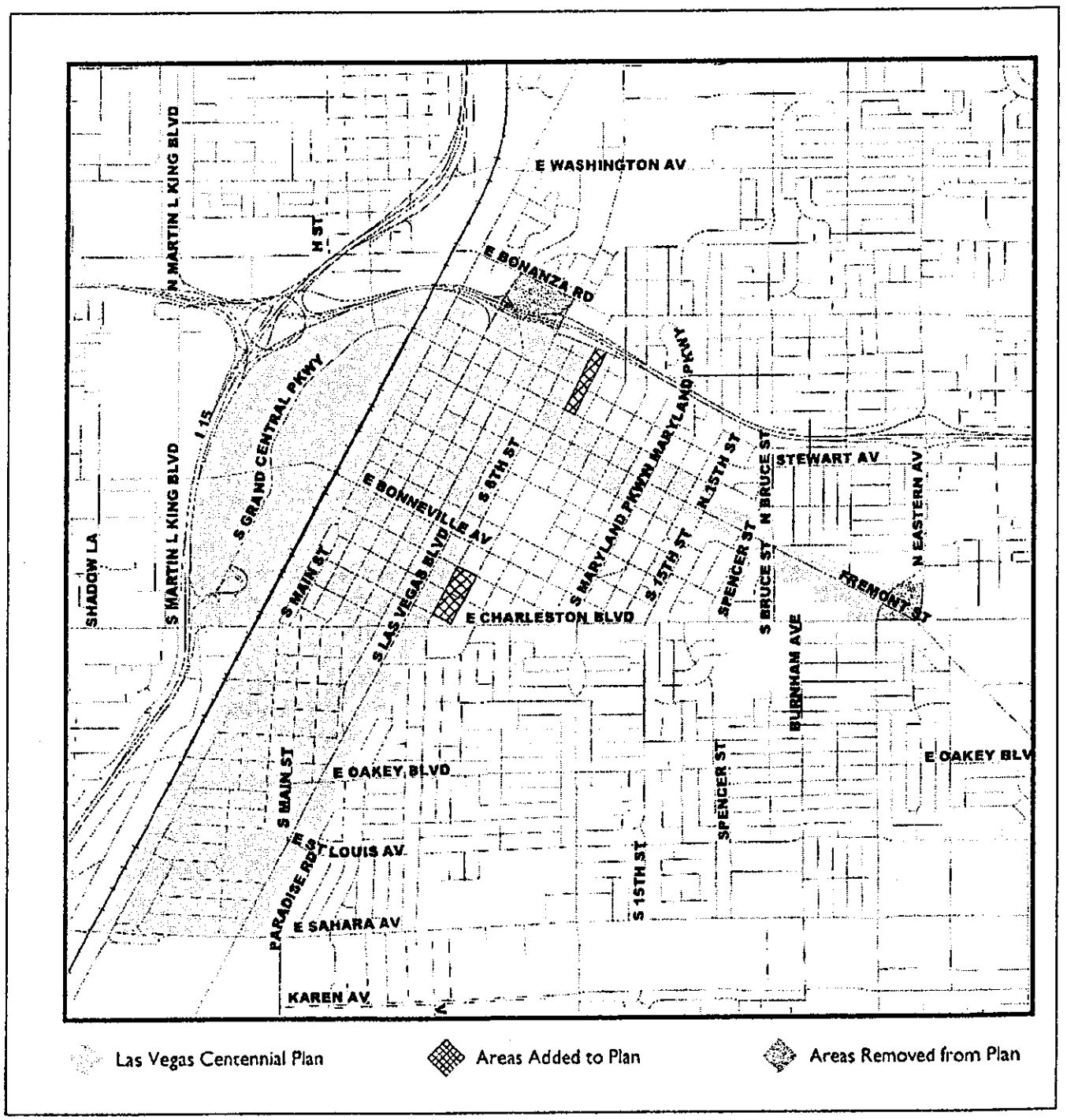
B. Downtown Design Standards

Development within the Downtown Overlay District shall conform to the Downtown Las Vegas Design Standards (the "Design Standards"), which are included within the Las Vegas Downtown Centennial Plan and which are adopted and incorporated by this reference. The Design Standards (whether published separately or not) shall be on file in the Office of the City Clerk and in the Planning and Development Department. The Design Standards include standards relating to urban design; site planning; transportation and parking; streetscape architecture; signage; and landscaping for properties throughout the District. The Design Standards are mandatory and shall apply to any property and zoning category within the District. The Design Standards may be amended from time to time by ordinance or by resolution of the City Council. If the City Council adopts more restrictive design standards for one or more sub-districts within the Downtown Overlay District, those more restrictive standards shall apply to the sub-district to which they pertain.

C. Special Provisions

In order to encourage the development of a complex, visually interesting and urbane walkable mixed-use environment, and to encourage transit-oriented development as future transit routes and stations develop within the Downtown area, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements in Subchapter 19.08.040, Subchapter 19.08.050, Subchapter 19.08.060, Chapter 19.10, and Chapter 19.12. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. Site Development Plan applications within the Downtown --Overlay District shall be evaluated on a case-by-case basis to determine the extent to which those standards shall be required.

DOWNTOWN OVERLAY DISTRICT



19.06.070 G-O GAMING ENTERPRISE OVERLAY DISTRICT

A. Intent

The intent of the Gaming Enterprise Overlay District is to reflect the implementation of the provisions of LVMC Chapter 6.40 and State law that pertain to gaming enterprise districts. The boundaries of the Gaming Enterprise Overlay District are as set forth in the map or maps established under LVMC Chapter 6.40.

B. Change Of Boundaries

Any change to the boundaries of the Gaming Enterprise Overlay District shall be in accordance with the rezoning procedures established in LVMC 19.18.040, as well as the requirements of State law and LVMC 6.40.160.

19.06.080 A-O AIRPORT OVERLAY DISTRICT

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

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

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

B. Airport Height Limitations

Except as otherwise provided in this subchapter, no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted herewith. All development within the airspace above the height of 35 feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. However, nothing in this subchapter shall be construed as prohibiting

the construction or maintenance of any structure to a height up to 35 feet above the surface of the land on any parcel.

C. Aviation Easement

The issuance of a building permit for construction on property within the Airport Overlay District may be conditioned upon the property owner's signing of an aviation easement.

D. Planning Commission Review And Approval

Except as provided in Section 19.06.080(E), any new construction or alteration of any existing structure on a parcel located within the Airport Overlay District must first be approved by the Planning Commission if such construction or alteration exceeds any of the following height standards:

1. Two hundred feet above the ground level at its site;
2. The plane of an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of any airport subject to the provisions of this subchapter;
3. For highways, railroads and other traverse ways for mobile objects; if construction or alteration is of greater height than the standards set forth in Subsection (1) or (2) above, after their height has been adjusted upward for the appropriate traverse way as follows:
   a. For interstate highways: 17 feet;
   b. For any other public roadways: 15 feet;
   c. For any private road: 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater;
   d. For any railroad: 23 feet;
   e. For a waterway or any other unspecified traverse way: the height of the highest mobile object that would normally use the traverse way.
4. Any construction or alteration that would be in an instrument approach area and available information indicates the height might exceed any FAA obstruction standard.

E. Allowable Construction

Planning Commission review may be waived for construction or alteration of any of the following:

1. An object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographical features of equal or greater height, and would be located in the congested area of the City where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation;

2. An antenna structure of 20 feet or less in height above ground level;

3. An air navigation facility, airport visual approach or landing aid, aircraft arresting device or meteorological device of a type, the location and height of which is fixed by its functional purpose.

F. Use Restrictions

Notwithstanding any other provision of this subchapter, no use may be made of land or water within any zone established by this subchapter in such a manner as to create electrical interference with navigation signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport, or which in any way compromises public safety.

G. Non-Conforming Uses

1. The regulations prescribed by this subchapter shall not be construed to require the removal, lowering or other change or alteration of any structure not conforming to the regulations as of the effective date of this subchapter, or otherwise interfere with the continuance of a non-conforming use. Nothing contained in this subchapter shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this subchapter and is diligently prosecuted.

2. Notwithstanding the preceding provisions of this subchapter, the owner of any existing non-conforming structure may be required to install, operate and maintain thereon such markers and lights as may be deemed necessary by the aviation authority having jurisdiction to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction.

H. Special Use Permit

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter may apply to the Planning Commission for a Special Use Permit. The Special Use Permit application shall be processed in accordance with the Special Use Permit procedures set forth in Subchapter 19.18.060, except that:

   a. The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and

   b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.

2. Notwithstanding the preceding provisions of this subchapter, no Special Use Permit shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto.

19.06.090 H HISTORIC DESIGNATION

A. Findings

The City Council of the City of Las Vegas finds and declares that the spirit and direction of the City of Las Vegas are founded upon and reflected in its historical past, and that the historic and cultural foundations of the City should be preserved as a living part of its community life and development in order to give a sense of identity and orientation to the people of the City.

B. Purpose And Intent

The intent of this Subchapter is to promote the public welfare by providing protection for significant properties and archaeological sites which represent important aspects of the City's heritage; to enhance the character of the community by taking such properties and sites into account during development; and to assist owners in the preservation and restoration of their properties. This Subchapter is intended to balance two competing interests: the value to the community of these significant properties and sites, and the rights of the property owners whose interests are at stake. The designation of any property, district or site pursuant to this Subchapter shall be an overlay designation and shall not inhibit existing or potential uses permitted by this Title.

C. Historic Preservation Commission - Established

The Las Vegas Historic Preservation Commission (HPC) is hereby established. The principal role of the HPC is to act in an advisory capacity to the Planning Commission and the City Council in all matters concerning historic preservation. The HPC shall make recommendations to the Planning Commission regarding designation of Landmarks, Historic Properties and Historic Districts. Other actions of the HPC as set forth below shall be final, with appeal to the City Council as described in Section (M) of this Subchapter.

Ord 5747
02/02/05

D. Historic Preservation Commission - Membership

The HPC shall consist of eleven voting members who are appointed by the City Council and two ex-officio members.

1. Each voting member must have a demonstrated interest in or knowledge of:

   a. The history of the City of Las Vegas;

   b. Design, architecture, real estate and other matters relevant to judging the economic and cultural value of particular historic preservation activities.

2. The term of each voting member is four years.

3. Voting members may be reappointed.

4. Members serve at the pleasure of, and may be removed by, the City Council, including for failure to attend meetings regularly.

5. Members shall serve without compensation.

E. Historic Preservation Commission - Qualifications

The membership of the HPC shall be as follows:

1. One member must be experienced in architecture (such as an architect, art historian or historic preservation architect).

2. One member must be experienced in urban design or planning (such as an urban designer, planner or landscape architect).

3. One member must be experienced in building construction (such as a building contractor or structural engineer).

4. One member must be experienced in the real estate profession (such as a real estate developer, appraiser or broker).

5. One member must be representative of a recognized local historic preservation association or historic preservation interest group.

6. One member must be experienced in Nevada history (such as an historian or archeologist).

7. Five members must be citizens at-large. When one or more areas have been designated as "Historic Districts" pursuant to this Subchapter, one of the "at-large" positions shall pertain to each such Historic District. For any Historic District, the corresponding "at large" position shall be filled by a person who owns real property and resides within the Historic District, if a person so qualified is available to serve. If no such person is available, a person who owns real property within the Historic District may fill that position. If more than five Historic Districts have been designated as such pursuant to this Subchapter, the City Council shall determine which five of the Historic Districts are to be represented on the HPC.

8. The Director of Planning and Development, or the Director's designee, shall serve as an ex-officio member, with no vote except as otherwise provided in this Subchapter.

9. The Director of the Nevada State Museum and Historical Society, or other designee of the State Historic Preservation Office (SHPO), shall serve as an ex-officio member, with no vote except as otherwise provided in this Subchapter.

F. Historic Preservation Commission - Organization

1. The HPC shall elect, from within its own membership, a chair, vice-chair and such other officers as it deems useful, and shall adopt such bylaws and rules of procedure consistent with this Subchapter as the Commission deems necessary.

2. The Department of Planning and Development shall provide administrative and clerical support for the HPC.

3. Regular and special meetings of the HPC shall be held as set forth in the bylaws and as necessitated by the Commission's volume of business. If no meeting has been scheduled to occur within forty days after the Chairman has been notified by the Secretary of Business requiring action by the HPC, the Chairman shall call a special meeting to be held within that period.

4. The HPC shall maintain written minutes and records sufficient to inform the public of its business and shall report its business to the City Council as the Council from time to time may request.

5. Six members of the HPC constitute a quorum thereof for the purpose of conducting business. A majority vote of those present and voting shall be necessary to approve any item of business.

6. In the event that a quorum is not available for the conduct of business, an ex-officio member or the Historic Preservation Officer (or any combination thereof) may vote, but only concerning matters on the consent agenda and only to the extent necessary to create or maintain a quorum.

G. Historic Preservation Commission - Powers, Etc.

The powers, duties and activities of the HPC include the following:

1. Reviewing applications for the designation of Landmarks, Historic Properties and Historic Districts, and making recommendations to the Planning Commission concerning those applications. The review shall be in accordance with Section (I) of this Subchapter.

2. Reviewing and making decisions concerning applications for the proposed construction, alteration, demolition or removal of any structure associated with a Landmark or Historic Property or located on property within an Historic District. The review and decision making process shall be in accordance with Sections (K) and (L) of this Subchapter.

3. Making recommendations to the City Council concerning the use of public or private funds to promote the preservation properties and districts within the City, including the acquisition of property or interests in property.

4. Recommending appropriate changes to the General Plan and to local development regulations in order to promote the purposes of this Subchapter.

5. Cooperating with owners of property to formulate appropriate design guidelines for alteration and construction within Historic Districts.

6. Initiating and conducting detailed studies and surveys of properties, structures, and areas within the City to assess their potential for designation in order to formulate an Historic Preservation Plan for the City.

7. Developing and participating in public information activities in order to increase public awareness of the value of historic preservation.

8. Performing such other functions as will encourage or further the interests of historic preservation.

H. Historic Preservation Officer

The Director of Planning and Development shall appoint an Historic Preservation Officer (HPO), who must have a demonstrated interest in historic preservation and be a qualified professional in one or more pertinent fields such as architecture, urban design, archaeology, cultural geography, landscape architecture or land use planning. The duties of the HPO shall include:

1. Serving as Secretary to the HPC, facilitating its efforts and, with other City staff as necessary, providing administrative support.

2. Accepting applications under Subsections (1) and (2) of Section (G).

3. Acting as intermediary between the HPC and City departments.

4. Providing technical and background information to the HPC and the public, as required.

5. Acting as the approval authority concerning applications for the proposed construction, alteration, demolition or removal of structures associated with a Landmark, Historic Property or Historic District, when the proposed work is, in the HPO's judgment, minor in nature and impact or the need to act immediately is necessary to protect life or property. The review and decision making process shall be in accordance with Sections (K) and (L) of this Subchapter.

6. Reporting to the HPC any action taken pursuant to Subsection (5) of this Section.

7. Preparing annual written reports of HPC activities to be submitted to the State Historic Preservation Office (SHPO) and made available to the public. The reports should include, at a minimum, the minutes of meetings and attendance records of members; current resumes of members; and a listing of items reviewed, decisions rendered and other projects and activities undertaken.

8. Maintaining the Las Vegas Historic Property Register.

I. Designation of Landmarks, Historic Properties and Historic Districts

1. An individual property, building, structure or archeological site may be designated as a Landmark or Historic Property if it qualifies under Paragraph (a), (b) or (c) below:

   a. It meets the criteria for listing on the State or National Register of Historic Places.

b. It is determined to be of exceptional significance and expresses a distinctive character because:

1) A significant portion of it is at least fifty (50) years old;

2) It is reflective of the City's cultural, social, political or economic past; and

3) Either:

a) It is associated with a person or event significant in local, state or national history; or

b) It represents an established and familiar visual feature of an area of the City because of its location or singular physical appearance.

c. It is less than fifty (50) years old, but is an integral and critical part of an Historic District or demonstrates exceptional importance by meeting or exceeding the other criteria described in Paragraph (a) or Paragraph (b) of this Subsection. This type of structure or property is eligible for classification as a Landmark. At such time as it becomes 50 years old, it will automatically be reclassified as an Historic Property.

2. An area may be designated as an Historic District if:

a. The area:

1) Includes a substantial concentration of properties, buildings or structures which individually meet the criteria in Subsection (1) of this Section, as well as other properties, buildings or structures which contribute generally to the overall distinctive character of the area and are united historically or visually by plan or physical development;

2) Is bounded by documented historic boundaries such as early roadways, canals, subdivision plats or property lines, or by boundaries which coincide with logical physical or man-made features and reflect recognized neighborhood or area boundaries; and

3) Includes non-contributing properties or vacant parcels only to the extent necessary to establish appropriate, logical or convenient boundaries; or

b. The area includes or is composed of one or more archeological sites.

3. Designation Process:

a. The designation of a Landmark, Historic Property or Historic District may be made upon application by the owner of any property proposed to be designated or included in such designation, or by an authorized representative of the City. Application shall be made to the HPO on such form(s) as may be established for the purpose, and the application shall be accompanied by such fee(s) as may be established by the City Council.

b. An application for designation shall also be accompanied by:

1) A vicinity ownership map showing all parcels which are adjacent to, include or surround the property proposed to be designated within a radius of three hundred (300) feet of the external boundaries of the property. Each such parcel shall be numbered so as to correspond to the ownership/tenant list described in Subparagraph 2.) of this Paragraph below.

2) A typed or legibly printed list, compiled from an authoritative source, containing the names, mailing addresses and zip codes of the following, along with the corresponding identifying numbers referred to in Subparagraph 1.) of this Paragraph above:

   a) The owners of all parcels described in Subparagraph 1.) of this Paragraph above; and

   b) Any tenants of the parcels described in Subparagraph 1.) of this Paragraph above, to the extent their names and addresses can practicably be obtained.

3) An accurate legal description and Assessor's Parcel Number (APN) for all parcels proposed for designation.

4) A written description of the manner in which the property proposed for designation is eligible and appropriate for designation under this Section.

c. Upon receipt of a complete application package, the HPO shall schedule the application for a public hearing on the next available agenda of the HPC. Upon the request of the applicant, a special meeting may be called at the discretion of the Chair of the HPC, or by at least four (4) voting members of the HPC.

d. In connection with the HPC's consideration of the application, the HPO shall compile and provide to the HPC a complete report concerning the property proposed for designation. The report shall address the location, condition, age, significance and integrity of historic features; identify potential contributing and non-contributing properties; provide other relevant information; and include a recommendation concerning the application and the basis therefore.

e. Based upon its consideration of the HPO's report concerning an application, along with any evidence or input offered at the public hearing, the HPC shall evaluate the application with reference to the applicable criteria set forth in Subsections (1) and (2) of this Section and make a recommendation to the Planning Commission. A recommendation for approval may include any conditions the HPC deems appropriate in order to implement the provisions and intent of this Subchapter.

f. Except as otherwise provided in this Subchapter, the standards for consideration and action on an application by the HPC shall also apply to subsequent action by the Planning Commission and City Council, and the procedures for subsequent action on an application by the Planning Commission and City Council shall be consistent with the rezoning procedures described in Subchapter 19.18.040 of the Zoning Code.

g. A recommendation by the HPC for approval of a designation under this Subchapter shall be void if the designation has not been approved by the City Council within one (1) year after the HPC's recommendation.

4. Public Notification Concerning Designation Applications:

At least fifteen (15) calendar days before the HPC holds a public hearing on an application for designation, the Planning and Development Department shall:

a. Mail written notice of the date, time and place of the hearing, along with a summary of the application, to the persons whose names and addresses are provided by the applicant pursuant to Subsection (3) of this Subchapter. Such notice is complete upon mailing. The HPC may delay a hearing for additional notification if it appears that the applicant or the City did not use reasonable diligence in providing a notification list or in mailing notice.

b. Post notice of the hearing, visible from a public way and clearly legible, containing the date, time, and place of the hearing, and a summary of the application. For a Landmark or Historic Property application, the notice shall, wherever possible, be placed adjacent to the public right-of-way. For an Historic District, the notice shall, wherever possible, be placed at no fewer than four (4) conspicuous locations either within or at the external boundaries of the area. The posting of any such notice is complete upon initial posting.

c. Publish notice of the date, time and place of the hearing, along with a summary of the application, in a newspaper of general circulation within the City.

5. Planning Commission and City Council Action:

a. Upon receipt of a recommendation from the HPC concerning a designation, the Planning Commission shall hold a public hearing to consider the application. If the date and time of the Planning Commission hearing are announced at the HPC hearing concerning the designation, no additional notification is required. Otherwise, notification for such hearing shall be as described in Subsection (4) of this Section, above. Following the public hearing, the Planning Commission may do any of the following:

1) Adopt the recommendation of the HPC and forward that recommendation to the City Council;

2) Modify the recommendation of the HPC and forward that recommendation to the City Council as modified;

3) Recommend denial of the application to the City Council; or

4) Remand the request to the HPC for further proceedings.

b. Upon receipt of a recommendation from the Planning Commission concerning a designation, the City Council shall hold a public hearing to consider the application. If the date and time of the City Council hearing are announced at the Planning Commission hearing concerning the designation, no additional notification is required. Otherwise, notification for such hearing shall be as described in Subsection (4) of this Section,

above. Notwithstanding any other provision of this Paragraph (b), the designation of an Historic District must be done in accordance with NRS 384.005. Following the public hearing, the City Council may do any of the following:

1) Approve the designation in accordance with the recommendation of the Planning Commission;

2) Modify the recommendation of the Planning Commission and approve the designation in accordance with the modifications;

3) Deny the application; or

4) Remand the application to the Planning Commission or the HPC for further proceedings.

c. In the case of an application for designation of an Historic District, if the owners of twenty (20) percent or more of the area of the parcels included in the proposed district and those which are adjacent thereto protest the proposed designation in writing, the designation shall not become effective except by the favorable vote of three-fourths (3/4) of the entire membership of the City Council. If any member of the City Council is unable to vote on an application because of conflict of interest, the required number of favorable votes to approve the designation shall be threefourths (3/4) of the remaining membership of the Council, but in no event shall the required number of votes be less than a majority of the entire membership of the Council. For purposes of this Paragraph (c):

1) A parcel is "adjacent" to the proposed district if it is not separated from the boundary of the proposed district by a public right-of-way and is within one hundred fifty (150) feet of the boundary.

2) A parcel is "adjacent" to the proposed district if it is separated from the boundary of the proposed district by a public right-of-way and is within one hundred fifty (150) feet of the frontage of the intervening right-of-way.

3) In calculating "area" for protest purposes, the area of an "adjacent" parcel shall be deemed to include only the area located within the one hundred fifty (150) foot distances referred to in this Paragraph (c).

4) A written protest is effective only if it is filed with the City Clerk prior to or at the time of the public hearing before the City Council.

6. Effect of Designation:

a. The designation of a Landmark, Historic Property or Historic District shall be indicated by the "H" symbol on the zoning maps of the City. The use and development of property affected by a designation shall be governed by this Subchapter and applicable Design Guidelines adopted thereunder, as well as by the regulations pertaining to the underlying zoning classification(s) for the property, other provisions of the Zoning Code, the City's subdivision regulations and the General Plan.

b. After the designation of an Historic District, and in order to preserve and enhance the distinctive character of that District, the HPC shall, after opportunity for input from property owners within the District, recommend for adoption by the City Council Design Guidelines to apply to alterations of contributing properties and to all new construction within the District.

1) Design Guidelines are intended to address exterior features and characteristics only, such as building materials, massing, scale and proportion of openings and other features, orientation and relative position of buildings and landscape character, as well as specific aspects such as roof forms, textures, color theme, character of signage, window and door types, and other details relative to architectural styles evident in the District.

2) Design Guidelines generally will not regulate maximum building height, maximum lot coverage, minimum setbacks, required landscaping, required parking, allowable signs, or other development aspects addressed elsewhere in the Zoning Code, except when compatibility with existing historical patterns requires specific design guidelines.

3) Following designation of an Historic District, but before Design Guidelines can be established for the District, the HPC may require that development in the District conform to such established or recognized standards as the HPC deems appropriate.

7. Removal of designations established under this Subchapter shall be in accordance with the procedure set forth for designation.

8. No nomination for designation or removal of designation under this Subchapter shall be acted upon within one year after any previous such nomination.

J. Historic Property Register

The Las Vegas Historic Property Register is hereby established for the purpose of listing the Landmarks, Historic Properties, and Historic Districts designated under the provisions of this Subchapter. The Register, as it may be amended from time to time, shall serve as the official record of all such designations and shall be maintained by the HPO. Copies of the Register shall be made available for public inspection in the offices of the Planning and Development Department and the City Clerk.

K. Guidelines, Standards and Process for Review of Alteration or New Construction

1. Whenever it is proposed to alter, remodel, build, or otherwise develop or landscape property that is designated as a Landmark or Historic Property, or that is located within a designated Historic District, and a building permit or other development or zoning permit is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Subchapter. In the case of proposed work which, in the HPO's judgment, is minor in nature and impact, the HPO shall be the approval authority. Approval pursuant to this Section

indicates conformance with the provisions and intent of this Subchapter only and does not constitute or imply approval by any City department or other approval authority having jurisdiction.

2. In order to obtain review pursuant to this Section, the applicant must submit to the HPO the following:

   a. An application, on such form(s) as may be established for the purpose;

   b. Such fee(s) as may be established by the City Council for the application;

   c. Drawings, to approximate scale, of the site plan, floor plan(s) and elevations of the proposed work of improvement, indicating materials and color scheme;

   d. If signage is part of the proposed work, drawings, to approximate scale, showing the size and location of proposed signage, type of lettering to be used and indication of color and type of illumination, if any; and

   e. Other information which the applicant deems appropriate or which the HPO may reasonably deem necessary in connection with the review of the application.

3. An application for review under this Section, when deemed complete, shall be acted upon within a reasonable period of time. In the case of an application to be considered by the HPC as the approval authority, the application shall be included on the next available agenda.

4. The approval authority shall consider the application with reference to the objectives of this Subchapter. The approval authority may deny an application upon determining any of the following:

   a. That proposed work on any portion of a Landmark or Historic Property will not be compatible with the recognized distinctive character of the overall property.

   b. That proposed work on any portion of a contributing property within an Historic District will not be compatible with the recognized distinctive character of the property itself, with the character of the entire District, or with the Design Guidelines that have been adopted for the District.

   c. That major new construction proposed for non-contributing properties within an Historic District will not be compatible with the recognized distinctive character of the entire District or with the Design Guidelines that have been adopted for the District. For purposes of this Paragraph, new construction is "major" if such construction, including general landscape character, equals or exceeds twenty-five (25%) percent of the land area of a parcel without a building or of the building ground floor area of a parcel with a building, at the time of the property's identification as non-contributing.

   d. That, in cases where Federal funds, in the form of grants, tax incentives or other programs, are to be employed, directly or indirectly, in financing the proposed work, the work will not comply with the Standards for the Treatment of Historic Properties, as promulgated by the U.S. Secretary of the Interior.

5. The approval authority may approve, conditionally approve or deny an application, or continue consideration thereof for further study. The HPO shall provide the applicant with notice of action taken, along with an explanation of any reasons therefore and conditions attached thereto.

6. An approval pursuant to this Section shall be valid for a period of one year, unless otherwise specified in the approval.

L. Demolition and Removal

1. Whenever it is proposed to demolish or remove a structure or feature constituting or associated with a Landmark or Historic Property, or one that is located within a designated Historic District, and a demolition or other permit or approval is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Subchapter. In the case of proposed work which, in the HPO's judgment, is minor in nature and impact, or is necessary immediately in order to protect life or property, the HPO shall be the approval authority. Approval pursuant to this Section indicates conformance with the provisions and intent of this Subchapter only and does not constitute or imply approval by any City department or other approval authority having jurisdiction.

2. In order to obtain review pursuant to this Section, the applicant must submit to the HPO the following:

   a. An application, on such form(s) as may be established for the purpose;

   b. Such fee(s) as may be established by the City Council for the application;

   c. Photographs of the property depicting its current appearance;

   d. A preliminary plan of redevelopment for the parcel indicating an intended use that is in compliance with the General Plan, existing or proposed zoning, other applicable regulations and Section (K) of this Subchapter;

   e. If economic hardship relief is requested, documentation in support of the request; and

   f. Other information which the applicant deems appropriate or which the HPO may reasonably deem necessary in connection with the review of the application.

3. An application for review under this Section, when deemed complete, shall be acted upon within a reasonable period of time. In the case of an application to be considered by the HPC as the approval authority, the application shall be included on the next available agenda.

4. The approval authority shall consider the application with reference to the objectives of this Subchapter. The approval authority may deny an application upon determining either of the following:

a. That the structure or feature proposed for demolition or removal is of historic or architectural value or significance and contributes to the distinctive character of the property;

b. That loss of the structure or feature would adversely affect the integrity or diminish the distinctive character of an Historic District.

5. The approval authority may approve, conditionally approve or deny an application, or continue consideration thereof for further study. The HPO shall provide the applicant with notice of action taken, along with an explanation of any reasons therefore and conditions attached thereto.

6. Economic Hardship:

a. An application for demolition or removal may be accompanied by a request for economic hardship relief which, if granted, allows demolition or removal which otherwise would not be permitted.

b. Economic hardship relief may be granted by the approval authority as follows:

1) In the case of income producing property, when the applicant demonstrates that requiring the property to retain the features that contribute to its distinctive character, whether the property is left in its present condition or is rehabilitated by the owner or a potential buyer, will not permit the owner a reasonable rate of return.

2) In the case of non-income producing property, when the applicant demonstrates that the property has no reasonable use as a single-family dwelling or for an institutional use in its present condition, or if rehabilitated, either by the current owner or a potential buyer.

c. For purposes of Paragraph (b) above:

1) Non-income producing property consists of owner-occupied single-family dwellings and non-income producing institutional properties; and

2) Income producing property consists of all other properties.

d. Economic hardship relief is not available to an owner who has:

1) Engaged in willful or negligent acts destructive to the property;

2) Purchased the property for substantially more than the market value;

3) Failed to perform ordinary maintenance and repair; or

4) Where applicable, failed to diligently solicit and retain tenants or provide normal tenant improvements.

7. An approval pursuant to this Section shall be valid for a period of one year, unless otherwise specified in the approval.

8. If an application for demolition or removal is denied by the HPC, the City may deny a permit for such activity for up to one hundred eighty (180) days from the date on which the application was denied. It is unlawful to demolish or remove a structure or feature which is subject to this Section (L) without a permit to do so under this Subchapter and other applicable ordinances.

   a. During the period of restraint on demolition or removal, the HPC and HPO will endeavor to secure whatever assistance may be feasible to effect the preservation of the property, including economic assistance, acquisition, purchase of a preservation easement; or location of a buyer who, upon purchase at terms agreeable to the owner, will enter into a preservation covenant with the City for a period of at least five years.

   b. If the HPC or HPO is unable to secure such assistance within the period of restraint, the proposed demolition or removal will be allowed, subject to the issuance of appropriate permits by the Building Official.

9. If the Building Official finds that a designated property is an imminent hazard to life or property and, after consultation with the HPO and the SHPO, determines that repairs or relocation would not be appropriate or feasible, the HPO shall approve the necessary demolition or removal, subject to issuance of appropriate permits by the Building Official.

M. Appeal and Review

1. The applicant for an approval under Section (K) or Section (L) of this Subchapter may appeal any decision of the HPC to the City Council by filing written notice of appeal with the City Clerk within ten (10) working days after the date of the HPC's action. The appeal must be accompanied by the fee, if any, which has been established by the City Council.

2. In addition, with respect to any approval by the HPC of an application under Section (K) or Section (L) of this Subchapter, the Director of Planning and Development or any member of the City Council may file a request for review within that 10-day period.

3. The City Clerk shall set the date for a public hearing on the appeal or review, and notice of the hearing shall be published in a newspaper of general circulation at least seven (7) days before the hearing.

N. Maintenance and Repair

1. The owner is responsible for ordinary maintenance and repair of a designated property. Such maintenance and repair may be performed without specific approval from the HPO or the HPC if such maintenance or repair does not significantly alter the features which contribute to the distinctive character of such a designated property.

2. The owner of a designated property shall not permit the property to fall into a state of disrepair so as to result in the deterioration of any significant exterior feature which would have a detrimental effect on the distinctive character of the property itself or that of an Historic District in which the property is located.

3. Examples of deterioration which the owner of the designated property is responsible under this Section to prevent include, but are not limited to, the following:

   a. Excessive erosion, reverse drainage, and other preventable site conditions which may adversely affect significant buildings and structures;

   b. Loss of structural integrity due to deterioration of footings, load-l columns, beams, trusses, or other support members; Adopted March 1997

   c. Weathering or damage to exterior elements such as wall and roof surfaces, chimneys, balustrades, doors, windows, and other architectural features;

   d. Loss of weather-tightness or security due to any of the above;

   e. Deterioration resulting in a hazardous condition which would warrant demolition in the interest of public safety.

4. In order to avoid demolition necessitated by the failure to prevent any deterioration described in Subsection (3) of this Section, the City may effect repairs to a Landmark, Historic Property or contributing property within an Historic District and assess the cost of such repairs to the property in the same manner and with the same effect as is available for the abatement of nuisances in Section 9.04.080 et seq.

5. For purposes of evaluating deterioration under this Section, the condition of the property at the time of its designation shall be the standard of reference.

6. Enforcement of this Section shall be the responsibility of the City Manager or designee.

O. Incentives

It is the intent of the City that Landmarks, Historic Properties and properties within an Historic District be beneficial to their respective owners, as well as to the community. In addition to the intangible benefits of owning a property recognized as an important community resource, other potential benefits can be made available by the City. The HPO and the HPC are authorized, when possible and appropriate, to provide such owners with the following:

1. Assistance in locating potential sources of financial assistance and tax credits;

2. Assistance in preparing grant applications and seeking potential third party sponsorship;

3. Technical information and referrals;

4. Assistance in locating buyers and sellers;

5. Assistance, through the Neighborhood Services Department, in the formulation and operation of a neighborhood association;

6. Assistance in obtaining other benefits as may become available through the City or other sources.

P. Violations

1. It is unlawful for any person to construct, alter, demolish, remove or fail to maintain a structure, property or portion thereof in violation of this Subchapter.

2. In addition to and independent of a misdemeanor prosecution for violations under this Subchapter, the City may pursue any available civil remedy to enforce compliance.

3. In connection with any criminal prosecution or civil remedy, the person responsible for a violation may be required to restore a structure or property to its condition just previous to the violation.

Q. Definitions

For purposes of this Subchapter, the following terms have the meanings ascribed to them:

Alteration: Any aesthetic, architectural, mechanical, or structural change or addition to the exterior surface of any significant part of a designated property.

Approval authority: The HPC or the HPO, as indicated in this Subchapter.

Compatibility: A pleasing visual relationship between elements of a property, building or structure; among properties, buildings and structures; or with their surroundings. Aspects of compatibility may include, but are not limited to, proportion, rhythm, detail, texture, material, reflectance and architectural style.

Demolition: The act or process that destroys a structure or feature associated with a designated property.

Distinctive Character: The distinguishing architectural and aesthetic characteristics of a Landmark or Historic Property, or those generally found throughout an Historic District, which fulfill the criteria for designation.

Ordinary Maintenance and Repair: Regular or usual care, upkeep, repair or replacement of any portion of an existing property, building or structure in order to maintain a safe, sanitary and stable condition.

Owner: The person(s) listed in the property records of Clark County as having fee ownership of an individual parcel or property.

Property: One or more structures or other improvements, or an archeological site, associated with a particular parcel or location.

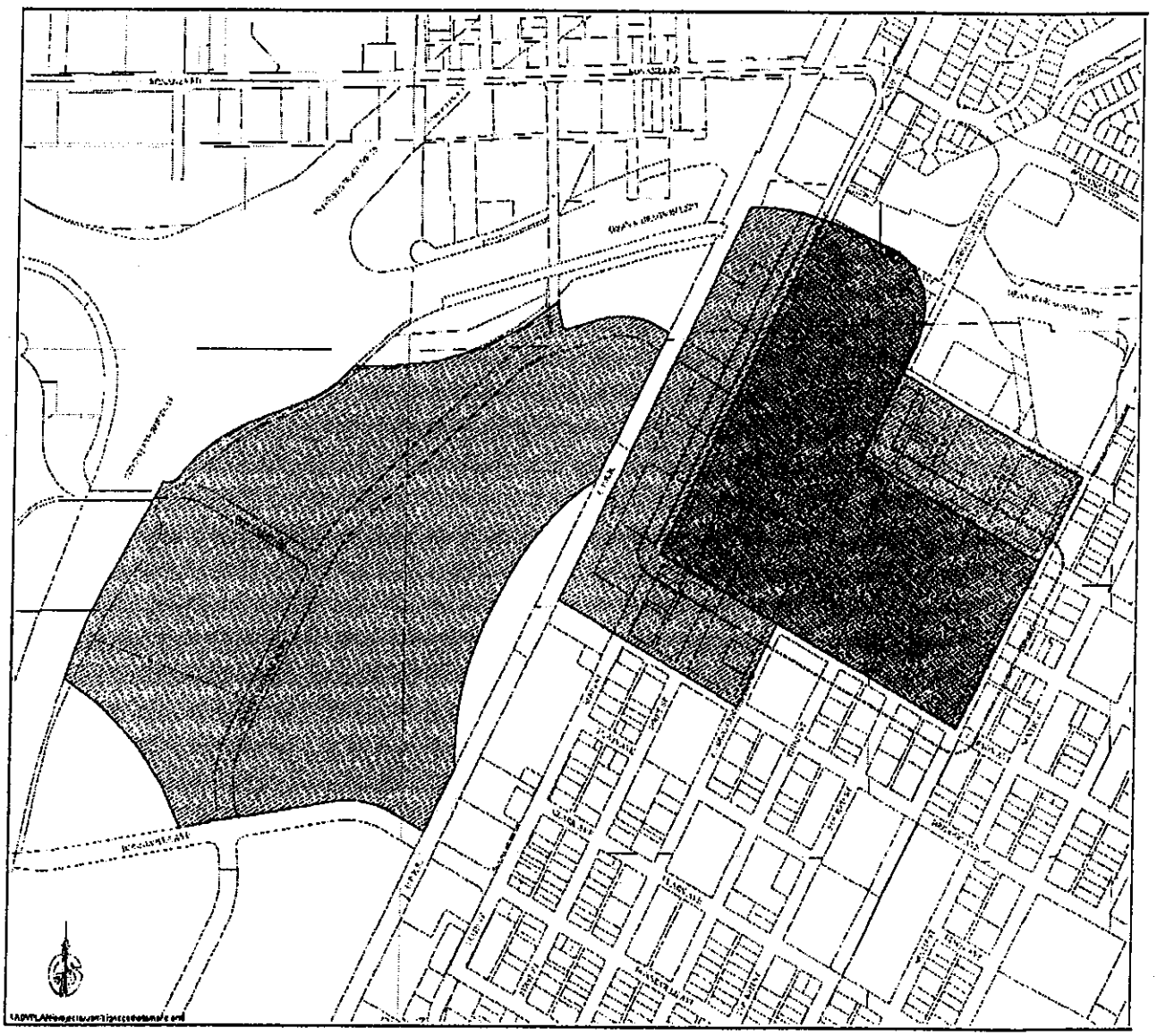
Significant: With reference to a property, building or structure, means having aesthetic, architectural or historical qualities of critical importance to its consideration in connection with the designation of property under this Subchapter.

19.06.100 DOWNTOWN CASINO OVERLAY DISTRICT

Ord 5408 1/2/02
Ord 5519 10/2/02

A. Boundaries

There is hereby created the Downtown Casino Overlay District, whose boundaries are depicted in the map that appears below. Within the Downtown Casino Overlay District (referred to in this Subchapter as the "District"), a sub-district is created, to be referred to as the Special Signage Sub-district (or the "Sub-District"), whose boundaries are also depicted in the map that appears below.



DOWNTOWN CASINO OVERLAY DISTRICT

Casino Overlay District

Special Signage Sub-District

125 ft. Buffer *

* Note: Buffer area contains building facades affected by a 125 ft. distance measured from each street centerline bounding the Special Signage Sub-District and the proposed expansion area.

B. Special Sign Standards-Background

The area encompassed by the Downtown Casino Overlay District contributes greatly to the international identity, historical significance, and economic welfare of the City of Las Vegas. One of the key characteristics of this area virtually since its inception is the prominence of neon and illuminated signage, especially within the area encompassed by the Sub-district. Recognizing the unique role of such signage in this context, it is important to provide sign standards that apply only within this District, in order to ensure that future sign development is consistent with the appearance of established signage themes within this District and generates excitement and positive visual interest. The sign standards that follow initially will apply only to property within the Sub-district, with the possibility of expanded application in the future. The sign standards that follow have been developed to promote the general health, safety and welfare of the citizens and visitors, to maintain and enhance the historic Fremont Street sign character, and specifically to address the following issues:

Encourage displays of signage to enhance the District as a nationally recognized place - Although Las Vegas is nationally and internationally renowned for its role as the world's gaming capital, possibly the most visible symbol of this role is the exuberant and abundant signage of its casinos and related businesses. The continued development of more and better signage will continue to enhance this role.

Preserve the tradition of neon art made famous by the casinos of Fremont Street - Of all the types of signage in Las Vegas, neon signage fixtures most prominently in the history of the City and generates the greatest affection of both visitors and local residents. It is important that not only new signage continue this tradition of neon art, but that the remaining and salvaged neon signs be refurbished, preserved and displayed in proximity to the Fremont Street Experience and surrounding area. Maintaining and preserving the history of "Glitter Gulch", which is unique to Las Vegas, is vital to the ongoing sense of community and pride for the City. There will, therefore, be a general expectation that future signage development within the area around the Fremont Street Experience will contribute to the sense of the area as a special place.

Celebrate the best of the sign makers' art - The neon and animated signage displayed within the District represents some of the most complex signage ever produced, and is the state of the sign makers' art at this point in time. It is important that this District continue to provide a forum for cutting-edge signage and displays, particularly in neon and animated forms, which will support and bolster the reputation of Las Vegas in these areas.

Strengthen the standing of the District as an integral and essential component of Downtown Las Vegas - The development of additional signage, particularly in relation to existing, new and future development along the Fremont Street corridor, can enhance the visually exciting character of the existing signage along Fremont Street, including the spectacular canopy shows, if it is illuminated, animated, or neon in character.

Preserve, protect and enhance the historic character of the District - Many of the historically significant signs and displays incorporate distinct and readily identifiable images, such as the famous "Vegas Vic" neon sign. It is important that the future advertising within this area consider the use of iconic images or three-dimensional representations that can be compatible with the established historical context of the District.

Improve the quality and appearance of new development within the District - Advertising signage, particularly that involving the use of neon displays or animated features, can be an excellent way of attracting attention in a positive way to new development within the District. Whereas some areas can be spoiled through signage, the established character of this District, much like Times Square in New York City, can only benefit through enhanced signage on new development and older buildings, provided that new signage is compatible with established, existing signage in the area.

Provide freedom of architectural and artistic expression within the District - One of the hallmarks of casino development in Las Vegas has been the flexibility with which a variety of architectural styles and features have been blended to create a unique urban form. It is important that signage can also be freely designed to create visual interest that matches and supports the architectural interest of the buildings themselves.

Encourage the redevelopment of the area - In order for properties within the District to compete successfully in the regional Las Vegas casino environment, it is vital that redevelopment of vacant or underutilized sites be encouraged by all available means. Although such expansion may include new casino development, redevelopment can also mean other forms of new development, such as retail and freestanding entertainment venues, including new signage that creates a visually exciting and vibrant atmosphere within the District.

Ord 5615 7/16/03

C. Special Sign Standards

1. Signs on parcels within the Sub-district are exempt from the sign regulations contained in the Zoning Code (Chapter 19.14) to the extent that those regulations are inconsistent with the provisions of this Subchapter 19.06.100. Provisions of Chapter 19.14 that are not inconsistent with the provisions of this Subchapter shall continue to apply to signs within the District. Such provisions of Chapter 19.14 may be applied by the Director or be made applicable as part of the review and approval process set forth in this Subchapter.

2. Any sign existing in the District as of January 2, 2002, that conforms to the provisions of Chapter 19.14 or has been allowed to continue under nonconforming status may continue under the provisions of this Subchapter as long as a current permit is maintained, the sign is structurally sound and in good working order, and the sign does not create a public nuisance or otherwise violate any ordinance, regulation or statute. Except as otherwise provided by ordinance, any such sign shall not be subject to removal or modification by reason of any amendment to Chapter 19.14.

3. The sign standards contained in this Subchapter shall:

   a. Be interpreted and applied with reference to the background provisions set forth in Section B above;

   b. Apply to all property, development, expansion and renovation within the Sub-district except property located within the boundaries of the Pedestrian Mall, as described in LVMC Chapter 11.68; and

   c. Apply to any building facade within 125 feet of the centerline of the streets that border the Sub-district (referred to hereafter as the "buffer area."). (See Illustration A)

4. The development, construction, expansion, or renovation of freestanding signs within the Sub-district is prohibited, except signs that:

   a. Belong to or are within the Neon Museum collection; or

   b. Have been declared by the Las Vegas Historic Preservation Commission to be "historic" or "contributing."

5. Each wall-mounted sign within the Sub-district shall be a minimum of 10 feet vertically above the height of the finished sidewalk along public rights-of-way and public pedestrian pathways. (See Illustration B) On-premise signs that do not exceed 65 square feet in size are exempt from this requirement, provided that there is a separation between such signs of at least 50 linear feet along the right-of-way or pathway.

6. Of all signage to be placed along Fourth Street, or along any street that is adjacent and perpendicular to Fourth Street and is within 125 feet of the centerline of Fourth Street, at least 75% of the total sign surface areas must consist of neon signs or animated signs, or a combination thereof. (See Illustration C) Of all signage that is not within the areas described in the preceding sentence, the minimum percentage of neon or animated signage, or combination thereof, is 50%.

7. Individual sign surface areas shall not exceed a total of 1,500 square feet.

8. For any one wall, the maximum wall coverage for the composite total of all sign surface areas shall not exceed 50% of the eligible wall signage area, as depicted in Illustration D. This limitation does not apply to roof signs located above the roofline of the building facade nor to transparent "building wrap" signage.

9. The minimum separation distance between off-premise signs shall be 5 feet.

10. The total sign surface area of each wall mounted, roof mounted, or parapet mounted sign shall not exceed 1,500 square feet, and no such sign shall extend vertically more than 20 feet above the height of the parapet.

11. Animated signs must be fully operational and continuously animated 24 hours a day. Changes to the image or other animation feature must occur no less frequently than every 30 seconds, except when required maintenance or change of message dictates otherwise.

12. Each off-premise sign with at least two rotating or changing messages, images or contents, must change at least once every 30 seconds, and the sign must be framed by a decorative faceplate or frame that is at least 18 inches in width and that includes at least one band of illuminated neon tubing completely surrounding the sign.

13. At least 75% of off-premise signs are encouraged to be used to advertise places, products, goods, services, idea or statements whose subject is available or located within the District.

14. It is recommended that all signs be fully illuminated from at least one hour before dusk until one hour after dawn. Signs may be fully illuminated during daylight hours also.

15. Signs may not encroach into any public right-of-way, or any intersection more than 8 feet perpendicular to the building wall to which the sign is attached. (See Illustration E) Marquee signage along Fourth Street is exempt from this limitation. The city does not encourage encroachment of signage into public rights-of-way, and the applicant or sign owner must obtain all necessary encroachment approvals before the installation of any sign.

16. The owner and operator of each sign is responsible for ensuring that appropriate sign maintenance occurs and that repairs of damaged signs are accomplished promptly.

D. Special Sign Standards-Review and Approval Procedures

Ord 5615 7/16/03

1. **Design Review Committee.** There is hereby created a Design Review Committee (DRC) for the review of signs proposed to be located within the Sub-district and buffer area. The DRC shall be composed of: two members of the Planning Commission, two representatives of the Department designated by the Director, and one representative of the City's Office of Business Development. The DRC shall have the authority to review and approve application for all signs, subject to the provisions of this Subchapter.

2. **Application Process.** Sign applications shall be submitted to the Department. The Department shall forward the application to the DRC for review and action. The DRC shall review the application and shall approve, approve with conditions, or deny the application.

3. **Design Review Provisions.** The following design review procedures shall apply:

   a) The DRC may approve a sign application for single or multiple uses if it determines that each sign is compatible with the approved Master Sign Plan and the theme and overall character to be achieved in the area. The DRC shall base its assessment of compatibility on the following criteria:

      (i) The application's compliance with the standards identified in this Subchapter.

      (ii) The relationship of the scale and placement of the sign to the building or premises upon which it is to be displayed.

      (iii) The relationship of colors of the sign to the colors of adjacent buildings and nearby street graphics.

      (iv) The similarity or dissimilarity of a sign's size and shape to the size and shape of other signs in the area.

      (v) The similarity or dissimilarity of the style of lettering on the sign to the style of lettering of nearby street graphics.

      (vi) The compatibility of the type of illumination, if any, with the type of illumination in the area.

      (vii) The compatibility of the materials used in the construction of the sign with the material used in the construction of other signs in the area.

      (viii) The aesthetic and architectural compatibility of the proposed sign with the building upon which the sign is suspended, including its signage, and with the surrounding buildings and their signage.

      (ix) The sign's use of high quality, durable materials such as hardwoods, painted wood, metal, stainless steel, painted steel, brass or glass.

b) Applications for the design review of signs shall be processed as follows:

(i) An application shall include: a complete set of plans which contain visual representations of the lettering, illumination, color, area and height of graphics, and may also indicate the areas and building where they may be placed and located; photographic or drawn elevations of a minimum of 266 feet of frontage, with proposed signs superimposed, to show the context and perspective of the proposed signs; a drawing of each sign at one-halfinch to one-inch scale; and any other items required by the Director or the DRC.

(ii) Applications shall be forwarded to the DRC by the Department at least 2 weeks prior to the regularly scheduled DRC meeting.

(iii) Approval or denial of an application by the DRC shall be made in writing with reasons for approval, denial, or approval with conditions, within 15 days following each DRC meeting. In the event written notification of the action is not provided within that period, the application shall be deemed to have been denied. Decisions of the DRC may be appealed to City Council in accordance with the provisions of subsection (d) below.

4. **Appeals.** The applicant may appeal the decision of the DRC to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department. The appeal must be filed within 10 days after notification of the administrative decision has been given (or within 10 days after the deadline for notification has passed), and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.

5. **Rules and Regulations.** The DRC shall have the authority to adopt rules and regulations concerning its administrative procedures.

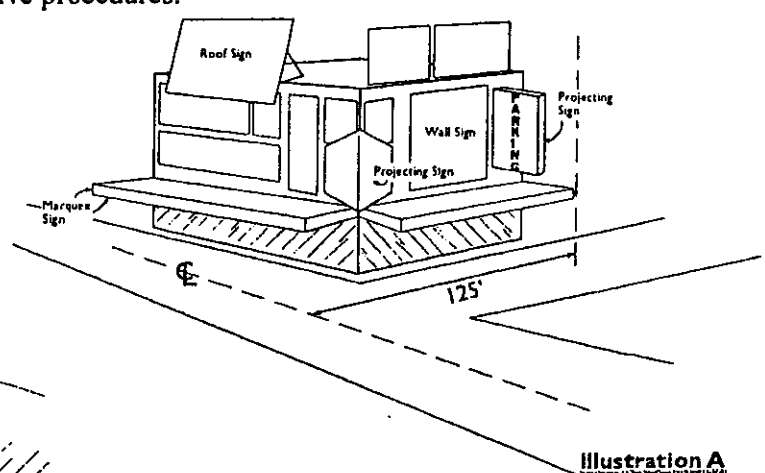


Illustration A

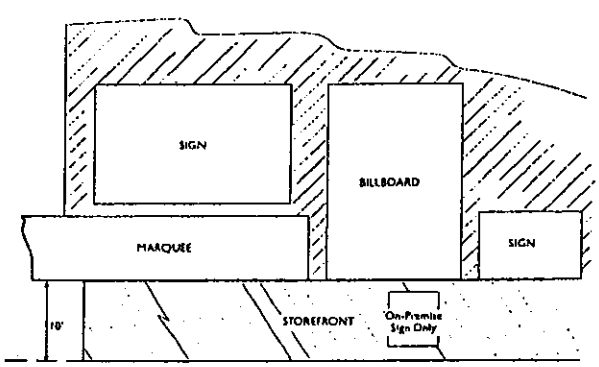


Illustration B

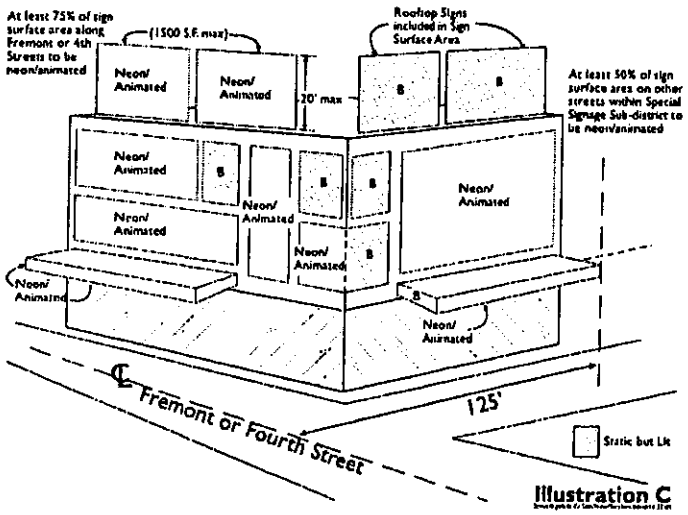


Illustration C

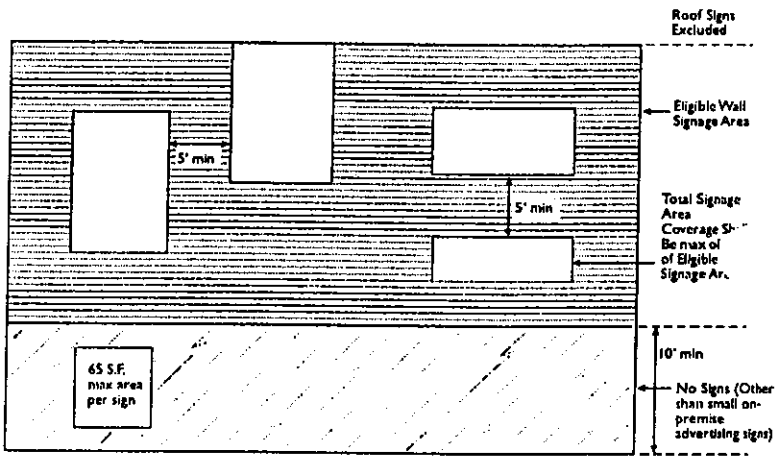


Illustration D

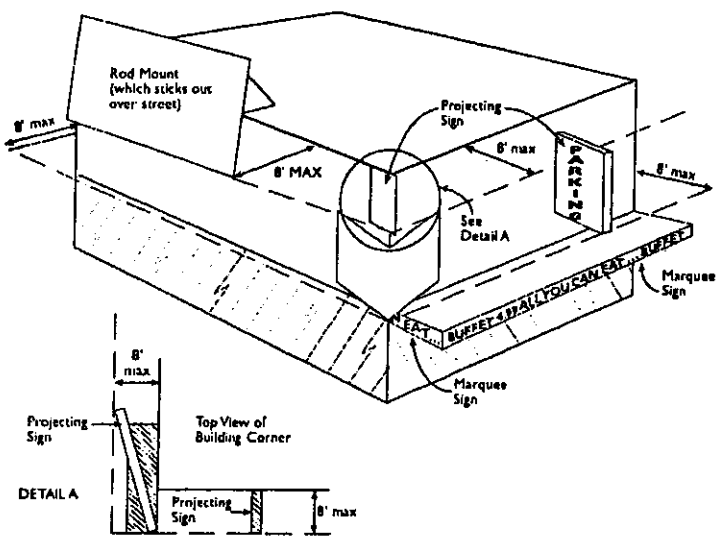


Illustration E

19.06.110 T-C TOWN CENTER DISTRICT

Orc 8/6/03
Ord 5506 9/4/02

A. Intent and Objectives

1. The Town Center (T-C) District is established to permit and encourage the development of a mixed-use employment center which will provide economic stability and diversification for the City of Las Vegas. The primary objective of the T-C District concept is to provide employment for in excess of 100,000 individuals while, at the same time, creating a unique blending of human habitation and economic activity. The rezoning of property to the T-C District is appropriate only if the Town Center concept will be followed and the objectives set forth in Subsection 2 below are adhered to.

2. In the T-C District, the developer must demonstrate the potential for achieving the following outlined objectives throughout the planning, design and development stages:

   a. Providing for an orderly and creative arrangement of land uses with respect to each other, to the Town Center and to all adjacent properties;

   b. Providing for a variety of housing types which are not found elsewhere in the City, as well as employment opportunities and commercial services to achieve a balanced community for individuals and families of wide variety of ages, sizes and levels of income;

   c. Providing for a planned and integrated comprehensive transportation system for pedestrian and vehicular traffic, which may include provisions for mass transportation and roadways, bicycle paths, pedestrian walkways and other similar transportation facilities;

   d. Providing for cultural, educational, medical, religious and recreational facilities;

   e. Locating and siting structures to take maximum advantage of the natural and manmade environment and to establish new view corridors; and

   f. Providing for adequate, well-located and well-designed open space and community facilities.

B. Permitted Land Uses and Development Standards

1. Development in the T-C District may consist of any use or appropriate combination of uses that are specifically approved for the property in the Town Center Land Use Matrix, as set forth in the Town Center Development Standards Manual. The developer shall identify in a written analysis the proposed uses for each project and shall specify how each proposed use is consistent with the Land Use Matrix.

2. Development in the T-C District shall conform to the Town Center Development Standards Manual, which is hereby adopted by this reference. The Town Center Development Standards Manual shall be on file in the Office of the City Clerk and in the Planning and Development Department. The Town Center Development Standards Manual may be amended from time to time by ordinance or by resolution of the City Council.

C. Special Application Requirements

Plans and documentation which must accompany a rezoning application are as follows:

1. A conceptual development plan for the property, including general land use designations, parking plans, transportation plans and plans for open space and community facilities. A general phasing plan shall be included to include the intended timing of development;

2. Proposed development standards that set forth architecture; densities; building height, bulk and setback requirements; requirements for signage, landscaping, parking and open space. The proposed standards should demonstrate consistency and compliance with the Town Center Development Standards Manual;

3. Storm drainage information, which shall consist of a preliminary drainage study completed by a registered professional engineer on a map with a minimum contour interval of five feet;

4. Conceptual utility layout that includes tentative sewer and water main corridors; and

5. Proposed conditions, covenants and restrictions, including architectural, design and other development guidelines to be followed.

D. Development Review, Recommendation, and Approval

1. **Zoning Approval.** The rezoning of property to the T-C District shall be by means of a review and recommendation by the Planning Commission and approval by the City Council, in accordance with the provisions of Chapter 19.18 of this Title. The approval of a T-C District by the City Council shall be accomplished directly by ordinance. The approval of a T-C District may include the approval of a Development Plan which shall thereafter govern the development of the property.

2. **Development Approval.**

   a. Plans for proposed development within the T-C District must be submitted to the Planning and Development Department. The Director or the Director's designee shall review the plans for conformance with the provisions of the Subchapter, and may require modifications to the proposal in order to protect the public health, safety and welfare and to better fulfill the intent of the Town Center Land Use Plan and the Town Center Development Standards Manual.

   b. Development of any project within the T-C District may be approved administratively if the proposed development:

      1) Requires no additional approval by any board or the City Council; and

      2) Is in full compliance with the Town Center Development Standards Manual, any Development Plan which has been approved for the project, and the intent of the Town Center concept.

c. For any other development, approval must be obtained in accordance with the procedural and substantive requirements set forth in the Town Center Development Standards Manual, this Subchapter, and the provisions of this Title.

3. Appeal of Decision. An applicant that is aggrieved by the decision of the Director or the Director's designee with respect to a proposed plan for development may appeal that decision to the Planning Commission. An applicant that is aggrieved by the decision of the Planning Commission may appeal such decision to the City Council by filing a written request for appeal with the City Clerk within fifteen calendar days after the date of the Planning Commission's decision.

E. Open Space and Landscape Area Requirements

A minimum of 20 percent of the gross property area proposed to be added to or developed within the T-C District shall consist of any combination of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements are as set forth in the Town Center Development Standards Manual.

F. Street and Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in Title 18 of the Las Vegas Municipal Code, except as otherwise provided for specifically in the Town Center Development Standards Manual.

G. Analogous Applications

With regard to any issue of land use regulation that may arise in connection with the T-C District and that is not addressed or provided for specifically in this Subchapter or in the Town Center Development Standards Manual, the Director of Planning and Development may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Town Center Land Use Plan.

19.06.120 DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT

Ord 5521
10/2/02

A. Establishment of District

There is hereby created the Downtown Entertainment Overlay District (the "District"), consisting of that area of the City bounded by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east. The boundaries are depicted on the map that appears below.

Adopted March 1997

DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT

Entertainment Overlay District

0 105 210 420 630 840 Feet

Adopted October 2, 2002 by Ordinance No 5521

B. Intent of District

The creation of the District is intended to further the City's downtown redevelopment plans in the spirit of restoring downtown Las Vegas as a dynamic, vibrant center for the entire Las Vegas Valley. Creation of the District is also intended to:

1. Create a safe and secure environment.
2. Eliminate urban blight.
3. Revitalize surrounding neighborhoods.
4. Foster economic development opportunities and expand free enterprise.
5. Eliminate criminal activities.
6. Make the East Fremont area a community of choice for business and citizens.
7. Adjust the zoning and licensing restrictions to encourage non-gaming blues and jazz nightclubs, comedy clubs, and other musical entertainment venues.
8. Leverage the popularity of the nearby Neonopolis and Fremont Street Experience attractions with the proposed physical proximity of the new district.
9. Encourage and facilitate the creation of an improvement district for a commercial area vitalization project for the District.

C. Separation Requirements for Liquor Establishments

For any liquor establishment (tavern), supper clubs, restaurant service bar, or other liquor-serving establishment that is approved by means of Special Use Permit for a parcel located within the District, the distance separation requirements set forth in Chapter 19.04 shall not apply. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation.

D. Parking Requirements

For any banquet facility, restaurant, café, tavern, bar, supper club, billiard parlor, nightclub/discotheque, general retail store or video arcade that is approved by means of Special Use Permit or otherwise for a parcel located within the District, the on-site parking requirements set forth in Chapter 19.10 shall not apply. The Special Use Permit or other approval may include conditions designed to mitigate any impacts related to parking.

E. Review and Approval Procedures (General)

1. Any application for development within the Downtown Entertainment Overlay District, including without limitation an application for a new building, the remodeling of a building, a Site Plan Review or a Special Use Permit, shall be processed in accordance with the procedures described in this Subsection (E). The procedures set forth in this Subsection (E) are not intended to take the place of any General Plan Amendment, Rezoning or Special Use Permit requirement that may apply, but otherwise will replace the normal review and approval processes set forth in Chapter 19.18.

Ord. 5740
01/5/05

2. There is hereby created a Design Review Committee for the Downtown Entertainment Overlay District (DEOD-DRC). The DEOD-DRC shall be composed of:
   a. Two members from the Planning Commission, to be designated by the Planning Commission;
   b. Two members from the Planning and Development Department;
   c. One member from the Office of Business Development who is assigned to the City of Las Vegas Redevelopment Agency; and
   d. Two members from an owner's association that is representative of the owners of property located within the District, to be designated by the governing board thereof.

3. Authority is hereby expressly granted to the DEOD-DRC to review and approve applications for all designs, subject to the specific provisions of this Section 19.06.120 that are applicable to the Downtown Entertainment Overlay District.

4. Applications shall be submitted to the Planning and Development Department. The Department shall forward the application to the DEOD-DRC for its review and action. The DEOD-DRC shall review the application and shall approve, approve with conditions, or deny the application.

5. The following design review standards shall apply:
   a. The DEOD-DRC may approve an application for single or multiple uses. The DEOD-DRC shall base its assessment of compatibility on the following criteria:
      i) The compliance of the application with the site planning and architectural design standards applicable to the Downtown Overlay District, as identified in LVMC 19.06.060, and with any applicable guidelines that might subsequently be adopted by the City Council.
      ii) The compliance of the application with the signage standards and requirements applicable to the Special Signage Sub-district of the Downtown Casino Overlay District, as identified in LVMC 19.06.100.
      iii) The relationship of the scale and placement of the building to the block upon which it is to be built or remodeled.
      iv) The relationship of colors to the colors of adjacent buildings and nearby street graphics.
      v) The similarity or dissimilarity of the building's size and shape to the size and shape of others in the area.
      vi) The compatibility of the type of illumination with the type of illumination in the area.
      vii) The compatibility of the materials used in the construction of the building with the material used in the construction of other buildings in the area.
      viii) The use of high quality, durable materials and exciting, imaginative designs.

6. Applications for design review shall be processed as follows:
   a. An application shall be forwarded to the DEOD-DRC by the Planning and Development Department at least two (2) weeks prior to the regularly scheduled DEOD-DRC meeting.

Approval or denial of the application by the DEOD-DRC shall be made in writing with reasons for approval, denial, or approval with conditions, within fifteen (15) days following each DEOD-DRC meeting. In the event a written notification is not made within said fifteen (15) days, the application shall be deemed to have been denied. Decisions of the DEOD-DRC may be appealed to the City Council in accordance with the provisions of Paragraph 7 below.

b. A complete set of plans shall be submitted, which shall contain visual representations of the building, illumination, color, materials and signs.

c. Photographic or drawn elevations of the building frontage shall be submitted as well.

d. The application shall also include or address any additional materials or representations as may be mandated by the Planning and Development Department or the DEOD-DRC.

7. An applicant may appeal the decision of the DEOD-DRC to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Planning and Development Department. The appeal must be filed within ten (10) days after the decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.

8. The DEOD-DRC shall have the authority to adopt rules and regulations concerning its administrative procedures.

F. Special Use Permits for Tavern-Limited Establishment

1. A Special Use Permit for a Tavern-Limited Establishment shall be processed in accordance with the Special Use Permit provisions of LVMC 19.18.060. A Special Use Permit for this use may be approved if it meets the Special Use Permit criteria generally, the criteria for a Tavern-Limited Establishment, and the criteria set forth in this Subsection (F).

2. The approval of a Special Use Permit for a Tavern-Limited Establishment may include such conditions as may be recommended by City staff and the Planning Commission, and imposed by the City Council.

G. Relationship to Other Provisions.

All provisions of this Title shall apply to property within the District except to the extent that they conflict with the provisions of this Section 19.06.120.

19.06.130 LIVE/WORK OVERLAY DISTRICT

Ord 5671 3/3/04

A. **Purpose.** The purpose of the Live/Work Overlay District is to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live/Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the City.

B. **Intent.** It is intended that Live/Work units will function as follows:

1. The owner or lessee of the space will reside and work in the Live/Work unit.

2. The commercial or nonresidential uses of the Life/Work unit will be limited to low-intensity commercial and arts-related uses.

3. No activity that uses hazardous materials or generates excessive noise will be permitted.

4. The number of employees will be limited.

5. Clientele generally will arrive by appointment, with walk-in trade anticipated to be minimal.

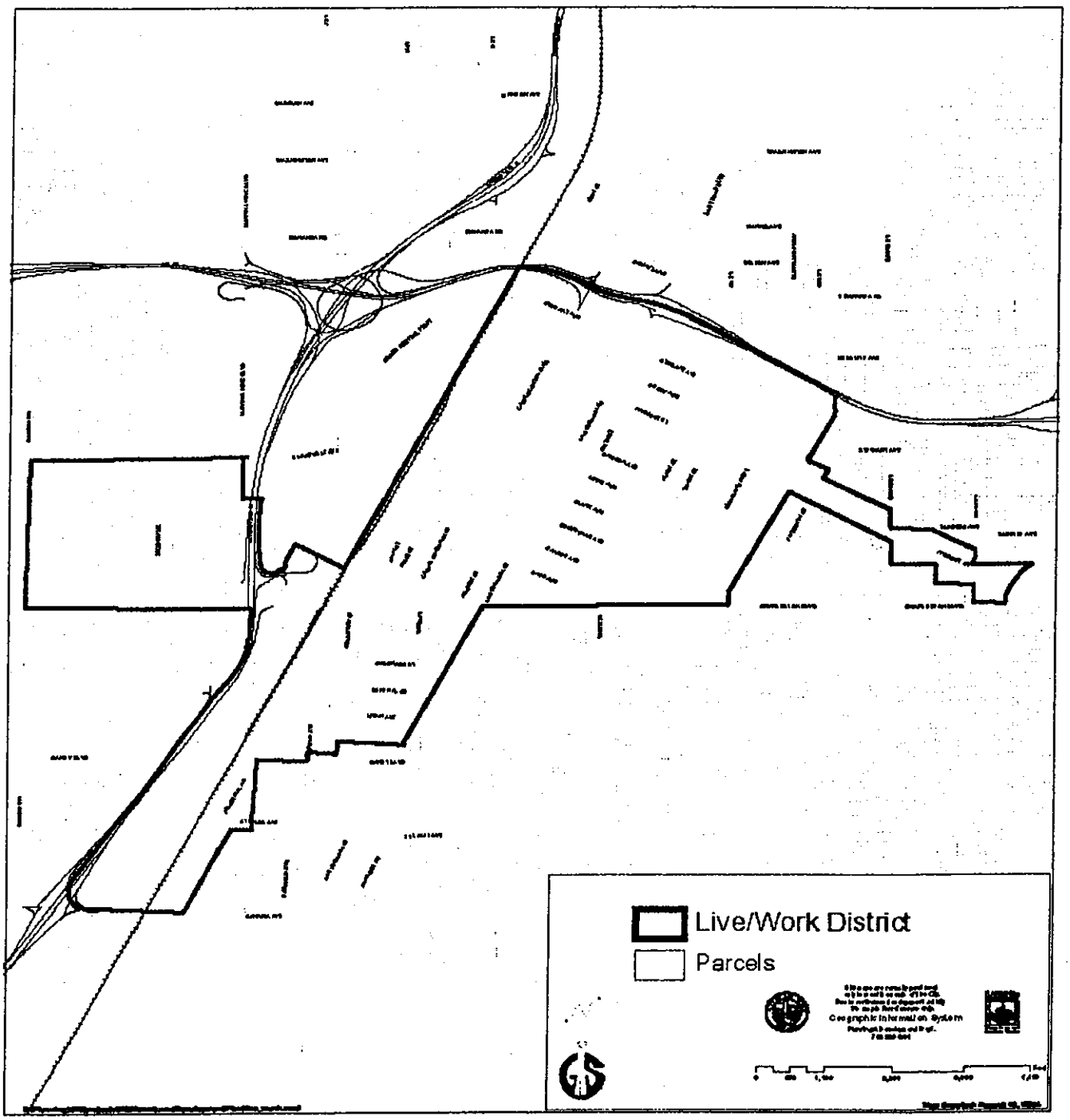
6. The residential component of the use shall be accessory to the commercial or nonresidential component.

7. Residents of Live/Work units will be presumed to acknowledge the existence and operation of uses that are permitted on nearby parcels that are zoned for commercial and industrial uses.

C. **Boundaries.** The Live/Work Overlay District is established within the City. Its boundaries are depicted on the map that appears on the following page.

City of Las Vegas

LIVE/WORK OVERLAY DISTRICT



D. **Approval Criteria.** All Live/Work units within the Live/Work Overlay District must meet the following criteria in order to be approved:

Ord 5734 12/1/04

1. Zoning. Live/Work units may be located in the C-1, C-2, C-M and M and PD Zoning Districts only.

2. Permissible Nonresidential Uses. Because of the residential component, only the following nonresidential uses are permitted:

   (a) Office uses.

   (b) Desktop publishing.

   (c) Arts activities, including painting, sculpture, printmaking, ceramics, photography, film, video, graphic design, jewelry, and textiles, but excluding any activity that involves welding or open flame work. The sale of artwork is permitted as an ancillary use.

3. Nonresidential Use Criteria. Nonresidential activities must generally conform to the intent of the Live/Work Overlay District as described in Section (B) of this Section.

4. Residential Use Criteria. The residential component of a Live/Work unit must contain sleeping space, cooking facilities, and complete sanitary facilities. No more than fifty percent of the total floor area of a Live/Work unit shall be designed or used for residential purposes. The residential occupancy of a Live/Work unit must include at least one person who is employed or carries out an occupation in the unit.

5. Emergency Access and Parking. Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services. The amount of required onsite parking shall be calculated in accordance with Chapter 19.10, based upon the gross square footage of the unit and the nonresidential use or uses occurring therein.

6. Signage. Permissible signage shall be in accordance with the requirements and limitations of Chapter 19.14 and those that pertain to any other overlay district in which the property is located.

E. **Approval Process**

1. Arts District. Within the Arts District (as identified in the Downtown Centennial Plan), a Live/Work unit proposed within a new structure may be approved as part of a Site Development Plan Review. Live/Work units proposed within an existing structure may be approved administratively, subject to compliance with this Section 19.06.130 and all applicable building-related codes.

2. Other Locations. At locations other than the Arts District (as identified in the Downtown Centennial Plan), a Live/Work unit proposed within a new or existing structure may be approved only by means of special use permit.

F. **Applicability of Other Provisions.** This Section 19.06.130 is intended to operate and apply independently of any other provision in this Title that allows residential and nonresidential uses on the same parcel. An applicant may proceed under this Section or under any other provision that applies to a proposed use.

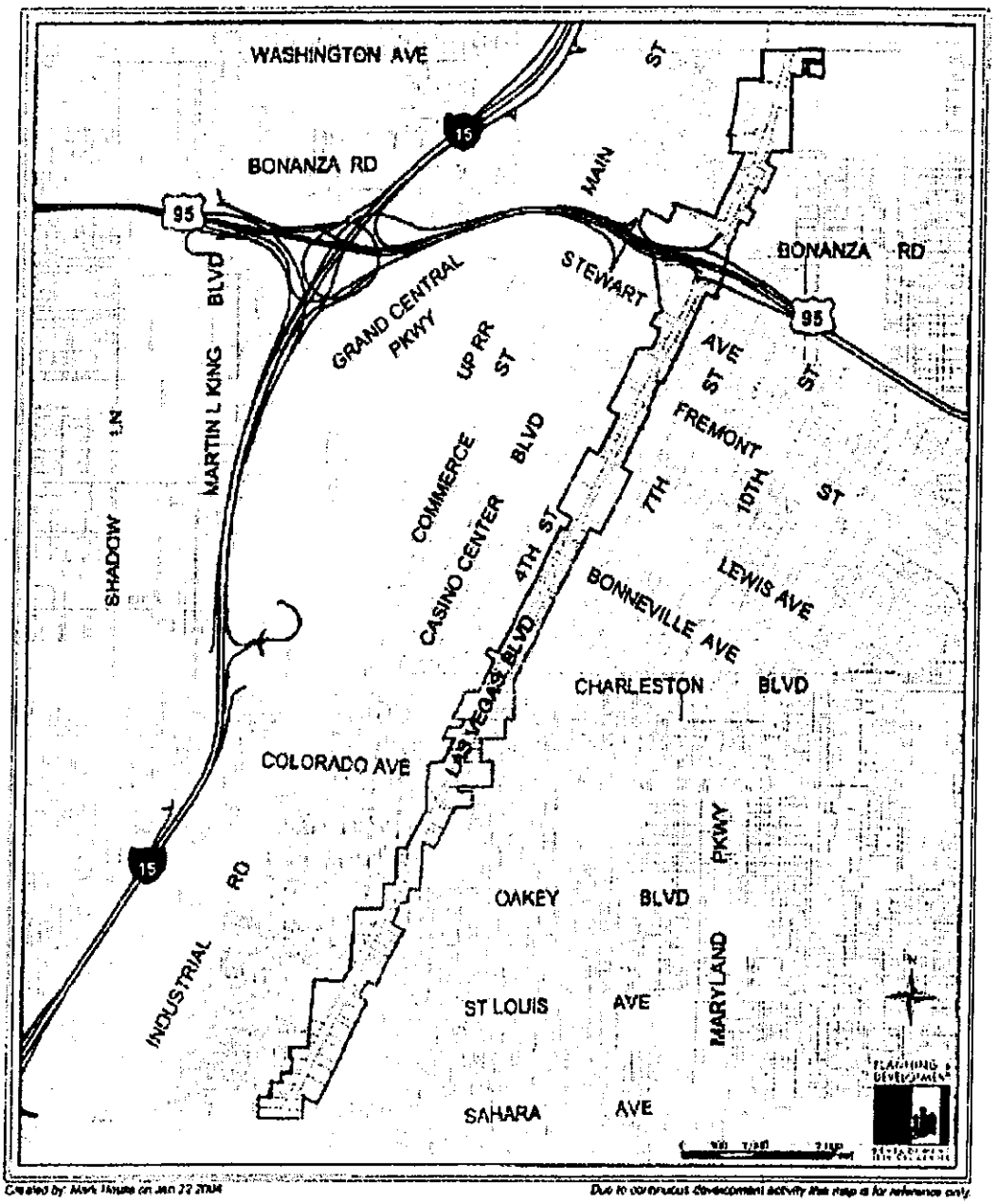
19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT

Ord 5694 5/5/04

(A) Intent. In 2001 the State of Nevada designated as a scenic byway the Las Vegas Boulevard Scenic Byway in order to preserve its character as a nighttime urban scenic byway. The intent of the Las Vegas Boulevard Scenic Byway Overlay District is to provide signage standards that will maintain and enhance the scenic qualities of this historic highway in accordance with the "scenic byway" designation.

(B) Boundaries. The Las Vegas Boulevard Scenic Byway Overlay District is established within the City. Its boundaries are generally described as the portion of Las Vegas Boulevard between Sahara Avenue on the south and Washington Avenue on the north. The Overlay District includes only those properties that have direct frontage on Las Vegas Boulevard. Because of ongoing development activity along Las Vegas Boulevard, the list of properties with direct frontage on Las Vegas Boulevard may change from time to time, and the above textual description of the boundaries of the Overlay District shall control over any map to the contrary. However, for the sake of convenience and reference, the boundaries of the Overlay District are generally depicted on the map that appears on the following page:

SCENIC BYWAY OVERLAY DISTRICT



Created by: Mark Hause on Jan 22 2004 Due to continuous development activity this map is for reference only

SCENIC BYWAY CORRIDOR

(C) Sign Standards

(1) Relationship to Other Provisions. Except as otherwise required or prohibited by this Section, all signage within the Las Vegas Boulevard Scenic Byway Overlay District shall be governed by and subject to:

(a) All applicable standards and procedures in Chapter 19.14;

(b) All applicable standards and procedures in Chapter 19.06 and that govern the Downtown Overlay District, for properties that are located within the district; and

(c) All applicable standards and procedures in Chapter 19.06 that govern the Downtown Entertainment Overlay District, for properties that are located within that district.

(2) Illumination. For any development within the Las Vegas Boulevard Scenic Byway Overlay District, at least 75% of the total sign surface areas for that development (excluding awning signs) must consist of illuminated signage, in the form of neon signs, animated signs, or a combination thereof.

(3) Off-premise Signs. Off-premise signs are not permitted within the Las Vegas Boulevard Scenic Byway Overlay District.

(4) Maintenance. The owner and operator of each sign are jointed and severally responsible for ensuring that appropriate sign maintenance occurs and that damaged or nonfunctional signs and lighting are promptly repaired and made functional.

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CHAPTER 19.08 DEVELOPMENT STANDARDS

19.08.010 APPLICABILITY

This chapter applies to all development within the City of Las Vegas and to all zoning districts.

19.08.020 INTENT OF DEVELOPMENT STANDARDS

The intent of establishing standards for development is:

A. To ensure that new development will not negatively impact the use and enjoyment of adjacent and neighboring properties;

B. To ensure that new development will contribute to the overall attractiveness of the City;

C. To increase design compatibility between abutting properties and land uses;

D. To reinforce a sense of community and to preserve the integrity of neighborhoods and places of business; and

E. To reduce unsightly views.

19.08.030 GENERAL

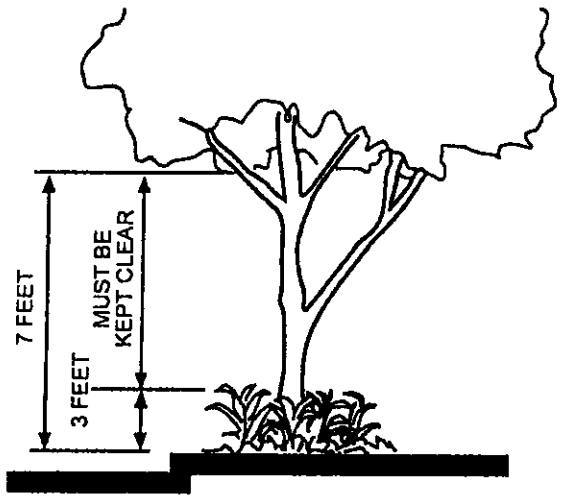
A. Access

All lots or parcels shall have frontage upon a public street; provided however, that lots within a recorded Subdivision or Parcel Map may provide access to a public street by way of a commonly owned private street or a private access easement. All private access streets must be fully improved in accordance with the Traffic Circulation improvements standards contained in the Design Standards Manual.

B. Vision Obstructions at Intersections

As illustrated in Figure 1 below, no structure or landscaping may be constructed or permitted between three and seven feet above grade within the sight distance setback established by Figure 3 and its accompanying table. However, this restriction shall not apply to lighting, sign posts, or tree trunks.

FIGURE 1 VISION OBSTRUCTIONS AT INTERSECTIONS



C. Building Heights Along Streets Classified as Collector or Larger

Notwithstanding the maximum building heights established in this chapter, allowable building heights shall be further restricted along streets classified as collector or larger, as designated in the Master Plan of Streets and Highways. Buildings may be constructed up to 35 feet in height at the front yard setback line. Any portion of a building over 35 feet in height shall be set back an additional 1 foot for each foot of height in excess of 35 feet, see Figure 2 below. However, the preceding restriction shall not apply to buildings in the Downtown Overlay District or buildings located adjacent to freeways.

FIGURE 2 BUILDING HEIGHTS ALONG MAJOR STREETS

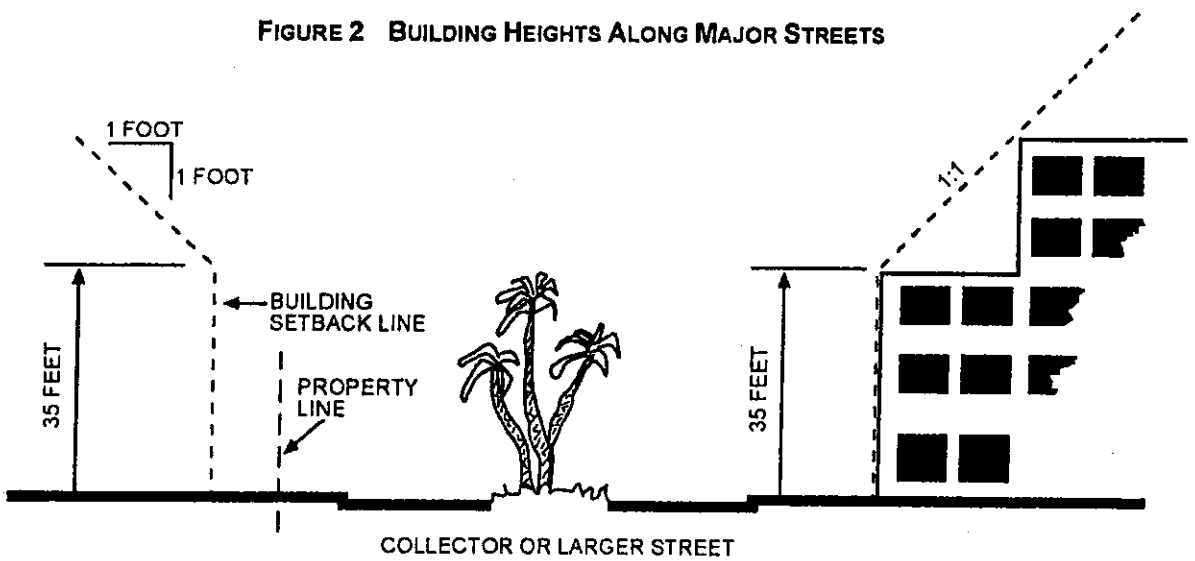
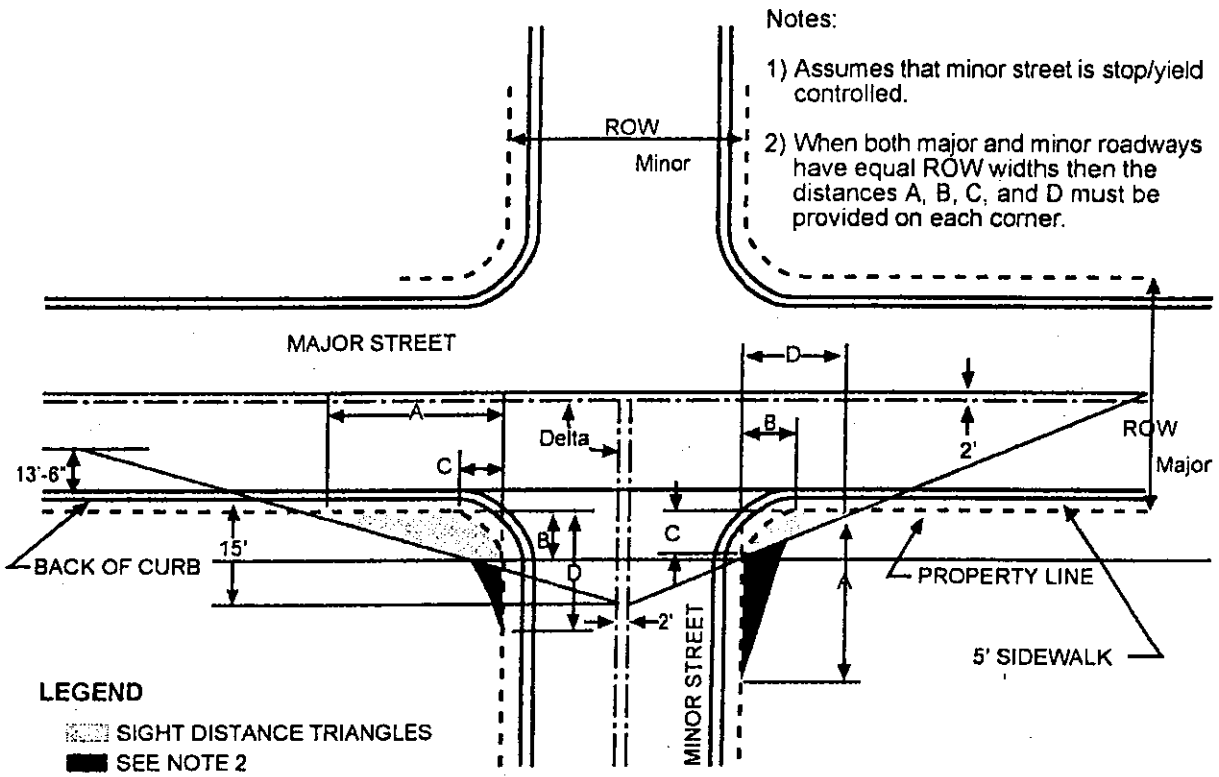


FIGURE 3 SIGHT DISTANCE SETBACK



Source: City of Las Vegas Traffic Engineering Division

Note: This table is for intersections at 90 degrees. See Traffic Engineering Division for other angles of intersection.

D. Essential Rights-Of-Way And Off-Site Improvements

Uses of land permitted in each zoning district shall be allowed only when the permit for any proposed improvement on the land includes provisions for the:

1. Dedication of all essential rights-of-way for major streets, minor streets, flood control, utilities and other public purposes; and

2. Provisions for the installation of essential off-site improvements as directed by the City. Essential rights-of-way and off-site improvements are defined as those rights-of-way and improvements required in connection with a proposed Rezoning, Special Use Permit, Variance, or Site Development Plan; required by the subdivision regulations of the City; or required by the Director of Public Works as appropriate and necessary to mitigate the impact of the development of property in the area. All improvements shall be constructed in accordance with the City standards and specifications.

E. City Standards

In addition to the design and development standards contained in this chapter, all development must conform to the applicable Standard Conditions and the Design Standards Manual in any version which has been adopted by the City Council.

F. Grading

1. **Grading Plan Approval** - When Required. When the natural grade of a lot is proposed to be raised more than two feet at any point from existing grade, three copies of a finished lot grading plan and legal description of the property shall be filed with the Department of Public Works and the Department of Planning and Development. The plan shall include proposed and existing grades, building locations, and building height information for the development site and for the adjacent properties, and any justification for the proposal. The Director of Public Works may withhold or deny development approval unless the applicant demonstrates to the Director's satisfaction that the proposal is necessary in order to develop the site in a manner which conforms to applicable drainage and other development standards. The Director of Planning and Development may withhold or deny development approval unless the applicant demonstrates to the Director's satisfaction that the proposal will not be incompatible or out of harmony with the surrounding area.

2. **Grading Plan - Appeal of Denial.** The applicant may appeal to the City Council any final decision rendered pursuant to Subsection (1) of this Section. In connection with the appeal, the City may require notification of surrounding property owners. The City may charge a fee for the appeal and for any required notification in accordance with the Fee Schedule.

G. Non-Conformity Resulting From City Action

No action by the City in connection with the acquisition or use of right-of-way or the installation of off-site improvements shall have the effect of rendering a previously conforming lot or structure non-conforming as to lot width, lot area, or setback requirements.

H. Compliance With District Regulations

1. **Construction**

   No building, structure or land shall be erected, reconstructed, structurally altered or used for a purpose other than a use allowed in the zoning district in which the building, structure or land use is located.

2. **Heights and Setbacks**

   No building, structure or land shall be used to produce greater heights, smaller yards or less unoccupied area than prescribed by the regulations applicable to the zoning district in which the building, structure or land use is located.

3. **Other Standards**

a. No lot shall be so reduced in area that the size, width, setbacks, open space or development standards will be below the minimum prescribed by this Title.

b. No yard, open space or off-street parking or loading space, required in conjunction with a building or land use, shall be included as part of a yard, open space or parking or loading space required for any other building or land use, unless otherwise provided in this Title.

19.08.040 RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

A. Tables

Except as otherwise noted, the minimum lot size, maximum unit density, minimum lot width, minimum building setbacks, maximum lot coverage, minimum building separation and maximum building height for uses in each district shall be governed by the dimensional standards in Table 1 (Single-Family Residential District Development Standards) and Table 2 (Residential District Development Standards, other than Single-Family) below. Explanatory notes for provisions in the Tables follow the Tables.

B. General Standards for Residential Districts

The following standards apply to all residential zoning districts:

1. Accessory Structures. Accessory structures on any lot in any residential district shall conform to the following:

   a. **Accessory Only to Main Use.** No accessory structure shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the construction of the main building.

Ord 5405 1/2/02 b. **Height.** A detached accessory structure shall not exceed two stories in height (with a maximum of 35 feet), or the height of the main building, whichever is less.

   c. **Size and Coverage.** A single, detached accessory structure shall not exceed the floor area of the principal dwelling unit constructed on the same lot. In addition, the main aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard; and further, in the zoning districts where lot coverage provisions exist, the aggregate total of the ground floor areas of all structures and dwellings shall not exceed the percentage of lot coverage permitted in that zoning district.

   d. **Side and Rear Yards.** Detached accessory structures are permitted in the rear and side yard areas as follows:

      1) Detached, accessory structures (excluding patio covers) in the rear yard area must be located a minimum distance of three feet from the side and rear property lines and must be separated a minimum distance of six feet from the main dwelling. On corner lots, the roof of an accessory structure may be attached to the main dwelling, if there

is a minimum six foot separation between the walls of the accessory structure and the main building and provided that at least two sides of the breezeway are open. A gate or fence which is at least 50 percent open construction may be attached to one end of the breezeway. In addition, accessory structures in the rear yard of corner lots may not be located closer to the side property line than that required for the main dwelling.

2) Detached accessory structures (excluding patio covers) in the side yard area must be located a minimum distance of three feet from the side property line and must be separated a minimum distance of six feet from the main dwelling.

3) Except as provided in Paragraph (e) below, detached accessory structures are not permitted in front of the primary structure.

4) No setback is required for a detached accessory structure from a property line which abuts an alley.

e. **Front Yards.** No detached accessory structure is permitted in the front yard unless:

1) The structure is a side-loaded garage which is used strictly as an ancillary use;

2) The garage conforms to the requirements and limitations applicable to a guest house/casita, as set forth in Sections 19.04.010 and 19.04.040; and

3) The front yard does not contain a guest house/casita.

2. Fences and Walls

Ord 5405 1/2/02 a. **Height.** Except as otherwise specifically permitted in this Title, the maximum permitted height of walls, fences and hedges in residential districts shall be governed by the following:

1) Rear Yard Area—Eight feet solid or open.

2) Side Yard Area—Eight feet solid or open.

3) Required Front Yard Area—Four feet total, with the top two vertical feet 50 percent open to permit visibility. Hedges planted along the front yard property line shall not exceed three vertical feet. Retaining walls along the front property line may not retain more than two feet. Where the grade of the front yard slopes more than 2:1 ratio, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping.

4) The maximum height of permitted fences/walls along the front property line shall be measured from the elevation of the adjoining sidewalk. Where such walls are set back, they shall be measured from the finished grade.

5) The maximum height of permitted fences/walls in the side and rear yard areas shall be measured on the side with the least vertical exposure above finished grade.

6) Screening or fencing for tennis\sports courts is permitted in the rear or side yard area. Such structures may exceed the height of six feet, but shall not be higher than 12 feet. The portion above the height of six feet shall be open so as not to restrict light or ventilation and provided such fencing shall be setback a minimum of 5 feet from the side and rear property lines.

b. **Barbed Wire/Razor Wire Fences.** The use of barbed or razor wire or similar security fencing materials shall comply with the standards set forth in the most recent edition of the Uniform Building Code, as adopted by the City.

c. **Corral and Stable Fencing.** Fencing for corrals and stables is permitted in accordance with Section 19.04.040 (C).

3. **Lot Size.** Lot size refers to the amount of horizontal land area contained within property lines. No lot area shall be so reduced that the yards, required open space or total lot area is smaller than prescribed by this Title; nor shall the unit density be increased in any manner, except in conformity with the regulations established in this subsection.

a. **Utility Facilities.** Public and private utility facilities (i.e. pumping and switching stations, reservoirs, power substations, etc.) using land or an unoccupied building requiring less than 500 square feet of site area are exempt from the minimum lot size requirements of all zoning districts, provided that all other applicable provisions of this chapter are satisfied.

b. **Reduction of Existing Lot.** When an existing lot is reduced as a result of conveyance to a federal, state or local government for a public purpose and the remaining area is at least ninety (90) percent of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to be in compliance with the minimum lot size standards of this chapter, without the necessity of further administrative approvals.

4. **Projections into Setback Area.** The following structures are permitted to project into the established setback area for the lot or parcel as indicated:

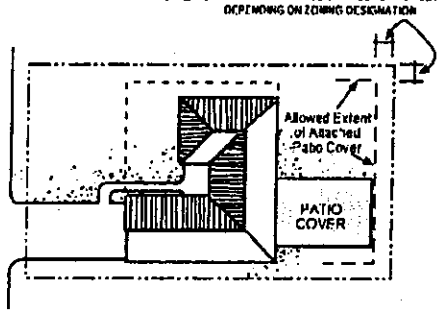
a. **Patio Covers.** As illustrated in Figure 4 below, a patio cover may encroach to within five feet from the rear and side property lines in the R-D, R-1, R-CL, R-2, R-3, R-4, R-5, R-MH, and R-MHP zoning districts and may encroach to within 15 feet from the rear and side property lines in the U, R-A and R-E zoning districts.

1) The setback shall be measured from the supporting posts, however the overhang of a patio cover may not extend closer than three feet from a property line.

2) Any patio cover extending into the established setback area for the lot or parcel may not be enclosed with any materials, including wood, metal, canvas, plastic, glass or any other screening material. An enclosed patio cover must conform to the setback standards applicable to the main dwelling.

3) The height of the patio cover shall not exceed 12 feet.

FIGURE 4 PATIO COVERS MINIMUM DISTANCE OF 5 FEET OR 15 FEET DEPENDING ON ZONING DESIGNATION



b. **Architectural Features.** Bay windows, fireplaces, roof eaves, cabinets designed to screen utility meters and similar architectural features may encroach no more than two feet into any required setback area, provided that the encroachments:

1) Remain at least three feet from the property line; and

2) Do not increase the living space of the structure at the floor level.

c. **Other Architectural Embellishments.** Architectural embellishments and institutional symbols for churches, public buildings and quasi-public buildings may extend into any required setback area, provided that they are clearly shown and approved as a part of a Special Use Permit, Site Development Plan or other required application.

d. **Lots Adjacent to Open Space.** On any lot which adjoins a golf course, park area, common open space or similar open space, open balconies may extend up to five feet into the required setback for the dwelling and toward the open space; provided, however, that the projection extends no closer than three feet from the property line.

e. **Mechanical Equipment.** Mechanical equipment such as air-conditioning units, pool filtering and heating equipment, water softeners, and similar mechanical equipment may occupy the required rear and side yard setback areas if totally screened from abutting lots and streets by fences, walls or landscaping, and if such mechanical equipment does not restrict required access through such setback areas as determined by the Department of Planning and Development.

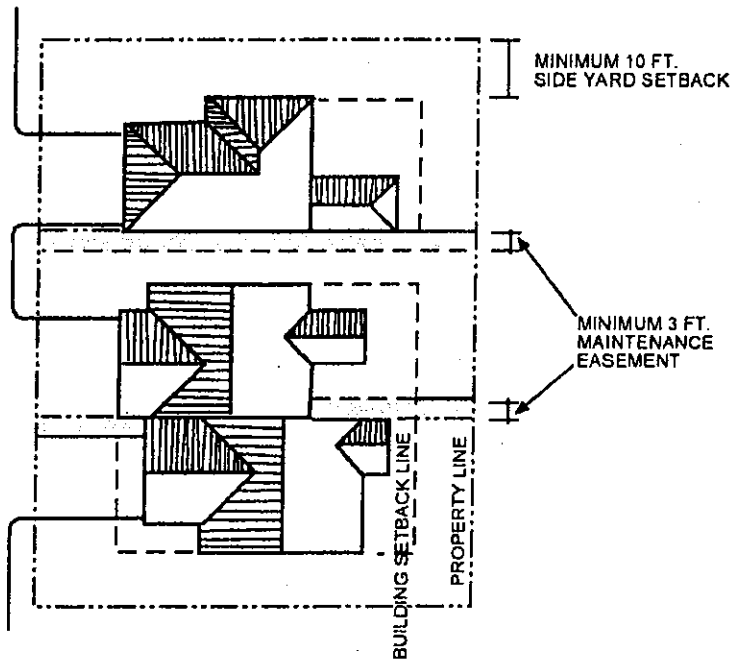
C. Specialized Standards By Zoning District

In addition to the standards set forth in Tables 1 and 2, the following standards shall apply to each zoning district as indicated:

1. **R-CL (Single Family Compact-Lot) District.** The following specialized standards apply in the R-CL District:

a. **Zero Lot Line Development.** When zero lot line setbacks are used, the dwelling unit and garage (if provided) shall be placed on one interior side property line, with the adjacent dwelling unit set back a minimum of ten feet from the common property line. (See Figure 5 below)

FIGURE 5 ZERO LOT LINE DEVELOPMENT



1) A perpetual easement, with a minimum width of three feet, shall be provided on the adjacent lot for the maintenance of the wall of the dwelling with the zero lot line. With the exception of walls, fences, vertical trellises or other connecting elements, the required easement shall be kept free of structures. No doors, windows, air conditioning units, utility meters, electrical panel boxes or openings of any kind shall be permitted on the wall of a dwelling or garage placed on a zero lot line. The roof must be designed to prevent waste runoff from draining on to the adjoining lot. Required easements shall be shown on the Final Map and shall be incorporated into each deed transferring title to the property.

2) In no case shall the owner of any zero lot line property be granted an easement on the adjoining property for the use or enjoyment of any portion of that property.

b. **Separation Between Structures.** All dwellings located less than 10 feet from a side property line must maintain a separation of at least ten feet between principal structures (including garages) on adjacent lots.

2. **R-MH (Residential Mobile/Manufactured Home) District.** The following specialized standards apply in the R-MH District:

   a. **Living Quarters.** Any building attached to a mobile home and used for living purposes shall have interior access and shall contain no kitchen facilities. No living quarters of any kind will be permitted in any accessory building and no residential use of the property shall be permitted unless the lot contains a mobile home.

   b. **Removal of Wheels.** The wheels on a mobile home may be removed and the mobile home may be permanently attached to a footing and foundation in accordance with all requirements of the Department of Planning and Development.

3. **R-MHP (Residential Mobile/Manufactured Home Park) District.**

   a. **Mobile Home Access.** Every mobile home space shall have direct access to a private street and the private street shall have clear and unobstructed access to a public street.

      1) No private street shall be less than 32 feet in width and at least one side shall be used for on-street parking. If mobile home sites do not abut both sides of a private street, then that private street may be 24 feet in width.

      2) All private streets shall include lighting and be paved to the full width in accordance with the requirements of the Department of Public Works.

   b. **Walls.** Every mobile home park shall be enclosed with a decorative masonry wall six feet in height. Any wall abutting a public street shall be set back a minimum of five feet and landscaping shall be installed and permanently maintained between the wall and the public streets. Walls along interior property lines abutting R-MHP Districts are not required.

   c. **Utilities.** Every mobile home park shall be served with an approved gas, water, sewer and electrical distribution system with connections on every mobile home site. The system shall comply with Municipal Code requirements governing such installations.

   d. **Minimum Mobile Home Size.** A mobile home shall exceed 8 feet in width and 32 feet in length, and shall contain a minimum of 450 square feet, and have within its interior walls a toilet, sink and bathtub or shower.

   e. **Removal of Wheels.** The wheels on a mobile home may be removed and the mobile home may be temporarily attached to a footing and foundation with written agreement from the park owner/manager and in accordance with the requirements of the Department of Planning and Development.

4. **R-PD (Residential Planned Development) District**

   a. **Development Standards.** The development standards for a project shall be established by the approval of an R-PD District and the approved Site Development Plan as described in Subchapter 19.18.050. Development standards shall include minimum front, side and rear setbacks, maximum building heights, wall and fence design and heights, parking standards, landscaping and other design and development criteria.

5. **Downtown Overlay District**

   Building Height, Setback and Lot Coverage. All structures located in the Downtown Overlay District are exempted from the automatic application of the building height, building setback and lot coverage provisions of this Chapter 19.08, including the Residential Adjacency Setback provided, however, that this exemption does not prohibit the City Council from imposing a building height, setback or lot coverage requirement in connection with the approval of a Site Development Plan.

Table 1. Single-Family Residential District Development Standards

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

Notes:

1. **U, R-A and R-E Districts**—Lots which front onto a public street, shall maintain a minimum front yard setback of 50 feet. The minimum front setback for an attached, open porte cochere is 30 feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of 30 feet from the edge of the private street or access easement; provided however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be 20 feet from the edge of the private street or access easement.

2. **R-CL District**—The minimum lot size is 3,500 s.f.; provided however, the minimum average of all lots within the development shall be 3,750 s.f.

3. **R-CL District**—The minimum lot width is 35 feet. In all cases, lot width shall be sufficient to provide the street frontage necessary for driveways to conform to the requirements of LVMC Chapter 13.16, LVMC 18.28.360 and other adopted City driveway standards.

4. **R-CL District**—The minimum front yard setback is 14 feet. The minimum front yard setback for front entry garages and carports is 16 feet for any lot located on a knuckle or cul-de-sac bulb and 18 feet in all other cases.

5. **R-CL District**—The minimum total (combined) width of both side yards for each lot is 10 feet. The minimum side yard setback for a side yard along a street is 10 feet, in which case the total width must be 15 feet. Such side yard setbacks may be configured in any manner that conforms to the Uniform Building Code and results in maintaining the total side yard setback width required on each lot. In no case, however, may lots be configured or improvements placed on lots in a manner that results in open space or yard setback area for one lot actually being located on a separately owned lot. The use of "use easements" to create such a result is specifically prohibited.

6. **All Districts**—Notwithstanding the minimum lot width in this Table, lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of 30 feet in width at the front property line, provided the average lot width meets the required lot width.

7. **All Districts**—Side, corner side and rear yard setbacks are subject to the patio cover provisions set forth in Subsection 19.08.040(B)(4).

Ord 5638
11/19/03

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

STANDARD	R-2	R-3	R-4	R-5
Minimum Lot Size sq. ft.	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]
Min. Distance Between Buildings [3]	10	10	10	unlimited
Max. Lot Coverage [3]	NA	NA	NA	NA
Max. Building Height (ft.) [3]	2 stories or 35 feet, whichever is less [5]			5 stories or 55 feet, whichever is less

Notes:

1. **R-5 District**—The maximum density is unlimited. However, the height limit on development imposes a de facto limitation on density in all areas except the Downtown Overlay District (see Subchapter 19.06.060), where the height is unlimited.

2. **R-5 District**—The minimum rear yard setback shall be 20 feet. However, where the rear 20 feet of the lot has direct access to a public alley and is used for the on-site parking of automobiles, this area may be covered by a roof provided it is otherwise open on three sides.

3. **Downtown Overlay District**— All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in Table 2. However, the exemption does not prohibit the City Council from imposing similar

or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Subchapter 19.06.060.

4. **All Districts**— Side, corner side and rear yard setbacks are subject to the patio cover provisions set forth in Subsection 19.08.040(B)(4).

5. **R-3 and R-4 Districts**—The height limit for senior citizen apartment developments shall be three stories or forty feet, whichever is less, upon approval of a Site Development Plan in accordance with Section 19.18.050. Senior citizen apartment developments that exceed the permitted height limit may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060.

Ord 5508
9/18/02

19.08.045 COMMERCIAL DISTRICT DEVELOPMENT STANDARDS

A. Specific Purposes

In addition to the general purposes listed in Chapter 19.00, the purposes of the commercial development standards are to:

- Promote improved design and enhanced site planning of commercial development
- Encourage sensitive design and planning of commercial development which enhances compatibility between the built environment and the natural environment
- Promote design and site planning which furthers the goals of the City's General Plan
- Promote design and site planning which advances the vision of the City
- Promote commercial development which enhances the quality of life for City residents.

B. Applicability

With the exception of unrestricted gaming development, and development located within a designated special purpose, overlay or planned development which has adopted commercial design guidelines, no new commercial site development, building or structure shall be erected in any commercial zone unless in conformity with all applicable provisions of this Section, including the development standards set forth in Table 3. No existing commercial building or structure shall be moved or substantially enlarged, and no previously developed site shall be substantially modified or enlarged, unless in conformance with all applicable provisions of this Section, including the development standards set forth in Table 3.

Ord 5738
12/15/04

C. Site Planning and Development

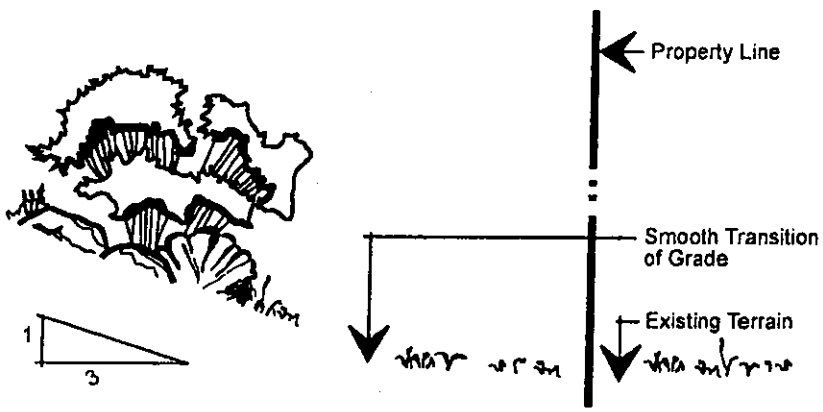
Where feasible, and when geotechnical conditions are favorable, natural features such as washes and existing vegetation should be retained in their natural state and integrated into the design of the site. When geotechnical conditions are favorable, on-site detention of storm water is encouraged as a means of reducing stormwater runoff. Areas such as common areas and existing washes should be explored for this type of use. Buildings should be sited to avoid or lessen the impact of development on sensitive areas such as slopes and drainage washes. The siting of buildings and development of a site should conform to specific site conditions and opportunities such as non-rectangular lots, location on intersections, unusual topography, vegetation, views or other natural features. On sites which contain slopes of five percent or more, the development of the site should reflect, rather than obscure, the natural topography of the site

through the use of various techniques such as smooth transition of grades at the property lines, blending of cut and fill slopes, and terracing.

1. Site Grading

   a. Where natural sloping is to be used for topographic transitions at the property edges, slopes **shall not** exceed three to one (Figure 1) and shall be landscaped with approved materials to achieve minimum ground coverage of sixty percent (not including trees). The sixty percent coverage shall be reached within two years after a Certificate of Occupancy is issued by the City.

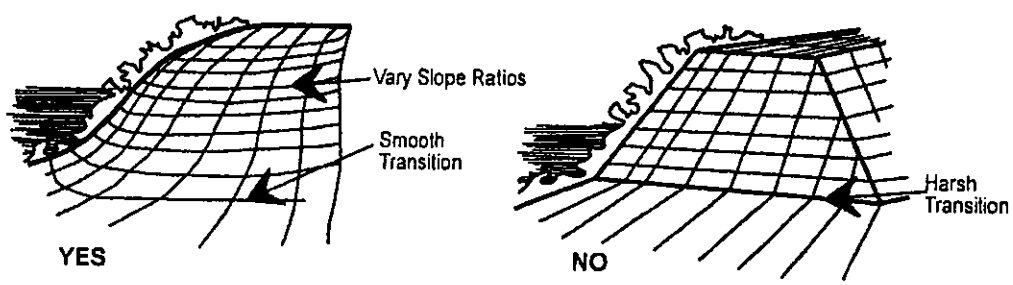
Figure 1 SITE GRADING SLOPES



Sloping at the property lines creates a smooth transition between projects and helps to retain the natural topography.

   b. Cut and fill slopes shall be rounded where they meet natural grade so that they blend with the natural slope (Figure 2).

Figure 2 SITE GRADING CUTS AND FILLS

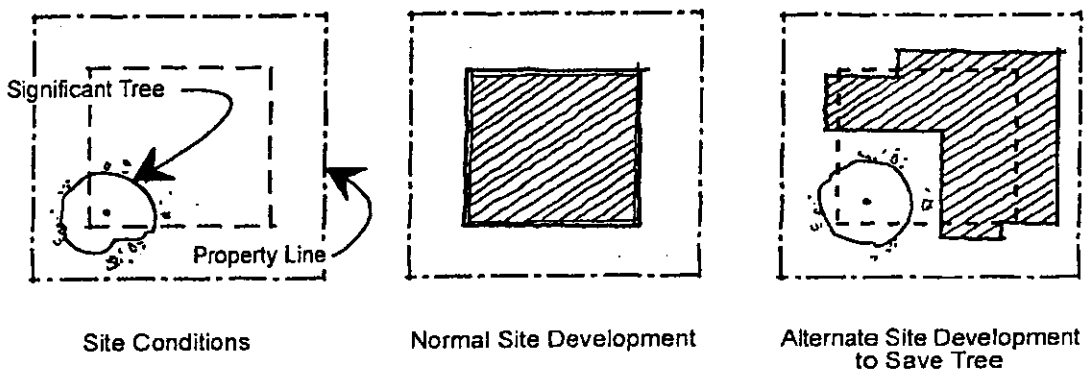


Rounding cuts and fills where they meet natural grade helps to blend with the natural topography.

2. Natural Features

   a. The area of any channel or wash which is to be retained in its natural state, improved as a non-concrete channel, or improved with a combination of natural materials and other materials such as stamped, patterned concrete, may be counted toward the requirements for open space within the proposed development.

Figure 3 PRESERVING NATURAL FEATURES



One example of how sensitive site design can help to preserve natural features.

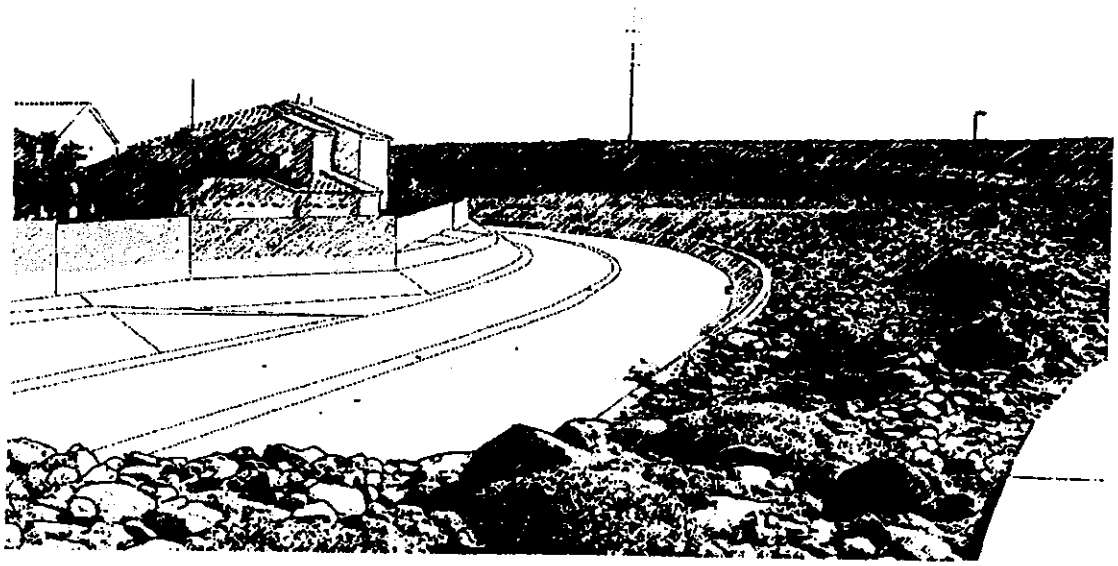
3. Drainage

In order to provide a more natural appearance and to provide for the stabilization of natural channels when geotechnical conditions are favorable, drainage ways shall be lined with natural materials such as grass, soil, gravel, rock or other materials allowed by the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual (HCDDM) as adopted by the City. The use of plain concrete for lining of drainageways shall be permitted only as part of a flood control plan or drainage study approved by the Public Works Department (Figures 4, 5 and 6).

Figure 4 NATURAL FLOOD CHANNEL

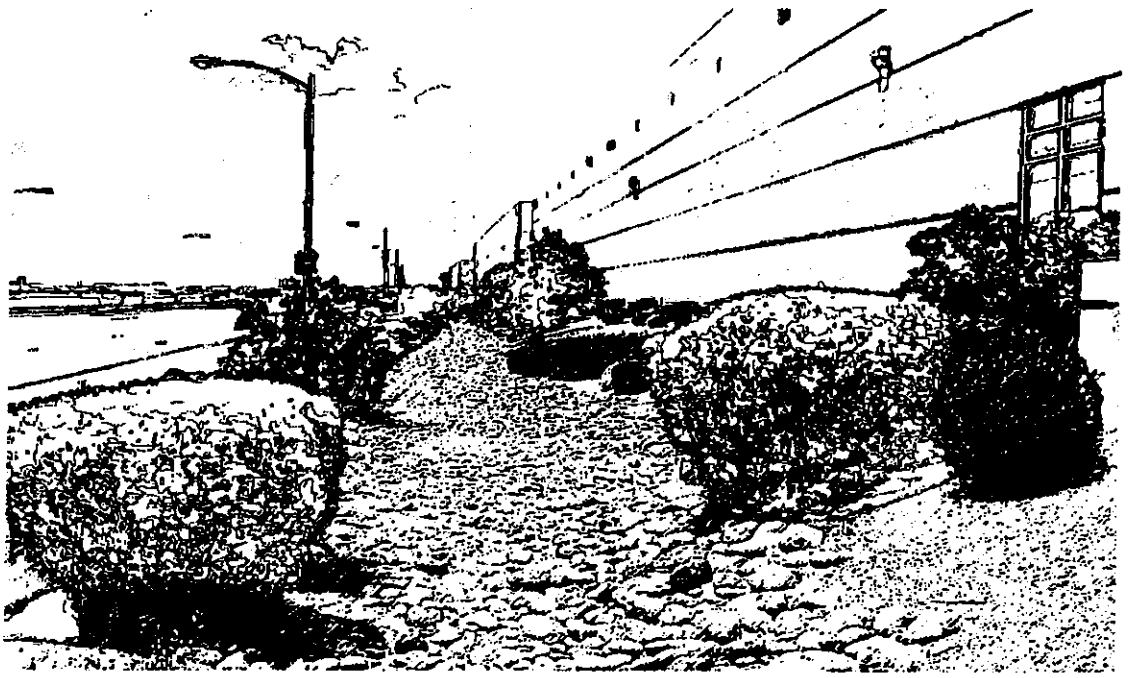
An example of the preferred use of natural materials in flood channel design.

Figure 5 CONCRETE FLOOD CHANNEL



An example of a less preferable usage of concrete in flood channel design.

Figure 6 DRAINAGE SWALE



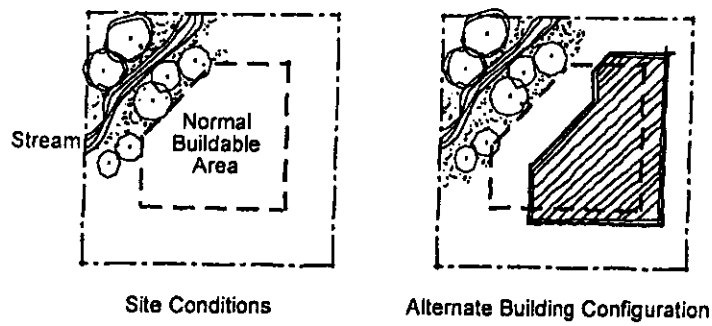
An example of a drainage swale enhanced with natural materials and landscaping.

a. All natural drainage channels on sites of fifteen net acres or greater in size shall be identified and shown generally on the site plan at the time of submittal of a Site Development Plan Review application. If it is expected that the Drainage Study will require improvements to existing drainage channels, or other on-site drainage facilities, the proposed preliminary design of such channels and of proposed structures such as weirs, drop structures or other appurtenant structures shall be shown on the site plan. Such structures shall be built of natural materials unless the applicant can demonstrate based on subsequent approved drainage study that to do so would be infeasible.

b. When detention basins are utilized, they shall be integrated into the overall landscaping and site development plan of the proposed project. Such areas may be counted toward the open space requirements of the development.

4. Building Placement and Orientation

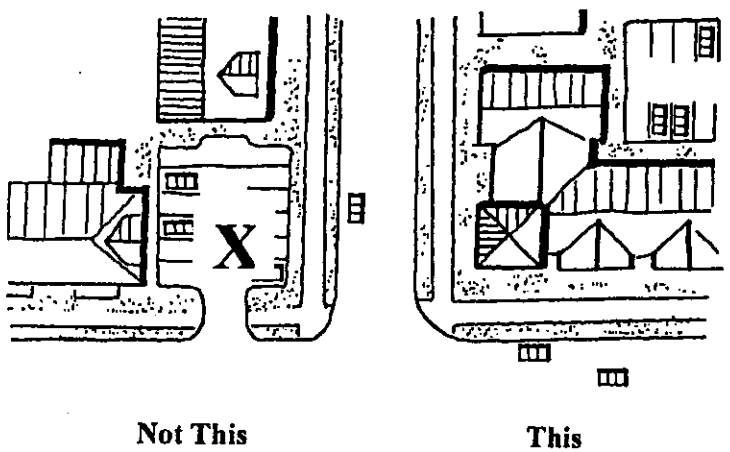
Figure 7 SITING OF BUILDINGS



Site buildings in a manner that will lessen the impact on sensitive areas such as washes and slopes.

a. Buildings on corner lots shall be oriented to the corner and to the street fronts and shall make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible. Parking and curb cuts shall be located away from corners (Figure 8).

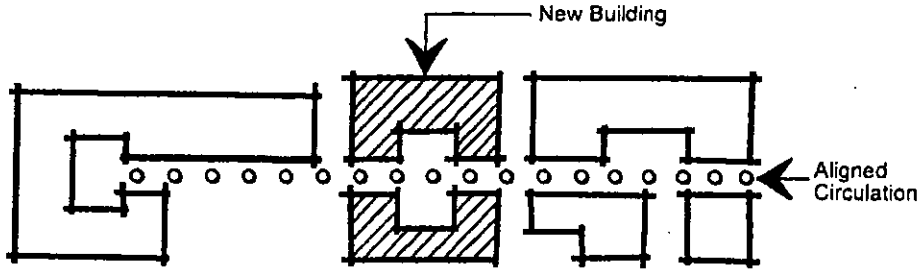
Figure 8 CORNER LOTS



On corner lots, buildings must be oriented to the corner and the street front. Parking and curb cuts must be located away from the corner.

b. Interconnected walkways and parking drives between buildings on the site and those of adjacent development, shall be used to provide for the safe and efficient movement of pedestrians, bicycles and vehicles within the site and between the site and adjacent development where feasible (Figure 9).

Figure 9 INTERCONNECTED WALKWAYS AND PARKING DRIVES



Building placement that permits good circulation for pedestrians, bicyclists and motorists.

c. In order to develop and maintain a strong street edge, buildings for stand alone projects or individual pad developments associated with a larger commercial center, shall be located at the front of the site at the minimum setback line with the exception of additional width landscaping or a single drive through lane.

D. Bicycle, Pedestrian and Automobile Linkages and Circulation

The following standards are designed to reduce dependency on the automobile, reduce the number of daily trips by single occupancy vehicles, and preserve the capacity of existing roadways. Consideration shall be given to alternative transportation modes, such as bicycle and pedestrian ways and paths, and shall be included in site master planning.

1. Integration of Bicycle and Pedestrian Paths

Provisions shall be made in all developments to integrate bicycle and pedestrian paths (as defined in the Trails Element of the City's Master Plan) that connect to adjacent developments and residential neighborhoods.

a. Bicycle and pedestrian paths shall connect to existing facilities on adjoining projects.

b. Easements and/or rights-of-way shall be provided for bicycle/pedestrian paths and vehicular travel between developments as necessary.

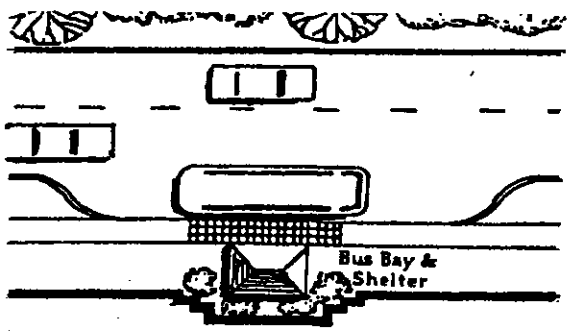
c. Adequate bicycle parking facilities shall be provided for each development as determined by the Planning & Development Department.

d. Bicycle and pedestrian paths constructed within the right of way shall be in accordance with any Bicycle/Pedestrian Plan as adopted by the City of Las Vegas.

2. Bus Turnouts

Bus turnouts and shelters shall be required where deemed necessary by the City Traffic Engineer. If shelters are provided they shall be installed behind the sidewalk area. Required turnouts may encroach into the perimeter landscape area and may require the granting of easements for placement and maintenance. Bus turnouts shall meet the Uniform Standard Drawings, Clark County Area, as adopted by the City (Figure 10).

Figure 10 BUS TURNOUTS

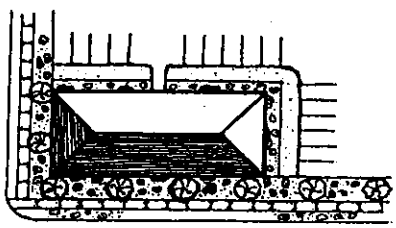


Bus shelters shall be integrated into the design of the development and landscaping and be installed behind the sidewalks so that pedestrian movement is not impeded.

3. Sidewalks

Sidewalks shall be provided along any facade featuring a customer entrance that exits into a parking area or travel lane. Sidewalks that abut ninety degree parking spaces shall be a minimum of eight feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when vehicle wheel stops are installed. Such sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping (Figure 11). Landscaping plans shall take into consideration site-specific geotechnical recommendations that may require additional protection to prevent infiltration of water into unsuitable soils.

Figure 11 BUILDINGS SEPARATED FROM PARKING AREAS



Foundation landscape areas and sidewalks shall be used to separate buildings from parking areas and travel lanes.

4. Internal Site Access

A continuous internal pedestrian and handicap accessible walkway shall be provided from the perimeter public sidewalk to the principal customer entrance. The walkway shall be distinguished from driving surfaces through the use of special pavers, bricks or patterned concrete, and raised slightly, to enhance pedestrian safety and the attractiveness of the walkway.

5. Paths Along Drainage Channels and Washes

Applicants are strongly encouraged to incorporate bicycle and pedestrian paths along drainage channels and washes. If maintenance roads for a channel are required, consideration should be given to designing them as multi-use facilities to accommodate maintenance vehicles, bicyclists and pedestrians. The design of such paths shall be approved by the Department of Public Works and the Planning and Development Department.

a. A minimum ten-foot landscape area on each side of the channel shall buffer plain concrete drainage channels which do not incorporate bicycle and pedestrian paths or maintenance roads and which are visible from public view. Maintenance of the landscaping shall be the responsibility of the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.

b. The area of any such paths and/or landscape areas along drainage channels and washes may be counted toward the open space requirements of the development.

E. Parking

When the total number of parking spaces proposed for any development exceeds 1000, the applicant should give consideration to the construction of a parking structure as a means of reducing the amount of ground level parking area. Pedestrian linkages within large parking areas should be created by removing two adjoining parking spaces (one on each side of a row) to provide perpendicular passages between rows. Large parking lots of greater than 120 parking spaces should be divided into well-landscaped, small sub-area parking lots that contain 120 or fewer parking spaces.

1. Location of Parking

When buildings are located at the front of a site, all parking shall be located to the side or rear of buildings and away from the street front unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible. Parking lots shall not be permitted on street corners unless the applicant can demonstrate that by substantial and convincing evidence to do so would be infeasible (Figures 12 and 13).

Figure 12 PARKING TO THE SIDE

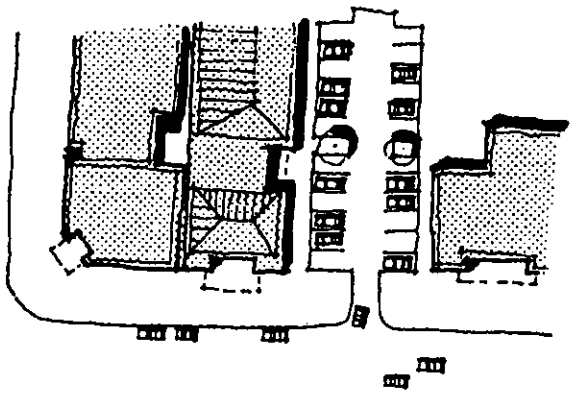
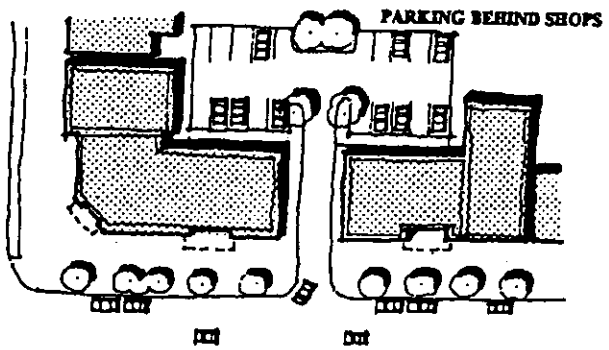


Figure 13 PARKING TO THE REAR

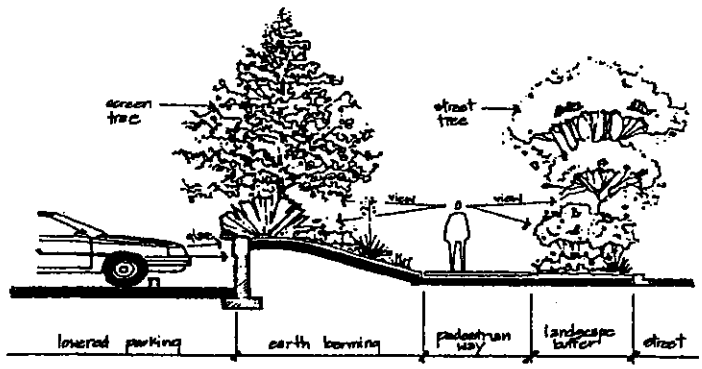


Parking, when located to the side or rear, allows buildings to be placed at the front of the development. This reduces the impact of parking on the pedestrian environment and creates a stronger tie between the buildings and the street and enhances the streetscape.

2. Parking Lot Screening

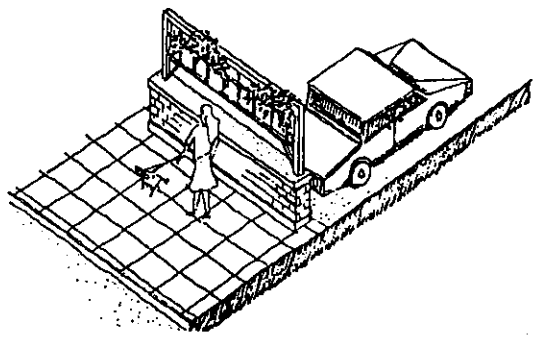
Parking lots shall be screened by buildings and/or landscaping. Any area of a parking lot which abuts a public street shall be screened by decorative walls, vegetation, landscaped berms, or any combination thereof placed within the setback area in such a manner as to provide a continuous screen. Such screening, wherever located within the setback area, shall be a minimum height of three feet above the finished grade at the rear of the setback area. Any area of a parking lot, which abuts a public street, shall be setback from the property line a minimum of fifteen feet (Figures 14 and 15).

Figure 14



Features such as lowered parking areas, landscaped earthen berms and additional landscaping strips are effective methods of screening parking areas from the street and enhancing the pedestrian environment and the streetscape.

Figure 15 LOW MASONRY WALL



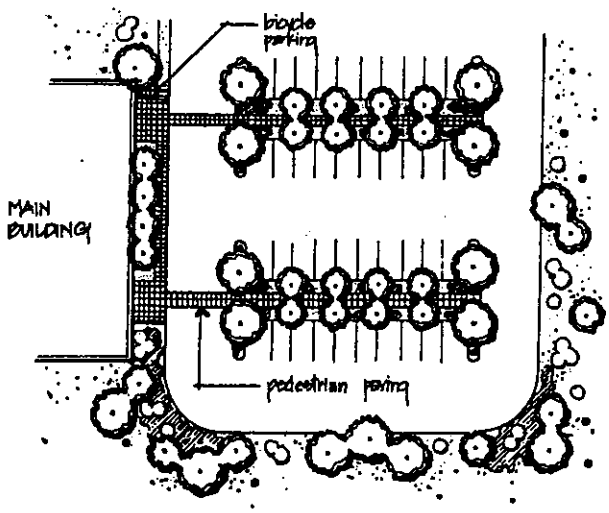
Revised September 2002

A low masonry wall with wrought iron on top makes an attractive and effective screen for parking lots.

3. Dividing Large Parking Lots

Buildings, walkways or landscaped areas not less than 15 feet wide shall delineate parking lot sub-areas. Parking shall not directly abut any building (Figure 16).

Figure 16 SUB-AREA PARKING



The size of parking areas must be reduced by the use of landscaped areas and pedestrian walkway, or separated by buildings.

4. Landscape Islands and Tree Requirements

Parking areas shall provide a minimum of one 24 inch box size tree (minimum trunk size of 1 1/2" caliper measured at 6" above the soil line) deciduous or evergreen shade tree for every six uncovered parking spaces, or fraction thereof, and be located in planters as described below. This requirement is in addition to all other required landscaping trees.

Landscape islands are required at the end of each and all parking rows and shall provide at least two 24 inch box shade tree per island pairs.

Only half of the trees provided at the end of row islands can be counted toward the minimum tree requirement per parking space. The following formula shall apply:

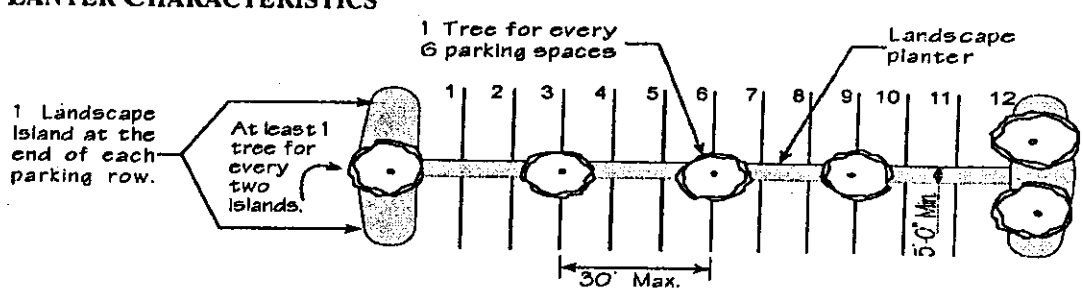
Total uncovered parking spaces = X
Total number of islands at the end of the rows = Y
Total minimum number of trees required = (X/6) + (Y/2)

5. Landscape Island/Planter Characteristics

Landscape islands/planters shall have a minimum width of five feet clear distance between curbs for planting, and:

a. Where parallel to the parking space, the length of the planter shall be equal to the length of the adjacent parking space. In this case, each planter shall provide at least one 24 inch box shade tree.
b. Where separating two rows of parking, the length of the planter shall be equal to the length of the parking row. This type of planter shall provide a minimum of one 24 inch box shade tree no greater distance than every thirty feet on center.
c. The planter islands shall include a minimum of five shrubs of five gallon, and a minimum five shrubs or plants of one gallon size minimum per each 24 in box tree provided.
d. The planter islands shall include a two inch layer of ground cover or rock mulch.
e. The parking lot planters shall be irrigated with drip irrigation only.

Figure 17 PLANTER CHARACTERISTICS



6. Wheel Stops

Wheel stops shall be used at every parking space that fronts a pedestrian walkway of five feet in width or less and/or a landscaped area. They shall be installed at a minimum of

two feet six inches from the face of the curb to effectively protect walkways, landscaping and/or signage (Figure 18).

Figure 18 WHEEL STOPS

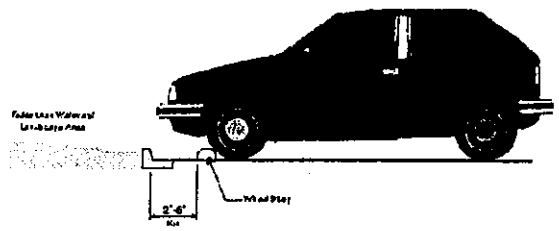
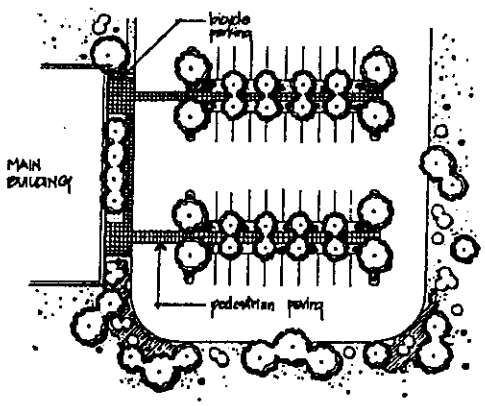


Figure 19 PEDESTRIAN WALKWAYS



Pedestrian walkways installed perpendicular to parking rows provide additional safe pedestrian movement across parking areas.

7. Standards Not to be Compromised

Standards shall not be compromised in order to achieve a greater number of parking spaces. All parking facilities shall be designed and constructed in accordance with the dimensions provided in Chapter 19.10.

F. Architectural Character and Materials

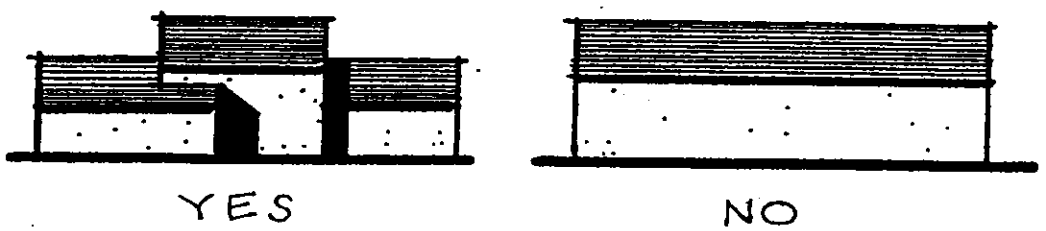
The purpose of these guidelines is not to dictate a particular architectural style for commercial development in the City, but to provide a set of guidelines and standards by which commercial development can be compatible with its surroundings and help to further the overall vision of development which has been established by the City. Building design, incorporating a base that ties the building into the ground, a midsection, and a top that terminates the building, is strongly encouraged (Figure 22).

1. Height, Bulk and Scale

   a. Box-like or single, monolithic forms must be relieved by variations in massing or articulation of facades. The perceived height and bulk of buildings shall be reduced by dividing the building mass into smaller scale components in order to relate to human scale. Buildings shall incorporate jogs, offsets or other architectural features to reduce the visual length of long walls. Variety and/or variation of roof lines is required to reduce the apparent size of commercial buildings and provide visual

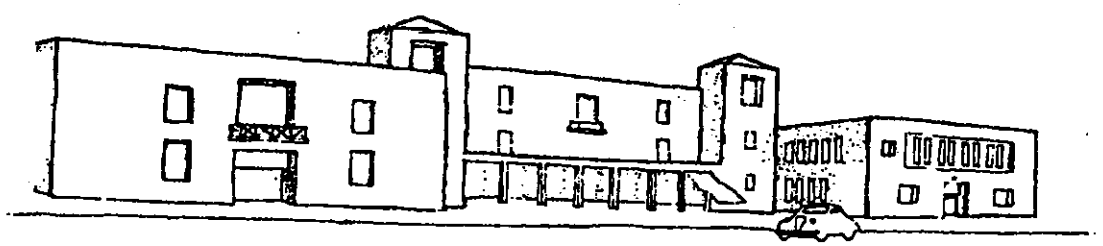
interest. Building surfaces over 20 feet high or 50 feet in length shall be relieved with a change of wall plane or by other means that provide strong shadow and visual interest (Figures 20 and 21).

Figure 20 BUILDING MASS



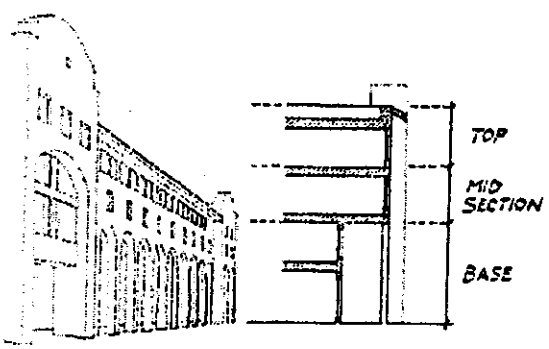
Perceived height and bulk can be reduced by dividing building mass into smaller scale components.

Figure 21 DIVIDING BUILDING MASS



A recessed courtyard is an effective way of dividing building mass into smaller parts.

Figure 22 THREE PART CONSTRUCTION



The building base should be a shaded element that establishes a strong connection to the ground and site. A covered walkway, arcade or other circulation element set in deep shadow and carefully integrated with the total building form is most desirable.

b. Buildings shall be compatible with the scale of development allowed by the applicable land uses for the surrounding area as established at the time of application, and shall be sited and designed to provide a sensitive transition to nearby, less intensive areas.

c. Projects on the edges of zoning districts shall be developed in a manner that minimizes the adverse impacts resulting from incongruous height, bulk and scale of large buildings. Alternatives to mitigate such impacts include, but are not limited to, siting and design, additional building setbacks or stepping back of upper floors, and the actual physical reduction of the height, bulk and scale of a project (Figure 23).

Figure 23 UPPER FLOOR STEP BACKS

Stepping back upper floors is one method of reducing the negative impacts of incongruous height, bulk and scale of larger buildings.

2. Exterior Materials and Finishes

a. Buildings shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds. Black, white and bright colors are not acceptable except as trim or accent colors on architectural details. Fluorescent colors are prohibited. Materials shall be durable and highly suitable to the lower Mojave Desert environment.

b. Durable materials to include, but not limited to, concrete or clay tile and architectural metal shall be used on all sloped roofs. Standard three-tab asphalt and fiberglass shingles, and wood shingles and shakes are prohibited.

c. Stone, stucco, colored or exposed aggregate or textured finish concrete, decorative block and brick are the preferred materials for building exteriors. Simulated materials and building systems that provide a look that is similar to the preferred materials may also be acceptable.

d. Highly reflective, shiny or mirror-like materials and unplastered exposed standard concrete, standard concrete masonry units and glazed tile shall not be used except as accents. Reflective glass at the pedestrian level is prohibited. Glass on the second floor and above shall not be greater than twenty two percent (22%) reflectivity so as not to reflect light and solar heat on other buildings, streets and sidewalks.

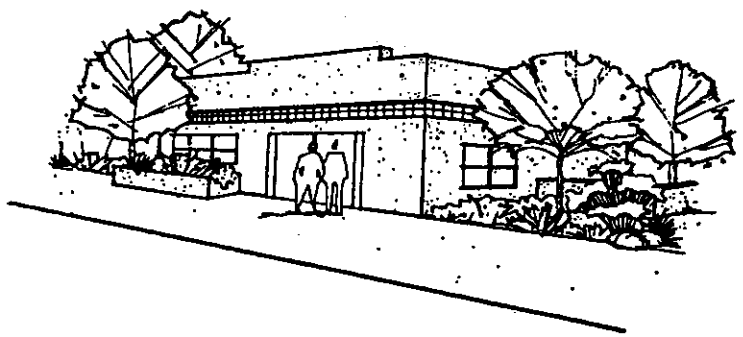
e. Restraint shall be used in the number of different materials and colors selected.

f. The use of neon or electric strip lighting to accent building edges or architectural details is not permitted within 300 feet of any residential district as measured from such lighting to the nearest residential property line.

3. Coherent Design

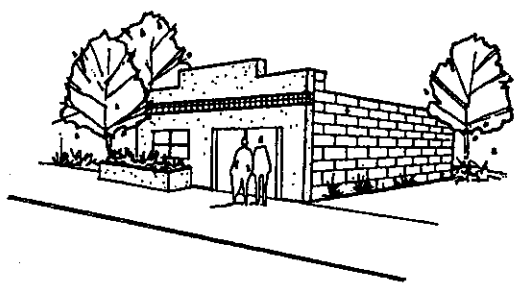
a. All sides of a building shall be coherently designed and treated. A consistent level of detailing and finish is required for all sides of a building (Figures 24 and 25).

Figure 24 COHERENT DESIGN



Carrying the same level of detail and finish around all sides of a building provides for a more consistent design and higher quality of development.

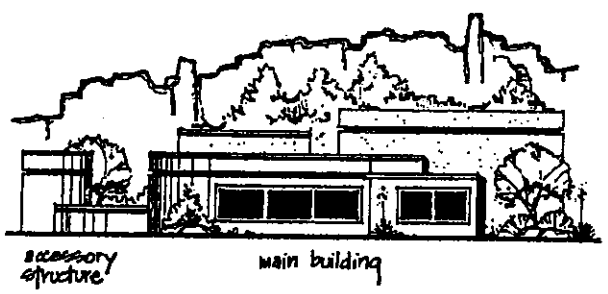
Figure 25 NON-COHERENT DESIGN



When the same level of detail and finish is not carried around all sides of a building there is a loss of consistency and cohesiveness in the design.

b. Accessory structures shall have the character of the main building, using the same colors, materials and style (Figure 26).

Figure 26 ACCESSORY STRUCTURES



Accessory structures shall have the character of the main building and use similar design and materials.

c. Any building design that utilizes a flat roof shall incorporate a parapet wall and/or cornice element on all sides of the roof.

4. Building Facade

The building design shall incorporate patterns and materials that provide visual interest. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, recesses, pop outs, etc. Flat, plain building walls are not acceptable. There should be a contrast in the size of solid area to window area. In general there should be more wall than window. Windows and large areas of glass should be recessed in shadow or otherwise contrast with the building facade (Figure 27). Large glazed areas should be divided into smaller parts by using mullions to express individual windows or groupings of windows. The use of arcades, covered walkways, awnings, and other shade devices is strongly encouraged to provide shade to protect pedestrians from the intense desert sun.

a. Features such as windows and arcades shall total at least 60% of the length of any facade that abuts a public street.

b. Lightly tinted or "Low-e" glass is acceptable and advisable. Mirrored and metallic tints are prohibited.

Figure 27 RECESSED WINDOWS

Windows that are recessed in shadow provide for a more interesting façade and help to reduce solar gain and reflection of glare.

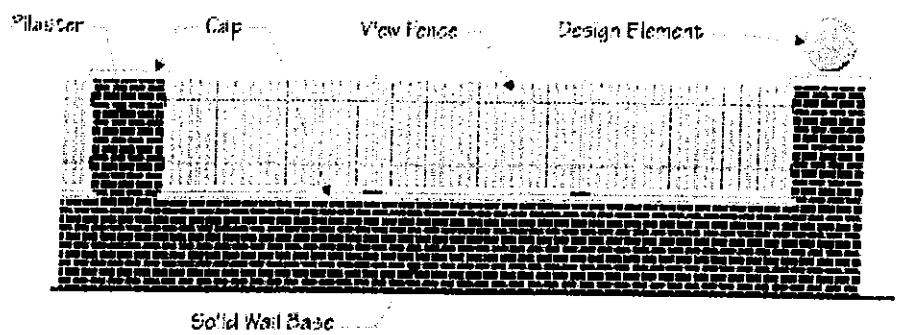
G. Fences, Walls and Screening

The following uses and equipment shall be screened from public view from all rights-of-way, pedestrian areas, and parking lots: Trash and refuse collection areas, mechanical equipment such as air conditioners, pumps and motors, propane tanks and other storage tanks, electrical equipment such as switching equipment and transformers, emergency generators, valves, vents and utility meters, satellite dishes, solar collectors, grouped mailboxes and any commercial project which abuts a residential property. Screening includes but is not limited to solid walls and landscaping of a density sufficient to screen the use.

1. Perimeter Walls

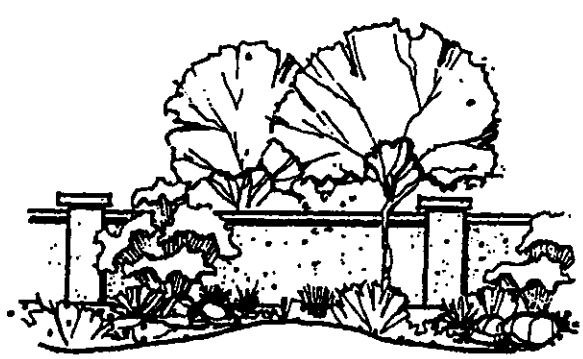
Perimeter walls, berms or fences, if used, shall be installed to a height of not less than 2 feet 8 inches and no greater than 6 feet (except as permitted elsewhere in this Title) as measured from the finished grade of the property enclosed by the fence or wall (except as required for traffic visibility). Acceptable decorative wall materials include, but are not limited to, stone, decorative block, slump stone, and wrought iron and shall have a minimum of 20 percent contrasting material. All walls shall include detail variations such as pilasters, decorative caps, decorative iron cutouts or fluted blocks. Pilasters, if used, shall have a maximum spacing of 24 feet on center (Figures 28 and 29). Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. All walls shall be maintained by the property owner, the developer, a business association, or other similar organization, or by such other means as may be approved by the City. To achieve design continuity, perimeter walls shall match the design of abutting walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered to be of unacceptable design by the Director, the design shall not be carried beyond the next street intersection, or a transitional wall area designed to soften the differences between walls shall be constructed.

Figure 28 TRANSPARENT WALLS



Walls can be transparent where appropriate, and constructed of iron and masonry for example.

Figure 29 PERIMETER SCREENING WALLS



Perimeter screening walls must be decorative in nature. Pilasters and decorative caps are one means of achieving this.

a. Solid walls, a minimum of six feet in height, measured from the finished grade of the property enclosed by the fence or wall, shall be constructed on the property line(s) between any commercial development which abuts residential development.

b. All perimeter walls shall be sealed by an approved method to prevent the leaching or transmission of mineral deposits through the wall.

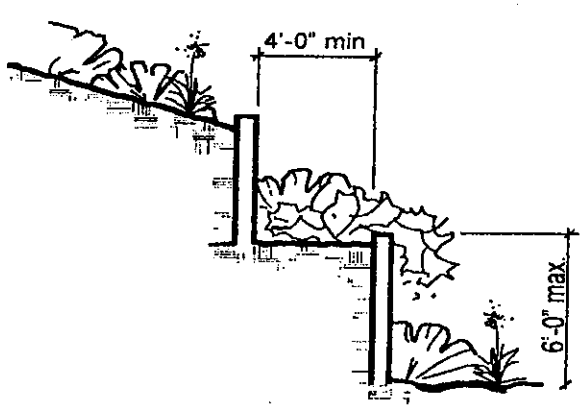
2. Retaining Walls

a. Where retaining walls are used, and are in public view, they shall not exceed six feet (four foot preferred) in height measured from the finished grade of the property enclosed by the fence or wall. In instances where the topographic conditions justify, the overall height may exceed six feet by the use of more than one retaining wall, providing there is a minimum planting area of four feet between the walls, and no individual retaining wall exceeds six feet in height (Figure 30).

b. Acceptable materials for retaining wall construction include split face block, decorative block, slump stone, stone and colored or exposed aggregate or textured finish concrete.

c. In cases where the wall height exceeds six feet or there is more than one wall as described in paragraph 2(a) above, or both, a minimum of five five-gallon shrubs, and five one-gallon shrubs for each 20 feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall.

Figure 30 RETAINING WALLS



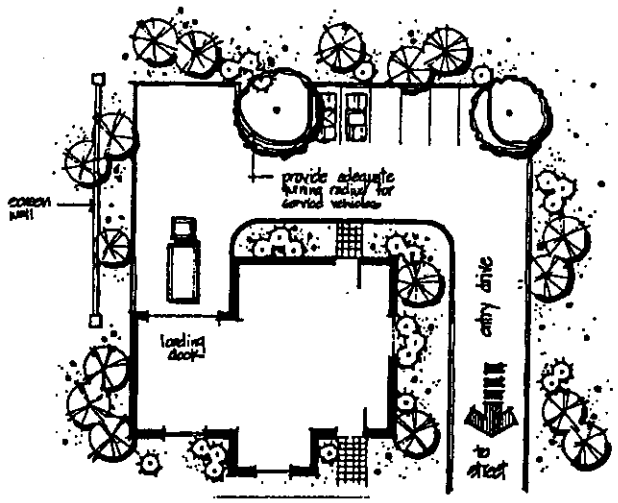
Stepping, or terracing, of high retaining walls helps to reduce the impact of the wall on personal comfort and increases visual interest.

3. Screening and Location of Building Services

a. Service and loading zones shall be located to the rear, side or in an internal location where visibility from public rights-of-way and views from neighboring buildings and properties will be minimized (Figures 31 and 32).

b. Such areas shall be screened by the use of walls and/or dense landscaping that will serve as both a visual and a noise barrier. In no instance shall such walls be less than eight feet in height, and may be required to be higher depending on the use to be screened. Walls shall be architecturally integrated into the design of the development.

Figure 31 SERVICE AREA LOCATION



Service areas and loading zones must be located to the side, rear or an internal location to minimize views, odors and noise to neighboring properties and buildings.

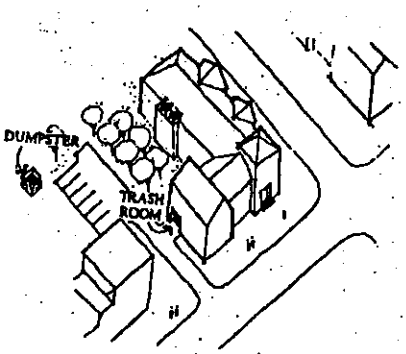
4. Refuse Collection Areas

   a. Refuse collection areas and dumpsters of sufficient size and number for the needs of the development shall be provided.

   b. They shall be located away from the street front and screened from view from rights-of-way, sidewalks, and abutting properties through the use of landscaping and screening. Trash enclosures shall be located behind the building setback line when adjacent to any single-family lot.

   c. In no case shall a trash enclosure be located closer than 50 feet to a residential property line.

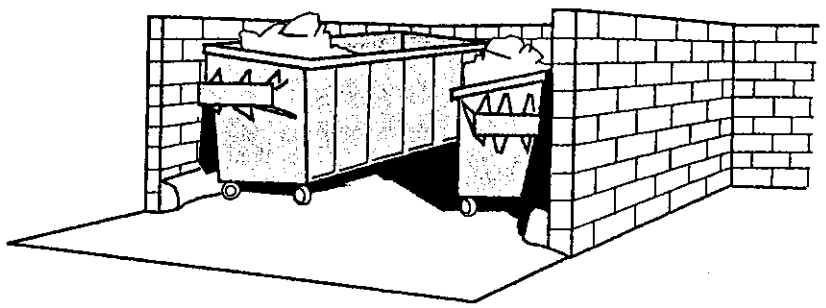
Figure 32 DUMPSTERS



Refuse collection areas and trash receptacles shall be located away from the street front and shall be screened from view of rights-of-way and sidewalks.

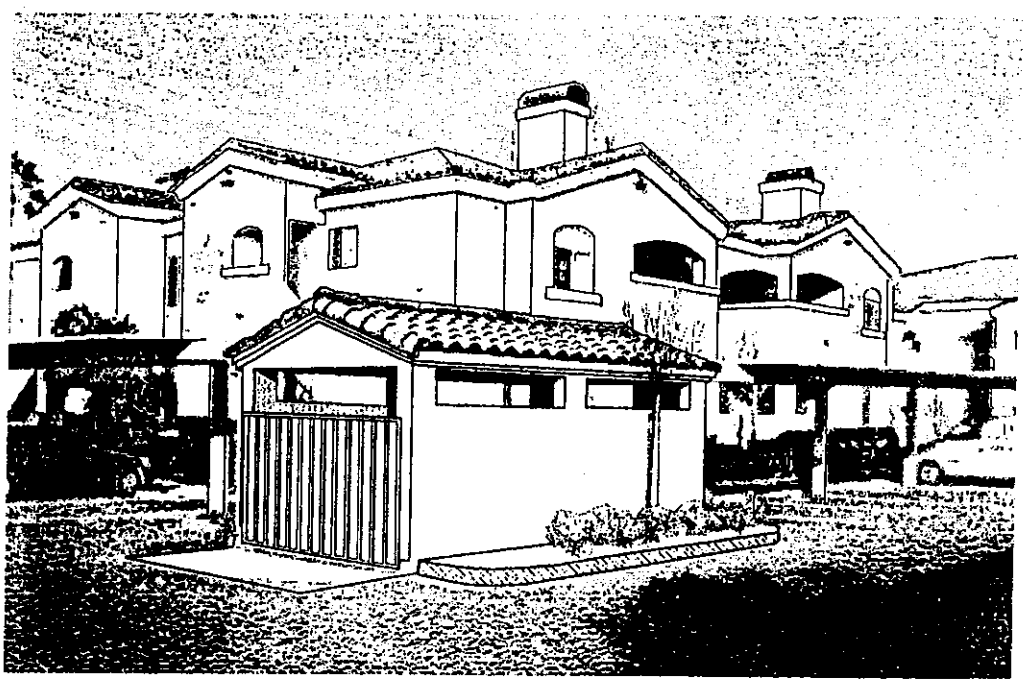
d. Refuse collection areas and dumpsters shall be enclosed by walls a minimum of six feet in height, finished in the same manner as the main structures within the development and shall follow the same design theme and use similar materials to those used in the main structures. All such enclosures shall have solid metal gates, and shall have a roof (Figures 33 and 34).

Figure 33 DISCOURAGED ENCLOSURE DESIGN



Example of poor trash enclosure design with the structure located directly against single family housing and not shielded from view.

Figure 34 ENCOURAGED ENCLOSURE DESIGN



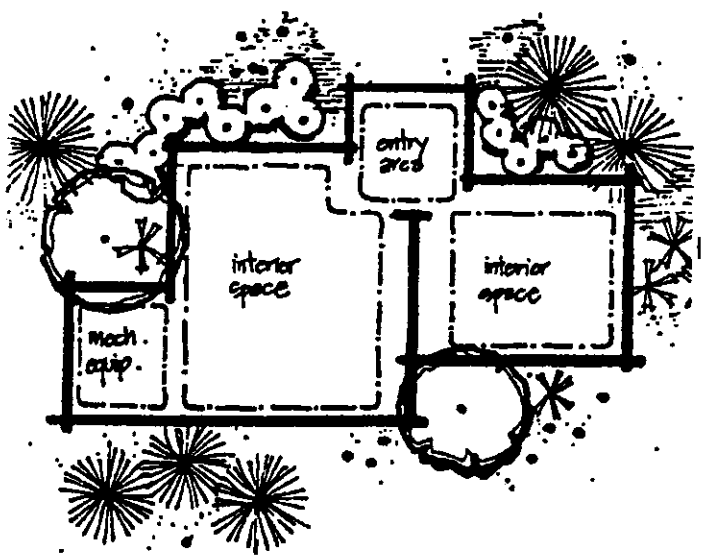
Excellent example of a trash enclosure which is fully enclosed and roofed using the same design theme and materials similar to those used in the main structures.

5. Mechanical and Electrical Equipment

In the initial design stage of a development project, mechanical and electrical equipment should be incorporated into the architectural form and layout of the proposed building to reduce the need for screening (Figure 35).

a. Mechanical and electrical equipment, solar collectors, satellite dishes and any other communications equipment, excluding communications towers and antennas, shall be concealed from view of public rights-of-way and neighboring properties from street level within 100 feet of the property boundary. Communication antennas shall be of a design, and installed in such a manner, as to blend in with the architecture and design of the building on which they are mounted. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials.

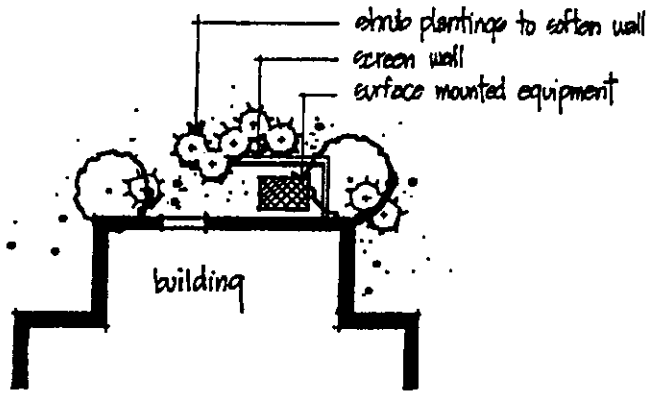
Figure 35 MECHANICAL EQUIPMENT SCREENING



Consideration needs to be given to incorporating mechanical and electrical equipment into the architectural form and layout of proposed buildings to reduce the need for screening.

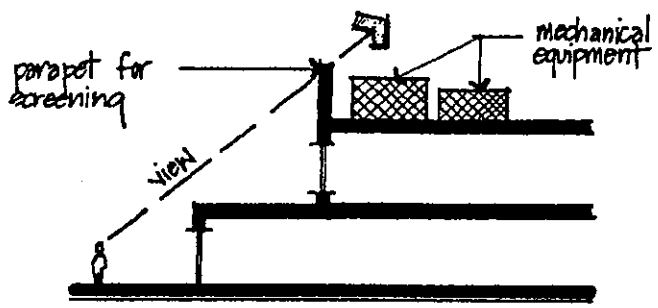
b. Ground and wall mounted mechanical and electrical service equipment such as utility boxes, valves, gas and electric meters shall be screened from public view with materials architecturally compatible with the finishes and character of the principle structures within the development or through the use of shrubs and landscaping and shall be screened to the height of the tallest equipment and/or integrated with the building design (Figure 36).

Figure 36 GROUND MOUNTED MECHANICAL EQUIPMENT



Ground mounted mechanical and electrical equipment shall be screened from view with landscaping or walls that match the design of the primary buildings within the development.

Figure 37 FLAT ROOF MOUNTED MECHANICAL EQUIPMENT



Mechanical and electrical equipment mounted on flat roofs shall be screened from view by a parapet wall or architectural feature that goes around all sides of the building.

6. Materials

   a. Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screening or perimeter walls.

      - Chainlink or open wire fencing (except as temporary construction fencing).
      - Razor wire or barbed wire.
      - Corrugated metal.
      - Bright colored plastic.
      - Untextured or unfinished concrete or block (CMU) walls.

7. Mechanical Equipment on Sloped Roofs

   a. With the exception of solar panel equipment, no mechanical equipment shall be mounted on or attached to any sloped roof.

   b. When mounted on sloped roofs, solar panel equipment, with the exception of the solar collection cells, shall match the roof in color and appearance. Panels shall be mounted directly to the roof plane and be integral to the roof design. Roof

mounted hot water storage systems shall not be visible from neighboring properties or public rights-of-way.

8. Outside Storage Areas

a. Outside storage areas shall be screened by solid walls. All such walls shall be similar in design and materials to the main buildings or match other screening walls on the site.

H. Lighting

Appropriate levels of lighting shall be provided to create adequate visibility and safety at night (does not apply to public street lighting). A detailed photometric lighting plan prepared by a licensed electrical engineer shall be submitted at the time of application and shall include, but not be limited to, types and styles of lighting fixtures and location of lighting fixtures. Warm lighting colors are encouraged. The height of light fixtures should be in proportion to the building mass. Light pole heights no greater than 20 feet are strongly encouraged. Along walkways, low-level lighting (i.e., below eye level) that directs light downward onto the ground surface is encouraged (Figure 39).

1. Light Intensity

Exterior lighting shall be of low intensity and be of a cutoff variety so that light will not spill out onto surrounding properties or project above the horizontal plane of the light source (Figure 38).

Figure 38 CUTOFF LIGHTING

Provide lighting in parking areas:

- **that does not glare into adjacent properties;**
- **that is related to parking lot design and circulation;**
- **and is compatible with the scale of adjacent buildings.**

2. Light Colors

The blue-white colors of fluorescent and mercury vapor lamps shall be prohibited for exterior lighting.

3. Light Levels

The amount of light produced by exterior light sources shall be reduced to that necessary to maintain a minimum comfort level for safety and security purposes. In parking lots,

light shall not exceed an average of 2.0 foot-candles. Light shall not exceed an average of 0.2 foot-candles at a residential property line.

4. Location of Lighting

Lighting shall be installed within the landscaping areas.

5. Height of Fixtures

The height of light poles shall not exceed 30 feet, with the exception of parking lots of 15 acres or greater in size where taller light poles will be considered, to a maximum height of 40 feet.

6. Style of Fixtures

Lighting fixtures, including poles and base, shall be compatible with the architectural character and color of the proposed development.

7. Wall Mounted Lights

Wall mounted lights shall be directed downward. Soffit mounted light fixtures shall be recessed in the soffit or otherwise fully shielded from view from any property line. Ground mounted or other upward directional lighting will be permitted only where some form of shielding or light baffling is provided to create a soft, uniform light quality and minimize light spillage beyond the trees, landscaping, walls or signs being illuminated.

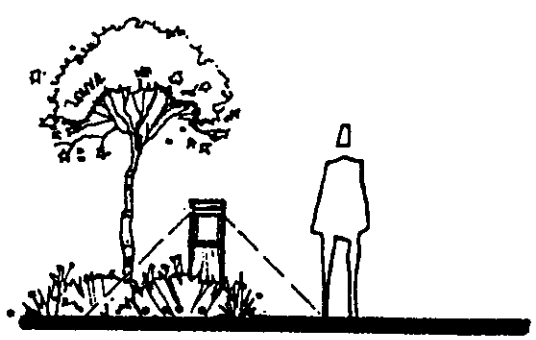
8. Pedestrian Lighting

The design of the fixtures shall be compatible with the overall design of the development and shatterproof lamp coverings shall be used. The fixtures shall be placed to minimize glare and shall be located as to not present hazards for pedestrians or vehicles.

9. Maintenance

All approved lighting shall be continuously maintained in a working manner.

Figure 39 INTEGRATED LIGHT FIXTURES



Lighting fixtures must be integrated into the landscaping and compatible in design with the architectural character of the proposed development.

I. Pedestrian Open Spaces and Plazas

1. Plazas Required

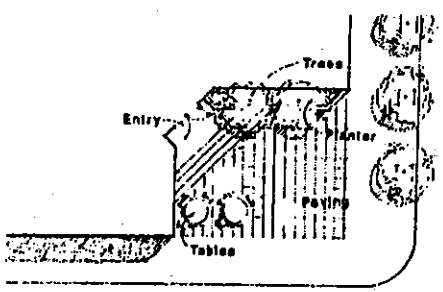
Outdoor pedestrian open spaces and plazas provide shade, opportunities for rest and relief from traffic and noise as well as areas for additional outdoor activities such as vending and dining. Commercial developments shall provide pedestrian open spaces and plazas in relation to the size of the development and shall include designs for such areas in the site plan. Such areas shall be interspersed throughout the development (Figure 40).

a. Commercial developments shall provide public open space and plaza areas in accordance with this section.

b. Developments of five acres in size or greater shall provide a minimum of 50 square feet of plaza space for each one acre of gross land area.

i) Such plaza spaces shall be in addition to any such spaces provided by individual tenants or businesses for the use of their customers.

Figure 40 PEDESTRIAN OPEN SPACES



Pedestrian open spaces and plazas provide opportunities for rest, relief and shade and must be incorporated into every new large commercial development.

2. Integration of Open Spaces

Pedestrian open spaces and plazas shall be integral to the overall design of the proposed commercial development and shall be located in areas of high pedestrian traffic in such a manner to be convenient and readily accessible. Such spaces shall remain open and accessible during normal hours of operation.

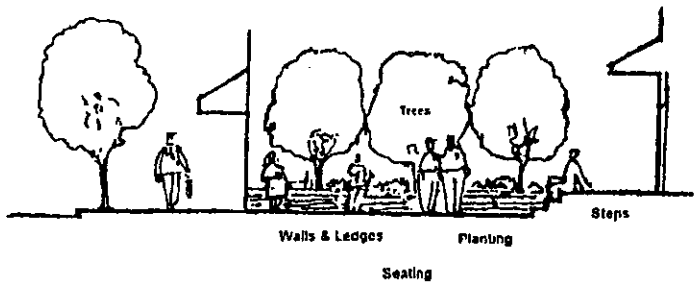
3. Site Amenities

Site amenities, including but not limited to benches, pergolas, landscaped arbors, artwork and water features shall be incorporated into the design of each pedestrian open space/plaza (Figure 41).

4. Minimum Size

The minimum size for any individual pedestrian open space shall be 250 square feet.

Figure 41 PEDESTRIAN OPEN SPACES



A combination of various elements makes for a successful pedestrian open space.

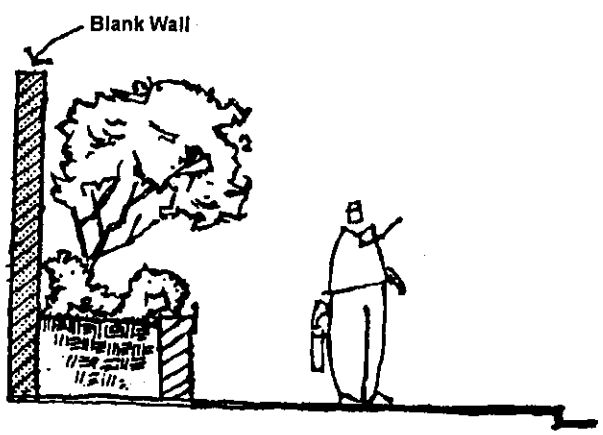
5. Landscaping of Plazas

Any pedestrian open space/plaza that abuts a blank wall shall include a minimum five-foot wide landscaped area next to the wall to soften and screen the wall and increase pedestrian comfort and interest (Figures 42 and 43). Landscaping plans shall take into consideration site-specific geotechnical recommendations that may require additional protection to prevent infiltration of water into unsuitable soils. Applicants are strongly encouraged to design the outside wall of planters in such a manner that they might also be used for seating.

a. Landscaping for the above purpose shall reach a minimum height at maturity of five feet.

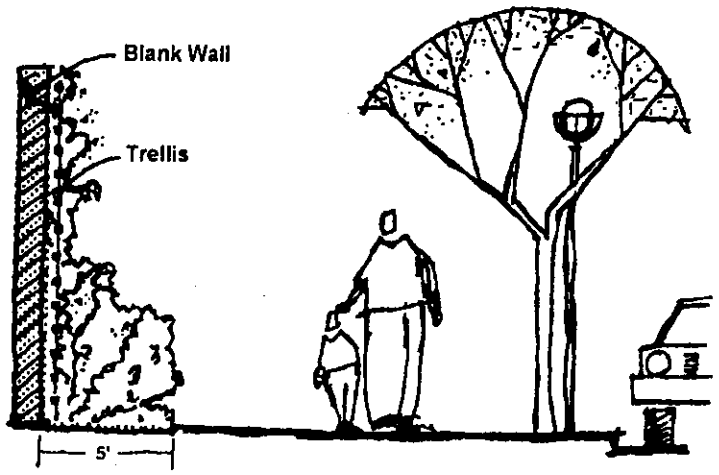
b. If such landscaping is installed within a raised planter the height of the planter shall not exceed 2'6" in height and the height of the planter may be included in measuring the minimum height of the required landscaping.

Figure 42 PEDESTRIAN OPEN SPACES



Blank walls that abut pedestrian open spaces must be softened through the use of various landscaping elements such as raised planter beds and trellises.

Figure 43 PEDESTRIAN OPEN SPACES



A minimum five-foot wide landscaped area must screen blank walls that abut pedestrian open spaces/plazas.

Ord 5638 11/19/03

TABLE 3 COMMERCIAL DISTRICT DEVELOPMENT STANDARDS

STANDARD	P-R	N-S	O	C-D	C-1	C-2	C-PB
Min. Site Area to Rezone	NA	NA	NA	NA	NA	NA	20 Ac
Min. Lot Width (ft.)[4]	60	100	100	100	100	100	100
Min. Front Yard Setback (ft.)[4]	20	25	25	25	20	20	20
Min. Side Yard Setback (ft.)[4]	5	10	10	10	10	10	10
Min. Corner Side Yard Setback (ft.)[4]	15[3]	15	15	15	15	15	20
Min. Rear Yard Setback (ft.)[1,4]	15	25	15	25	20	20	15
Max. Lot Coverage[4]	50%	30%	30%	30%	50%[6]	50%	50%
Max. Building Height (ft.)[1,2,4,5]	2 stories or 35 feet, Whichever is less				none	none	none

Notes:

1. **Rear Yard Setback, Height** - Rear yard setbacks and building heights may be affected by the Residential Adjacency requirements in Section 19.08.060.

2. **Height**

Ord 5738 12/15/04

a. **Non-Residential Building Height When Adjacent to Residential.** See Section 19.08.060 (B).

b. **P-R and O Districts.** The maximum building height in the P-R and O Districts is two stories or 35 feet, whichever is less.

c. **C-D District.** Unless otherwise approved by the City Council in a Site Development Plan, building heights in the C-D District shall not exceed:

(1) One story or twenty feet, whichever is less, for parcels that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard;

(2) Two stories or thirty-five feet, whichever is less, for all other parcels.

Ord 5738 12/15/04 d. **C-1 and C-2 Districts.** For parcels that are located within the C-1 and C-2 Districts, but are outside the Neighborhood Revitalization Area, the maximum building height for mixed-use development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, the "Neighborhood Revitalization Area" means the area so designated in the Las Vegas 2020 Master Plan adopted by Ordinance No. 5250, as the boundaries of that area may be amended from time to time.

Ord 5738 12/15/04 e. **C-PB District.** The maximum building height in the C-PB District is five stories or eighty-five feet, whichever is less. For parcels of land located within a C-PB Zoning District that is contiguous to or within two hundred feet of a freeway or expressway, the maximum building height shall be six stories or one hundred feet, whichever is less. Notwithstanding the above, in the case of permitted commercial and retail uses, the maximum building height shall be two stories or thirty-fve feet, whichever is less.

Ord 5738 12/15/04 f. **Exemptions.** Chimney and vent stacks, roof structures for the use of elevators, stairs, tanks, ventilation, and similar necessary mechanical equipment, visual screens which surround mounted mechanical equipment, skylights, whip and mounted antennas and flag poles up to 40 feet in height may be erected above the required height limits. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.

g. **Height along Certain Streets.** For additional building height restrictions along streets classified as collector or larger, see Section 19.08.030(C).

3. **P-R District** - A development in the P-R District which is a conversion from an existing residential structure may maintain the existing setbacks. Any additions may also be constructed to the existing established corner setback.

4. **Downtown Overlay District** - All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in this chapter. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Subchapter 19.06.060.

5. **Gaming Enterprise Overlay District** - All licensed gaming establishments within the Gaming Enterprise District are exempted from the automatic application of any height limitations specified in this chapter. However, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan.

6. **C-1 District.** Senior citizen apartments and mixed-use developments that exceed the permitted lot coverage limitation may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. In addition, a mixed use development shall be subject to all of the following requirements:

   a. The mixed-used development must contain both residential and commercial uses in the same structure.
   b. Commercial uses shall be located at the front yard setback facing the public right-of-way; and
   c. The residential units shall be located at or above the second story of the mixed-use structure.

J. Landscaping

Landscaping shall be provided in all commercial districts in accordance with Chapter 19.12 and any approved Site Development Plan. Development in the Downtown Overlay District shall be exempt from the automatic application of the requirements of Chapter 19.12.

K. Waivers

1. Requirements

   The requirements as found in Section 045 of Chapter 8 of Title 19 are minimum standards that shall be satisfied. The Planning Commission or City Council may grant a waiver to these requirements if it can be shown by the applicant through convincing and substantial evidence that any waiver of these requirements will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of these requirements and the granting of such waiver will not detrimentally affect the public health, safety or general welfare.

2. Decision and Appeal

   A decision by the Planning Commission to deny a waiver application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant appeals the decision to City Council by written request filed with the City Clerk.

Ord 5508
9/18/02

19.08.050 INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS

A. Table

Except where noted otherwise, the maximum site area, minimum lot width, minimum building setbacks, maximum lot coverage and maximum building height for uses in each industrial zoning district shall be governed by the dimensional standards in Table 3 below. Explanatory notes for provisions in Table 3 are provided.

B. General Standards For Industrial Districts

1. **Accessory Structures.** Accessory structures within any industrial district shall conform to the following:

   a. **Timing of Placement.** Accessory structures shall not be established or constructed on a site prior to the start of construction of the principal structure on that site, except that construction trailers may be placed on a site at the same time clearance and grading begins. Construction trailers may remain on the site only for the duration of construction.

   b. **Height.** Accessory structures shall not exceed the height of the principal structure and shall be subject to the residential adjacency standards set forth in Subchapter 19A.08.060.

   c. **Size and Coverage.** Accessory structures shall not exceed the aggregate floor area of the principal structure. In zoning districts in which lot coverage provisions exist, the aggregate total of the ground floor areas of all structures shall not exceed the percentage of lot coverage permitted in that zoning district.

   d. **Side and Rear Yards.** Accessory structures are permitted in the rear and side yard areas as follows:

      1) Detached accessory structures in the rear yard area must be located a minimum distance of eight feet from the side and rear property lines.

      2) Detached accessory structures shall not be located within the required perimeter landscaping on a site, or in such a manner as to interfere with required on-site parking or driveways.

   e. **Front Yards.** Accessory structures are not allowed within the front yard area.

   f. **Appearance.** Accessory structures shall be designed to be architecturally compatible with the principal structure on the site.

2. **Landscaping.** Landscaping shall be provided in all industrial districts in accordance with Chapter 19A.12 and any approved Site Development Plan and ordinance applicable to a specific site. Development in the Downtown Overlay District shall be exempt from the automatic application of the requirements of Chapter 19A.12.

3. Access

   a. Frontage Access to Street. All lots or parcels shall have frontage upon a public street; provided however, lots within a recorded Final Map or parcel map may provide access easement

   b. Private Access Drives. All private access drives must be fully improved in accordance with applicable improvement standards adopted by the city.

   c. Approval of Points of Access. All points of ingress and egress to industrial use from a public street must first be approved in connection with the approval of a site Development Plan, Traffic Study or other development approval.

4. **Lighting.** Outdoor lighting shall comply with the following standards:

   a. All outdoor lights shall be hooded or shielded so as to confine emitted light to the property on which the light is located.

   b. The following types of lights are prohibited:

      1) Any unshielded light source where the light source mechanism can be seen within the normal range of vision from any residential property;

      2) Any light which creates glare observable within the normal range of any public right-of-way or glare that creates a safety hazard;

      3) Any light which resembles an authorized traffic sign, signal or device, or which interferes with, misleads or confuses vehicular traffic.

5. **Fences and Walls.** Fences and walls are permitted in industrial districts as follows:

   a. Unless otherwise permitted or required, walls and fences constructed adjacent to any residential zoning district shall conform to the height limitations of the adjacent residential zone, or as required in an approved Site Development Plan. In all other cases, there is no specific height limitation. However, all walls and fencing must meet the applicable Uniform Building Code requirements and shall conform to the policies and requirements established in the Design Standards manual, and the Landscape, Wall and Buffer Standards, in the versions adopted by the City Council.

   b. The height of walls/fences which are required by condition of approval of a Site Development Plan or other zoning related application, shall be measured from the side of the fence with the least vertical exposure above the finished grade.

c. The use of razor wire, barbed wire or similar fencing materials shall comply with the standards set forth in the most recent edition of the Uniform Building Code, as adopted by the City.

6. **Grading.** No lands shall be graded or the natural ground surface otherwise disturbed so as to create a dust nuisance, except for clearing of weeds and debris, unless the developer has complied with the following:

a. A tentative map has been approved and a final map has been submitted for that portion of the site proposed to be graded; or

b. A Site Development Plan has been approved for the site and plans have been submitted for Building Permits.

7. **Dust and Dirt.**

a. **Processing.** No manufacturing process shall be operated so as to emit into the atmosphere any dust or dirt.

b. **Outdoor surfaces.** All outdoor storage areas shall be established and maintained with a surface which precludes the raising of dirt and dust into the atmosphere.

8. **Odor and Waste.** Uses shall be conducted in a manner which complies with applicable laws and regulations concerning odor and waste disposal, and does not create a nuisance.

Table 4. Industrial District Development Standards

STANDARD	C-M	M[3]
Min. Site Area to Rezone	NA	NA
Min. Lot Width (ft.)[4]	100	NA
Min. Front Yard Setback (ft.)[4]	10	10
Min. Side Yard Setback (ft.)[4]	10	10
Min. Corner Side Yard Setback (ft.)[4]	10	10
Min. Rear Yard Setback (ft.)[1,4]	20	0
Max. Lot Coverage[4]	NA	NA
Max. Building Height (ft.)[1,2,4,5]	None	None

Notes:

1. **Rear Yard Setback Height** - Rear yard setbacks and building heights may be affected by the Residential Adjacency requirements in Subchapter 19A.08.060.

2. **Height**

a. **Non-Residential Building Height When Adjacent to Residential.** See Subchapter 19A.08.060 (B).

b. **Exemptions.** Chimney and vent stacks, roof structures for the use of elevators, stairs, tanks, ventilation, and similar necessary mechanical equipment, visual screens which surround mounted mechanical equipment, skylights, whip and mounted antennas and flag poles up to 40 feet in height may be erected above the required height limits. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.

c. **Height Along Certain Streets.** For additional building height restrictions along streets classified as collector of larger, see Section 19A.08.030(C).

3. **M District** - Where a property in an M District is adjacent to, or across the street from, a residential district, the minimum setback from the property line or the street right-of-way line shall be 50 feet. The setback area shall be maintained free and clear of all buildings or industrial uses except that this area may be used for parking. This may include parking for industrial equipment and vehicles if parking areas are completely screened from any residential view.

4. **Downtown Overlay District.** All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in this chapter. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Subchapter 19A.06.060.

5. **Gaming Enterprise Overlay District.** All licensed gaming establishments within the Gaming Enterprise District are exempted from the automatic application of any height limitations specified in this chapter. However, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan.

19.08.060 RESIDENTIAL ADJACENCY STANDARDS

A. Applicability

Bill 2005-10
3/16/05

1. Except as otherwise provided in Paragraph (3) of this Subsection (A), development of the following property shall conform to the residential adjacency standards set forth in this Section:

   a. All property to be developed for nonresidential use that is located adjacent to residential property which is either developed for sale or designated for such development in the General Plan; and

   b. All property to be developed for multi-family residential use that is located adjacent to either single-family residential property or property which is designated for such development in the General Plan.

'12005-10
16/05

2. For purposes of this Subchapter:

   a. Property is "adjacent" to other property if the properties share a common property line or are separated only by a street right-of-way or easement.

   b. "Property subject to the standards for this Section" means the property that is described in Paragraph (l) of this Subsection (A) that must conform to the residential adjacency standards of this Section.

   c. "Protected property" means residential property that is developed for sale or designated for such development, and single-family residential property, as those types of property are described in Paragraph (l) of this Subsection (A).

3. Property located within the boundaries of the Downtown Overlay District, as described by ordinance, is not subject to the residential adjacency standards set forth in this Section.

B. Building Height And Setback Requirements

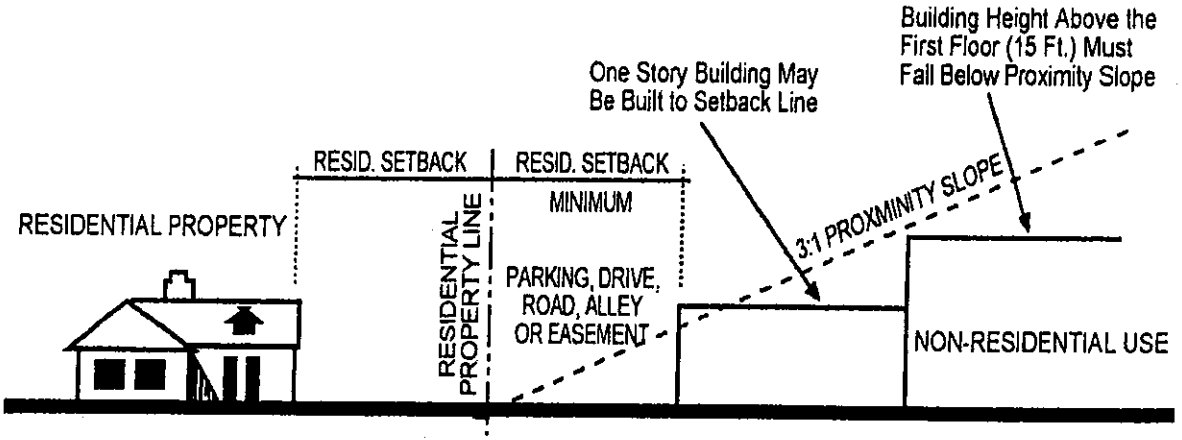
1. Proximity Slope.

a. Except as otherwise provided in this Section B, no building subject to the standards of this Subchapter shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this Subchapter (see Figure 6 below). For example, a 100 foot high building must be set back 300 ft. from the property line of the protected property, if both the property line of that property and the grade of the building subject to the standards of this Subchapter are at the same elevation. The Proximity Slope limitation contained in this Paragraph (a) applies to architectural projections above rooflines.

b. The Proximity Slope limitation contained in Paragraph (a) does not apply when non-residential buildings, such as schools and churches, are built on the protected property.

c. Notwithstanding the Proximity Slope limitation contained in Paragraph (a), a one story building up to 15 feet in height may be constructed to the applicable setback line that is established for the zoning district in which the property subject to the standards of this Subchapter is located or which is established by Subsection (4) of this Section (B).

FIGURE 6 RESIDENTIAL PROXIMITY SLOPE



2. **Changes in Grade.** Notwithstanding the Proximity Slope limitation contained in Paragraph 1 (a) above, if the natural slope of the ground rises or falls from the point of origin of the slope line, the actual building height may be greater or lesser by the difference in grade.

3. **Exceptions.**

   a. The following structures may project a maximum of 12 feet above the Proximity Slope:

      1) Chimney and vent stacks.

      2) Roof structures for the use of elevators, stairs, tanks, ventilation and similar necessary mechanical equipment.

      3) Visual screens which surround mounted mechanical equipment.

      4) Skylights.

      5) Whip and mounted antennas.

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

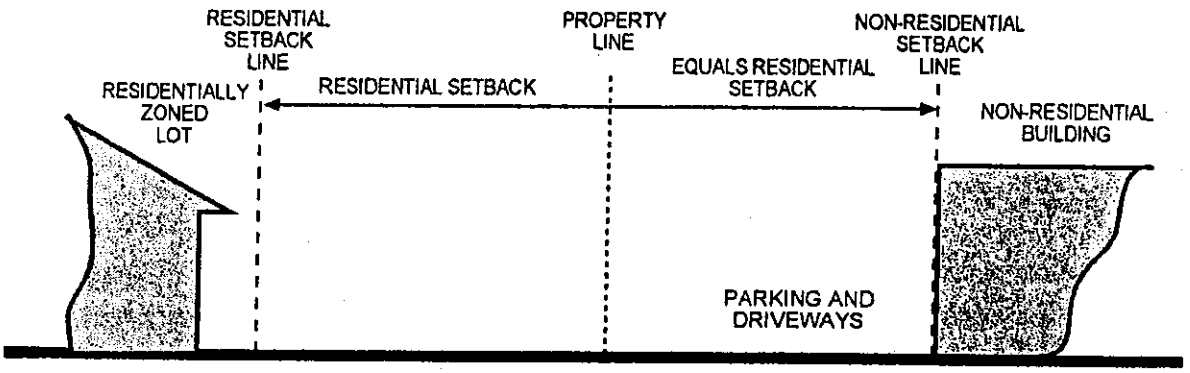
4. **Building Setback.** In addition to the required building setback line, no building setback on property subject to the standards of this Subchapter shall be less than the required building setback for the protected property (see Figure 7 below).

5. **Waiver.** The requirements of this Section (B) may be waived by the City Council for:

a. Any multi-family residential project that is intended to meet the affordable housing objectives of the General Plan if the City Council determines that the waiver is critical to the viability of the project and that the intent of this Section (B) can be achieved; or

b. Any mixed-use development that contains a significant residential element.

FIGURE 7 NON-RESIDENTIAL SETBACK



C. Spill-Over Lighting

1. **Lighting Standard.** No lighting from a property subject to the standards of this subchapter shall create greater than 0.5 of one foot-candle at the property line of a protected property.

2. **Redirecting/Screening of Light Sources.** All sources of light, including security lighting, illuminated signs, vehicular headlights and other sources, shall be directed away from protected property or screened so that the light level above is not exceeded.

D. Traffic

Site Development Plans for properties subject to the standards of this Subchapter shall be reviewed to avoid access locations which would encourage cut-through traffic through protected properties.

E. Use of Alleys

Commercial truck and automobile traffic shall be prohibited on alleys or service drives which are shared with protected properties between the hours of 10 PM and 6 AM. This prohibition includes, but is not limited to, deliveries, loading and unloading, and commercial parking lot access.

F. Screening

Screening of properties subject to the standards of this Subchapter from protected properties shall conform to the provisions of Chapter 19.12.

G. Trash Receptacles

Garbage storage areas for properties subject to the standards of this Subchapter shall be screened and odor controlled, and trash pick up shall be scheduled to minimize any impact on protected properties. In addition, trash receptacles shall be located a minimum of 50 feet from any property line of a protected property.

H. Exclusions

1. **Higher Ambient Light Levels.** Where existing ambient light levels from multiple sources already exceed the standards, the subject source may not increase the existing light levels, unless approved in connection with the approval of a Site Development Plan.

2. **Public Facilities and Activities Excluded.** Public facilities and activities are excluded from the standards in this subchapter. Such activities include:

   a. Any activity by the City, its agents, contractors or franchisees in the conduct of traditional governmental activities such as trash removal, police and fire protection; and

   b. Any public event such as outdoor recreational events, concerts and other events sponsored by a public or non-profit organization and located on public or nonprofit property.

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CHAPTER 19.10 PARKING, LOADING AND TRAFFIC STANDARDS

19.10.010 ON-SITE PARKING STANDARDS

A. Purpose

The purpose of this subchapter is:

1. To require off-street parking facilities in proportion to the parking demand for each use;

2. To provide accessible, attractive, secure, properly lighted and well-maintained off-street parking facilities;

3. To reduce traffic congestion and hazards; and

4. To assure that maneuverability for emergency vehicles exists.

B. Applicability

Every building or land use established, every existing building enlarged and every existing use expanded shall provide off-street parking and loading areas in accordance with the requirements and standards of this chapter. Existing parking and loading spaces shall not be reduced below the minimum required by this chapter.

C. Parking-Impaired Development

Bill 2005-11
3/16/05

A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this Section, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a "parking-impaired development." The following rules shall apply to the remodeling, alteration, expansion or reuse of parking-impaired developments:

1. Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with this Chapter, provided that such work does not increase the building area or result in a change of use that requires an increase in the number of required parking spaces.

2. For any remodeling, alteration, or expansion of a parking-impaired development that requires an increase in the number of parking spaces, including the expansion of existing buildings or the construction of new buildings, only the increased number of parking spaces shall be required.

3. For any change of use that requires an increase in the number of required parking spaces, only the increased number of parking spaces shall be required.

D. General Regulations

1. The parking requirements in Section 19.10.010 (F) represent general parking standards under which all proposed development shall be evaluated.

2. All on-site parking shall be provided on the same parcel as the principal use, except as permitted by the off-site parking provisions of this chapter. Parking on the public right-of-way may not be counted towards satisfying the requirement for on-site parking.

3. The distribution of parking spaces for any and all individual uses will be required to be arranged on site to ensure optimal access and use by the patrons of such use.

4. All parking and vehicle storage areas, including recreational vehicle parking in residential land use districts, shall occur on paved areas, except that areas within automobile salvage yards used for the storage of wrecked vehicles need only be oiled or otherwise protected so as to prevent a dust nuisance.

5. Except as otherwise provided in this chapter, when more than one use is to be conducted on a site, parking shall be calculated and provided for each of the uses separately.

E. Computing On-Site Parking Requirements

1. **Parking Requirements not Listed.** Parking requirements for a use not specifically listed shall be determined by the Director based on the requirements for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.

2. **Calculations.** When measurements of the number of required spaces result in fractions, the space requirements shall be rounded upward to the next whole space.

3. **Different Use Areas.** Parking shall be calculated separately for each different use area in a building or on a site, including any ancillary use.

4. **Parking Based on Seating.** When the parking requirements are based on seating and the seating consists of benches or pews, each 20 linear inches of bench or pew shall be considered one seat.

5. **Parking Based on Floor Area.** Unless specifically stated otherwise, when computing parking requirements based on the amount of square footage in buildings, all calculations shall be on a gross floor area basis.

6. **Parking Based on Employees.** For the purpose of computing parking requirements based on the number of employees, calculations shall be for the largest number of persons working on any single shift.

19.10.020 ON-SITE LOADING STANDARDS

A. Purpose

The purpose of these provisions is to establish standards to regulate the number, size, design and location of on-site loading areas in a manner which ensures the following:

1. Accessible, secure, and well-maintained loading and delivery facilities;
2. Reduced potential for traffic congestion and hazards;
3. Protection for adjacent parcels and surrounding neighborhoods from the effects of vehicular noise and traffic generated from the commercial/industrial development; and
4. Loading and delivery service spaces in proportion to the needs generated by the proposed land use which are clearly compatible with adjacent parcels and the surrounding neighborhood.

B. Applicability

Except for uses within the Downtown Overlay District, every use that receives or distributes materials or merchandise by truck shall provide and maintain on-site loading spaces in accordance with the standards of this Subchapter.

C. On-Site Loading Space Requirements

1. The number of loading spaces shall be based upon the total gross floor area in the building or use.
2. On-site loading spaces shall be provided in accordance with Table 4 below:

Table 4 On-Site Loading Requirements

SQUARE FEET	REQUIRED SPACES
Less than 10,000	1
10,000 to 29,999	2
30,000 to 50,000	3
Each one hundred thousand (or fraction thereof) over 50,000	1 additional

D. Design Standards

Off-street loading spaces shall be provided in the following manner:

1. **Dimensions.** The minimum size of a loading space shall not be less than 15 feet in width, 25 feet in length, with a 15-foot vertical clearance.

2. **Location.** Loading spaces shall be located and designed as follows:

   a. Adjacent to, or as close as possible to, the main structure.

   b. Situated to ensure that all loading and unloading takes place on-site and in no case within adjacent public rights-of-way or on-site traffic areas.

   c. Situated to ensure that all vehicular maneuvers associated with loading and unloading shall occur on-site.

   d. Situated to ensure that impact on adjacent residential uses is minimized.

E. Screening, Security, Striping, Surfacing and Wheel Stops/Curbing

The screening, security, striping, surfacing and wheel stops/curbing standards for parking areas, as set forth in Section 19.10.010(J), shall apply also to the loading areas required by this Subchapter.

19.10.030 MOTOR VEHICLE DEALERSHIPS, TEST DRIVING ROUTE PLANS-REQUIRED.

In order to facilitate the enforcement of LVMC 11.22.160, each motor vehicle dealership within the City that is engaged in Motor Vehicle Sales (New) or Motor Vehicle Sales (Used) shall file with the Department, for administrative approval, a test-driving plan showing which streets are proposed to be used for the test-driving of vehicles by customers and potential customers of that dealership. This requirement shall be considered to have been satisfied by new or existing dealerships that file such a plan in connection with a condition of zoning approval. For other new or existing dealerships, the requirement must be satisfied within six months after notice from the City to file such a plan. Any changes to an approved plan must be submitted to and approved by the Department. The failure of a dealership to comply with the provisions of the Section shall be grounds for disciplinary action against the dealership's business license.

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19.14.100 OFF-PREMISE SIGNS

(A) OFF-PREMISE SIGNS DEFINED

Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts.

Ord 5736 12/1/04

(B) SPECIAL USE PERMIT REQUIRED

(1) Except as otherwise provided in Subsection (F) of this Section a Special Use Permit is required for all off-premise signs prior to the construction, placement, erection or modification of the sign in accordance with the requirements of this Chapter. A Special Use Permit application shall be processed in accordance with Section 19.18.060. Furthermore, the property owner(s), owner(s) of the structure or other assignee shall maintain in force, at all times, a sign certificate for the sign in accordance with the requirements of this Chapter.

(2) The Special Use Permit requirement set forth in Paragraph (1) is in addition to and independent of any locational provision or limitation contained in this Section. In determining whether to approve or deny a Special Use Permit under this Section, the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area. The provisions of this Paragraph (2) are intended to reflect and reconfirm existing standards and practice, rather than to impose a new or different standard.

(3) In connection with the approval of a Special Use Permit under this Section, the Planning Commission or City Council may impose a time limit on the approval or require a periodic review of the sign as a condition of approval. After conducting a review, the Planning Commission or City Council may require removal of the sign if it is demonstrated that conditions in the surrounding area have changed in such a manner that the sign no longer meets the standards established in Section 19.18.060(L).

(C) LOCATIONAL PROVISIONS

(1) No off-premise signs shall be erected in the public right-of-way.

(2) No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Chapter (including those protecting existing signs).

(3) Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.

(4) No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.

(5) Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off-premise sign, wherever located, including an off-premise sign that is situated outside the corporate boundaries of the City.

(6) The distance to and from a sign shall be measured with reference to the point on the ground that is directly beneath the center of the sign structure.

(7) Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall not be higher than 40 feet except as provided in Subparagraphs (a) and (b) below. The height shall be measured from the grade at the point of construction to the top of the sign. The display surface shall not be higher than 30 feet nor wider than 60 feet.

(a) An off-premise sign within 150 feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected 30 feet above the elevation of the elevated roadway surface nearest the sign.

(b) An off-premise sign within 150 feet of the right-of-way line of any freeway or highway to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the freeway or highway may be increased to a maximum of 55 feet when authorized by the City Council.

(8) All other off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.

(9) Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.

(10) No off-premise sign shall be erected or maintained within 660 feet of the nearest travel lanes of the Summerlin Parkway from Station 499 + 78 to Station 601 + 30.

(11) No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.

(D) ADDITIONAL PROVISIONS

(1) All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels which are removed for the purpose of changing the advertising message shall be replaced within 30 days with display panels containing a new advertising message or uniformly painted blank panels.

(2) All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

(3) For any off-premise sign that is proposed within 660 feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

(4) No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

(a) An accurate site plan of the lot, at the scale the Director requires;

(b) The location of buildings, parking lots, driveways and landscaped areas on the lot;

(c) An accurate indication of the location of all existing and proposed off-premise signs; and

(d) Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

(5) The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

(E) OFF-PREMISE SIGN EXCLUSIONARY ZONE

(1) Off-premise signs are prohibited within the boundaries of the following area:

(a) Bounded on the north by the Las Vegas/Clark County boundary (Moccasin Road).

(b) Bounded to the east by the Las Vegas/North Las Vegas boundary (Decatur Boulevard), south to Cheyenne Avenue, then west along Cheyenne Avenue to Rainbow Boulevard, then continuing south along Rainbow Boulevard to Sahara Avenue.

(c) Bounded on the south by Sahara Avenue, west to Durango Drive then continuing south along Durango Drive to Desert Inn Road, continuing west to Hualapai Way then north along Hualapai Way to West Charleston Boulevard, then west to the Las Vegas/Clark County boundary.

(d) Bounded to the west by the Las Vegas/Clark County boundary, then continuing north to the Las Vegas/Clark County northern boundary.

(2) The prohibition contained in Paragraph (1) of this Subsection does not apply to any sign which would be within 660 feet of the right-of-way line, and oriented toward, the following interstate and federal-aid primary routes, as defined by the Nevada Department of Transportation:

(a) Oran K. Gragson Highway

(b) U.S. Highway 95, south of Ann Road

(c) Interstate 515

(3) The prohibition of off-premise signs within the area described in Paragraph (1) or within any other area described in this Chapter shall not be deemed or interpreted:

(a) As an indication that any other particular location is suitable for an off-premise sign.

(b) To eliminate the need for a Special Use Permit or affect the determination of compatibility with respect to a proposed sign.

Ord 5736 12/1/04

(F) RELOCATION OF SIGNS REQUIRED TO BE REMOVED FOR PUBLICLY FUNDED IMPROVEMENTS

(1) If an off-premise sign is required to be removed by a governmental entity in connection with the widening of a public roadway or the installation of publicly-funded improvements, the sign may be relocated without obtaining a Special Use Permit or Variance that would otherwise be required, but only if:

(a) The applicant can demonstrate that the sign, at its existing or previous location, received all necessary approvals and permits, and that the approvals and permits remain valid;

(b) The relocation will be on the same parcel or within the same commercial subdivision:

(c) The applicant submits for and obtains a waiver, pursuant to Paragraph (4) below, of any and all requirements and limitations of this Section pertaining to distance separation and location that cannot otherwise be met by the sign as relocated;

(d) There will be no increase in the area of the sign to be relocated; and

(e) There will be no increase in the height of the sign, except that:

(i) A sign within one hundred fifty feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected thirty feet above the elevation of the elevated roadway surface nearest the sign; and

(ii) A sign that, at a height of forty feet, will have a significant portion of its display surface obscured from view from the travel lanes of the right –of-way to which it is oriented, may be increased to a maximum of fifty-five feet.

(2) The applicant for relocation of a sign under the provisions of Paragraph (1) must submit to the Department a written application for administrative review. The application must include:

(a) A site plan;

(b) An elevation drawing;

(c) Evidence that the sign, at its existing or previous location, received all necessary approvals and permits, and that the approvals and permits remain valid;

(d) A request for the waiver of any and all requirements and limitations of this Section pertaining to distance separation and location that cannot otherwise be met with the sign as relocated:

(e) A request for any desired increase in the height of the sign that may be permitted under Paragraph (1)(e);

(f) A justification letter that includes the reason for removal and relocation; and

(g) Any other information required by the Director.

(3) If the Director determines that the relocation of the off-premise sign;

(a) Conforms to the conditions set forth in Paragraph (1), the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless within that time a member of the City Council files with the Director a request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the council prior to issuance of any building permits.

(b) Does not conform to the conditions set forth in Paragraph (1), the normal Special Use Permit and Variance requirements and limitations will apply. Any determination by the Director that the relocation of an off-premise sign does not conform to the conditions set forth in Paragraph (1) is not subject to appeal.

(4) In connection with an application to relocate an off-premise sign pursuant to Paragraph (1), the requirements and limitations of the Section pertaining to distance separation and location may be waived by the Director, or in connection with City Council review pursuant to Paragraph (3)(a), notwithstanding any other provision of this Title, upon a determination that the relocation, under the circumstances, will not have a materially different impact on surrounding properties and uses than the existing sign.

(5) Unless otherwise indicated in a written notice of approval pursuant to Paragraph (3)(a), conditions of approval from any previous Special Use Permit and Variance applications pertaining to the sign at its existing or previous location will apply to the relocated sign, and additional conditions may be added as appropriate.

(6) A demolition permit must be obtained for the removal of an existing off-premise sign prior to removal. A building permit must be obtained and constructed related to the relocation of the sign completed within six months after issuance of the demolition permit, unless the Director grants an extension of time.

(7) For purposes of this Subsection (F), the "relocation" of a sign includes both the re-erection of a sign at a replacement location and the erection of a new structure at that location.

19.14.110 SIGNS IN PUBLIC RIGHT-OF-WAY

(A) SIGNS PROHIBITED IN PUBLIC RIGHT-OF-WAY

(1) **General Rule.**

Signs shall be prohibited in the public right-of-way, except as provided in this Section.

(2) Presumption.

A sign erected or placed in the public right-of-way and containing an individual's name, telephone number, address or identification of a product shall be presumed to have been erected or placed by or at the direction of the person or entity associated with that name, business, telephone number, address or product. That presumption is a rebuttable presumption which the affected person or entity may disprove in any enforcement action or administrative hearing involving such signs.

(B) SIGNS PERMITTED IN PUBLIC RIGHT-OF-WAY

The following signs may be permitted in the public right-of-way:

(1) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;

(2) Bus stop signs erected by a public transit company;

(3) Informational signs of a public utility regarding its poles, lines, pipes or facilities;

(4) Marquee, projecting and suspended signs projecting over a public right-of-way in conformity with the provisions in Section 19.14.060;

(5) Development entry statement signs and interior directional signs may be permitted as provided for in this Chapter and provided the sign owner(s) enters into an encroachment agreement with the City;

(6) Other signs which have been authorized by the City, including but not limited to signs on bus stop shelters, signs permitted by the approval of an encroachment agreement or emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way. Such signs are exempted from all requirements of this Chapter.

19.14.120 CERTIFICATES AND PERMITS

(A) PROCEDURES

The procedures contained in this Section shall govern the application for, and issuance of, all sign certificates under this Chapter.

(1) All applications for sign certificates of any kind shall be submitted to the Department of Planning and Development on an application form or in accordance with application specifications published by the Department.

(2) Within 5 days of receiving an application for a sign certificate, the Department shall review it for completeness. If the application is complete, then the application shall be processed. If the application is incomplete, then notice shall be sent to the applicant, within a 5-day period, of the specific ways in which the application is deficient.

(3) Upon approval, the City will issue a certificate and tag for the sign. The tag shall be affixed to the sign in a location where it is plainly visible. Absence of the tag or any record of the issuance of the tag on any sign, which is required by this Chapter to have a certificate, shall subject that sign to removal in the same manner as in Section 19.14.140.

(4) A renewable sign certificate for a commercial sign shall lapse automatically if not renewed or if the business license for the premise expires or is revoked.

(5) Any sign that is the subject of an application received after the effective date of this Chapter, or any amendment thereto, shall be subject to all the provisions of this Chapter and shall not be subject to the nonconforming sign protections described in Section 19.14.160. For any sign on property annexed into the City after the effective date of this Chapter, an application for a sign certificate shall be submitted within three months of the effective date of the annexation or within such period as may be established in an annexation agreement between the City and the land owner(s).

(B) REMOVAL

Any sign for which a certificate has lapsed shall be removed immediately. The owner(s) of the property on which the sign is erected or displayed, the certificate holder, the owner(s) of the sign, or any person that caused the sign to be installed shall be jointly and severally responsible for the removal of the sign, provided that nothing herein shall be construed to allow any private person to enter onto the property of another person without the permission of the property owner(s).

(C) STATE SIGN PERMIT REQUIRED

For any sign that does not qualify as an on-premise sign and that is proposed within 660 feet of any highway classified by the State of Nevada as part of the interstate and primary highway system, a State of Nevada sign permit shall be obtained prior to the issuance of a construction permit or sign certificate by the City. The issuance of a State of Nevada permit does not take the place of the City's Special Use Permit requirement nor compel the granting of a Special Use Permit. Likewise, the approval of a Special Use Permit by the City does not affect the State of Nevada's authority or discretion to deny a state permit.

19.14.130 MASTER SIGN PLAN

(A) PURPOSE

A Master Sign Plan is required for certain types of development in order to allow the Planning Commission and City Council to ensure the appropriate relationships

among building elevations, signage and circulation. Larger commercial developments are likely to generate greater impacts on surrounding residential properties than smaller commercial projects. An effective Master Sign Plan encourages integrated signage, with an emphasis on wall signs and central identification signage rather than multiple freestanding signs along the street frontage. Reducing the amount of sign clutter along street frontages allows the customer of the commercial center to readily identify establishments that have the goods and services they seek.

Ord 5615 7/16/03 **(B) APPLICABILITY**

(1) A Master Sign Plan shall be submitted and approved before any on-premise signage may be installed for the following:

(a) Any non-residential project with a site larger than 15 net acres; or

(b) Any non-restricted gaming establishment.

(2) A Master Sign Plan may be submitted for any development or property not otherwise required to submit a Master Sign Plan to accomplish the following:

(a) To establish the requirements and limitations for signs located in the Gaming and Downtown Overlay districts, and any uses not regulated elsewhere in this chapter located in the Planned Community and Planned Development districts; or

(b) To establish requirements and limitations for signs in a specific development.

(C) MASTER SIGN PLAN REQUIREMENTS

A proposed Master Sign Plan generally may be submitted in connection with a Site Development Plan Review. The Master Sign Plan shall be signed by all the owners or the owner's authorized agent of the subject property on the form the Director requires, and shall include the following:

(1) An accurate site plan of the lot, drawn to scale, indicating the location of buildings, parking lots, driveways and landscaped areas on the lot;

(2) An accurate indication of the location of each present and proposed sign of any type, whether or not the sign requires a sign certificate, except that incidental signs need not be shown;

(3) Design drawings which allow the computation of the sign area and the height of any existing or proposed signs and which indicate any sign characteristics such as illumination or moving parts;

(4) A copy of any private restrictions or sign criteria which the owner(s) or developer agrees will govern all signs affected by the Master Sign Plan;

(5) The applicable fees set forth in the Fee Schedule;

(6) If applicable, standards for window signs that indicate the general type of window signage to be allowed (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside the window); and

(7) If applicable, a schedule for bringing all existing signs into conformance with the requirements in the Master Sign Plan.

Ord 5615 7/16/03

(D) PROCEDURES

(1) Hearing.

The Planning Commission shall review a proposed Master Sign Plan within 65 days after it is properly submitted for review. The Planning Commission, in its discretion, may hold the Master Sign Plan in abeyance for good cause. Following the review, the Planning Commission shall make its recommendation to approve, approve with conditions, or deny the Master Sign Plan. The decision shall be based upon evidence that makes approval or denial of the Master Sign Plan appropriate.

(2) Conditions of Approval.

In approving a Master Sign Plan, the Planning Commission may impose the following conditions, restrictions or limitations as the Commission may determine to be necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and welfare are being maintained. All signs in the Master Sign Plan shall:

(a) Either conform to all standards for the zoning district in which the sign will be located, under Section 19.14.060, or establish the sign requirements and limitations consistent with the standards and criteria set forth in the following Subparagraphs (b) through (g). Master Sign Plans may also be used to establish the requirements and limitations for signs located in the Gaming and Downtown Overlay districts, and the Planned Community and Planned Development Districts;

(b) Conform to the Residential Protection Standards set forth in Section 19.14.070;

(c) Conform to site plan and development standards regarding circulation and emergency exit patterns, parking and loading requirements and other standards related generally to the location of structures within a development;

(d) Be compatible with the architectural characteristics and spatial relationships of the buildings on which the signs are attached, and the placement of freestanding signs on the site, when considered in terms of location, scale, proportion, color, materials, and illumination;

(e) Be professionally designed and fabricated from materials that meet the physical demands of an urban setting;

(f) Be creative in the use of two- and three-dimensional forms, iconographic representations, illumination and graphic design, including the use of color, pattern, typography, and materials; and

(g) Be designed as attractive and complementary features of the development, which it serves.

(3) Effect of Denial; Appeal

A decision by the Planning Commission to deny a Master Sign Plan becomes final and effective at the expiration of 10 calendar days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk.

(4) Final Action Concerning Appeal or Approval

A decision by the Planning Commission to approve a Master Sign Plan constitutes final action, unless, with respect to a conditional approval, the applicant appeals the decision by written request filed with the City Clerk within ten calendar days after the date of the decision. The City Council shall review and make the final decision concerning each Master Sign Plan which has been appealed to the City Council.

(5) City Council Decision

In the case of an appeal, the City Council may approve, approve with conditions, or deny the Master Sign Plan. In doing so, the City Council shall consider the decision of the Planning Commission and the evidence presented at the public hearing. Action by the City Council is final.

(6) Deemed Disapproval

If there is no final action by the Planning Commission or City Council on a Master Sign Plan within 90 days after the filing of a complete Master Sign Plan application, exclusive of any period of delay agreed to by the applicant thereof, it shall constitute a denial of the proposed Master Sign Plan. In the case of a failure by the City Council to reach final action on a Master Sign Plan, the applicant may seek direct judicial review of that denial based on the record then pending before the City Council.

(E) AMENDMENTS

Ord 5615 7/16/03 **(1) Minor Amendment**

(a) **Applicability.** This Minor Amendment process shall apply to any amendment to a Master Sign Plan which does **not** propose any of the following:

(i) Any increase by greater than ten percent in the number or size of freestanding or consolidated signs requiring certificates;

(ii) Any substantial increase in the size, or illumination of wall, awning, roof, marquee or permanent window signs located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use; or

(iii) Any substantial change in the location of wall, awning, roof, marquee or permanent window signs located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use.

(b) **Procedure.** The applicant shall file an application in writing, with supporting drawings, specifically identifying the proposed changes to the approved Master Sign Plan. The Director shall review the application for completeness, and the applicability of the Minor Amendment process under this Section, within 5 business days of the date the application is received. After the Director finds that the application is complete, and that the Minor Amendment process applies, the Director shall review and act on the Amended Master Sign Plan application within 15 business days of the date the application is received. The application shall be reviewed for consistency with any conditions included in the original Master Sign Plan. If the "Master Sign Plan with Minor Amendments," is consistent with any conditions included in the original Master Sign Plan, the Director shall approve the application. The Director shall mark the approved plan as "Master Sign Plan with Minor Amendments," and indicate the date of approval. From that date, the amended Master Sign Plan shall be the official Master Sign Plan.

(c) **Resubmission or Appeal.** If the Minor Amendment is denied under this Paragraph (1), the applicant may revise and resubmit the application or may submit the complete application as a Major Amendment, in accordance with Paragraph (2). The submission of the application as a Major Amendment shall be in lieu of any appeal.

(2) Major Amendment

(a) **Applicability.** Any amendment to a Master Sign Plan, which does not meet the criteria for a "Minor Amendment," as set forth in Paragraph (1), shall be reviewed as a Major Amendment.

(b) **Procedure.** A Major Amendment Master Sign Plan is accomplished by the same process and procedures required establishing a new Master Sign Plan. The proposed Major Amendment shall specifically identify the proposed changes to the existing Master Sign Plan that is in effect.

(c) **Schedule for Achieving Conformance.** If any application for a Major Amendment to a Master Sign Plan is filed for a property on which existing signs are located, the application for the amended Master Sign Plan shall include a schedule for bringing into conformance all signs that do not conform to the proposed amended Master Sign Plan.

(F) EFFECT

After approval of a Master Sign Plan, or amended Master Sign Plan, no sign shall be erected, placed, or altered, except in conformance with the Master Sign Plan, and the Master Sign Plan shall be enforced in the same way as any provision of this Chapter. The provisions of this Chapter shall be in force for any provisions

not established in a Master Sign Plan. In case of any conflict between the provisions of a Master Sign Plan and any other provision of this Chapter, the Master Sign Plan shall control.

19.14.140 CERTAIN ILLEGAL AND ABANDONED SIGNS

(A) DEFINED

(1) The following shall without limitation be considered illegal signs:

(a) A sign erected on public property, including the public right-of-way, in violation of this Chapter;

(b) A temporary sign for which the period allowed for its display has expired; or

(c) Any other sign for which a time period included as a condition of its certificate has expired.

(2) The following shall be considered abandoned signs:

(a) Any sign which has ceased to be used to display a message relating to an on-going business, product, service, idea or commercial activity and where the owner(s) of the sign has manifested an intention to permanently cease to use the sign. A sign shall be presumed to be abandoned if it has not been used to display or support such a message during any continuous one-year period;

(b) Any on-premise sign pertaining to a building that has been destroyed or damaged beyond use, and substantial construction work for its repair or replacement has not begun within six months after such destruction. This period may be extended by the Planning Commission upon application of the property owner(s) for good cause shown; or

(c) Any on-premise sign pertaining to a business that has advertised or otherwise publicly indicated that it is "going out of business," closing, moving, or closing at this location by a date that has passed.

(B) ACTION REQUIRED

(1) Abandoned sign faces or sign copy shall be removed from public view by covering the sign face, replacing the sign face with a blank sign face, or replacing the sign copy with sign copy that relates to an on-going business, product, service, idea or commercial activity on-site.

(2) Abandoned sign structures and illegal signs shall be removed by the owner(s) of the property, the owner's agent, or the person having the beneficial use of the building, structure or land where such sign is located within 10 days, in the

case of illegal signs, and 30 days, in the case of abandoned sign structures, after written notification from the City.

(3) Failure to comply with a notice from the City demanding the removal of an abandoned sign or an illegal sign within the time period specified in the notice shall be considered a violation of this Chapter. See also Section 19.14.170.

19.14.150 APPEAL

Any person aggrieved in connection with the inability to obtain a sign certificate or by any other decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Chapter may appeal the decision to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department of Planning and Development. The appeal must be filed within 10 days after the administrative decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council. This Section shall not apply to actions on Master Sign Plans, which shall follow the procedures, including appeals, set forth in Section 19.14.130.

19.14.160 NONCONFORMING SIGNS

(A) APPLICABILITY

This Section shall not apply to any sign approved by a variance, any sign approved as part of a Master Sign Plan, any off-premise sign, or any other sign protected from such provisions by Nevada law.

(B) CONTINUED USE ALLOWED

A lawfully nonconforming sign, as defined in Subsection (C) below, may continue in use, except as otherwise provided in or authorized by this Chapter. A change in the information on the face of an existing nonconforming sign is allowed if the change does not increase the area of the sign face.

(C) NONCONFORMING SIGNS DEFINED

Any sign, other than an off-premise sign, which was constructed in accordance with the ordinances and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design, or construction is not in conformance with the requirements of this Chapter or any amendment thereto.

(D) BURDEN OF PROOF

In any matter in which a property owner(s), sign owner(s), sign user or other person seeks the protection provided to lawful, nonconforming signs under this Section, the burden of proof shall be on the person seeking such protection to prove:

(1) The date of erection or installation of the sign;

(2) That the sign fully conformed to the sign ordinance then in effect;

(3) That the person erecting the sign obtained all necessary permits for the erection of the sign; and

(4) That any changes to the sign have been made in accordance with the requirements of this Chapter and in compliance with all applicable permit requirements.

(E) PUBLIC RIGHT-OF-WAY IMPROVEMENTS.

The City may require signs to be modified or moved if streets are widened, or for other improvements made in the public-right-of-way. If a nonconforming sign or sign structure is moved under this requirement, it may be re-established on the same site without being brought into conformance.

(F) OWNERSHIP.

The status of a nonconforming sign or sign structure is not affected by changes in ownership.

(G) MAINTENANCE AND REPAIR.

Sign maintenance, sign repair, and changing of permanent sign faces is allowed so long as structural alterations are not made and the sign is not increased in size.

(H) TERMINATION OF NONCONFORMING SIGNS.

(1) **Change to a conforming sign.** A nonconforming sign or sign structure may be altered to become or be replaced with a conforming sign or sign structure. Once a sign or sign structure is brought into conformance or is replaced with a conforming sign or sign structure, the nonconforming rights for that sign or sign structure are lost and a nonconforming sign or sign structure may not be re-established.

(2) **Alteration.** Except as provided in Subsection (E), sign structures that are moved, replaced, or the supporting structure is substantially altered, must be brought into conformance with this Chapter.

(3) **Discontinuance.** If there is no sign in place on a sign structure or building wall for 12 continuous months, the nonconforming rights are lost and a nonconforming sign may not be re-established. If the sign structure or building wall sign area is unused for less than 12 continuous months, a nonconforming sign may be re-established.

(4) **Removal.** Except as provided in this Section, if a sign or sign structure is permanently removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards.

(5) **Damaged or deteriorated nonconforming signs.** If a sign or sign structure is damaged or allowed to deteriorate to such an extent that the cost of repair

or restoration is fifty percent or more of the cost of replacement of such sign, replacement signs and sign structures must comply with the current standards.

(I) OPTIONAL REGISTRATION

(1) A sign owner(s) or user may register a lawful, nonconforming sign in accordance with this Subsection. The registration shall be filed on a form provided by the Director, which form shall require at least the following:

(a) Sign certificate number (if any);

(b) Date of installation of the sign;

(c) Address of premises;

(d) Location of the sign on the premises (drawing or precise description of location);

(e) Dimensions of the sign;

(f) For a freestanding sign, the height of the sign; and

(g) Photograph of the sign, as it exists at time of filing registration.

(2) The Director shall review the registration within 30 days of receipt and shall notify the applicant of any inaccuracies or other deficiencies in the registration. Such inaccuracies or deficiencies shall be noted in the registration file. All provisions of the registration not subject to such a notice shall be deemed to be accepted by the City.

(3) In any proceeding in which the legal status of a sign is material, the unchallenged facts set forth in a registration under this Subsection shall be presumed to be true; any facts subject to a notice from the Director questioning the accuracy or other matters shall not receive such protection unless the applicant amends the registration to cure the deficiencies.

19.14.170 VIOLATIONS, REMEDIES, PENALTIES

(A) VIOLATIONS

Any of the following shall be a violation of this Chapter and shall be subject to the enforcement remedies and penalties provided for in this Title:

(1) To install, create, erect or maintain any sign in any manner that is inconsistent with any Master Sign Plan;

(2) To install, create, erect, or maintain any sign in a way that is inconsistent with any site plan review or aesthetic review governing the sign for the lot on which sign is located;

(3) To install, create, erect, or maintain any sign requiring a certificate without such a certificate;

(4) To fail to display a tag in conformance with Section 19.14.120;

(5) To fail to remove any sign that is installed, created, erected, or maintained in violation of this Chapter, or for which the sign certificate has lapsed;

(6) To continue any violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this Chapter;

(7) To install, create, erect, or maintain any sign prohibited by or in violation of this Chapter; or

(8) To abandon any sign.

(B) REMEDIES AND PENALTIES

Any sign installed or placed on any property in violation of the requirements of this Chapter shall be subject to the following:

(1) With respect to any sign that constitutes a hazard to the public or a sign without proper certification that has been installed or placed on unimproved property, on public property or within public right-of-way, the sign may be immediately removed and impounded. The City shall notify the sign owner(s) or installer (or other responsible person) of the impoundment, if the person or persons are known to or reasonably can be determined by the City. The notice shall be given within 5 days after impoundment of the sign, or within the additional time as may be necessary in order to identify and locate the person or persons. The City will keep the sign for a period of 30 days following the sign's removal, during which time the owner(s) or other responsible person may reclaim the sign. At the end of the 30-day period, the sign may be destroyed.

(2) Signs that are not made subject to the impoundment provisions described in Paragraph (1) above are subject to removal and impoundment 10 days after appropriate notice has been given. Appropriate notice shall be deemed to have been given if the City provides written notice to the owner(s) or installer of the sign (or other responsible person). If the notice cannot be given after reasonable efforts to identify and locate the person or persons, the City may affix a notice of noncompliance to the sign itself. If the sign has not been removed or brought into compliance within 10 days, the City may remove and impound the sign. Following the removal and impoundment of a sign, the City will keep the sign for a period of 30 days following the sign's removal, after which the sign may be destroyed.

(3) In addition to other remedies, the City shall have the right to recover from the owner(s) or installer of such a sign, or the owner(s) of the property on which it is located, or any other responsible person, the full costs of removal and disposal of the sign. The City shall certify the removal and may charge the owner(s) or installer or other responsible person for the removal, payable within 10 days after receipt of a statement of charges or the charges may be a special assessment and a lien on the property involved and subject to the provisions of LVMC 9.12.150, 9.12.160 and 9.12.170. It is presumed that the person or entity whose identity is represented on the sign is a person responsible for installing the sign, which presumption may be rebutted by affidavit.

(4) Removal pursuant to this Subsection may be accomplished by the City or its authorized agent.

(5) For any premises on which there is an existing sign that violates any part of this Chapter, the City may withhold permits for any other signs, including temporary signs, until the violation has been corrected or the property owner(s) has entered into a written agreement with the City for abatement of the violation by a specified date. The provisions of this Paragraph shall not apply to any sign that is not under the legal control of the applicant for a new sign, whether as owner(s) or lessee(s). A sign user simply renting one space on a larger "tenant board" or other sign advertising multiple businesses shall not be considered to be in control of such sign.

(6) Any violation of this Chapter shall be a misdemeanor. The City may issue a citation and upon conviction seek imposition of fines in accordance with the following schedule:

(a) Upon first conviction, minimum of $200;

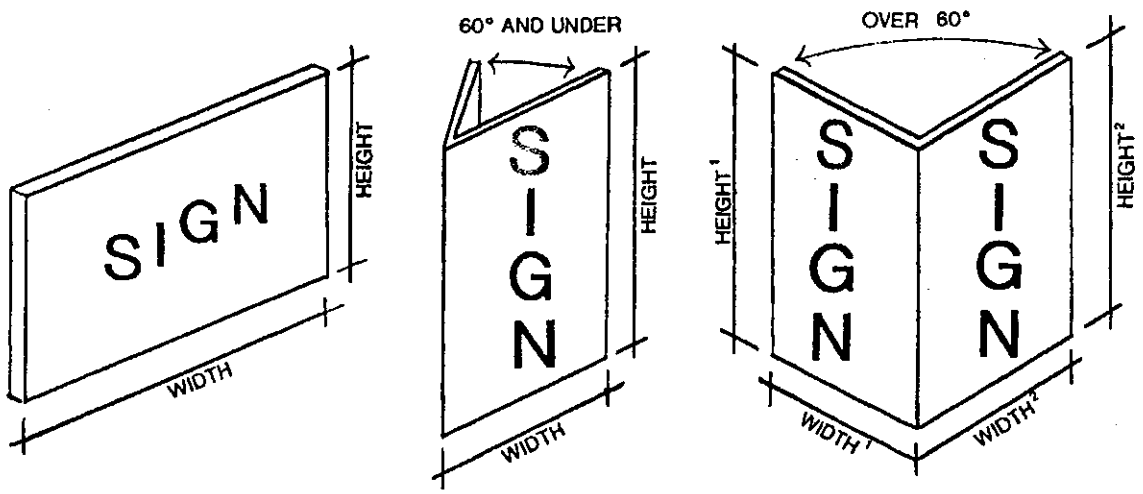
(b) Upon second conviction within period of one year, minimum of $500; and

(c) Upon each subsequent conviction within period of one year, minimum of $1,000.

(7) Each sign installed, created, erected, maintained or abandoned in violation of this Chapter shall be considered a separate violation when applying the penalty portions of this Chapter.

19.14.180 ILLUSTRATIONS

Figure 1 Method for Sign Area Measurement



2 SIDED FLAT SIGN

WIDTH x HEIGHT= SIGN AREA

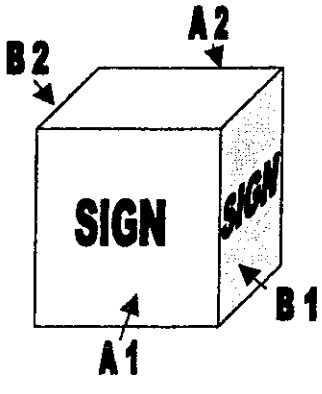
2 SIDED ANGLED SIGN 60° OR UNDER

WIDTH x HEIGHT= SIGN AREA

2 SIDED SIGN OVER 60°

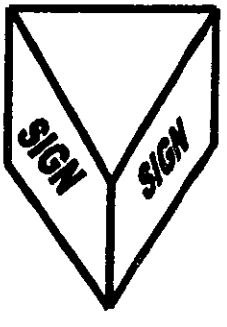
$WIDTH^1 \times HEIGHT^1$ = SIGN AREA

$WIDTH^2 \times HEIGHT^2$ = SIGN AREA



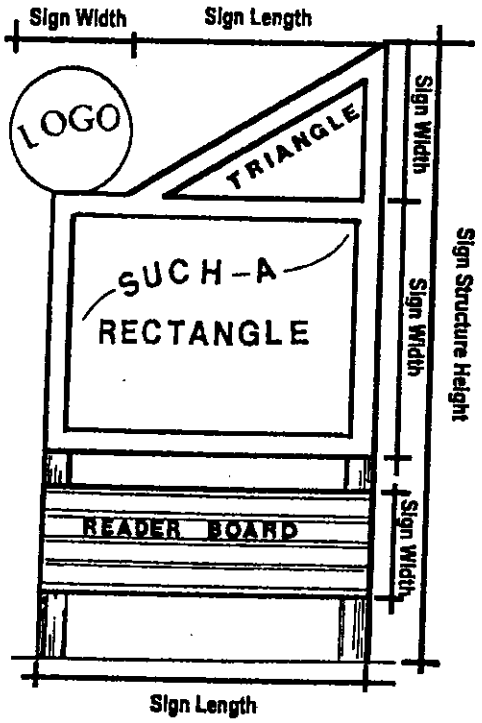
The area of a four sided sign shall be the sum of the largest opposing sides. If A1 is larger than A2 and B1 is larger than B2 the area of the sign is the sum of A1 plus B1.

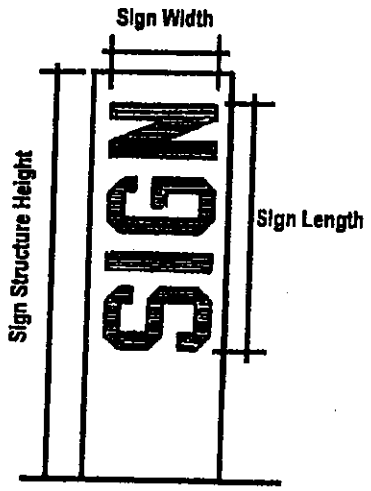
If the opposing sides are equal, the total area of the sign is the sum of two of the intersecting sides.



The area of a three sided sign is the sum of the two largest sides.

Figure 2

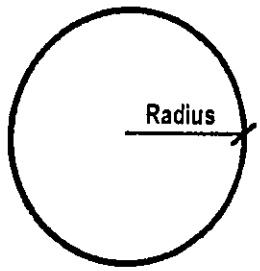




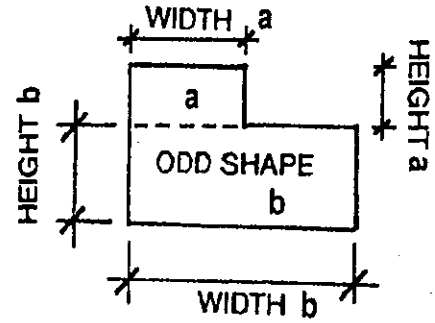
Signs constructed of individual elements shall measure the overall sign display by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof to create the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems or figures of similar character including all frames, face plates, nonstructural trim or other component parts not otherwise used for support.

Figure 3. Measurement of specific sign areas.

CIRCLE



Area = 3.14 X (Radius)^2



Total area is equal to area a plus area b.

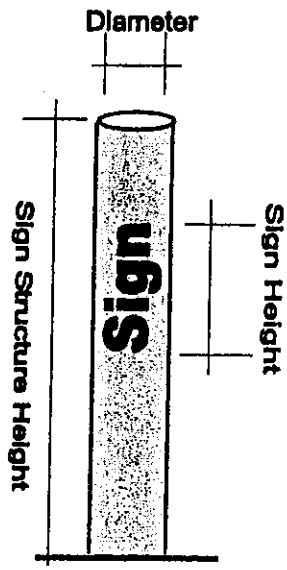
In the case of an odd shape, calculate the smallest regular geometric shape (triangle, rectangle or circle) that encompasses the perimeter of the sign and add the areas together for the total area.

Channel Letters

The smallest continuous perimeter that encompasses the entire coherent message is used, in this case, the words making up the message are intentionally spread far apart.

The smallest continuous perimeter is used that encompasses the entire message, in this case the perimeter is adjusted for the smaller height letters.

Diameter



The area of a cylindrical sign shall be the diameter multiplied by the height of the cylinder.

Spherical Sign

Spherical signs areas are calculated as if they are circles: 3.14 X (radius)^2

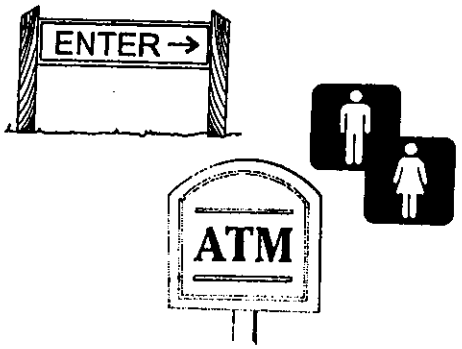


Figure 4 Incidental Signs

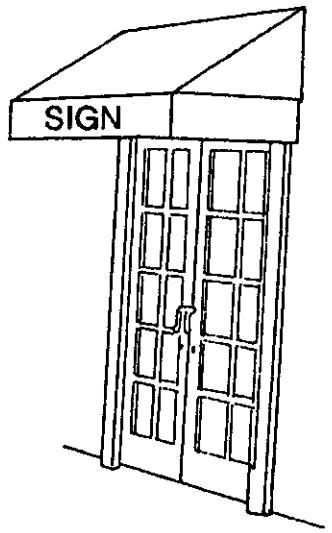


Figure 6 Awning Sign

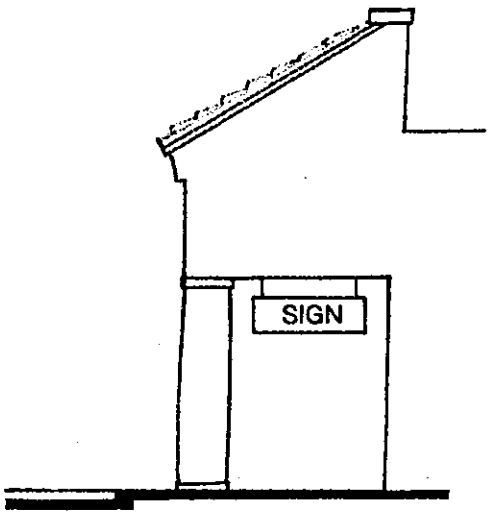


Figure 5. Arcade Sign

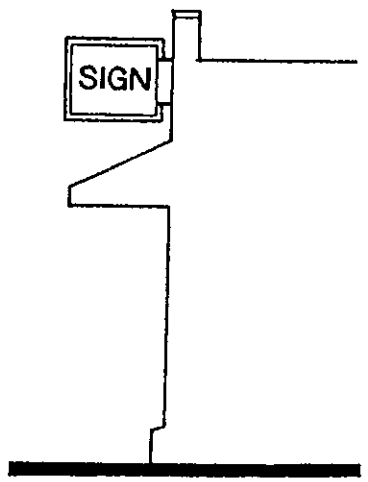


Figure 8 Projecting Sign

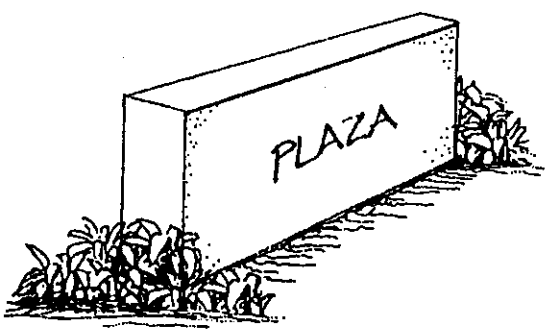


Figure 7 Monument Sign

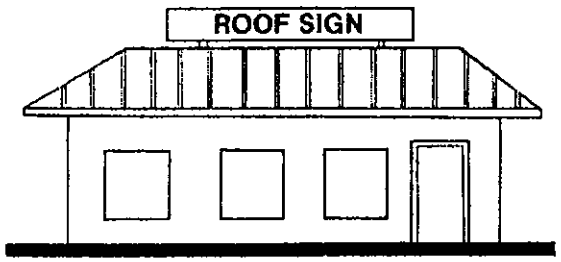


Figure 9 Roof Sign

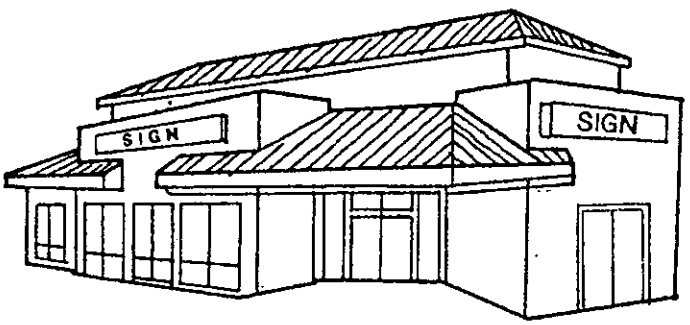


Figure 10 Wall Sign

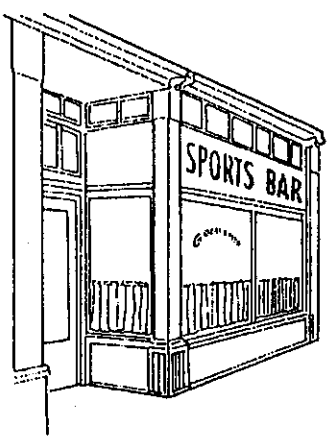


Figure 11 Window Sign

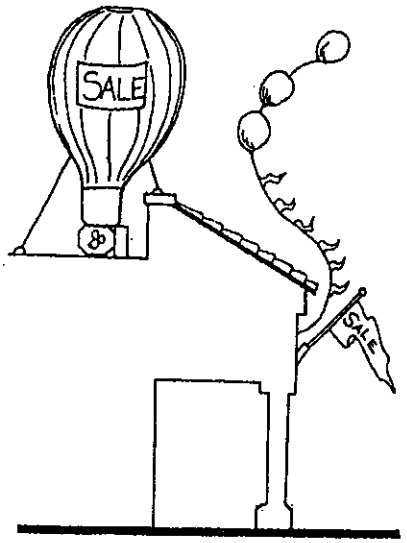


Figure 12 Special Event Sign

Figure 13. Canopy Sign

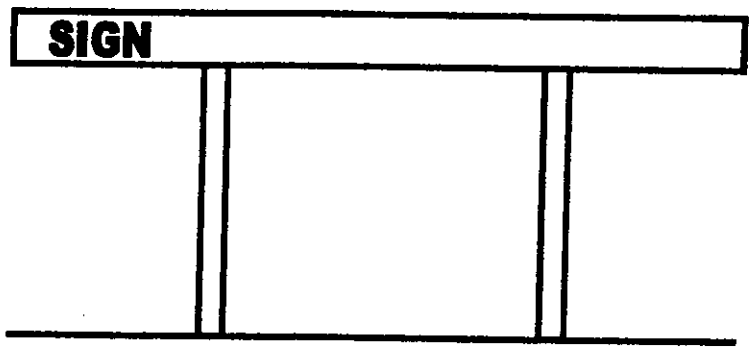
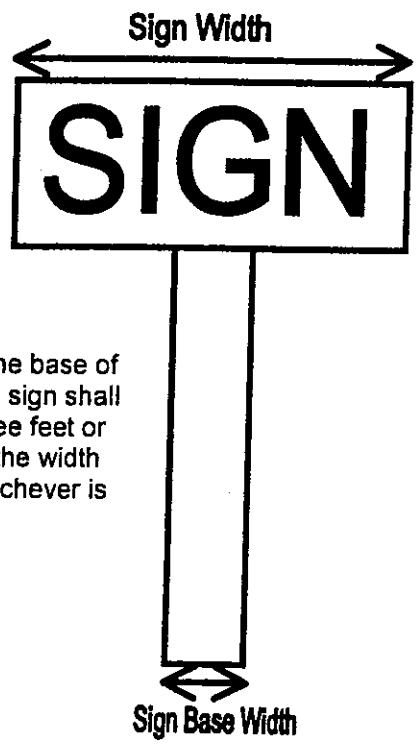


Figure 14. Freestanding Sign Base Width



The width of the base of a freestanding sign shall be at least three feet or 20 percent of the width of the sign whichever is smaller.

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3. For any Special Use Permit approved before January 1, 2000, which expires before an extension is granted, the City Council may reinstate the approval within the six-month period following the expiration date and grant an extension of time if the Council is satisfied that there has not been a material change of circumstances such that the Special Use Permit is no longer warranted.

4. A Special Use Permit shall be void without further action if:

   (a) The Special Use Permit was issued for alcoholic beverage use and such use ceases for one hundred and eighty days or more; or

   (b) The Special Use Permit was issued for a use other than alcoholic beverage use and such use ceases for twelve months or more.

5. For purposes of this Section (P), a Special Use Permit is exercised upon approval of a business license to conduct the activity, if one is required, or, otherwise, upon the issuance of a certificate of occupancy or approval of a final inspection.

19.18.070 VARIANCE

A. Purpose

The purpose of this subchapter is to establish a procedure to allow for an adjustment of certain specific requirements of this Title, as permitted by State law.

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B. Scope and Limitations

Pursuant to NRS Chapter 278 and this subchapter, the Planning Commission and the City Council have the authority to act upon Variance applications as set forth in this subchapter and as they deem appropriate. Variance applications shall initially be heard by the Planning Commission. Where a Variance application is proposed in connection with another application to be heard by the Planning Commission, including an application for Special Use Permit, an application for Rezoning, or an Application for Site Development Plan Review, the Variance application shall be considered by the Planning Commission, as a separate application, in conjunction with the associated application. A Variance:

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1. Is not available to permit a use in a zoning district in which the use is not allowed, or to vary any minimum spacing requirement between uses: and
2. Shall not be granted in order to relieve a hardship which is solely personal, self-created or financial in nature.

C. Application

An application for a Variance shall be made on a form provided by the Department of Planning and Development. This application shall be filed at the office of the Department of Planning and Development. The application shall be signed, notarized and acknowledged by the owner of record of the property for which the Variance is sought; provided however, that:

1. **Other Governmental Ownership.** With respect to property which is owned by the State of Nevada or the United States of America, a Variance application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has entered into a contract with the governmental entity to obtain ownership of the property;

2. **Non-Owner Applicant.** A Variance application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which a Variance is sought. However, interest in that property must exist in a written agreement with the owner of record attached to which is a copy of the Variance application and in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application and agrees to honor and be bound by the requested Variance if it is approved and by any conditions of approval attached thereto.

D. Successive Applications

1. **Previous Variance Application.** An application for a Variance on property concerning all or any part of a previous application for the same use, a similar use or a less restrictive use which has been denied, or concerning a previous application which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the following periods will have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the normal course:

   a. After the first denial or any withdrawal after public notice has been given – one year.

   b. After the second or subsequent denial or withdrawal after public notice has been given - two years.

2. **Previous Similar Application.** An application for a Variance concerning all or any part of a previous application for a Special Use Permit or Rezoning for the same use, a similar use or a less restrictive use which has been denied, or concerning a previous application which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the periods described in this Subsection 1 have elapsed.

3. **Withdrawn Without Prejudice.** The time periods that are described in Subsection 1 and 2 above, and that otherwise would become effective because of the withdrawal of an application, shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

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E. Request for Abeyance

An applicant who wishes to have an application held in abeyance following the notice and posting of a hearing before the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation. The Planning Commission may not grant to an applicant, and the City Council may not grant to an aggrieved person, more than two continuances on the same matter, unless the Commission or Council determines, upon good cause shown, that the granting of additional continuances is warranted.

F. Drawings and Plans Required

Plans describing the proposed development of the property shall be submitted with the application. Guidelines for the preparation of the site development plan, floor plans and building elevations are available in the Department of Planning and Development. Complete working drawings are not necessary; however, improvements, streets, landscape areas and similar items must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances.

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G. Public Hearing and Action

1. **Hearing.** The Planning Commission shall hold a public hearing upon each application for a Variance within 65 days after the application is properly filed.

2. **Notice**

   a. **Notice Provided**. Notice of the time, place and purpose of the hearing must be given a least 10 days before the hearing by:

      1) Publishing the notice in a newspaper of general circulation within the City; and

      2) Mailing a copy of the notice to:

         a) The applicant;

         b) Each owner of real property located within a minimum of 500 feet of the property described in the application;

         c) Each tenant of any mobile home park that is located within 500 feet of the property described in the application;

         d) The owner of each of the 30 separately-owned parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this section;

         e) Any advisory board which has been established for the affected area by the City Council; and

         f) The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one mile of the property described in the application.

   b. **Names Provided.** The Department of Planning and Development shall provide, at the request of the applicant, the name, address and phone number of any person notified pursuant to Paragraph (2) above.

   c. **Additional Notice.** The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least 10 days before the date of the hearing.

3. **Hearing.** The Planning Commission shall conduct a public hearing on the application. As a matter of discretion and for good cause, the Planning Commission may hold the application in abeyance for further study. Following the hearing or hearings, the Planning Commission shall make a decision to approve, approve with conditions, or deny the Variance application. The decision shall be based upon evidence that makes the grant or denial of the Variance appropriate. The decision shall either be a final decision or a recommendation, as determined in accordance with Section 19.18.070(J).

4. **Conditions of Approval Recommendation.** In approving or recommending the approval of a Variance, the Planning Commission may impose any conditions, restrictions or limitations as deemed necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and general welfare are being maintained.

5 **Notice of Decision.** The Planning Commission shall provide written notice of each decision on a Variance application, which shall include the reasons for the decision and, if the decision is to recommend approval of the Variance, any modifications, conditions or limitations that the Planning Commission may impose or recommend to be imposed in connection with the approval. The notice shall be provided to the owner, developer or agent.

H. Precedents

The fact that a Variance for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

I. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a Variance is warranted.

O '29 10/6/04

J. Appeals

1. **Denials Generally.** Except as otherwise provided in Subsection (3), a decision by the Planning Commission to deny a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk. The City Council may establish a fee for the filing of an appeal, and the amount of any fee so established shall be set forth in the fee schedule.

2. **Approvals Generally.** Except as otherwise provided in Paragraph (3), a decision by the Planning Commission to approve a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, a member of the City Council requests that the item be reviewed by the Council, or an aggrieved person appeals the decision by written request filed with the City Clerk. The City Council may establish a fee for the filing of an appeal, and the amount of any fee so established shall be as set forth in the fee schedule.

3. **Automatic Review by City Council.** In each of the following cases, the decision by the Planning Commission on a Variance application constitutes a recommendation to the City Council, and the City Council shall make the final decision concerning the application:

   a. A Variance application that has been approved by the Planning Commission regarding a reduction in required parking or regarding an existing structure; or

b. A Variance application, whether approved or denied by the Planning Commission, that is related to and has been filed in connection with an application for a General Plan Amendment, an application for rezoning, an application for a Special Use Permit, or an application for Site Development Plan Review that requires final action by the City Council.

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K. City Council Public Hearing and Action

1. **Notice.** The City Council shall conduct a public hearing on any Variance application which is appealed or forwarded to the Council for final action. The City Clerk is authorized to consolidate all appeals or requests for review that have been filed regarding a particular application, or to schedule them in sequence or otherwise, in which case the City Council may hear the items separately or consolidate them for purposes of hearing, as the Council deems appropriate. At least ten days' written notice of the hearing shall be sent to property owners who were sent notice of the public hearing conducted by the Planning Commission.

2. **Penalty.** If a structure which is the subject of a Variance application has been or is being constructed without a building permit and is in violation of any of the provisions of this Title, the City Council, in granting the Variance, may impose a penalty in an amount that does not exceed 10 percent of the value of the structure as determined in accordance with the City's Administrative Code.

3. **City Council Decision.** The City Council may review the Variance application de novo, and has the authority to reverse, modify, or confirm any action of the Planning Commission. In making a decision regarding a Variance application, the City Council shall consider the decision of the Planning Commission and the evidence presented at the public hearing and shall be guided by the statement of purpose underlying the regulation of the improvement of land expressed in NRS 278.020 Action by the City Council is final for purposes of judicial review. Except as otherwise agreed to by the person filing the appeal, the City Council must render its decision on an appeal within forty-five days.

4. **Notice of City Council Decision.** The City Council shall provide written notice of its decision, which shall include the reasons for the decision and, if the decision is to approve the Variance, any modifications, conditions or limitations that the Council may impose. The notice shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

L. Determinations

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission or City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and

exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

M. Premature Use of Property

The issuance of a building permit or business license for a development or structure that requires a Variance, before a Variance is approved, does not replace or otherwise affect the Variance requirement.

Ord 5729 10/6/04

N. Revocation

1. **Notice.** A Variance may be revoked or modified by the Planning Commission or the City Council, whichever body took final action to approve the Variance. Such action must be preceded by a hearing, written notice of which must be delivered to the owner, developer, or both, at least ten days prior to any hearing. Notice may be delivered in person or by certified mail, return receipt requested, mailed to the address shown in the records of the Clark County Assessor.

2. **Grounds.** A Variance may be revoked or modified for cause, including a finding of one or more of the following:

   a. That the Variance was obtained by misrepresentation or fraud;

   b. That the development or structure is not in compliance with one or more of the conditions of approval; or

   c. That the development or structure permitted by the Variance is in violation of any statute, ordinance, law or regulation.

3. **Notice of Decision.** Written notice of a decision regarding the revocation or modification of a Variance shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.
4. **Appeal.** In the case of a decision by the Planning Commission to revoke or modify a Variance that was approved as final action by the Commission, the appeal provisions of Subsections (J) and (K) of this Section shall apply.

Ord 5729 10/6/04

O. Termination

1. A Variance which will require the construction of a new building and which is not exercised within two years after approval shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Variance.

2. A Variance which will not require the construction of a new building and which is not exercised within one year after approval shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Variance.

3. For any Variance approved before January 1, 2000, which expires before an extension is granted, the Planning Commission or City Council, as the case may be, may reinstate the approval within the six-month period following the expiration date and grant an extension of time if the Commission or Council is satisfied that there has not been a material change of circumstances such that the Variance is no longer warranted.

4. A Variance to allow a use is not permitted in a particular zone shall be void without further action if the use approved by the Variance ceases for a period of twelve months or more.

5. For purposes of this Section (O), a variance is exercised upon approval of a business license to conduct the activity, if one is required, or, otherwise, upon the issuance of a certificate of occupancy or approval of a final inspection.

19.18.080 ADMINISTRATIVE DEVIATION

A. Purpose

The purpose of this subchapter is to establish a procedure (entitled an Administrative Deviation) to allow for minor adjustments of specific requirements of the Zoning Code where, because of special and unique conditions applicable to a specific lot or structure, the literal enforcement of the requirements as applied to the lot or structure would result in an unnecessary hardship. The Administrative Deviation procedure is available as an alternative to the Variance procedure, to be pursued at the option of the applicant.

B. Authority

The Director of the Department of Planning and Development shall have the authority to grant an Administrative Deviation, in accordance with the provisions of this Subchapter, to allow a minor deviation on residential lots regarding the following:

1. Front, rear and side yard building setbacks (for developed single family lots only);

2. Block wall heights; and

3. Accessory structure setbacks and heights.

Ord 5405 1/2/02

C. Eligibility to Apply

1. No application for an Administrative Deviation regarding a building setback may be submitted unless:

a. In the case of a required side or rear setback of ten feet or less, the requested deviation will not exceed 10% of the required setback, and construction within the reduced setback will not extend more than 15 feet parallel to the property line from which the setback is measured;

b. In the case of required side or rear yard setback of greater than ten feet or a required front yard setback of greater than ten feet (exclusive of front-loading garages), the requested deviation will not exceed 10% of the required setback, and construction within the reduced setback will not extend more than 15 feet parallel to the property line from which the setback is measured;

c. The requested deviation is for a structure that will not exceed the greater of one story or 15 feet in height; and

d. The applicant submits signatures representing ownership of all abutting properties indicating no objection to the requested deviation.

2. No application for an Administrative Deviation may be submitted regarding the height of an accessory structure unless:

a. The requested height does not exceed 1.2 times the height of the main dwelling and does not exceed the allowable building height for the zoning district in which the property is located; and

b. The applicant submits signatures representing the ownership of all abutting properties indicating no objection to the requested deviation, or the ownership of all properties within 100 feet of the subject property, whichever would require the most signatures.

3. For purposes of this Section (C), the term "abutting" means sharing any property line with the parcel for which the deviation is sought, or which would share a property line but for an intervening right-of-way. In the case of deviations for setbacks or block walls, the Director shall have the authority to waive the signature requirement regarding properties which are deemed not to be adversely affected.

D. Application

1. An application for an Administrative Deviation shall be made to the Director on a form provided by the Department of Planning and Development. The application shall be filed with the office of the Department of Planning and Development.

2. The application shall be signed, notarized and acknowledged by the record owner of the property for which the Administrative Deviation is sought.

E. Decision

Within 30 days after a complete application for Administrative Deviation has been filed and accepted, the Director shall make a decision to approve, approve with conditions or deny the application.

F. Administrative Deviation Determinations

In order to approve an Administrative Deviation, the Director must determine that:

1. The request does not exceed the prescribed limitations of Section (C);

2. Granting the Administrative Deviation will not be inconsistent with the spirit and intent of the General Plan;

3. The request is not intended to be combined with a previous or future Variance request in order to achieve a deviation that would not likely be granted by means of Variance alone; and

4. That one or more of the following conditions exist:

   a. There are special circumstances applicable to the property, such as size, shape, topography, location or surroundings and that the strict application of the Code requirement deprives the property of privileges enjoyed by other property in the vicinity and under the identical land use district classification;

   b. Granting the Administrative Deviation is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and land use district and is denied to the property for which the Administrative Deviation is sought;

   c. The Administrative Deviation will not be materially detrimental to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located; or

   d. Granting the Administrative Deviation does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located.

G. Conditions

In connection with the approval of an Administrative Deviation, the Director may impose any conditions, restrictions or limitations as the Director determines to be necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and general welfare are being maintained.

H. Notice of Decision

The Director shall provide written notice of his or her decision, which shall include the reasons for the decision and, if the decision is to approve the Administrative Deviation, any modifications, conditions or limitations that the Director may impose. The notice shall be provided to the owner or the owner's agent.

I. Precedents

The fact that an Administrative Deviation for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

J. Burden of Proof

The applicant bears the burden of proof to establish that the approval of an Administrative Deviation is warranted.

K. Premature Use of Property

The issuance of a building permit or business license for a development or structure that cannot be permitted without an Administrative Deviation, before an Administrative Deviation is approved, does not replace or otherwise affect the Administrative Deviation requirement.

L. Revocation

1. **Notice.** The Director may hold a hearing to revoke or modify an Administrative Deviation. At least 10 days prior to any hearing, written notice of the hearing shall be delivered to the owner or developer, or both. Notice may be delivered in person or certified mail, return receipt requested, mailed to the address shown in the records of the Clark County Assessor.

2. **Grounds.** An Administrative Deviation may be revoked or modified for cause, including a finding of one or more of the following:

   a. That the Administrative Deviation was obtained by misrepresentation or fraud;

   b. That the development or structure is not in compliance with one or more of the conditions of approval;

   c. That the development or structure permitted by the Administrative Deviation is in violation of any statute, ordinance, law or regulation.

3. **Notice of Decision.** Written notice of the decision shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

19.18.090 DEVELOPMENT AGREEMENTS

A. Statutory Authority—Conformance Required

Pursuant to the provisions of NRS 278.0201 through 278.0207, the City Council may enter into development agreements to regulate the development of land within the City. The agreements and the procedures applicable thereto shall be governed by and must conform to NRS 278.0201 through NRS 278.0207 and the provisions of this chapter.

B. Planning Commission Review

Before the City Council enters into a development agreement pursuant to this subchapter, the agreement shall be reviewed by the Planning Commission for consistency with the City's General Plan.

C. Administration and Enforcement

Subject to review and input from other City departments, the Department of Planning and Development shall be responsible for applying, administering and enforcing the provisions of this subchapter including the negotiation and enforcement of development agreements.

D. Application of Zoning Provisions

Except as otherwise provided in NRS 278.0201 through 278.0207 or in a development agreement entered into pursuant to this subchapter, all the procedures and requirements of this Title shall apply to the development of property that is the subject of a development agreement.

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CHAPTER 19.20 DEFINITIONS

19.20.010 GENERAL

Terms which are used in this Title and are not specifically defined shall be given their ordinary meaning, unless the context requires or suggests otherwise. In the case of ambiguity or uncertainty concerning the meaning of a particular term, whether or not defined, the Director and staff of the Department shall have the authority to assign an interpretation which is consistent with the intent and purpose of this Title, or an interpretation which is consistent with previous usage or interpretation.

Ord 5633 11/5/03
Ord 5496 7/17/02

19.20.020 WORDS AND TERMS DEFINED

Ord 5496 7/17/03

Abandoned Sign. A sign described in Section 19.14.140(A)(2).

Abandoned. Concerning a building or use, means not having been developed or maintained for a stated period of time.

Abut. To physically touch or border upon; or to share a common property line, but not overlap.

Access. A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

Accessory Building/Structure. A structure which is detached from a principal structure, is located on the same lot is incidental or subordinate to the principal structure, and is not designed or intended for human habitation.

Accessory Use. A use incidental or secondary to the principal use of a lot, building or structure and located on the same lot as the principal use.

Action. The decision made by the reviewing authority on a land use application; the determination made and any conditions of approval.

Advertising. Any writing, painting, display, emblem, drawing, sign or other device designed, used, or intended for display or any type of publicity for the purpose of making anything known or attracting attention to a place, product, goods, services, idea or statement.

Air Rights. The right to use space above ground level.

Airport Elevations. The highest point of an airport's useable landing area measured in feet above mean sea level.

Airport, Heliport or Landing Field. Any area of land designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration.

Alley. A public way which affords only a secondary means of access to abutting property and which is not intended for general travel or circulation.

Alter. To make any change in the structural members or other features of a building; or any change to allow the building to be used for purposes other than those for which it was originally intended. "Alter" includes "enlarge".

Amenity. A natural or created feature that enhances the aesthetic quality, visual appeal or attractiveness of a particular property, place or area.

Ancillary Use. A use incidental to and customarily associated with a specific principal use and which is located on the same parcel or lot.

Ord 5737 12/15/04 **Animal Hospital, Clinic, or Shelter**. A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. The term does not include a kennel operation or facility for the boarding of animals for remuneration unless it is operated in conjunction with the treatment and car of animals or pets.

Animal Keeping and Husbandry. The raising, keeping and breeding of domestic animals, including without limitation dogs, cats, birds and pot-bellied pigs. The use must be ancillary to the principal use, but may be conducted for commercial purposes.

Animal Keeping, Wild or Exotic. The keeping of nondomestic animals, including without limitation wild animals as defined in LVMV 7.04.500.

Animal Production. A facility or area for raising animals (including fish and birds) and the development of animal products, such as meat, fur or eggs on a commercial basis. This use does not include raising animals to sell as pets.

Antenna. Any exterior apparatus that is mounted on a structure and is used for transmitting or receiving communications, including electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless communication signals or other communication signals.

Antenna Tower. A pole or other structure, including any supporting elements, that is used to support one or more wireless communication antennas. The term includes a pole or other structure that supports a wireless communication antenna and that is attached to a trailer or other portable support.

Antenna Tower Alternative Structure. A structure such as a flagpole, man-made tree, clock tower, bell steeple, or similar alternative-design mounting structure that substantially camouflages or conceals the presence of wireless communication antennas or antenna towers.

Antique/Collectible Store. Any building used for the sale of any old and authentic object of personal property which was made, fabricated or manufactured sixty or more years earlier and which has a unique appeal and enhanced value mainly because of its age and in addition, may include the sale of any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand has attained value in a recognized commercial market which is in excess of its original value.

Apartment House. A structure which contains three or more apartment dwelling units and which does not qualify as a condominium, townhouse dwelling or residence hotel.

Apartment. A room, or suite of rooms, within an apartment house which has facilities for the preparation of meals, is designed for and used or intended to be used by one family and is intended to be occupied on a rental basis with a rental period of at least one week.

Ord 5496 7/17/02 **Arcade Sign.** A wall or projecting sign attached to the roof or the wall of an arcade and totally within the outside limits of the structural surfaces that delineate the arcade.

Archeological Site. A site that has yielded, or exhibits the promise of yielding, information important in the understanding of human prehistory or history. Such information may consist of evidence of past human life, habitation or activity, as well as material remains.

Architectural Feature. A decorative element intended to enhance the character of a structure and may be an integral part of the structure. Architectural features may include, but are not limited to, porches, eaves or freestanding forms and monuments.

Asphalt or Concrete Batch Plant. A permanent facility or area for the mixing of concrete or asphalt.

Ord 5445 2/20/02 **Assisted Living Apartment.** An apartment or apartment complex which provides personal care services to senior citizens for daily living needs. Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing. The term includes commercial uses that are ancillary to an apartment complex as long as the total amount of floor space dedicated to such uses does not exceed 5% of the total gross floor area of the apartment complex and there is no external signage for, nor external access to, the commercial uses. The term does not include a convalescent care facility, nursing home or special care facility.

Astrologer, Hypnotist, or Psychic Art & Science. Any person who practices, teaches, or professes to practice the business of astrology, hypnotism or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy, augury, divination, magic or necromancy. The term does not include a hypnotherapy practice.

Ord 5496 7/17/02 **Attached Sign.** Any sign that is attached to an occupied building or building designed for occupancy.

Attention Gaining Device. Any streamer, pennant, propeller, inflatable sign, tethered balloon, portable sign, bunting or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated or still, that is intended to attract attention to a use or business being conducted either on or off site.

Auto Broker. A facility or area used primarily for the wholesaling of used motor vehicles, typically on an intermediary basis between an auction house and a used car dealership. The term does not include a facility or area used for the retail sales of used vehicles.

Auto Dealer Inventory Storage. The parking or storage, other than for purposes of display, of new motor vehicles which constitute inventory of a new motor vehicle sales dealership, where such parking or storage is maintained by the dealership either on the same parcel as the dealership or on a separate parcel.

Auto Paint & Body Repair Shop. A facility for collision services including body, frame or fender straightening or repair and painting of vehicles in an appropriate paint booth.

Auto Parts (New & Rebuilt) (Accessory Sales & Service). A facility for the retail sale and installation of lubricating oils, tires, filters and other new or rebuilt goods for use in motor vehicles. The resurfacing of rotors, pressing of bearings, grinding of brake drums, and similar activities are permitted as incidental uses.

Auto Parts (Accessory Installations). A facility for the retail sale and installation of auto accessories such as stereos, alarms and other type of accessories.

Auto Repair Garage, Major. A facility for the repair or reconditioning of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. The term includes a facility which performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds.

Auto Repair Garage, Minor. A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less; such repairs and service are limited to electronic tune ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, other similar activities and repairing and installing other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excluding engine, transmission and differential repair or installation.

Ord 5561 1/22/03 **Auto Title Loan.** A business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

Automobile Detailing Shop. Any building or premises used for washing and cleaning of passenger vehicles.

Automobile Rental. A facility for the rental of new or used automobiles. Automobiles kept on the lot for rental purposes are not considered to be outside storage.

Automobile Repossession Agency. Any parking area used for the storage of up to two operable vehicles which have been repossessed by or on behalf of a lender, together with related office operations. The term does not include the storage of more than two vehicles, which shall be treated as if the use were motor vehicles sales.

Awning. A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Ord 5496 7/17/02 **Awning Sign.** Any sign that is a part of or attached to an awning, or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

Banner. Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Banquet Facility. Establishment which is rented by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries, and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during an event, and 3) outdoor gardens or reception facilities.

Basement. A story partly or completely underground. A basement shall be counted as a story for purposes of height measurement where any portion of a basement has more than one-half of its height above grade.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Bed & Breakfast Inn. A facility wherein overnight accommodations and a morning meal are provided in a dwelling unit to tourists for compensation.

Ord 5674 3/17/04 **Beer/Wine/Cooler Art Event.** The sale of beer, wine and coolers, for consumption only, at an art gallery or art studio during the hours of an artistic exhibition, presentation or performance.

Block. Property designated on an officially recorded map and bounded by streets and other natural or physical barriers which make it a unit.

Blood Plasma Donor Center. A building used for the collection of human blood plasma from plasma donors. The term does not include a facility for the provision of medical care or treatment.

Boarding or Rooming House. A building or portion thereof, other than a hotel, with no more than four guest rooms where, for compensation, lodging and meals are provided for no more than four persons who are not members of the immediate family occupying such building.

Boat and Trailer Sales Dealerships (New and Used). The use of any building or lot for the display and sale of new or used boats, jet skis or other marine vessels and trailers.

Bubbler Heads. An irrigation head that delivers water to the root zone by "flooding" the planted area, usually measured in gallons per minute. Bubblers emit a trickle, umbrella or short stream pattern.

Building. A structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels. "Building" includes "structure".

Building & Landscape Material/Lumber Yard. A facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials.

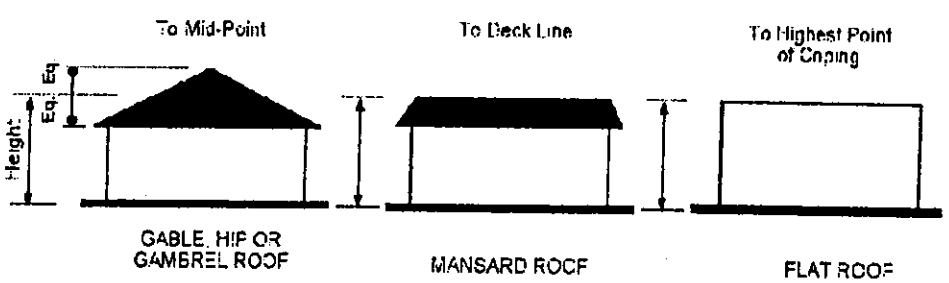
Building Area. That portion of a building site exclusive of the required setback areas in which a structure or building improvements may be erected including the actual structure, driveway, parking lot, pool and other construction as shown on a Site Development Plan.

Building Coverage. The ratio of the horizontal area measured from the exterior surface of exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.

Ord 5496 7/17/02 **Building Elevation.** The exterior face of a building, including all vertical elements of the building facing in the same general direction.

Building Height. Building height refers to the vertical distance between the average finished grade along the front of a building and either 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

FIGURE 1. BUILDING HEIGHT



Building Line. A line established by measuring from the property line, a distance equal to the required setback line, which is generally parallel to the curb line or edge of pavement. No part of a building shall project into the area between the property line and the building line except as otherwise provided in this Title.

Building Maintenance Service & Sales. A facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.

Ord 5496 7/17/02 **Building Marker.** Any sign indicating the name of a building, date or incidental information about its construction. Building markers are cut into the exterior building materials or made of bronze or other permanent material.

Building Mass. The height, width and depth of a structure.

Building Permit. Written permission issued by the Department of Planning and Development for the construction, repair, alteration or addition of a structure.

Building Scale. The relationship of a particular building, in terms of building mass, to other nearby and adjacent buildings.

Building Site. The total area of the building together with all yard areas adjacent thereto, as required by this Title.

Building, Detached. One building on one building lot surrounded by yards or open space; or buildings in a building group that are physically detached one from the other.

Building, Principal. A building in which the principal use of the lot is conducted.

Bus Charter Service & Service Facility. Any premises for the transient housing, parking, servicing or repair of motor-driven buses.

Business School. A facility or area for instruction and training in secretarial and related office skills, cosmetology, commercial art, computer software, cooking and similar training.

Caliper. The diameter of a tree trunk measured four and one-half feet above the ground.

Ord 5496 7/17/02 **Canopy.** A rigid roof, generally supported at all corners or extremities by poles, posts or direct attachment to a building. A canopy typically has little vertical or wall space on it and is only as thick as necessary to create a functional roof. See "Marquee" and "Awning."

Ord 5496 7/17/02 **Canopy Sign.** A sign attached to or painted on a canopy.

Caretaker's Quarters/Domestic or Security Unit. An independent, self-contained dwelling unit located on the same lot as the principal use or structure and which provides residential accommodations for a property manager or security personnel.

Car Wash (Full-Service). A car wash facility, typically operated in conjunction with a gas station, which customarily employs automatic or semi-automatic methods of cleaning.

Car Wash (Self-Service). A coin operated car wash facility operated by the customer and which does not utilize automobile conveyors or other automatic methods of cleaning.

Carport. A permanent roofed structure for vehicle parking which is not completely enclosed.

Casino. A room or structure whose principal use is for the conduct of gaming activities.

Catering Service. A service that provides for the preparation, storage, and delivery of food and food utensils for off-premise consumption.

Cemetery/ Mausoleum. Property used for interring of the dead.

Ord 5496 7/17/02 **Changeable Copy Sign.** Any sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. The message may be changed manually or electronically. Animated signs shall not be considered changeable copy signs.

Child Care - Group Home (7-12 Children) A residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of seven and a maximum of 12 children for compensation. Such uses are subject to the child care regulations and standards of the Department of Business Activity.

Child Care Center (More than 12 Children) Any commercial facility in which the licensee regularly provides day or overnight care for more than 12 children. Such uses are subject to the child care regulations and standards of the Department of Business Activity.

Child Care, Family Home. (1-6 Children) A residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of six children for compensation. Such uses are subject to the child care regulations and standards of the Department of Business Activity.

Church, House of Worship. Any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. The term includes the use of the building and premises for other related activities, such as child care facilities, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Chapter 19.18. The term does not include any class of child care center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.

City Council (Council). The Mayor and City Council of the City Of Las Vegas, Nevada.

City. The City of Las Vegas, Nevada.

Civic Event Sign. A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church or religious institution, civic fraternal or other organization.

Cleaners, Commercial. A facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services and other similar accounts, as well as rug and dry cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.

Cleaners, Commercial / Industrial. A facility or premises which is used for cleaning items in bulk quantities, such as clothing and linens. The term includes diaper cleaning services and cleaning services for hospitals, restaurants, hotels and similar clients,

whether or not cleaning services are provided to individual households as an incidental use.

Clinic. A facility which is occupied and used for the purpose of providing dental or medical care, and which regularly provides any of those services to the general public on an emergency basis or without appointment. The term does not include a hospital or a facility which provides for the overnight care or overnight stay of patients.

Club. Private quarters for a private organization; a principal purpose of which is the preparation and service of food and/or drink for members and their guests only.

Cold Storage Plant. A facility for the protective storage or items such as food or furs, in a refrigerated place.

College, University or Seminary. A college or university is an academic institution of higher learning beyond the level of secondary school. A seminary is an institution for the training of candidates for the priesthood, ministry, rabbinate or other religious order.

Co-location. The use of wireless communication facilities by more than one communication provider.

Commercial Amusement/Recreation (Inside). An enclosed facility or area for sport, entertainment, games of skill, or recreations to the general public for a fee. Examples include, but are not limited to, bowling alleys, roller and ice skating rinks, game courts, swimming pools, walk-in theaters, physical fitness centers, gyms and video game arcades.

Commercial Amusement/Recreation (Outside). An outdoor facility or area for sport, entertainment, games of skill or recreations open to the general public for a fee. Examples include but are not limited to game courts, water slides, miniature golf courses, drive-in theaters, batting cages, practice/instructional fields, driving ranges and sports events.

Commercial Message. Any sign wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, idea or commercial activity. The term does not include sign copy that consists solely of the electronic indication of time, temperature, or both.

Commercial Vehicle. A vehicle customarily used as part of a business for the transportation of goods or people.

Commission. The Planning Commission of the City of Las Vegas.

Communication Provider. A person or entity that provides a communicative service to the community by means of transmission lines or by electronic transmission via wireless service, such as radio, television, microwave or other means of communicative transmission.

Community Center, Private (Accessory). A facility associated with a planned residential development or multi-family development which provides for community activities for residents of the development.

Ord 5496 7/17/02 **Community Interior Directional Sign.** A sign placed within the interior of a subdivision to provide directions within the subdivision.

Community Recreational Facility, Public. A facility which provides for community activities and is available to the general public.

Condominium. A multi-family dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space areas and facilities are owned by all of the owners on a proportional, undivided basis.

Consolidated Sign. An oversized freestanding ground sign which advertises one or more tenants within a non-residential development. Consolidation occurs when the conditions for such signs are met, and the area for multiple signs is consolidated into one sign.

Construction Material Supply Yard. A facility for the storage of construction materials for a specific development.

Construction Permit. A permit issued pursuant to the City's building and technical codes for the construction of any sign.

Ord 5496 7/17/02 **Construction Sign.** A sign advertising a construction project and the parties involved in its development, proposed to be located on the lot or parcel of land on which the sign is located.

Contractor's Plant, Shop & Storage Yard. A facility for the storage and maintenance of contractor's supplies and operational equipment. Offices are considered an accessory use.

Contributing Property. A classification applied to an individual property within a designated Historic District, signifying that the property contributes generally to the distinctive character of the District, or an archeological site.

Convalescent Care Facility/Nursing Home. A building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital or special care facility. "Convalescent care facility" includes "rest home" and "nursing home," but does not include "assisted living apartment," "hospital" or "special care facility."

Ord 5607 6/18/03 **Convention Facility.** A structure which has at least 100,000 square feet of floor space utilized for scheduling, hosting or accommodating a convention, trade show or temporary event whether the activity is open or closed to the general public. For purposes of this Title, the term includes a stadium facility that is operated in conjunction with a convention facility.

Copy Center. A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, small offset printing, blueprint, and facsimile sending and receiving.

Corner Lot. A lot situated at the intersection of two or more streets, with frontage on at least two streets.

Country Club, Private. A facility used for recreational or athletic purposes with limited membership and the use of which is primarily restricted to members and their guests. Accessory uses include retail and restaurant facilities which do not have separate signage or advertising, and a club house.

County. Clark County.

Court. An open, unoccupied space, other than a required yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

Crematorium. A facility where corpses are cremated.

Crop Production. An area for raising or harvesting agricultural crops.

Cul-de-Sac. The turnaround at the end of a dead-end street.

Curb. A stone, concrete or other improved boundary usually marking the edge of the roadway or paved area.

Curb Cut. The opening along the curb line at which point vehicles may enter or leave the roadway to access adjacent property.

Custodial Institution. A building or structure and related facilities used for the housing or detention of persons who have been charged with or have been convicted of felonies or misdemeanors, including group facilities for the housing of persons on probation or parole.

Custom & Craft Work. A facility in which finished, personal or household items which are either made to order or which involve considerable handwork are produced. Examples include, but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting and other work or wood products on an individualized single item basis. The term does not include cabinet making, cabinet assembly or the use of mechanized assembly line production.

Daily Labor Service. Any building or premises which serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned such employment in accordance with whatever employment is available on that particular day. For purposes of this paragraph, "daily labor" means manual labor, including without limitation, construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting and digging.

Deciduous Shade Tree. A tree that sheds all its leaves every year during a certain season.

Decorative Block. Generally refers to non-standard masonry building block. The face of the block is typically textured and contains a non-standard finish or shape. Gray, smooth finish CMU is not considered decorative block.

Decorative Wall. A masonry wall where at least 20 percent of the wall is of a type of masonry which is differentiated by texture, color, style or a combination of all three characteristics.

Deed. A legal document conveying ownership of real property.

Density. The number of families, individuals, dwelling units, households or housing structures per unit of land.

Department. The Department of Planning and Development of the City of Las Vegas.

Design. The design elements of a development site, including the planning and engineering of the following: street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all easements and rights-of-way; lot size and configuration; traffic access; grading; land to be dedicated for parks or recreational purposes; building design and configuration; landscaping and open space; and other such specific physical requirements.

Designated Property. Any property which has been classified as a Landmark, Historic Property or a contributing property within an Historic District.

Desktop Publishing. An establishment that provides custom set-up of graphics and text for publication in an office setting. The term does not include an establishment that performs off-set printing or related distribution.

Detached. Any building or structure that does not have a roof or wall in common with any other building or structure.

Ord 5496 7/17/02 **Development Entry Statement Sign.** A sign placed at the entry to a subdivision, apartment development, or identifiable community to identify the subdivision, apartment development, or identifiable community.

Development Plan. A map or maps that identify in the proposed general land use designations, design standards, transportation plans, open space and community facilities.

Development Standards. Documentation that identifies the requirements and standards for commercial and residential development, including, but not limited to, densities; building height, bulk and setback requirements by land use type; signage; landscaping; parking; open space. The "Design Standards Manual," to the extent adopted by the City Council, contains required development standards for development within the City.

Development. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; or any use or extension of the use of land.

Director. The Director of the Department of Planning and Development of the City.

Ord 5496 7/17/02 **Directory Sign.** A sign that provides a map or listing of the names of businesses, activities, addresses, locations, uses or places within a building or complex of buildings for the purpose of identification only.

Domestic Animal. Any animal which is not a wild or exotic animal and which is typically considered to be capable of being kept in or near residential dwellings.

Drought Tolerant Plant. A plant that can survive with minimum supplemental water, as defined by the Las Vegas Valley Water District.

Dry Cleaners. A facility which is used to provide, to individual households, cleaning services for items such as clothing and linens. The term includes such facilities whether the plant operation is located on- or off-site.

Duplex. A building containing two attached single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof with both dwellings located on the same lot or parcel.

Dwelling. A structure with one or more rooms that is used exclusively for human habitation; designed, occupied, or intended for occupancy as a separate living quarter with sleeping, cooking and sanitary facilities provided.

Dwelling, Attached. A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

Dwelling, Detached. A dwelling that is not attached to any other dwelling by any means.

Dwelling, Multi-family. A building or group of buildings which contain at least three attached dwellings and may include units that are located one over the other.

Dwelling, Patio Home. A single-family detached dwelling with open space setbacks on three sides and with a court.

Dwelling, Single-Family Attached. A dwelling unit attached to one or more other dwelling units where each dwelling unit is located on a separate lot. (Such a dwelling unit could include duplexes, townhouses, four-plexes, six-plexes, etc.)

Dwelling, Single-Family Detached. A dwelling unit that is not attached to any other dwelling by any means, is located on a separate and individually owned lot, is surrounded by open space or yards, and is for the exclusive use of a single family maintaining a household. Except where specifically provided for the purposes of occupancy by domestic help, no single family dwelling may have more than one kitchen, and except as specifically provided for a guest house/casita, all rooms used for human habitation must have interior access to one another.

Dwelling, Townhouse. A row or cluster of at least three attached dwellings in which each dwelling is located on separately owned lot; each unit is separated by one or more common vertical walls; each unit has its own front and rear yard access; and no unit is located over another unit. A townhouse complex may include common open space and recreational areas and facilities which are owned by all owners on a proportional, undivided basis.

Dwelling Unit. One or more rooms, designed, occupied, or intended for occupancy as a separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining the household. Easement. A grant of one or more property rights by the property owner for use by the public, a corporation or another person or entity.

Easement. A grant of one or more property rights by the property owner for use by the public, a corporation or another person or entity.

Egress. An exit.

Electric Generating Plant. A facility that generates electricity from mechanical power produced by solar, gas, coal, hydraulic power sources or nuclear fission franchised by the City.

Ord 5496 7/17/02 **Electric Message Unit.** A sign or portion of a sign which provides a message, image or combination of the two that is changed electronically. A sign that is changed fewer than eight times per 24-hour period or that is changed only to reflect changing time or temperature shall not be considered an electric message unit under this Chapter.

Electric Utility Substation. A facility for transforming electricity for distribution to individual customers.

Electronic Reader Board. A sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.

Elevation. (1) A vertical distance above or below a fixed reference level; (2) A fully dimensional drawing of the front, rear and sides of a building showing features such as construction materials, design, height, dimensions, windows, doors, other architectural features and relationship of grade to floor level.

Ord 5496 7/17/02 **Embellishment.** A frame or bracket around the outside of a sign that is used to define the boundaries of, decorate, and/or hold the sign, not including logos or words.

Emergency Ambulance Services, Ground. A facility which provides emergency ambulance service and does not include the use of helicopters.

Employment Agency. Any establishment, other than a daily labor service, which provides one or both of the following:

1. Assistance to employers in finding and employing permanent or temporary employees, whether part-time or full-time.

2. Assistance to potential employees in identifying and obtaining permanent or temporary employment, whether part-time or full-time.

Enlargement. An increase in the size of an existing structure or use, including physical size of the property, building, parking and other improvements.

Ord 5496 7/17/02 **Entrance, Public.** Any exterior entrance to a building regularly used by the public for ingress or egress. Entrances to storage areas, emergency exits and employee entrances are not considered public entrances.

Environmentally Hazardous Materials. The location of activities or products which have the potential to be dangerous, extremely obnoxious, or cause substantial environmental impacts on or beyond the boundaries of the property on which the activity or use is conducted. Environmentally Hazardous Materials include, but are not limited to, the following activities:

1. Manufacture, storage and testing of explosives, fireworks or munitions.

2. Refining petroleum and the storage and distribution of natural and liquid gas or other petroleum derivatives in bulk including terminals, tank farms or other similar facilities.

3. Manufacturing, blending, or mixing of pesticides, certain acids and fertilizer.

4. Stockyards, feed pens, livestock sales with pens and/or shipping facilities. Rendering of animal fats, slaughtering or processing of animals, and industrial manufacturing processes using the following raw materials: bones, garbage, offal and dead animals.

5. Refining of raw materials, such as, but not limited to, chemicals, rubber, wood or wood pulp, into other products.

6. The extraction of raw materials, such as sand or gravel mining.

7. Forging, casting, melting, refining, extruding, rolling, drawing and/or alloying metals.

8. Jet engine or other engine testing.

9. Refuse disposal services not listed elsewhere in this Title, including but not limited to landfills, incinerators and other locations which receive garbage and refuse generated off-site for storage, treatment or disposal.

10. Asphalt or concrete batch plants.

11. Boiler works.

Erect. To "construct," "reconstruct," "alter," "move in," or "move upon".

Escort Bureau. A business establishment which, for a fee, commission, hire, or profit, furnishes or arranges for escorts to accompany other persons for social engagements.

Establishment. A use, building, structure or premises which is used for business, office, or commercial purposes.

Evergreen Tree. A tree, either broad leaf or conifer, which maintains at least a portion of its leaves or needles throughout the year.

Existing Use. Unless otherwise specified, the use of a lot or structure at the time of the enactment of this Title or an amendment thereto. For purposes of applying any limitation or requirement of this Code with regard to distances between uses, a use shall be deemed to be an existing use if any necessary special use permit approval has been obtained for such use or, if no such approval is necessary, a building permit has been properly issued for the structure in which the use will occur. The lapse of any necessary special use permit approval or, alternatively building permit approval regarding the use shall be sufficient to remove the its status as "existing" for purposes of applying measurement criteria.

Ord 5633 11/5/03 **Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse.** A facility that:

1. Operates under or is subject to the provisions of NRS Title 40 and, by means of certified detoxification technicians or otherwise, provides care or treatment related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency; or

2. Provides court-ordered or court-sanctioned testing, analysis, treatment or counseling related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency.

Family. Two or more persons customarily living together and occupying a dwelling unit.

Fee Schedule. The schedule of fees which has been adopted by the City Council and which authorizes the City to charge fees for the processing of applications and other activities in connection with zoning and development approval.

Fence. An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Ord 5561 1/22/03 **Financial Institution, General.** Any business or organization, including without limitation banks and credit unions, whose primary service is the exchange of currency. The term does not include any business engaged in retail sales or a business whose primary service is to lend money for repayment at a future date.

Ord 5561 1/22/03 **Financial Institution, Specified.** Any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances, but does not include a pawn shop.

Finished Elevation. The proposed elevation of the land surface of a site after completion of all site preparation work.

Ord 5496 7/17/02 **Flag.** Any fabric, banner or bunting containing distinctive colors, patterns, logos or symbols, used as a representative symbol of a government, political subdivision or private entity.

Floor Area, Gross. The sum of the gross horizontal areas of all the floors of a building or structure measured from the exterior face of exterior walls, but excluding any space where the floor-to-ceiling height is less than six feet.

Floor Area, Net. The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, and interior vehicular parking or loading. The term excludes any floors which are not used or intended to be used for human habitation or service to the public.

Floor Area Ratio. The gross floor area of all buildings or structures on a lot divided by the total gross lot area.

Food Processing. A facility in which food for human consumption is provided in its final form, such as candy, baked goods and ice cream, and the food is distributed to retailers or wholesalers for resale on or off the premises. The term does not include food or beverage processing which uses any mechanized assembly line production of canned or bottled goods.

Ord 5496 7/17/02

Freestanding Sign. A detached sign which is supported by columns, uprights, poles or braces from the ground or from an object on the ground, or a detached sign which is erected on the ground, provided that no part of the sign is attached to any part of any building, structure, or other sign.

Gaming Establishment, General Business Related. A building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Chapter 6 of the Las Vegas Municipal Code.

Gaming Establishment, Non-restricted. 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 Title 6 of the Las Vegas Municipal Code. For informational purposes, the term refers to an establishment whose gaming operations consist of sixteen 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.

Gaming Establishment, Restricted. An establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6 of the Las Vegas Municipal Code. For informational purposes, the term refers to an establishment whose gaming operations are limited to not more than fifteen slot machines, incidental to the primary business at the establishment, and no other game or gaming device.

Gaming or Gambling. Any activities which are regulated pursuant to Chapter 6.40 of the Las Vegas Municipal Code.

Garage. An enclosed building, or a portion of an enclosed building, used for the parking of vehicles.

Garage Sale. The sale of personal property which is conducted on premises within a residential district upon which is located a dwelling.

Garden Supply/Plant Nursery. A facility for the growing, display, or sale of plant stock, seeds or other horticulture items. This use may include raising plants outdoors or in greenhouses for sale either as food or for use in landscaping.

General Personal Service. A facility for the sale of personal services. Typical personal services include barber/beauty shop, shoe repair, tailor, instructional arts studio, photography studio, hand-crafted art studio, safe deposit boxes, travel bureau, house cleaning service, weight reduction center and florist (excluding greenhouses) and permanent makeup establishment.

General Plan. The adopted General Plan or Master Plan of the City, as amended.

General Retail Store. A facility for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel, equipment for hobbies or sports, gifts, flowers and household plants, dry goods, groceries and convenience and specialty foods, toys, furniture, books and stationery, hardware, and similar consumer goods. The term does not include any use specifically listed as a conditional use in Chapter 19.04.

Ord 5607 6/18/03 **Gift Basket Limited.** A facility which sells alcoholic beverages in original sealed or corked containers in quantities not greater than 25.4 ounces measured in the English system of weights and measures, or in quantities not greater than seven hundred fifty milliliters, measured in the metric system of weights and measurements, to be packaged in a receptacle or a container along with other assorted food items or novelty items, or both, which items have a minimum retail value of thirty-five dollars apart from the retail value of the alcoholic beverages; provided, however:

(A) The contents of the gift baskets are not sold separately but, instead, are included as part of the unit price of the gift basket; and

(B) The alcoholic beverages are consumed off the premises where the gift basket is sold.

Ord 5607 6/18/03 **Gift Shop Limited.** A facility located within the physical structure of a nonrestricted gaming establishment which sells, to customers only and not for resale, alcoholic beverages in original sealed or corked containers in quantities less than one pint, measured in the English system of weights and measures, or in quantities less than three hundred seventy-five milliliters, measured in the metric system of weights and measures, for consumption off the premises where the same are sold.

Governing Body. The City Council of the City.

Government Facility. A facility, agency or area used for public purposes and owned or operated by an instrumentality or agency of Federal, State, or local government.

Grade. The degree of rise or descent of a sloping surface (see Slope).

Grade, Finished. The average proposed level of the finished surface of the ground adjoining a building after all site development work has been completed.

Grade, Natural. The average proposed level of the finished surface of the ground adjoining a building prior to site development work.

Grading. Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.

Grand Opening. A one-time promotional activity not exceeding 30 calendar days used by newly established businesses, within two months after occupancy, to inform the public of their location and service available to the community.

Gross Acreage. The total area within the property lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for a public use are deducted from such lot or parcel. The term does not include adjacent property which has already been dedicated for such purposes.

Gross Floor Area. The sum of the gross horizontal areas of all the floors of a building or structure measured from the exterior face of exterior walls, but excluding any space where the floor-to-ceiling height is less than six feet.

Ground Cover. Plants grown for their low spreading capabilities for the protection of soils, to prevent growth of weeds and for aesthetic purposes.

Group Dwelling. Two or more detached one-family, two-family or multiple-family dwellings, occupying a parcel of land in one ownership, which may have a yard or porch in common, but not including automobile courts, as herein defined.

Group Residential Care Facility. A dwelling of a residential character which is used or intended to be used to provide housing and care for up to ten elderly persons or persons with a handicap. The term does not include an individual residential care facility, convalescent care facility, nursing home, hospital, special care facility or any facility which:

1. provides surgical, medical, psychiatric or other specialized treatment on a regular basis;

2. provides housing and care to persons who have a chronic illness, disease, injury or other medical condition; or

3. provides housing, care or treatment to persons whose occupancy would constitute a direct threat to the health or safety of other individuals or their property.

Guest House/Casita. A structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters for the occupants of the principal dwelling, their temporary guests or domestic employees. The term does not include a structure which is made available on a rental basis.

Gun Club, Skeet or Target Range. A facility for the sport of shooting at targets to test accuracy in rifle, pistol or archery practice owned or operated by a corporation, association or individuals.

Ord 5628 10/1/03 **Halfway House.** A facility for the housing, rehabilitation, and training of persons on probation or parole from correctional institutions, or other persons found guilty of criminal offenses.

Handicap. With respect to a person: (1) a physical or mental impairment which substantially limits one or more of such person's major life activities; (2) a record of having such impairment; or (3) being regarded as having such an impairment. The term does not include current illegal use of or addiction to a controlled substance.

Harmonious Relationship. The design, arrangement and location of buildings or other created or natural elements of the urban environment that are sufficiently consistent in design, scale, height, color, character and siting with other buildings, or created or natural elements in the area so as to avoid abrupt or severe differences or incompatibilities.

Hazard to Air Navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Heavy Construction Trade Yard. A lot or facility used for the storage of heavy construction equipment, machinery and vehicles.

Heavy Machinery & Equipment (Rental, Sales & Service). A facility for the display, sale and rental of tools, heavy machinery, dump trucks or commercial and heavy equipment such as those used in building construction, farming, restaurants or manufacturing.

Height, Airport Zoning. For the purpose of determining the height limits in all zones shown on an airspace zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Helipad. A facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services.

Historic District. A designation, in the form of overlay zoning, applied to all properties within an area with defined boundaries, as a result of formal adoption by the City Council, which expresses a distinctive character worthy of preservation.

Historic Preservation Plan: A document, formally adopted by the City Council, containing goals and policies directing historic preservation activity within the City.

Historic Property: A designation, in the form of overlay zoning, applied to an individual property, as a result of formal adoption by the City Council, which expresses a distinctive character worthy of preservation; or an archeological site.

Ord 5496 7/17/02 **Historic Sign.** A sign designated as historic in accordance with Section 19.14.080. Home Occupation. An income producing activity conducted in a residential zone pursuant to Subchapter 19.18.110.

Horse Corral or Stable (Commercial). A structure for the keeping of horses, mules or ponies which are boarded for compensation.

Horse Corral or Stable (Private). An accessory structure for the keeping of horses, mules or ponies for the use of occupants of the premises.

Hospice. A home for the terminally ill.

Hospital. An institution, designed within an integrated campus setting for the diagnosis, care, and treatment of human illness, including surgery and primary treatment.

Ord 5720 9/1/05 **Hotel Lounge Bar.** 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 an 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 seventy-five seats.

Hotel or Motel, or Hotel Suites.

1. Motel - A building or group of buildings whose main function is to provide rooms for temporary lodging; rooms are directly accessible from an outdoor parking area.

2. Hotel - A building or group of buildings whose main function is to provide rooms for temporary lodging where entrance to each room is gained from a completely enclosed area. A hotel may also contain restaurants, conference rooms and personal service shops.

3. Hotel Suites. A facility offering temporary lodging accommodations to the general public in which rooms or suites may include kitchen facilities and sitting rooms in addition to the sleeping room. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than one week.

Hotel, Residence. A multi-dwelling unit for extended stay lodging consisting of efficiency units or suites with a complete kitchen suitable for long term occupancy; customary hotel services such as linen, maid service, telephone and upkeep of furniture; and optional resident and guest amenities such as meeting rooms, club house and recreation facilities. The term does not include facilities which qualify as other types of dwelling units defined in this title.

HPC. The Historic Preservation Commission.

HPO. The Historic Preservation Officer.

Hypnotherapy Practice. A facility in which one or more duly licensed or certified mental health professionals provide psychotherapeutic treatment utilizing hypnosis, or training in self-hypnosis conditioning, to patients or clients. For purposes of this definition "duly licensed or certified" means:

1. Licensed by the State of Nevada Psychological Examiner's Board; or

2. Certified by a nationally recognized professional hypnotherapy organization, with a current membership of a least one thousand members, that is dedicated to providing training, continuing education, and performance testing in hypnotherapy.

Impound Yard. A lot or building which is used for the storage of wrecked motor vehicles, usually awaiting insurance adjustment or transport to a repair shop, and where motor vehicles are kept for a period not to exceed 14 days.

Improvement. Any building, structure, landscaping, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment.

Ord 5496 7/17/02 **Incidental Sign.** A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," and "telephone" signs; directory signs and drive-through menu boards; and other similar directives or identifying messages. In order to qualify as an incidental sign, a sign may contain the logo or name of the business that is on the same parcel as the sign but shall not contain any other commercial message legible from a position off the lot on which the sign is located.

Individual Residential Care Facility. A home in which a natural person furnishes food, shelter, assistance and limited supervision, for compensation, to not more than two persons who are aged, infirm, mentally retarded or handicapped, unless the persons receiving those services are related within the third degree of consanguinity or affinity to the person providing those services.

Ingress. Access or entry.

Intensity of Use. The number of dwelling units per acre for residential development and floor area ratio for nonresidential development.

Ord 5496 7/17/02 **Institutional Sign.** An on-premise sign designed to communicate information about any house of worship, school, or other institution that is a permitted use in the subject zoning district.

Irrigation System. The combination of elements such as automatic controllers, meters, pressure vacuum breakers, pipes, valves, emitters, bubblers, spray heads, tubing and other materials designed for the purpose of transporting water to landscaping.

Jewelry Store, Class III Type. A store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store.

Jewelry Store, New. A store which primarily sells new merchandise and some used merchandise from estate sales or reconstitutes precious metals into jewelry forms which are sold at retail on the premises.

Ord 5609 8/18/03 **Keeping of Carrier or Racing Pigeons.** The keeping of pigeons that are bred and kept for the purpose of demonstration or racing, are registered with a national pigeon registry or organization, and are identified as to ownership and registration by a stamp or a band.

Ord 5607 6/18/03 **Keg Beer.** A facility which sells beer in keg containers having a capacity of at least one-quarter barrel size for delivery only to the premises of a purchaser.

Kiosk. A freestanding structure upon which temporary information and/or posters, notices, and announcements are posted.

Kitchen. Any room in a dwelling which is used, designed, or intended to be used for the cooking and preparation of food, including "kitchenette".

Ord 5633 11/5/03 **Laboratory, Medical or Dental.** A facility, other than a hospital, that:

1. Conducts general medical or scientific research, investigation, testing, or experimentation; or

2. Upon referral by or request of a medical professional, provides radiological or medical testing, or creates prosthesis or artificial dental work.

The term does not include a facility for the manufacture or sale of other products, except as incidental to the main purpose of the laboratory. The term also does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," as that term is defined in this Section.

Land Surveyor. One who is licensed by the State as a land surveyor and is qualified to make accurate field measurements and to mark, describe, and define land boundaries.

Landfill. A lot or premises used for the disposal of garbage, trash, refuse or waste material, but not including sewage, which is officially sanctioned by proper authorities of the jurisdiction in which it is located.

Landmark. A designation applied to an individual property as a result of formal action by the City Council in accordance with Subchapter 19.06.090.

Landscaping. The combination of natural elements such as trees, shrubs, ground covers, vines, and other living organic and inorganic material which are installed for purposes of creating an attractive and pleasing environment; screening unsightly views; reducing environmental heat; filtering particulate matter from the air; and boosting oxygen levels.

Laundry, Self-Service. A laundry facility that provides coin operated washing and drying machines for customer operation. The term includes a facility that provides additional services such as fluff and fold or dry cleaning, provided that no dry cleaning equipment is located on the premises. The term does not include a laundry room located within a residential development that is provided solely for the use of residents of the development.

Light Assembly & Fabrication. Manufacturing from standard parts of a distinct object differing from the individual components.

Liquefied Petroleum Gas Installation. A facility or system which includes tanks, piping or gas equipment (or any combination thereof) and is used or intended to be used for the storage, dispensing or other utilization of liquefied petroleum gas.

Liquefied Petroleum Gas. Any material which is composed predominantly of any of the following hydrocarbons, or mixtures of propane, propylene, butanes (either normal butane or isobutane) and butylenes.

Ord 5607 6/18/03 **Liquor Caterer.** A person who dispenses, serves or sells alcoholic beverages only for consumption on the premises where the same are dispensed, served or sold during the times, dates and places specified by permit.

Ord 5607 6/18/03 **Liquor Establishment (On-Sale/Off Sale/On-Off Sale).** A facility that does not qualify under a more specific use category in this Chapter and that:

(A) Sells alcoholic beverages for consumption on the premises where the same are sold;

(B) Sells alcoholic beverages in the original sealed or corked containers for consumption off the premises where the same are sold; or

(C) Sells alcoholic beverages under the provisions set form in both Paragraphs (A) and (B) of this definition.

Liquor Establishment (Tavern). A facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

Ord 5671 3/3/04 **Live/Work Unit.** A structure or portion thereof that combines a low-intensity nonresidential work space with an integrated residential space, with the residential space being subordinate and accessory to the nonresidential use.

Livestock Farming (Bovines/Horses). The raising or keeping of bovine animals or horses for recreational, entertainment or training purposes only. The term does not include the breeding or raising of animals for consumption or sale.

Loading Space. An off-street space or berth used for loading or unloading of cargo, products or materials from vehicles.

Lodge or Fraternal Organization. A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics or other similar interest; but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues or other houses of worship.

Lot. A tract, plot or portion of a subdivision, addition or other parcel of land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as are required under this ordinance and other development regulations, and having its principal frontage upon a public street or officially approved private access easement. Lot includes the words Plot, Parcel, Tract and Premises.

Lot Area. That area of a horizontal plane bounded by the front, side and rear property lines including any portion of an easement which may exist within such property lines but exclusive of rights-of-way for street purposes.

Lot, Corner. A lot situated at the intersection of two or more streets, with frontage on at least two streets.

Lot Coverage. The percentage of lot area covered by all buildings and structures after the area required for dedicated public right-of-way is subtracted.

Lot Depth. The length of a line connecting the mid-point of the front and rear property lines.

Lot, Double Frontage. A lot (not a corner lot) which adjoins two streets which are parallel or within forty-five degrees of being parallel to each other. On a double frontage lot, both street property lines shall be deemed front lot lines, unless designated otherwise on a recorded Final Map.

Lot, Flag. A lot having access or an easement to a public or private street by a narrow, private right-of-way.

Lot Frontage. Lot frontage refers to the width of a lot measured along the front property line between the two side property lines.

Lot, Improved. (1) A lot upon which a building can be constructed and occupied; (2) A lot with existing buildings or structures.

Lot, Interior. A lot other than a corner lot.

Lot, Key. A lot with a side property line that abuts the rear property line of any one or more adjoining lots.

Lot Line. A property line that divides one lot from another lot or from a public or private street or any other public space.

Lot Line, Front. The property line separating a lot from a street right-of-way.

Lot Line, Rear. The property line opposite and most distant from the front property line. In the case of a triangular or otherwise irregularly shaped lot, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front property line.

Lot Line, Side. Any property line perpendicular to a front or rear property line.

Lot, Minimum Area. The smallest lot area permissible in a particular zoning district on which a use or structure may be located.

Lot of Record. A lot that exists as shown or described on a plat or deed in the records of the County Recorder.

Lot, Reverse Corner. A corner lot, the rear of which abuts the side of another lot.

Lot, Substandard. A parcel of land that has less than the minimum area or minimum dimensions required in the zoning district in which the lot is located.

Lot, Through. A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot.

Lot, Transition. A lot in one zoning district which abuts another zoning district.

Lot Width. The length of a line connecting the side property lines; drawn perpendicular to the lot depth line at its point of intersection with the front yard line.

Main Building. A building devoted to the principal use of the lot on which it is situated. On any lot in a residential district, the term refers to the principal dwelling located on that lot.

Maintenance. The upkeep of property, building, structures, amenities, parking facilities, landscaping or lot including repair, painting, trimming, pruning, as well as watering and other on-going activities that are associated with maintenance.

Manufactured Home. A structure as defined in NRS 489.113. A manufactured home may or may not qualify for treatment as a single-family detached dwelling pursuant to Section 19.04.060(B).

Manufacturing, Heavy. A facility for the general mass producing of goods, usually for sale to wholesalers or other industrial or manufacturing uses. The term includes any use which employs any of the following or similar types of processes:

1. Milling of grain as retail sales and service.

2. Production of animal food, and the tanning of animal hides.

3. Production of large durable goods such as, but not limited, to motorcycles, cars, manufactured homes or airplanes.

4. Canning or bottling of food or beverages for human consumption using a mechanized assembly line.

5. Manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical products, and use of a foundry for metals.

6. Production of items made from stone, clay, metal or concrete.

7. Tire recapping or retreading.

8. Production of items by means of the chemical processing of materials.

Manufacturing, Light. A facility for producing goods without the use of any of the processes described within the definition of "Heavy Manufacturing." The term includes without limitation the following activities:

1. Assembly, finishing, and/or packaging of small items from component parts made at another location. Examples include but are not limited to cabinet making or the assembly of clocks, electrical appliances, or medical equipment.

2. Production of items made from materials derived from plants or animals including, but not limited to, leather, pre-milled wood, rubber, paper, wool or cork, or from textiles or plastics.

3. Electrical component manufacturing.

4. Reproduction, cutting, printing, or binding of written materials, drawings or newspapers on a bulk basis using lithography, offset printing, blue printing and other similar methods.

5. Machine shop where material is processed by machinery, cutting, grinding, or similar processes.

Map. The Official Zoning Map Atlas of the City of Las Vegas.

Ord 5496 7/17/02 **Marquee or Porte Cochere.** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Ord 5496 7/17/02 **Marquee Sign or Porte Cochere Sign.** Any sign attached to, in any manner, or made a part of a marquee or porte cochere.

Massage Establishment. A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52.

Master Sign Plan. A plot plan and accompanying documentation which identifies all existing and proposed on-premise signage on a development or complex of buildings.

Median. A paved or planted area separating a street or highway into two or more lanes of travel in opposite directions.

Mini-warehouse. A facility with enclosed storage space, divided into separate compartments no larger than 500 square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

Ord 5496 7/17/02 **Miscellaneous Residential Sign.** Any incidental or real estate sign on a single dwelling unit lot or other residential lot.

Ord 5565 2/5/03 **Mixed-Use.** A combination of certain residential and nonresidential uses on a single parcel, or a mix of certain residential and nonresidential uses within an area that is zoned for either residential or nonresidential use.

Mobile Home. A factory-assembled structure equipped with the necessary service connections and made so as to be movable as a unit on its own running gear and designed to be used for a one-family residential use.

Mobile Home Park. An area or tract of land where two or more mobile homes or mobile home lots are rented or held out for rent. The term does not include an area or tract of land where: (a) More than half of the lots are rented overnight or for less than three months for recreational vehicles. (b) Mobile homes are used occasionally for recreational purposes and not as permanent residences.

Mobile Home Space Boundary Line. The lines which bound a mobile home site on its front, sides or rear.

Mobile Home Space. That portion of a mobile home park designated, used, or designed for the occupancy of not more than one mobile home and includes that area set aside or used for automobile parking, carports, cabanas, awnings, accessory buildings or other structures, and the yard area as required herein.

Ord 5478 5/1/02 **Monorail.** A non-technology specific system used to transport passengers, including any system on a fixed land route installed and operated on an exclusive fixed guideway or rail, and including a monorail as defined in NRS Chapter 705. The term does not include a system to transport passengers between two end points with no intermediate stops, or a monorail that function only as part of a theme park or permanent exhibition under LVMC Chapter 6.81.

Ord 5496 7/17/02 **Monument Sign.** A freestanding sign where the base of the sign structure is on the ground or a maximum of 12 inches above the lowest point of the ground adjacent to the sign.

Mortuary or Funeral Chapel. A facility in which dead bodies are prepared for burial or cremation; a facility where funeral services are conducted.

Ord 5552 12/4/02 **Motorcycle/Motor Scooter Sales.** A facility or area for the display and sale of motorcycles and motor scooters, whether new or used. The term includes service bays which are incidental and accessory to the sales use. The term is used for the sole purpose of allowing the use by means of Special Use Permit in the C-1 District. For all other purposes, the use described in this definition shall be treated under the appropriate category of motor vehicle sales.

Ord 5665 2/4/04 **Motor Vehicle Sales (New).** A facility or area for the display and sale (or leasing) of new automobiles, trucks, motorcycles and motor scooters. The term includes service bays and auto body shops which are incidental and accessory to the sales use.

Ord 5665 2/4/04 **Motor Vehicle Sales (Used).** A facility or area used primarily for the display and sale (or leasing) of used automobiles, motorcycles and motor scooters. The term includes service bays and auto body shops which are incidental and accessory to the sales use.

Mounted Antenna. An antenna, other than a wireless communication facility, that is attached to a structure as permitted under this Code.

Mulch. A protective covering of inorganic material including rock, gravel, and decomposed granite, which is placed on the earth around plants to reduce weed growth, to minimize evaporation of moisture from the soil surface, to maintain even temperatures around plant roots, and to retard erosion.

Multi-family. Used or designed as a residence for three or more families or households living independently of each other.

Multi-phase Development. A development project that is constructed in stages, each stage being capable of existing independently of the others.

Museum or Art Gallery. A facility or area for the acquisition, preservation, study, and exhibition of works of artistic, historic or scientific value.

Neighborhood. An area of a community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features.

Net Lot Area. The total area within the property lines of a lot or parcel of land after public street rights-of-way or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Night Club. An establishment other than a teen dance center, that is operated as a place of entertainment, characterized by any or all of the following as a principal use:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.

2. Dancing.

Ord 5496 7/17/02 **Noncommercial Message.** A message, the sole purpose of which is to direct attention to a political, social, community or public-service issue.

Non-Conforming Lot. A lot which was lawful in terms of the area, dimensions or location prior to the adoption, revision or amendment of this Title, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district in which it is located.

Non-Conforming Sign. Unless otherwise provided, any sign that conformed to existing sign regulations at the time it was erected but that would no longer be permitted by virtue of the adoption of this Title, or an amendment thereto.

Non-Conforming Structure. A building or structure legally and properly located on a lot or parcel at the time of construction or erection of said building, but which subsequently would not be permitted to be constructed at that location by virtue of adoption of this Title, or an amendment thereto.

Non-Conforming Use. Any legally pre-existing use of land which is inconsistent with the provisions of this Title, or an amendment thereto.

Non-Contributing Property. A classification applied to an individual property located within a designated Historic District, signifying that the property does not contribute to the distinctive character of the District.

Ord 5607 6/18/03 **Nonprofit Club General.** Any nonprofit corporation, association or organization which has been in continual existence for at least two years and:

(A) Is organized or qualified to do business and operate under the laws of the State;

(B) Has tax-exempt status granted by the United States Internal Revenue Service;

(C) Has a membership of at least one hundred members who are twenty-one years of age or older and who pay dues to the nonprofit corporation, association or organization; and

(D) Operates a clubhouse, clubroom or meeting room in a permanent location which it owns or leases.

Ord 5607 6/18/03 **Nonprofit Club Restaurant Service Bar.** A bar wherein alcoholic beverage drinks are prepared for service in connection with meals at tables in the restaurant area of a nonprofit club where members of the general public are invited to dine.

Nuisance. An interference with the enjoyment and use of property.

Obstruction. Any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in Section 19.06.060 (C).

Occupancy or Occupied. With respect to a structure, refers to the residing of one or more individuals in a dwelling or to the storage or use of equipment, merchandise or machinery in any public, commercial, or industrial building.

Ord 5496 7/17/02 **Off-Premise Sign.** Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed.

Off-Site Improvement. In connection with a development proposal, improvements that are required to be made to property which is or will be dedicated or reserved for public use including, but not limited to; street, sidewalk, traffic light and other standard off-site improvements; road widening and upgrading; storm water or drainage facilities; traffic circulation improvements and traffic control devices.

Off-Site Parking. Parking provided for a specific use but located on a site other than the one on which the specific use is located.

Off-Street Loading. Designated areas on a development site for the loading and unloading of cargo adjacent to buildings and not in the public right-of-way.

Office. A building used primarily for conducting the affairs of a business, profession, service, industry or government and which may include ancillary services for office workers, such as restaurants, newsstands or other minor commercial establishments.

Ord 5633 11/5/03 **Office, Medical.** A professional office for the administration of professional medical or dental care, including examinations, screenings and minor outpatient surgical procedures. The term does not include a facility that provides housing for individuals, a clinic, or any other facility that is specifically defined in this Section.

Office Park. A development which contains a number of separate office buildings, accessory and supporting uses, and open space and which is designed, planned, constructed, and managed on an integrated and coordinated basis.

Office, Other Than Listed. A building or rooms used for conducting the affairs of a business, profession, service, industry or government other than those which are specifically listed in this Title.

Ord 5496 7/17/02 **On-Premise Sign.** Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot, same site, or within the same Master Sign Plan area where the sign is erected or placed.

On-Site. Located on the lot that is the subject of an application for development.

Open Air Vending/Transient Sales Lot. An area that is used exclusively for the sale or taking of orders for any merchandise where such merchandise is displayed or sold in the open area; such activities are not part of the operation of an established business; and no permanent physical structures or facilities are used as integral parts of the sales or ordertaking operations. The term includes the display or sale of merchandise in or in connection with a truck, trailer or movable building of any type.

Open Space. Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Open Space, Common. Land within or related to a development that is designed and intended for the common use or enjoyment of the residents of the development and their guests.

Open Space, Private. Open space which is normally limited to the use of the occupants of a single dwelling or building or property that abuts such open space.

Open Space, Public. Open space owned and maintained by a public agency for the use and enjoyment of the general public.

Outcall Entertainment Referral Service. A business which, for a fee, sends or refers an entertainer to an entertainment location (as defined in LVMC 6.57.030) in response to a telephone or other request to entertain a patron at the entertainment location.

Outside Storage. The use of a significant portion of a lot or area for the long term retention (more than 24 hours) of materials and machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored,

incinerated, or discarded. The term does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.

Overlay Zone. A zoning district that is imposed on one or more underlying base zoning districts and which provides additional requirements and limitations beyond those required by the underlying zoning district.

Owner. An individual, firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek development of land.

Ord 5496 7/17/02 **Painted Wall Sign.** Means any sign that is painted directly on a building wall surface.

Parking Area. A paved area, other than a public right-of-way, used for the parking of automobiles.

Parking, Commercial. A facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises.

Ord 5551 12/4/02 **Parking Lot/Sidewalk Sale.** A promotional sales event that is conducted by a business operation outside the confines of the commercial or manufacturing structure in which the business operation is normally conducted.

Parking Space. A space within a building, garage or parking area, as defined, for the temporary parking or storage of one automobile with continuous and unimpeded access to a public right-of-way, service drive or aisle.

Patio Cover. An attached or detached accessory structure which is not enclosed and provides sheltered outdoor space.

Ord 5561 1/22/03 **Pawn, Auto.** A Pawn Shop that lends money on the security of a motor vehicle, which the pawn shop takes possession of as the pledged property.

Pawn Shop. A facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Ord 5496 7/17/02 **Pennant.** Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wires, or string, usually in a series, designed to move in the wind. A pennant shall be considered a temporary sign.

Permanent Makeup Establishment. A facility that applies natural pigment to the dermal layer of the skin, by the use of needles or other instruments designed to contact or puncture the skin, for the sole purpose of providing either permanent coloration for medical skin restoration or cosmetic coloration to enhance or diminish personal features.

Permitted Use. Any use allowed in a zoning district as a matter of right if it is conducted in accordance with the restrictions applicable to that district. Permitted uses are designated in the Land Use Table by the letter "P".

Person. An individual, firm, partnership, corporation, company, association, joint stock association, governmental entity, trustee, receiver, assignee or similar representative of any of them.

Ord 5737 12/15/04 **Pet Boarding.** A lot, building, premises or structure on which four or more household pets kept regularly and for extended periods of time for the benefit of persons who do not reside on the premises. The term included facilities that provide shelter, care, feeding, exercising, grooming or incidental medical care for household pets for remuneration or otherwise on a commercial basis. The term includes a kennel operation.

Planned Community Program. The development plan and development standards for a development in the P-C (Planned Community) District.

Planning Commission. The Planning Commission of the City of Las Vegas duly appointed by the Mayor with the approval of City Council. The Planning Commission shall have the powers and duty to provide for development as prescribed by State law and City ordinances.

Ord 5496 7/17/02 **Pole Sign.** A Freestanding sign supported by one column, upright, pole, or brace in or upon the ground the sum width/diameter of which is less than 25 percent of the width of the sign.

Ord 5496 7/17/02 **Political Sign.** Any sign relating to a candidate, issue, proposition, ordinance or other matter in a public election or referendum, or any sign pertaining to the advocacy of political views or policies by persons, groups, or parties.

Ord 5496 7/17/02 **Portable Sign.** Any sign which is not permanently attached to the ground or to another permanent structure; including, but not limited to, temporarily placed signs designed to be transported; signs by means of wheels; signs converted to A- or T-frames; movable menu and sandwich board signs; tethered balloons used as signs; and signs attached to or painted on a vehicle or trailer which is parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.

Pre-Existing Use. A lawful and conforming existing use of a lot or structure prior to the time of the enactment of this Title.

Preservation Covenant. A recorded deed restriction which requires the preservation of a property for an agreed-upon period of time.

Preservation Easement. A non-possessory interest in real property which creates rights and obligations related to the preservation of the distinctive character of that property or a portion thereof.

Ord 5496 7/17/02 **Principal Building.** The building in which the principal use of the lot is conducted. Lots with multiple uses may have multiple principal buildings. The term does not include storage buildings, garages or other buildings which normally are considered accessory buildings.

Principal Use. The purpose for which land, premises or building is designed, arranged or constructed.

Printing & Publishing. An establishment that provides printing, publishing, duplicating, or collating services using photocopy, blueprint, off-set printing, or related equipment.

Private Club, Lodge or Fraternal Organization.

1. Club. A facility of a private organization for the preparation and service of food and/or drink for members and their guests.

2. Lodge or Fraternal Organization. A facility for a special purpose organization for the sharing of sports, arts, literature, politics or other similar interests; but not primarily\ for profit or to render a service that is customarily carried on as a business.

Private Garage. An accessory building, or an attached portion of the main building, designed or used for the shelter and storage of automobiles.

Prohibited Use. A use that is not permitted by any means in a particular zoning district.

Ord 5477 5/1/02 **Project of Regional Significance.** Any of the following:

1. A site-specific building or development project, whether private, public or quasipublic in nature, that is proposed within one-half mile of the boundary of another municipal corporation or an unincorporated area, and that qualifies as one or more of the following:

   a. A project with a tentative map including 500 lots or more;
   b. A planned unit development of 500 units or more;
   c. A development including tourist accommodations of 300 units or more;
   d. A commercial or industrial facility that is estimated to generate more than 6250 average daily vehicle trips, as defined by the Institute of Transportation Engineers (or its successor); or
   e. A nonresidential development encompassing more than 160 acres.

2. A zoning map amendment or local land use plan amendment that is proposed within one-half mile of the boundary of another municipal corporation or an unincorporated area, and that could result in development meeting or exceeding any of the criteria listed in Paragraphs 1(a) through 1(d) above.

3. A Special Use Permit application concerning property within 500 feet of the boundary of another municipal corporation or an unincorporated area.

Ord 5496 7/17/02 **Projecting Sign.** Any sign affixed to a building in such a manner that its leading edge extends more than twelve inches beyond the surface of the building. The term does not include a decorative awning or canopy.

Property. A lot, parcel, or tract of land together with the building and structures located thereon.

Ord 5633 11/5/03

Psychology Practice. A professional office in which a licensed professional, including a psychiatrist, psychologist, social worker, marriage and family therapist, or occupational therapist, provides evaluation, testing, treatment or counseling services related to mental conditions or disorders. The term includes a hypnotherapy practice, but does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," or a "sex offender counseling facility," as those terms are defined in this Section.

Public Areas. Parks, playgrounds, trails, paths, and other recreational areas and open spaces; scenic and historic sites; schools and other publicly operated buildings; and other places where the public is directly or indirectly invited to visit or permitted to congregate.

Public Hearing. A meeting, announced and advertised in advance and open to the public, in which members of the public have an opportunity to participate.

Public Improvement. Any improvement, facility, or service, together with its associated site or right-of-way, necessary to provide transportation, drainage, utilities, or similar essential services and facilities and that are usually owned and operated by a governmental agency.

Public Notice. The advertisement of a public hearing in a paper of general circulation and through the mail, or the posting of a sign on property, each designed to indicate the time, date, place, and nature of a public hearing.

Public or Private School. An educational institution for kindergarten, elementary or secondary education which is supported by a public, religious or private organization.

Public Park or Playground. A park, playground, swimming pool, reservoir, golf course, or athletic field owned, operated and maintained by a local or State level government entity.

Public Right-of-Way. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public utilities or facilities.

Public Use Airport. Any of the facilities of McCarran International Airport and North Las Vegas Airport.

Public Utility. A regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety and welfare.

Ord 5496 7/17/02 **Pylon Sign.** A freestanding sign supported by two or more columns, uprights, poles, or braces in or upon the ground, or a freestanding sign supported by a single column, upright, pole or brace in or upon the ground the sum width/diameter of which is 25 percent or more of the width of the sign.

Quasi-Public Use. A use owned or operated by a nonprofit, religious, or eleemosynary institution and providing educational, cultural, recreational, religious, or similar types of programs.

Radio Broadcasting. A building or portion of a building used as a place for radio broadcasting.

Radio, TV, Microwave Communication Tower. A freestanding structure which supports antennae that transmit or receive any portion of the electromagnetic spectrum.

Railroad Yard, Shop, or Roundhouse. A facility or area for the maintenance, repair, or storage of bus, rail or other transit vehicles.

Ramada. Any freestanding roof or shade structure installed or erected above an occupied mobile home or any portion thereof.

Raw Land. Unimproved land without buildings, structures, utilities or streets.

Ord 5496 7/17/02 **Real Estate Sign.** A sign to advertise a commercial or residential property for sale, lease, or rent.

Recording Studio. A building or portion of a building used as a place to record music and videos. The term does not include broadcasting facilities.

Recreational Vehicle. A vehicle towed, or self-propelled on its own chassis, or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor coach homes and converted trucks or buses.

Ord 5498 7/8/02 **Recreational Vehicle and Boat Storage.** The storage of recreational vehicles, boats, or any combination thereof.

Recycling Collection Center. A facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, paper or clothing for recycling purposes conducted totally within an enclosed structure or container. The term does not include processing except for "can banks" that crush cans as they are deposited.

Rental Store. A facility for the rental of general merchandise to the general public and not specifically listed as a different use elsewhere in this Title. Typical general merchandise includes clothing and other apparel; electronics; videos; tools and garden equipment; furniture and other household appliances; special occasion or seasonal items; and similar consumer goods.

Bill 2005-14 4/20/05 **Regional Mall.** An enclosed structure with a minimum square footage of three hundred fifty thousand square feet:

(A) That is used or intended to be used as an assemblage of various tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;

(B) That includes a minimum of two major anchor tenants; and

(C) In which the typical means of access to the various uses in from inside the mall structure.

Rescue Mission or Shelter For The Homeless. A building that is used or intended to be used to provide to homeless individuals temporary accommodations, shelter, meals or any combination thereof. For purposes of this Title, a "homeless individual" includes an individual who lacks a fixed, regular and adequate nighttime residence.

Restaurant. A use providing preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses.

Restaurant, Carry-Out. An establishment designed for selling prepared foods for off-premise consumption.

Restaurant, Drive-Through. A use providing preparation and retail sale of food and beverages, as defined under "Restaurant," with the added provision of one or more drive-through lanes for ordering and dispensing food and beverages to patrons remaining in their vehicles.

Restaurant Service Bar. A bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption.

Review Authority. The authority responsible for the review and final action on an application filed under this Title, such as the City Council, Planning Commission or the Director.

Rezone. To change the zoning classification of particular lots or parcels of land.

Right of Access. The legal authority to enter or leave a property.

Right-of-Way. A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

Roof Sign. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the roof or parapet of the building.

Runoff. Irrigation water that is not absorbed by the soil to which it is applied and which flows onto hard-surfaced areas. Runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where a severe slope exists.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Runway Protection Zone. A trapezoidal area at ground level for the purpose of protecting the safety of approaches and keeping the area clear of the congregation of people.

Salvage or Reclamation of Products. A facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment which is not considered as another use under this Title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. The term includes facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans and other products, which can be returned to a condition in which they may again be used for production.

Scale of Development. The physical development of a particular project, in terms of its size, height, bulk, intensity and aesthetics.

Ord 5551 12/4/02 **Seasonal Outdoor Sales.** The Temporary outdoor sale and display of the following (and only the following) holiday goods in connection with the corresponding holidays:

1. Christmas trees;
2. Halloween pumpkins;
3. Valentine's Day flowers; and
4. Mother's Day flowers.

The term does not include fireworks sales to the extent they are conducted in compliance with LVMC Chapter 9.28 and the requirements of the Department of Fire and Rescue.

Secondhand Dealer. A specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns. The term includes the sale of jewelry (class III type) and scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, the sale of used cars or the sale of other items which the City Council determines do not fit within the intent of this term. The term does not include the buying and selling of foreign or domestic coins for numismatic purposes, which shall be allowed where retail sales of new merchandise, is permitted.

Ord 5638 11/19/03 **Senior Citizen Apartments.** An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

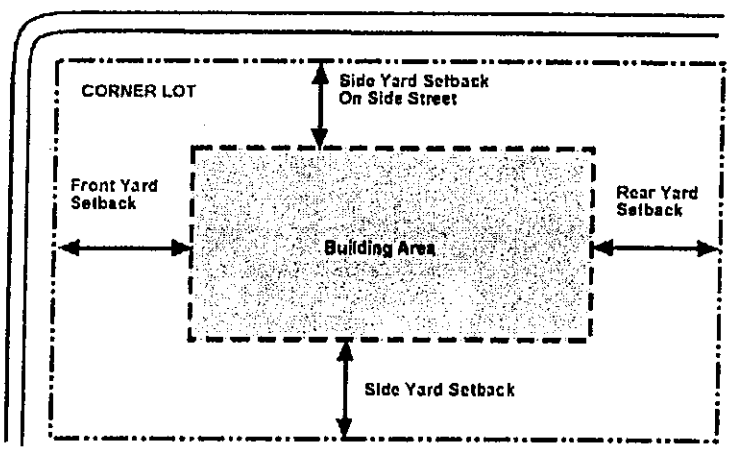
2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

Service Station. Any building, or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade, together with any incidental minor automotive repair or automatic car wash facility.

Setback. The required separation distance between the nearest portion of a structure and the property line.

Setback Area, Required. That portion of a lot which is required to be unoccupied and unobstructed from the ground to the sky between a required setback line and the property line, except as otherwise provided in this Title.

Figure 2. Required Setbacks



Setback Area, Front. A yard area of which the width is measured the entire length of the front property line between the side property lines; and the depth is measured as the distance between the street right-of-way line and the required front setback line (see Figure 2). Revised March 2004

Setback Area, Rear. A yard area of which the width is measured the entire length of the rear property line between the side property lines; and the depth is measured as the distance between the rear property line and the required rear yard setback line (see Figure 2).

Setback Area, Side. A yard area of which the width is measured between the side property line and the required side yard setback line and the depth is measured between the front yard setback line and the rear yard setback line (see Figure 2).

Ord 5633 11/5/03 **Sex Offender Counseling Facility.** A facility that regularly provides court-ordered or court-sanctioned treatment or counseling to sex offenders.

Sexually-Oriented Business. See Subchapter 19.04.040.

SHPO. The State Historic Preservation Office.

Sidewalk/Parking Lot Sale. A promotional sales event which is conducted outside the confines of the commercial or manufacturing structure in which such business is normally conducted and which occurs on a paved or concrete area on the same lot as the structure.

Sign. Any device, fixture, placard, structure or other medium, including its structure and component parts, that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Sign, Animated. Any sign that uses any of the following: animation or movement; mechanical devices such as spinning, rotating, revolving or oscillating mechanical or structural components; flashing, sequential or oscillating lights; lighting that moves from bright to dim and back to bright; or other similar continuously automated methods or dynamic devices, such as steam, fog, misting, or change of lighting or message, to depict action or create a special effect or alternating scene that results in movement, the appearance of movement, or the changing of sign image or message. The term includes any sign or portion thereof with characters, letters or illustrations, that can be changed or rearranged manually or electronically without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is the electronic indication of time, temperature, or both.

Sign, Off-Premise. Any sign whose copy advertises or announces any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed.

Sign, On-Premise. Any sign whose copy is limited to advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot where the sign is erected or placed.

Sign Certificate. A certificate issued by the Department of Planning and Development to authorize a sign pursuant to Chapter 19.14.

Similar Use. A use that has the same characteristics as the specifically cited uses in terms of the following; trip generation and type of traffic, parking and circulation, utility demands, environmental impacts, physical space needs and clientele.

Single Family Attached Dwelling. See Dwelling, Single-Family Attached.

Single Family Detached Dwelling. See Dwelling, Single-Family Detached.

Single Family Unit Equivalent. A residential density value based on the vehicular traffic generated by a single family dwelling.

Single Room Occupancy Residence. A residential facility in which furnished rooms are rented on a weekly or monthly basis and which provides common facilities and services for laundry, cleaning and meals.

Site Built Single Family Home. A single family dwelling which is constructed under the standards of the Uniform Building Code (UBC), Uniform Electrical Code (UEC), Uniform Fire Code (UFC), Uniform Mechanical Code (UMC) and the Uniform Plumbing Code (UPC) as adopted in the Las Vegas Municipal Code (LVMC), including all appurtenant supplements thereto.

Ord 5607 6/18/03 **Social Event With Alcoholic Beverage Sales.** The sale of alcoholic beverages for consumption only on the premises where the same are sold in connection with weddings, school graduations, employer and employee events, recognition ceremonies, awards ceremonies, family gatherings, fund-raising events, club and organization events or other similar events which occur six times or more per month at a facility not licensed for the sale of alcoholic beverages.

Social Service Provider. A facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter.

Soil. All unconsolidated mineral and organic material that overlies bedrock and can be readily excavated.

Soil Amendments. Organic and inorganic material added to soils to improve texture, nutrients, moisture holding capacity and infiltration rates.

Special Use Permit. A specific approval for a use which has been determined to be more intense or to have a potentially greater impact than a permitted or conditional use within the same zoning district.

Spot Zoning. Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan.

Stacking Lane. An area for temporary queuing of motor vehicles.

Standard Conditions. Conditions which have been approved by the Planning Commission or the City Council and which are designed to be imposed as a matter of course, where applicable, on the approval of development applications.

Stem Wall. A wall, usually less than two feet in height, used to divert or direct storm water flows within an area specified by the Department of Public Works.

Storage. A space or place where goods, materials or personal property is placed and kept for more than 24 consecutive hours.

Stored. With reference to vehicles or vehicle parts, means allowed to remain in one place for more than 72 consecutive hours.

Story. That portion of a building between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above.

Street. A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property; including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

Street Classification.

1. **Freeway.** A divided highway with 150 foot wide minimum right-of-way and classified as "controlled access"; a high-speed road with grade-separated interchanges.

2. **Expressway.** A divided highway with a 150 foot wide minimum right-of-way and classified as "limited access"; a high-speed road with at-grade, cross-traffic intersections.

3. **Primary Thoroughfare.** A street or highway which has a minimum right-of-way width of 100 feet and an existing potential design capacity of two or more travel lanes of traffic in each direction, divided when possible.

4. **Secondary Thoroughfare.** A street or highway which has a minimum right-of-way width of 80 feet and an existing or potential design capacity of two travel lanes of traffic in each direction.

5. **Collector Street.** A minor street with a minimum right-of-way width of 60 feet which connects major streets in a more or less direct line, or which has or will obtain, through future projection, potential use capacity of more than 300 vehicles per hour.

6. **Local Street.** A street with a minimum right-of-way width of 50 feet which is designed to carry residential traffic between collector or other streets or highways and abutting properties.

7. **Street Service Road.** That portion of a major or secondary thoroughfare lying outside of the principal roadway and separated by a dividing island and providing ingress and egress from abutting property.

Ord 5496 7/17/02 **Street Frontage.** The distance along which a property line of a lot adjoins a public street, from one side lot line intersecting the street to the furthest distance side lot line intersecting the same street.

Street Line. The boundary between a street and abutting properties.

Streetscape. The visual image of a street, including the combination of buildings, parking, signs and other hardscape and street furniture.

Structure. An object, including a mobile object, constructed or installed including, but not limited to, a building, tower, crane, smokestack, earth formation, sign, overhead transmission line and an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Ord 5496 7/17/02 **Subdivision Development Sale Sign.** A sign located within the subject residential subdivision that advertises the availability of lots or dwellings for sale.

Ord 5496 7/17/02 **Subdivision Development Directional Sign.** A sign not located within the subject residential subdivision that advertises the availability of lots or dwellings for sale.

Sub-Surface Irrigation System. The application of water via buried pipe and emitters, with flow rates measured in gallons per hour.

Supper Club. A restaurant and bar operation with alcoholic beverage sales: wherein the bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors; wherein the actual seating available at all times within the restaurant area will accommodate at least one hundred twenty-five persons; wherein alcoholic beverages are served in the restaurant area only in conjunction with the service of food; wherein full course meals are available during all hours the bar area is open to the public; wherein a cook and food server, other than a bartender, are available at all times the bar area is open to the public; and wherein the restaurant operation is the principal portion of the business.

Suspended Sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by the surface.

Ord 5688 4/21/04 **Swap Meet.** A facility in which multiple vendors, dealers, sellers or traders have rented, leased, purchased or otherwise obtained an area from a swap meet operator for the purpose of selling, bartering, exchanging or trading new or used items of personal property, where the aggregate value of all such property exceeds the amount of one thousand dollars.

Ord 5521 10/2/02 **Tavern-Limited Establishment.** An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.

Tattoo Parlor/Body Piercing Studio. An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

1. The placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances which result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.

2. The creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. This term does not include a permanent makeup establishment.

Taxicab/Limo Yard. An area or facility used for the storage or dispatch of taxicabs or limousines.

Teen Dance Center. An establishment that is primarily operated as a place of entertainment for persons under the age of 18 years, characterized by any or all of the following as a principal use:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.

2. Dancing.

Ord 5551 12/4/02 **Temporary Contractor's Construction Yard.** 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. The term may include a temporary batch plant.

Ord 5551 12/4/02 **Temporary Outdoor Commercial Event.** A promotional activity, fair, circus, rodeo, festival, carnival, arts and crafts fair, tent revival, haunted house, amusement system, or concert that will be conducted at a location other than a stadium, auditorium or other public assembly facility that is designed to accommodate such an event. The term does not include on-day residential celebrations; uses within public facilities or recreational facilities regulated or organized through the Department of Leisure Services; parades and similar events that occur in the public right-of-way and are regulated by or organized through the Las Vegas Metropolitan Police Department; or grand openings of new businesses that meet all requirements of the Department of Fire and Rescue.

Ord 5663 1/21/04 **Temporary Real Estate Sales Office.** An office operating at a fixed location within an existing model home, trailer or commercial structure which is used temporarily for the purpose of real estate sales.

Ord 5496 7/17/02 **Temporary Sign.** Any sign not constructed or intended for long term use, such as for sale or for rent signs, pennants, political campaign signs or other similar signs. The term does not include a temporary special event sign.

Ord 5496 7/17/02 **Temporary Special Event Sign.** Any sign that is used only temporarily and is not permanently mounted, such as banners, pennants, inflatable signs, tethered balloons, portable signs and similar devices.

Temporary Use. A use established for a specified period of time with the intent to discontinue the use at the end of the designated time period.

Thirty-Six Inch Box Trees. Trees measuring a minimum of 12 feet in height, and 8 feet in spread with a 3 inch trunk caliper measured at 4 1/2 feet above the soil line.

Thrift-Shop. A shop which deals primarily in second-hand wearing apparel. All such merchandise shall be displayed and stored in an enclosed building.

Thrift Shop, Non-profit. A shop operated by a charitable organization which sells donated used merchandise only. All such merchandise shall be displayed and/or stored in an enclosed building.

Time-Share Development. A development consisting of a minimum of 50 units that are made available for use and occupancy on a recurrent periodic basis according to an arrangement allocating this right among various holders of a time-share ownership, leasehold or other similar interest.

Topsoil. The top layer of native soil. The term is also used to describe good soil imported for landscaping.

Townhouse. See Dwelling, Townhouse.

Trade School. A facility for instruction and training in trades or crafts such as auto repair, welding, bricklaying, machinery operation or other similar trades or crafts which require the use of large equipment, or outdoor training activities, or both.

Traffic Entry Study (TES). A study of an entry to a residential development with focus on the entry and its impact on the adjacent roadway.

Traffic Impact Analysis (TIA). A study that provides information on the projected traffic likely to be generated by a proposed development and assesses its impact on the roadways in the immediate proximity of a proposed development. The TIA should identify any potential traffic operational problems or concerns and recommend appropriate actions to address such problems or concerns.

Traffic Impact Study. A report which analyzes the conditions of a particular roadway or roadways as they are anticipated to exist if a particular proposed development occurs, as well as if the development does not occur.

Trailer. A vehicle, other than a vehicle defined as a Recreational Vehicle, that is without motor power and is designed for carrying persons, property, equipment or other items on its own structure, including, but not limited to semi-trailers, utility trailers, flatbed trailers and hauling trailers.

Trailer Coach. Any building, structure or vehicle equipped with wheels to facilitate movement from place to place or to travel on a public thoroughfare, and designed, used, and maintained for human habitation. Such definition shall include automobiles or trucks where used for living or sleeping purposes.

Trailer/RV Camp or Park. Any lot or tract of land used, or intended to be used, for the accommodation of two or more auto trailers.

Transit Passenger Facility. A facility for the loading and discharging of train or bus passengers.

Transition Zone. A zoning district that permits uses compatible with uses permitted in two adjacent zones that, without the transition zones, could be considered incompatible to each other.

Transitional Area. (1) An area in the process of changing from one use to another; (2) An area that acts as a buffer between two land uses of different intensity and compatibility.

Transitional Living Group Home. A dwelling of a residential character which is operated under an appropriate State or County license and which provides housing and related assistance for six or fewer persons who are in need of transitional living arrangements. The term does not include an individual residential care facility, group

residential care facility, convalescent care facility, nursing home, hospital, special care facility or any facility which:

1. provides surgical medical, psychiatric or other specialized treatment on a regular basis;

2. provides housing and care to persons who have a chronic illness, disease, injury or other medical condition; or

3. provides housing, care or treatment to persons whose occupancy would constitute a direct threat to the health or safety of other individuals or their property.

Truck Rental. A facility for the rental of new or used trucks. Trucks kept on the lot for rental purposes are not considered to be outside storage.

Trucking Company. A business, service or industry involving the use of commercial vehicles in the loading, unloading and transportation of cargo. May also include the fueling, maintenance, servicing, storage or repair of commercial vehicles or the storage of cargo.

Turf. Any grassy area maintained by frequent mowing, fertilization and watering, commonly used for lawns and playing fields.

TV Broadcasting & Other Communication Service. A building or portion of a building used as a place for television broadcasting and similar activities.

Twenty-four Inch Box Trees. Twenty-four inch box trees shall be a minimum of 8 feet in height, 6 feet in spread and 2 inch trunk caliper measured at 4 1/2 feet above the soil line.

Two-Family Dwelling. A detached dwelling designed for and occupied exclusively by two families living independently of each other in separate swelling units on a single lot.

Ultimate Height. With regard to an antenna, the maximum height of the antenna above ground level.

Urban Core Area. The area defined as the Central Business District in Subchapter 19.10.010 I. Central Business District.

Use. The purpose (type and extent) for which land or a building is arranged, designed, or intended, or for which either land or a structure is occupied or maintained.

Utility Installation, Other than Listed. A facility or area for a utility installation not specifically listed in this Title.

Utility Lines & Transmission. Utility infrastructure providing electrical power, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company.

Ord 5619 8/6/03

Valet Parking. A service provided in conjunction with a business or other establishment by which employees (or others acting on behalf of the establishment) park the vehicles of patrons or visitors in an area set aside for that purpose.

Variance. Approval to vary from the requirements of a development regulation.

Vehicle, Classic or Antique. A motor vehicle that is 25 or more years old and, because of its limited production or exceptionally fine workmanship, is a rarity or of historic interest and has been, or is in the process of being restored, maintained, or preserved by automobile hobbyists.

Ord 5434 2/6/02 **Vehicle, Junked.** Any vehicle which is wrecked, partially wrecked, dismantled, or partially dismantled.

Ord 5434 2/6/02 **Vehicle, Mechanically Inoperable.** A vehicle that is temporarily inoperable due to the need for normal, reasonable and customary repairs before the vehicle can be operated on the roadways.

Vehicle, Recreational. Any vehicle or trailer designed and used as a travel trailer, camper, motor home, tent trailer, boat, boat trailer, snowmobile, snowmobile trailer, camping trailer or other vehicle of a similar nature.

Vehicle, Stored. A vehicle that has remained stationary in one place on any property in a residential zoning district for more than seventy-two consecutive hours.

Ord 5496 7/17/02 **Wall Sign.** Any sign (other than a projecting sign) which is attached parallel to a wall or building, or to a canopy or awning attached to a building. The sign may be painted on or erected upon the building, awning, or canopy.

Warehouse/Distribution Center. An enclosed structure for the storage of goods for distribution or transfer to another location.

Wedding Chapel. A facility which is made available to be rented for wedding ceremonies. Such facilities may include a chapel, dressing rooms, offices, reception facilities and gardens.

Ord 5496 7/17/02 **Weekend Directional Sign.** A sign used to direct traffic to residential subdivisions for sale.

Wholesale Showroom Facility. A building used primarily for the storage of goods and materials and secondarily for the display of merchandise for wholesale purchase.

Ord 5496 7/17/02 **Window Sign.** Any sign, picture, symbol or combination thereof, designed to communicate information about an on-premises activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is legible from the exterior of the window from a public right-of-way a distance of more than three feet beyond the lot line of the lot or parcel on which the sign is located.

Wireless Communication Antenna. An antenna that transmits or receives, or both transmits and receives, wireless communication signals. The term does not include any device, such as a radio antenna, telephone antenna, television antenna, satellite dish

antenna or amateur radio antenna, that is accessory or incidental to a residential use and is employed by an ultimate user to receive radio, television or other communication signals.

Wireless Communication Facility. An antenna tower, wireless communication antenna, or any associated structure or equipment, or combination thereof, that is intended for commercial or institutional use in connection with the transmission or reception of wireless communication signals.

Wireless Communication Facility, Non-stealth Design. A wireless communication facility that does not qualify as a stealth design wireless communication facility.

Wireless Communication Facility, Slim-line Design Pole. A wireless communication facility, consisting of a pole and one or more antennas, on which the antenna panels are narrow and closely spaced with one another atop the pole and extend no more than one foot beyond the circumference of the pole.

Wireless Communication Facility, Stealth Design. A wireless communication facility that is designed to blend into the surrounding environment. Examples include without limitation: antenna tower alternative structures; roof-mounted antennas (with architectural screening when appropriate); building-mounted antennas painted to match the existing structure; antennas integrated into architectural elements (such as steeples or cupolas); antennas and antenna structures designed to look like light poles, flagpoles, or any other camouflaging techniques available on the market; and a cable microcell network which utilized multiple low-powered transmitters/receivers or repeaters attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

Wireless Communication Signals. Communication signals, including electromagnetic waves, analog signals, digital signals and other spectrum-based communication signals, that operate within the range of frequencies from 100KHz to 300GHz. The term does not include television broadcast signals; direct broadcast signals; direct broadcast satellite services; multi-channel, multi-point distribution services; or amateur radio signals.

Xeriscape. The use of sound horticultural and creative landscaping practices to achieve water conservation, including proper planning and design, soil improvements; and the use of limited turf areas, mulches, low water demand plants, efficient irrigation and appropriate maintenance.

Yard, Front. The yard area extending along the entire length of the front property line and the depth between the street right-of-way line and the primary structure.

Yard, Rear. The yard area extending along the entire length of the rear property line and the depth between the rear property line and the primary structure.

Yard, Side. The yard area extending along the entire length of the side property line and the depth between the side property line and the primary structure.

Zoning District. An area designated on the Official Zoning Map Atlas in which certain uses are permitted and certain others are not permitted, all in accordance with this Title.