

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: OCTOBER 10, 2023
 DEPARTMENT: COMMUNITY DEVELOPMENT
 ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0090-TXT1	Staff recommends APPROVAL.	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED Newspaper Notification Only

APPROVALS 0

PROTESTS 0

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**** PROPOSED AMENDMENTS ****

1. Title 19.02.230 Driveways is hereby amended as follows:

19.02.230 Driveways

- A. Driveway design and construction shall comply with City Standards.

1. Residential driveway lengths are measured from the ~~back of sidewalk or back of curb where no sidewalk is provided.~~ lot line of the property. The driveway length shall not include the width of any sidewalk that is located parallel to the street and provided for public use.
2. If a sidewalk is provided for public use and located within the lot line of the property, the driveway length shall be measured from the back of the sidewalk.
3. If the lot line is located at the centerline of the street, the driveway length shall be measured from the back of the sidewalk. If no sidewalk is present, the driveway length shall be measured from the back of the curb, or the edge of the street surface where no curb is present.

- B. For nonresidential development, or for residential lots other than single family or duplex lots, the number, type and location of driveways must first be approved by the Director of Public Works.

- C. Except as otherwise permitted by this Chapter or by City standards, or as otherwise approved by the Director of Public Works:

1. For any single family or duplex residential lot, no more than a single entrance or circular driveway shall be provided.
2. No driveway access shall be permitted from the side or rear yard of any residential lot onto any primary or secondary thoroughfare so designated on the City's Master Plan of Streets and Highways.
3. For any residential lot, a driveway shall be at least 18 feet in length to accommodate the parking of vehicles. Alternatively, if the driveway is not intended to accommodate the parking of vehicles, it shall be no more than five feet in length. Sight clearance shall be maintained pursuant to LVMC Title 19.02.190, or as permitted by the Department of Public Works.

2. Title 19.04.060 Amenity Zone is hereby amended as follows:

19.04.060 Amenity Zone

- A. The Amenity Zone may consist of an Amenity Area, Sidewalk, Off-site Buffer Strip, and On-site Planting Area. The required elements for each street or thoroughfare classification are as indicated by the tables and illustrated by the figures in LVMC 19.04.170 through 19.04.380 for each street or thoroughfare type

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respectively. The Amenity Zone is intended to enhance pedestrian access and safety, while providing adequate space for landscaping and utility and public safety features. Unless otherwise required for tree wells, planter areas, utilities, public safety features or pursuant to the requirements of a special area plan, the amenity zone shall be hardscaped to match the adjacent sidewalk to maximize the available public pedestrian space.

3. Title 19.06.040.H Fences and Walls is hereby amended as follows:

19.06.040.H Fences and Walls

In additions to the standards listed for fences and walls in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. **Front Yard Setback Area Screen Wall Prohibition.** No screen wall greater than two feet in height shall be built in the setback area in the front yard of a residential property. Any portion of a wall or fence surface, other than the supporting pilasters, that is greater than two feet in height shall allow full visibility, with at least 50% of the wall or fence surface open when viewed perpendicularly from the public right-of-way.
2. **Perimeter and Screen Walls**
 - a. **General.** For any multi-family project greater than four units or non-residential development located adjacent to any residential zoning district or property used solely for single-family residential purposes, a perimeter screen wall shall be constructed to a minimum of six feet in height on the side of the multi-family or non-residential development, and in no case shall exceed the height limitation applicable to the adjacent zoning district or property. There In all other cases, there is no requirement to construct a wall or fence. However, all perimeter or screen walls and fences must comply with applicable building code requirements. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade. Solid walls or fences greater than two feet in height that are located adjacent to any public right-of-way, excluding an alley, railroad, interstate or freeway, shall be located behind any required landscape buffer, if applicable.
3. **Fences, Walls and Architectural Character**
 - a. **Subdivision Perimeter Walls (including perimeter walls of multi-family and non-residential developments).** Subdivision P perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials include, without limitation, stone, decorative block, slump, stone, and wrought iron, and shall have a minimum percentage of contrasting material as indicated for each

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district. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including pilasters, ornaments, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center. All perimeter walls shall:

- i. Match the design of abutting subdivision perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed; and
 - ii. 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.
- b. **Subdivision Retaining Walls (including perimeter walls of multi-family and non-residential development).** Subdivision R retaining walls which are visible from adjacent properties or rights-of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate, and textured-finish concrete. All walls shall include detail variations such as pilasters, ornaments, decorative caps, or fluted blocks. 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. In cases where the height of a retaining wall exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.
- c. **Wall Separation.** Where a screen or perimeter wall abuts another screen or perimeter wall, the separation shall either be:
- i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or

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- ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:
 - A) Will not increase the load on the walls; and
 - B) Has been approved by the Department as to both structural and land use considerations.
4. **Materials.**
- a. Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screen or perimeter walls:
 - a. i. Chain link or open wire fencing located in the front yard or along public rights-of-way, excluding an alley, railroad, interstate or freeway (except as temporary construction fencing and excluding an electric or battery-charged fence as noted below);
 - b. ii. Razor wire or barbed wire (except as may be approved under the procedures set forth in the City's Building Code);
 - c. iii. Corrugated metal;
 - d. iv. Bright colored plastic; and
 - e. v. Untextured or unfinished concrete or block (CMU) walls
 - b. Electric or Battery-Charged Fences shall:
 - i. Be located on property that:
 - A) Is not zoned for residential use; or
 - B) Is zoned for residential use as either U (Undeveloped) or R-E (Residence Estates);
 - ii. Use a battery that is not more than 12 volts of direct current;
 - iii. Have an energizer that meets the most current standards set forth by the International Electrotechnical Commission;
 - iv. Be surrounded by a nonelectric perimeter fence or wall that is at least 5 feet in height;
 - v. Not be higher than 10 feet in height or 2 feet higher than the height of the nonelectric perimeter fence or wall described in paragraph iv, whichever is greater; provided, however, that the electric or battery-charged fence shall not exceed the overall fence height allowed in the applicable zoning district of the property;
 - vi. Be marked with conspicuous warning signs that are located on the battery-charged fence at intervals of not more than 40 feet that read: "WARNING: ELECTRIC FENCE."; and
 - vii. Not require an additional fence permit in addition to any permit that is required to install an alarm system.

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4. Title 19.08.040.E Urban Design, Screening and Lighting is hereby amended as follows:
- 19.08.040.E.3. Pedestrian Open Spaces and Plazas**
- a. **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, and shall be accessible in accordance with applicable ADA requirements.
 - i. Commercial developments shall provide public open space and plaza areas in accordance with this Paragraph (3).
 - ii. Developments of five acres in size or greater shall provide a minimum of fifty square feet of plaza space for each one acre of gross land area. Such plaza spaces shall be in addition to any such spaces provided by individual tenants or businesses for the use of their customers.
 - b. **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.
 - c. **Site Amenities.** Site amenities, including without limitation benches, pergolas, landscaped arbors, artwork and other appropriate landscape features, shall be incorporated into the design of each pedestrian open space/plaza.
 - d. **Minimum Size.** The minimum size for any individual pedestrian open space shall be at least two hundred fifty square feet in area and have a minimum width of at least 10 feet in one dimension. The minimum size for a private balcony qualifying as open space and that is attached to an individual dwelling unit in a multi-family or mixed-use development shall be at least 20 square feet in area.
 - e. **Commercial Use of Open Spaces and Plazas.** Pursuant to the permissible uses provisions of LVMC 19.12 for applicable zoning districts, open spaces and plazas that meet the minimum size requirements of this section (but excluding all required landscape buffer areas and parking lot landscape islands) may be utilized for the following, provided that the activity does not interfere with pedestrian or vehicular accessibility within the site:
 - i. Open Air Vending/Transient Sales Lots;
 - ii. Outdoor seating for dining when such activity is operated in conjunction with an established business with a valid business license that is located on the same site; and

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- iii. Display and sales of merchandise without the need for a Temporary Commercial Permit when such activity is operated in conjunction with an established business with a valid business license that is located on the same site;
 - iv. Other temporary outdoor commercial events subject to the requirements of LVMC 19.16.160 for a Temporary Commercial Permit; and
 - v. Any other activity determined by the Director to be compatible with the adjacent surrounding uses.
5. Title 19.08.040.E Urban Design, Screening and Lighting is hereby amended as follows:
- 19.08.040.E.4.b Collection Areas and Dumpsters**
- i. Refuse collection areas and dumpsters shall be:
 - A) Provided in sufficient size and numbers to meet the needs of the development;
 - B) 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; and
 - C) Surrounded by a decorative solid wall at least six feet in height, have solid metal gates, and a roof or trellis structure; and
 - D) Are subject to the residential adjacency standards set forth in LVMC 19.08.040(H).
 - ii. Liquid waste collection sites for grey water, cooking oils and grease, if required or provided, shall be:
 - A) Provided in sufficient size and numbers to meet the needs of the development;
 - B) Odor-controlled to minimize the impact on adjacent properties and rights-of-way;
 - C) Located away from the street front and screened from view from public rights-of-way, sidewalks, and abutting properties by a decorative solid wall of at least six feet in height;
 - D) Provided within a sloped/bermed area to contain liquid waste spillage;
 - E) Connected to the wastewater collection and treatment system, if applicable, in compliance with all code requirements; and
 - F) Are subject to the residential adjacency standards set forth in LVMC 19.08.040(H).

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6. Title 19.08.040.E Urban Design, Screening and Lighting is hereby amended as follows:
19.08.040.E.4.c 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.

iii. Backup/Emergency Generators shall:

A) Not be located closer than 50 feet to a residentially zoned property, unless that property is used for a non-residential use;

B) Be screened from view from public rights-of-way and adjacent properties;

C) Be scheduled for testing or maintenance only between the hours of 8 am and 10 pm;

D) Not be located within the front yard of a property; and

E) Comply with the noise requirements of Tables 1, below, with the noise level of the generator measured at the property line:

**Table 1 – Noise Limits for Generators During an
 Electrical Power Outage or During Testing of Backup
 Emergency Generators**

<u>Property Type or Zone</u>	<u>Daytime Limits</u>	<u>Nighttime Limits</u>
<u>Residential</u>	<u>65 dBA Intermittent 55 dBA Constant</u>	<u>55 dBA Intermittent 45 dBA Constant</u>
<u>Commercial/Mixed Use</u>	<u>70 dBA Intermittent 60 dBA Constant</u>	<u>70 dBA Intermittent 60 dBA Constant</u>
<u>Public Property</u>	<u>Most restrictive noise limit applicable to adjoining private property plus 5dBA.</u>	

7. Title 19.08.040.G Fences and Walls is hereby amended as follows:

19.08.040.G Fences and Walls

In addition to the standards listed for fences and walls in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. **Front Yard Setback Area Screen Wall Prohibition.** No screen wall greater than two feet in height shall be built in the setback area in the front yard of a commercial or industrial property. Any portion of a wall or fence surface, other than the supporting pilasters, that is greater than two feet in height shall allow full visibility, with at least 50% of the wall or fence surface open when viewed perpendicularly from the public right-of-way.

2. **Perimeter and Screen Walls**

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- a. **General.** For commercial and industrial properties, a perimeter screen wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes, shall be a minimum of six feet in height measured from the side of the commercial or industrial development, and in no case shall exceed the overall height limitation applicable to the adjacent zoning district or property. In all other cases, there is no requirement to construct a wall or fence. However, all perimeter or screen walls and fences must comply with applicable building code requirements. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade. Solid walls or fences greater than two feet in height that are located adjacent to any public right-of-way, excluding an alley, railroad, interstate or freeway, shall be located behind any required landscape buffer, if applicable.
3. **Fences, Walls and Architectural Character**
- a. **Perimeter Walls.** Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials include, without limitation, stone, decorative block, slump stone and wrought iron and shall have a minimum percentage of contrasting material as indicated for each district. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including pilasters, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center. All perimeter walls shall:
- i. Match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed; and
 - ii. 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.
- b. **Retaining Walls.** Retaining walls which are visible from adjacent properties or rights-of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed

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- aggregate, and textured-finish concrete. All walls shall include detail variations such as pilasters, decorative caps, or fluted blocks. 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. In cases where the height of a retaining wall exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.
- c. **Wall Separation.** Where a screen or perimeter wall abuts another screen or perimeter wall, the separation shall either be:
- i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or
 - ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:
 - A) Will not increase the load on the walls; and
 - B) Has been approved by the Department as to both structural and land use considerations.
4. **Materials.**
- a. Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screen or perimeter walls:
 - a. i. Chain link or open wire fencing located in the front yard or along public rights-of-way, excluding an alley, railroad, interstate or freeway (except as temporary construction fencing and excluding an electric or battery-charged fence as noted below);
 - b. ii. Razor wire or barbed wire (except as may be approved under the procedures set forth in the City's Building Code);
 - c. iii. Corrugated metal;
 - d. iv. Bright colored plastic; and
 - e. v. Untextured or unfinished concrete or block (CMU) walls
 - b. Electric or Battery-Charged Fences shall:
 - i. Be located on property that:
 - A) Is not zoned for residential use; or
 - B) Is zoned for residential use as either U (Undeveloped) or R-E (Residence Estates);
 - ii. Use a battery that is not more than 12 volts of direct current;

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- iii. Have an energizer that meets the most current standards set forth by the International Electrotechnical Commission;
- iv. Be surrounded by a nonelectric perimeter fence or wall that is at least 5 feet in height;
- v. Not be higher than 10 feet in height or 2 feet higher than the height of the nonelectric perimeter fence or wall described in paragraph iv, whichever is greater; provided, however, that the electric or battery-charged fence shall not exceed the overall fence height allowed in the applicable zoning district of the property;
- vi. Be marked with conspicuous warning signs that are located on the battery-charged fence at intervals of not more than 40 feet that read: "WARNING: ELECTRIC FENCE."; and
- vii. Not require an additional fence permit in addition to any permit that is required to install an alarm system.

8. Title 19.08.065 C-D (Designed Commercial) is hereby amended as follows:

19.08.065 C-D (Designed Commercial)

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 Office and Service Commercial categories of the General Plan.

For parcels that front Charleston Boulevard between Rancho Drive and Valley View Boulevard, all uses in the C-D District shall conform to the following restrictions:

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 9:00 p.m. and 7:00 a.m.
4. All uses and activity shall be contained within a completely enclosed building and there shall be no outside storage, service or sales. No trailers or other portable structures may be used for storage purposes.

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Table 1 – Building Placement (see Figure 1)		
A.	Minimum Lot Width	100 Feet
B.	Maximum Lot Coverage	30% ¹
C.	Minimum Front Yard Setback	25 Feet
D.	Minimum Side Yard Setback	10 Feet
E.	Minimum Corner Side Yard Setback	15 Feet
F.	Minimum Rear Yard Setback	15 Feet ^{2,3}
Footnotes:		
1. Lot coverage for mixed-use developments may be increased up to a maximum of seventy-five percent of the net lot area upon the approval of a Site Development Plan Review application in accordance with LVMC 19.16.100.		
2. Rear yard setbacks may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).		
3. <u>Unless otherwise approved by the City Council as part of a Site Development Plan, the rear setback shall not be less than 25 feet for parcels that front Charleston Boulevard between Rancho Drive and Valley View Boulevard.</u>		

Table 3 – Building Height ^{1,2} (see Figure 3)		
A.	Stories	2 max ¹
B.	Flat Roof – Max. Height	35 feet measured to the top of the coping ²
C.	Pitched Roof – Max. Height	35 feet measured to the midpoint between the eaves and the ridgeline of a pitched roof ²
D.	Shade Structures	Not to exceed the height otherwise allowed for a building in the zoning district

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Footnotes:

1. Building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).
2. ~~or 35' in areas other than Charleston.~~ Unless otherwise approved by the City Council as part of a Site Development Plan, only one story is allowed for parcels that front Charleston Boulevard between Rancho Drive and Valley View Boulevard.
3. Unless otherwise approved by the City Council as part of a Site Development Plan, the maximum height is limited to no more than 20' feet for parcels that front Charleston Boulevard between Rancho Drive and Valley View Boulevard.

9. Title 19.08.090 C-M (Commercial/Industrial) is hereby amended as follows:
19.08.090 C-M (Commercial/Industrial)

Table 7 - Perimeter and Retaining Walls (see Figure 6)	
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum Wall Height	10 feet / <u>12 feet</u> ¹
B. Maximum Perimeter Wall Height	6 - 8 feet / <u>6-10 feet</u> ¹
C. Maximum Retaining Wall Height	4 feet
D. Maximum Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum Wall Height	12 feet / <u>14 feet</u> ¹
B. Maximum Perimeter Wall Height	6 - 8 feet / <u>6-10 feet</u> ¹
C. Maximum Retaining Wall Height	6 feet
D. Maximum Ornament Height above wall	18 inches
E. Contrasting Material	20%
Footnotes:	
1. <u>A wall or fence (Measurement B of Figure 6) is limited to no more than 8 feet in height when located along a public right-of-way, excluding an alley, railroad, interstate or freeway, or when located adjacent to a residentially zoned property. In other locations, they may be up to 10 feet in height.</u>	

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Table 8 - Perimeter and Retaining Walls Standard Stepback (see Figure 7)		
A.	Maximum Primary Wall Height	6 – 8 feet / <u>10 feet</u> ¹
B.	Maximum Secondary Wall Height	4 feet
C.	Minimum spacing between wall sections	5 feet
D.	Maximum Ornament Height	18 inches
E.	Contrasting Material	20%
Footnotes:		
1. <u>A wall or fence (Measurement B of Figure 6) is limited to no more than 8 feet in height when located along a public right-of-way, excluding an alley, railroad, interstate or freeway, or when located adjacent to a residentially zoned property. In other locations, they may be up to 10 feet in height.</u>		

10. Title 19.08.100 M (Industrial) is hereby amended as follows:

19.08.100 M (Industrial)

Table 7 - Perimeter and Retaining Walls (see Figure 6)		
Perimeter and Retaining Walls with Slope ≤ 2%		
A.	Maximum Wall Height	10 feet / <u>12 feet</u> ¹
B.	Maximum Perimeter Wall Height	6 - 8 feet / <u>6-10 feet</u> ¹
C.	Maximum Retaining Wall Height	4 feet
D.	Maximum Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%		
A.	Maximum Wall Height	12 feet / <u>14 feet</u> ¹
B.	Maximum Perimeter Wall Height	6 - 8 feet / <u>6-10 feet</u> ¹
C.	Maximum Retaining Wall Height	6 feet
D.	Maximum Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Footnotes:		
1. <u>A wall or fence (Measurement B of Figure 6) is limited to no more than 8 feet in height when located along a public right-of-way, excluding an alley, railroad, interstate or freeway, or when located adjacent to a residentially zoned property. In other locations, they may be up to 10 feet in height.</u>		

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Table 8 - Perimeter and Retaining Walls Standard Stepback (see Figure 7)		
A.	Maximum Primary Wall Height	6 – 8 feet / <u>10 feet</u> ¹
B.	Maximum Secondary Wall Height	4 feet
C.	Minimum spacing between wall sections	5 feet
D.	Maximum Ornament Height	18 inches
E.	Contrasting Material	20%
Footnotes:		
1. <u>A wall or fence (Measurement B of Figure 6) is limited to no more than 8 feet in height when located along a public right-of-way, excluding an alley, railroad, interstate or freeway, or when located adjacent to a residentially zoned property. In other locations, they may be up to 10 feet in height.</u>		

11. Title 19.08.110 Commercial and Industrial Parking Design Standards is hereby amended as follows:

19.08.110 Commercial and Industrial Parking Design Standards

C. Design of Parking Area

2. Dimensional Requirements

f. Applicability of Standards. Except as otherwise provided in this Paragraph (2), the standards set forth are minimum requirements. In order to ensure the safety of the public and the basic functionality of required parking areas, the minimum dimensional requirements are not subject to a deviation from standards, including applications for a variance, waiver or exception.

3. Handicapped Parking Design Standards

f. Applicability of Standards. Except as otherwise provided in this Paragraph (3), the standards set forth are minimum requirements. In order to ensure the safety of the public and the basic functionality of required parking areas, the minimum dimensional requirements are not subject to a deviation from standards, including applications for a variance, waiver or exception.

12. Title 19.10.090 CD-O Designed Commercial Overlay District shall be deleted in its entirety.

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13. Title 19.12.070 Permissible Use Descriptions and Applicable Conditions and Requirements is hereby amended as follows:

Airport, Heliport, Landing Field, or Helipad

Description: Any area of land designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration, together with related refueling and terminal facilities. A Helipad is limited to a facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services present.

Conditional Use Regulations:

1. The use shall be limited to a helipad only.
2. The use shall be permitted only as an accessory use to a hospital, medical facility or medical office.
3. The operator shall designate flight paths that minimize flight over residential areas and shall provide the City with evidence that such flight paths have been approved by the Clark County Department of Aviation.
4. A distance separation of 1000 feet is required from any residentially zoned property.

Minimum Special Use Permit Requirements:

- *1. In the C-1, C-2, C-PB, and within all FBC transect zones, the use shall be limited to a helipad only.
2. The use shall be permitted only as an accessory use to a hospital, medical facility or medical office.
3. The operator shall designate flight paths that minimize flight over residential areas and shall provide the City with evidence that such flight paths have been approved by the Clark County Department of Aviation.

On-site Parking Requirement: One space for each 100 square feet of public lobby area. For a helipad only, there is no additional parking required beyond that which is required for the principal use(s) on the site.

Animal Hospital, Clinic, or Shelter (with No Outside Pens)

Description: A facility that: provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment.

- ~~1. Provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment; and~~
- ~~2. Does not use any outdoor pens in providing such shelter and care.~~

Conditional Use Regulations:

1. The use shall have access to a collector street or larger.
2. Animals shall be confined within an enclosed building at all times. Outdoor pens are not permitted.

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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.

Minimum Special Use Permit Requirements:

- *1. In the O, C-D, C-PB, and within all FBC transect zones, outdoor pens used to provide shelter or care for animals are not permitted.

On-site Parking Requirement: One space for every 2 on-duty employees, plus one space per doctor and one space per examination room.

Animal Hospital, Clinic, or Shelter (with Outside Pens) shall be deleted in its entirety (the use is combined into the Animal Hospital, Clinic, or Shelter use).

Asphalt or Concrete Batch Plant

Description: A permanent facility or area for the mixing of concrete or asphalt.

Minimum Special Use Permit Requirements:

- *1. The use shall be located at least 1500 feet from any developed residential property.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Auction House

Description: An enclosed establishment for the temporary storage and offering by an auctioneer of qualified property which is offered or sold to the highest bidder by means of a request or invitation for bids. For purposes of this description, the term "qualified property" means property of any kind belonging to another, but excluding animals, motor vehicles and business inventory to be liquidated following or in connection with the closing of a business. This use does not include a secondhand dealer.

Conditional Use Regulations:

1. Temporary storage shall be limited to three weeks or less.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. The use shall comply with the applicable requirements of LVMC Title 6.
4. The installation and use of an outside public address system or bell system is prohibited.

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

Minimum Special Use Permit Requirements:

- * 1. Temporary storage shall be limited to three weeks or less.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. The use shall comply with the applicable requirements of LVMC Title 6.
4. The installation and use of an outside public address system or bell system is prohibited.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.

On-site Parking Requirement: One space for each 2 fixed seats, or one space for each 50 square feet of non-fixed seating area in the assembly area. Where fixed seating consists of benches, each 20 linear inches of bench shall be considered one seat.

Auto Broker shall be deleted in its entirety (this use as listed does not comply with state Department of Motor Vehicle requirements).

Auto Parts (Accessory Installation) shall be deleted in its entirety (the use is combined into the Motor Vehicle Parts Sales, Installation and Repair use).

Auto Parts (New and Rebuilt) shall be deleted in its entirety (the use is combined into the Motor Vehicle Parts Sales, Installation and Repair use).

Auto Repair Garage (Major) shall be deleted in its entirety (the use is combined into the Motor Vehicle Parts Sales, Installation and Repair use).

Auto Repair Garage (Minor) shall be deleted in its entirety (the use is combined into the Motor Vehicle Parts Sales, Installation and Repair use).

Auto Motor Vehicle Sales Showroom

Description: A completely enclosed facility for the display, storage and sale (or leasing) of new or used automobiles and trucks, along with related accessories. This

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use does not include a motor vehicle sales use as defined in this Title and does not include any ancillary activity normally associated with such uses, including without limitation the service, repair and rental of vehicles.

On-site Parking Requirement: One space per 250 square feet of gross floor area.

Auto Motor Vehicle Smog Check

Description: A facility for the testing of vehicle emissions.

Conditional Use Regulations:

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 service canopies. At least one area the size of a standard parking space shall be provided at each facility for the testing of vehicles.
2. All equipment must be stored and utilized within the enclosed structure.
3. If conducted as an accessory use to a general retail use, 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. When operated as a primary use, no other automobile repair shall be permitted in conjunction with the facility.
5. Each facility shall have a stacking lane that will accommodate at least 3 cars, including the vehicle being tested. As an alternative to the requirement in the preceding sentence, a facility may designate two parking spaces for stacking, in addition to the testing area required by Conditional Use Regulation 1.

On-site Parking Requirement: One space, independent of vehicle stacking and testing spaces. No parking spaces required for this use or another on-site use shall be used or eliminated in order to provide testing services.

Auto Title Loan shall be deleted in its entirety (the use is combined with Financial Institution, Specified).

Automobile Motor Vehicle Rental

Description: A facility for the rental of ~~new or used~~ automobiles or other passenger motor vehicles. For purposes of the limitations of this Title on outside storage, vehicles kept on a lot for rental purposes are not considered to be outside storage.

Conditional Use Regulations:

1. The minimum site area designated for rental services shall be 25,000 square feet.

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2. For 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, a motor vehicle rental use for up to six vehicles is permitted as an ancillary use with no minimum site area required.
- ~~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 8 feet.~~

Minimum Special Use Permit Requirements:

1. In the C-1 district, No no more than 5 rental vehicles shall be stored on the site at any one time.
- ~~2. No vehicles shall be offered for sale on the premises.~~
- ~~3. The installation and use of an outside public address or bell system is prohibited.~~
- ~~4. No used or discarded automotive parts or equipment shall be located or stored 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. 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 8 feet.~~

On-site Parking Requirement: One space for each 200 square feet of gross floor area. Rental vehicles shall not be parked or stored in spaces required to meet the minimum number of parking spaces for the site.

Automobile Motor Vehicle Repossession Agency

Description: Any parking area used for the storage of up to 2 two operable vehicles which have been repossessed by or on behalf of a lender, together with related office operations. This use does not include the storage of more than 2 two vehicles, which shall be treated as if the use were motor vehicles sales.

Conditional Use Regulations:

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.

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3. No used or discarded automotive parts or equipment shall be located in any open areas.

On-site Parking Requirement: One space for each 200 square feet of gross floor area. Repossessed vehicles shall not be parked or stored in spaces required to meet the minimum number of parking spaces for the site.

Building Maintenance Service and Sales

Description: 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.

Conditional Use Regulations:

1. No outdoor storage is allowed.

Minimum Special Use Permit Requirements:

- *1. Accessory outdoor storage must meet all requirements of LVMC 19.08.040(E)(4)(e), irrespective of whether or not for purposes of LVMC 19.08.040(E)(4)(e) a Variance from its requirements is granted pursuant to that provision and LVMC 19.16.140.
- *2. Accessory outdoor storage shall be limited to no more than 10% of the total lot area.

On-site Parking Requirement: One space for each 300 square feet of gross floor area, plus one space per service vehicle.

Car Wash, ~~Full Service or Auto Detailing~~

Description: An establishment ~~that provides for the washing, cleaning, waxing, vacuuming or detailing of passenger vehicles, either by means of employees or by means of automated or semi-automated methods of cleaning, or by a combination thereof.~~

Conditional Use Regulations:

1. Each automated wash bay shall have a stacking lane that will accommodate at least 6 six cars. Each non-automated self-service wash bay shall have a stacking lane that will accommodate at least two cars.
2. The use shall not be located adjacent to a residentially zoned property, unless the residential property is developed for a nonresidential purpose or is separated from the proposed use by a public right-of-way of at least 80 feet.

Minimum Special Use Permit Requirements:

1. Each automated wash bay shall have a stacking lane that will accommodate at least 6 six cars. Each non-automated self-service wash bay shall have a stacking lane that will accommodate at least two cars.

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2. The use shall not be located adjacent to a residentially zoned property, unless the residential property is developed for a nonresidential purpose or is separated from the proposed car wash use by a public right-of-way with a planned width of at least 80 feet.
3. In the C-1 district, the hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m., and an attendant must be on the premises during all times the equipment is operational.

On-site Parking Requirement: One space for each ~~150~~ 250 square feet of gross floor area, excluding vehicle wash bays or tunnels, and independent of vehicle stacking space or vacuum/detailing bays.

Car Wash, Self-Service shall be deleted in its entirety (combined into Car Wash or Auto Detailing).

Check Cashing Service, Limited

Description: The service of cashing checks for a nominal fee, service charge or other consideration pursuant to NRS 604A.250 as a service that is supplemental to a retail or service business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service.

Commercial, Other Than Listed shall be deleted in its entirety (this use is addressed via the provisions of 19.12.100 Similar and Prohibited uses).

Commercial Recreation/Amusement (Outdoor)

Description: An outdoor facility or area for sport, entertainment, games of skill, or recreation that is open to use by the general public for a fee. This use includes without limitation game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theaters, batting cages, practice/instructional fields, amusement parks, amphitheaters, outdoor general entertainment establishments, and sports events.

Minimum Special Use Permit Requirements:

- *1. The applicant shall provide the following information and detail any measures taken to mitigate the impacts of the use on the adjacent surrounding uses:
 - a. The full scope of activities provided at the site, including the provision of food, alcohol, entertainment, retail and service activities, etc.;

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- b. Site amenities, including restrooms, cooking facilities, customer queuing areas, parking, area lighting, etc.;
 - c. Site maintenance, including trash collection, security, outside storage; and
 - d. Conformance to all city codes, including LVMC 9 regarding noise and other nuisances.
2. The use shall not be located adjacent to a residentially zoned property unless the residential property is developed for a nonresidential purpose or is separated from the proposed use by a public right-of-way with a planned width of at least 100 feet.

On-site Parking Requirement:

Miniature Golf Course - Three spaces per hole.

Golf Course - Four spaces per hole.

Amusement Park - One space per 3 persons that the facilities are designed to accommodate at maximum capacity.

Other Sports Courts, i.e. Tennis, Pickle Ball, etc.: Four spaces per court

General Entertainment Establishment - One space for every 3 persons at maximum capacity.

Other Uses - One space for each 200 square feet of gross floor area.

Commissary

Description: The use of an area or facility for the preparation, parking and storage of commercial vehicles and trailers that are used for the purpose of selling food and beverages to the public. The Commissary may offer ancillary amenities necessary for the operation of mobile food vendors, caterers, etc., including facilities for food preparation, disposal of waste products (liquid or solid, including trash, cooking oil, grease or grey water), cleansing of vehicles and refilling of potable water tanks. The use does not include the repair of vehicles or trailers, or the sale or storage of liquid petroleum gas (LPG), unless permitted pursuant to the applicable use requirements of LVMC 19.09 and 19.12.

Conditional Use Regulations:

1. The number of vehicles or trailers permitted to be parked or stored at the site, as well as all ancillary amenities provided at the site, shall be depicted on a site plan approved by the city. Storage spaces for vehicles and trailers shall be a minimum of nine feet by 18 feet; however, all spaces shall be sized and marked to accommodate a parked or stored vehicle completely within the designated space without projecting into a required drive aisle or landscape buffer.
2. All areas used for the parking and storage of vehicles and trailers shall be paved with concrete or asphalt, and shall be subject to the provisions of LVMC 19.08.040.E.4.e.

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3. Vehicle wash stations, if provided, shall be designated on an approved site plan, sloped/bermed to contain run-off water and other contaminants, and shall be connected to the sanitary sewer system through an approved interceptor in compliance with all code requirements. Vehicle washing is prohibited except within the approved wash stations.
4. If ancillary services such as vehicle wash stations, potable water refilling stations and liquid waste dumping stations are provided to the public, vehicle queueing for the stations shall be provided independent of vehicle storage spaces, and:
 - a. Shall be provided entirely on the site. Queueing in the public right-of-way is prohibited;
 - b. Shall not interfere with the flow of vehicular or pedestrian traffic throughout the site; and
 - c. Shall be designed so that all vehicles enter and leave the site in a forward direction.
5. The Commissary, including all services offered at the site, shall comply with all federal, state and local requirements.
6. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to this use.

On-site Parking Requirement: One space per 250 square feet of gross floor area, plus one space for every two stored vehicles or trailers. The parking or storage of commercial food trucks or trailers shall not take up spaces required to meet the minimum requirement.

Data Center

Description: A facility composed of networked computers, storage systems and computing infrastructure used to assemble, process, store and disseminate large amounts of data.

On-site Parking Requirement: No parking is required for rooms used exclusively for network infrastructure storage. For all other areas, one space per 300 square feet of gross floor area is required, with a minimum of two spaces required for any facility.

Desktop Publishing shall be deleted in its entirety (the use is included in the Office, Other Than Listed use).

Financial Institution, Specified

Description: Any business whose primary function is to:

1. Lend money;

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2. Cash checks or other negotiable instruments for a fee, service charge or other consideration that does not qualify for exemption under NRS 604A.200 as a Check Cashing Service, Limited use; or
3. Provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis; or -
4. Lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

This use includes without limitation a business that provides check cashing services as a principal service offered, a paycheck advance service, an auto title loan, and any business primarily providing cash loans, installment loans or cash advances. The term does not include a pawn shop or a limited check cashing service, as described in this Section.

Conditional Use Regulations:

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 19.08.120 (G)) 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 30 days.~~
- ~~4. Window signs shall not:~~
 - ~~a. Cover more than 20 percent 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~~ 3. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
- ~~6~~ 4. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 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~~ 5. No specified financial institution use may be located:
 - a. Closer than 200 feet from any parcel used or zoned for residential use; or
 - b. Closer than 1000 feet from any specified financial institution use, ~~auto title loan use, or auto pawn use.~~

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Minimum Special Use Permit Requirements:

- *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 19.08.120 (G)) 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 30 days.~~
- ~~4. Window signs shall not:

 - a. Cover more than 20 percent 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 1500 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 specified financial institution use may be located:
 - a. Closer than 200 feet from any parcel used or zoned for residential use; or
 - b. Closer than 1000 feet from any other specified financial institution use, ~~auto title loan use, or auto pawn use.~~

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Gun Club, Skeet or Target Range, or Archery Club (Indoor) shall be deleted in its entirety (the use is included in the Commercial Recreation/Amusement – Indoor use).

Health Club shall be deleted in its entirety (the use is included in the Commercial Recreation/Amusement – Indoor use).

Helipad shall be deleted in its entirety (The use is included in the Airport, Heliport, Landing Field, or Helipad use).

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Internet/Catalogue Sales Office shall be deleted in its entirety (the use is included in the Office, Other Than Listed use).

Library, Art Gallery or Museum (Public)

Description: A ~~publicly-operated~~ facility used for:

1. The housing of a collection of books, magazines, audio and video tapes, or other material for borrowing and use by the general public; or
2. The acquisition, preservation, study or exhibition of works of artistic, historic or scientific value.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Light Repair, Assembly & Fabrication

Description: The repair, assembly or fabrication ~~manufacturing~~ of objects or items that:

1. Are made from standard parts or components;
2. Are distinct from the individual parts or components; and
3. Are not of another type of manufacturing, repair, assembly or fabrication specifically described in this Table 2.

Conditional Use Regulations:

1. All ~~processing, manufacturing, and storage~~ repair, assembly and fabrication of materials, equipment and products shall be performed in a completely enclosed building.
2. There shall be no audible or noticeable indication of a repair, assembly and fabrication ~~manufacturing~~ operation outside the building.
3. There shall be no smoke, dust or foreign matter emitted.
4. The use shall be limited to no more than 7500 square feet of gross floor area.
5. The use shall not be located adjacent to a residentially zoned property unless the residential property is developed for a nonresidential purpose or is separated from the proposed use by a public right-of-way with a planned width of at least 100 feet
4. ~~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]~~
5. ~~No outside storage is permitted. [C-1 only]~~
6. ~~The bulk manufactured items and raw materials stored shall not exceed 4 percent of the cubic content of the building. [C-1 only]~~

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- ~~7. No more than 7 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; and~~
 - ~~h. Wholesale printing.~~

Minimum Special Use Permit Requirements:

- *1. All repair, assembly and fabrication of materials, equipment and products shall be performed within a completely enclosed building.
- *2. There shall be no audible or noticeable indication of a repair assembly and fabrication operation outside the building.
- *3. There shall be no smoke, dust or foreign matter emitted.
- 4. The use shall not be located adjacent to a residentially zoned property unless the residential property is developed for a nonresidential purpose or is separated from the proposed use by a public right-of-way with a planned width of at least 100 feet

On-site Parking Requirement: One space for each 500 square feet of gross floor/yard area.

Manufacturing

Description:

A facility for producing material goods:

- 1. Heavy Manufacturing: A facility for the general mass producing of goods, usually for sale to wholesalers or other industrial or manufacturing uses. Except as described in the Environmentally Hazardous Materials use, heavy manufacturing may involve the use or production of flammable, explosive, or other hazardous materials and may create and/or emit fumes, gases, smokes, vapors, vibrations, noise, glare or other factors which are regarded as nuisances. This use includes any use which employs any of the following or similar types of processes:
 - a. Milling of grain.
 - b. Production of animal food, and the tanning of animal hides.
 - c. Production of large durable goods such as, but not limited, to motorcycles, cars, manufactured homes or airplanes.

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- d. Canning or bottling of food or beverages for human consumption using a mechanized assembly line.
- e. Manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical products from raw materials.
- f. Production of items made from stone, clay, metal or concrete.
- g. Tire recapping or retreading.
- h. Production of items by means of the chemical processing of materials.
- 2. Light Manufacturing: A facility for producing goods without the use of any of the processes described within the definition of "Heavy Manufacturing." The use does not create and/or emit fumes, gases, smokes, vapors, vibrations, noise, glare or other factors which are regarded as nuisances. The use includes without limitation the following activities:
 - a. 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.
 - c. Electrical component manufacturing.
 - d. 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.
 - e. A machine shop where material is processed using standard machinery and tools for cutting, grinding, or similar processes.

Conditional Use Regulations:

- 1. The use shall be limited to light manufacturing only.
- 2. All manufacturing activities shall be conducted within a completely enclosed building.
- 3. The use shall not be located adjacent to a residentially zoned property unless the residential property is developed for a nonresidential purpose or is separated from the proposed use by a public right-of-way with a planned width of at least 100 feet

Minimum Special Use Permit Requirements:

- *1. In the C-PB and T4-M districts, the use shall be limited to light manufacturing only, and all manufacturing activities shall be conducted within a completely enclosed building.
- *2. In the T5-M district, all manufacturing activities shall be conducted within a completely enclosed building.
- 3. The use shall not be located adjacent to a residentially zoned property unless the residential property is developed for a nonresidential purpose or is separated from the proposed use by a public right-of-way with a planned width of at least 100 feet

On-site Parking Requirement: One space for each 1000 square feet of gross floor/yard area.

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Manufacturing, Heavy shall be deleted in its entirety (the use is included in the Manufacturing use).

Manufacturing, Light shall be deleted in its entirety (the use is included in the Manufacturing use).

Motorcycle/Motor Scooter Sales shall be deleted in its entirety (the use is included in the Motor Vehicle Sales use).

Motor Vehicle Parts Sales, Installation and Repair

Description: A facility that offers one or more of the following services:

1. Motor Vehicle Parts Sales and Installation: A facility for the retail sale and installation of minor motor vehicle parts and accessories such as stereos, alarms, batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, and other types of accessories, but excludes engine, transmission and differential service, tire and repair services as noted in Paragraphs 2 and 3, below.
2. Motor Vehicle Repair, 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, vehicle emissions testing and other similar activities. It may also include the retail sales and installation of motor vehicle parts and accessories as noted in Paragraph 1 above.
3. Motor Vehicle Repair, 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 motor vehicle repair, minor garage. This use includes a facility that provides collision services, including body, frame, or fender straightening, repair and painting of vehicles in an appropriate paint booth, and a facility that performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds. It may also include the retail sales and installation of motor vehicle parts and accessories and minor service and repairs as noted in Paragraphs 1 and 2 above.

Conditional Use Regulations:

1. In the C-1 district, the use shall be limited to Motor Vehicle Parts Sales and Installation.

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2. Where outdoor storage is permitted, all disabled vehicles shall be stored on a concrete or asphalt surface.
3. All installation, repair and service work shall be performed within a completely enclosed building. Outdoor hoists are prohibited.
4. 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.
6. Test drive routes are prohibited on residential streets with a width of less than eighty feet.
5. In the C-2 district, major motor vehicle repair is prohibited adjacent to any property zoned R-E, R-D, R-1, R-SL, R-CL or R-PD (for single family, detached development) unless that property has been developed with a nonresidential use or is separated from the proposed use by a right-of-way with a planned width of at least 80 feet.

Minimum Special Use Permit Requirements:

- *1. In the C-1 district, the use shall be limited to Motor Vehicle Parts Sales and Installation or Motor Vehicle Repair, Minor.
- *2. Where outdoor storage is permitted, all disabled vehicles shall be stored on a concrete or asphalt surface.
- *3. In the C-M and M districts, installation, repair and service work may be performed outside of an enclosed building if approved as part of the Special Use Permit.
- *4. 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.
5. Test drive routes are prohibited on residential streets with a width of less than eighty feet, unless approved as part of the Special Use Permit.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area. Parking spaces required to meet this standard shall not be used for other purposes, including vehicle storage or display.

Motor Vehicle Sales

Description: A facility or area used primarily for the display, sale or leasing of new or used motor vehicles, including motorcycles and motor scooters, but excluding mopeds. This use includes the sale of related accessories.

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Conditional Use Regulations:

1. In the C-2 district, the sale of vehicles is limited to new vehicles only.
2. No loading or unloading of vehicles shall be conducted within the public right-of-way, nor shall any such activity impede vehicular or pedestrian traffic at the site.
3. Service bays and auto body shops which are incidental and accessory to the sales use are permitted, provided:
 - a. All service and body work shall be conducted within an enclosed building.
 - b. Outdoor hoists are prohibited.
 - c. Where outdoor storage is permitted, all disabled vehicles shall be stored on a concrete or asphalt surface.
4. Accessory motor vehicle rental is permitted.
5. Test drive routes are prohibited on residential streets with a width of less than eighty feet.
6. The sale of used motor vehicles is prohibited on Rancho Drive, between Vegas Drive and Craig Road.
7. The sale of new motor vehicles located north of Cheyenne Avenue must be located on a parcel with a GC-TC land use designation.

Minimum Special Use Permit Requirements:

- *1. Within the C-1 district, this use is limited to the display and sale of new or used motorcycles and motor scooters, including the sales of related accessories. Service bays which are incidental and accessory to the sales use are permitted, provided all service activity is conducted within an enclosed building.
2. Within the C-1 district:
 - a. All display and sales shall take place in an enclosed building; and
 - b. The minimum gross floor area of the building (or tenant space) that is dedicated to this use shall be at least 7000 square feet.
- *3. No loading or unloading of vehicles shall be conducted within the public right-of-way, nor shall any such activity impede vehicular or pedestrian traffic at the site.
4. Service bays and auto body shops which are incidental and accessory to the sales use are permitted in the C-2, C-M and M districts, provided:
 - a. All service and body work shall be conducted within an enclosed building.
 - b. Outdoor hoists are prohibited.
 - c. Where outdoor storage is permitted, all disabled vehicles shall be stored on a concrete or asphalt surface.
5. Accessory motor vehicle rental is permitted.
6. Test drive routes are prohibited on residential streets with a width of less than eighty feet, unless otherwise approved as part of the Special Use Permit.
7. The minimum area for a site designated exclusively for the sale of used motor vehicles shall be 25,000 square feet.

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*8. The sale of used motor vehicles is prohibited on Rancho Drive, between Vegas Drive and Craig Road.

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area designated for this use. Vehicles that are parked on the site for display, sale or rent may not be parked in spaces that are designated to meet the minimum off street parking requirement.

Motor Vehicle Sales (New) shall be deleted in its entirety (the use is included in the Motor Vehicle Sales use).

Motor Vehicle Sales (Used) shall be deleted in its entirety (the use is included in the Motor Vehicle Sales use).

Museum, Art Display, or Art Sales (Private) shall be deleted in its entirety (the use is included in the Library, Art Gallery or Museum use).

Pawn Shop

Description: A facility (other than a bank, savings 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. A pawn shop may include a Financial Institution, Specified and/or a Secondhand Dealer as an ancillary use without the need for the approval of an additional special use permit.

Conditional Use Regulations:

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
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.
4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use.

Minimum Special Use Permit Requirements:

- * 1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
- * 2. No outdoor display, sales or storage of any merchandise shall be permitted.

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- * 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.
- 4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Printing and Publishing shall be deleted in its entirety (the use is included in the General Personal Service use).

~~Public or Private School, Primary~~

~~Public or Private School, Secondary~~

Public Park or Playground

Description: A park, playground, swimming pool, reservoir, golf course, or athletic field owned that is:

- 1. Owned, operated and/or maintained by a local or State-level government entity;
or
- 2. Owned, operated and maintained by a Master Developer or Home Owner's Association that is recognized by the city, and that is approved in conjunction with a development agreement, special area plan or residential subdivision.

On-site Parking Requirement: Two spaces per gross acre, plus additional parking for each major sports or recreational facility as determined by reference to the applicable requirements of this table for similar facilities (e.g., commercial recreation/amusement facility, community recreational facility, golf course, golf driving range, game courts, etc.). For facilities not specifically listed, the parking requirement shall be determined by applying the nearest comparable standard, as determined by the Director.

Recycling Collection Center

Description: A facility used for the collection and temporary storage of empty

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beverage containers, aluminum, glass, paper or clothing for recycling purposes conducted totally within an enclosed structure or container. This use does not include processing except for “can banks” that crush cans as they are deposited.

Conditional Use Regulations:

1. A collection center that is located in a parking area may not occupy required off-street parking spaces. Containers shall be screened from adjacent properties and from the public right-of-way.
2. A collection center shall be sited so as to not impede traffic flow.
3. The owner of the property and the owner 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 neat in appearance, and shall dispose of collected items and litter from the site.

Minimum Special Use Permit Requirements:

- * 1. In the C-1, C-2 and C-PB districts, collections centers are limited to containers that are located in a parking area on a site with a primary use. Containers shall be screened from adjacent properties and from the public right-of-way.

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor/yard area. No additional spaces beyond those required for the primary use are required for a collection center that is limited to a container located within a parking area.

Research and Development

Description:

A facility engaged in research, synthesis, analysis, development, and testing of prototype products, materials, or processes. This use does not include light assembly and fabrication or manufacturing as those uses are specifically listed in this Chapter.

Conditional Use Regulations:

1. The use may include ancillary light assembly and fabrication or light manufacturing of prototype products or materials in the following districts only: C-2, C-M, C-PB, T5-M and T4-M.
2. All research and development activities shall be conducted within a completely enclosed building.

Minimum Special Use Permit Requirements:

- *1. The use may include ancillary light assembly and fabrication or light manufacturing of prototype products or materials in the following districts only: C-2, C-M, C-PB, T5-M and T4-M.

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*2. All research and development activities shall be conducted within a completely enclosed building.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Salvage or Reclamation of Products (Indoor) shall be deleted in its entirety (the use is combined into the Salvage or Reclamation of Products use).

Salvage or Reclamation of Products (Outdoor) shall be deleted in its entirety (the use is included in the Salvage or Reclamation of Products use).

Salvage or Reclamation of Products

Description: A facility 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, shipping pallets or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. This use 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.

Conditional Use Regulations:

1. In the C-PB, C-M, T4-M and T5-M districts, the use must be conducted within a fully enclosed building.
2. All activities, including but not limited to loading, unloading, repairs, etc., shall be conducted on site and not in any adjacent rights-of-way.
3. 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.
4. All repair activities and operations shall be conducted entirely within an enclosed structure. Outdoor hoists are prohibited.

Minimum Special Use Permit Requirements:

- *1. In the C-PB, T4-M and T5-M districts, the use must be conducted within a fully enclosed building.
- *2. All activities, including but not limited to loading, unloading, repairs, etc., shall be conducted on site and not in any adjacent rights-of-way.

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*3. 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.

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

On-site Parking Requirement: One space for each 1000 square feet of gross floor area dedicated to this use, plus one space for every 10,000 square feet of gross yard area.

Small Wind Energy System

Amend Conditional Use Regulation #1 to read:

“The minimum parcel size shall be ~~20,000~~ 18,000 square feet.”

This would bring the use into alignment with the ordinance from 2019 that reduced the minimum lot size for the R-E district.

Trade School

Description: 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.

Conditional Use Regulations:

1. No instruction or training in welding or auto repair shall be permitted.
2. All activities must be conducted within a fully enclosed building.

On-site Parking Requirement: One space for each staff member, plus one space for every 2 students in class when the school is at maximum capacity.

Welding Repair

Description: A facility in which products made of metal or metal alloy are repaired by means of welding. The use does not include other uses specifically listed in this Chapter that use welding as a means of repair.

Conditional Use Regulations:

1. All welding and other repair activities shall be conducted within a fully enclosed building.

Minimum Special Use Permit Requirements:

- * 1. In the C-2, T4-M and T5-M districts, all welding and other repair activities shall be conducted within a fully enclosed building.

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On-site Parking Requirement: One space for each 500 square feet of gross floor area.

14. Title 19.12.080 Use Restrictions for C-DO District shall be deleted in its entirety.
15. Title 19.14.090 Non-conformity Resulting From City Action is hereby amended as follows:
19.14.090 Non-conformity Nonconformity 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~~ nonconforming as to lot width, lot area, landscape buffer area or setback requirements. If the number of parking spaces on the site is reduced as a result of the city action such that the site no longer meets the minimum number of parking spaces that are required, the site shall be deemed a "Parking-Impaired Development" pursuant to LVMC 19.18.030.D.
16. Title 19.16.200 Sign Certificate is hereby amended as follows:
19.16.200 Sign Certificate
 A. **Procedures**
 The procedures contained in this Section shall govern the application for, and issuance of, all sign certificates under this Title.
1. Sign certificates are required for specific signs pursuant to the provisions of LVMC 19.06.120 and 19.08.120.
 2. Sign certificates are approved in conjunction with a permit for the subject sign, and no additional sign tag will be issued. Note that a sign that does not require a sign certificate may still require the approval of a permit prior to installation.
 3. Applications for a sign certificate shall be submitted to the Department of Community Development as a permit application and processed in accordance with application specifications published by the Department:
 - a. For any sign that is subject to the requirements of the International Building Code (IBC), a building permit shall be submitted to the Building and Safety division.
 - b. For any sign that is not subject to the requirements of the International Building Code (IBC), a Wall Sign Application (WSA) shall be submitted to the Planning section.
 4. Fees for a sign certificate shall be assessed and applied to the applicable permit pursuant to the Department Fee Schedule approved by the City Council. All fees shall be paid prior to issuance of the permit.

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5. Upon issuance, the applicant is responsible for ensuring that all required inspections are completed to finalize the permit. A sign certificate is not valid unless the permit is finalized.
6. Any sign that is the subject of an application received after the effective date of this Title, or any amendment thereto, shall be subject to all the provisions of this Section and shall not be subject to the nonconforming sign protections described in LVMC 19.14.080. For any sign on property annexed into the City after the effective date of this Title, no additional sign certificate is required provided the sign was permitted pursuant to the requirements of the Clark County Department of Building and Fire Prevention.
7. Physical sign tags issued prior to [date of adoption of text amendment] shall be acceptable for purposes of registration of a nonconforming sign under the provisions of LVMC Title 19.14.080.

- ~~1. All applications for sign certificates of any kind shall be submitted to the Department 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 Title to have a certificate, shall subject that sign to removal in the same manner as in LVMC 19.08.120(D).~~
- ~~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 Title, or any amendment thereto, shall be subject to all the provisions of this Section and shall not be subject to the nonconforming sign protections described in LVMC 19.14.080. For any sign on property annexed into the City after the effective date of this Title, 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

A sign certificate is revocable if the business license for the premise expires or is revoked, if the sign is abandoned or allowed to become unsafe or dangerous, or if

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the sign is otherwise condemned. The owner(s) shall maintain the sign in safe condition at all times and shall remove the sign if abandoned. Any sign for which a certificate has lapsed been revoked 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.

D. 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 Section 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 with the Department. 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.~~

Appeals shall follow the process outlined in LVMC 19.00.080.N Appeals of Interpretation. This Section shall not apply to actions on Master Sign Plans, which shall follow the procedures, including appeals, set forth in LVMC 19.16.270.

E. Violations, Remedies, Penalties

1. Violations

Any of the following shall be a violation of this Section and shall be subject to the enforcement remedies and penalties provided for in this Title:

- a. To install, create, erect or maintain any sign in any manner that is inconsistent with any Master Sign Plan;
- b. 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;
- c. To install, create, erect, or maintain any sign requiring a certificate without such a certificate;

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- d. To install, create, erect, maintain, or fail to maintain any sign in violation of the sign standards set forth in Section 19.06.140 or Section 19.08.120, or to fail to remove a sign when the failure to do so is in violation of either of those Sections;
 - e. ~~To fail to display a tag in conformance with this Section;~~
 - f. To fail to remove any sign that is installed, created, erected, or maintained in violation of this Section, or for which the sign certificate has ~~lapsed~~ been revoked;
 - g f. To continue any violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this Section;
 - h g. To install, create, erect, or maintain any sign prohibited by or in violation of this Section; or
 - i h. To abandon any sign.
2. **Remedies and Penalties**

Any sign installed or placed on any property in violation of the requirements of this Section shall be subject to the following:

- a. 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.
- b. Signs that are not made subject to the impoundment provisions described in Subparagraph (a) above are subject to removal and impoundment 10 days after appropriate notice has been given, or after such shorter period as the notice may indicate. 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, or such shorter time as the notice may indicate, the City may remove and impound the sign.

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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.

- c. 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 competent evidence. However, the presumption is not rebutted if the sign was erected or placed by a person or entity who, pursuant to contract or otherwise, is acting on behalf of the person or entity whose identity is represented on the sign.
- d. Removal pursuant to this Subsection may be accomplished by the City or its authorized agent.
- e. For any premises on which there is an existing sign that violates any part of this Section, 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 (2) 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.
- f. Any violation of this Section shall be a misdemeanor. The City may issue a citation and upon conviction seek imposition of fines in accordance with the following schedule:
 - i. Upon a first conviction, a minimum of \$250;
 - ii. Upon a second conviction within a period of one year, or a first conviction within a period of one year following a finding of civil liability regarding a violation of this Subchapter, a minimum of \$500; and
 - iii. Upon each subsequent conviction a fine of \$1,000.
- g. As an alternative to a criminal prosecution regarding a particular violation, the City may process the violation as a civil nuisance under LVMC 9.04.04. et seq. Upon a finding of civil liability, the City may seek an imposition of civil liability in accordance with the following schedule:

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- i. Upon the first finding of civil liability, a minimum of \$250;
- ii. Upon a second finding of civil liability within period of one year; a first finding of civil liability within a period of one year following a conviction; or any subsequent such finding, a minimum of \$500.
- h. Each day that any sign has been installed, created, erected, maintained or abandoned in violation of this Section shall be considered a separate violation when applying the criminal or civil penalty portions of this Section.

17. Title 19.18.020 Words and Terms Defined is hereby amended as follows:

Airport, Heliport, Landing Field, or Helipad. Any area of land designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration, together with related refueling and terminal facilities. A Helipad is limited to a facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services present.

Asphalt or Concrete Batch Plant

A permanent facility or area for the mixing of concrete or asphalt.

Auction House

An enclosed establishment for the temporary storage and offering by an auctioneer of qualified property which is offered or sold to the highest bidder by means of a request or invitation for bids. For purposes of this description, the term “qualified property” means property of any kind belonging to another, but excluding animals, ~~motor vehicles and business inventory to be liquidated following or in connection with the closing of a business.~~ This use does not include a secondhand dealer.

~~**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 Motor Vehicle Dealer Inventory Storage

Description: 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.

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Conditional Use Regulations:

1. All loading and unloading of vehicles shall occur on site.
2. Loading and unloading of vehicles shall occur between the hours of 7:00 am and 10:00 pm.
3. All areas used for the parking or storage of vehicles shall be paved.
4. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
5. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and has vehicular access through a parcel located on a primary or secondary thoroughfare.
6. Lighting shall be shielded from adjacent properties.
7. 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 the parking area that is provided in excess of the parking that is required by this Section for other uses.
8. The use shall not be located adjacent to any property zoned R-E, R-D, R-1, R-SL or R-CL unless that property has been developed with a nonresidential use.

Minimum Special Use Permit Requirements:

- *1. All loading and unloading of vehicles shall occur on site.
- *2. Loading and unloading of vehicles shall occur between the hours of 7:00 am and 10:00 pm.
3. All areas used for the parking or storage of vehicles shall be paved.
4. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
5. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and has vehicular access through a parcel located on a primary or secondary thoroughfare.
6. Lighting shall be shielded from adjacent properties.
7. 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 the parking area that is provided in excess of the parking that is required by this Section for other uses.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

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Auto Parts (Accessory Installation). A facility for the retail sale and installation of auto accessories such as stereos, alarms and other types of accessories. See Motor Vehicle Parts Sales, Installation and Repair.

Auto Parts (New & Rebuilt). 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, as well as the installation of auto accessories. See Motor Vehicle Parts Sales, Installation and Repair.

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 that provides collision services, including body, frame, or fender straightening, repair and painting of vehicles in an appropriate paint booth, and a facility that performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds. See Motor Vehicle Parts Sales, Installation and Repair.

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, and other similar activities. The term also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials. See Motor Vehicle Parts Sales, Installation and Repair.

Auto Motor Vehicle Sales Showroom. A completely enclosed facility for the display, storage and sale (or leasing) of new or used automobiles and trucks, along with related accessories. This use does not include a motor vehicle sales use as defined in this Title and does not include any ancillary activity normally associated with such uses, including without limitation the service, repair and rental of vehicles.

Auto Motor Vehicle Smog Check. A facility for the testing of vehicle emissions.

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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. See Financial Institution, Specified.

~~Automobile~~ Motor Vehicle Rental. A facility for the rental of ~~new or used~~ automobiles or other passenger motor vehicles. For purposes of the limitations of this Title on outside storage, vehicles kept on a lot for rental purposes are not considered to be outside storage.

~~Automobile~~ Motor Vehicle Repossession Agency. Any parking area used for the storage of up to 2 two operable vehicles which have been repossessed by or on behalf of a lender, together with related office operations. This use does not include the storage of more than 2 two vehicles, which shall be treated as if the use were motor vehicles sales.

~~Car Wash, Full Service or Auto Detailing.~~ An establishment ~~that provides~~ for the washing, cleaning, waxing, vacuuming or detailing of passenger vehicles, ~~either by means of employees or by means of automated or semi-automated methods of cleaning, or by a combination thereof.~~

~~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.~~

Check Cashing Service, Limited. The service of cashing checks for a nominal fee, service charge or other consideration pursuant to NRS 604A.250 as a service that is supplemental to a retail or service business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service.

Commissary. The use of an area or facility for the preparation, parking and storage of commercial vehicles and trailers that are used for the purpose of selling food and beverages to the public. The Commissary may offer ancillary amenities necessary for the operation of mobile food vendors, caterers, etc., including facilities for food preparation, disposal of waste products (liquid or solid, including trash, cooking oil,

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grease or grey water), cleansing of vehicles and refilling of potable water tanks. The use does not include the repair of vehicles or trailers, or the sale or storage of liquid petroleum gas (LPG), unless permitted pursuant to the applicable use requirements of LVMC 19.09 and 19.12.

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. See Office, Other Than Listed.

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 that does not qualify for exemption under NRS 604A.200 as a Check Cashing Service, Limited use; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis; or to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself. The term includes without limitation a business that provides check cashing services as a principal service offered, a paycheck advance service, an auto title loan, and any business primarily providing cash loans, installment loans or cash advances. The term does not include a pawn shop or a limited check cashing service, as defined in this Section.

Gun Club, Skeet or Target Range. A facility or area used for archery or the shooting of firearms, whether for practice or sport. When conducted within a completely enclosed building, refer to the Commercial Recreation/Amusement (Indoor) use.

Health Club. An establishment that operates physical fitness facilities, sports clubs or recreation clubs. Refer to the Commercial Recreation/Amusement (Indoor) or (Outdoor) use, as applicable.

Helipad. ~~A facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services.~~ See Airport, Heliport, Landing Field, or Helipad.

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Internet/Catalogue Sales Office. An establishment which specializes in the sale of products via the internet or by catalogue for delivery to a customer's home or business. This use may include in-person customer consultations at the establishment. See Office, Other Than Listed.

Library, Art Gallery or Museum (Public). A ~~publicly-operated~~ facility used for:

1. The housing of a collection of books, magazines, audio and video tapes, or other material for borrowing and use by the general public; or
2. The acquisition, preservation, study or exhibition of works of artistic, historic or scientific value.

Light Assembly & Fabrication. The assembly or fabrication manufacturing of objects or items that:

1. Are made from standard parts or components;
2. Are distinct from the individual parts or components; and
3. Are not of another type of manufacturing, assembly or fabrication specifically described in Table 2, as adopted in LVMC 19.12.010.

Manufacturing. A facility for producing material goods:

1. Heavy Manufacturing: A facility for the general mass producing of goods, usually for sale to wholesalers or other industrial or manufacturing uses. Except as described in the Environmentally Hazardous Materials use, heavy manufacturing may involve the use or production of flammable, explosive, or other hazardous materials and may create and/or emit fumes, gases, smokes, vapors, vibrations, noise, glare or other factors which are regarded as nuisances. This use includes any use which employs any of the following or similar types of processes:
 - a. Milling of grain.
 - b. Production of animal food, and the tanning of animal hides.
 - c. Production of large durable goods such as, but not limited, to motorcycles, cars, manufactured homes or airplanes.
 - d. Canning or bottling of food or beverages for human consumption using a mechanized assembly line.
 - e. Manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical products from raw materials.
 - f. Production of items made from stone, clay, metal or concrete.
 - g. Tire recapping or retreading.

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- h. Production of items by means of the chemical processing of materials.
2. Light Manufacturing: A facility for producing goods without the use of any of the processes described within the definition of "Heavy Manufacturing." The use does not create and/or emit fumes, gases, smokes, vapors, vibrations, noise, glare or other factors which are regarded as nuisances. The use includes without limitation the following activities:
- a. 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.
 - c. Electrical component manufacturing.
 - d. 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.
 - e. A machine shop where material is processed using standard machinery and tools for cutting, grinding, or similar processes.

Manufacturing, Heavy. See Manufacturing.

Manufacturing, Light. See Manufacturing.

Motorcycle/Motor Scooter Sales. A facility or area for the display and sale of motorcycles and motor scooters, whether new or used, but excluding mopeds. 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 G-1 District. For all other purposes, the use described in this definition shall be treated under the appropriate category of motor vehicle sales.~~ See Motor Vehicle Sales.

Motor Vehicle Sales. A facility or area used primarily for the display, sale or leasing of new or used motor vehicles, including motorcycles and motor scooters, but excluding mopeds. This use includes the sale of related accessories.

Motor Vehicle Sales (New). ~~A facility or area, other than an auto sales showroom, for the display and sale (or leasing) of new automobiles, trucks, motorcycles and motor scooters, but excluding mopeds. The term includes service bays and auto body shops which are incidental and accessory to the sales use.~~ See Motor Vehicle Sales.

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Motor Vehicle Sales (Used). ~~A facility or area, other than an auto sales showroom, used primarily for the display and sale (or leasing) of used automobiles, motorcycles and motor scooters, but excluding mopeds. The term includes service bays and auto body shops which are incidental and accessory to the sales use. See Motor Vehicle Sales.~~

Museum, Art Display, or Art Sales (Private). A privately-operated facility or area for the acquisition, preservation, study, exhibition or sales of works of artistic, historic or scientific value. See Library, Art Gallery or Museum.

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. A pawn shop may include a Financial Institution, Specified and/or a Secondhand Dealer as an ancillary use without the need for the approval of an additional special use permit.

Printing & Publishing. An establishment that provides printing, publishing, duplicating, or collating services using photocopy, blueprint, off-set printing, or related equipment. See General Personal Service).

~~**Public or Private School, Primary.**~~ An institution that provides kindergarten through 8th grade education and is supported by a public, religious or private organization.

~~**Public or Private School, Secondary.**~~ An institution that provides 9th through 12th grade education and is supported by a public, religious or private organization.

Public Park or Playground

Description: A park, playground, swimming pool, reservoir, golf course, or athletic field owned that is:

1. Owned, operated and maintained by a local or State-level government entity; or
2. Owned, operated and maintained by a Master Developer or Home Owner's Association that is recognized by the city, and that is approved in conjunction with a development agreement, special area plan or residential subdivision.

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Research and Development. A facility engaged in research, synthesis, analysis, development, and testing of prototype products, materials, or processes. This use does not include light assembly and fabrication or manufacturing as those uses are specifically listed in this Chapter.

Welding Repair. A facility in which products made of metal or metal alloy are repaired by means of welding. The term does not include other uses specifically listed in this Chapter that use welding as a means of repair.

18. Title 19.18.030 Measurement Rules is hereby amended as follows:

19.18.030 Measurement Rules

A. Density/Intensity

1. Gross Acreage

Gross acreage is calculated by measuring the total land 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 calculation shall not include any adjacent property which has already been dedicated for such purposes.

D. Computing Parking

3. Handicapped Parking Calculations

e. Whenever one or more handicapped parking spaces are added to an existing development to meet the minimum number of handicapped parking spaces required by this Title or to meet the minimum federal accessibility standards, and the additional spaces result in a deficiency in the overall number of parking spaces required for the uses present at the site because there is not enough physical space to accommodate the additional space(s) and associated access aisles, no variance or waiver shall be required. The site shall be determined to be a parking-impaired site pursuant to Paragraph (1) of this Subparagraph (D).

19. LVMC 19.09.050.F Form-Based Code Permissible Uses and 19.12.010 Land Use Tables are hereby amended as shown in Exhibits A and B, submitted as separate documents.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend LVMC Title 19 to update commercial and industrial uses, to clarify and correct certain issues and omissions and to address deficiencies that exist.

ANALYSIS

Periodically, the Department evaluates LVMC Title 19 to ensure that it reflects current trends with regard to changing technology, processes and business practices, to evaluate or re-evaluate appropriate zoning districts for applicable uses, and to clean up outstanding issues that have been identified during the application of the code.

This amendment contains a number of cleanup items, including clarifying language regarding how to measure driveways, acceptable amenity zone treatments and ancillary uses that are allowed in an approved commercial plaza. Waste receptacle standards have been updated to include liquid waste receptacles for grey water, cooking oil, etc. Wall and fence standards are being updated to provide additional clarifying language regarding walls in the front yard setback areas, perimeter wall requirements, and to allow chain link fencing as an acceptable material when it is not in the front yard or located along a public right-of-way. An additional height allowance for walls and fences in the C-M and M districts is being added along internal property lines, except when adjacent to residentially zoned property, and some rights-of-way, such as along alleys, interstates and railroad tracks. In these areas, the maximum height allowed would rise from eight feet to ten feet. Language regarding electric or battery charged fences has also been added to bring LVMC 19 into conformance with SB208, which was passed in the recent Nevada legislative session.

A number of issues related to parking have been addressed in this amendment. Dimensional standards for parking spaces and drive aisles will no longer be waivable or subject to a variance to ensure that parking lots and structures are functional for vehicles and safe for the public to use. The Nonconformity Resulting From City Action section of LVMC 19.14 will be updated to include that if the number of parking spaces on the site is reduced as a result of the city action such that the site no longer meets the minimum number of parking spaces that are required, the site shall be deemed a "Parking-Impaired Development" pursuant to LVMC 19.18.030.D. This is the current practice of the department, but will now be clarified. Finally, in the Measurement Rules of LVMC 19.18, it will be clarified that the city will not require a waiver or variance to add handicap parking spaces to a site when doing so would result in a parking deficiency. Many sites in the city were developed prior to the requirement for handicapped parking spaces, which take up

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considerably more space than a standard space. Applicants will not be “penalized” for adding the handicapped spaces necessary to meet the current minimum requirements of the city or federal ADA requirements.

The Sign Certificate section of LVMC 19.16.200 is being revised to eliminate the need to issue a separate physical sign tag for some signs. Instead, the sign “tag” will be issued as part of the building permit, with all applicable fees calculated and collected on the permit. This will eliminate the need for an applicant to come into the city to receive the physical tag and then place it on the sign itself. With the submittal and retention of complete plans electronically, there is no longer a need to have a separate tag to identify which sign is related to a specific permit.

With the adoption of the Unified Development Code (UDC) in 2011, the Designed Commercial (C-D) zoning district was archived, and a C-D Overlay District (CD-O) was established along Charleston Boulevard, from Rancho Drive to Valley View Boulevard, to maintain certain restrictions that had previously existed for the zoning district. The C-D zoning district was later re-established as a viable district, but the C-D overlay was not eliminated, creating a confusing dual layer of C-D standards found in different sections of the code that still exists today. This amendment will eliminate the C-D Overlay District and incorporate the special restrictions along Charleston into the C-D zoning district where they can be easily found and applied.

The primary reason for this amendment was to look at the commercial and industrial uses within the UDC and evaluate them based on the current technology used, the impact that they have on the surrounding area and uses, whether some uses are no longer needed (i.e. can they be consolidated with other similar uses?), and if new uses should be added to the code. In some cases, the names of similar uses have been slightly changed so that they appear in the code tables and descriptions together, where they are easier to find and compare.

The UDC was adopted in 2001, but the origins of the code date back to the 1940’s. Some uses, when looking at the requirements, restrictions and/or the locations allowed, still reflect what was in the code 20 or 30 years (or more) ago. For instance, uses like Tattoo Studios and Bailbonds Offices were at one time associated with the seedier side of society and were heavily restricted or prohibited, but have become more socially acceptable over time. In addition, these types of uses are generally subject to regulation by another agency, such as the Southern Nevada Health District for tattoo studios and the NV Division of Insurance for bail bondsmen. In the UDC, these uses are still required in many locations to be approved through the public hearing process as a Special Use Permit (SUP). This amendment would eliminate the need for an SUP for these uses.

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Several uses have been renamed to pull them all together in the tables and descriptions, making them easier to find and apply. In addition, related uses have been combined, with the intensity of the use, as well as the allowed location of the use, controlled using conditional use regulations and special use permit requirements. This allows multiple similar uses to be combined into a single use, yet still be limited in scope depending upon the zoning district in which the use is located. Examples of these types of uses include:

1. Motor Vehicle Parts Sales, Installation and Repair combines the Auto Parts (Accessory Installation), Auto Parts (New and Rebuilt), Auto Repair Garage (Major) and Auto Repair Garage (Minor) uses.
2. Motor Vehicle Sales combines the Motor Vehicle Sales (New), Motor Vehicle Sales (Used) and Motorcycle/Motor Scooter Sales uses. The Auto Sales Showroom has been renamed to Motor Vehicle Sales Showroom, but is retained due to some unique properties not shared by the other uses.
3. Other vehicular uses have been renamed for convenience, but have not been combined or changed in other ways, including Auto Dealer Inventory Storage to Motor Vehicle Inventory Storage, Auto Smog Check to Motor Vehicle Smog Check, etc.
4. The Auto Broker use has been deleted. This use provided limited wholesale motor vehicle sales for up to two vehicles in the C-1 district, but excluded the retail sales of vehicles. The state DMV does not have a corresponding license other than for full motor vehicle sales, which they require the applicant's city license to match. This issue created confusion and put applicants in an impossible position where the state required a license that the city could not issue.
5. Manufacturing combines Manufacturing, Light and Manufacturing, Heavy.
6. Car Wash or Auto Detailing is now a single use and combines the Car Wash, Full Service or Auto Detailing and Car Wash, Self Service uses.
7. Salvage or Reclamation of Products combines the indoor and outdoor uses of the same name.

New uses have also been added to accommodate newer trends in business, as well as to help make the city more competitive in attracting new businesses. These include the Data Center and Research and Development uses to help promote the city as innovative and forward-thinking, and the Commissary use, which would provide locations where mobile food providers can obtain the necessary services to support their business.

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The tables for LVMC 19.09.050.F Form-Based Code Permissible Uses (FBC) and 19.12.010 Permissible uses have been re-evaluated and adjusted to account for the new uses, and also to adjust existing uses where appropriate. Some uses that may have been inappropriate in less intense zoning districts in years past may now be accommodated in those districts due to advances in technology or practices that have reduced the impact that they have on the surrounding area. If needed, new conditional use regulations or special use permit requirements have been added to specific uses to limit the scope of the uses so that they are appropriate in the less intense districts. The proposed changes to these tables are submitted separately as Exhibits A and B for this amendment.

This is the first major review and overhaul of commercial and industrial uses since approximately 2014, when a similar undertaking was completed. The department continues to look for opportunities to address these issues with the UDC and improve how it functions with regard to emerging technology and business trends.

Staff recommends approval.

FINDINGS

This amendment will:

1. Provide clarity and clean up a number of outstanding issues that have been identified in the UDC.
2. Combine a number of similar uses into a single use. The intensity and allowable location for the newly combined use will be controlled via the conditional use regulations and special use permit requirements.
3. Rename a number of similar uses that are scattered throughout the tables and descriptions to consolidate them into the same area of the code. This will make it easier to locate the uses and compare them to see which use applies in a given situation.
4. Creates new uses to address deficiencies in the UDC with regard to emerging technology and business trends.
5. The permissible use tables of LVMC 19.09 and 19.12 have been adjusted as needed for the proposed amendments.