ORDINANCE NO. 3137

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS RELATING TO ZONING (ZOA-03-2022) BY AMENDING PROVISIONS RELATED TO PERMITTED USES IN REDEVELOPMENT AND **BUSINESS** DISTRICTS, BY AMENDING **LICENSING** REQUIREMENTS IN REDEVELOPMENT DISTRICTS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the amendment is consistent with the Comprehensive Plan; and

WHEREAS, the Council determines that the amendment will not adversely affect the health and general welfare; and,

NOW THEREFORE, the City Council of the City of North Las Vegas does ordain:

<u>SECTION 1</u>: Chapter 20, Section 010, Table 17.20-1, of Title 17 of the North Las Vegas Municipal Code is hereby amended by replacing the existing table in its entirety with the following:

					TA	BLI	E 1	7.2	0-1:	: PE	ERN	ΛIT	TE	D U	SE	TA	BLI	E										
	P = Permitted C = Conditional S = Special			Re	sid	lent	tial				Bus	sino	ess	i	Re	de	velo	pm	ent				ecia pos			Ob	solet e	Additional Requirements
В	lank = Prohibited	0	R	R	R	R	P	P	P	_	_	_	М	M	R	R -	R-	R-	R- A/	Р	P U D/	Р	М		M			
Use Category	Use Type	-L	E	E L	R -1	C	-2	R -3	R -4	-P	C -1	-2	-1	-2	-A /R -2	- A/ R -3	A/ R- 4	A/ D C	PS P	S P	D/ PI D	C D	U D- N	U D- C	U D- E	C-3	M-3	8
								R	ESI	DE	NT	AL	US	SES	3													
Cround index	Dormitory																	S	S	S	Р	Р	S	S	S			
Group Living	Fraternity or Sorority House							S	S						S	S	S				Р	Р	S	S	S			
	Dwelling, Multiple-Family (5+)							Р	Р							Ρ	Р	Р			Р	Р	Р	Р	Р			17.20.020 A.1
	Dwelling, Single-Family	Р	Р	Р	Р	Р	S	S							Р	S		S			Р	Р	Р	Р	Р			
Household	Dwelling, Three- and Four- Family						Р	Р	Р						Р	Р	Р				Р	Р	Р	Р	Р			
Living	Dwelling, Two-Family						Р	Р	Р						Р	Р	Р				Р	Р	Р	Р	Р			
	Mobile Home or Mobile Home Subdivision																				Р	Р						17.20.020 A.2
	Townhouse Cluster						Р	Р	Р						-	Р	Ρ				Р	Р	Р	Ρ	Р			17.20.020 A.3
						PUE	3LI	C A	ND	IN	STI	TU	TIC	NA	LL	JSE	ES											
Institutions	Cemetery	С	С	С	С														С	С	Р	Р				С		17.20.020 B.3
	College or University										S	S						S	S	S	Р	Р	S	S	S			
	Community Center or Meeting Hall										Р	Р	Р					S C	S	S	Р	Р	Р	Р	Р			Up to 5,000 Sq. ft. allowed in R-A/DC
	Residential Facility for Groups		Р	Р	Р	Р	Р	Р	Р			Р			Р	Р	Р				Р	Р	Р	Р	Р			17.20.020 B.4
	Halfway House for Recovering Alcohol and Drug Abusers		Р	Р	Р	Р	Р	Р	Р			Р			Р	Р	Р				Р	Р						17.20.020 B.5

	Hospital/Medical Center											S	S	Р				S	S	S	Р	Р	Р	Р	S	S		17.20.020 B.6
	Museum or Library											Р						Р	Р	Р	Р	Р	Р	Р	Р	Р		
	Religious Institution	s	s	s	s	S	S	S	S	s	S	s			s	S	s	S	s	s	Р	Р	Р	Р	Р			
	Residential Health Care Facility						S	S	S			S			S	S	S	Ø			Р	Р	S	S	S			
	School: Elementary or Secondary		s	s	s	S	S	s	S		S	S			S	S	S	S	S	S	Р	Р	S	S	S			
	School: Business, Technical, Trade, and Vocations									s	S	S	s	Р				S	s	S	Р	Р	S	S	S	S		
	Facility for transitional living for released offenders						S	s	S							S	S				S	S	S	S	S			17.20.020 B.9
Public and Civic Uses	Electrical Power Transmission Poles and Lines, as identified in the Comprehensive Master Plan	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
	Electrical Power Transmission Poles and Lines not identified in the Comprehensive Master Plan and all Substations	s	s	s	S	S	S	S	S	S	S	S	S	S	S	S	S	S	s	S	S	S	s	s	s	s	S	
	Essential Public Service or Utility Installation	s	s	s	s	S	S	S	S	S	Р	Р	Р	Р	s	S	S	S	s	S	Р	Р	Р	Р	Р	Р	Р	
	Public Utility Building, Structure, or Equipment	s	s	s	s	S	S	s	S	s	S	S	s	Р	S	S	S	S	s	S	Р	Р	Р	Р	Р	S	Р	
	Public Utility Service Yard													Р												Р	Р	
	Public, Semi-Public Use or Building	s	s								Р			Р		S	S	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
	Public Park or Open Space	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
	Radio and Television Studio, Without Transmission Towers												Р	Р													Р	
	Radio and Television Transmission Towers													Р													Р	
	Telecommunication Towers and Facilities	s	s	s	s	S	S	s	S	s	S	Р	Р	Р	s	S	S	S	С	С	Р	Р	S	S	S	С	С	17.20.020 B.8

	Telecommunication Towers and Facilities – Multiple Tower Facilities											С	С	С												Р	Р	17.20.020 B.8
	Airport													S					S			Р					S	17.20.020 B.1
Transportation	Automobile Parking Lot or Parking Garage									Р	Р	Р	Р	Р				₽ S	Р	Р	Р	Р		Р	Р	Р	Р	
Transportation	Bus Terminal											S						S			Р	Р			Р	Р	Р	17.20.020 B.2
	Freight Terminals												S	Р													S	
	Heliport/Helipad													S							Р	Р					S	17.20.020 B.1
						CC	MI	ИEF	RCI	AL	ΑN	ID (OFF	FIC	ΕU	SE	S											
Adult Uses	Sexually Oriented Business													Р														17.20.020 C.19
Agriculture	Agricultural Activity	Р																			Р	Р						17.20.020 C.1
and	Feed Store (Including Yard)	S											S	Р												Р	Р	
Agricultural	Nursery Sales										S	Р		Р				Р								Р	Р	
Support	Stable, Commercial	S	S																								Р	17.20.020 C.20
Services	Community Garden	С	С	С	С	С	С	С	С									С	Р	Р	Р	Р	Р	Р	Р			17.20.020 C.8
A : 10	Animal Hospital or Clinic										Р	Р	Р	Р				S			Р	Р	Р	Р	Р	Р	Р	17.20.020 C.2
Animal Care	Pet Care and Boarding Facility										С	С	С	С							Р	Р	Р	Р	Р	Р		17.20.020 C.2
	Child Care - Group Home	S	S	S	S		S			S	S	S	S		S						Р	Р	Р	Р	Р			17.20.020 C.7
Day Care	Child Care Center							S	S						S	S	S	S			Р	Р	Р	Р	Р			17.20.020 C.7
	Delicatessen and Catering Establishment										С	С	Р	Р				Р			Р	Р	Р	Р	Р	Р		Storage of vehicles not permitted in C-1, C-2 & R-A/DC
Eating and Drinking	Establishment Requiring an "Off-Sale" Liquor License										С	С		С				⊖ S			Р	Р				С		17.20.020 C.14
Establishment s	Establishment Requiring an "On-Sale" Liquor License										S	s	s	s				S			Р	Р	С	С	С	S		17.20.020 C.14
	Restaurant									S	Р	Р	С	С				Р	С		Р	Р	Р	Р	Р			17.20.020 C. 28
	Restaurant, Fast Food									S	Р	Р		С				Р	С		Р	Р	Р	Р	Р			17.20.020 C.17
	Private Club or Lodge											Р		Р				₽ S			Α	Α	S	Р	Р	Р		
Indoor																		_										
Recreation	Bowling Alley											Р		Р				Р			Р	Р	S	Р	Р	Р		

and	Dancing or Theatrical Studio										Р	Р				Т		Р			Р	Р	S	Р	Р	Р		
Entertainment	Game Rooms or Pool Hall										P	P						P			P	P	S	Р	P	P		
Littortammont	Health and Fitness Center									S	P	P		S				C			•	•		•	+			17.20.020.C.31
	Recreation Center									S	S	P		S				S			Р	Р	S	Р	Р	Р		17.20.020.0.01
	Skating Rink (Ice or Roller)											S		S				P			P	P	S	P	P	•		
	Theater, Movie											P		_				P			P	P	S	P	P	Р		
	Video Arcade										S	S						P			Р	Р	P	Р	P	P		
	Auto Title Loan Establishment										S	S	S					S-			Р	Р	Р	Р	Р	S		17.20.020 C.4
	Bank or Financial Institution									С	С	С						P			P	P	P	Р	P	S		17.20.020 C.6
	Deferred Deposit Loan or																											
0.66	Short Term Loan										S	S	S					S			Р	Р	Р	Р	Р	S		17.20.020 C.10
Offices	Establishment																											
	Medical, Dental, or Health									Р	Р	Р	Р					Р			Р	Р	Р	Р	Р	Р		
	Clinic									-			1													, <u> </u>		
	Professional Office									Р	Р	Р	Р	Р				Р			Р	Р	Р	Р	Р	Р		
	Amusement Park or Water											S		S				S			Р	Р		s	Р			
	Park													3				_				_						
Outdoor	Athletic Clubs (Outdoors)										S	S	S					S						S	Р	S		17.20.020 C.3
Recreation	Golf Course	S	S	S	S	S	S	S	S						S		S			Р	Р	Р		S	Р			17.20.020 C.12
and	Golf Driving Range or											Р		Р				S			Р	Р		S	Р	Р		
Entertainment	Miniature Golf Course													•								•						
	Recreational Use											S						S			Р	Р	S	S	S			
	Theater, Drive-In											S		S										S	Р	S	S	17.20.020 C.21
Retail Sales	Appliance Repair Facility											Р		Р							Р	Р				Р		
and Service	Bakery for On-Site Sales										Р	Р	Р					Р			Р	Р	Р	Р	Р	Р	Р	17.20.020 C.5
	Convenience Food Store										₽ S	₽ S						₽ S	S		Р	Р	Р	Р	Р	₽\$	S	17.20.020 C.9
	Convenience Food Store with		\vdash	1	\vdash	1	-												3									
	Gas Pumps										S	S		S				S			Р	Р		Р	Р	S	S	17.20.020 C.9
	Exterior Storage of Goods and Materials												Р	Р							Р	Р		S	S	Р		17.20.020 C.11
	Funeral Home and Mortuary											s		s				₽ S			Р	Р	Р	Р	Р	Р		
	Garden Supply Store										Р	Р	Р					Р			Р	Р				Р		

	Heavy Equipment Rental								\top			_							
	Facility						Р					Р	Р				S		
	Laundromat, Self-Service			Р	Р				С			Р	Р	Р	Р	Р			
	Laundry and Dry Cleaning Establishment			Р	Р				С			Р	Р	Р	Р	Р	Р		17.20.020 C.13
	Light Equipment Rental with Exterior Storage and Display			S	s	Р	Р					Р	Р						
	Light Equipment Rental with No Exterior Storage and Display			Р	Р	Р	Р					Р	Р				Р		
	Massage Establishment		(SS	S				S			S	S	S	S	S			
	Marijuana Dispensary or Retail Marijuana Store			s			S		s										17.20.020 C.29
	Pawnshop			S	S				S								S		17.20.020 C.15
	Personal Service Establishment			SP	Р				Р	С		Р	Р	Р	Р	Р	Р		17.20.020 C. 28
	Retail Sales Establishment			Р	Р				Р	С	S	Р	Р	Р	Р	Р	Р		17.20.020 C.18
	Swap Meet or Flea Market (Outdoor)						S										S	Р	
	Tattoo Establishment			S	S														
	Wholesale Sales Establishment				s	Р	Р					Р	Р			Р	S		17.20.020 C.27
	Casino				S				S			S	S			S	S		
	Hotel or Motel				S	S	S		S			S	S	S	S	S	S		
Tourism	Racetracks (Dog, Horse, or Vehicle)						S											S	
	Recreational Vehicle Park and Overnight Campground				S		S					Р	Р			S	S		17.20.020 C.16
Vehicle Sales and Services	Vehicle, Boat, or Recreational Vehicles Sales, and Rental Lot (indoor)				Р	Р	Р					Р	Р			S	S		
	Vehicle, Boat, or Recreational Vehicles Sales, and Rental Lot (outdoor)				s	s	S					Р	Р						17.20.020 C.22

	Vehicle Impound Yard/Automobile Impound							s									S	17.20.020 C.23
	Yard																	17.20.020 0.20
	Vehicle, Boat, and RV Repair Facility					s	s	С				Р	Р			S	Р	17.20.020 C.24
	Vehicle, Boat and RV Service Facility				S	С	s	Р			S	Р	Р			S	Р	17.20.020 C.25
	Vehicle Washing Establishment				S	s	s	С				Р	Р			S	S	17.20.020 C.26
	Fuel Sales				S	S		S			S			S	S	S		
	Tire Sales, Repair, and Mounting				S	С	s	С				Р	Р			Р		17.20.020 C.30
	Truck Stop/Truck Wash							Р				S	S				S	
		IND	USTF	RIAL	AND	RE	ELA	TE	D US	SES								
Industrial Services	Any production, testing, processing of goods or products that does not conform with the performance standards set forth in Section							S									S	
	17.24.130 Batch Plant (Concrete or Asphalt)							s									S	
	Building Material Sales, Wholesale						Р	Р				Р				Р	Р	17.20.020 D.1
	Contractors Office and Storage (outdoor)						Р	Р				Р					Р	
	Cultivation Facility for Marijuana						s	s										17.20.020 C.29
	Crematoria							S										
	Distribution Center						Р	Р							S		Р	
	Laundry or Dry Cleaning, Commercial Plant						s	s										
	Independent Testing Laboratory for Marijuana						s	S										17.20.020 C.29

	Industrial and Business Support Service				Р	Р	Р					F	Р		S	Р	Р	Р	
	Establishment																		
	Junkyard or Salvage Yard/Center						S											Р	
	Manufacturing and Production, Indoors					Р	Р					F	Р			Р		Р	17.20.020 D.2
	Manufacturing and Production, Outdoors					S	S											s	
	Manufacturing and Storage of Hazardous Materials						s											S	
	Materials Recovery Facility						S											Р	17.20.020 D.3
	Mini-Warehousing Establishment			s	s	s	Р					P	Р		S	s	S		17.20.020 D.4
	Production of Edible Marijuana Products or Marijuana-Infused Products					S	S												17.20.020 C.29
	Research Laboratory				S	Р	Р					F	Р			S	Р	Р	
	Recycling Center (Indoor)					S	Р					F	P					Р	17.20.020 D.5
	Recycling Center (Outdoor)						S											S	17.20.020 D.5
	Warehouse					Р	Р					P	Р			Р	Р		17.20.020 D.6
			0	THER	US	ES													
	Interim Uses Established after July 1, 1991							s	s		S	T							
Other Uses	Interim Uses Established after August 2, 1995									S									
	Live/Work Units													Р	Р	Р			17.20.020 E.1
	Vertical Mixed Use			S	Р					Р		F	P	Р	Р	Р			17.20.020 E.2

<u>SECTION 2</u>: Chapter 20, Section 020, Subsection C, Subsection 14, of Title 17 of the North Las Vegas Municipal Code is hereby amended as follows:

14. Establishment Requiring an "On Sale" or "Off-Sale" Liquor License

a. Purpose and Intent

The purpose of this section is to provide a procedure for the regulations of liquor licenses as they relate to land uses within the City. These regulations are related to the licensing requirements in Section 5.26 of the North Las Vegas Municipal Code and provide all land use regulations for liquor licenses.

b. Permit Required

All liquor license uses within the City of North Las Vegas require a conditional or special use permit. Except for "Off-Sale" liquor locations in the R-A-DC Subdistrict, Aall proposed "Off-Sale" liquor locations are required to obtain a conditional use permit. "Off-Sale" liquor locations in the R-A/DC Subdistrict are required to obtain a special use permit. All proposed sites that need an "On-Sale" license or a Restricted Gaming Liquor License are required to obtain a special use permit.

c. Distance Separation Requirements

(i) Proximity Distance Requirements

Table 17.20-2 establishes minimum separation distances between certain uses requiring a liquor license and other specified uses.

TABLE 17.20-2: PRO	XIMITY DISTANCE F	REQUIREMENTS I	FOR CERTAIN LIC	QUOR LICENSES
Liquor License	Separation from Schools and Daycare (feet) [1]	Separation from Churches and Parks (feet)	Separation Between Like Uses (feet)	Separation from Developed Residential (feet) [2]
Restricted Gambling Gaming [5]	1,500	1,500	2,500	500
Non-Profit Club	400 [3]	400 [3]		
Full "On-Sale"	400 [3]	400 [3]		
Beer-Wine-Spirit Based Products "On-Sale"	400 [3]	400 [3]		
Full "Off-Sale"	400	400	1,500 [4]	_
Beer-Wine "Off- Sale"	400	400		

NOTES:

^[1] For the purposes of this section, schools shall be defined as kindergarten through 12th grade. Other post-secondary schools shall not be included.

^[2] For the purposes of this section, developed residential shall be defined as a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.

^[3] A waiver of the 400 foot proximity distance requirement may be considered with approval of a

special use permit from the appropriate governing body for the proposed use.
[4] This distance only affects package liquor stores as defined in Chapter 17.32, *Definitions*.
[5] Within the R-A/DC Subdistrict a restaurant is required with all restricted gaming licenses. The restaurant must have the same operating hours and occupy a minimum of 50% of the total floor area of the facility.

SECTION 3: Chapter 20, Section 020, Subsection C, Subsection 31, of Title 17 of the North Las Vegas Municipal Code is hereby amended as follows:

31. Health and Fitness Centers.

- a. Within the C-P and R-A/DC Districts the maximum size may not exceed three thousand (3,000) square feet.
- b. Within the M-2 District the center must be located adjacent to a one-hundred-twenty-foot right-of-way.
- c. Within the M-2 District the center must be located within five hundred (500) feet of a residential district.
- d. Within the M-2 District the maximum size may not exceed eight thousand (8,000) square feet.

SECTION 4: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 5: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 6: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas. Publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 7: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmembers voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS	day of	, 2022.
AYES:		
NAYS:		
ABSTAIN:		

ABSENT:	APPROVED:
	JOHN J. LEE, MAYOR
ATTEST:	
JACKIE RODGERS, CITY CLERK	_