

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:

SECTION 1: 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:

TABLE 17.20-1: PERMITTED USE TABLE																											
P = Permitted C = Conditional S = Special Blank = Prohibited		Residential							Business				Redevelopment				Special Purpose					Obsolete		Additional Requirements			
		O-L	R-E	R-EL	R-1	R-CL	R-2	R-3	R-4	C-P	C-1	C-2	M-1	M-2	R-A/R-2	R-A/R-3	R-A/R-4	R-A/DC	R-A/PCP	PS	PD/PI	PCD	MUD			C-3	M-3
Use Category	Use Type																					MUN	MUN	MUN			
RESIDENTIAL USES																											
Group Living	Dormitory																S	S	S	P	P	S	S	S			
	Fraternity or Sorority House							S	S					S	S	S				P	P	S	S	S			
Household Living	Dwelling, Multiple-Family (5+)						P	P						P	P	P				P	P	P	P	P			17.20.020 A.1
	Dwelling, Single-Family	P	P	P	P	P	S	S						P	S		S			P	P	P	P	P			
	Dwelling, Three- and Four-Family						P	P	P					P	P	P				P	P	P	P	P			
	Dwelling, Two-Family						P	P	P					P	P	P				P	P	P	P	P			
	Mobile Home or Mobile Home Subdivision																			P	P						17.20.020 A.2
	Townhouse Cluster						P	P	P					P	P	P				P	P	P	P	P			17.20.020 A.3
PUBLIC AND INSTITUTIONAL USES																											
Institutions	Cemetery	C	C	C	C													C	C	P	P				C		17.20.020 B.3
	College or University									S	S							S	S	S	P	P	S	S	S		
	Community Center or Meeting Hall									P	P	P						S	C	S	S	P	P	P	P	P	Up to 5,000 Sq. ft. allowed in R-A/DC
	Residential Facility for Groups		P	P	P	P	P	P	P			P		P	P	P				P	P	P	P	P			17.20.020 B.4
	Halfway House for Recovering Alcohol and Drug Abusers		P	P	P	P	P	P	P			P		P	P	P				P	P						17.20.020 B.5

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

SECTION 2: 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, A**all proposed “Off-Sale” liquor locations are required to obtain a conditional use permit. **“Off-Sale” liquor locations in the R-A/DC SubdsitRICT 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: PROXIMITY DISTANCE REQUIREMENTS FOR CERTAIN LIQUOR 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