

**BILL NO. 2010-26**

**ORDINANCE NO. 6101**

AN ORDINANCE TO UPDATE THE ZONING REGULATIONS PERTAINING TO CERTAIN CULTURAL USES; ESTABLISHING THE USE "BEER/WINE/COOLER CULTURAL ESTABLISHMENT," REDEFINING THE CURRENT USE RELATING TO PRIVATE MUSEUMS AND ART GALLERIES TO ALLOW THE SALE OF ART; AMENDING THE DOWNTOWN CENTENNIAL PLAN TO ALLOW CERTAIN OUTDOOR EVENTS IN THE DISTRICT KNOWN AS "18B THE LAS VEGAS ARTS DISTRICT," AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman

Summary: Updates the zoning regulations to establish the use "beer/wine/cooler cultural establishment"; redefines the current use relating to private museums and art galleries to allow the sale of art; and amends the Downtown Centennial Plan to allow certain outdoor events in the district known as "18b The Las Vegas Arts District."

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

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the description of the use "Museum or Art Gallery (Private)," as found in the "Retail and Personal Services" element thereof, to read as follows:

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Museum, [or Art Gallery] Art Display, or Art Sales (Private)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													S	P	P	P	P	P	P	P	P
<b>Description:</b> A privately-operated facility or area for the acquisition, preservation, study, [and] exhibition <u>or sale</u> of works of artistic, historic or scientific value.																					
<b>On-site Parking Requirement:</b> One space per 300 square feet of gross floor area.																					

SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding to the "Retail and Personal Services" element thereof a new entry for the use "Beer/Wine/Cooler Cultural Establishment," reading as follows:

...

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Beer/Wine/Cooler Cultural Establishment																	S	S		S	S
<b>Description:</b> An establishment: 1. Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers, for consumption only: a. At a facility licensed as an art studio or otherwise licensed for art sales or display (or both); and b. During the hours of an artistic exhibition, presentation or performance; and 2. That meets the Minimum Special Use Permit Requirements set forth below.																					
<b>Minimum Special Use Permit Requirements:</b> 1. The use is limited to the area located within the boundaries of 18b The Las Vegas Arts District, as described in the Downtown Centennial Plan and as amended from time to time. 2. No gaming is permitted as part of this Special Use Permit. 3. The use must conform to the provisions of LVMC Chapter 6.50.																					
<b>On-site Parking Requirement:</b> No additional parking required beyond that which is required for the principal use(s) on the site.																					

SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term "Museum or Art Gallery (Private)" to read as follows:

"Museum, [or Art Gallery] Art Display, or Art Sales (Private)" means a privately-operated facility or area for the acquisition, preservation, study, [and] exhibition or sale of works of artistic, historic or scientific value.

SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto the following term, together with its corresponding definition:

"Beer/Wine/Cooler Cultural Establishment" means an establishment:

(1) Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers, for consumption only:

(a) At a facility licensed as an art studio or otherwise licensed for art sales or display (or both); and

(b) During the hours of an artistic exhibition, presentation or performance; and

(2) That meets the criteria for a beer/wine/cooler cultural establishment as set forth in Table 2, as adopted in Section 19.04.010.

1 SECTION 5: Section VII (D)(2)(5) of the Las Vegas Downtown Centennial Plan is  
2 hereby amended by amending the listing for the use “Museum or Art Gallery–Private,” as found under  
3 the category of “Retail and Personal Services,” to read as follows:

- 4 • [Museum or Art Gallery–Private] Museum, Art Display or Art Sales (Private)

5 SECTION 6: Section VII (D)(2) of the Las Vegas Downtown Centennial Plan is  
6 hereby amended by adding to the list of Permitted Uses, at the end thereof, a new entry for Temporary  
7 Uses, reading as follows:

8 10. Temporary Uses

- 9 • Outdoor Events, subject to the following:
- 10 –Must take place on the same site as, and be in conjunction with, the operation of an
  - 11 established commercial business with a valid business license for that site.
  - 12 –Limited to Thursdays, Fridays, Saturdays and Sundays.
  - 13 –Limited to the hours of 10 am to 12 am.
  - 14 –Measures to prevent or reduce nuisance factors such as glare, excessive illumination, noise,
  - 15 vibration, smoke, dust, dirt, odors, gases and heat must be in place.
  - 16 –Provision must be made for sanitary facilities and waste collection and disposal.
  - 17 –Measures to promote safety and security must be provided.
  - 18 –Outdoor events that are outside of the limits of the days and times stated above shall require
  - 19 the approval of a Temporary Commercial Permit pursuant to Section 19.18.100.
- 20 • Temporary Outdoor Commercial Events

21 SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010  
22 and 19.20.020 are deemed to be subchapters rather than sections.


23 SECTION 8: The Planning and Development Department is authorized and directed  
24 to incorporate into the Downtown Centennial Plan the amendments contained in Sections 5 and 6 of  
25 this Ordinance.


26 SECTION 9: If any section, subsection, subdivision, paragraph, sentence, clause or  
27 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
28 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

1 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
2 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
3 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
4 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
5 invalid or ineffective.

6 SECTION 10: All ordinances or parts of ordinances or sections, subsections, phrases,  
7 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
8 1983 Edition, in conflict herewith are hereby repealed.

9 PASSED, ADOPTED and APPROVED this 4th day of August, 2010.

10 APPROVED:  
11  
12 By   
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:  
15   
16 BEVERLY K. BRIDGES, MMC  
17 City Clerk

17 APPROVED AS TO FORM:  
18 Val Steed 6-23-10  
19 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the 7<sup>th</sup>  
2 day of July, 2010, and referred to a committee for recommendation; thereafter the said committee  
3 reported favorably on said ordinance on the 4<sup>th</sup> day of August, 2010, which was a regular meeting of  
4 said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council  
5 as first introduced and adopted by the following vote:

6 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Tarkanian, Ross, Barlow and  
7 Anthony

8 VOTING "NAY": None


9 ABSENT: None

10 DID VOTE: Councilmember Wolfson

11 APPROVED:

12  
13 By   
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, MMC  
18 City Clerk  
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AFFP DISTRICT COURT  
Clark County, Nevada

RECEIVED  
CITY CLERK

AFFIDAVIT OF PUBLICATION

2010 JUL 30 A 10:54

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

6502787

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/23/2010 to 07/23/2010, on the following days:

07/23/2010

BILL NO. 2010-26

AN ORDINANCE TO UPDATE THE ZONING REGULATIONS PERTAINING TO CERTAIN CULTURAL USES; ESTABLISHING THE USE "BEER/WINE/COOLER CULTURAL ESTABLISHMENT," REDEFINING THE CURRENT USE RELATING TO PRIVATE MUSEUMS AND ART GALLERIES TO ALLOW THE SALE OF ART; AMENDING THE DOWNTOWN CENTENNIAL PLAN TO ALLOW CERTAIN OUTDOOR EVENTS IN THE DISTRICT KNOWN AS "18B THE LAS VEGAS ARTS DISTRICT," AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman  
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At the City Council meeting of JULY 7, 2010  
BILL NO: 2010-26 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

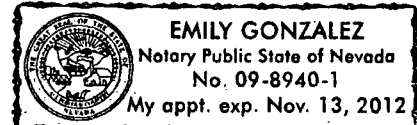
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: July 23, 2010  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE  
30th day of July, 2010.

Emily Gonzalez  
Notary Public



AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 6544513

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 08/07/2010 to 08/07/2010, on the following days:

08/07/2010

BILL NO. 2010-26  
ORDINANCE NO. 6101

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of July 2010 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 4th day of August 2010, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Tarkanian, Ross, Barlow, and Anthony  
VOTING "NAY": NONE  
EXCUSED: NONE  
NOT VOTING Councilman Wolfson

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: August 7, 2010  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 7th day of Aug, 2010.

Emily Gonzalez  
Notary Public

