

**CLARK COUNTY, NEVADA**

**Business Impact Statement**

**(NRS 237.090)**

**Clark County Code Title 8, Chapter 8.20. Section 8.20.295 -**

**(Distance Restrictions for Tavern Licenses)**

Upon request, a copy of the Business Impact Statement can be obtained from the Clark County Department of Business License and such requests should be sent to:

Clark County Department of Business License  
Chapter 5.02  
500 S. Grand Central Pky., 3<sup>rd</sup> Flr  
Box 551810  
Las Vegas, NV 89155-1810

or a copy may be obtained from the following website:

[www.clarkcountynv.gov/businesslicense](http://www.clarkcountynv.gov/businesslicense).

**Description of the proposed ordinance or rule:**

The proposed amendments to the Clark County Code Section 8.20.295 will allow for a total of six (6) tavern licenses to be issued within a commercial development located within the area designated as the Winchester Redevelopment Area 1 and consists of thirty (30) acres, all of which share a common parking lot.

**Intent of the proposed ordinance or rule including issues to be resolved or other factors to be considered:**

The intent of this proposed ordinance is to allow for up to six tavern licenses to be applied for and issued for locations within a commercial redevelopment that is within the area designated as the Winchester Redevelopment Area 1 that also consists of at least 30 acres, all of which share a common parking lot.

**Description of the manner in which public comment, data or arguments was solicited from affected businesses and/or community stakeholders:**

On January 23, 2023, the County sent a Notification of Proposed Amendments to Clark County Code, Title 8, Chapter 8.20, Section 8.20.295 (Notification Letter, Attachment #1) and the Proposed Ordinance to various business associations, chambers of commerce, attorneys, tavern licensees and other interested parties. The Notification and proposed ordinance were also available on the Department of Business License's website. Recipients of the Notification Letter were encouraged to respond with any comments or concerns regarding the proposed ordinance.

**Summary of public comment, data or arguments including the number of public comments received:**

Following a comment period that lasted 20 business days, seven comments were received.

**Comment #1 – Nevada Resort Association (Attachment #2) – In Opposition**

The Nevada Resort Association (NRA) opposes the proposed ordinance. The NRA states that Golden Gaming joins with other NRA members in opposing this proposed ordinance. The NRA believes that this proposed ordinance would blur the line between nonrestricted (unlimited number of gaming devices) and restricted (up to 15 slot machines) and create a hybrid location. The proposed ordinance is purported to spur the redevelopment of the Commercial Center without also imposing any of the financial obligations required of nonrestricted gaming licensees. The NRA states that the proposed ordinance would allow for some of the taverns to locate near other casinos, resort hotels and other restricted gaming establishments and would possibly fail the revenue test in Section 8.20.020.385(c)(2) of the County Code, thereby reducing the number of machines to seven.

**Comment #2 – Kaempfer Crowell (Attachment #3) – In Opposition**

Kaempfer Crowell, who represents Timbers Hospitality Group, opposes the proposed ordinance as it is economically disadvantageous and promotes unfair competition for other tavern owners, such as Timbers. Current Code requires taverns to be at least 2,000 feet between taverns. This proposed ordinance would allow up to six taverns with a total of 90 possible slot machines and would defeat the purpose of Nevada's restricted license provisions (NRS 463.0189) which are intended to prevent competition with nonrestricted casino licensees.

**Comment #3 – La Vecindad (Attachment #4) – In Support**

La Vecindad expresses interest in obtaining a tavern license for their establishment in the Commercial Center and believes that the proposed tavern will provide a valuable and much-needed service to the community.

**Comment #4 – Commercial Center Business Association (Attachment #5) – In Support**

The Commercial Center Business Association is in favor of increasing the limit for tavern licenses in the Commercial Center. The Association also believes this will benefit a few businesses on Karen Avenue that share the common parking lot and bringing in more businesses that will increase foot traffic will be very helpful to the growth in the area and serve thousands of nearby locals by offering more establishments to patronize.

#### **Comment #5 – Crystal Hall (Attachment #6) – In Support**

The commenter expressed full support for the proposed ordinance that will be a welcoming change for all small businesses in the Commercial Center.

#### **Comment #6 – Balkan Bar and Grill (Attachment #7) – In Support**

The commenter expressed full support for the proposed ordinance stating that it is a needed helping hand for the small businesses in the area.

#### **Comment #7 – Svetlozar Monev (Attachment #8) – In Support**

The commenter expressed support for the proposed ordinance stating that it is good to finally see some changes to the area which had for years the stigma of an unsafe and run down part of town.

#### **The estimated economic effect of the proposed ordinance or rule on businesses:**

##### **1. Adverse effects**

The proposed ordinance will allow for a concentration of taverns that sell alcohol and may offer gaming without distance restrictions. The increased gaming activity could have a negative impact on existing gaming establishments in the area.

##### **2. Beneficial effects**

The proposed ordinance will increase commercial activity in this redevelopment area that could spur more businesses to start up.

##### **3. Direct effects**

The increased interest in this area could generate more and different type of business activities.

##### **4. Indirect effects.**

The proposed ordinance would generate more traffic to the surrounding area and benefit businesses outside of the Commercial Center.

##### **5. Other economic effects to be considered.**

No other economic effects were identified.

#### **The estimated cost to the local government for the enforcement of the proposed ordinance or rule:**

It is estimated that the cost to enforce the Proposed Ordinance will be absorbed by current staff.



**The estimated cost to the local government for the administration of the proposed ordinance or rule:**

It is estimated that the cost to administer the Proposed Ordinance will be absorbed by current staff.

**If applicable, explanation of a new fee or increase to an existing fee including a projection of the annual revenue expected to be collected and the manner in which the revenue will be utilized:**

There are no new fees provided for by this proposed ordinance.

**Assessment of provisions of the proposed ordinance or rule, which may duplicate or are more stringent than Federal, State or local standards regulating the same activity:**

The proposed amendments do not duplicate and are not more stringent than Federal, State or local standards.

**If applicable, explanation of why the duplicative or more stringent provisions are necessary:**

Not applicable.

**Description of the methods that local government considered to modify the proposed ordinance or rule; or otherwise reduce the impact of the proposed rule on businesses, the parties involved, and a statement of the methods used:**

After reviewing the comments from the respondents and analyzing potential impacts on businesses it was determined that the proposed ordinance would benefit the businesses of the Commercial Center without irreparably harming the other like businesses in the area and, therefore, no changes were made.

**The reasons for the conclusions regarding the impact of the proposed rule on businesses:**

In order to promote the redevelopment and encourage new businesses in an area of the County that has struggled we feel that the provisions in the Proposed Ordinance are necessary and are in compliance with state law.

**Certification of Business Impact Statement**

I certify that, to the best of my knowledge or belief, the information contained in this Business Impact Statement was prepared properly and is accurate.

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Kevin Schiller  
County Manager

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Date