

**South Enterprise/ West Henderson Land Use & Transportation Plan
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On January 19, 1999, elected officials from Clark County and Henderson entered into an interlocal agreement to jointly develop this plan.

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III. Approval Resolutions

This document provides a generalized land use plan combined with specific development standards. Portions of this plan are not currently within the jurisdictional boundaries of the City of Henderson. There are no expressed or implied entitlements to develop any properties within this plan area without first seeing approval of the local governing body having jurisdiction over the property.

IV. EXECUTIVE SUMMARY

Interlocal Agreement

On January 19, 1999, the Clark County Board of County Commissioners and Henderson City Council signed an interlocal agreement covering approximately two square miles northwest of Eastern Avenue and Lake Mead Drive, and approximately eleven square miles south of Lake Mead Drive between Las Vegas Boulevard and the Henderson city limits. Exhibit A

The agreement included the following provisions:

- Henderson is designated as the lead agency for preparing a land use and development plan for land west of Eastern Avenue, southwest of Henderson Executive Airport and east of Las Vegas Boulevard.
- The plan is to be adopted by both jurisdictions as elements of their respective Comprehensive Plans.
- An arterial street plan for the interlocal agreement area and its surrounding area will be developed.
- The parties will develop a joint water and sewer plan, and plan a joint water reuse plant.
- Neither party will approve zoning unless in conformance to the approved land use plan.
- Each party will notify the other and consider comments on development applications within one mile of the other's jurisdiction.
- Clark County will not object to applications for annexation to Henderson of any portion of the land covered by the agreement and recommends annexation of lands under jurisdiction of the Bureau of Land Management.

Neighborhood and Board Participation

The Henderson Community Development Department conducted its first of eight Public meetings on April 21, 1999. Those public meetings typically consisted of 2-hour workshops with residents, property owners and interested parties, presentations to the Enterprise Town Board, public hearings with the Clark County and Henderson Planning Commissions, and meetings by the Board of County Commissioners and City Council for final adoption. For those who could not attend meetings or pick up information from Henderson City Hall, the Enterprise Library was designated the west-end distribution point for maps and documents.

Final Adoption

The plan was adopted in its final form by the Henderson City Council on March 7, 2000.

Land Use and Traffic Plan

This plan consists of Comprehensive Plan land use designations for all parcels in the plan area south of Lake Mead Drive, as well as alignments for all arterials 80 feet and wider for an area generally bounded by Cactus Road on the north, Maryland Parkway on the east, I-15 on the west and the BLM Urban Disposal Boundary on the south. Based on the advanced stage of development approvals

and entitlements for the two sections north of Lake Mead Drive (Sections 26 and 34), this plan document does not propose any changes for those two sections.

The balance of the area south of Lake Mead is the subject of this plan, with land uses ranging from the lowest intensity designation of "Very Low Density Residential", to the highest intensity of "Business Park", to include lands reserved for all necessary supporting commercial, recreational and educational elements. Henderson's standard municipal requirements were used to quantify and locate all land uses and to establish appropriate ratios and relationships. This plan lays the foundation for all future growth in the area, and requires that the next step for any development, whether under Clark County or Henderson jurisdiction, is a refined master plan. In Clark County the application will be for Major Project Review. In Henderson the application will be for Master Plan Overlay District.

V. GENERAL MAP OF AREA

Exhibit F outlines current assessors data for the plan area.

VI. INTRODUCTION / BACKGROUND

In recent years Henderson has continued to see the expansion of its borders in the southern portion of the valley. Although both Clark County and the City of Henderson have been independently planning for future development within their boundaries, past opportunities to develop future plans together have been lost in areas where boundaries met. In some instances, the lack of joint planning has resulted in incompatible land uses and plans.

In order to more appropriately address future development needs in one area where Clark County and the City of Henderson share a boundary, the Clark County Board of County Commissioners and the City of Henderson City Council entered into an Interlocal Agreement (Exhibit A) signed on January 19, 1999, charging Clark County and the City of Henderson with establishing a joint position on boundaries, public facilities, service provisions, governmental jurisdiction and planning for more than 6,000 acres and 13 sections of land. Two sections of land (Sections 26 and 34) are located north of Lake Mead Drive with the remaining eleven sections being located south of Lake Mead Drive. With regard to the northern sections, it was determined that based on the advanced level of entitlements, those lands should only be reviewed from a current planning perspective, not long range. The eleven sections south of Lake mead Drive are currently under a Clark County Community District 3 designation (see section VIII of this document for further explanation), and a majority of the land (87 percent) is in Federal ownership, which means fewer potential conflicts with private land owners, and makes future planning more feasible.

With regard to corporate boundaries, the County supports annexation of federal lands described in the agreement to the City of Henderson. For non-federal lands, the agreement states the County will not oppose annexation to the City of Henderson. It is the expectation of this planning group that the plan detailed on

the following pages will be effective regardless of jurisdictional control or future annexations.

Although not addressed in detail in this plan, another component of the Interlocal Agreement deals with the provision of water and sewer service to the area. The agreement states that "in order to efficiently provide services and avoid duplication" interlocal agreements will be established to serve the planning area irrespective of jurisdictional boundaries. The City of Henderson, Clark County, the Clark County Sanitation District and the Las Vegas Valley Water District are in the process of determining the most efficient service boundaries. Interlocal agreements finalizing the service boundaries will be signed in the year 2000.

The component of the Interlocal Agreement addressed in this document is the provision for joint land use and transportation planning. The plan results in the development of a seamless land use and development plan for the area.

VII. PROCESS

The interlocal agreement mandates that the City of Henderson take the lead, with participation by Clark County, property owners, interested parties and service providers to develop a seamless plan for the area. In order to accommodate all interested parties, a participatory process was initiated.

The process to develop a plan began with a meeting between the staffs of Clark County and the City of Henderson. It was determined that a series of meetings with the stakeholders would be the best approach to develop the plan. Henderson Community Development Department staff conducted the initial meeting in April 1999, with the stakeholders, also known as the South Enterprise / West Henderson Planning Group. That first meeting served to identify issues of primary concern to property owners in the area. Property owners and interested parties raised issues in a brainstorming format, at the end of which, those in attendance selected their top four issues.

The following is a partial list of the top rated concerns raised from the stakeholders who were in attendance at the initial meeting:

1. Transitional buffers should be provided between existing homes and future development.
2. The County, property owners, interested parties, and service providers must participate in developing a land use plan.
3. Locations of future electrical transmission lines must be identified and considered while preparing the land use plan.
4. The need for and locations of future flood control facilities must be identified and considered while preparing the land use plan.
5. Provisions should be made to allow a varied (non-grid) road pattern.
6. Future sound levels from activities at the Henderson Executive Airport should be considered as surrounding land uses are designated.

Since April, 1999, a series of seven additional meetings with the property owners and interested parties has taken place. Each meeting has built upon the initial foundation and attempted to address all of the concerns raised during preceding meetings. This process was used to develop the land use and transportation plan included in this document.

VIII. INVENTORY OF EXISTING CONDITIONS

A. PLANNING AREA USES

The planning area southwest of Henderson Executive Airport is characterized as rural. Approximately 45 single-family homes, two mobile home parks, a heliport for a privately operated rescue helicopter, a below-ground water storage reservoir, and a commercial gravel operation currently exist Exhibit D.

Existing single-family homes are generally in two distinct clusters. One cluster is located on the north side of Dale Street west of Gillespie Street. The remaining single-family homes are generally located north of Larson Lane on either side of Bermuda Road. The cluster of single-family homes north of Dale is the only portion of the planning area that meets the requirements of Nevada Revised Statutes as a Rural Preservation Neighborhood (RPN). The RPN is outlined on Exhibit C of the Appendix.

One mobile home park is located at the southwest corner of Larson Lane and Bermuda Road. The other mobile home park is located at the southeast corner of Gillespie and Dale Streets. Each park contains approximately 25 mobile homes.

The heliport is located at the northeast corner of Las Vegas Boulevard and Larson Lane. The water storage reservoir, operated by Las Vegas Valley Water District, is located on the south side of Bruner Avenue west of Bermuda Road. The only other existing use in the area is a Nevada Department of Transportation gravel operation near the southeast corner of Larson Lane and Bermuda Road.

While developing this land use plan, the City of Henderson identified several potentially conflicting adjacent land use designations and road patterns in the Henderson Executive Airport Center Plan (Airport Center), and decided to expand the planning area to include approximately 60 acres of vacant land located within Henderson's corporate boundaries. The 60 acres in the Airport Center are located east of Bermuda Road, and have current land use designations that allow light industrial uses.

B. LAND USE CLASSIFICATIONS

As a result of the January 19, 1999, interlocal agreement, the planning area is under the shared jurisdiction of the City of Henderson and Clark

County. Lands within the planning area are part of three different land use plans, and are influenced by two additional land use plans Exhibit I.

Specific Land Use Plans that Currently Apply

- Clark County Enterprise Land Use Plan, effective February 16, 1999.
- Clark County South Valley Land Use Plan, effective December 20, 1994.
- Henderson Executive Airport Center Plan, effective November 17, 1998.

1. Enterprise Land Use Plan

The Enterprise Plan covers the Clark County portion of the planning area that generally lies north of Larson Lane, south of Lake Mead Drive, west of the current Henderson corporate boundary, and east of Las Vegas Boulevard.

Enterprise land use categories within the planning area:

a. Major Development Projects

The Major Development Projects category is most often applied to areas outside of the CD 2 boundary (suitable for urban development) as shown on Clark County's Community District Element. It indicates areas where land uses of greater densities than two (2) residential units per acre are considered premature and/or inappropriate unless guided by the County's Major Projects Review process. This process is designed to accommodate the timely and comprehensive review of projects and their impact on the local community. Details of the Major Projects Review procedure are found in Chapter 26 of the Clark County Development Code.

b. Parks and Recreation/Public Facility (Zoning districts which may be permitted in the PF category include P-F.)

The Public Facility/Parks and Recreation category allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, storm water control facilities, schools, and other uses considered public and quasi-public such as libraries, clubs, and public utility facilities. It also allows large public parks and recreation areas such as public golf courses, trails and easements, and drainage ways and detention basins. A subcategory is Open Space (OS). Open Space is used to designate large areas that are intended for open space land recreational uses such as hiking and horseback riding.

- c. **Rural Neighborhood Preservation** (Up to two [2] dwelling units per gross acre.) (Zoning districts that may be permitted in this category include: R-U, R-U PUD, R-A, R-E.)

The Rural Neighborhood Preservation category allows a maximum of two (2) dwelling units per gross acre. The predominant residential lifestyle is single-family homes on large lots and may include equestrian facilities. Creative site designs meeting the lot requirements of the category are encouraged. Single-family dwellings may be clustered. Building heights generally do not exceed 35 feet. Multiple family dwellings are not appropriate. Local-supporting public facility uses are also allowed in this category with appropriate buffering and setbacks.

- d. **Business Park/Industrial** (Zoning districts that may be permitted in the BPI category include: C-P, C-1, C-2, C-3, M-D, M-1.)

The Business Park/Industrial category designates areas where the primary land uses are commercial, professional, or industrial developments, which are designed to assure minimal impact on surrounding areas. Major uses in the category include research and development, food sales and distribution, postal and data processing centers, vehicle repair (inside), and general non-hazardous warehousing. More intense industrial uses that may be needed to provide support for the community are appropriate in this category. Outdoor business activities or storage should be buffered and internalized within the development. Building heights generally do not exceed 55 feet. Building heights near residential uses generally do not exceed 35 feet. This category may be used as a buffer between residential and more intense industrial land uses. Public facility uses are allowed in this category with appropriate buffering and setbacks.

2. **South County Land Use and Development Plan**

The South County Land Use and Development Plan covers the Clark County portion of the planning area that generally lies south of Larson Lane, west of the current Henderson corporate boundary, and east of Las Vegas Boulevard.

The South County land use category within the planning area is:

- a. **RR-Residential Rural** (Up to one [1] dwelling unit per acre.)

Designates areas where the primary land use is large lot, single-family residential. Single-family detached dwellings generally occupy lots at least one acre in size and have limited access to public services and facilities. Septic tank and well usage is common. Single-family dwellings may be clustered. Multiple family dwellings are not appropriate.

3. **Community District 3 Definition**

All of the lands currently in unincorporated Clark County also fall within CD 3-6 (Community District 3-6).

Community District 3-6 -Future Development/Rural Open Space. This district is comprised of lands lying beyond the area projected to meet the near-term urban growth. These lands lack the full range of public services (referenced in "CD 2 Boundary Criteria") and, therefore, are not currently needed for community expansion. Development requests for projects requiring extension of public facilities into CD 3-6 should not be approved.

As the urbanized area expands, square mile sections previously designated CD 3-6 will be incorporated into CD 2. Owners of residentially developed property with densities equal to or less than two (2) dwelling units per acre should be aware that more intense urban land uses may eventually develop on arterial streets and, to a lesser degree, within square mile interiors.

4. **Henderson Executive Airport Center Plan**

The Henderson Executive Airport Center Plan generally lies north of the Bruner Road alignment, south of Lake Mead Drive, west of Seven Hills and east of Bermuda Road.

Henderson Executive Airport land use categories within the planning area are:

- a. **GC-General Commercial** Allowable zoning within the GC category includes CN (Neighborhood Commercial) and CC (Community Commercial).

The purpose of this category is to provide higher intensity community services such as grocery stores, fast-food restaurants, home repair stores, large office complexes, theaters, mini-storage, and automotive repair services. Due to the need for large site disturbance and the increased intensity of use, the GC land use category is intended for sites with a slope less than 10 percent. Because of the high intensity of use, the site must be a minimum of 10 acres, have direct frontage on an arterial, and be located at the

intersection of two major arterial roads, as depicted on the City's Master Streets and Highways Plan, or the intersection of a major arterial and a beltway interchange.

- b. **BP-Business Park** Allowable zoning within the BP category includes IP (Industrial Park) and IL (Light Industrial).

The purpose of this category is to provide light industrial and business park services in support of the city and region. Due to the need for large site disturbance and the increased intensity of use, the BP land use category is intended for sites with a slope less than 10 percent. The site must be a minimum of 40 acres and located at the intersection of a major arterial and a beltway interchange or the intersection of a major arterial and Lake Mead Drive west of the beltway.

- c. **PS-Public/Semipublic** Allowable zoning within the PS category includes PS (Public/Semipublic).

The purpose of this category is to provide community services such as churches, schools, parks, fire stations, and major utilities. This land use is intended for all slope areas. Sites with a slope in excess of 10 percent would be subject to portions of the City's Hillside Ordinance. Because of the lower intensity of use and potential conflicts with commercial uses, parks, schools, and churches should be located away from arterial roads and a minimum of 1,500 feet from commercial land uses. Exceptions to the distance would be pedestrian and bike trails located in arroyos adjacent to an arterial.

Influencing Land Use Plans

- City of Henderson, Henderson Comprehensive Plan, effective August 20, 1996.
- City of Henderson, Henderson Southwest Special Study Plan, effective September 19, 1995.

The City of Henderson Comprehensive Plan is the city's master plan, as required by NRS 278.150

The Southwest Henderson Plan covers an area within the City of Henderson adjacent to the northeast corner of the planning area. Specifically, the Seven Hills master plan is within the Southwest Henderson Plan area. Land uses within the Southwest Henderson Plan incorporate a range of residential densities as well as commercial, public, and business park. In addition to the land use plans directly influencing the planning area, it is also important to

note the other plan influencing the South Enterprise/ West Henderson Planning Area.

The Anthem master plan, which forms the eastern border of the planning area, is subject to the City of Henderson Comprehensive Plan. Actual land uses within Anthem mirrored those found in the Southwest Henderson Plan.

B. ZONING

Zoning within the planning area is primarily residential Exhibit H. Except for one commercial zoning approval for a property adjacent to Lake Mead Drive, all other remaining commercial zoning is limited to a strip adjacent to Las Vegas Boulevard South. Except for an existing mobile home park, the area south of Larson Lane is currently zoned R-U (Rural Open Land). The area north of Larson Lane is primarily zoned R-E (Rural Estates). Exceptions to the area north of Larson Lane are the existing mobile home park and water storage reservoir.

C. TRANSPORTATION

The master streets and highways element of this plan encompasses an area considerably larger than that of the land use plan boundary. Specifically, the transportation element covers the area south of Cactus Road, west of Seven Hills, west of Decatur Boulevard, and one mile south of the Sloan interchange. Due to the size of the planning area and for ease of discussion, the transportation element has been separated into the areas north of Lake Mead Drive and south of Lake Mead Drive.

1. EXISTING TRANSPORTATION PLAN NORTH OF LAKE MEAD DRIVE

The current transportation plan for the area north of Lake Mead Drive was adopted as part of the Enterprise Land Use Plan. Arterial street sections within the area are those of the Clark County Public Works Department. Arterial streets and interchanges identified in the plan were:

a. East/West Roadways

- (1)** Cactus Road (100-foot right-of-way arterial)
- (2)** Starr Road (120-foot right-of-way arterial)

b. North/South Roadways

- (1)** Industrial Road (100-foot right-of-way arterial)
- (2)** Las Vegas Boulevard (100-foot right-of-way arterial)
- (3)** Gillespie (north of Starr Road) (80-foot RPN right-of-way collector)
- (4)** Maryland Parkway (100-foot right-of-way arterial)

- (5) Lake Mead Drive (120-foot right-of-way arterial)
- (6) Decatur Boulevard (120-foot right-of-way arterial)

Note: The Enterprise Plan did not adopt a specific street section for Gillespie.

c. I-15 Interchanges

- (1) Lake Mead Drive
- (2) Starr Road
- (3) Cactus Road

d. Required Additional Major Roadways Not Specifically Placed on the Enterprise Transportation Map

(1) North/South Roadways

- (a) Gillespie (south of Starr Road) (80-foot right-of-way collector)
- (b) Pollock (south of Starr Road) (80-foot right-of-way collector)

(2) East/West Roadways

- (a) Erie (between Las Vegas Boulevard and Maryland Parkway) (80-foot right-of-way collector)
- (b) Barbara (between Las Vegas Boulevard and Bermuda Road) (80-foot right-of-way collector)

Note: The section of Erie between Las Vegas Boulevard and Bermuda was intended to be an RPN roadway.

2. EXISTING TRANSPORTATION PLAN SOUTH OF LAKE MEAD DRIVE

The current transportation plan for the area south of Lake Mead Drive has not yet been established. Major roadways serving the area are currently limited to Lake Mead Drive, Las Vegas Boulevard and I-15. Access to I-15 is via an interchange at Lake Mead Drive and a rural interchange at Sloan. The balance of the area is served by a series of paved and unpaved residential streets.

D. EXISTING SCHOOLS

Prior to initiation of this land use plan the Clark County School District identified four potential school sites in the planning area south of Lake Mead Drive Exhibit K. All of the sites are under control of the BLM (Bureau of Land Management), and the school district has filed a letter of interest with the BLM. One potential site is generally located north of

Larson Lane and west of Gillespie Street. The remaining three sites are located south of Larson Lane and west of Bermuda Road. Selection of the potential sites by the school district was not based upon a specific development plan for the area. In addition to the school sites identified by the school district, the Enterprise Land Use Plan identified an additional school site north of Larson Lane and east of Bermuda Road.

E. EXISTING PARKS

The majority of the planning area located within the Enterprise Land Use Plan has a Clark County land use category of Major Development Project, which requires submission of a refined master plan prior to development, and no specific park facilities have yet been identified. One of the purposes of the Major Development Project land use classification is to identify specific needs and locations of park facilities at the time of development. The balance of the planning area is located in the South County Land Use Plan, and no park facilities have been identified. Exhibit K-2, a map identifying Public Facilities.

F. EXISTING LIBRARIES

The entire planning area is currently within the jurisdiction of the Clark County Library District. Current land use plans have not identified any proposed facilities. The nearest existing Clark County library is located at the intersection of Las Vegas Boulevard and Shelbourne Avenue, approximately four miles north of the planning area boundary. The nearest City of Henderson library is located approximately three miles northeast of the planning area boundary at the intersection of Pecos Road and Wigwam Parkway Exhibit K-2, a map identifying Public Facilities.

G. EXISTING EMERGENCY SERVICES

The planning area is currently within the jurisdictions of the Las Vegas Metropolitan Police Department (Metro) and the Clark County Fire Department. While the planning area is outside the City of Henderson, the City and County have a "first response" agreement for providing fire service to the area. The result of the agreement is that the closest fire station provides emergency response. There are no existing or previously planned police or fire facilities within the planning area as identified in the Emergency Services assessment, Exhibit L.

The nearest county fire station providing service to the area is located approximately eight miles to the north, near McCarran Airport. An additional planned county fire station is to be located approximately four miles north of the planning area near the intersection of Las Vegas Boulevard and Pebble Road. Henderson has an existing fire station approximately four miles northeast of the planning area near the intersection of Green Valley Parkway and Pebble Road. The city also has two planned facilities within 1.5 miles of the planning area.

The planning area falls within the Metropolitan Police Southwest Area Command. The substation, located on Spring Mountain Road east of Jones Boulevard, is approximately 12 miles north of the planning area boundary. The nearest Henderson Police Department substation is located approximately three miles northeast of the planning area near the intersection of Green Valley Parkway and Paseo Verde Parkway.

H. EXISTING UTILITIES

All of the existing homes within the planning area are connected to private septic tanks and domestic wells. Most of the electrical service is provided by overhead powerlines, and natural gas is not yet available. In addition to residential service, Nevada Power Company has an overhead transmission line at the far south end of the planning area, and approval to construct a substation near the intersection of Lake Mead Drive and Bruner Avenue. Exhibit J identifies the present streets, water mains and sewer interceptors.

I. SOILS

According to the United States Department of Agriculture Soil Conservation Service, the study area has four soil types Exhibits B and E:

1. Cave very stony sandy loam, 0 to 4 percent slopes

This classification is characterized by very shallow, well-drained soils on erosional fan remnants. The surface layer is approximately 3 inches thick, lying on top of an approximately 6-inch-deep layer of gravelly sandy loam. The underlying layer is indurated, lime-cemented hardpan that ranges in depths up to 60 inches. Available water capacity is very low, runoff is slow, and the hazard of water erosion is slight. The hazard of soil blowing is high if the surface is disturbed. Drainage ways are subject to rare or occasional periods of high-velocity flooding. This unit of soil is suitable for urban development.

2. Cave gravelly fine sandy loam, 0 to 4 percent slopes

This classification is characterized by well-drained shallow soil on erosional fan elements. The surface layer is a pale gravelly desert pavement of pebbles and cobbles to a depth of approximately 12 inches. The underlying layer is indurated, lime-cemented hardpan that ranges in depths up to 60 inches. Available water capacity is very low, runoff is slow, and the hazard of water erosion is slight. The hazard of soil blowing is high if the surface is disturbed. Drainage ways are subject to rare or occasional periods of high-velocity flooding. This unit of soil is suitable for urban development.

3. Goodsprings gravelly fine sandy loam, 2 to 4 percent slopes

This soil is characterized by well-drained shallow soil on erosional fan elements. The surface layer is a pale gravelly desert pavement of pebbles approximately 5 inches thick, lying on 10 inches of fine sandy loam. The underlying layer is strongly lime-cemented hardpan that lies in depths between 37 and 60 inches. Available water capacity is very low, runoff is medium, and the hazard of water erosion is slight. The hazard of soil blowing is high if the surface is disturbed. Drainage ways are subject to rare or occasional periods of high-velocity flooding. This unit of soil is suitable for urban development.

4. Rock outcrop-St. Thomas complex, 15 to 30 percent slopes

Rock outcrops on ridges, crests and side slopes, as well as extremely cobbly fine sandy loam on low mountains characterizes this soil. Rock outcrops consist of exposed barren limestone and mixed types of bedrock. The sandy loam is shallow and well drained. The surface layer is approximately 7 inches thick on top of bedrock. Available water capacity is very low, runoff is rapid, and the hazard of water erosion is moderate. The hazard of soil blowing is slight. This unit of soil is somewhat unsuitable for urban development.

J. EXISTING FLOOD CONTROL/ TOPOGRAPHY

The area is generally characterized as alluvial with slopes ranging from 0 to 4 percent. Due to the alluvial nature of the area, washes are not well defined. A small portion in the southeast area of the plan and a small hill in the southwest area of the plan have slopes approaching 15 percent Exhibit B.

The Clark County Regional Flood Control District has identified two detention basins and a series of flood control channels to provide protection for the northern one-third of the planning area. One proposed detention basin and outfall channel is located immediately south of Seven Hills and the Henderson Executive Airport. The second planned detention basin and outfall channel is generally located southwest of the intersection of Bruner Avenue and Bermuda Road. The Seven Hills/Airport detention basin is currently under design, with a projected completion date of early 2001 Exhibit G.

K. AIRPORT ENVIRONS

1. History

Henderson Executive Airport (originally called Sky Harbor Airport) was established in 1969 when Arby and Ruth Alper purchased acreage in the Henderson area for the purpose of constructing an airport. The runway was paved in 1971, and three years later, the air traffic control tower was relocated from Nellis Air Force Base to

its current position. The air traffic control tower is active. Subsequent to the tower's arrival, the administration building was constructed. Since that time, the various buildings and aircraft storage facilities currently on-site have been built or moved in from other locations. The runway was expanded in 1984 and 1985, and resurfaced in 1994. The facility remained privately owned and operated until February 1996, when the Alpers sold Sky Harbor Airport to the Clark County Department of Aviation and it was renamed Henderson Executive Airport.

2. Facilities

Henderson Executive Airport presently has one runway, designated 18-36, which is 5,040 feet long and 60 feet wide. The runway's asphalt construction has a published weight-bearing capacity of 30,000 pounds for airplanes with single-wheel landing gear. Due to its recent 1994 resurfacing, it is in good to fair condition. Threshold lights and medium-intensity runway edge lights (MIRLs) are the only landing aids available. There is no published instrument approach procedure into Henderson Executive Airport.

The building area is located exclusively to the west of the runway. Of the 22 buildings, three are dedicated to aircraft storage and three are maintenance hangars. Several modular buildings (used as offices) and storage sheds are located throughout the building area.

The greatest portion of the existing building area is devoted to aircraft parking. Aircraft tiedowns are anchored in concrete every 25 to 50 feet. Based upon the location of tiedown ropes, it is estimated that there are 118 tiedown positions on the paved apron. An additional 14 positions are located on graded dirt adjacent to the apron.

Henderson Executive Airport is also equipped with an aviation fueling facility (including aboveground storage tanks located 400 feet west of the administration building; island-based dispensing equipment is 260 feet east of the administration building). Also, various automobile parking areas are located throughout the building area.

c. Management and Services

The day-to-day operation and management of Henderson Executive Airport is the responsibility of the Airport Manager, a Clark County Department of Aviation employee. The Director of Aviation oversees the operations at all five County-owned airports including McCarran International Airport - the regions only scheduled air carrier airport. The Clark County Board of Commissioners makes policy decisions affecting the airport.

Due to the very recent acquisitions of Henderson Executive Airport by Clark County, management procedures continue to be refined. Following the example of other County-owned and operated airports, the County provides line services (e.g., fueling), tiedown and hangar rentals, UNICOM operation, and general maintenance of the airport.

Five other specialty fixed base operators (FBOs) also provide aviation services to the flying public. These services include flight instruction, pilot supplies, and aircraft maintenance. In addition to the specialty FBOs, two air tour operators are based at Henderson Executive Airport and fly daily to the Grand Canyon.

d. Future Expansion

The Clark County Department of Aviation has prepared an FAA-approved Airport Master Plan that outlines the facility expansion and development planned at the airport over the next 20 years. Future plans include but are not limited to relocation and expansion of the existing runway, fixed based facilities and additional aircraft operations. For more information or to view the Master Plan Report, contact the Department of Aviation/Henderson Executive Airport at (702) 261-4800. Exhibit EE outlines future noise effects of the airport expansion.

IX. LAND USE PLAN

A. LAND USE DESIGNATIONS

The following general land use designations have been identified as appropriate for the planning area. This land use plan does not specifically designate each parcel as having the maximum intensity but rather it establishes a range. Within each land use category are a number of sub or more specific land use designations that may be applied for when specific development plans are being proposed. The specific land use designations that are part of the development standards establish such items as maximum density, setbacks, uses, landscaping, architecture, street sections and parking. Specific development standards that cover the entire plan area can be found on Exhibit KK. A specific land use designation can be obtained concurrently with or prior to zoning. Zoning districts permitted within each land use category can be found at the end of this section.

1. VLDR-Very Low Density Residential (0-2 units per gross acre)

The purpose of this land use category is to provide for development of low density single-family detached homes. The VLDR category is primarily intended for sites having a slope in excess of 15

percent. This land use is primarily located on hillsides and significant wash areas, which are also referred to as arroyos. Sites within the VLDR are subject to the Hillside Development Regulations. Uses include low density residential, natural open space, and trails. Sites with the VLDR land use designation may also be considered for conversion to a PS (Public/Semipublic) land use.

Note: The plan provides for one VLDR area. The lands designed VLDR are also designated as a Rural Neighborhood Preservation (RNP) area in accordance with recently adopted state law, as identified on Exhibit C.

2. LDR-Low Density Residential (2-6 units per gross acre)

The purpose of this land use category is to provide for the development of single-family detached homes. This land use category is the broadest in terms of both land area and allowable density. Due to the need for mass grading during construction, the LDR category is primarily intended for sites with a slope less than 10 percent. However, sites with a slope of between 10 percent and 15 percent may be permitted, subject to the Hillside Development Regulations. Sites with a slope of 10 percent or greater would be expected to have a density from 1 to 4 units per acre. The balance of lands within the LDR category would include the traditional RS-6 with 6,000-square-foot minimum lots and, in some cases, RS-6 planned unit developments. Sites with the LDR land use may also be considered for conversion to VLDR and PS land uses.

Note: Areas designated as a RNP buffer on the land use plan map (exhibit N-1) are limited to a maximum density of 3 dwelling units per gross acre.

3. MDR-Medium Density Residential (8-10 units per gross acre)

The purpose of this land use category is to provide for the development of single-family detached efficiency lots and attached homes. Due to the need for large site disturbance and the increased density, the MDR category is intended for sites with a slope less than 10 percent. Sites within the MDR category would be subject to this plan's Multifamily Development Regulations included in Exhibit KK. Because of the higher density and intensity of use, the following criteria may be used to determine appropriate sites for this land use designation:

- A minimum of 10 acres.
- Located at the intersection of two arterial roads (major or minor).
- Direct frontage on a major arterial.

- Located within 300 feet of the intersection of two arterial roads, as depicted on the Master Streets and Highways Plan.

Sites with the MDR land use may also be considered for conversion to LDR and PS land uses.

4. HDR-High Density Residential (10-16 units per gross acre)

The purpose of this land use category is to provide for the development of apartments and condominiums. Due to the need for large site disturbance and the increased density, the HDR category is intended for sites with a slope less than 10 percent. Sites within the HDR category would be subject to this plan's Multifamily Development Regulations.

Because of the higher density and intensity of use, the following criteria may be used to determine appropriate sites for this land use designation:

- A minimum of 10 acres.
- Direct frontage on a major arterial.
- Located within 300 feet of the intersection of two major arterial roads, as depicted on the Master Streets and Highways Plan.

Sites with the HDR land use may also be considered for conversion to LDR and MDR land uses.

5. NC-Neighborhood Commercial

The purpose of this category is to provide neighborhood services such as gasoline sales, offices, banks, sit-down restaurants, and other less intense commercial uses not customarily found in the general commercial land use category. Due to the need for large site disturbance and the increased intensity of use, the NC category is intended for sites with a slope less than 10 percent.

Because of the intensity of use, the following criteria may be used to determine appropriate sites for this land use designation:

- A minimum of two acres.
- Direct frontage on an arterial.
- Located at the intersection of two arterial roads (major or minor), as depicted on the Master Streets and Highways Plan.

6. GC-General Commercial

The purpose of this category is to provide higher intensity community services such as grocery stores, fast-food restaurants, home repair stores, large office complexes, theaters, mini-storage, and automotive repair services. Due to the need for large site disturbance and the increased intensity of use, the GC land use category is intended for sites with a slope less than 10 percent.

Because of the intensity of use, the following criteria may be used to determine appropriate sites for this land use designation:

- A minimum of 10 acres.
- Direct frontage on an arterial.
- Located at the intersection of two major arterial roads, as depicted on the Master Streets and Highways Plan

7. BP-Business Park

The purpose of this category is to provide light industrial and business park services in support of the region. Due to the need for large site disturbance and the increased intensity of use, the BP land use category is intended for sites with a slope less than 10 percent.

Because of the intensity of use, the following criteria may be used to determine appropriate sites for this land use designation:

- A minimum of 40 acres.
- Located at the intersection of a major arterial and Lake Mead Drive (Charles Henderson Parkway).

8. PS-Public/Semipublic

The purpose of this category is to provide community services such as churches, schools, parks, fire stations, pedestrian and bike trails, and major utilities. Sites with a slope in excess of 15 percent would be subject to the Hillside Development Regulations.

**ENTERPRISE/ WEST HENDERSON
LAND USE PLAN
ZONING CONVERSION CHART**

VLDR 0-2 DU/AC		LDR 2-6 DU/AC		MDR 8-10 DU/AC		HDR 10-16 DU/AC		PS		NC		GC		BP	
ZONING	COH	ZONING	COH	ZONING	COH	ZONING	COH	ZONING	COH	ZONING	COH	ZONING	COH	ZONING	COH
RS-1A	R-A	RS-1A	R-A	RM-8 RM-10	R-2	RM-10 RM-16	R-3	PS	P-F	CO	C-P	CO	C-P	CO	M-D
RS-2	R-E	RS-2	R-E							CN	C-1	CN	C-1	CN	IL
		RS-4	R-D R-1									CC	C-2		
		RS-6	R-1A												

Note: In the HDR land use category, properties zoned R-3 are subject to a maximum density of 16 units per acre, not 18 as typically allowed in the R-3 zoning district.

**ENTERPRISE/ WEST HENDERSON
LAND USE PLAN
GENERAL TO SPECIFIC LAND USE CONVERSION CHART**

VLDR 0-2 DU/AC	LDR 2-6 DU/AC	MDR 8-10 DU/AC	HDR 10-16 DU/AC	PS	NC	GC	BP
SPECIFIC LAND USE	SPECIFIC LAND USE	SPECIFIC LAND USE	SPECIFIC LAND USE	SPECIFIC LAND USE	SPECIFIC LAND USE	SPECIFIC LAND USE	SPECIFIC LAND USE
VLDR-1A	VLDR-1A	MDR-8 MDR-10	MDR-10 HDR-16	PS-PS	NC-CO	NC-CO	BP-IP BP-IL
VLDR-2	VLDR-2				NC-CN	NC-CN	
	LDR-4					GC-CC	
	LDR-6						

B. LAND USE PLAN

The following chart outlines approximate land uses and dwelling units within the planning area:

Land Use Designation	Number of Acres	Percentage of Land	Dwelling Units	Percentage of Units
VLDR	111	1.8	222	1.0
LDR	3,777	60.7	16,997	76.5
MDR	103	1.7	1,030	4.6
HDR	249	4.0	3,984	17.9
PS	1,431	23.0		
IP	137	2.2		
COM	411	6.6		
Total	6,219		22,233	

C. ENTERPRISE/WEST HENDERSON

The Enterprise/West Henderson Land Use Plan/Zoning Conversion Chart can be found at the end of this section.

1. Permitted Specific Land Use/Zoning

Exhibit KK, the development standards outlines such things as permitted uses, setbacks, landscaping, architecture and parking for each specific land use category. Within each land use category, the following specific land use categories/zoning districts are permissible:

a. VLDR-Very Low Density Residential

(1) Specific Land Use Designations

- (a)** VLDR-1A (1 unit per gross acre)
- (b)** VLDR-2 (2 units per gross acre)

(2) Clark County Zoning Districts

- (a)** R-A (Residential Agricultural) (1 unit per gross acre)
- (b)** R-E (Rural Estates Residential) (2 units per gross acre)

(3) City of Henderson Zoning Districts

- (a) RS-1A (Single-Family Residential) (1 unit per gross acre)
- (b) RS-2 (Single-Family Residential) (2 units per gross acre)

b. LDR-Low Density Residential

(1) Specific Land Use Designations

- (a) VLDR-2 (up to 2 units per gross acre)
- (b) LDR-4 (up to 4 units per gross acre)
- (c) LDR-6 (up to 6 units per gross acre)

(2) Clark County Zoning Districts

- (a) R-A (Residential Agricultural) (1 unit per gross acre)
- (b) R-E (Rural Estates Residential) (2 units per gross acre)
- (c) R-D (Suburban Estates Residential) (3 units per gross acre)
- (d) R-1 (Single-Family Residential) (4 units per gross acre)
- (e) R-1A (Single-Family Residential) (5 units per gross acre)

(3) City of Henderson Zoning Districts

- (a) RS-1A (Single-Family Residential) (up to 1 unit per gross acre)
- (b) RS-2 (Single-Family Residential) (up to 2 units per gross acre)
- (c) RS-4 (Single-Family Residential) (up to 4 units per gross acre)
- (d) RS-6 (Single-Family Residential) (up to 6 units per gross acre)

c. MDR-Medium Density Residential

(1) Specific Land Use Designations

- (a) MDR-8 (up to 8 units per gross acre)
- (b) MDR-10 (up to 10 units per gross acre)

(2) Clark County Zoning District

- (a) R-2 (Medium Density Residential) (8 units per gross acre)

(3) City of Henderson Zoning Districts

- (a) RM-8 (Medium Density Residential) (up to 8 units per gross acre)
- (b) RM-10 (Medium Density Residential) (up to 10 units per gross acre)

d. HDR-High Density Residential

(1) Specific Land Use Designation

- (a) HDR-16 (up to 16 units per gross acre)

(2) Clark County Zoning District

- (a) R-3 (Multiple Family Residential) (18 units per gross acre) However, R-3 zoned parcels in this plan shall be limited to a maximum of 16 units per gross acre.

(3) City of Henderson Zoning Districts

- (a) RM- (Medium Density Residential) (up to 16 units per gross acre)

e. PS-Public and Semipublic

(1) Specific Land Use Designation

- (a) PS-PS

(2) Clark County Zoning District

- (a) P-F (Public Facility)

(3) City of Henderson Zoning District

- (a) PS (Public and Semipublic)

f. NC-Neighborhood Commercial

(1) Specific Land Use Designations

- (a) NC-CN
- (b) NC-CO

(2) Clark County Zoning Districts

- (a) C-P (Office and Professional)
- (b) C-1 (Local Business)

(3) City of Henderson Zoning Districts

- (a) CO (Commercial Office)
- (b) CN (Neighborhood Commercial)

f. GC-General Commercial

(1) Specific Land Use Designation

- (a) GC-CC

(2) Clark County Zoning Districts

- (a) C-P (Office and Professional)
- (b) C-1 (Local Business)
- (c) C-2 (General Commercial)

(3) City of Henderson Zoning Districts

- (a) CO (Commercial Office)
- (b) CN (Neighborhood Commercial)
- (c) CC (Community Commercial)

g. BP-Business Park

(1) Specific Land Use Designations

- (a) BP-IL
- (b) BP-IP

(2) Clark County Zoning District

- (a) M-D (Designed Manufacturing)

(3) City of Henderson Zoning Districts

- (a) IP (Industrial Park)
- (b) IL (Limited Industrial)

D. POPULATION

Based on the current development status of the area, the time needed to prepare plans, obtain necessary approvals, and begin construction of infrastructure, it is anticipated that construction of new projects would not begin until the first quarter of 2001. Therefore, utilizing historical growth rates for the southeast valley, it is anticipated growth would occur within the following time frames:

Year	Estimated Population	Estimated Dwelling Units
1999-2000	160 (EST)	60 (EST)
2000-2001	176	66
2001-2002	8,400	3,200
2002-2003	16,600	6,300
2003-2004	24,800	9,400
2004-2005	33,000	12,500
2005-2006	41,200	15,600
2006-2007	49,400	18,700
2007-2008	57,600	21,800
Total	58,900	22,200

E. PARKS/TRAILS

Parks and trails within the plan area have been calculated based on a City of Henderson Comprehensive Plan requirement of 5.25 acres per 1,000 population and an average of 2.65 persons per dwelling unit. Therefore, based upon a total of 22,233 dwelling units and 59,000 people, the plan creates a demand for approximately 309 acres in Public Park land. Between the parks and the shared-use facilities provided, there are over 680 acres of potential park and trail space provided. The proposed park and trail plan can be found on Exhibits N-1 and N-2.

This plan meets Henderson park land requirements by providing:

- 30-acre freestanding park.
- 200-acre public golf course.
- 80 acres of multi-purpose trails.

In addition to which, this plan adds certain shared-use facilities:

- 50-acre combination detention basin/potential park.
- 200-acre combination detention basin/potential park.

- 110 acres of parks adjacent to nine proposed elementary schools and two proposed middle school sites.
- Park lands adjacent to a proposed 110-acre combination high school/junior college site.

F. SCHOOLS

The Clark County School District has indicated the proposed plan provides for adequate facilities Exhibit O. Locations, sizes and types of school facilities can be found on Exhibits N-1 and N-2. The demand for and location of school sites has been established in accordance with Clark County School District standards. Among others, schools must maintain a 300-foot separation from powerlines, should not be located on major arterials, and must have access on all four sides. Specific criteria for each school is as follows:

1. Elementary Schools

- 553 students generate the need for an elementary school.
- Each site is required to be a minimum of 12 acres.
- Sites are optimally located within 0.5 to 1.0 miles of one another (approximately one site per square mile).
- 5,000 new students will live in the plan area at buildout.
- 9 potential sites have been identified.

2. Middle Schools

- 1,431 students generate the need for a middle school.
- Each site is required to be a minimum of 20 acres.
- 2,200 new students will live in the plan area at buildout.
- 2 potential sites have been identified.

3. High Schools

- 2,288 students generate the need for a high school.
- Each site required to be a minimum of 40 acres.
- The site is 110 acres to allow co-location with a future junior college.
- 2,500 students will live in the plan area at buildout.
- 1 potential site has been identified.

G. LIBRARIES

The demands for and locations of library sites have been established in accordance with Henderson Library District standards. Based upon those standards, two potential sites have been identified on the plan Exhibits N-1 and N-2. One site is located on a 110-acre combination high school/junior college. The

other potential site is located in Section 22 of the plan area. Specific criteria utilized in determining new facilities is:

- 5 acres.
- Locate on major street and near commercial.
- Provide parking for 100 cars.
- Accommodate a building footprint of 25,000 square feet.
- Serve approximately 25,000 people.
- Provide a separation of 3 to 5 miles between facilities.

H. EMERGENCY SERVICES

The demands for and locations of emergency service facilities have been established in accordance with City of Henderson standards. Based upon those standards, two potential fire stations that include community-policing substations have been identified on the plan Exhibits N-1 and N-2. One station is located in Section 10 adjacent to "Street H" as found in the Henderson Executive Airport Center Plan. This station is envisioned to include specialized equipment for airport related emergencies. The other station is located in Section 22, adjacent to the proposed extension of Paradise Road. Specific criteria utilized in determining new facilities are as follows:

- Minimum 2 acre sites.
- Allow construction of a 3-bay station with additional office space for police.
- Locate at an intersection of arterial roadways or adjacent to an arterial roadway.
- 1.5-miles between facilities.
- Centrally locate in developed areas with a response goal of 5 minutes or less.

I. FLOOD CONTROL

Flood control for the plan area is under the jurisdiction of the Clark County Regional Flood Control District. Modification of the flood control plan for the plan area is subject to separate District approval. The flood control system proposed for the plan area is a modification of the existing flood control plan, which was primarily designed to provide flood relief for areas north of Larson Road. The revised plan retains a flood control basin in Section 11, immediately south of the Seven Hills master plan. An additional basin is being proposed in the northwest quarter of Section 15. Additional facilities will be needed, such as an earthen berm or channel at the south boundary of the plan area adjacent to the existing Nevada Power line, as well as connecting channels located adjacent to arterial roadways or trails.

X. TRANSPORTATION

The master streets and highways element of this plan, as noted earlier, encompasses an area considerably larger than that of the land use plan boundary. Specifically, the transportation element covers the area south of Cactus Road, west of Seven Hills, east of Decatur Boulevard, and one mile south of the Sloan interchange. Therefore due to the size of the planning area, and for ease of discussion, the transportation element has been separated into the areas north of Lake Mead Drive and south of Lake Mead Drive.

A. PROPOSED TRANSPORTATION PLAN NORTH OF LAKE MEAD DRIVE

The proposed transportation plan for the area north of Lake Mead Drive generally maintains the existing Enterprise Transportation Plan with the exception of:

- Adding the streets called for but not physically shown on the plan.
- Increasing the width of Las Vegas Boulevard to a 130-foot right-of-way.
- Modifying street cross-sections to compensate for landscaping and left-turn lanes.
- Creating a RNP (Rural Neighborhood Preservation) 80-foot right-of-way section.
- Classify 100-foot or greater right-of-way streets as major arterials.
- Classify standard urban 80-foot right-of-way streets as minor arterials.
- Classify RNP 80-foot right-of-way streets as rural minor arterials.
- Rename Lake Mead Drive as Charles Henderson Parkway.
- Rename Maryland Parkway and Paradise Road.

The Transportation plan, including street sections, can be found on Exhibits R through V.

The proposed transportation plan for the area north of Lake Mead Drive is as follows:

1. East/West Roadways

- a. Cactus Road (100-foot major arterial)
- b. Starr Road (120-foot major arterial)
- c. Erie (between Las Vegas Boulevard and Bermuda Road) (80-foot rural minor arterial)
- d. Erie (between Bermuda Road and Paradise Road (Maryland Parkway)) (80-foot minor arterial)
- e. Barbara (between Las Vegas Boulevard and Bermuda Road) (80-foot minor arterial)

2. North/South Roadways

- a. Industrial Road (100-foot major arterial)
- b. Las Vegas Boulevard (130-foot major arterial)
- c. Gillespie (north of Starr Road) (80-foot rural minor arterial)

- d. Paradise Road (formerly called Maryland Parkway) (120-foot major arterial)
- e. Charles Henderson Parkway (formerly called Lake Mead Drive) (120-foot major arterial)
- f. Decatur Boulevard (120-foot major arterial)
- g. Gillespie (south of Starr Road) (100-foot major arterial)
- h. Pollock (south of Starr Road) (80-foot minor arterial)

3. I-15 Interchanges

- a. Lake Mead Drive (upgrade)
- b. Starr Road
- c. Cactus Road

B. PROPOSED TRANSPORTATION PLAN SOUTH OF LAKE MEAD DRIVE

The proposed transportation plan for the area south of Lake Mead Drive modifies the transportation plan approved as part of the Henderson Executive Airport Center Plan and establishes a new transportation plan for the unincorporated area of Clark County. Specific changes are:

- Extend Paradise Road (formerly called Maryland Parkway) as a 120-foot major arterial south of Lake Mead Drive between Henderson Executive Airport and Seven Hills and connect to the Sloan interchange at I-15.
- The previous Maryland Parkway alignment in the City of Henderson will be renamed Green Valley Parkway and extend to Executive Airport Drive.
- Realign and rename Street "H", as previously shown on the Airport Center Plan, by extending it west as a 100-foot major arterial to connect with and become Bruner Avenue at Gillespie Street.
- Extend Bermuda Road as a 120-foot major arterial south of Lake Mead Drive to Bruner then continue on as a 100-foot major arterial connecting to Las Vegas Boulevard one-half mile south of Larson Lane.
- Extend Gillespie Street as a 100-foot major arterial south to the planning area boundary.
- Realign Las Vegas Boulevard by moving it one-quarter mile east of the current intersection at the Sloan interchange.
- Upgrade the Sloan interchange.
- Provide a 100-foot major arterial with a connection between Phase II of the Anthem master plan and a point on Las Vegas Boulevard at the current alignment of Rettig.
- Reclassify Lake Mead Drive as a 130-foot major arterial and rename as Charles Henderson.
- Provide an east/west 80-foot minor arterial between Paradise Parkway and Las Vegas Boulevard.
- Provide an 80-foot minor arterial that connects Street "H" with the Anthem Phase II road.

- Provide a north/south 80-foot minor arterial with a connection between Bermuda Road and the southern access point to Anthem Phase II.
- Establish new street sections for all major roadways that include provisions for landscaping and left-turn lanes.
- Establish a major arterial street section for an urban 100-foot right-of-way street.
- Establish a major arterial street section for an urban 120-foot right-of-way street (Paradise Road).
- Establish a major arterial street section for an urban 130-foot right of way street Pecos Road (Lake Mead Drive) and Las Vegas Boulevard.
- Establish a minor arterial street section for an urban 80-foot right-of-way street.
- Establish a major arterial street section for a rural 100-foot right-of-way street.
- Establish a minor arterial street section for a rural 80-foot right-of-way street.

XI. UTILITIES

A component of the Interlocal Agreement signed on January 19, 1999 discusses with the provision of water and sewer service. The agreement states that "in order to efficiently provide services and avoid duplication" interlocal agreements will be established in order to serve the planning area irrespective of jurisdictional boundaries. The City of Henderson, Clark County, the Clark County Sanitation District and the Las Vegas Valley Water District have hired a consultant who is in the process of determining the most efficient service boundaries. Interlocal agreements finalizing the service boundaries are expected to be signed in the year 2000.

XII. DEVELOPMENT POLICIES

A. LAND USE GOALS AND POLICIES - GENERAL

1. Goals

- a. Provide mixed uses within a master plan setting.
- b. Maintain a desirable land use mix within the plan area. Exhibit M
- c. Ensure that adequate public space, facilities and services are provided in the plan area.
- d. Coordinated development phasing to ensure the timely and equitable balance of land use and infrastructure.

2. Policies

- a. Establish standards for the physical development of the land to ensure that projects developed later meet the standards of those developed early on. Exhibit KK

- b. Maintain land use patterns and ratios necessary to fulfill the plan area's potential as a master-planned community.
- c. Before any development occurs on individual parcels, require those parcels to obtain Major Development Project/Master Development Plan Overlay zoning or comply with standards and conditions as approved for adjacent projects with Major Development Project/Master Development Plan zoning.
- d. Require dedication of public facilities as part of the Major Development Project/Master Development Plan review process.
- e. Approve only land use requests that meet the recommended land use locational criteria of the plan.
- f. Involve surrounding neighbors in land use discussions and designs.
- g. Require zone changes to correspond to approved land uses.
- h. Require all developers to seek neighborhood input through neighborhood meetings prior to presentation of any plan to the Planning Commission.
- i. Monitor land use policy decisions, growth, and development in the plan area to ensure the plan is responsive to changing conditions, technologies, development innovations, and evolving desires of various neighborhoods.
- j. Monitor the land use policies in accordance with NRS 278.190. The Land Use Plan shall be monitored to evaluate its effectiveness and, if necessary, recommendations shall be made for improving the implementation of the plan.
- k. Where appropriate, amend the Land Use Plan in conjunction with any proposed land disposal, major road improvements, or revisions to the Bureau of Land Management (BLM) Land Disposal Boundary.
- l. Encourage the BLM to dispose of land according to the phasing plan depicted in Exhibit II of this plan.
- m. Multiple family, office, and commercial uses shall be concentrated in nodes at intersections or on arterial and collector streets, rather than mid-block; to reduce impacts on neighborhoods.
- n. Provide opportunities for low density rural living as a lifestyle choice.
- o. Create and require all developers and owners to join a plan-area-wide landscape improvement district to provide for continued maintenance of landscaping within and adjacent to major roadways.
- p. Where practical, require developer-constructed public parks in lieu of collecting park taxes.
- q. Where possible, require developer participation in development of schools, libraries, fire stations, police substations, and other public facilities not otherwise provided for by park taxes.

B. RESIDENTIAL GOALS AND POLICIES

1. Goals

- a. Protect existing residential uses from incompatible or unattractive uses.
- b. Ensure that adequate public and private open space is provided.
- c. Provide an enduring mix of quality residential products within the planning area.
- d. Provide opportunities for low density rural living as a lifestyle choice.

2. Policies

- a. Establish standards for the physical development of the land to ensure that projects developed later meet the standards of those developed early on. Exhibit KK
- b. Require pedestrian connectivity between residential and commercial land uses.
- c. Require all developers to seek neighborhood input through neighborhood meetings prior to presentation of any plan to the Planning Commission.
- d. Require all residential development to be approved by planned unit development.
- e. Approve only land uses and zoning that are aesthetically compatible with and designed in consideration of neighboring residences.
- f. Approve only land use changes that meet this plan's adopted land use locational requirements.
- g. Require developers to install landscaping and trails adjacent to major roadways.
- h. Require developers to construct multipurpose trails located in greenbelts.
- i. Require developers to install full width landscaping within roadway medians.
- j. Require multifamily projects to conform to the Multifamily Development Standards of this plan. Exhibit KK
- k. Require recessed bus bays and shelters adjacent to multifamily projects.
- l. Require 10,000-square-foot minimum lots adjacent to the RPN area or other areas with existing single-family homes.
- m. Where practical, require developer-constructed public parks in lieu of collecting park fees.
- n. Maintain designated ratio of single-family to multifamily in each planning sub-area Exhibit M.
- o. Encourage the integration of existing and proposed equestrian and multiple use trail systems, open space, and parks into rural neighborhood areas.
- p. Except through approved project entrances, require new residential development to access only local residential rights-of-way, and prohibit direct access to or fronting on collector and arterial streets.
- q. Provide opportunities for low density rural living as a lifestyle choice.

- r. Preserve existing rural neighborhood areas by encouraging vacant lots within these areas to develop at like densities.
- s. Create and require all developers and owners to join a plan-area-wide landscape assessment district to provide for continued maintenance of landscaping within and adjacent to major roadways.

C. COMMERCIAL GOALS AND POLICIES

1. Goals

- a. Enhance the visual appearance of the planning area.
- b. Ensure that the Charles Henderson Parkway (Lake Mead Drive) and Las Vegas Boulevard corridors become attractive to local residents and out-of-town drivers arriving via I-15.
- c. Provide an enduring quality mix of commercial uses and designs to serve the planning area.

2. Policies

- a. Establish standards for the physical development of the land to ensure that projects developed later meet the standards of those developed early on.
- b. Prohibit non-residential access onto local residential and residential collector streets.
- c. Require a maximum height of 40 feet for all nonresidential buildings within 500 feet of the RPN, which shall include all parapets, mechanical equipment, penthouses, antennas, and other appurtenances.
- d. Require vehicular and pedestrian connectivity between commercial properties that front Las Vegas Boulevard or Charles Henderson Parkway (Lake Mead Drive).
- e. Require pedestrian connectivity between commercial and residential land uses.
- f. Discourage strip commercial uses.
- g. Require all developers to seek neighborhood input through neighborhood meetings prior to presentation of any plan to the Planning Commission.
- h. Require all development to be approved by planned unit development, and require a list of permitted and prohibited uses to be included as a part of the approval.
- i. Service areas, docks, trash collection areas, and truck loading areas shall be screened and located away from public view and residential developments.
- j. Approve only land uses and zoning that are aesthetically compatible with and designed in consideration of neighboring residences.

- k. Approve only land use changes that meet this plan's adopted land use locational requirements.
- l. Require developers to install landscaping and trails adjacent to roadways.
- m. Require developers to install full width landscaping within roadway medians.
- n. Require developers to provide recessed bus bays and shelters adjacent to commercial projects.
- o. Require developers to construct multipurpose trails in greenbelts.
- p. Buildings should cluster around pedestrian plazas and courts.
- q. Through the PUD process, encourage assemblage of contiguous parcels for commercial development, or require thematic and architectural accordance with adjacent development to reduce potential negative impacts to neighboring residential areas from traffic hazards and congestion, proliferation of signs, visual clutter, and inconsistent aesthetics.
- r. Require developer participation in providing emergency services.
- s. Create and require all developers and owners to join a plan-area-wide landscape assessment district to provide for continued maintenance of landscaping within and adjacent to major roadways.

D. INDUSTRIAL GOALS AND POLICIES

1. Goals

- a. Provide employment for residents of the region.
- b. Provide an enduring quality mix of light industrial/ office uses and designs to serve the planning area and region.

2. Policies

- a. Establish standards for the physical development of the land to ensure that projects developed later meet the standards of those developed early on. Exhibit KK
- b. Prohibit non-residential access onto local residential and residential collector streets.
- c. Require a maximum height of 40 feet for all nonresidential buildings within 500 feet of the RPN, which shall include all parapets, mechanical equipment, penthouses, antennas, and other appurtenances.
- d. Require vehicular and pedestrian connectivity between industrial properties.
- e. Require pedestrian connectivity between industrial and residential land uses.
- f. Prohibit strip uses.

- g. Require all developers to seek neighborhood input through neighborhood meetings prior to presentation of any plan to the Planning Commission.
- h. Require all development to be approved by planned unit development, and require a list of permitted and prohibited uses to be included as a part of the approval.
- i. Buildings should cluster around pedestrian plazas and courts.
- j. Service areas, docks, trash collection areas, and truck loading areas should be screened and located away from public view and residential developments.
- k. Approve only land uses and zoning that are aesthetically compatible with and designed in consideration of neighboring residences.
- l. Approve only land use changes that meet this Plan's adopted land use locational criteria.
- m. Require developers to install full width landscaping and trails adjacent to major roadways.
- n. Require developers to install landscaping within roadway medians.
- o. Require recessed bus bays and shelters adjacent to industrial projects.
- p. Require developers to construct multipurpose trails located in greenbelts.
- q. Limit industrial uses to areas immediately adjacent to the airport.
- r. Require developer participation in providing emergency services.
- s. Create and require all developers and owners to join a plan-area-wide landscape assessment district to provide for continued maintenance of landscaping within and adjacent to major roadways.

E. LANDSCAPING GOALS AND POLICIES

1. Goals

- a. Enhance the visual appearance of the planning area.
- b. Ensure that the Charles Henderson Parkway (Lake Mead Drive) and Las Vegas Boulevard corridors become attractive to local residents and out-of-town drivers arriving via I-15.

2. Policies

- a. Beautify Charles Henderson Parkway (Lake Mead Drive) and Las Vegas Boulevard in a manner similar to the standards of the *Lake Mead Drive Improvement Project Design Manual*, available in the City of Henderson Community Development Department.
- b. Aesthetically improve the study area, including enhanced facades and landscaping along Charles Henderson Parkway (Lake Mead Drive), Las Vegas Boulevard, and all internal and peripheral collectors and connectors.

- c. Require developers along Charles Henderson Parkway (Lake Mead Drive) and Las Vegas Boulevard to employ enhanced building façades and landscaping to make the corridor attractive to visitors and nearby residents.
- d. Require developers to install landscaping and trails adjacent to major roadways.
- e. Require greater building setbacks and enhanced landscaping to serve as a buffer between differing land uses.
- f. Require developers to construct multipurpose trails.
- g. Require developers to install landscaping within roadway medians.
- h. Encourage new developments to conserve water by incorporating water conservation concepts and proven water conservation equipment, techniques, and materials.
- i. Create and require all developers and owners to join a plan-area-wide landscape assessment district to provide for continued maintenance of landscaping within and adjacent to major roadways.

F. TRANSPORTATION GOALS AND POLICIES

1. Goals

- a. Provide safe and efficient transportation for the interlocal planning area.
- b. Encourage use of public transportation and bicycles, and place emphasis on pedestrian access and day and night safety.

2. Policies

- a. Ensure the extension of Paradise Road through the east side of Henderson Executive Airport without adversely impacting the safe operation of Henderson Executive Airport.
- b. Ensure adequate internal traffic circulation between the north and south ends of the area, and from the plan area to all local and regional destinations.
- c. Require continually updated traffic analyses to ensure carrying capacity of existing streets and improved internal traffic circulation.
- d. Prohibit curb cuts on Charles Henderson Parkway (Lake Mead Drive) and Las Vegas Boulevard through utilization of complete internal project road system. The internal roads should serve all land uses, including those abutting Charles Henderson Parkway (Lake Mead Drive) and Las Vegas Boulevard.
- e. Strongly encourage Clark County and the Nevada Department of Transportation (NDOT) to construct interchanges on I-15 at Starr Road and Cactus Road, as well as to upgrade existing interchanges at Sloan and Charles Henderson Parkway (Lake Mead Drive).

- f. Require recessed bus bays and shelters adjacent to commercial, multifamily, and industrial projects.
- g. Require developers to construct multipurpose trails.
- h. Require completion of full street improvements adjacent to new developments.
- i. Implement a program to pave or treat dirt, gravel, and other roads to decrease dust and airborne particulate matter.
- j. Plan and schedule major construction and improvement projects in ways that result in the least negative impact on public safety, traffic congestion, noise, air quality, and other environmental considerations.
- k. Encourage NDOT to allow excess temporary parking within the Charles Henderson Parkway (Lake Mead Drive) and Las Vegas Boulevard rights-of-way.
- l. Encourage NDOT to relinquish the right-of-way no longer required as a result of Las Vegas Boulevard being realigned adjacent to the Sloan interchange.
- m. Require grade separated trail crossings at major roadways.

G. UTILITIES GOALS AND POLICIES

1. Goal

- a. Ensure adequate capacity and availability of public utilities.

2. Policies

- a. Require developers to construct utility line extensions to include oversizing for future development.
- b. Require reuse water for golf courses.
- c. Where possible, require reuse water for landscaping adjacent to roadways and in trail corridors.
- d. Encourage new developments to conserve water by incorporating water conservation concepts and proven water conservation equipment, techniques, and materials.

H. FEDERAL LAND DISPOSAL GOALS AND POLICIES

1. Goal

- a. Gain BLM support for disposal of federally controlled property within the planning area to create a master-planned community, including a release plan that will encourage orderly growth.

2. Policies

- a. To prevent leapfrog development, encourage the BLM through the Joint Selection Process to release lands north of Larson Lane based on proximity to existing utilities.
- b. Encourage the BLM, through the Joint Selection Process, to release land south of Larson Lane in parcels large enough to accommodate master-planned communities with a minimum size of 1,000 acres.
- c. Encourage BLM to dispose of land in according to the phasing plan depicted in Exhibit II of this plan.
- d. Encourage the BLM to release sites to local governments for public facilities through the use of Recreational and Public Purposes leases prior to disposal of lands to private developers.

I. PARKS GOALS AND POLICIES

1. Goal

- a. Provide a diverse system of parks, open space, recreational facilities and services to meet the full range of needs for the plan area.

2. Policies

- a. Require creation of a publicly administered landscape maintenance assessment district and require full participation from all developers and owners to provide for continued maintenance of landscaping within and adjacent to major roadways.
- b. Integrate private open space with adjoining trail systems and public park facilities.
- c. Coordinate with Regional Flood Control during their planning and design phase to incorporate multiple recreation uses in flood control facilities. Primary emphasis should be given to public safety, and secondary to recreation.
- d. Where practical require developer-constructed public parks in lieu of collecting park fees.
- e. Acquire sites for public facilities on BLM lands through the use of Recreational and Public Purposes leases.
- f. Require grade separated trail crossings at major roadways.
- g. Require unconditional easements through all developments to allow trail improvements and users to cross all parcels traversed by trails.

J. AIRPORT GOALS AND POLICIES

1. Goal

- a. Establish appropriate land uses adjacent to Henderson Executive Airport and under the runway flight path.

2. Policies

- a. Maintain open space and park areas immediately south of the airport runway.
- b. Prohibit single-family residential dwellings within the 65 DNL noise contour.
- c. Encourage Business Park uses adjacent to airport facilities.

K. SIGN GOALS AND POLICIES

1. Goal

- a. Establish appropriate sign controls for all development in the plan area.

2. Policies

- a. Require establishment and maintenance of all project signage in compliance with this plan's adopted Sign Development Standards. Exhibit KK

XIII. Implementation

This document provides a generalized land use plan combined with specific development standards. Portions of this plan are not currently within the jurisdictional boundaries of the City of Henderson. There are no expressed or implied entitlements to develop any properties within this plan area without first seeing approval of the local governing body having jurisdiction over the property.

Except for the existing single family dwelling units allowed by the Clark County Health District to operate on domestic water wells and domestic septic sewers, all parcels within the boundaries of this plan shall obtain municipal utility services. Municipal utility services include but are not limited to water, sewer and/or reclaimed water. Applicants seeking to develop property that requires municipal utility services shall be required to annex to the City of Henderson concurrently with or prior to a commitment by the City to provide municipal utility services.

A commitment to provide municipal utility services does not obligate the City to extend or install utilities to the subject property. Extension and installation of utilities, including oversizing, to serve a specific parcel of land is the responsibility of the applicant.

Development approvals granted by the City of Henderson may include but are not limited to a requirement on the part of the applicant to participate in the development of public facilities to service the plan area. Public facilities may include but are not limited to fire protection, parks, trails, roadways, water lines, sewer lines, re-use water lines, flood control and associated facilities.

Unless the applicant has obtained design review approval from Clark County prior to adoption of this plan, all property within the plan boundary shall comply with the development standards approved as part of this specific area plan.

XIV. BUREAU OF LAND MANAGEMENT DISPOSAL PROCESS

A. BACKGROUND

The South Enterprise/West Henderson Planning Area is comprised of approximately 6,128 acres. Although there are 562 individual property owners, approximately 87 percent of the total land in the planning area is owned by the Bureau of Land Management (BLM) Exhibit F. Since the BLM is the majority landholder, the process for releasing and acquiring land is a critical component for the future development of the area. The Southern Nevada Public Lands Management Act of 1998 established the joint selection method the BLM will use to identify parcels suitable to be released for sale. The following is a brief outline of the process currently under design to select and release parcels owned by the BLM.

- In October of 1998, Congress enacted the Southern Nevada Public Lands Management Act. Exhibit GG. This Act provides for the sale of public land in the Las Vegas Valley by the BLM. A key provision directs the BLM to coordinate with local government (with respect to this plan, Clark County, City of Henderson, and State of Nevada) to jointly select federal lands for disposal.
- Since passage of the Act, the BLM has been working closely with local government to develop a strategy for disposing federal lands. The BLM, State of Nevada, Clark County, and the cities have been meeting to discuss issues, strategies, and constraints among the governmental stakeholders.
- In order to develop common goals for the selection and timing of disposal of federal lands, local governments have formed a Joint Selection Committee. Members of the Joint Selection Committee have entered into an Interlocal Agreement to facilitate the disposal of federal lands in the Las Vegas Valley, including the development of a Joint Selection Process and timeline. Exhibit HH

B. GENERAL GUIDELINES

A few of the general guidelines currently under development by the Joint Selection Committee call for local government to take the following items into consideration when selecting lands suitable for disposal:

- The cumulative impacts of land disposals.
- The ability to provide new infrastructure, existing/future community service facilities, and additional lands needed for public purposes.
- Consistency with existing land use plans.
- Where appropriate, the disposal of infill properties.
- The environmental impacts of disposal actions.
- Existing zoning regulations and policies.

3. JOINT SELECTION PROCESS

Currently, the Joint Selection Process is as follows:

- Local governments will utilize a uniform set of criteria developed by the Joint Selection Committee to assist in evaluating lands suitable for disposal.
- Local governments will maintain a disposal plan of all federal lands within their jurisdiction suitable for disposal.
- Any interested party of local government may initiate a request for disposal of BLM land within the Las Vegas Valley disposal boundary.
- Federal lands identified for disposal may be subject to review by multiple units of local government, where appropriate.
- Disposal nominations will be reviewed by affected public agencies. Public agencies will then notify the appropriate local government of land required for public purposes.
- After local government and public agency review, lands recommended for disposal will be forwarded to the governing boards (i.e. County Commission, City Council) for formal review and public input.
- Lands selected for disposal by the governing boards will be forwarded to a coordination team to determine the consistency with the general guideline criteria.
- The Federal Lands Disposal Subcommittee will review a land disposal list from each local government and forward the list to the BLM.

Since the Joint Selection Process will be tested in the near future and may evolve from its current form, it will be imperative to contact both local government and the BLM for updates on the process.

XV. DEVELOPMENT STANDARDS

Development standards that govern the plan area are Exhibit KK in the appendix.

XVI. Appendices

- A. Interlocal Agreement**
- B. Existing Conditions/Topography Map**
- C. Neighborhood Preservation Map**
- D. Photographs of Existing Uses**

- E. Soils Map**
- F. Assessors Parcel Map**
- G. Regional Flood Control Master Plan**
- H. Existing Zoning Map**
- I. Existing Land Use Map**
- J. Existing Utilities Map**
- K. Existing Schools, Parks and Libraries Map**
- L. Existing Emergency Services Map**
- M. Master Plan Map**
- N. Public Facilities Maps**
- O. Clark County School District Letter (to be inserted later)**
- P. Conceptual Drainage Study (to be inserted later)**
- Q. Traffic Model Map**
- R. Traffic Plan Map**
- S. 130-foot Major Arterial (Charles Henderson Parkway (Lake Mead Drive) and Las Vegas Boulevard)**
- T. 120-foot Major Arterial**
- U. 100-foot Major Arterial**
- V. 80-foot Minor Arterial**
- W. 80-foot Minor RNP Arterial**
- X. Trail Section**
- Y. Water Pressure Zone Map**
- Z. Water Master Plan Map**
- AA. Sewer Master Plan**
- BB. Reuse Service Area Map (to be inserted later)**
- CC. Reuse Master Plan (to be inserted later)**
- DD. Nevada Power Letter**
- EE. Airport Environs Map**
- FF. SB 391- Establishing Provisions to Preserve Rural Character**
- GG. Southern Nevada Public Lands Management Act**
- HH. Joint Selection Process Flow Chart**
- II. Phasing Plan (to be inserted later)**
- JJ. Meeting Attendance**
- KK. Development Standards**



**INTERLOCAL AGREEMENT
CLARK COUNTY AND THE CITY OF HENDERSON
FOR**

**ESTABLISHING A JOINT POSITION ON BOUNDARIES, PLANNING, PUBLIC
FACILITY/SERVICE PROVISION AND GOVERNMENTAL JURISDICTION**

This agreement is made and entered into this 19 day of January, 1999 by and between the County of Clark and the City of Henderson, political subdivisions of the State of Nevada. The parties above named are hereinafter referred to as "County" and "City" respectively.

WITNESSETH:

WHEREAS, The southwest portion of the Las Vegas Valley is one of the most dynamic growth areas in Clark County; and

WHEREAS, lands within the southwest portion of the Las Vegas Valley lie within both the City and the County; and

WHEREAS, the City and the County have identified a need to create a framework for future growth in the southwest portion of the Las Vegas Valley by establishing mutually acceptable growth strategies, and

WHEREAS, both the City and the County have undertaken long range plans and have made long term financial commitments related to various urban services on the basis of the continued existence of the revenue anticipated from each form of government, and

WHEREAS, the City and County have identified a need to undertake collaborative and compatible land use and transportation system planning in the area of joint jurisdiction, and

WHEREAS, increased coordination and recognition of long term jurisdictional boundaries can result in better management of taxpayer dollars through avoidance of jurisdictional disputes and provision of equitable services to residents of the City and County, and

WHEREAS, the interests of the residents of the City and County are best served by preserving the opportunities for future growth and financial stability of the City and County.

NOW THEREFORE, the following have been mutually agreed upon by both parties:

1. Corporate Boundaries: Both parties agree that lands described in this section and shown on the attached map are appropriate for annexation to the City of Henderson, consistent with the provisions of NRS 268.570 to 268.608, inclusive. For federal lands described in this section, the County supports annexation to the City. For non-federal lands the County will not oppose

annexation to the City.

- (a) Township 22 South, Range 61 East; Sections 26 and 34.
- (b) Township 23 South, Range 61 East; Those portions of section 4 which lie south of Lake Mead Drive, those portions of section 9 which lie south of Lake Mead Drive, all of sections 10 through 16, the east 1/2 of the east 1/2 of section 20, and all of sections 21 through 24.

2. Water and Sewer Service Provision: Water and sewer service provision for the lands listed in section 1 of this agreement will be established through interlocal agreements, irrespective of jurisdictional boundaries, in order to efficiently provide services and avoid duplication. The interlocal agreements will also address areas where the Las Vegas Valley Water District and/or the Clark County Sanitation District have made water and/or sewer facility investments, determine the most appropriate service provider, and provide reimbursement for their investment to any jurisdiction that transfers facilities to another jurisdiction.

3. Joint Land Use Planning: The lands described in section 1 of this agreement shall constitute a joint planning area. For this joint planning area, both parties agree to the following:

- (a) The City will lead, with participation by the County, property owners, interested parties, and service providers, the development of a seamless land use and development plan.
- (b) Both parties will adopt the joint planning area land use and development plan as an element of their Comprehensive Plan.
- (c) Until the joint planning area land use and development plan is adopted by both parties, the applicable provisions of the Enterprise Land Use Plan adopted by the Board of County Commissioners on January 20, 1999, and the South County Land Use and Development Guide, adopted by the Board of County Commissioners on December 6, 1994 will be recognized by both parties as the Comprehensive plan for the joint planning area.
- (d) Until the joint planning area land use and development plan is adopted by both parties, no development outside of Clark County Community District 2 will be approved, except as allowed by the zoning classification existing on the effective date of this agreement.
- (e) Neither party will approve a zoning classification that conflicts with the adopted land use plan.
- (f) Neither party will approve a land use plan amendment within the notification area identified in section 3(g) of this agreement without first considering the recommendations and findings of the governing body (or designee) of the other party.
- (g) Both parties agree to notify the other of all development applications as follows:
 - (1) The County will notify the city of all development applications within the joint planning area and a surrounding distance of one mile.
 - (2) The City will notify the County of all development applications within one mile of the jurisdictional boundary within the joint planning area.

4. Joint Transportation Planning: The City and County designate the area generally bounded by Decatur Boulevard to the west, Cactus Road to the north, Eastern Avenue to the east, and one mile south of the 1998 BLM Disposal Area Boundary to the south, as shown on the attached map, as a joint transportation planning area of mutual interest. For this joint transportation planning area, both parties agree to the following:

(a) The parties will develop an arterial street plan, including interchanges and overpasses at Interstate Highway 15; for the area that meets the needs of the traveling public in both the City and the County.

(b) Both parties agree to require appropriate remote traffic mitigation measures irrespective of jurisdictional boundaries. Where remote traffic mitigation measures are indicated in the other jurisdiction, neither party will approve a traffic study without first notifying the Director of Public Works of the other jurisdiction and considering the recommendations and findings of the other party. Remote traffic mitigation measures include physical transportation improvements located on a street or highway that are not within a development, or do not form a boundary to the development. These improvements are needed to mitigate the impacts of traffic generated by the development, and may be built by the developer, or wholly or partially funded by the developer.

5. Water Reuse Plant: The City, County and the Clark County Sanitation District will work together to determine the location of the proposed water reuse plant. The plant will be sited outside of Section 26, Township 22 South, Range 61 East. The plant will be designed to be compatible with nearby existing and planned land uses. The water reuse plant will be built and operated by the City. Reclaimed water from the plant will be accessible to City and County customers according to provisions developed through interlocal agreement between the City, the Clark County Sanitation District and/or the Las Vegas Valley Water District.

6. Future Annexations: The City agrees to limit future annexations to the City corporate boundary in the south and west area as follows:

(a) The City will not initiate any annexations within the area depicted on the attached Future Annexation Areas map except in accordance with section 1 of this agreement for the term hereof. When the City initiates an annexation, they will send notice to the County prior to City Council action.

(b) The City may consider annexation petitions from property owners outside of the lands described in section 1 of this agreement. If such petitions are received, the City will notify the County Clerk, County Manager, and Director of Comprehensive Planning when the petitions are received.

7. Interlocal Cooperation during the 1999 Legislative Session and Future Sessions: The City and County agree that:

(a) No significant changes, including the provisions relating to unincorporated towns, are necessary during the 1999 legislative session to the current annexation laws. Both parties agree to neither introduce nor support changes to the annexation laws without

first giving consideration to the recommendations or findings of the other governing body or its designee. Both parties agree to commit to establishing a joint position that is mutually beneficial, or is least detrimental, to both parties with regard to any proposed changes to the annexation laws.

(b) No introduction will be made or support given for legislation regarding regional boards (except when those measures are sponsored or supported by the current governing board of the affected regional agency) that alters the jurisdiction, power, function, and membership of existing regional boards, where the City and County have annual representation, without first giving consideration to the recommendations or findings of the other governing body or its designee. Both parties agree to commit to establishing a joint position that is mutually beneficial, or is least detrimental, to both parties with regard to any proposed changes regarding regional governance.

(c) Clark County and the City of Henderson will work together and with the other cities in Clark County to present to our legislators a unified legislative program to address the needs of the people of Southern Nevada and their local governmental entities for the 1999 legislative session and each subsequent session.

8. Term of the Agreement: This Agreement shall not be terminated for at least two years. Thereafter, this agreement shall be effective for four years unless terminated earlier.

9. Termination: This Agreement may be terminated upon adoption of a resolution to that effect by the governing bodies of both parties.

10. Amendments: This Agreement may be amended by approval of such amendment by the governing bodies of both parties. Future modifications to the 1998 BLM Disposal Boundary, and other unforeseen circumstances, provide cause for amendment. The amendment shall be effective on the date stated in the amendment or, if no effective date is stated, on the date of approval of the amendment by the last party.

11. Effective Date: The effective date of this Agreement shall be the date on which the governing body of the last party to approve this Agreement does approve this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives on the day and in the year first above written.

APPROVED AS TO FORM

COUNTY OF CLARK

Mary-Anne Miller, County Counsel

CITY OF HENDERSON

Shauna Hughes, City Attorney

ATTEST:

COUNTY OF CLARK

Shirley Parraguirre, County Clerk

Bruce L. Woodbury, Chair, Board of
County Commissioners

Date: _____

ATTEST

CITY OF HENDERSON

Monica M. Simmons, City Clerk

Mayor James B. Gibson

Date: _____



EXHIBIT B



LEGEND

- Henderson - Corp. Andry.
- Del Webb Phase II
- Limits of Joint Planning Area Per January 1988 Interlocal Agreement
- Existing Wash
- Existing Electrical Overhead Transmission Line
- Existing Home



View

Color Gradation Indicates 20' Changes in Elevation



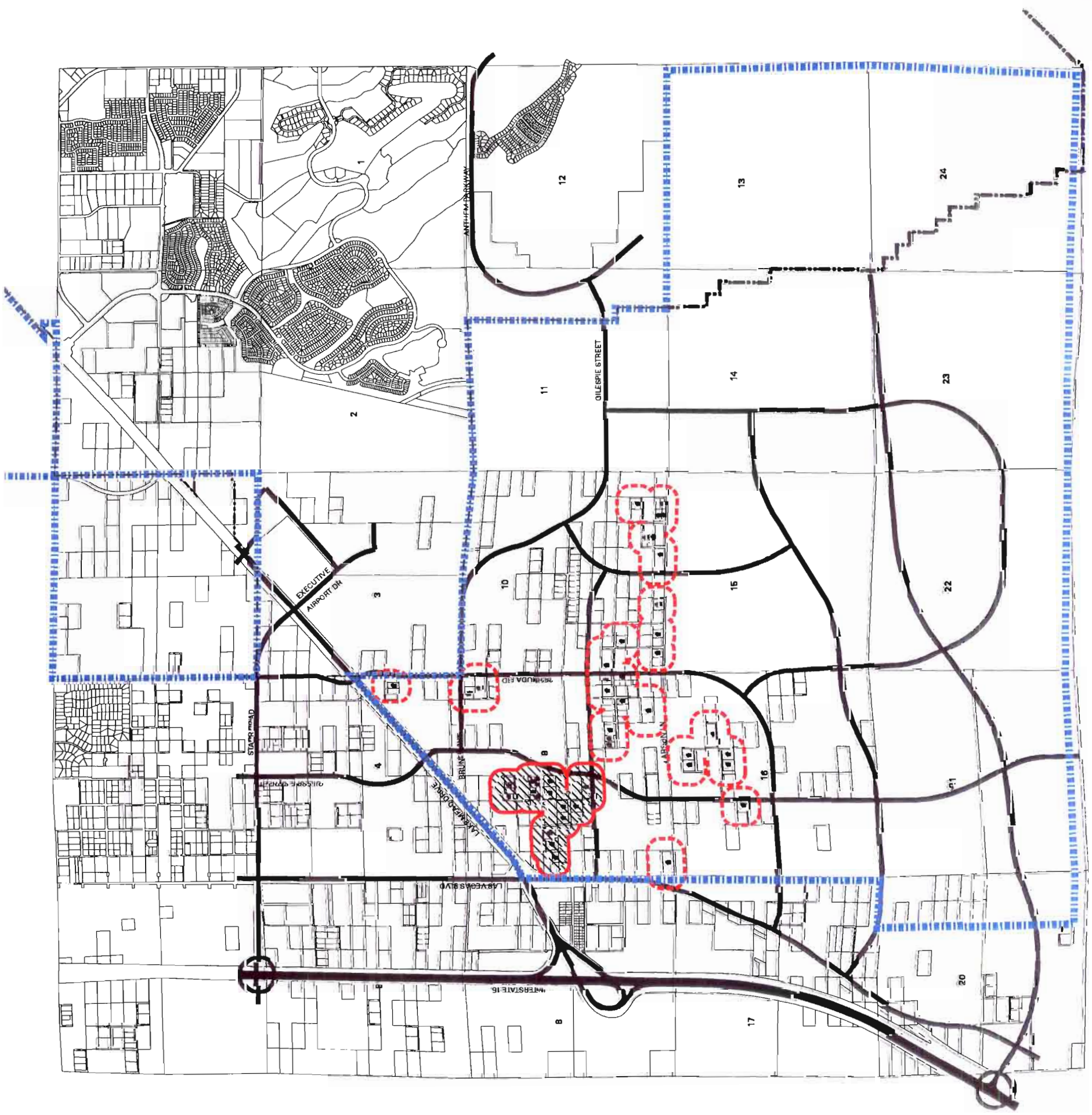
Not To Scale



City of Henderson, Nevada
SITE ANALYSIS
 November 1999

FOR DISPLAY PURPOSES ONLY
 Prepared by Community Development, Geographic Information Services
 The City of Henderson Assumes No Responsibility for Map Accuracy

EXHIBIT C



1" = 800'

Henderson - Corp. Bndry.
 Limits of Joint Planning Area Per January 1999 Interlocal Agreement
 330' Away from any ROW, over 99'
 330' Away from SFRDU
 Proposed Freeway/Interchange
 Meets Requirements for Rural Preservation Designation

City of Henderson, Nevada
NEIGHBORHOOD PRESERVATION ANALYSIS
(January 2000)
FOR DISPLAY PURPOSES ONLY
 Prepared by Geographic Information Services, Community Dev
 The City of Henderson Assumes No Responsibility for Map Accuracy

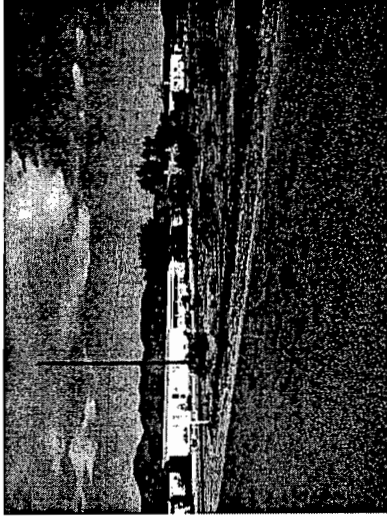
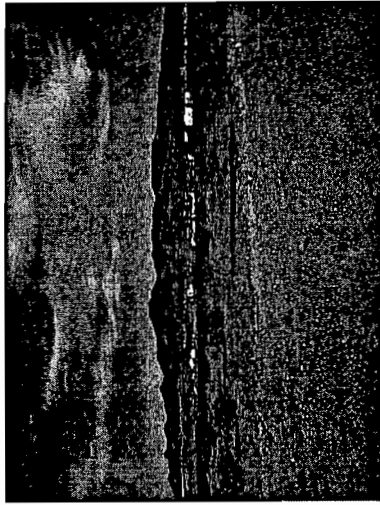
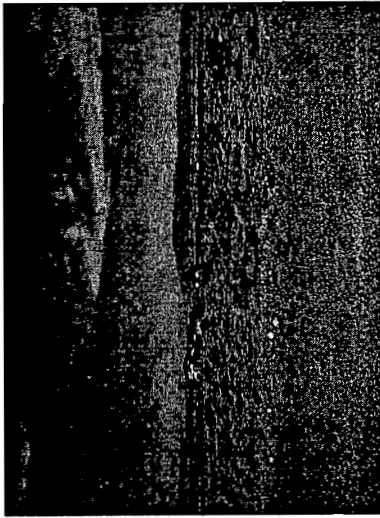


PHOTOGRAPHS OF EXISTING CONDITIONS



North facing panoramic photograph taken in Section 21 near the southwest corner of the plan area. The left side of the picture is Wheeler RV. The right side of the picture is east towards the Anthem master plan.

PHOTOGRAPHS OF EXISTING CONDITIONS

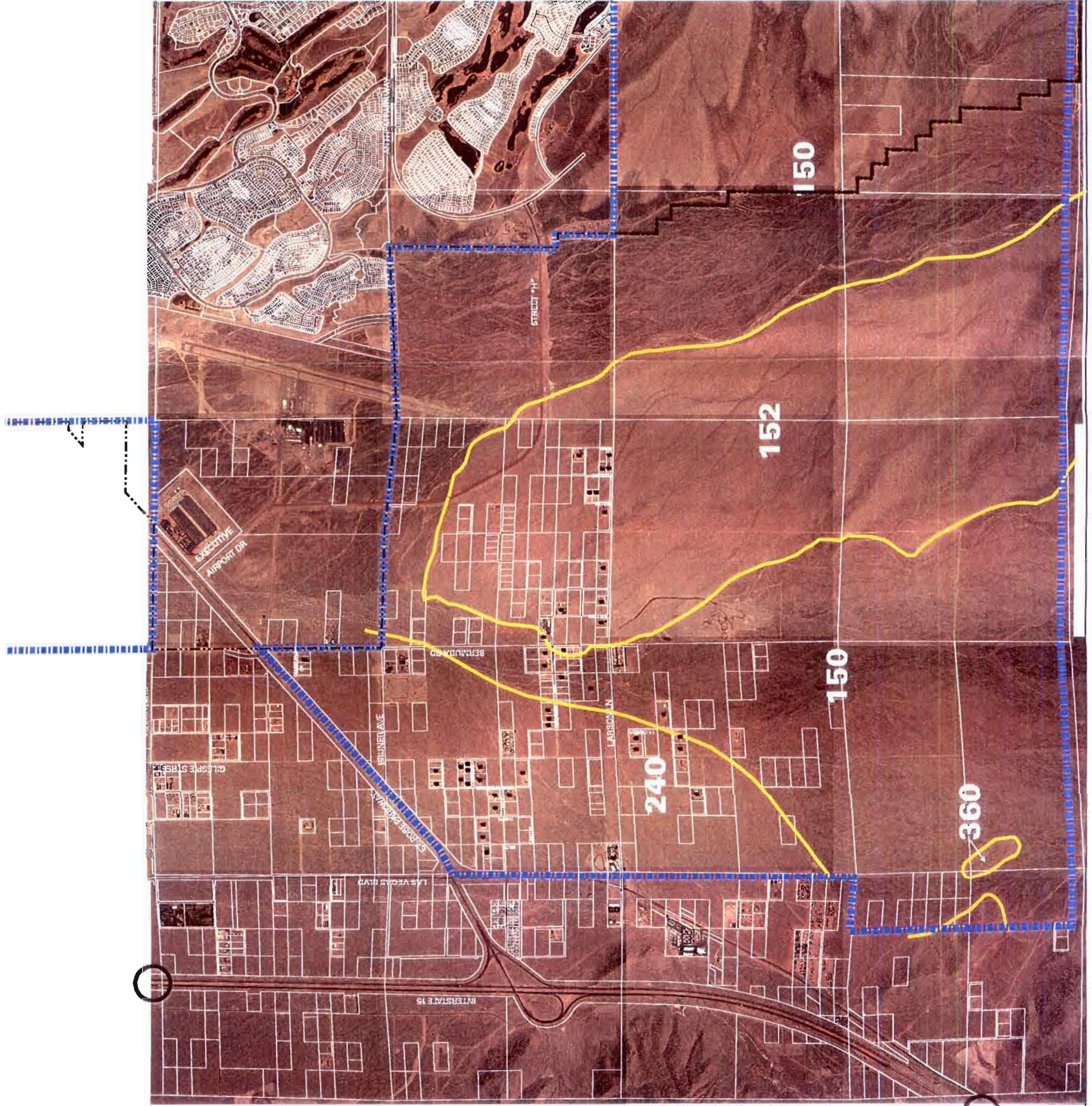


Existing homes in the plan area.



EXHIBIT E

- 150 Cave very stony sandy loam, 0 to 4 percent slopes
- 152 Cave gravelly fine sandy loam, 0 to 4 percent slopes
- 240 Goodsprings gravelly fine sandy loam, 2 to 4 percent slopes
- 360 Rock outcrop - St Thomas complex, 15 to 30 percent slopes



Limits of Joint Planning Area Per
January 1999 Interlocal Agreement

Source: U.S. Department of Agriculture
Soil Conservation Service



City of Henderson, Nevada
SOILS
(January 2000)
FOR DISPLAY PURPOSES ONLY
Prepared by Geographic Information Services, Community Dev.
The City of Henderson Assumes No Responsibility for Map Accuracy

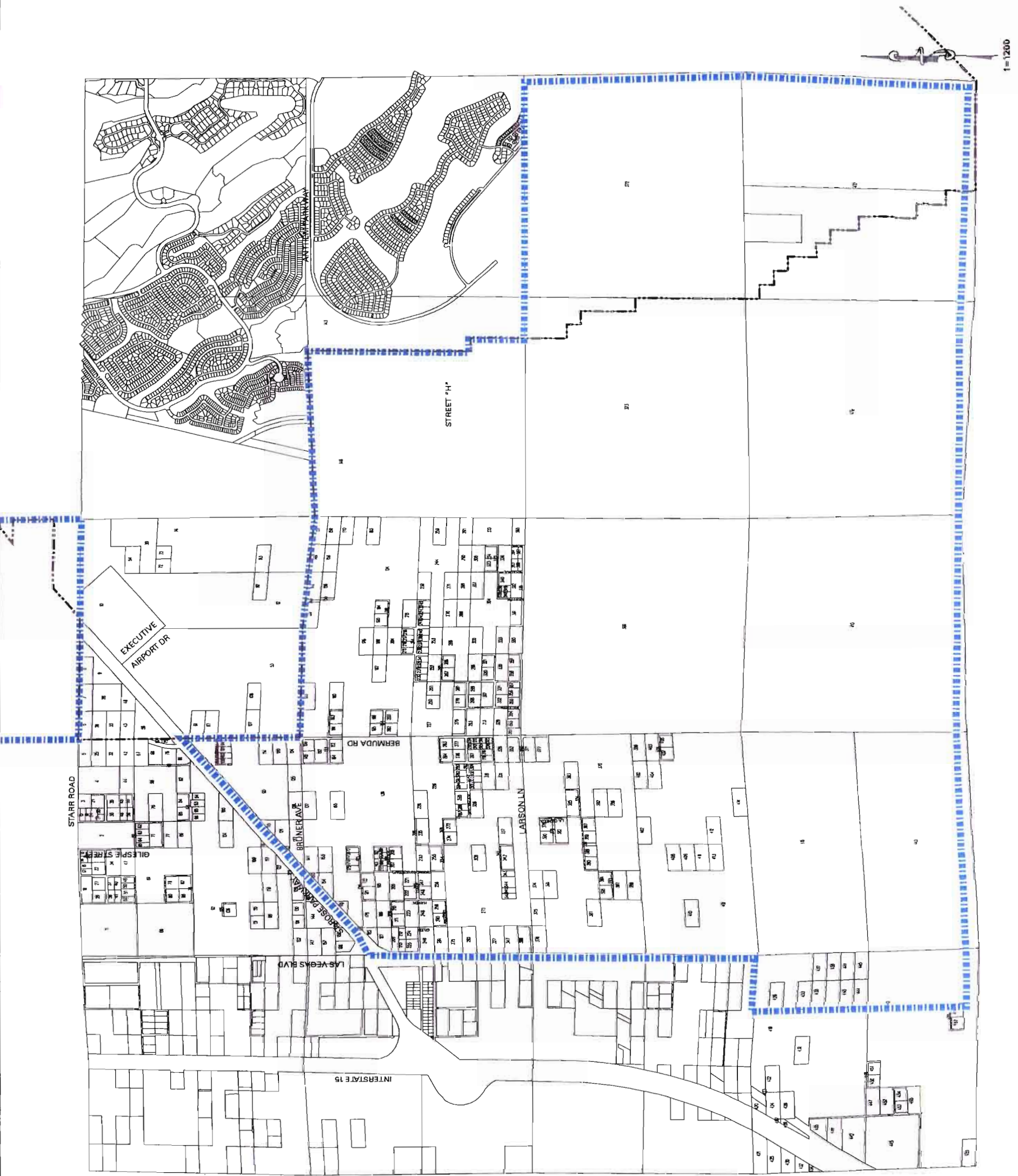
EXHIBIT F

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LEGEND
 Limits of Future Annexations Per
 January 1999 Interlocal Agreement
 Henderson - Corp. Bndry.

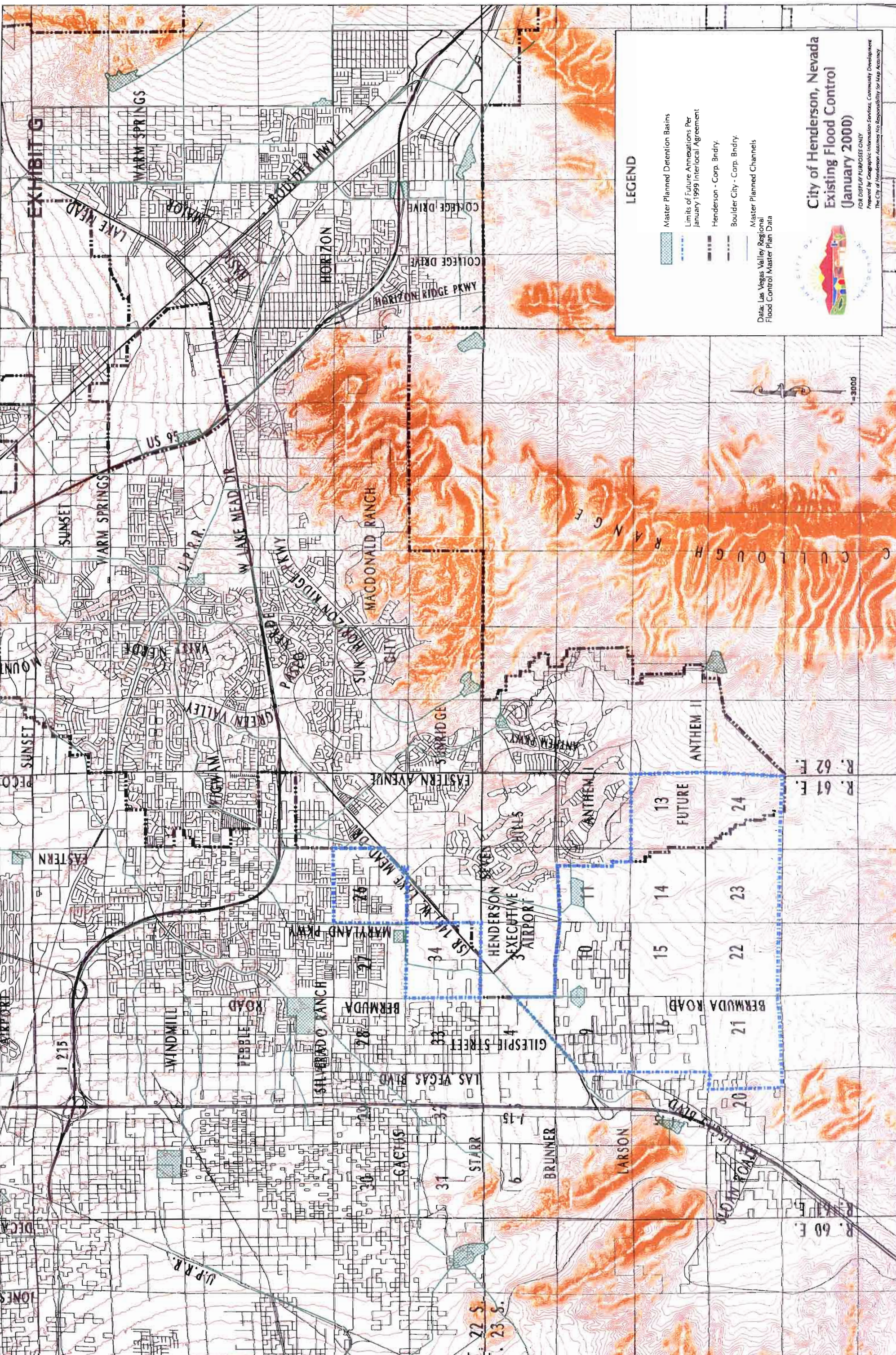


City of Henderson, Nevada
OWNERSHIP MAP
(January 2000)
 FOR DISPLAY PURPOSES ONLY
 Prepared by Geographic Information Services, Community Dev.
 The City of Henderson Assumes No Responsibility for Map Accuracy



1" = 1200'

EXHIBIT G



LEGEND

- Master Planned Detention Basins
- Limits of Future Annexations Per January 1999 Interlocal Agreement
- Henderson - Corp. Bndry
- Boulder City - Corp. Bndry
- Master Planned Channels

Data: Las Vegas Valley Regional Flood Control Master Plan Data

**City of Henderson, Nevada
Existing Flood Control
(January 2000)**

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EXHIBIT H

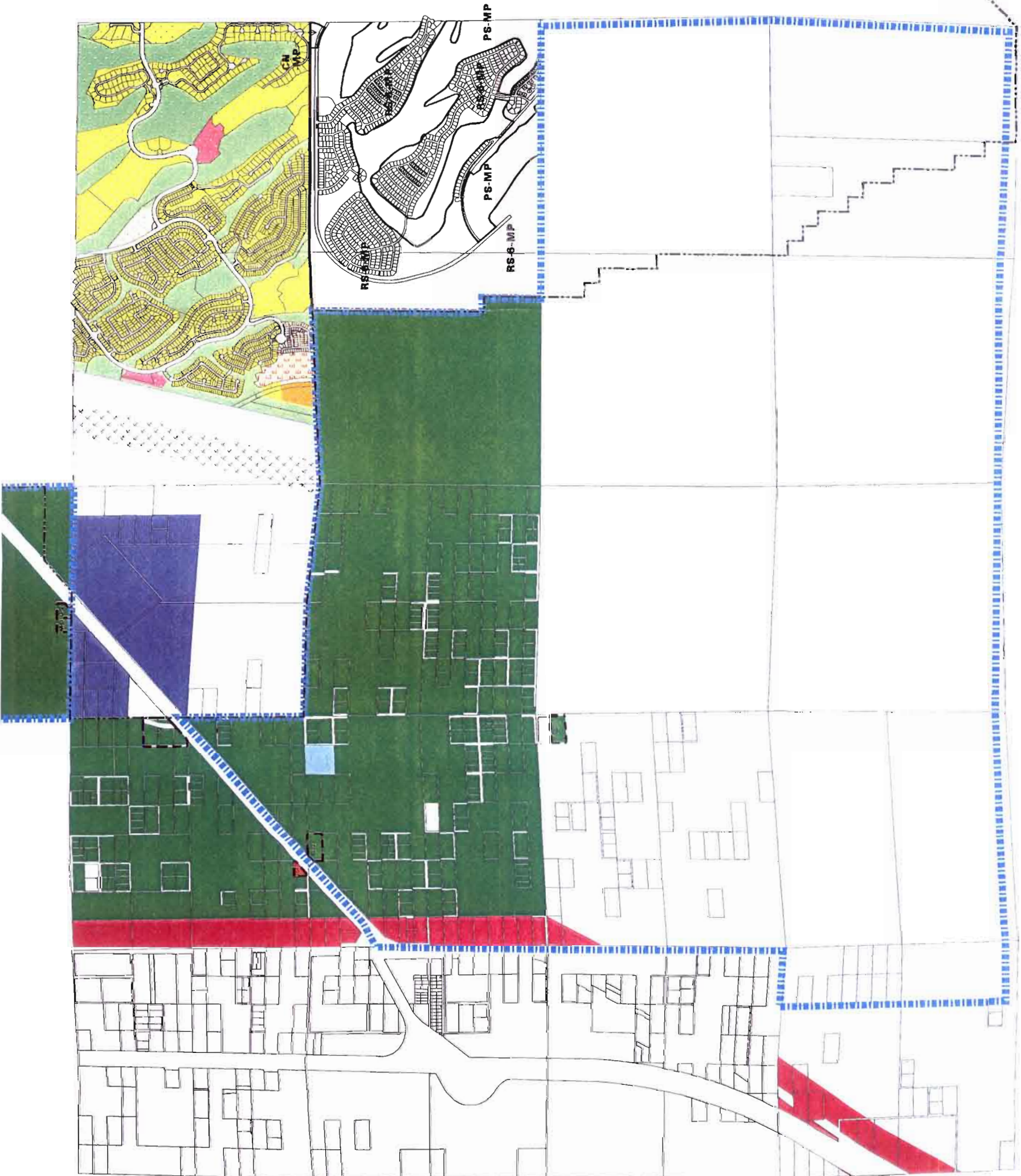
Clark County Zoning

- R1 Rural Open Land
- R2 Rural Estate
- R3 Medium Density Res.
- R4 Multiple Density Res.
- C1 Office and Prof.
- C2 Local Bus.
- C3 General Bus.
- C4 General Comm.
- H2 Gen. Highway Frontage
- IC Mobile Home Park
- PS Public Facility
- R3C-PC-2 MIXED USE
- Cross Hatch (includes MO) Zoning

Henderson Zoning

- Low-Density Single-Family Residential
- RS-1A 1 Unit Per Gross Acre
- RS-2 2 Units Per Gross Acre
- RS-4 4 Units Per Gross Acre
- RS-6 6 Units Per Gross Acre
- Medium-Density Residential
- RM-4 8 Units Per Gross Acre
- RM-10 10 Units Per Gross Acre
- RM-16 16 Units Per Gross Acre
- High-Density Residential
- RH-20 20 Units Per Gross Acre
- RH-24 24 Units Per Gross Acre
- RH-30 30 Units Per Gross Acre
- RH-36 36 Units Per Gross Acre
- Mobile Home Residential
- RM-5 Mobile Home Estate (Maximum 5 units per gross acre)
- RM-8 Mobile Home Park (Maximum 8 units per gross acre)
- CC Community Commercial
- CA Auto/Mall Commercial
- CH Highway Commercial
- CN Neighborhood Commercial
- CT Tourist Commercial
- CD Downtown Commercial
- CO Office Commercial
- IC General Industry
- IL Limited Industry
- IP Industrial Park
- DH Development Holding
- PS Public and Semipublic
- Overlay Zoning
- AI Airport (Aviation)
- C Gaming (Casino)
- MP Master Development Plan
- F Efficiency Lot
- SI Sensitive Lands

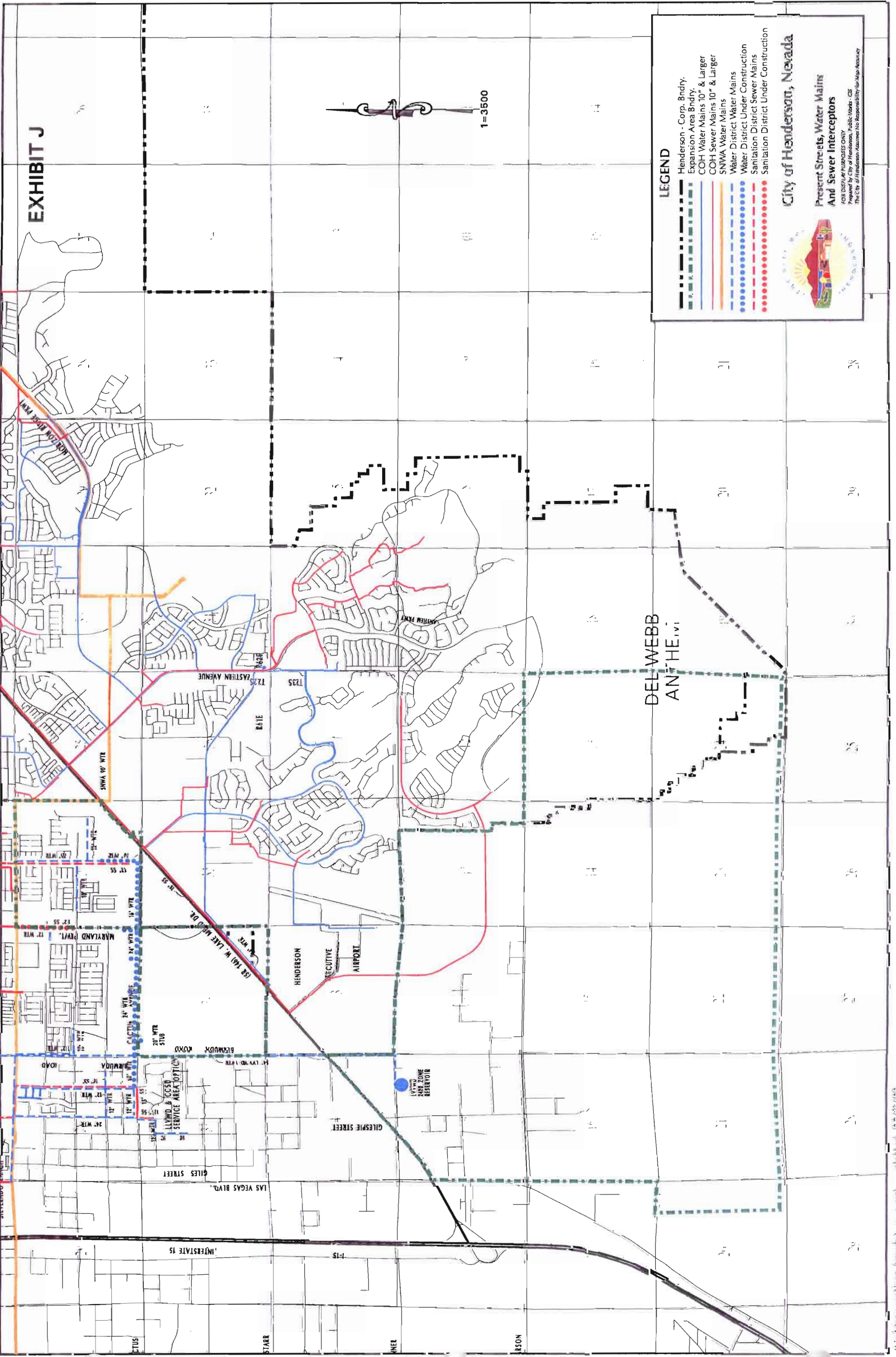
- Limits of Future Annexations Per January 1999 Interlocal Agreement
- Henderson - Corp. Brdry.
- Resolution of Intent Zoning City of Henderson
- Resolution of Intent Zoning Clark County



City of Henderson, Nevada
Existing County & City Zoning
(January 2000)

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EXHIBIT J



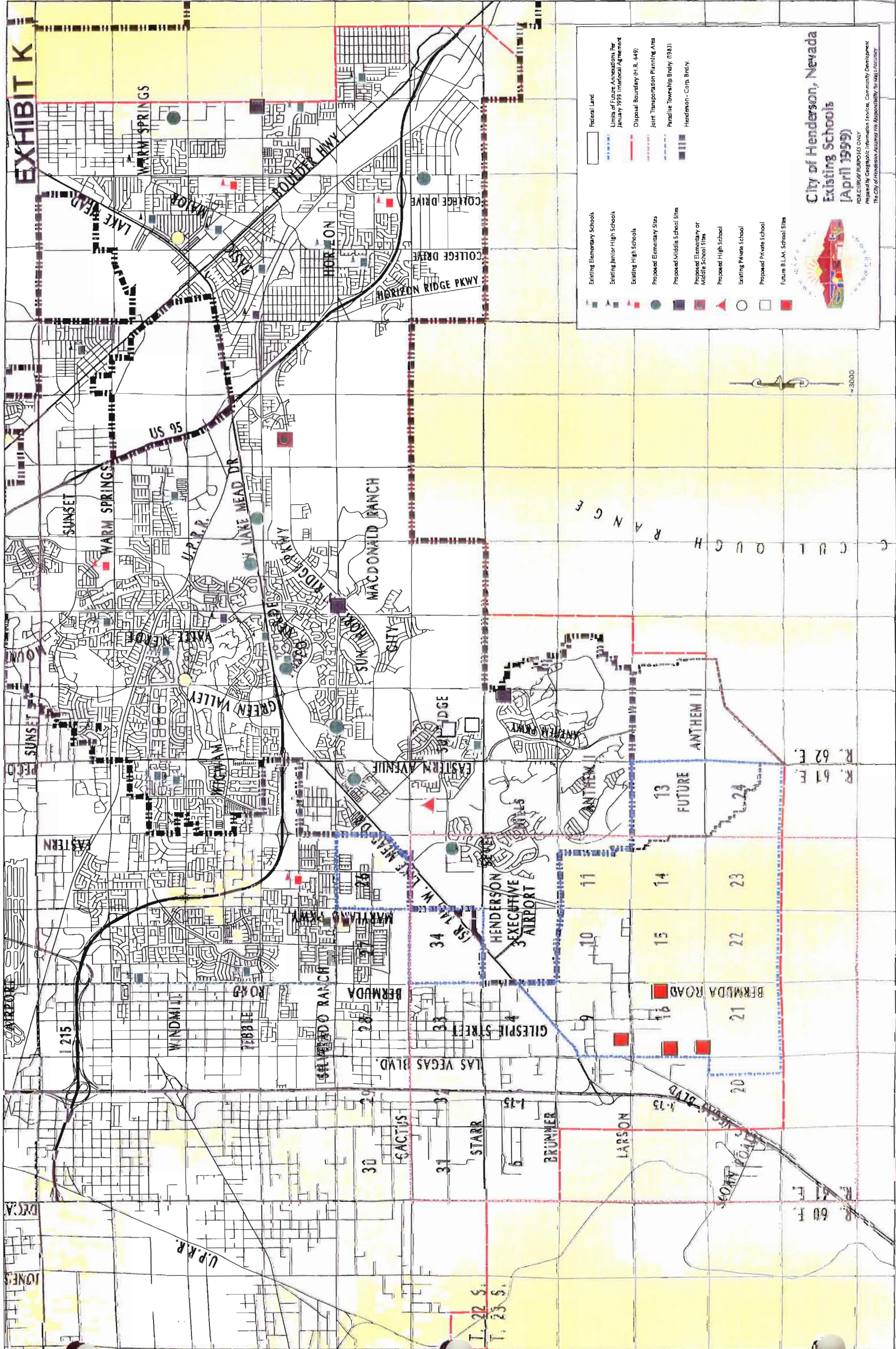
LEGEND

- Henderson - Corp. Bndry.
- Expansion Area Bndry.
- COH Sewer Mains 10" & Larger
- SNWA Water Mains
- Water District Under Construction
- Sanitation District Under Construction
- Present Streets, Water Mains And Sewer Interceptors

City of Henderson, Nevada

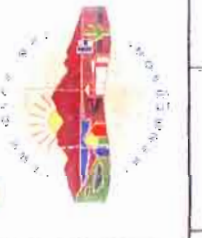
FOR DISPLAY PURPOSES ONLY
 Prepared by City of Henderson, Public Works - CSE
 The City of Henderson assumes no responsibility for Map Accuracy

EXHIBIT K



City of Henderson, Nevada
Existing Schools
(April 1999)

FOR DISPLAY PURPOSES ONLY
 Prepared by Geographic Information Services, Community Development
 The City of Henderson Assumes No Responsibility for Data Accuracy



~3000

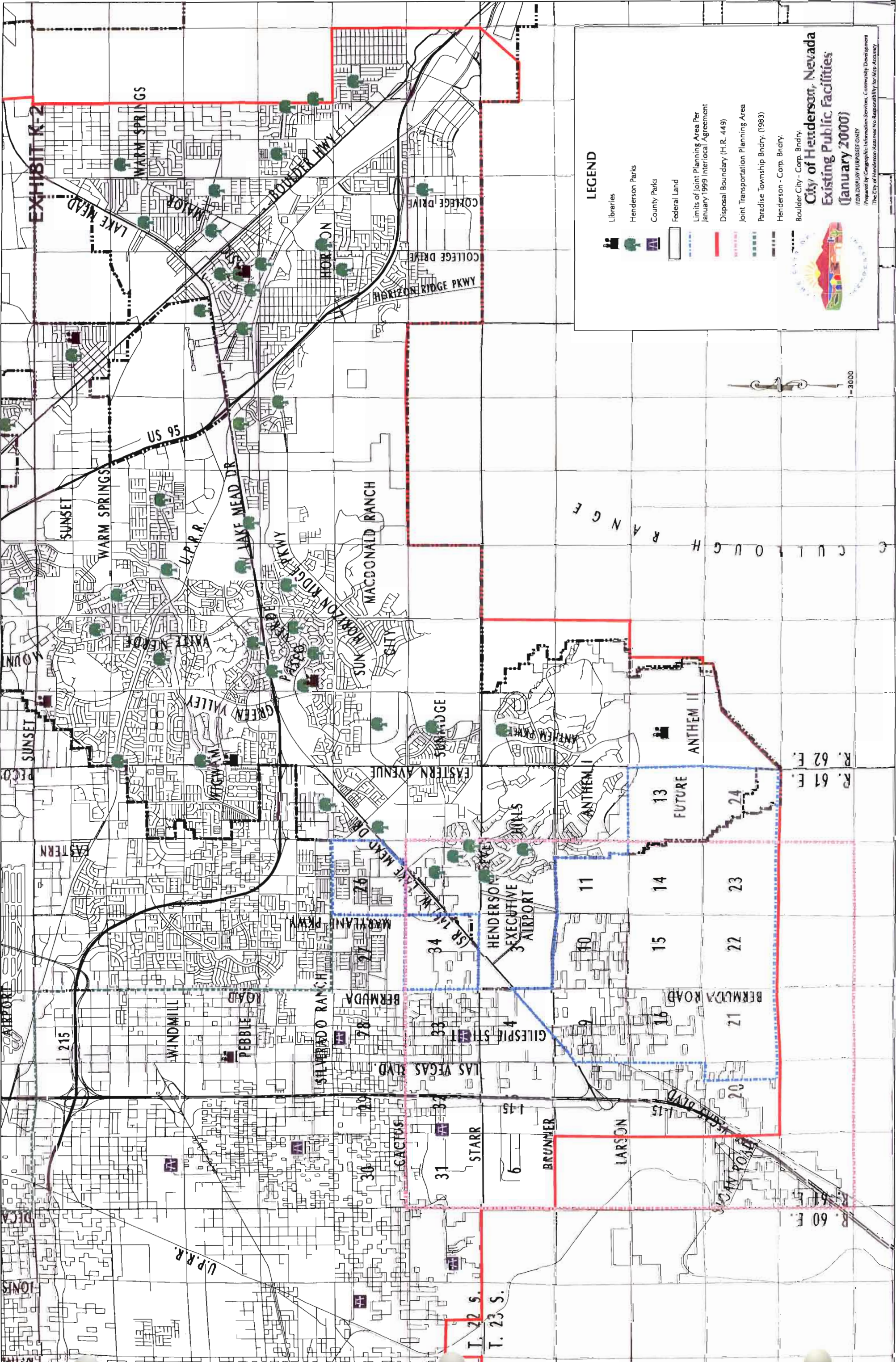


EXHIBIT R-2

LEGEND

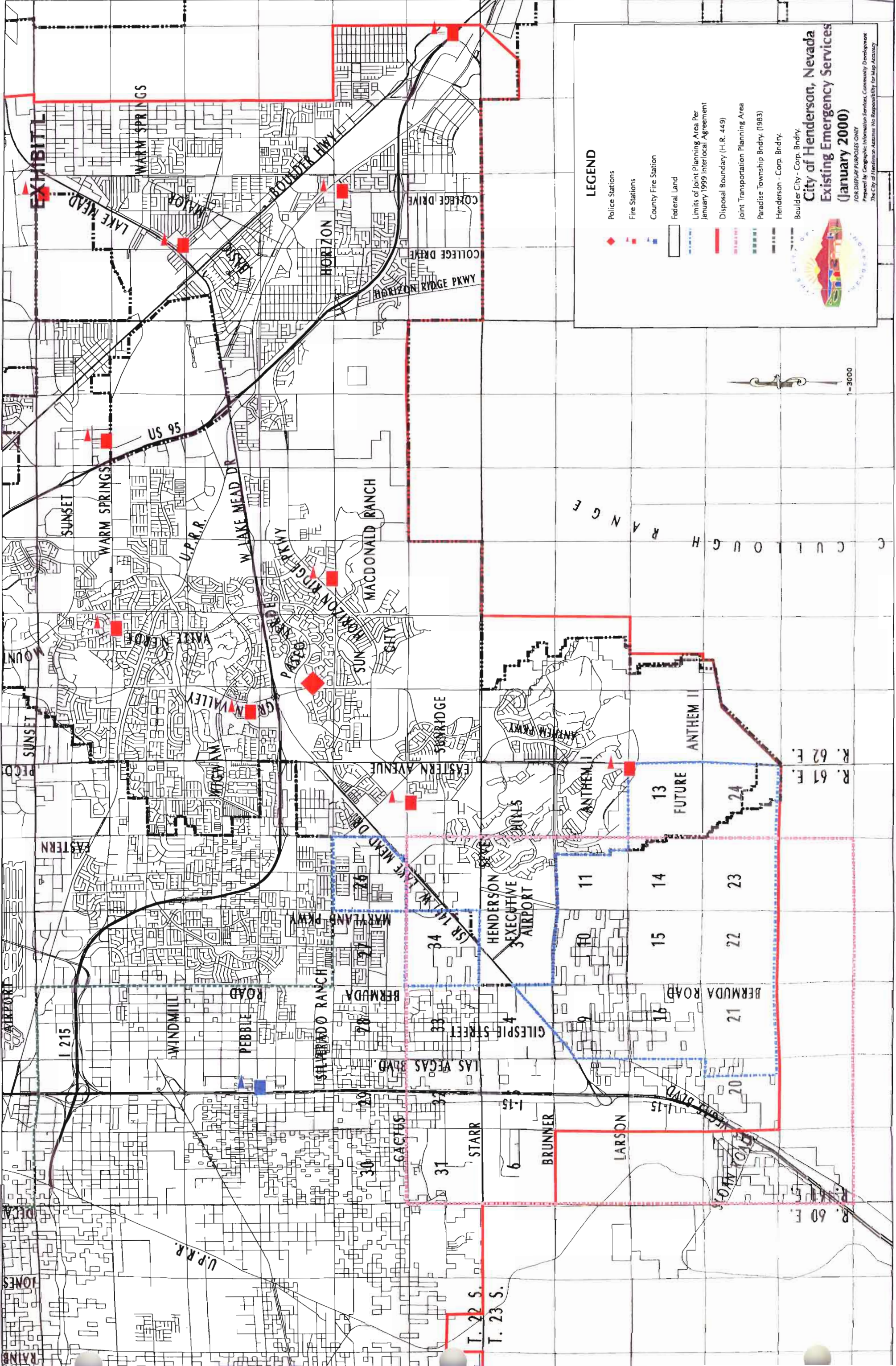
- Libraries
- Henderson Parks
- County Parks
- Federal Land
- Limits of Joint Planning Area Per January 1999 Interlocal Agreement
- Disposal Boundary (H.R. 449)
- Joint Transportation Planning Area
- Paradise Township Bndry. (1983)
- Henderson - Corp. Bndry.
- Boulder City - Corp. Bndry.



City of Henderson, Nevada
Existing Public Facilities
(January 2000)

FOR DISPLAY PURPOSES ONLY
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LEGEND

- Police Stations
- Fire Stations
- County Fire Station
- Federal Land
- Limits of Joint Planning Area Per January 1999 Intercal Agreement
- Disposal Boundary (H.R. 449)
- Joint Transportation Planning Area
- Paradise Township Bndry. (1983)
- Henderson - Corp. Bndry.
- Boulder City - Corp. Bndry.

**City of Henderson, Nevada
Existing Emergency Services
(January 2000)**

FOR DISPLAY PURPOSES ONLY
Prepared by Geographic Information Services, Community Development
The City of Henderson Assumes No Responsibility for Map Accuracy

1-3000

EXHIBIT M

South Enterprise/ West Henderson Land Use Plan

- 130' Street w/ Trail
- 120' Street w/ Trail
- 100' Street w/ Trail
- 80' Street
- Freeway
- Henderson - Corp. Bndry.
- Limits of Joint Planning Area Per January 1999 Interlocal Agreement
- 60' Trails / Drainage
- Proposed Freeway Interchange
- Rural Neighborhood Preservation Area
- Rural Neighborhood Preservation Area Buffer (3 Unit Per Acre Max.)
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- General Commercial
- Neighborhood Commercial
- Industrial Park
- Public/Semipublic
- DOA Property
- Airport Bear Poppy Conservation Area
- Future Detention Basins

Approved by Council: March 7, 2000
Ordinance No. 2382

The City of Henderson Assumes No
Responsibility for Map Accuracy

Prepared by Geographic Information Services
Community Development Department



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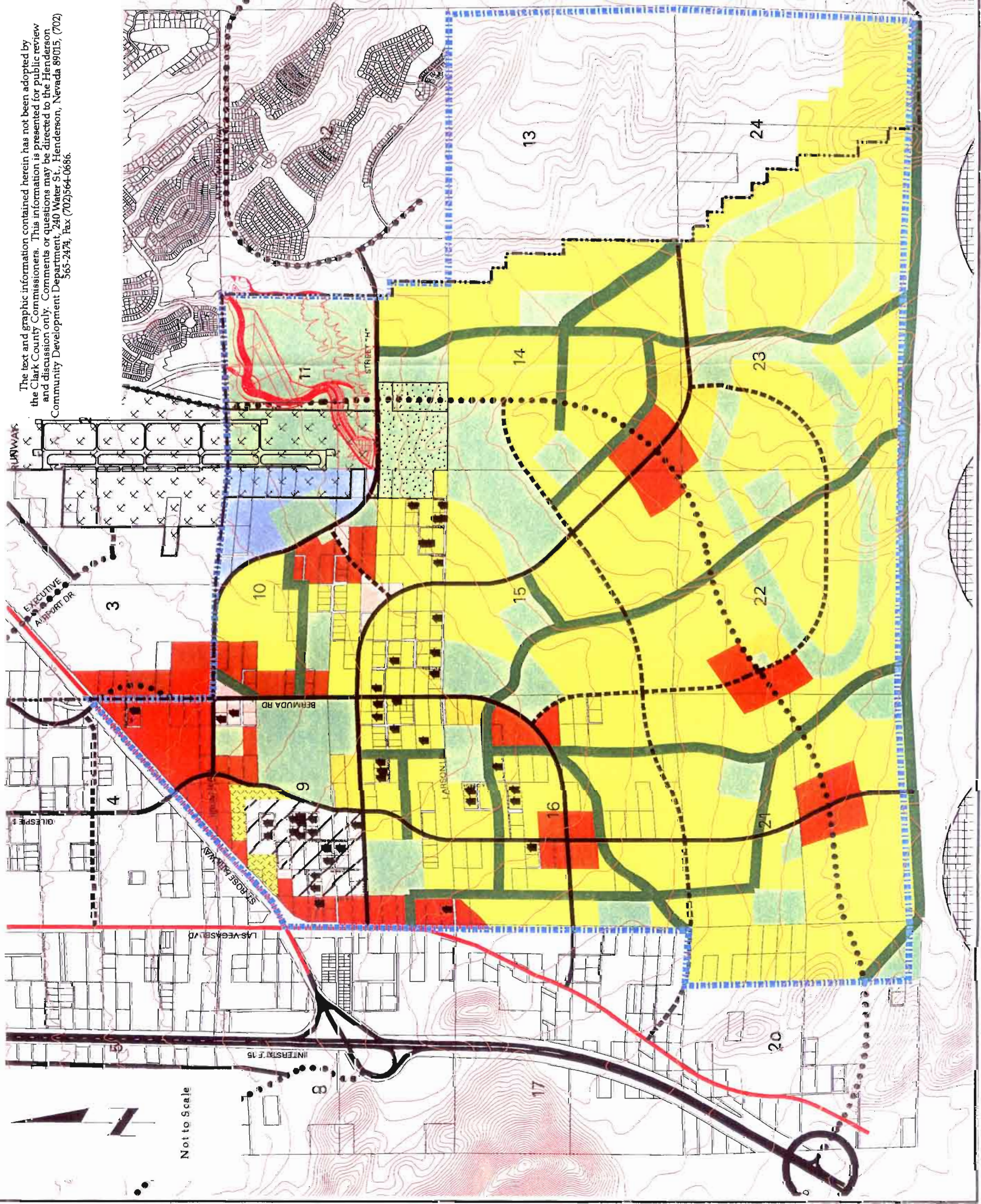


EXHIBIT N-1

South Enterprise/ West Henderson Proposed Public Facilities

1. LVVWD Site (10.4 Acres)
2. High School (107.4 Acres)
3. Potential Junior College/Library
4. Middle School (30 Acres)
5. Detention Basin (40 Acres)
6. Elementary School (22 Acres)
7. Airport Bear Poppy Conservation Area (60 Acres)
8. Future Airport Expansion
9. Detention Basin (206.4 Acres)
10. Part Bear Poppy & Park (43 Acres)
11. Potential Golf Course - Park (142 Acres)
12. Middle School (21.6 Acres)
13. Elementary School (29 Acres)
14. Elementary School (21 Acres)
15. Elementary School (23.6 Acres)
16. Elementary School (22 Acres)
17. Nevada Power (21.3 Acres)
18. Nevada Power (2.5 Acres)
19. Recreation Center (29.3 Acres)
20. Fire Station/Library (6 Acres)
21. Elementary School (22 Acres)
22. Potential Golf Course (326.7 Acres)
23. Elementary School (22.3 Acres)
24. Fire Station (2 Acres)
25. Elementary School (19.5 Acres)
26. Nevada Power
- 27-29. Water Reservoirs
30. Public Works Utilities Equipment Site & State Offices (30 Acres)
31. Future State Offices (30 Acres)

- 130' Street w/ Trail
- 120' Street w/ Trail
- 100' Street w/ Trail
- 80' Street
- Freeway
- Henderson - Corp. Bndry.
- Limits of Joint Planning Area Per January 1999 Interlocal Agreement
- 60' Trails / Drainage

- Proposed Freeway Interchange
- Rural Neighborhood Preservation Area
- Rural Neighborhood Preservation Area Buffer (3 Unit Per Acre Max.)
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- General Commercial
- Neighborhood Commercial
- Industrial Park
- Public/Semipublic
- DOA Property
- Airport Bear Poppy Conservation Area



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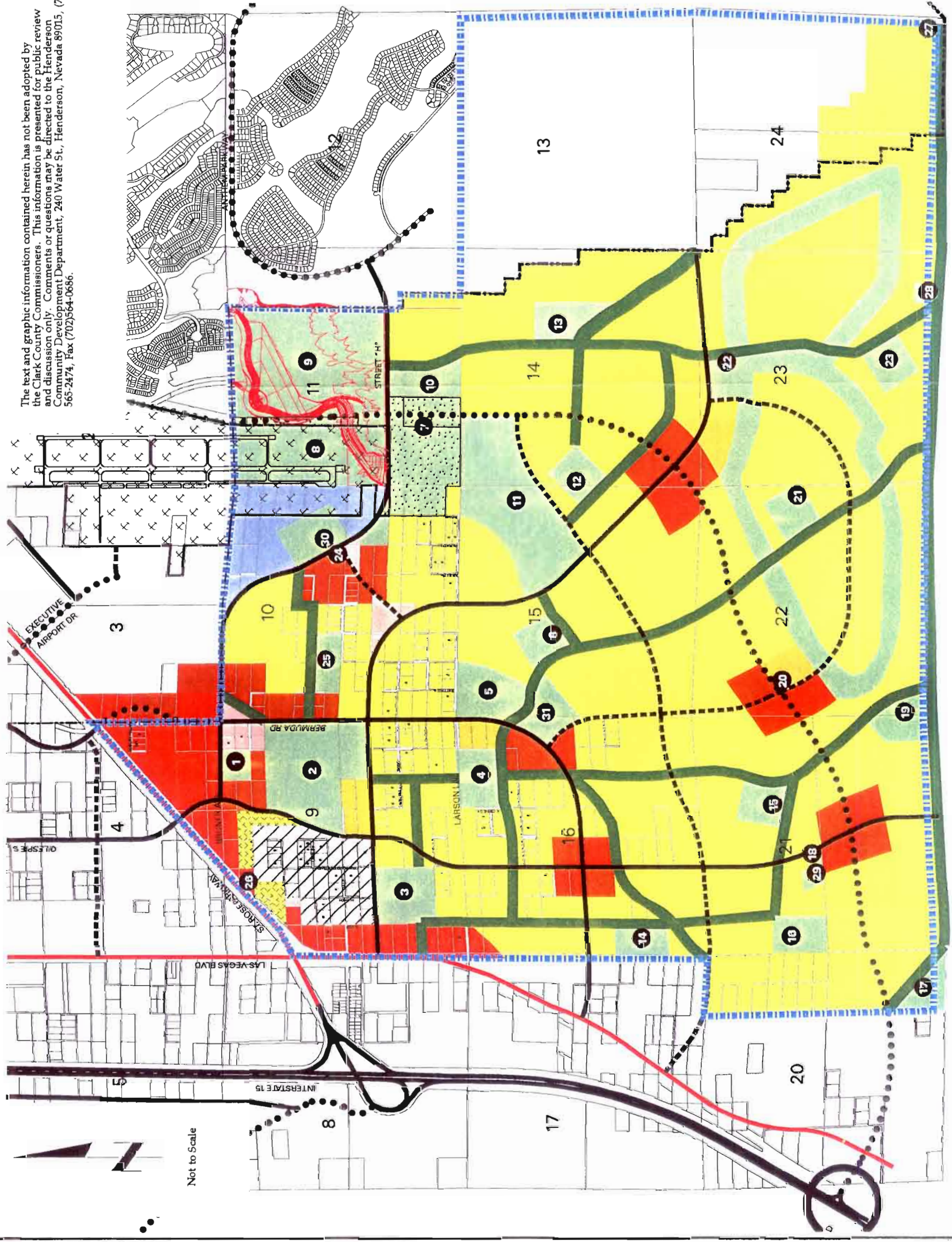
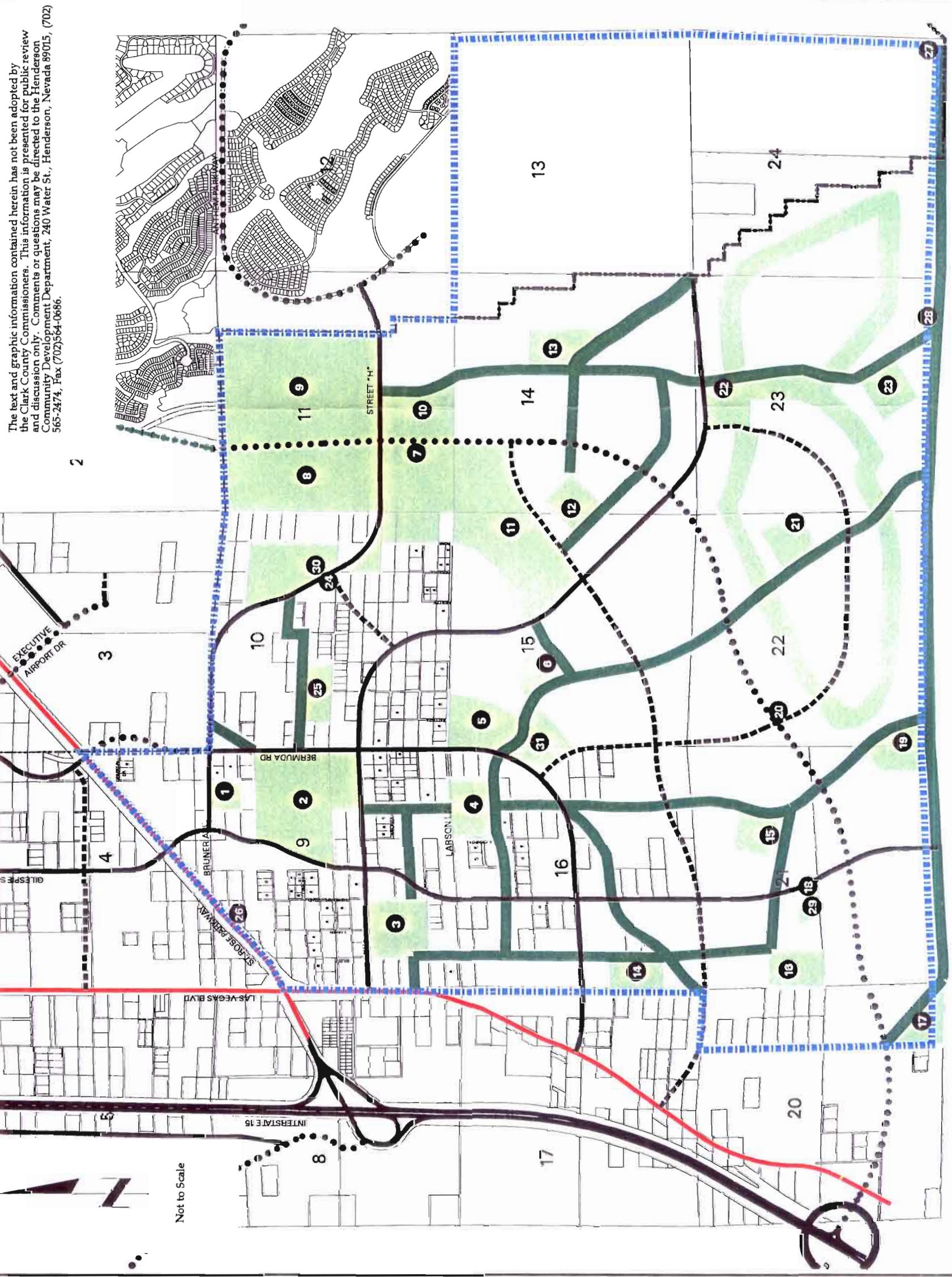


EXHIBIT N-2

**Joint Planning Area
Proposed Public Facilities**

1. LVVWD Site (10.4 Acres)
2. High School (107.4 Acres)
Recreation Center/Park
3. Potential Junior College/Library
Elementary School/Transportation Facil. (40 Acres)
4. Middle School (30 Acres)
5. 10 Acre Park
6. Detention Basin (40 Acres)
Elementary School (22 Acres)
7. 10 Acre Park
8. Airport Bear Poppy Conservation Area (60 Acres)
Future Airport Expansion
9. Detention Basin (206.4 Acres)
Part Bear Poppy & Park (43 Acres)
10. Potential Golf Course - Park (142 Acres)
11. Middle School (21.6 Acres)
12. 10 Acre Park
13. Elementary School (29 Acres)
10 Acre Park
14. Elementary School (21 Acres)
15. 10 Acre Park
16. Elementary School (23.6 Acres)
10 Acre Park
17. Elementary School (22 Acres)
10 Acre Park
18. Nevada Power (21.3 Acres)
19. Nevada Power (2.5 Acres)
20. Recreation Center (29.3 Acres)
21. Fire Station/Library (6 Acres)
Elementary School (22 Acres)
22. 10 Acre Park
23. Potential Golf Course (326.7 Acres)
Elementary School (22.3 Acres)
24. 10 Acre Park
25. Fire Station (2 Acres)
Elementary School (19.5 Acres)
26. 10 Acre Park
27. Nevada Power
28. Water Reservoirs
29. Public Works Utilities Equipment Site
& State Offices (30 Acres)
30. Future State Offices (30 Acres)

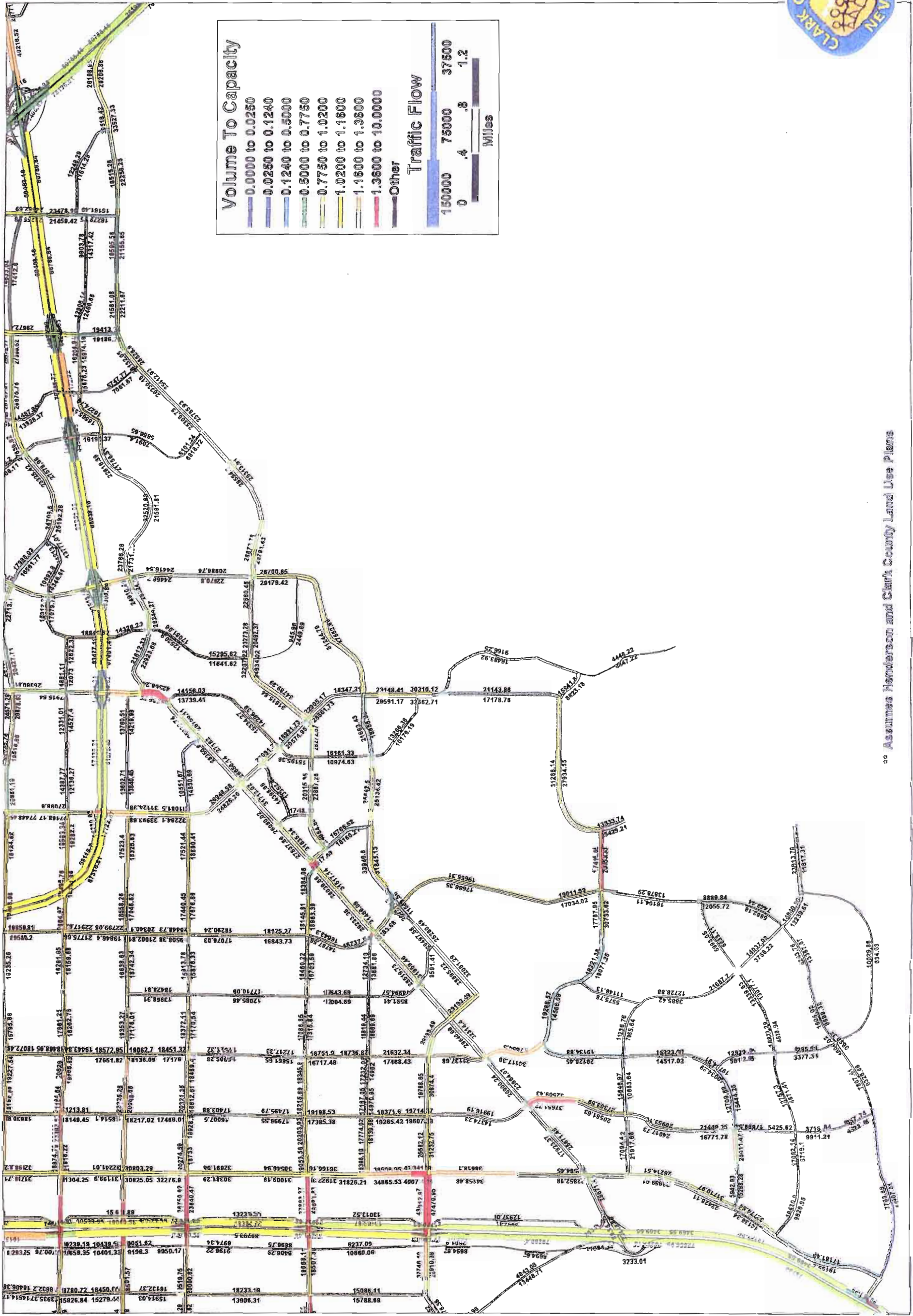
- 130' Street w/ Trail
- 120' Street w/ Trail
- 100' Street w/ Trail
- 80' Street
- Freeway
- Henderson - Corp. Bndry.
- Limits of Joint Planning Area Per
January 1999 Interlocal Agreement
- 60' Trails / Drainage
- Proposed Freeway Interchange
- Public/Semipublic



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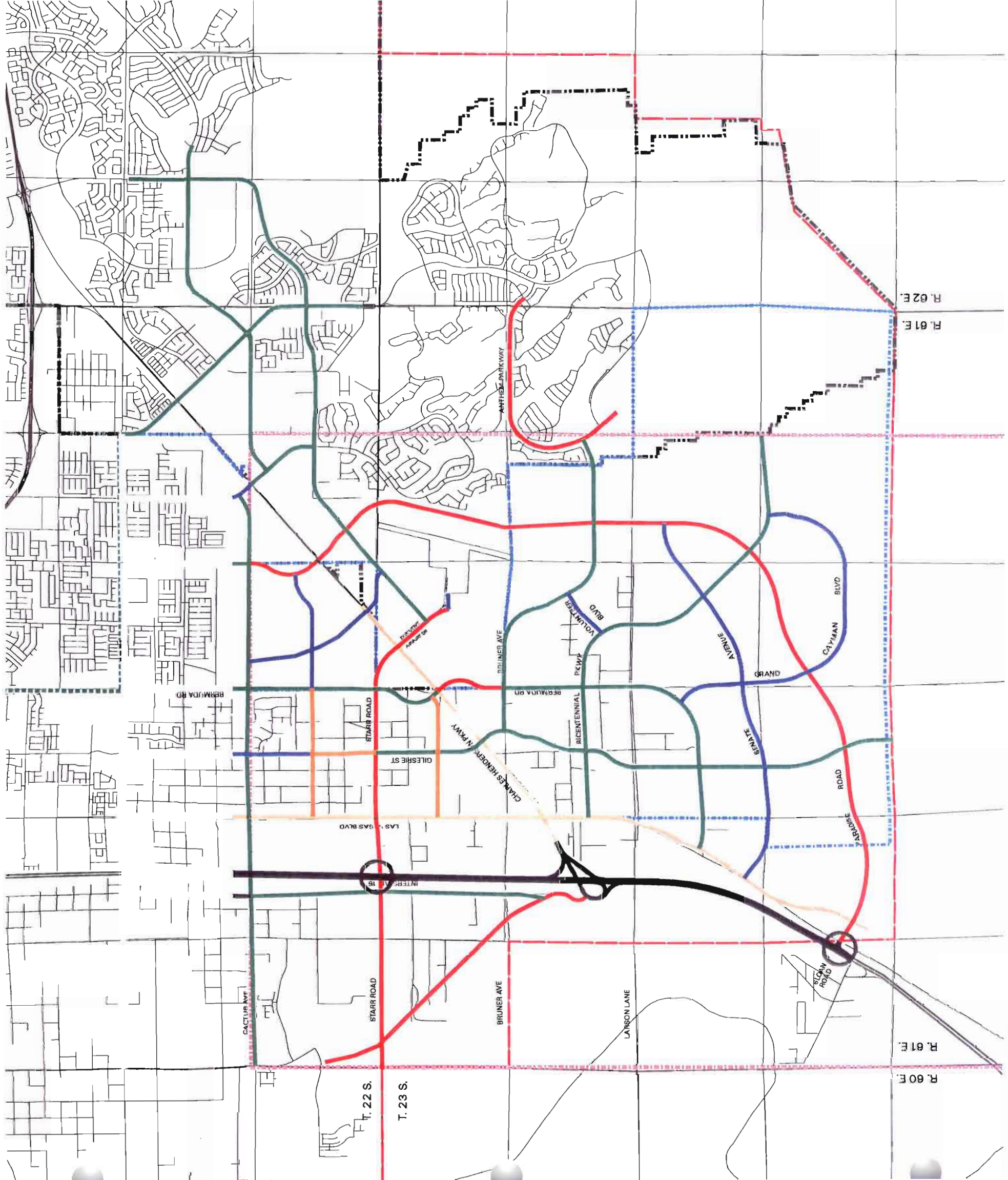
Henderson / Enterprise Planning Area Traffic 2020

EXHIBIT Q



** Assumes Henderson and Clark County Land Use Plans

EXHIBIT R



0 1/2 1 2



SCALE IN MILES

LEGEND

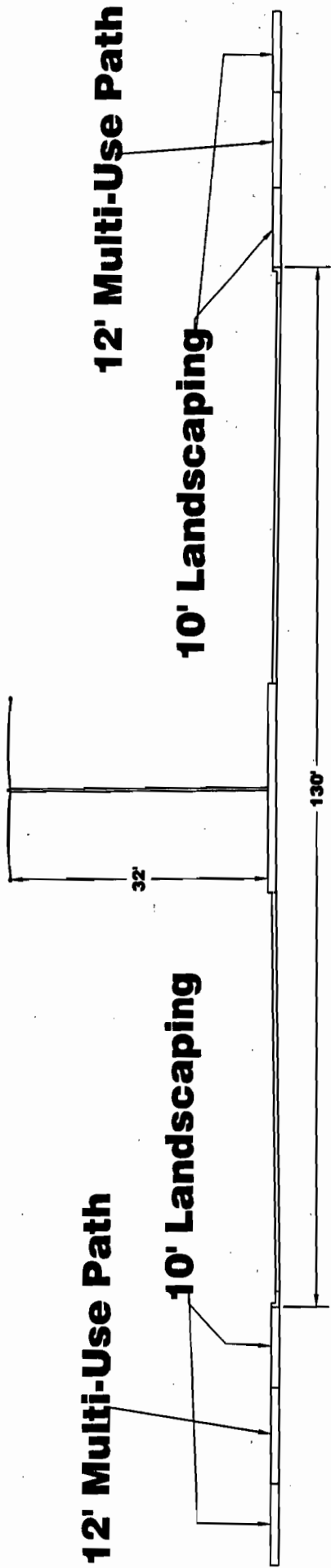
- Federal Land
- Limits of Joint Planning Area Per January 1999 Inter-local Agreement
- Disposal Boundary (H.R. 449)
- Joint Transportation Planning Area
- Paradise Township Bndry. (1983)
- Henderson - Corp. Bndry.
- 130' Major Arterial
- 120' Major Arterial
- 100' Major Arterial
- 80' Minor Urban Arterial
- 80' Minor RNP Arterial
- Freeway



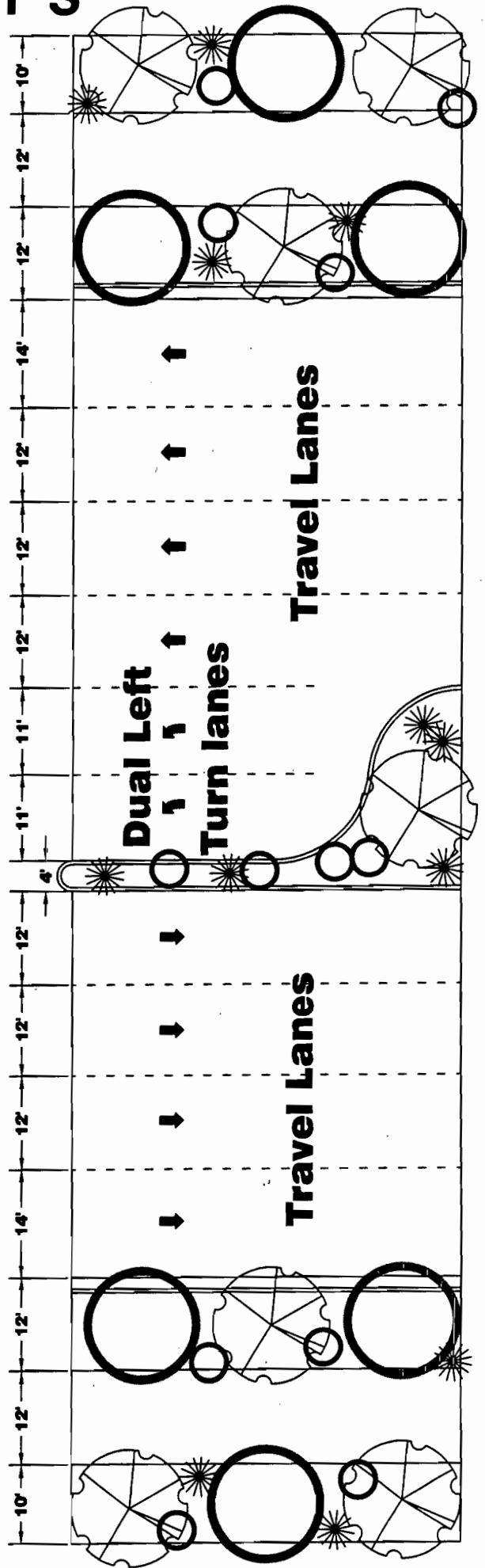
Transportation Plan
(January 2000)

FOR DISPLAY PURPOSES ONLY
Prepared by Community Development, Geographic Information Services
The City of Henderson Assumes No Responsibility for Map Accuracy

EXHIBIT S

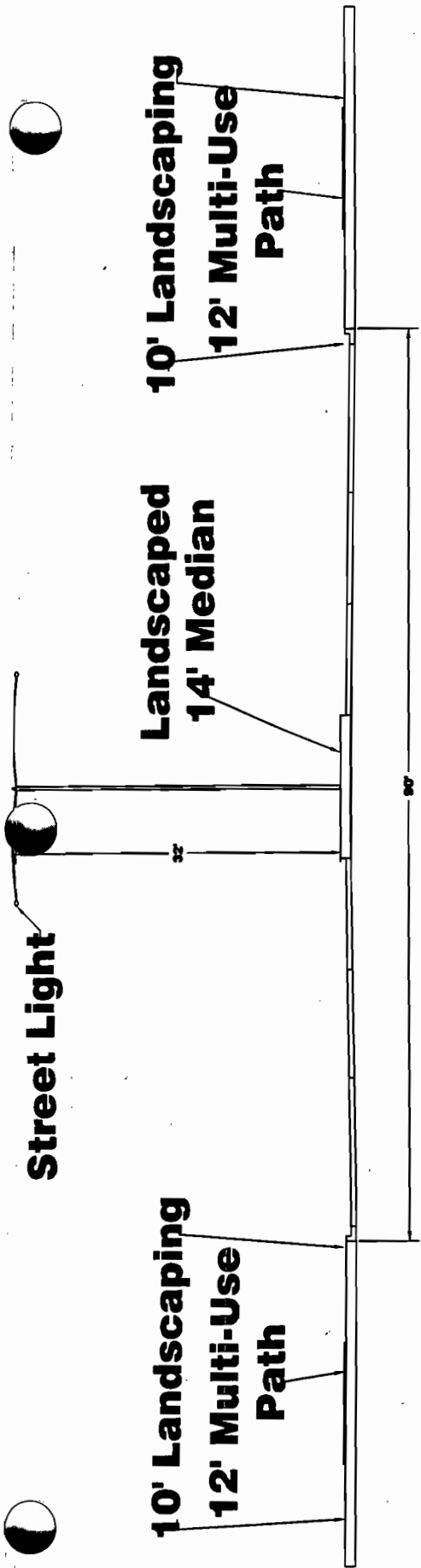


NOTE: * Street Lights Spaced
160' Apart in the Median

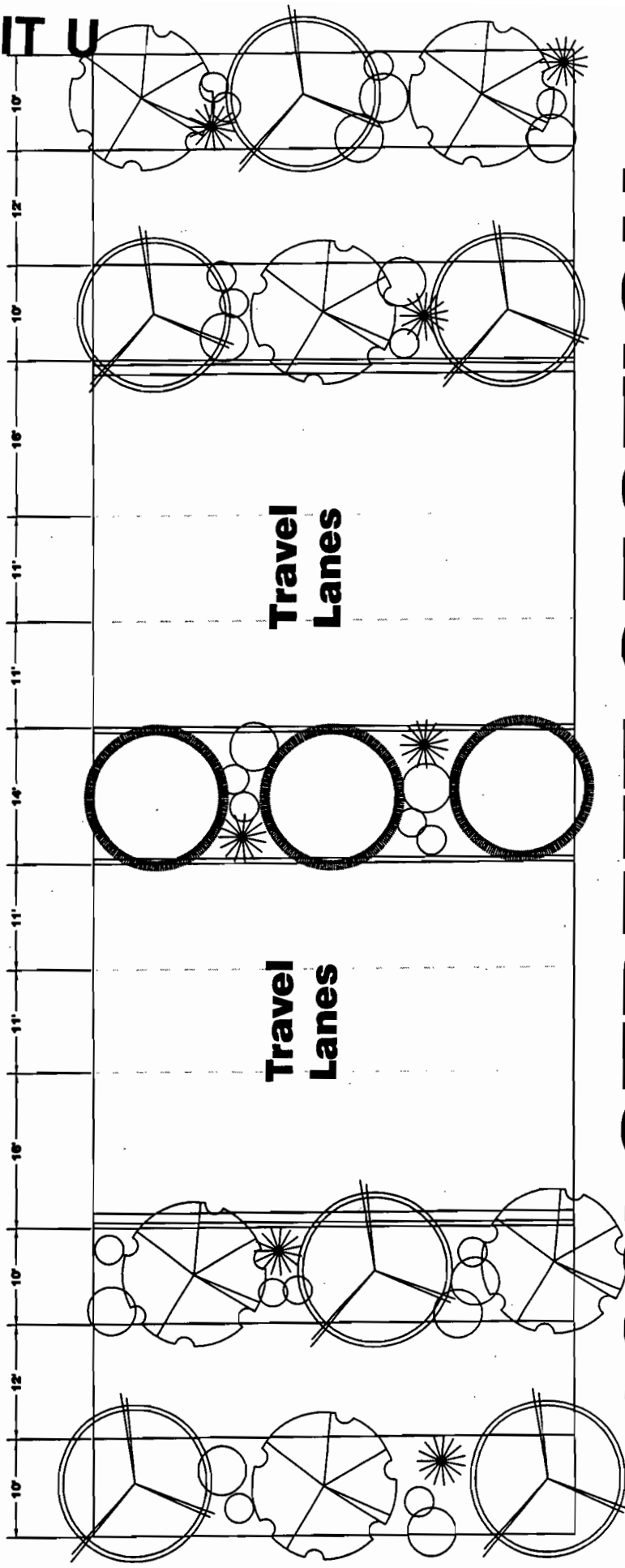


LAKE MEAD RD / LAS VEGAS BLVD

EXHIBIT U

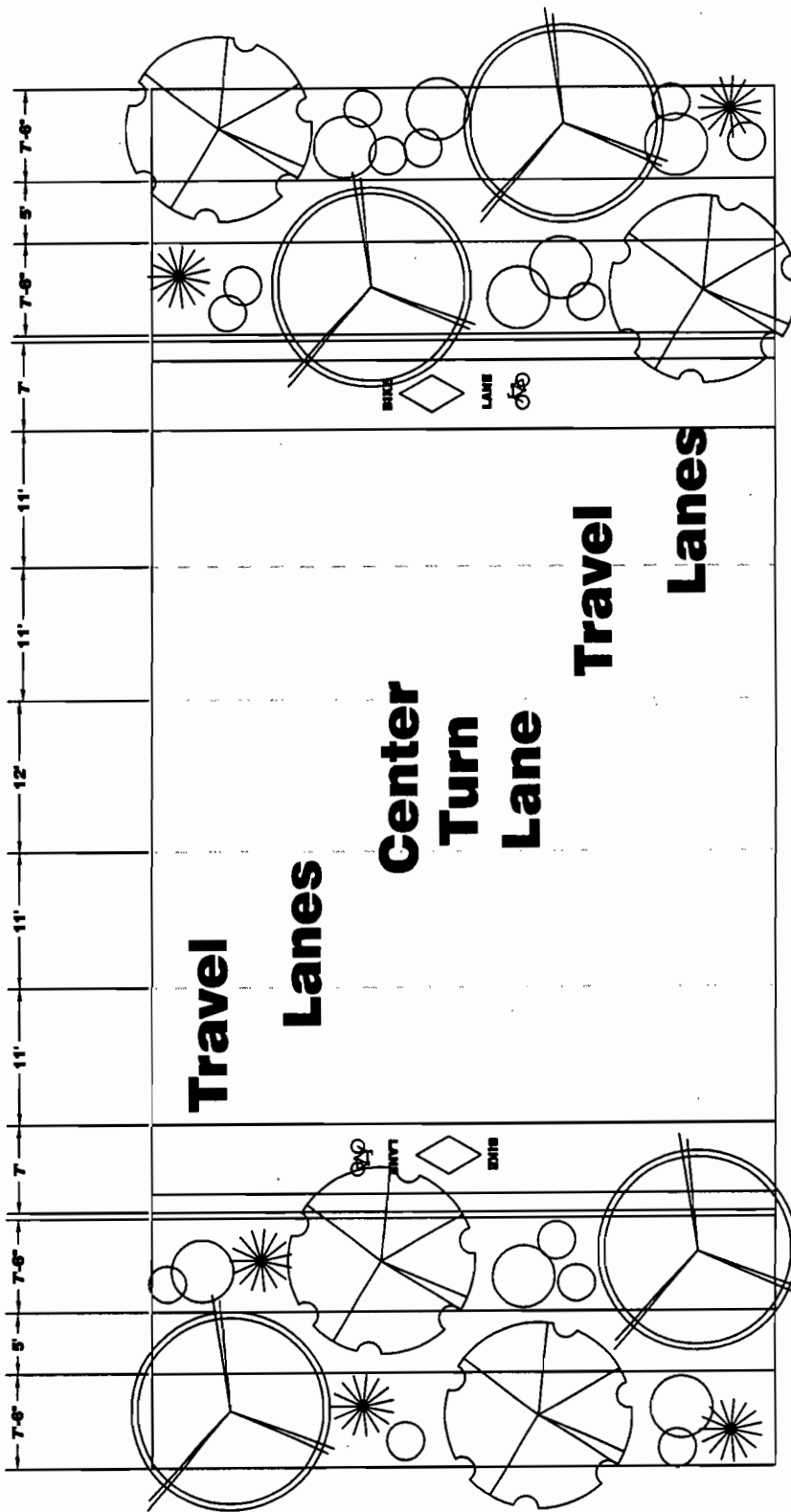
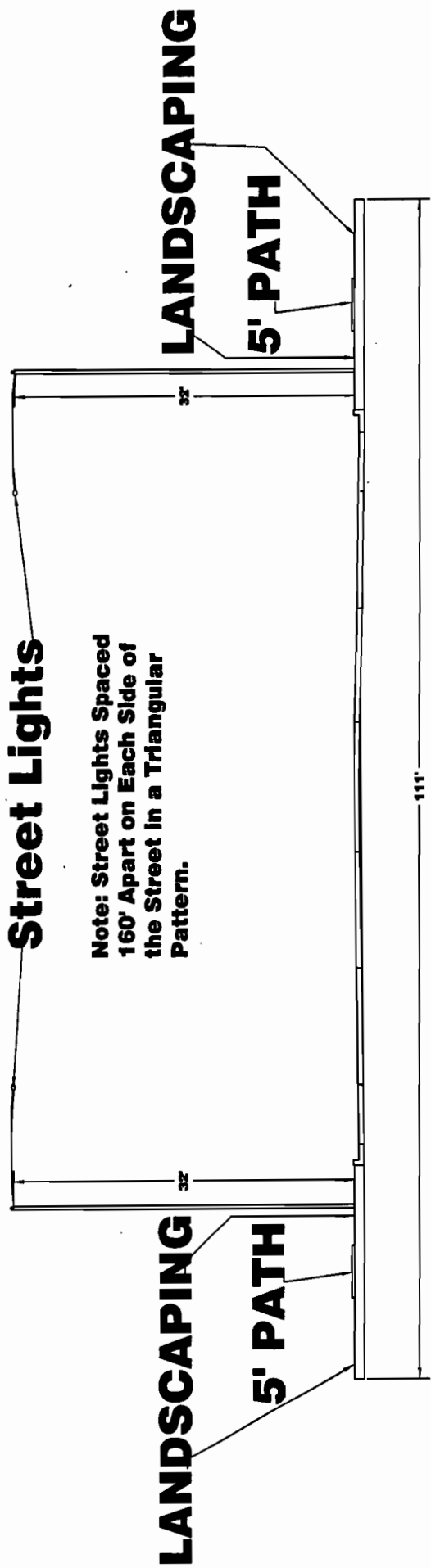


Note: Street Lights Spaced 160' Apart In the Median



100' STREET SECTION

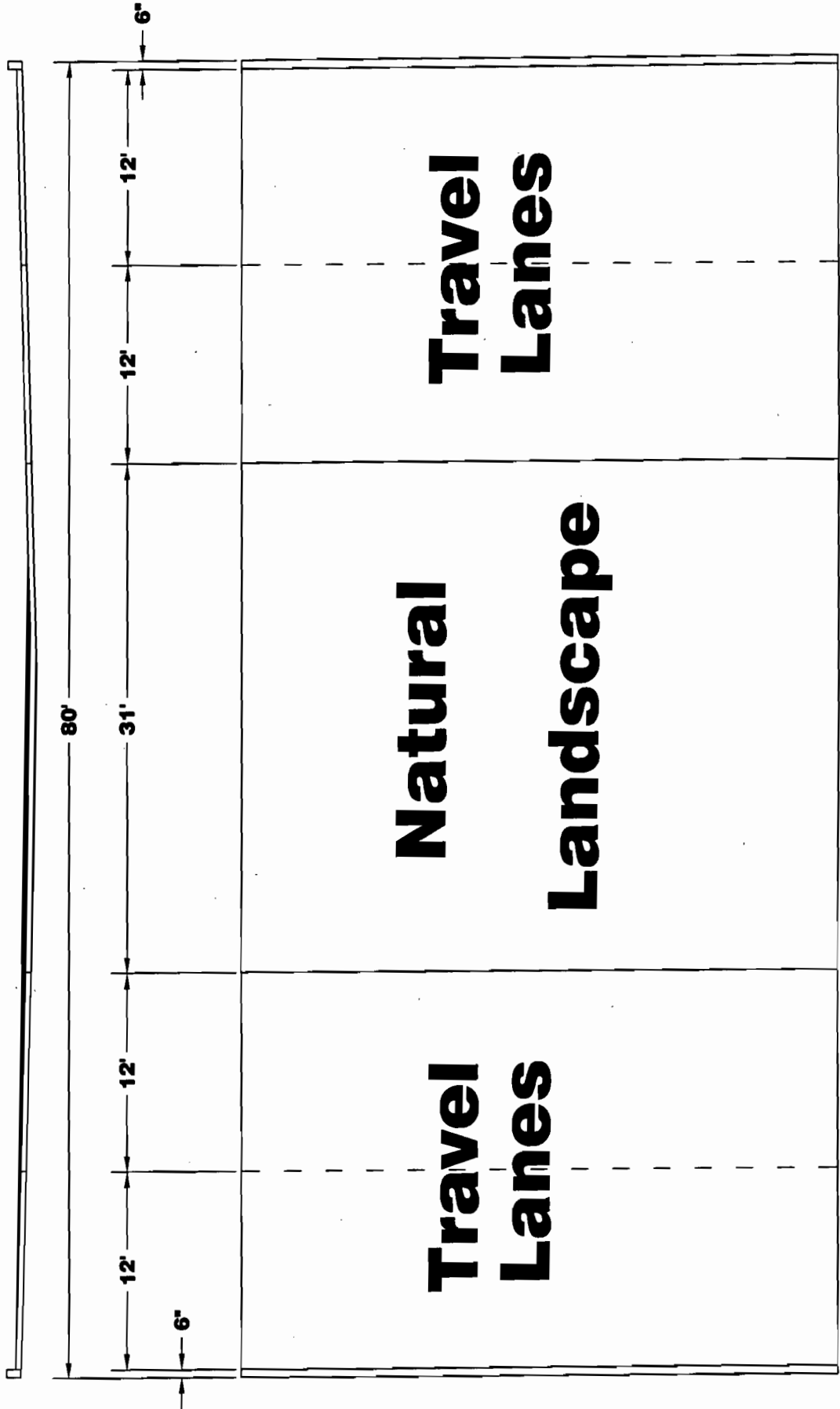
EXHIBIT V



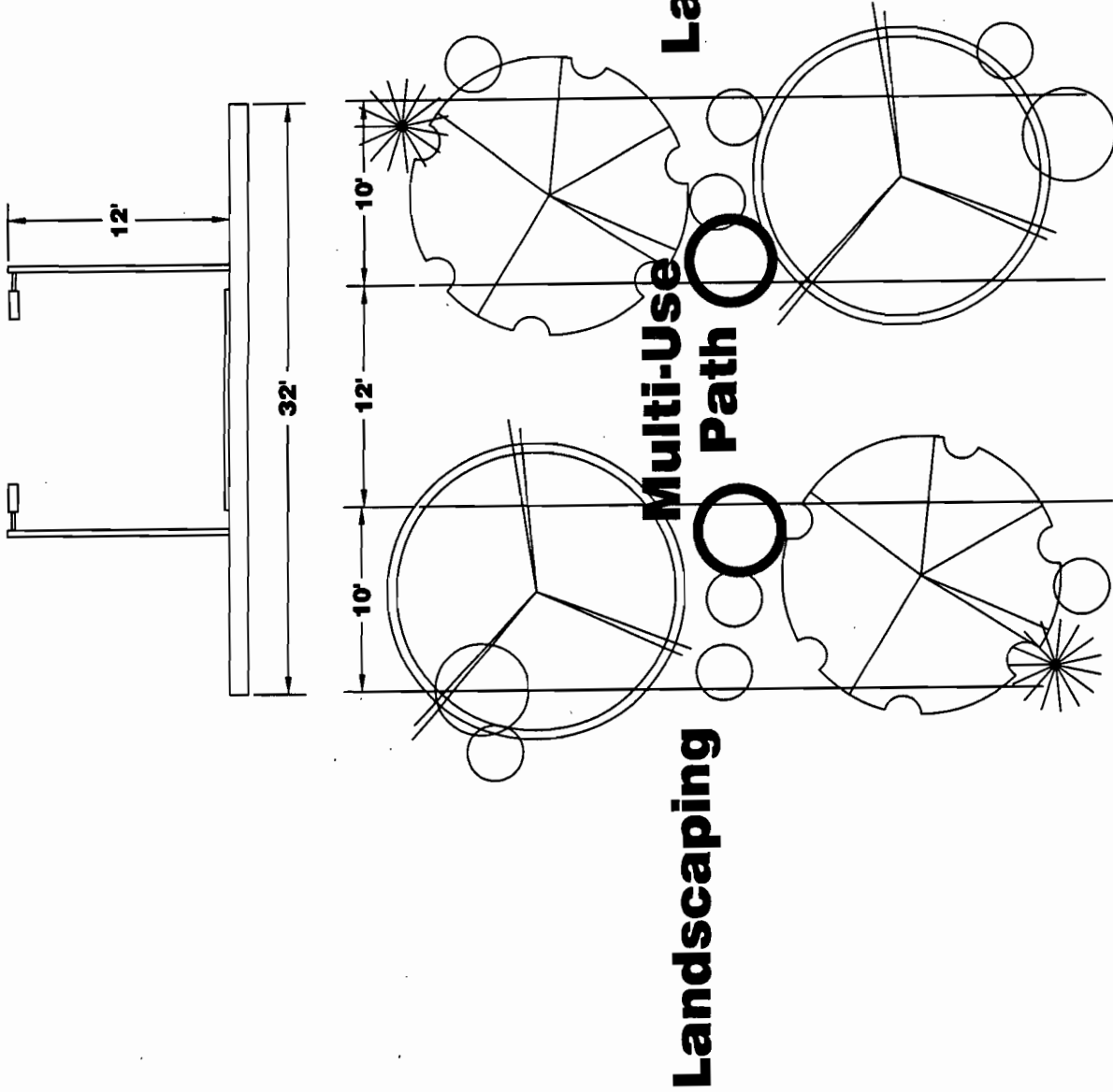
80' STREET-SECTION

*** STREET LIGHTS ONLY REQUIRED
AT INTERSECTIONS AND CURVES
AS REQUIRED FOR PUBLIC SAFETY.**

EXHIBIT W



80' RURAL STREET SECTION






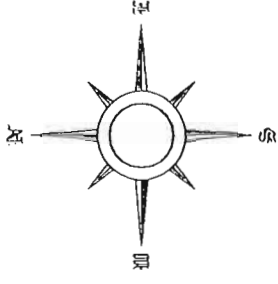
TYPICAL MULTI-USE PATH



EXHIBIT Y

EXPLANATION

-  Del Webb Anthem boundary
-  Proposed Water Service Area
-  Roadways shown within the service area are proposed alignments



CITY OF HENDERSON

SOUTHWEST UTILITIES
MASTER PLAN

WATER SYSTEM
PRESSURE ZONES

FIGURE 2-2

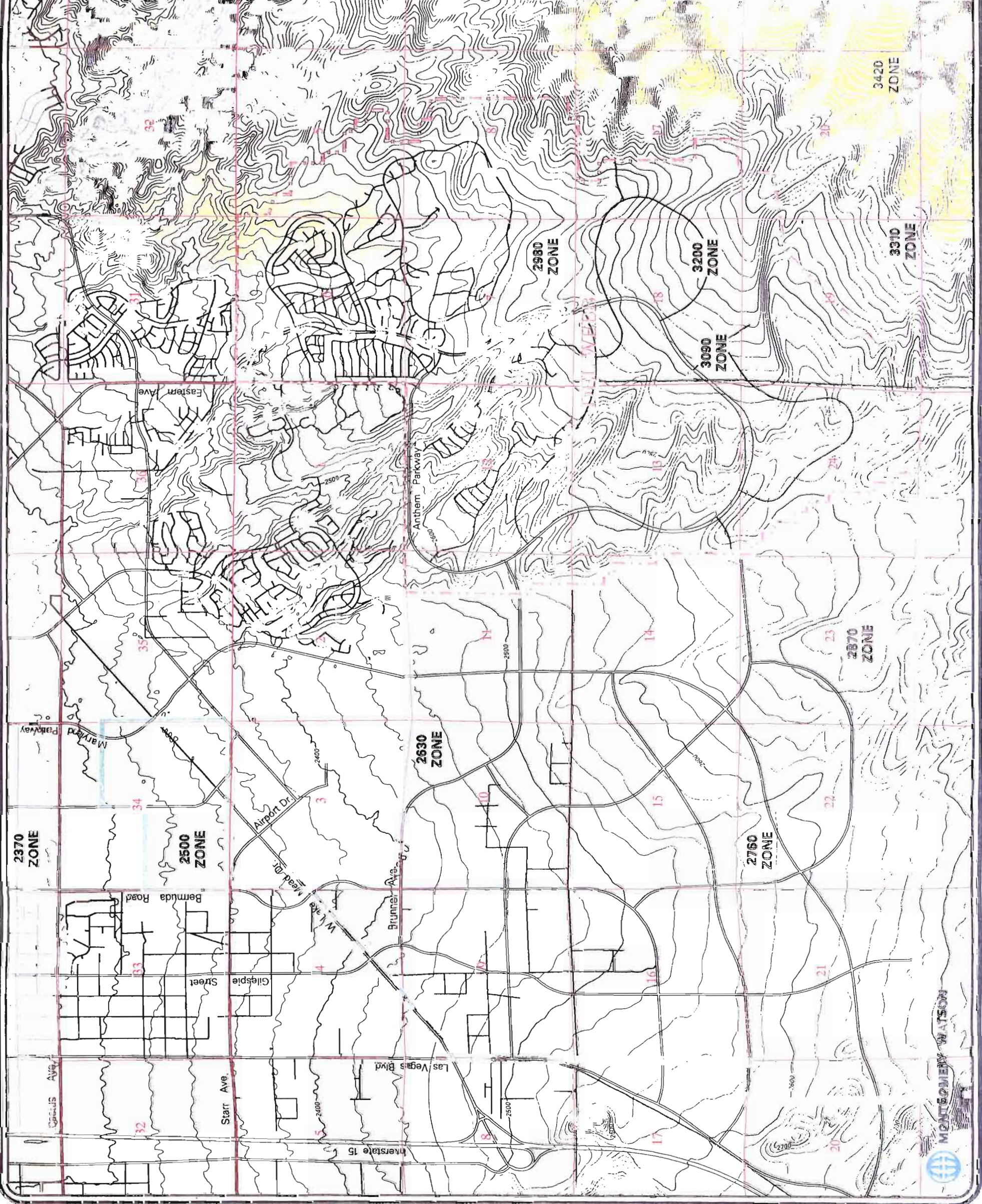
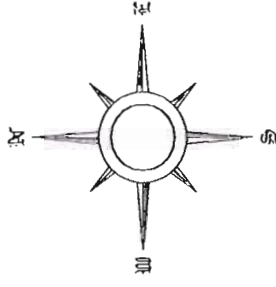


EXHIBIT Z

EXPLANATION

- Proposed Water Service Area
- Del Webb Anthem boundary
- Change in pipe diameter
- Pipe diameter
- Reservoir
- Pump station
- City of Henderson
- Roadways shown within the service area are proposed alignments
- Existing facilities
- 2630 Pressure Zone Facilities
- 2760 Pressure Zone Facilities
- 2870 Pressure Zone Facilities

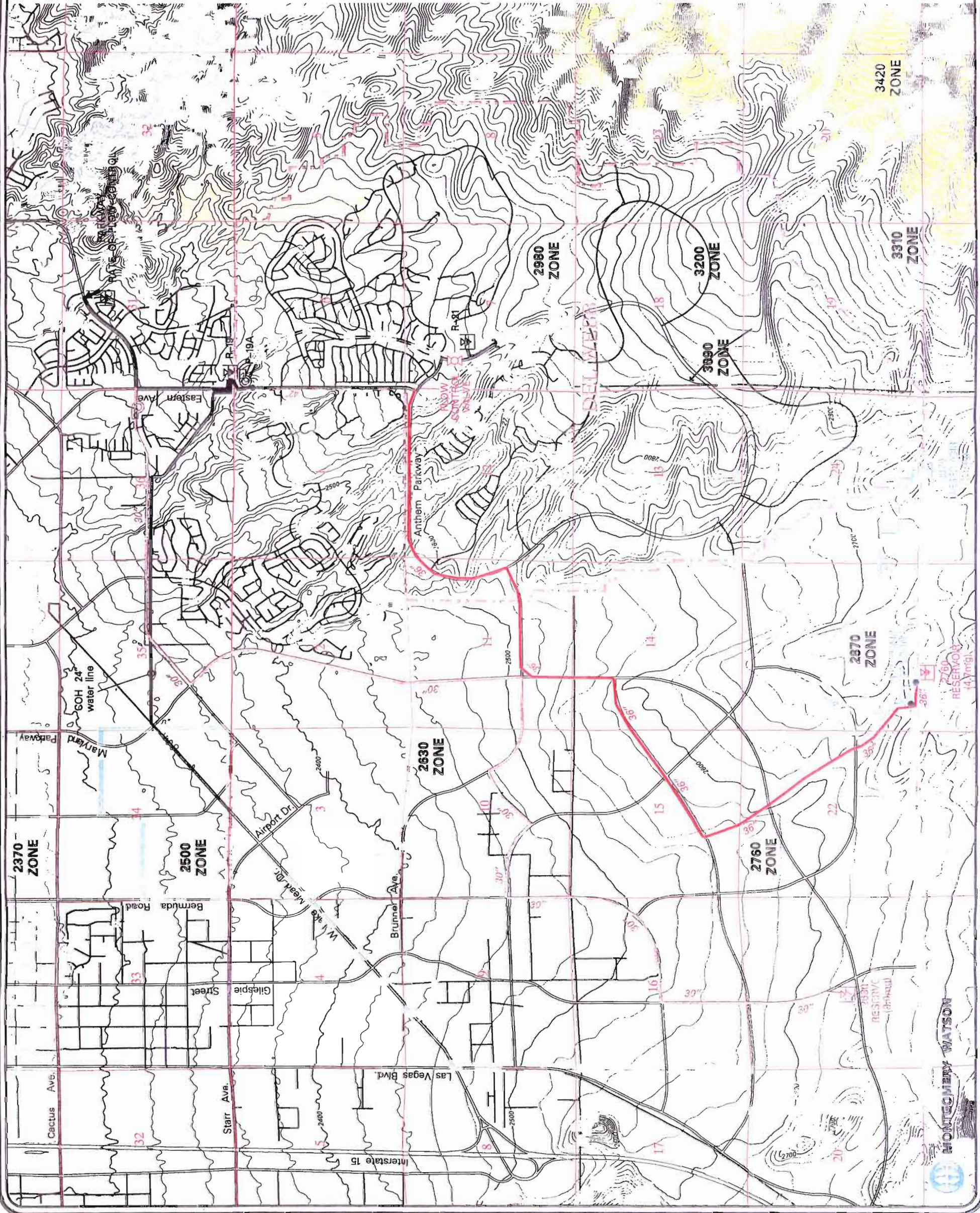


CITY OF HENDERSON

SOUTHWEST UTILITIES
MASTER PLAN

PROPOSED
WATER SYSTEM FACILITIES

FIGURE 4-1



MONTGOMERY WATSON



EXHIBIT AA

EXPLANATION

Proposed Sanitary Service Area

Del Webb Anthem boundary

Western Drainage Basin

Central Drainage Basin

Eastern Drainage Basin

Pipe number

Pipe diameter

Design flow

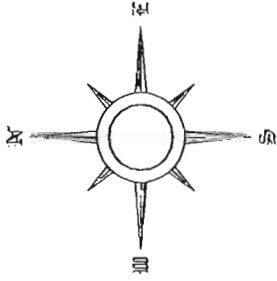
Manhole

Roadways shown within the service area are proposed alignments

COH

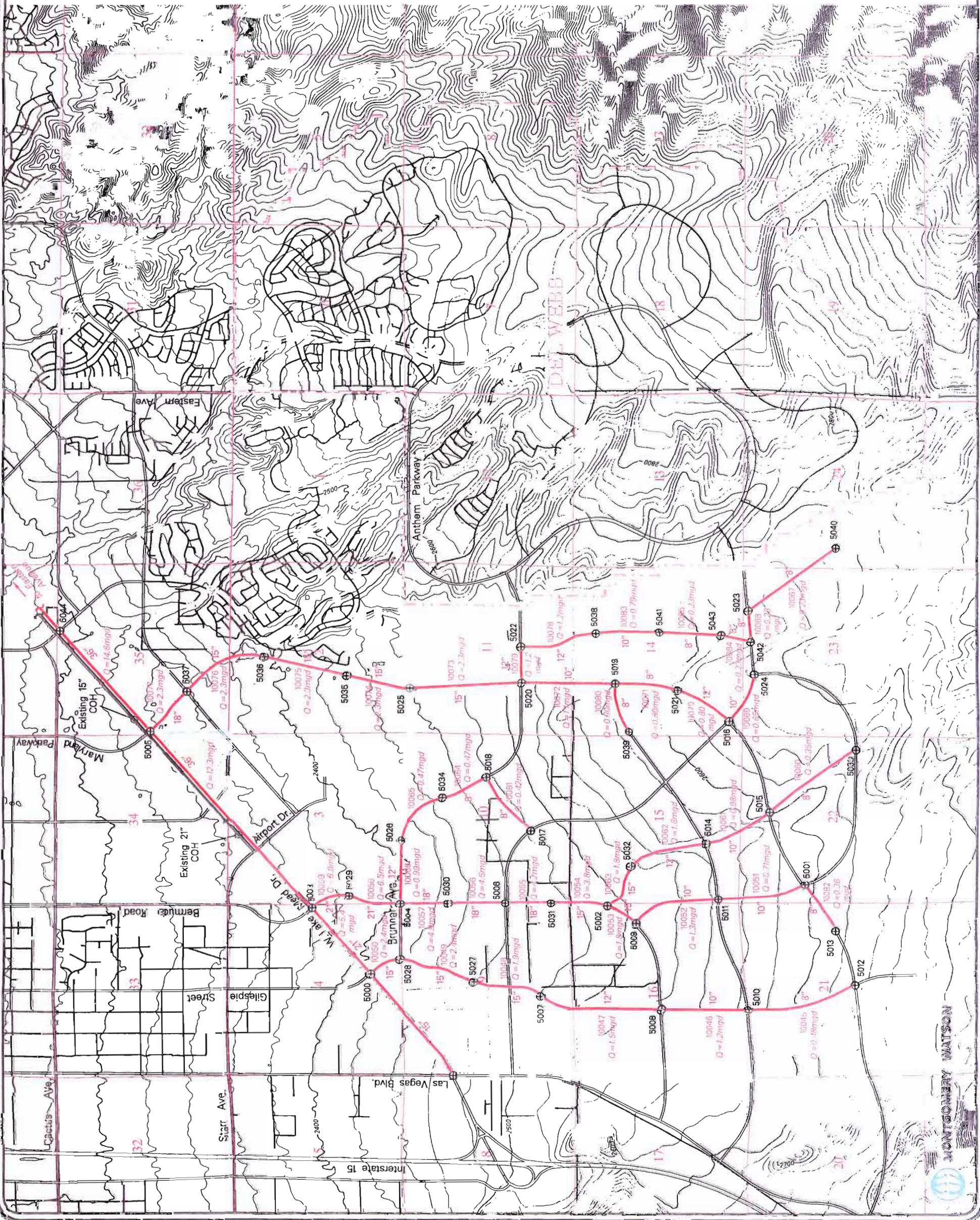
City of Henderson

Pipeline diameters shown are contingent upon minimum allowable slopes and computer generated slopes for flows shown. Actual pipeline diameters will require verification with future design slopes.



CITY OF HENDERSON

SOUTHWEST UTILITIES
MASTER PLAN
SANITARY SEWER
COLLECTION SYSTEM
FIGURE 5-1



MONTGOMERY WATSON

NEVADA POWER COMPANY



d.d.

January 4, 2000



City of Henderson Planning Department
Attn: Dave Norris
240 Water Street
Henderson, NV 89015

Subject: Power Availability – Joint Planning Area /
South of Lake Mead Dr. & East of I - 15

Dear Dave:

In response to your request for power availability information in the joint planning area, the following statement has been provided by the distribution planner for this area, Al Layland:

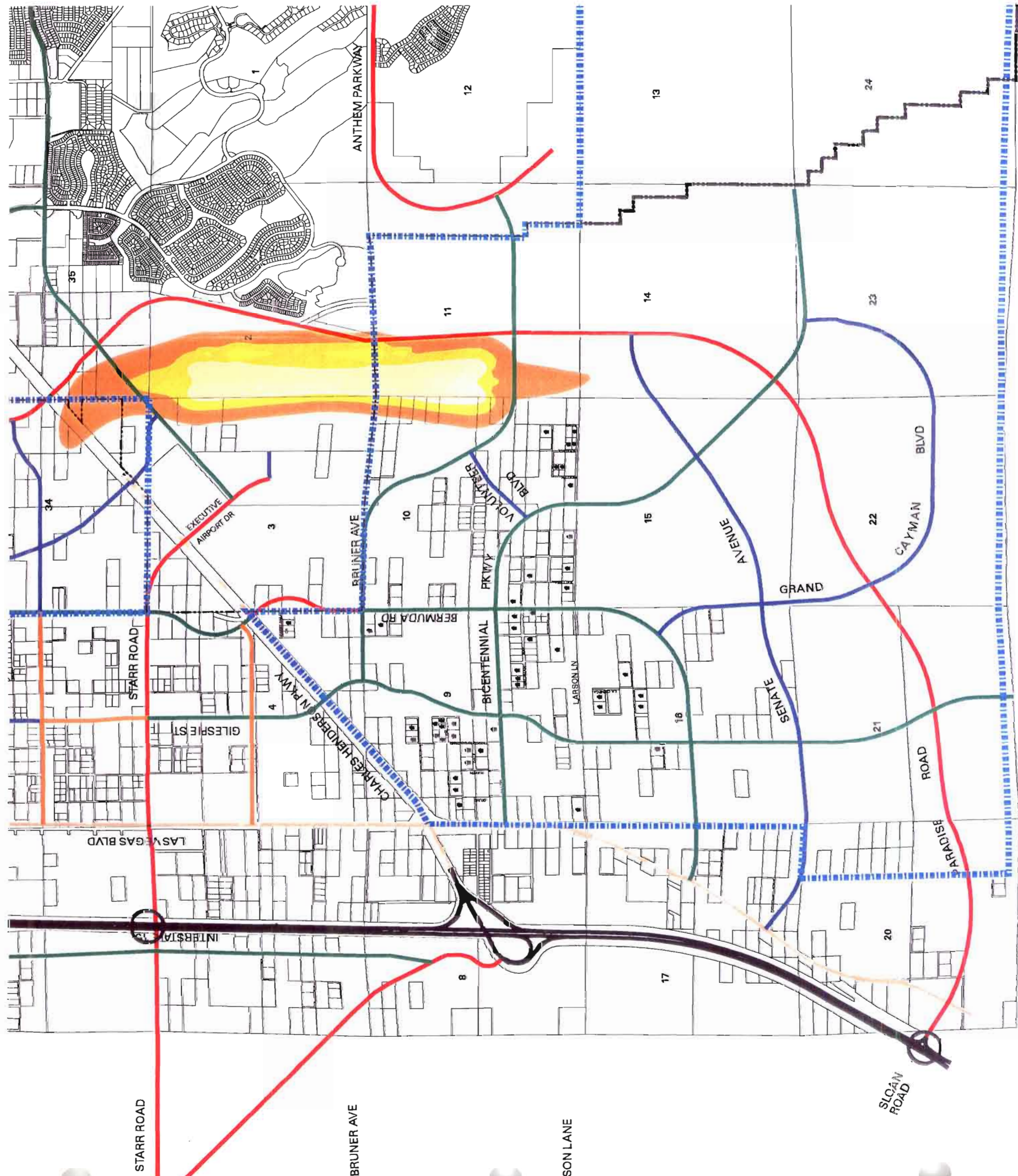
This area consists of approximately 11 square miles. Presently it is being served via feeders from Ford, Tolson and Anthem North Substation. There are three future substations planned for operation within this area. Keehn is the first substation anticipated to be on-line, it is located 3/4 of a mile NE of Las Vegas Blvd. on Lake Mead Dr. and will serve approximately 3 square miles of the area. Keehn is presently projected for an in-service date of June of 2002 or as load requirements in the area dictate. Anthem South, the second of the planned new substations is scheduled to be in-service for June 2002 and will serve approximately 3 square miles of the area. However unlike Keehn, the construction of the Anthem South Substation is being driven by the Del Webb Anthem project and may not be required until 2003. The third as yet un-named substation will be located in the South portion and will serve 3.5 square miles of this area. The in-service date for the third substation is scheduled for June 2005 but is dependent on load growth and development in the area. Development can occur in these areas prior to the above in-service dates, however, extensions of facilities from the Tolson substation will be required at higher costs to the developer.

Should you need any further information or have any questions, please call me at 227-2420.

Sincerely,

Mindy Unger-Wadkins
Land Use Consultant

EXHIBIT ee



1"=1200'

	130' Major Arterial		Day-Night Ave. Sound Level 65
	120' Major Arterial		Day-Night Ave. Sound Level 70
	100' Major Arterial		Day-Night Ave. Sound Level 75
	80' Minor Urban Arterial		Day-Night Ave. Sound Level 80
	80' Minor RNP Arterial		Freeway
	Freeway		Henderson - Corp. Bndry.
	Henderson - Corp. Bndry.		Limits of Joint Planning Area Per January, 1999 Interlocal Agreement
	Limits of Joint Planning Area Per January, 1999 Interlocal Agreement		Proposed Freeway Interchange

City of Henderson, Nevada
AIRPORT ENVIRONS
(January 2000)



FOR DISPLAY PURPOSES ONLY
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 The City of Henderson Assumes No Responsibility for Map Accuracy

ff

1. Senate Bill No. 391—Senators Porter and James

CHAPTER.....

AN ACT relating to land use planning; providing for the establishment of provisions to preserve the rural character and density of certain areas in larger counties; providing for a governing body to establish an analysis of the cost to construct infrastructure in certain areas; authorizing the governing body to enter into agreements to carry out the plan for the development of infrastructure in certain areas; revising the limitation on local control over the location of housing for persons with disabilities; requiring the health division of the department of human resources to maintain a registry of residential facilities for groups; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 278 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act.

Sec. 2. *"Average residential density" means the number of lots intended for residential dwelling units within the boundaries of a subdivided or developed area, divided by the total number of acres within the boundaries of the subdivision or developed area.*

Secs. 3 and 3.5. (Deleted by amendment.)

Sec. 4. *"Infrastructure" or "public facilities" means water, sanitary*

sewer, storm sewer, street, parks, fire, police and flood protection.

Sec. 5. "Residential dwelling unit" has the meaning ascribed to it in NRS 278.4977.

Sec. 6. "Rural preservation neighborhood" means a subdivided or developed area:

- 1. Which consists of 10 or more residential dwelling units;**
 - 2. Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes;**
 - 3. Which has no more than two residential dwelling units per acre;**
- and**
- 4. Which allows residents to raise or keep animals noncommercially.**

Sec. 6.5. (Deleted by amendment.)

Sec. 7. "Used for residential purposes" means a lot or parcel of land that is 5 acres or less in area and contains a residential dwelling unit of a permanent nature.

Sec. 8. 1. In a county with a population of 400,000 or more, the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved.


2. Unless a rural preservation neighborhood is located within 330 feet of an existing or proposed street or highway that is more than 99 feet wide, the governing body shall, to the extent practicable, adopt any

 zoning regulation or restriction that is necessary to:

(a) *Maintain the rural character of the area developed as a low density residential development;*

(b) *Except as otherwise provided in subsection 4, ensure that the average residential density for that portion of the zoning request that is located within 330 feet of a rural preservation neighborhood does not exceed three residential dwelling units per acre; and*


(c) *Provide adequate buffer areas, adequate screening and an orderly and efficient transition of land uses, excluding raising or keeping animals commercially or noncommercially.*

 3. *The governing body may modify the standards for the development of infrastructure to maintain the rural character of the rural preservation neighborhood.*

4. *The governing body may, for good cause shown, allow a greater density or intensity of use when that use is less than 330 feet from a rural preservation neighborhood.*

Sec. 9. *The provisions of sections 11 and 12 of this act, sections 1 to 12, inclusive, of Assembly Bill No. 493 of this session and sections 3 and 4 of Senate Bill No. 394 of this session apply only to counties whose population is 400,000 or more and cities located within those counties.*

Sec. 10. (Deleted by amendment.)

 Sec. 11. 1. *A governing body may establish, independently or in conjunction with another governing body, an analysis of the cost to*

construct infrastructure in an area which is relatively undeveloped and which is likely to become developed.

2. The analysis of the cost to construct infrastructure in an area that is relatively undeveloped must include, without limitation:

- (a) A precise description of the area, either in the form of a legal description or by reference to roadways, lakes and waterways, railroads or similar landmarks, and township, county or city boundaries;*
- (b) An estimate of the expected total population of the area when the land becomes fully developed;*
- (c) An assessment of the infrastructure that will be necessary to support the area when it becomes fully developed according to the master plan adopted by the governing body pursuant to NRS 278.220; and*
- (d) A plan for the development of the infrastructure which includes, without limitation:
 - (1) Any minimum requirements for the development of infrastructure that have been determined by the regional planning coalition;*
 - (2) A plan to meet the anticipated needs of the area for police and fire protection, parks, roads, regional transportation and flood control facilities when the land becomes fully developed;*
 - (3) An estimate of the date on which each phase of the development will occur;*
 - (4) The manner in which the plan for the development of the**

infrastructure will be implemented; and

(5) An economic analysis of the cost to plan and develop fully the infrastructure for the area.

3. The governing body may, if it finds that the analysis of the projected need for infrastructure is consistent with the master plan, approve the analysis by ordinance.

4. The governing body shall provide the necessary copies of the analysis to the regional planning coalition for review and information.

Sec. 12. 1. A governing body may carry out the plan for infrastructure by negotiating master development agreements, independently or in conjunction with an interlocal agreement for the area.

2. As used in this section, "master development agreement" means a written agreement:

(a) Between a governing body and a person who has a legal or equitable interest in land that is entered into upon the application of the person who wishes to develop that land;

(b) To enable the governing body to distribute equitably the costs to develop infrastructure for an area of land that is largely undeveloped; and

(c) That is based on an analysis of the need for infrastructure that is prepared pursuant to section 11 of this act.

Sec. 12.5. (Deleted by amendment.)

Sec. 13. NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, *and sections 2 to 12, inclusive, of this act*, unless the context otherwise requires, the words and terms defined in NRS 278.0105 to 278.0195, inclusive, *and sections 2 to 7, inclusive, of this act* have the meanings ascribed to them in those sections.

Sec. 13.3. NRS 278.021 is hereby amended to read as follows:

1. 278.021 1. ~~{The purpose of this section is to remove obstacles~~
- ~~† imposed by zoning ordinances, declarations of restrictions, deed~~
- ~~† restrictions, restrictive covenants and equitable servitudes which prevent~~
- ~~† persons who are mentally retarded from living in normal residences.~~
- ~~† 2.} In any ordinance adopted by a city or county, the definition of~~
1. "single-family residence" must include a ~~{home in which six or fewer~~
- ~~† unrelated persons who are mentally retarded reside with one or two~~
- ~~† additional persons to act as house parents or guardians who need not be~~
- ~~† related to each other or any of the mentally retarded persons who reside in~~
- ~~† the house.~~
- ~~† 3. This section does} :~~

(a) Residential facility for groups in which 10 or fewer unrelated persons with disabilities reside with:

- (1) House parents or guardians who need not be related to any of the persons with disabilities; and*
- (2) If applicable, additional persons who are related to the house*

parents or guardians within the third degree of consanguinity or affinity.

1. (b) Home for individual residential care.

1. 2. The provisions of subsection 1 do not prohibit a definition of

1. "single-family residence" which permits more persons to reside in the

1. house, nor does it prohibit regulation of homes which are operated on a

1. commercial basis.

1. ~~[4. For the purposes of subsection 1, a residence for mentally retarded~~

~~persons is not a commercial activity.] For the purposes of this subsection,~~

1. a residential facility for groups or a home for individual residential care

1. shall not be deemed to be a home that is operated on a commercial basis

1. for any purposes relating to building codes or zoning.

1. 3. The health division of the department of human resources shall

1. compile and maintain a registry of information relating to each

1. residential facility for groups that exists in this state and shall make

1. available for access on the Internet or its successor, if any, the

1. information contained in the registry. The registry must include with

1. respect to each residential facility for groups:

1. (a) The name of the owner of the facility;

1. (b) The name of the administrator of the facility;

1. (c) The address of the facility; and

1. (d) The number of clients for which the facility is licensed.

1. Any department or agency of a county or city that becomes aware of the

1. existence of a residential facility for groups that is not included in the

1. *which would result in a loss of money from the Federal Government for*
 1. *programs relating to housing.*

1. *7. As used in this section:*

1. *(a) "Home for individual residential care" has the meaning ascribed*

1. *to it in NRS 449.0105.*

1. *(b) "Person with a disability" means a person:*

1. *(1) With a physical or mental impairment that substantially limits*

1. *one or more of the major life activities of the person;*

1. *(2) With a record of such an impairment; or*

1. *(3) Who is regarded as having such an impairment.*

(c) "Residential facility for groups" has the meaning ascribed to it in

NRS 449.017.

Sec. 13.7. (Deleted by amendment.)

Sec. 14. NRS 278.160 is hereby amended to read as follows:

1. 278.160 1. The master plan, with the accompanying charts, drawings,

1. diagrams, schedules and reports, may include such of the following subject

1. matter or portions thereof as are appropriate to the city, county or region,

1. and as may be made the basis for the physical development thereof:

1. (a) Community design. Standards and principles governing the

1. subdivision of land and suggestive patterns for community design and

1. development.

1. (b) Conservation plan. For the conservation, development and utilization

1. of natural resources, including water and its hydraulic force, underground

1. water, water supply, forests, soils, rivers and other waters, harbors,
1. fisheries, wildlife, minerals and other natural resources. The plan must also
1. cover the reclamation of land and waters, flood control, prevention and
1. control of the pollution of streams and other waters, regulation of the use of
1. land in stream channels and other areas required for the accomplishment of
1. the conservation plan, prevention, control and correction of the erosion of
1. soils through proper clearing, grading and landscaping, beaches and shores,
1. and protection of watersheds. The plan must also indicate the maximum
1. tolerable level of air pollution.
1. (c) Economic plan. Showing recommended schedules for the allocation
1. and expenditure of public money in order to provide for the economical
1. and timely execution of the various components of the plan.
1. (d) Historical properties preservation plan. An inventory of significant
1. historical, archaeological and architectural properties as defined by a city,
1. county or region, and a statement of methods to encourage the preservation
1. of those properties.
1. (e) Housing plan. The housing plan must include, but is not limited to:
1. (1) An inventory of housing conditions, needs and plans and
1. procedures for improving housing standards and for providing adequate
1. housing.
1. (2) An inventory of affordable housing in the community.
1. (3) An analysis of the demographic characteristics of the community
1. .

2. (4) A determination of the present and prospective need for

1. affordable housing in the community.

1. (5) An analysis of any impediments to the development of affordable

1. housing and the development of policies to mitigate those impediments.

1. (6) An analysis of the characteristics of the land that is the most

1. appropriate for the construction of affordable housing.

1. (7) An analysis of the needs and appropriate methods for the

1. construction of affordable housing or the conversion or rehabilitation of

1. existing housing to affordable housing.

1. (8) A plan for maintaining and developing affordable housing to meet

1. the housing needs of the community.

1. (f) Land use plan. An inventory and classification of types of natural

1. land and of existing land cover and uses, and comprehensive plans for the

1. most desirable utilization of land. The land use plan may include a

1. provision concerning the acquisition and use of land that is under federal

1. management within the city, county or region, including, without limitation,

1. a plan or statement of policy prepared pursuant to NRS 321.7355.

1. (g) Population plan. An estimate of the total population which the

1. natural resources of the city, county or region will support on a continuing

1. basis without unreasonable impairment.

1. (h) Public buildings. Showing locations and arrangement of civic centers

1. and all other public buildings, including the architecture thereof and the

1. landscape treatment of the grounds thereof.

1. (i) Public services and facilities. Showing general plans for sewage,
 1. drainage and utilities, and rights of way, easements and facilities therefor,
 1. including any utility projects required to be reported pursuant to NRS
 1. 278.145.

1. (j) Recreation plan. Showing a comprehensive system of recreation
 1. areas, including natural reservations, parks, parkways, reserved riverbank
 1. strips, beaches, playgrounds and other recreation areas, including, when
 1. practicable, the locations and proposed development thereof.

1. (k) *Rural neighborhoods preservation plan. In any county whose*
 1. *population is 400,000 or more, showing general plans to preserve the*
 1. *character and density of rural neighborhoods.*

1. (l) Safety plan. In any county whose population is 400,000 or more,
 1. identifying potential types of natural and man-made hazards, including
 1. hazards from floods, landslides or fires, or resulting from the manufacture,
 1. storage, transfer or use of bulk quantities of hazardous materials. The plan
 1. may set forth policies for avoiding or minimizing the risks from those
 1. hazards.

~~(+)~~ (m) School facilities plan. Showing the general locations of current and future school facilities based upon information furnished by the appropriate local school district.

1. ~~(m)~~ (n) Seismic safety plan. Consisting of an identification and
 1. appraisal of seismic hazards such as susceptibility to surface ruptures from
 1. faulting, to ground shaking or to ground failures.

2. ~~(n)~~ (o) Solid waste disposal plan. Showing general plans for the

1. disposal of solid waste.

1. ~~(o)~~ (p) Streets and highways plan. Showing the general locations and

1. widths of a comprehensive system of major traffic thoroughfares and other

1. traffic ways and of streets and the recommended treatment thereof, building

1. line setbacks, and a system of naming or numbering streets and numbering

1. houses, with recommendations concerning proposed changes.

1. ~~(p)~~ (q) Transit plan. Showing a proposed system of transit lines,

1. including rapid transit, streetcar, motorcoach and trolley coach lines and

1. related facilities.

1. ~~(q)~~ (r) Transportation plan. Showing a comprehensive transportation

1. system, including locations of rights of way, terminals, viaducts and grade

1. separations. The plan may also include port, harbor, aviation and related

1. facilities.

1. 2. The commission may prepare and adopt, as part of the master plan,

1. other and additional plans and reports dealing with such other subjects as

1. may in its judgment relate to the physical development of the city, county

1. or region, and nothing contained in NRS 278.010 to 278.630, inclusive,

1. prohibits the preparation and adoption of any such subject as a part of the

1. master plan.

Secs. 14.3 and 14.7. (Deleted by amendment.)

Sec. 15. NRS 278.250 is hereby amended to read as follows:

1. 278.250 1. For the purposes of NRS 278.010 to 278.630, inclusive,

1. the governing body may divide the city, county or region into zoning
1. districts of such number, shape and area as are best suited to carry out the
1. purposes of NRS 278.010 to 278.630, inclusive. Within the zoning district
1. it may regulate and restrict the erection, construction, reconstruction,
1. alteration, repair or use of buildings, structures or land.
1. 2. The zoning regulations must be adopted in accordance with the
1. master plan for land use and be designed:
1. (a) To preserve the quality of air and water resources.
1. (b) To promote the conservation of open space and the protection of
1. other natural and scenic resources from unreasonable impairment.
1. (c) To provide for recreational needs.
1. (d) To protect life and property in areas subject to floods, landslides and
1. other natural disasters.
1. (e) To conform to the adopted population plan, if required by NRS
1. 278.170.
1. (f) To develop a timely, orderly and efficient arrangement of
1. transportation and public facilities and services, including facilities and
1. services for bicycles.
1. (g) To ensure that the development on land is commensurate with the
1. character and the physical limitations of the land.
1. (h) To take into account the immediate and long-range financial impact
1. of the application of particular land to particular kinds of development, and
1. the relative suitability of the land for development.

2. (i) To promote health and the general welfare.

1. (j) To ensure the development of an adequate supply of housing for the
1. community, including the development of affordable housing.

1. (k) To ensure the protection of existing neighborhoods and

1. communities, including the protection of rural preservation

1. neighborhoods.

1. 3. The zoning regulations must be adopted with reasonable

1. consideration, among other things, to the character of the area and its
1. peculiar suitability for particular uses, and with a view to conserving the
1. value of buildings and encouraging the most appropriate use of land
1. throughout the city, county or region.

1. 4. In exercising the powers granted in this section, the governing body
1. may use any controls relating to land use or principles of zoning that the
1. governing body determines to be appropriate, including, without limitation,
1. density bonuses, inclusionary zoning and minimum density zoning.

1. 5. As used in this section:

1. (a) "Density bonus" means an incentive granted by a governing body to
1. a developer of real property that authorizes the developer to build at a
1. greater density than would otherwise be allowed under the master plan, in
1. exchange for an agreement by the developer to perform certain functions
1. that the governing body determines to be socially desirable, including,
1. without limitation, developing an area to include a certain proportion of
1. affordable housing.

1. (b) "Inclusionary zoning" means a type of zoning pursuant to which a
 1. governing body requires or provides incentives to a developer who builds
 1. residential dwellings to build a certain percentage of those dwellings as
 1. affordable housing.

1. (c) "Minimum density zoning" means a type of zoning pursuant to
 1. which development must be carried out at or above a certain density to
 1. maintain conformance with the master plan.

1. **Secs. 16-22.** (Deleted by amendment.)

Sec. 23. Section 1 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Section 1. Chapter 278 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 12, inclusive, of this act.

Sec. 24. Section 5 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

1. **Sec. 5. 1.** The regional planning coalition shall develop a
 1. comprehensive regional policy plan for the balanced economic,
 1. social, physical, environmental and fiscal development and orderly
 1. management of the growth of the region for a period of at least 20
 1. years. The comprehensive regional policy plan must contain
 1. recommendations of policy to carry out each part of the plan.
- 1.
2. 2. In developing the plan, the coalition:

1. (a) May consult with other entities that are interested or involved

1. in regional planning within the county.

1. (b) Shall ensure that the comprehensive regional policy plan

1. includes goals, policies, maps and other documents relating to:

1. (1) Conservation, including, without limitation, policies

1. relating to the use and protection of natural resources.

1. (2) Population, including, without limitation, ~~fa projection of~~

1. ***standardized projections for*** population growth in the region.

1. (3) Land use and development, including, without limitation, a

1. map of land use plans that have been adopted by local governmental

1. entities within the region.

1. (4) Transportation.

1. (5) ~~Public~~ ***The efficient provision of public*** facilities and

1. services ~~[-]~~, ***including, without limitation, roads, water and sewer***

1. ***service and police and fire protection, mass transit, libraries and***

1. ***parks.***

1. (6) Air quality.

1. (7) Strategies to promote and encourage:

(I) The interspersion of new housing and businesses in established neighborhoods; and

(II) Development in areas in which public services are available.

1. 3. The regional planning coalition shall not adopt or amend the

- 1. mass transit and facilities for the conveyance of water and the
- 1. treatment of wastewater.

1. **Sec. 26.** Section 7 of Assembly Bill No. 493 of this session is hereby

1. amended to read as follows:

1. **Sec. 7.** 1. The regional planning coalition may:

1. (a) Coordinate sources of information;

1. (b) Recommend measures to increase the efficiency of

1. governmental entities and services;

1. (c) Make recommendations regarding the disposal of federal

1. land;

1. (d) Establish methods for resolving issues related to *annexation*,

1. boundaries and other matters that arise between jurisdictions;

1. (e) ~~[Review.]~~ *At least every 2 years, review:*

1. (1) Master plans, facilities plans and other similar plans, and

1. amendments thereto, adopted by a governing body, regional agency,

1. state agency or public utility that is located in whole or in part

1. within the region; and

1. (2) The annual plan for capital improvements that is prepared

1. by each local government in the region pursuant to NRS 278.0226;

1. (f) Develop and recommend, to the extent practicable,

1. standardized classifications for land use for the region;

1. (g) Consider and take necessary action with respect to any issue

1. that the regional planning coalition determines will have a

1. significant impact on the region, including, without limitation,
 1. projects of regional significance;
 1. (h) Review, consider and make recommendations regarding
 1. applications submitted to agencies of the Federal Government and
 1. applications for federal assistance for federally-assisted programs or
 1. projects; and
 1. (i) Designate allowable future land uses for each part of the
 1. county, including, without limitation, the identification of each
 1. category of land use in which the construction and operation of a
 1. public school is permissible. The identification of a category of land
 1. use in which the construction and operation of a public school is
 1. permissible must be carried out in consultation with the county
 1. school district and include a determination of whether there is
 1. sufficient land in the proximity of a residential development to meet
 1. projected needs for public schools.
 1. 2. The regional planning coalition shall establish a definition
 1. for the term "project of regional significance." In establishing the
 1. definition, the regional planning coalition shall consider:
 1. (a) Existing definitions of the term within the Nevada Revised
 1. Statutes; and

(b) That a project may have regional significance for several reasons, including, without limitation, the potential impact that the project may have on historic, archaeological, cultural, scenic and

natural resources, public facilities and public services within the region.

Sec. 27. Section 8 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

1. **Sec. 8.** Each governing body, regional agency, state agency or
 1. public utility that is located in whole or in part within the region
 1. shall, ~~not more than once~~ *at least* every 2 years, submit to the
 1. regional planning coalition for its review all master plans, facilities
 1. plans and other similar plans of the governing body, regional
 1. agency, state agency or public utility.

Sec. 28. Section 11 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

1. **Sec. 11.** *The regional planning coalition may employ persons*
 1. *or contract for services necessary to carry out:*
 1. *1. The provisions of sections 5 to 12, inclusive, of this act;*
 1. *and*
 2. *Other responsibilities set forth in the cooperative agreement pursuant to which the regional planning coalition was established pursuant to section 3 of Senate Bill No. 394 of this session as amended by section 33 of this act.*

Sec. 29. Section 12 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

1. **Sec. 12.** 1. ~~Not more than once~~ *At least* every 2 years, the

1. regional planning coalition shall review the master plans, facilities
1. plans and other similar plans that it receives pursuant to section 8 of
1. this act, and determine whether those plans are in substantial
1. conformance with the comprehensive regional policy plan.
1. 2. If the regional planning coalition determines that a plan
1. reviewed pursuant to subsection 1 is not in substantial conformance
1. with the comprehensive regional policy plan, the regional planning
1. coalition shall return the plan to the submitting entity accompanied
1. by recommendations regarding the manner in which the submitting
1. entity may bring the plan into substantial conformance with the
1. comprehensive regional policy plan.
1. 3. Within 90 days after the date on which a submitting entity
1. receives the plan and recommendations from the regional planning
1. coalition pursuant to subsection 2, the submitting entity shall
1. provide to the regional planning coalition a written response setting
1. forth the:
 1. (a) Manner in which the submitting entity changed the plan to be
 1. in substantial conformance with the comprehensive regional policy
 1. plan; or
 1. (b) Reasons of the submitting entity for not bringing the plan
 1. into substantial conformance.
2. 4. If the regional planning coalition determines that all the
1. plans that a city or county is required to submit pursuant to section

- 1. 8 of this act are in substantial conformance with the comprehensive
 - 1. regional policy plan, the regional planning coalition shall issue to
 - 1. the city or county a certificate or other indicia of that determination.
 - 1. Upon receipt of such a certificate or other indicia, the city or
 - 1. county, until the next time the regional planning coalition reviews
 - 1. the plans of the city or county pursuant to subsection 1, is entitled to
 - 1. establish its own policies and procedures with respect to regional
 - 1. planning, to the extent that those policies and procedures do not
 - 1. conflict with federal or state law.

Sec. 30. Assembly Bill No. 493 of this session is hereby amended by adding thereto a new section designated section 12.5, following sec. 12, to read as follows:

- 1. **Sec. 12.5.** NRS 278.010 is hereby amended to read as follows:
 - 1. 278.010 As used in NRS 278.010 to 278.630, inclusive, *and*
 - 1. *sections 3 to 12, inclusive, of this act* unless the context otherwise
 - 1. requires, the words and terms defined in NRS 278.0105 to
 - 1. 278.0195, inclusive, have the meanings ascribed to them in those
 - 1. sections.

Sec. 31. Section 13 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 13. Each governing body, regional agency, state agency or public utility that is located in whole or in part within the region shall, on or before May 1, 2000, submit to the regional planning

coalition for its review all existing master plans, facilities plans and other similar plans of the governing body, regional agency, state agency or public utility. As used in this section, "regional planning coalition" has the meaning ascribed to it in section 2 of Senate Bill No. 394 of this session.

Sec. 32. Section 14 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

1. **Sec. 14.** The regional planning coalition:
 1. 1. Shall:
 1. (a) On or before March 1, 2001:
 1. (1) Adopt a comprehensive regional policy plan in accordance
 1. with section 5 of this act. Before approving the plan, the regional
 1. planning coalition shall hold public hearings on the proposed plan
 1. in the cities and unincorporated areas within the county.
 1. (2) In cooperation with local governmental entities within the
 1. county, develop guidelines to determine whether master plans,
 1. facilities plans and other similar plans established by those entities
 1. would conform with the comprehensive regional policy plan.
 1. (b) On or before July 1, 2001, establish a preliminary definition
 1. for the term "project of regional significance." In establishing the
 1. definition, the regional planning commission shall consider the
 2. factors set forth in paragraphs (a) and (b) of subsection 2 of section
 1. 7 of this act.

1. (c) On or before July 1, 2002, review the master plans, facilities
 1. plans and other similar plans that it receives pursuant to section 8 of
 1. this act, and determine whether those plans are in conformance with
 1. the comprehensive regional policy plan.
1. 2. May, on or before February 1, 2001, submit three requests
 1. for proposed legislation to the legislature if the regional planning
 1. coalition determines that the proposed legislation is necessary to:
 1. (a) Ensure the adequacy and consistency of activities within the
 1. region that are related to regional planning; or

(b) Enable local governmental entities within the region to carry out their authority to govern in a more efficient manner.

3. As used in this section, "regional planning coalition" has the meaning ascribed to it in section 2 of Senate Bill No. 394 of this session.

Sec. 33. Section 3 of Senate Bill No. 394 of this session is hereby amended to read as follows:

1. **Sec. 3.** In a county whose population is 400,000 or more, the
 1. board of county commissioners and the city council of each of at
 1. least the three largest cities in the county shall establish a regional
 1. planning coalition by cooperative agreement pursuant to chapter
 1. 277 of NRS. ~~[The regional planning coalition may:~~
 - ~~1. Develop policies for the region, including, without~~
 - ~~1. limitation, the promotion of orderly development, coordinated land~~

- ~~† use planning and the efficient provision of services to urban areas;~~
- ~~† including, without limitation, roads, water and sewer service and~~
- ~~† police and fire protection, mass transit, libraries and parks;~~
- ~~† 2. Coordinate sources of information;~~
- ~~† 3. Establish standardized projections for population;~~
- ~~† 4. Recommend measures to increase the efficiency of~~
- ~~† governmental entities and services;~~
- ~~† 5. Make recommendations regarding the disposal of federal~~
- ~~† land;~~
- ~~† 6. Establish methods for resolving disputes regarding~~
- ~~† annexation and other matters that arise between jurisdictions; and~~
- ~~† 7. Not more than once every 2 years, review:~~
- ~~† (a) Master plans adopted by the governing body of the county~~
- ~~† and each city; and~~
- ~~(b) The annual plan for capital improvements prepared by the~~
- ~~governing body of each local government in the county pursuant to~~
- ~~NRS 278.0226.]~~

Sec. 34. Section 4 of Senate Bill No. 394 of this session is hereby amended to read as follows:

1. **Sec. 4. 1.** ~~[In a county whose population is 400,000 or more,~~
- ~~† the] *The* regional planning coalition shall cooperate with the local~~
2. air pollution control board and the regional transportation
1. commission in the county in which it is located to:

1. (a) Ensure that the plans, policies and programs adopted by each
 1. of them are consistent to the greatest extent practicable.

1. (b) ~~Establish~~ *In addition to the comprehensive regional policy*

1. plan required by section 5 of Assembly Bill No. 493 of this session

1. as amended by section 24 of Senate Bill No. 391 of this session,

1. establish and carry out a program of integrated, long-range

1. planning that conserves the economic, financial and natural

1. resources of the region and supports a common vision of desired

1. future conditions.

1. 2. Before adopting or amending a plan, policy or program, the

1. regional planning coalition shall:

1. (a) Consult with the local air pollution control board and the

1. regional transportation commission; and

1. (b) Conduct hearings to solicit public comment on the

1. consistency of the plan, policy or program with:

1. (1) The plans, policies and programs adopted or proposed to

1. be adopted by the local air pollution control board and the regional

1. transportation commission; and

1. (2) Plans for capital improvements that have been prepared

1. pursuant to NRS 278.0226.

1. 3. If the program for control of air pollution established and

1. administered by the local air pollution control board includes

1. measures for the control of traffic or transportation, the regional

1. planning coalition shall consider recommending the use of
 1. alternative land use designations, densities and design standards to
 1. meet local and regional needs with respect to transportation.
 1. 4. Not more than once every 2 years, the regional planning
 1. coalition shall:
 1. (a) Prepare a report that summarizes the policies related to land
 1. use, transportation and air quality which it has adopted and which
 1. the local air pollution control board and the regional transportation
 1. commission have adopted; and
 1. (b) Submit a copy of the report to the:
 1. (1) County clerk of the appropriate county;
 1. (2) Division of environmental protection of the state
 1. department of conservation and natural resources;
 1. (3) Division of state lands of the state department of
 1. conservation and natural resources; and
 1. (4) Department of transportation.
 1. 5. As used in this section:
 1. (a) "Local air pollution control board" means a board that
 1. establishes a program for the control of air pollution pursuant to
 1. NRS 445B.500.
 2. (b) "Regional transportation commission" means a regional
 1. transportation commission created and organized in accordance
 1. with chapter 373 of NRS.

Sec. 35. Sections 2 and 4 of Assembly Bill No. 493 of this session are hereby repealed.

Sec. 36. 1. This section and sections 1 to 13, inclusive, and 14 of this act become effective on October 1, 1999.

2. Sections 15 and 33 of this act become effective at 12:01 a.m. on October 1, 1999.

3. Sections 23, 28 and 35 of this act become effective on December 31, 1999.

4. Section 30 of this act becomes effective on January 1, 2000.

5. Sections 24 to 27, inclusive, 29, 31 and 32 of this act become effective at 12:01 a.m. on January 1, 2000.

6. Section 13.3 of this act becomes effective on July 1, 2000.

1. 7. Section 34 of this act becomes effective at 12:01 a.m. on July 1,

1. 2001.

1. 8. The provisions of section 8 of this act expire by limitation on June 1,

1. 2004.

1.

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One Hundred Fifth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the twenty-seventh day of January, one thousand nine hundred and ninety-eight*

An Act

To provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Southern Nevada Public Land Management Act of 1998".

SEC. 2. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—The Congress finds the following:

(1) The Bureau of Land Management has extensive land ownership in small and large parcels interspersed with or adjacent to private land in the Las Vegas Valley, Nevada, making many of these parcels difficult to manage and more appropriate for disposal.

(2) In order to promote responsible and orderly development in the Las Vegas Valley, certain of those Federal lands should be sold by the Federal Government based on recommendations made by local government and the public.

(3) The Las Vegas metropolitan area is the fastest growing urban area in the United States, which is causing significant impacts upon the Lake Mead National Recreation Area, the Red Rock Canyon National Conservation Area, and the Spring Mountains National Recreation Area, which surround the Las Vegas Valley.

(b) **PURPOSE.**—The purpose of this Act is to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "unit of local government" means Clark County, the City of Las Vegas, the City of North Las Vegas, or the City of Henderson; all in the State of Nevada.

(3) The term "Agreement" means the agreement entitled "The Interim Cooperative Management Agreement Between The United States Department of the Interior—Bureau of Land Management and Clark County", dated November 4, 1992.

(4) The term "special account" means the account in the Treasury of the United States established under section 4(e)(1)(C).

(5) The term "Recreation and Public Purposes Act" means the Act entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926 (43 U.S.C. 869 et seq.).

(6) The term "regional governmental entity" means the Southern Nevada Water Authority, the Regional Flood Control District, and the Clark County Sanitation District.

SEC. 4. DISPOSAL AND EXCHANGE.

(a) **DISPOSAL.**—Notwithstanding the land use planning requirements contained in sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712), the Secretary, in accordance with this Act, the Federal Land Policy and Management Act of 1976, and other applicable law, and subject to valid existing rights, is authorized to dispose of lands within the boundary of the area under the jurisdiction of the Director of the Bureau of Land Management in Clark County, Nevada, as generally depicted on the map entitled "Las Vegas Valley, Nevada, Land Disposal Map", dated April 10, 1997. Such map shall be on file and available for public inspection in the offices of the Director and the Las Vegas District of the Bureau of Land Management.

(b) **RESERVATION FOR LOCAL PUBLIC PURPOSES.**—

(1) **RECREATION AND PUBLIC PURPOSE ACT CONVEYANCES.**—Not less than 30 days before the offering of lands for sale or exchange pursuant to subsection (a), the State of Nevada or the unit of local government in whose jurisdiction the lands are located may elect to obtain any such lands for local public purposes pursuant to the provisions of the Recreation and Public Purposes Act. Pursuant to any such election, the Secretary shall retain the elected lands for conveyance to the State of Nevada or such unit of the local government in accordance with the provisions of the Recreation and Public Purposes Act.

(2) **RIGHTS-OF-WAY.**—

(A) **ISSUANCE.**—Upon application, by a unit of local government or regional governmental entity, the Secretary, in accordance with this Act and the Federal Land Policy and Management Act of 1976, and other applicable provisions of law, shall issue right-of-way grants on Federal lands in Clark County, Nevada, for all reservoirs, canals, channels, ditches, pipes, pipelines, tunnels, and other facilities and systems needed for—

(i) the impoundment, storage, treatment, transportation, or distribution of water (other than water from the Virgin River) or wastewater; or

(ii) flood control management.

(B) **DURATION.**—Right-of-way grants issued under this paragraph shall be valid in perpetuity.

(C) **WAIVER OF FEES.**—Right-of-way grants issued under this paragraph shall not require the payment of rental or cost recovery fees.

(3) **YOUTH ACTIVITY FACILITIES.**—Within 30 days after a request by Clark County, Nevada, the Secretary shall offer to Clark County, Nevada, the land depicted on the map entitled "Vicinity Map Parcel 177-28-101-020 dated August 14, 1996, in accordance with the Recreation and Public Purposes Act for the construction of youth activity facilities.

(c) **WITHDRAWAL.**—Subject to valid existing rights, all Federal lands identified in subsection (a) for disposal are withdrawn from location and entry, under the mining laws and from operation under the mineral leasing and geothermal leasing laws until such time as the Secretary terminates the withdrawal or the lands are patented.

(d) **SELECTION.**—

(1) **JOINT SELECTION REQUIRED.**—The Secretary and the unit of local government in whose jurisdiction lands referred to in subsection (a) are located shall jointly select lands to be offered for sale or exchange under this section. The Secretary shall coordinate land disposal activities with the unit of local government in whose jurisdiction such lands are located. Land disposal activities of the Secretary shall be consistent with local land use planning and zoning requirements and recommendations.

(2) **OFFERING.**—After land has been selected in accordance with this subsection, the Secretary shall make the first offering of land as soon as practicable after the date of the enactment of this Act.

(e) **DISPOSITION OF PROCEEDS.**—

(1) **LAND SALES.**—Of the gross proceeds of sales of land under this subsection in a fiscal year—

(A) 5 percent shall be paid directly to the State of Nevada for use in the general education program of the State;

(B) 10 percent shall be paid directly to the Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada; and

(C) the remainder shall be deposited in a special account in the Treasury of the United States for use pursuant to the provisions of paragraph (3).

Amounts in the special account shall be available to the Secretary without further appropriation and shall remain available until expended.

(2) **LAND EXCHANGES.**—

(A) **PAYMENTS.**—In the case of a land exchange under this section, the non-Federal party shall provide direct payments to the State of Nevada and the Southern Nevada Water Authority in accordance with paragraphs (1)(A) and (B). The payments shall be based on the fair market value of the Federal lands to be conveyed in the exchange and shall be considered a cost incurred by the non-Federal party that shall be compensated by the Secretary if so provided by any agreement to initiate exchange.

(B) **PENDING EXCHANGES.**—The provisions of this Act, except this subsection and subsections (a) and (b), shall not apply to any land exchange for which an initial agreement to initiate an exchange was signed by an authorized

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representative of the exchange proponent and an authorized officer of the Bureau of Land Management prior to February 29, 1996.

(3) AVAILABILITY OF SPECIAL ACCOUNT.—

(A) IN GENERAL.—Amounts deposited in the special account may be expended by the Secretary for—

(i) the acquisition of environmentally sensitive land in the State of Nevada in accordance with subsection (h), with priority given to lands located within Clark County;

(ii) capital improvements at the Lake Mead National Recreation Area, the Desert National Wildlife Refuge, the Red Rock Canyon National Conservation Area and other areas administered by the Bureau of Land Management in Clark County, and the Spring Mountains National Recreation Area;

(iii) development of a multispecies habitat conservation plan in Clark County, Nevada;

(iv) development of parks, trails, and natural areas in Clark County, Nevada, pursuant to a cooperative agreement with a unit of local government; and

(v) reimbursement of costs incurred by the local offices of the Bureau of Land Management in arranging sales or exchanges under this Act.

(B) PROCEDURES.—The Secretary shall coordinate the use of the special account with the Secretary of Agriculture, the State of Nevada, local governments, and other interested persons, to ensure accountability and demonstrated results.

(C) LIMITATION.—Not more than 25 percent of the amounts available to the Secretary from the special account in any fiscal year (determined without taking into account amounts deposited under subsection (g)(4)) may be used in any fiscal year for the purposes described in subparagraph (A)(ii).

(f) INVESTMENT OF SPECIAL ACCOUNT.—All funds deposited as principal in the special account shall earn interest in the amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities. Such interest shall be added to the principal of the account and expended according to the provisions of subsection (e)(3).

(g) AIRPORT ENVIRONS OVERLAY DISTRICT LAND TRANSFER.—Upon request of Clark County, Nevada, the Secretary shall transfer to Clark County, Nevada, without consideration, all right, title, and interest of the United States in and to the lands identified in the Agreement, subject to the following:

(1) Valid existing rights.

(2) Clark County agrees to manage such lands in accordance with the Agreement and with section 47504 of title 49, United States Code (relating to airport noise compatibility planning), and regulations promulgated pursuant to that section.

(3) Clark County agrees that if any of such lands are sold, leased, or otherwise conveyed or leased by Clark County, such sale, lease, or other conveyance shall contain a limitation which requires uses compatible with the Agreement and such Airport Noise Compatibility Planning provisions.

(4) Clark County agrees that if any of such lands are sold, leased, or otherwise conveyed by Clark County, such lands shall be sold, leased, or otherwise conveyed for fair market value. Clark County shall contribute 85 percent of the gross proceeds from the sale, lease, or other conveyance of such lands directly to the special account. If any of such lands sold, leased, or otherwise conveyed by Clark County are identified on the map referenced in section 2(a) of the Act entitled "An Act to provide for the orderly disposal of certain Federal lands in Nevada and for the acquisition of certain other lands in the Lake Tahoe Basin, and for other purposes", approved December 23, 1980 (94 Stat. 3381; commonly known as the "Santini-Burton Act"), the proceeds contributed to the special account by Clark County from the sale, lease, or other conveyance of such lands shall be used by the Secretary of Agriculture to acquire environmentally sensitive land in the Lake Tahoe Basin pursuant to section 3 of the Santini-Burton Act. Clark County shall contribute 5 percent of the gross proceeds from the sale, lease, or other conveyance of such lands directly to the State of Nevada for use in the general education program of the State, and the remainder shall be available for use by the Clark County Department of Aviation for the benefit of airport development and the Noise Compatibility Program.

SEC. 5. ACQUISITIONS.

(a) ACQUISITIONS.—

(1) **DEFINITION.**—For purposes of this subsection, the term "environmentally sensitive land" means land or an interest in land, the acquisition of which the United States would, in the judgment of the Secretary or the Secretary of Agriculture—

(A) promote the preservation of natural, scientific, aesthetic, historical, cultural, watershed, wildlife, and other values contributing to public enjoyment and biological diversity;

(B) enhance recreational opportunities and public access;

(C) provide the opportunity to achieve better management of public land through consolidation of Federal ownership; or

(D) otherwise serve the public interest.

(2) **IN GENERAL.**—After the consultation process has been completed in accordance with paragraph (3), the Secretary may acquire with the proceeds of the special account environmentally sensitive land and interests in environmentally sensitive land. Lands may not be acquired under this section without the consent of the owner thereof. Funds made available from the special account may be used with any other funds made available under any other provision of law.

(3) **CONSULTATION.**—Before initiating efforts to acquire land under this subsection, the Secretary or the Secretary of Agriculture shall consult with the State of Nevada and with local government within whose jurisdiction the lands are located, including appropriate planning and regulatory agencies, and with other interested persons, concerning the necessity of making the acquisition, the potential impacts on State and local government, and other appropriate aspects of the acquisition.

Consultation under this paragraph is in addition to any other consultation required by law.

(b) ADMINISTRATION.—On acceptance of title by the United States, land and interests in land acquired under this section that is within the boundaries of a unit of the National Forest System, National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, any other system established by Act of Congress, or any national conservation or national recreation area established by Act of Congress—

(1) shall become part of the unit or area without further action by the Secretary or Secretary of Agriculture; and

(2) shall be managed in accordance with all laws and regulations and land use plans applicable to the unit or area.

(c) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of land or an interest in land to be acquired by the Secretary or the Secretary of Agriculture under this section shall be determined pursuant to section 206 of the Federal Land Policy and Management Act of 1976 and shall be consistent with other applicable requirements and standards. Fair market value shall be determined without regard to the presence of a species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) PAYMENTS IN LIEU OF TAXES.—Section 6901(1) of title 31, United States Code, is amended as follows:

(1) By striking “or” at the end of subparagraph (F).

(2) By striking the period at the end of subparagraph (G) and inserting “; or”.

(3) By adding at the end the following:

“(H) acquired by the Secretary of the Interior or the Secretary of Agriculture under section 5 of the Southern Nevada Public Land Management Act of 1998 that is not otherwise described in subparagraphs (A) through (G).”.

SEC. 6. REPORT.

The Secretary, in cooperation with the Secretary of Agriculture, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives an annual report on all transactions under this Act.

SEC. 7. RECREATION AND PUBLIC PURPOSES ACT.

(a) TRANSFER OF REVERSIONARY INTEREST.—

(1) IN GENERAL.—Upon request by a grantee of lands within Clark County, Nevada, that are subject to a lease or patent issued under the Recreation and Public Purposes Act, the Secretary may transfer the reversionary interest in such lands to other non-Federal lands. The transfer of the reversionary interest shall only be made to lands of equal value, except that with respect to the State of Nevada or a unit of local government an amount equal to the excess (if any) of the fair market value of lands received by the unit of local government over the fair market value of lands transferred by the unit of local government shall be paid to the Secretary and shall be treated under subsection (e)(1) of section 4 as proceeds from the sale of land. For purposes of this subsection, the fair market value of lands to be transferred by the State of

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Nevada or a unit of local government may be based upon a statement of value prepared by a qualified appraiser.

(2) **TERMS AND CONDITIONS APPLICABLE TO LANDS ACQUIRED.**—Land selected under this subsection by a grantee described in paragraph (1) shall be subject to the terms and conditions, uses, and acreage limitations of the lease or patent to which the lands transferred by the grantee were subject, including the reverter provisions, under the Recreation and Public Purposes Act.

(b) **AFFORDABLE HOUSING.**—The Secretary, in consultation with the Secretary of Housing and Urban Development, may make available, in accordance with section 203 of the Federal Land Planning and Management Act of 1976, land in the State of Nevada at less than fair market value and under other such terms and conditions as he may determine for affordable housing purposes. Such lands shall be made available only to State or local governmental entities, including local public housing authorities. For the purposes of this subsection, housing shall be considered to be affordable housing if the housing serves low-income families as defined in section 104 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704).

SEC. 8. BOUNDARY MODIFICATION OF RED ROCK CANYON NATIONAL CONSERVATION AREA.

Section 3(a)(2) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc-1(a)(2)) is amended to read as follows:

“(2) The conservation area shall consist of approximately 195,780 acres as generally depicted on the map entitled ‘Red Rock Canyon National Conservation Area Administrative Boundary Modification’, dated August 8, 1996.”.

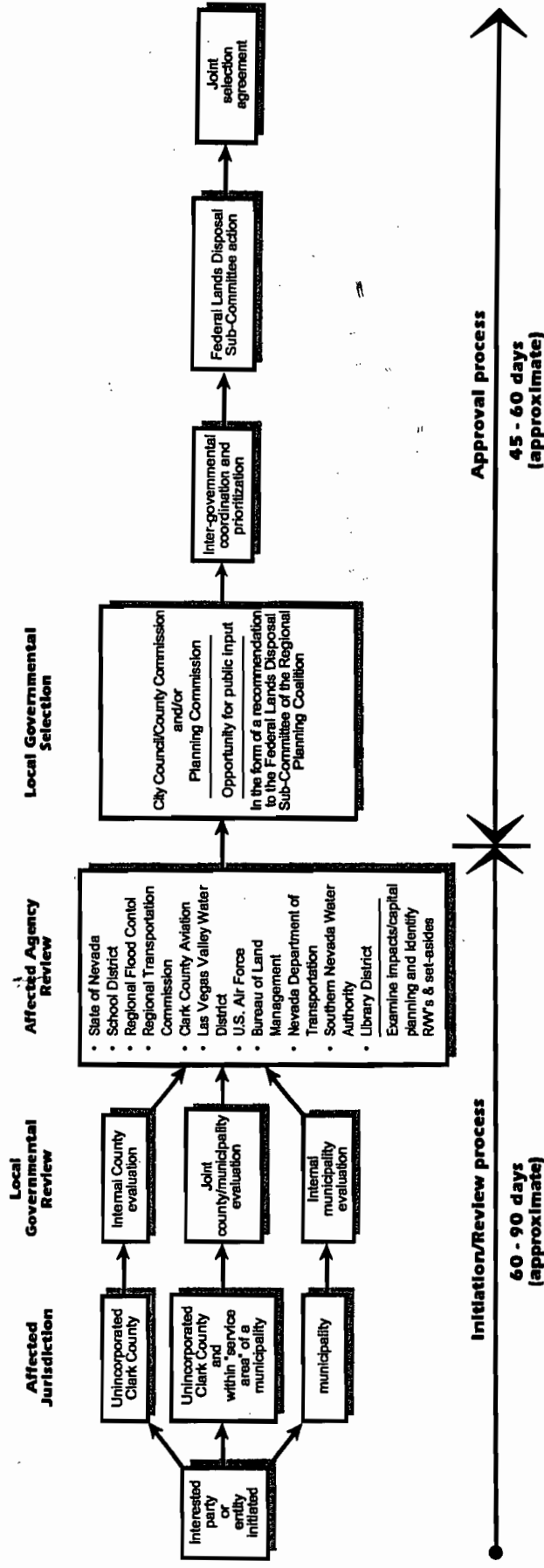
Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*





Joint Selection Process







J.J.

CITY OF HENDERSON
SIGN-IN SHEET

MEETING: Enterprise Town Board / invite DATE: 4/14/99

NAME (please print)	FIRM	ADDRESS	PHONE
Mimi Shannon	Neighborhood Services	500 Grand Central Pkwy LV NV	455-3201
Greg Gorgel	Mendenhall Moreno	300 S. 4th St #1500 LV 89101	731-6444
Vicky Troy	SELF -	528 GOLDHILL HENDERSON NV 89014	269-8471
Eric Dominguez	Nevada Power Company	Las Vegas, NV P.O. BOX 230 LAS VEGAS, NV 89151	367-5347
Doug + Jodelle Richter		7245 POLARIS AVE LAS VEGAS NV 89118	897-5670
JERRY + DIXIE FULLERTON		9009 S. PROXYON LV NV 89139	361-5326
Joe Wangler		235 E Irvin Ave LV NV 89123	914-6191
Walt O'Connor		253 WINDMILL 89123	361-5159
Craig H. Edwards		3140 S. RAINBOW #400 89146	220-6569
BOB GRONAUER	KUMMER KAEMPFER BINNINGER + KENSHAW	3800 HOWARD HUGHES PKWY 7TH FLOOR	792-7000
RICK MAGNESS	VTN NEVADA	1727 SO. RAINBOW LV NV 89146	873-7550
Leika Fernandez	9555 LVBS #101	COLORGRAPHIC S 89123	496-3311
Steve Wickman	HEB O.R.S.	11635 Bermuda Rd 89123	791-7625
Tom Nickerson		3423 Mardon Ave 89139	831-6420
D. THESMAN		4065 E. Russell Rd.	451-9038
Amy Riches	SELF	9165 S. Decatur	361-9738
Brian Gandy	SELF	2475 JO-RAE AVE 89123	896-9077
Inalia Dondero	Dondero Consulting	2931 Pinecrest 89109	735-5203
ARTHUR W BITTER	Arthur W Bitter Tom	10154 17290 RANCHO DESTINO 89124	361-1776
LISA FREESTONE	PBS+J	901 N. GIV PKWY #100 89004	263-7275

SIGN-IN

CITY OF HENDERSON

SIGN-IN SHEET

MEETING: West Henderson/South Enterprise DATE: 5/25/99
Land Use Planning Group

NAME (please print)	FIRM	ADDRESS	PHONE
BERT CIRINCIONE	LIBERTY	9925 PRAIRIE DOVE AVE	768-3388
Paul Rose	Retired	1009 N. 15 th St. Boise ID 83702	
Jay & Joan Vaughn	Retired	12415 So Silesbie ⁸⁹¹²⁹ UN	361-0641
David D. Ffley		1250 Autumn Wind ^{Henderson 89112}	898-7632
Clara & Rose Wanta		140 E. DALE AVE LAS VEGAS	UNLISTED
Ken Cowart	Home owner	360 WELPMAN WAY	270-8597
Cynthia Cartwright	Homeowner	10616 Tregrove Pl. W 89123	897-8501
SRGIA ART RITER	"	11290 RANCHO DESTINO RD ⁻¹²³	361-1000
Cheryl & Dan Royal	Home owner	205 E. Dale	269-7378
Richard Alme	" "	12410 Ailes	269-1973
Clark Gates Sr. Locatelli		2555 Sterling Cir	795-4791
CAROLYN & Claude LARSON		572 FOX LINKS	433-2685
Tonya Carpenter		585 Welpman	648-5801
CAROL Hess		390 E. WELPMAN	361-9722
Jan Dambien	Henderson Airport	1400 Executive Airport Dr.	261-4802
Catherine D'Angeli	Home	2915 LA MESA DR.	450-5870
Mitchell Mize		2062 Majestic Pede Dr.	990-2157
Bake CUMBERS		2421 PING VIL H'SON, 89014	896-9698
Dionicio Gordillo	Clark County Planning	CC Government Center	455-4181
Chris Wright		391 Welpman Way	269-0975
Theresa Paul	Beulah Property	11601 E Flann # 18	733-1571
Petra A Herrera	Out of Area	26675 Parter Blvd #2093	876-8527
RON LIEBER		7904 DUCHARME AVE	363-0542



CITY OF HENDERSON SIGN-IN SHEET

MEETING: Joint Planning Area

DATE: 6/29

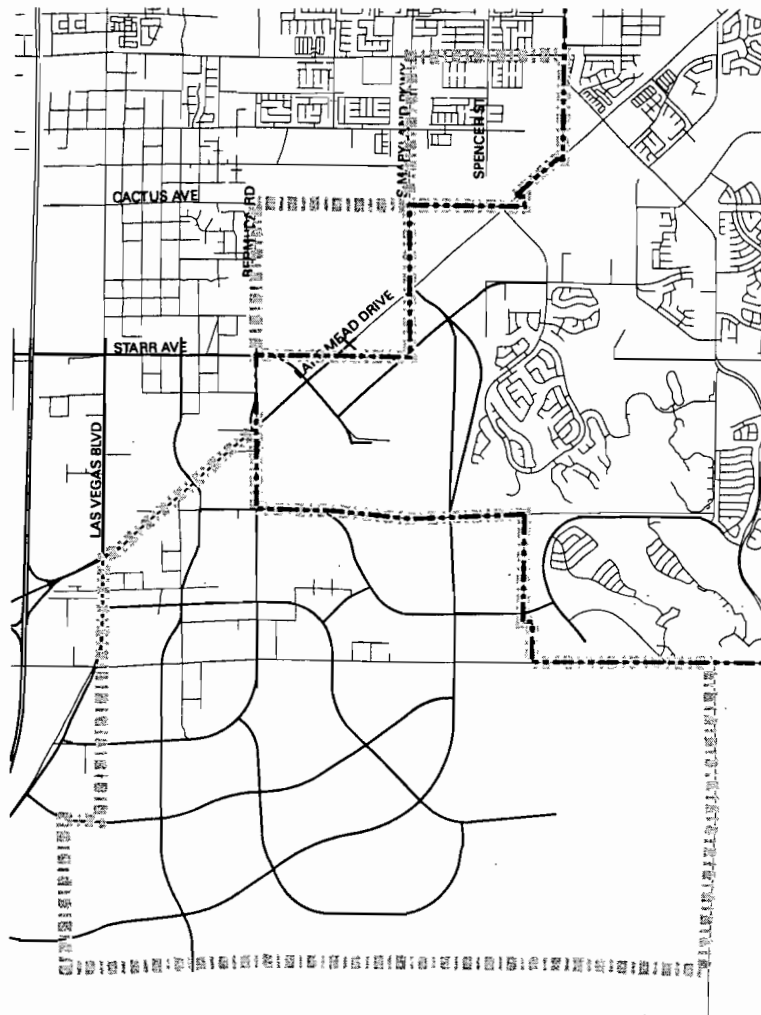
NAME (please print)	FIRM	ADDRESS	PHONE
Marilyn Mc Larson		13000 Las Vegas Blvd So	361-0013
Frank Hark			
Douglas Crook	Triad Development	3960 Howard Hughes Pkwy #758 LV NV 89109	(702) 35-6600
Bett & Sam Miller		1716 COOKSON CR	
Don Pelissier	C.O.H. - Utilities		X-2391
Tonya & James Carpenter		585 Weisman	641-5809
MITCHELL MIZE		2062 MAJESTIC PEAK	990-2157
RON LIERE R		7904 DUCHARME AV	363054
Ann & Georgia Rutter		12290 RINCO DESINO R. 10	361-776
Carolyn Claude Larson		572 Fox Lake St	
DIONICIO GORDILLO	Clark County Planning	Clark County Center	455-4181
JOHN HIATT		8180 PLACID ST #89123	361-1171
TERRY PHEMISTER	MDR		2564895
Jan Davidson	Henderson Executive	1400 Executive App Drive Suite B	261-4802
MARK DUNFORD		2700 E-SUNSET	736-6434
A J FERRIS	owner Res.	1400 PO Box 94791	381-0106
BOB GAYLOR	" "	PO Box 27503	LV
R. LINWOOD	" "	PO Box 94791	LV
JOE KENNEDY	TIBETI - BLOOD	2575 S. CIMARRON #104	386-6161
DAN TUNZAWA	TIBETI - blood		386-6161
Don Cowart	Home owner	360 WELF MANNWAY	
DAUG KATHY HETZEL		2915 La Mesa Dr.	
Jodi Zeener		80 E. Brunner Ave	896-3500
MARY GAYLOR	Owner Res.	PO Box 27503	LV

South Enterprise/ West Henderson

Land Use Plan

Development Standards

March 7, 2000



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CHAPTER 1 INTRODUCTORY PROVISIONS

1.1 Document

This Document shall be known and officially cited as the "Development Standards of the South Enterprise/West Henderson Land Use Policy Plan". It is referred to in this document as the "Development Standards". The "South Enterprise/West Henderson Land Use Policy Plan" is referred to in this document as the "Plan".

1.2 Authority

These Development Standards are enacted pursuant to the powers granted and limitation imposed by laws of the state of Nevada, including the statutory authority granted in Nevada Revised Statutes (NRS) Chapter 278 and Clark County Chapter 26.

1.3 Applicability

The provisions of these Development Standards shall apply to all land within the Plan area, including land owned by local, county, state, or federal agencies.

1.4 Purpose and Intent

A. General

These Development Standards are intended to protect the public health, safety, and general welfare and to implement the policies of the Plan.

B. Specific

The regulations are specifically intended to:

1. Preserve the character and quality of residential neighborhoods;
2. Foster convenient, compatible and efficient relationships among land uses;
3. Promote the economic stability of existing land uses that are consistent with the Plan and protect them from intrusions by incompatible land uses;
4. Prevent excessive population densities and overcrowding of land or buildings;
5. Ensure the provision of adequate open space for light, air, and fire safety;
6. Conserve open space and protect natural and scenic resources;

7. Require the provision of adequate off-street parking and loading facilities, and promote a safe, effective traffic circulation system;
8. Regulate and control the type, placement, and physical dimensions of signs, and encourage innovative sign design;
9. Regulate and control the division of land;
10. Ensure that service demands of new development will not exceed the capacities of existing streets, utilities, or other public facilities and services;
11. Encourage timely, orderly, and efficient arrangement of public facilities and services;
12. Provide for recreational needs;
13. Implement and ensure consistency with existing fair housing plans; and
14. Protect life and property in areas subject to floods, landslides, and other natural disasters.

1.5 Commentary

Whenever a provision of these Development Standards requires additional explanation to clarify its intent, a "Commentary" is included. These commentaries are intended solely as a guide for administrative officials and the public to use in interpreting the Development Standards.

1.6 Compliance Required

No land shall be used or divided, and no structure shall be constructed, occupied, enlarged, altered, or moved until:

- A. All applicable development review and approval processes have been followed;
- B. All applicable approvals have been obtained; and
- C. All required permits or authorizations to proceed have been issued.

1.7 Word Usage and Construction of Language

A. Meanings and Intent

All provisions, terms, phrases and expressions contained in these Development Standards shall be construed according to the Purpose and Intent set out in 1.4. See also "Written Interpretations", 2.

B. Headings, Illustrations and Text

In case of any difference of meaning or implication between the text of these Development Standards and any heading, drawing, table, figure, commentary block or illustration, the text shall control.

C. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples, not to be exhaustive lists of all possibilities.

D. Computation of Time

References to days are calendar days unless otherwise stated. The time in which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday observed by the local jurisdiction, that day shall be excluded.

E. References to Other Regulations, Publications and Documents

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation (as amended), resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

F. Delegation of Authority

Whenever a provision appears requiring the head of a department or another officer or employee of the City or County to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority.

G. Technical and Non-technical Terms

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

H. Public Officials and Agencies

All public officials, bodies, and agencies to which references are made are those of the City of Henderson or Clark County, unless otherwise indicated.

I. Mandatory and Discretionary Terms

The words "shall," "will," and "must" are always mandatory. The words "may" and "should" are advisory and discretionary terms.

J. Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

"And" indicates that all connected items, conditions, provisions, or events apply; and

"Or" indicates that one or more of the connected items, conditions, provisions, or events may apply.

K. Tenses and Plurals

Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular includes the plural, and the plural includes the singular.

1.8 Conflicting Provisions

A. Conflict with State or Federal Regulations

If the provisions of these Development Standards are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent permitted by law.

B. Conflict with Other Regulations

If the provisions of these Development Standards are inconsistent with one another or if they conflict with provisions found in other adopted ordinances, resolutions, or regulations, the more restrictive provision will control.

C. Conflict with Private Agreements

It is not the intent of these Development Standards to interfere with, abrogate, or annul any easement, covenant, deed restriction, or other agreement between private parties. If the provisions of these Development Standards impose a greater restriction than imposed by a private agreement, the provisions of these Development Standards will control. If the provisions of a private agreement impose a greater restriction than these Development Standards, the provisions of the private agreement will control. The City shall not be responsible for monitoring or enforcing private agreements.

1.9 Land Use Map

A. The boundaries of the land use classifications established by these Development Standards are shown on a map or series of maps designated the "Land Use Map," which is adopted and made a part of these Development Standards as fully as if it were set out here in detail. In case of any dispute regarding the land use classification of property subject to these Development Standards, the original maps maintained by the City of Henderson Community Development Director shall control. Questions or disputes regarding land use designations shown on the Land Use Map shall be taken to the Clark County Director of Planning or the City of Henderson Community Development Director, whichever has jurisdiction.

B. Rules of Land Use Map Interpretation

1. Land Use boundaries may coincide with property or right-of-way lines, but it is not a requirement of this code that district boundaries follow such lines.
2. District boundaries shown as approximately following the property line of a lot shall be construed to follow such property line.
3. On unsubdivided land, or where a district boundary divides a lot, the location of the district boundary shall be determined by using the scale appearing on the land use map, unless the boundary location is indicated by dimensions printed on the map.
4. Land use boundaries shown as approximately following right-of-way lines of freeways, streets, alleys, railroads, or other identifiable boundary lines shall be construed to follow such right-of-way or boundary lines.
5. Land use boundaries shown as lying within right-of-way lines of freeways, streets, alleys, railroads, or other identifiable boundary lines shall be construed to follow the centerline of such right-of-way or boundary lines.
6. Should any uncertainty remain as to the location of a land use boundary or other feature shown on the land use map the location shall be determined by the Clark County Director of Planning or the City of Henderson Community Development Director, whichever has jurisdiction.

1.10 Transitional Provisions

A. Violations Continue

Any violation of the previous Land Use Plan, Zoning Ordinance or Subdivision Ordinance will continue to be a violation under these Development Standards and be subject to penalties and enforcement, unless the use, development, construction, or other activity complies with the provisions of these Development Standards.

B. Legal Nonconformities Under Prior Plan

Any legal nonconformity under the previous Land Use Plan will also be a legal nonconformity under these Development Standards, as long as the situation that resulted in the nonconforming status under the previous Land Use Plan continues to exist. If a nonconformity under the previous Land Use Plan becomes conforming because of the adoption of these Development Standards, then the situation will no longer be a nonconformity.

C. Approved Projects

1. Use permits, variances, architectural, or design approvals, Master Plan Overlays, Major Development Projects, and tentative subdivision maps, including Planned Unit Developments, any of which are valid on December 1, 1999, shall remain valid until their expiration date. Projects with valid approvals or permits may be carried out in accordance with the development standards in effect at the time of approval, provided that the permit or approval is valid and has not lapsed.
2. No provision of these Development Standards shall require any change in the plans, construction, or designated use of any structure for which a building permit has been issued prior to December 1, 1999.
3. Any re-application for an expired project approval shall meet the standards in effect at the time of re-application.

D. Applications in Progress

1. Complete applications for use permits, variances, architectural, or design approvals, Master Plan Overlays, Major Development Projects, and tentative subdivision maps, including Planned Unit Developments, submitted before December 1, 1999 and pending approval at the time of adoption of these Development Standards may, at the applicant's option, be reviewed wholly under the terms of the previous Land Use Plan, Zoning or Subdivision Ordinances. If approved, these projects may be carried out in accordance with the development standards in effect at the time of application. Any re-application for an expired permit shall meet the standards in effect at the time of re-application.
2. Projects for which no application has been submitted and accepted as complete prior to December 1, 1999 shall be subject to all requirements and standards of these Development Standards.

E. Resolutions of Intent

Resolutions of Intent to Rezone that are valid on January 1, 2000 shall remain valid until their expiration date, and zoning shall be adopted consistent with the project that was the subject of the resolution when all required conditions have been met. The City of Henderson reserves the right to deny a request for a time extension to comply with conditions for any reason.

F. Severability

If any section, subsection, sentence, or phrase of these Development Standards is held to be invalid or unconstitutional by a Court of competent jurisdiction, for any reason, the remaining portions of these Development Standards shall not be affected. It is expressly declared that these Development Standards and each section, subsection, sentence, and phrase would have been adopted regardless of the fact that one or more other portions of the Development Standards would be declared invalid or unconstitutional.

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CHAPTER 2 DEVELOPMENT REVIEW PROCEDURES

2.1 General

A. Authority to File Applications

Applications for review and approval under this chapter may be initiated by (1) petition of all the owners of the property that is the subject of the application; (2) the owners' authorized agents; (3) any Review or Decision-Making body that does not have final decision-making authority on the subject matter; or (4) utilities. When a Review or Decision-Making body initiates action under this Development Code it does so without prejudice toward the outcome.

B. Form of Application and Application Filing Fees

Applications required under this chapter shall be submitted in a form and in such numbers as required by the official responsible for accepting the application. Applications shall be accompanied by the fee amount that has been established. Fees are not required with applications submitted by government agencies. Application fees are nonrefundable, unless otherwise expressly stated.

C. Application Completeness

An application will be considered complete if it is submitted in the required form, includes all mandatory information, including all exhibits specified by the Clark County Planning Director or City of Henderson Community Development Director (Director), and is accompanied by the applicable fee. A determination of application completeness shall be made by the Director within 10 days of application filing. If an application is determined to be incomplete, the Director shall provide written notice to the applicant along with an explanation of the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 30 days, the application shall be considered withdrawn, and the application shall be returned to the applicant.

2.2 Land Use Plan Amendments

A. Application Filing

Applications for an amendment to the Land Use Plan shall be submitted to the Director. Concept Plan Review shall be required prior to application submittal, in accordance with 2.1.

B. Public Hearing Notice

Notice of the public hearing on a Land Use Plan map amendment shall be mailed, published and posted in accordance with state law.

C. Director Review and Report

The Director shall review each proposed Comprehensive Plan amendment in light of the Approval Criteria of 2.2-F and, as deemed necessary, distribute the application to other reviewers. Based on the results of those reviews, the Director shall provide a report to the Planning Commission.

D. Planning Commission Review and Recommendation

The Planning Commission shall hold at least one public hearing on the proposed Comprehensive Plan amendment and at the close of the public hearing make a recommendation to the Board of County Commissioners or City Council (Governing Body), based on the Approval Criteria of 2.2-F. An affirmative vote of 2/3 of the total membership of the Planning Commission shall be required to approve a resolution recommending adoption of the Land Use Plan map amendment.

E. Governing Body Review and Decision

After receiving the recommendation of the Planning Commission, the Governing Body shall hold at least one public hearing and, at the close of the public hearing, act to approve, approve with conditions or deny the proposed Land Use Plan map amendment, based on the Approval Criteria of Sec. 2.2-F. No change in or addition to the amendment recommended for approval by the Planning Commission shall be made by the Governing Body until the proposed change or addition has been referred to the Planning Commission for a recommendation.

F. Approval Criteria

Land Use Plan map amendments may be approved by the Governing Body only if they determine that the proposed amendment is consistent with the overall purpose and intent of the Land Use Plan and that any one of the following criteria has been met:

1. There was an error in the original Land Use Plan adoption;

2. Governing Body failed to take into account then existing facts, projections or trends that were reasonably foreseeable to exist in the future;
3. Events, trends, or facts after adoption of the Land use plan have changed the original findings made upon plan adoption; or
4. Events, trends, or facts after adoption of the Land Use Plan have changed the character or condition of an area so as to make the proposed amendment necessary.

G. Appeals

Appeals of a Governing Body decision on Land Use Plan map amendments shall be made to the courts, as provided by law.

2.3 Written Interpretations

A. Application Filing

Applications for Written Interpretations of these Development Standards shall be submitted to the Director.

B. Director's Review and Decision

Within 30 days of receipt of a complete application for a Written Interpretation, the Director shall: (1) review and evaluate the application in light of these Development Standards, the Land use Plan and any other relevant documents; (2) consult with attorneys and other staff, as necessary; and (3) render a written interpretation.

C. Form

The interpretation shall be provided to the applicant in writing and shall be filed in the official record of interpretations.

D. Official Record of Interpretations

An official record of interpretations shall be kept on file in the office of the Director. The record of interpretations shall be available for public inspection in the Planning Department during normal business hours.

E. Appeals

Appeals of the Director's written interpretation shall be taken to the Planning Commission in accordance with the procedures of Section 2.4. If the appeal results in a change of interpretation, the new interpretation shall be filed in the official record of interpretations.

2.4 Appeals

A. Applicability

Unless otherwise expressly stated, all appeals of decisions, interpretations and enforcement actions of administrative officials shall be processed, in accordance with the standards of this section.

B. Standing to Appeal

Appeals may be filed by:

1. The applicant;
2. The owner;
3. Any person who testified at the public hearing on the application;
4. Any person who submitted written comments on the application at the public hearing on the application; or
5. Any person who submitted written comments to such administrative official before the date of the administrative official's action.

C. Application Filing

Applications for all appeals shall be submitted to the Director.

D. Timing

All appeals shall be filed within 9 days of the date that the Clerk received written notice of the decision or action being appealed.

E. Effect of Filing

Once a complete application for an appeal has been received by the Director, no other development approvals or permits will be issued for the subject property pending a decision on the appeal, unless the official whose decision is being appealed certifies that such a "hold" on permits and approvals would cause immediate peril to life or property.

F. Public Hearing; Notice

A public hearing shall be required only if the original decision being appealed required a public hearing. Notice of public hearings shall be given in the manner required for the decision being appealed.

G. Record of Decision

Before action is taken on the appeal, the administrative official whose decision is being appealed shall transmit to the Governing Body all papers constituting the record upon which the action appealed is taken.

H. Review and Decision

The Governing Body shall act on the appeal as soon as possible after receipt of a complete application. If a public hearing is required, it shall be held within 30 days of receipt of a complete application. Action on the appeal shall occur within 30 days of a required public hearing or, if no public hearing is required, within 60 days of receipt of a complete application.

1. Appeal Powers

In exercising the appeal power, the Governing Body shall have all the powers of the official from whom the appeal was originally taken. The Governing Body may reverse or affirm wholly or partly or may modify the decision being appealed. If the Governing Body determines that it is necessary to obtain additional evidence in order to resolve the matter, it may remand the matter to the official from whom the appeal is taken, with directions to obtain such evidence and to reconsider the decision in light of such evidence.

2. Consideration of Evidence

At the public hearing, the Governing Body shall consider only the same application, plans, and related project materials that were the subject of the original decision and only the issues raised by the appeal.

3. Burden of Persuasion or Error

In acting on the appeal, the Governing Body shall grant to the official's decision a presumption of correctness, placing the burden of persuasion of error on the appellant.

I. Approval Criteria

An appeal shall be sustained only if the Governing Body finds that the administrative official erred.

J. Findings of Fact

Every decision of the Governing Body shall be accompanied by written findings of fact specifying the reason for the decision.

K. Notice of Decision

Within 5 days of a decision on an appeal, the Director shall mail notice of the decision to the appellant and all other parties who have made a written request for notification.

L. Effective Date

Decisions of the Governing Body on appeals shall become effective upon the date of the decision.

M. Successive Applications

Following denial of an appeal, no new appeal for the same or substantially the same matter shall be accepted for 1 year of the date of denial, unless the denial is made without prejudice.

CHAPTER 3 RESIDENTIAL LAND USE CATEGORIES

3.1 General Purposes/Intent

The residential land use categories contained in this section are created for the following general purposes:

- A. To provide appropriately located areas for residential development that are consistent with the land use plan and with standards of public health and safety established by these Development Standards;
- B. To ensure adequate light, air, privacy and open space for each dwelling, and protect residents from the harmful effects of excessive noise, population density, traffic congestion, and other significant adverse environmental effects;
- C. To protect residential areas from fires, explosions, landslides, toxic fumes and substances, and other public safety hazards;
- D. To provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and
- E. To ensure the provision of public services and facilities needed to accommodate planned population densities.

3.2 List of Land Uses/Land Use Purposes

The following residential land use classifications and sub-categories are hereby created with the following specific purposes:

A. VLDR, Very Low Density Residential

The purpose of the VLDR, Very Low Density Residential land use category is to provide opportunities for single-family residential land use in neighborhoods at a density up to 2 dwelling units per gross acre, subject to appropriate standards. Two types of VLDR sub-categories are established:

Sub-category	Maximum Density (Units per gross acre)
VLDR-1A	1
VLDR-2	2

B. LDR, Low Density Residential

The purpose of the LDR, Low Density Residential land use category is to provide opportunities for single-family residential land use in neighborhoods at a density up to 6 dwelling units per gross acre, subject to appropriate standards. Two types of LDR sub-categories are established:

Sub-category	Maximum Density (Units per gross acre)
LDR-4	4
LDR-6	6

C. MDR, Medium Density Residential

The purpose of the MDR, Medium Density Residential land use category is to provide opportunities for medium-density residential uses, including single-family housing, duplexes, townhouses, or cluster housing with landscaped open space for residents' use, at a density of up to 10 dwelling units per gross acre. Two types of MDR sub-categories are created:

Sub-category	Maximum Density (Units per gross acre)
MDR-8	8
MDR-10	10

D. HDR, High Density Residential

The purpose of the HDR, High Density Residential land use category is to provide opportunities for high-density residential uses, including duplexes, townhouses, cluster housing, condominiums or apartments with landscaped open space for residents' use, at a density of up to 16 dwelling units per gross acre. One type of HDR sub-category is created:

Sub-category	Maximum Density (Units per gross acre)
HDR-16	16

3.3 Allowed Uses

Table 3.3-1 (below) sets forth the uses permitted within the relevant land use designation.

A. Permitted Uses

A "P" in a cell indicates that a use category is allowed by right in the respective land use district. Permitted uses are subject to all other

applicable regulations of these Development Standards, including General Development Regulations set forth in Chapter 9.

B. Conditional Uses

A "C" in a cell indicates that a use category is allowed only if reviewed and approved as a Conditional Use.

C. Uses Not Allowed

An "N" in a cell indicates that a use type is not allowed in the respective land use district, unless it is otherwise expressly allowed by other regulations of these Development Standards.

D. Temporary Uses

A "T" indicates that a use type is allowed only by a Temporary Use Permit in the respective land use district, unless it is otherwise expressly allowed by other regulations of these Development Standards.

E. Numerical References

The numbers contained in certain table cells and in the Additional Regulations are references to additional standards and requirements that apply to the use type listed. Standards referenced in the Additional Regulations column apply in all land use categories unless otherwise expressly stated.

F. Use Categories/Use Types

All of the use categories listed in Table 3.3-1 are described in Sec. 6.1. In some cases, specific uses are listed in the second column of the table. The use categories are intended to be mutually exclusive. If a use type is specifically listed in the table, that use type is allowed only in the land use categories indicated, not within the categories that allow the broader classification. If a use type is not listed, then the Director shall, upon the request of any interested party and pursuant to the procedures set forth in Chapter 2 make a determination within which use category, if any, such use type should be included.

**Table 3.3-1
Principal Uses Allowed in Residential Land Use Categories**

Category	Specific Use	Land Use Categories				Additional Regulations (apply in all sub-categories unless otherwise stated)
		VLDR	LDR	MDR	HDR	
Residential						
Household Living	Single-Family Detached	P	P	P	P	1; In VLDR-1A, only single-family detached allowed
	Single-Family Attached	P	P	P	P	1; In VLDR-1A district, only single-family detached allowed
	Single-Family Residential Accessory Living Quarters	7	N	N	N	
	Single-Family Residential Guest House	8	N	N	N	
	Multi-Family	N	P	P	P	1
	Mobile Home Park	N	N	N	N	
	Mobile Home Estate Subdivision	N	N	N	N	
	All Other Household Living	N	C	C	C	
Institutional, Public, Semi-Public						
Clubs and Lodges		N	N	N	N	
Institutional Housing	Congregate Housing	N	N	N	P	
	Continuing Care Retirement Community	N	N	N	C	
	Group Living – Assisted Living	C	C	C	C	Subject to Multi-Family Standards
	Group Living – General	N	C	C	C	Subject to Multi-Family Standards
	Skilled Nursing Facility	N	C	C	C	
Day Care	Day Care, General	C	C	C	C	2; Minimum spacing of 1,000 feet between facilities
	Day Care, Large Family	C	C	C	C	2; Minimum spacing of 1,000 feet between facilities
	Day Care, Limited	P	P	P	P	

Hospitals		N	N	N	N	
Park and Recreation Facilities		C	C	C	C	3
Public Safety Facility		C	C	C	C	
Religious Assembly		C	C	C	C	If in LDR-4 see number 4 below
School		N	C	C	C	
Utility	Minor	P	P	P	P	
	Major	C	C	C	C	
Commercial						
Agriculture	Crop Production	C	N	N	N	Limited to facilities incidental to agricultural use
Animal sales/services	Animal Boarding	C	N	N	N	
	Riding Stable	C	N	N	N	
	Riding Academy	C	N	N	N	
Mining and Processing	Short-term	C	C	C	C	Subject to Sec. 6.2.M
Horticulture Limited		C	N	N	N	No on-site retail sales permitted.
Temporary Uses						
Circus/Carnival		N	T	T	T	Subject to review and Temporary Use standards of Sec. 6
Commercial Filming		T	T	T	T	
Holiday Sales		P	T	T	T	
Personal Property Sales		T	T	T	T	Exception: Maximum of one 3-day residential "garage" or "yard" sale shall be permitted per dwelling, occurring no more often than once every six months.
Street Fair		T	T	T	T	
Temporary Development Lodging		C	C	C	C	5
Temporary Outdoor Event		T	T	T	T	Subject to review and Temporary Use standards of Sec. 6
Temporary Dwelling Unit		T	T	T	T	
Temporary Construction Trailer		P	P	P	P	

Temporary Mining and Processing		P	P	P	P	Subject to Sec. 6
Temporary Sales Office		T	T	T	T	
Temporary Security Trailer		T	T	T	T	
Temporary Religious Assembly		T	T	T	T	
Accessory Uses		P	P	P	P	Subject to standards in Sec. 3. Conditional use permit required if primary use is conditional
Home Occupations		P	P	P	P	Subject to standards in Sec. 6 Home Occupation use allowed only if primary use is a permitted use in the category.
Non-Conforming Use Structural Alteration						See Chapter 11

G. Additional Use Standards

1. Household Living

a. Mobile Homes

Mobile homes on individual lots, outside of mobile home subdivision estates or mobile home parks, are not permitted as permanent dwellings. Manufactured housing on leased lots is not permitted.

b. Employees

No shift change involving 2 or more employees shall occur between the hours of 10:00 p.m. and 6:00 a.m. This provision shall apply to all employees associated with a household living use, including child care workers, domestic help, contract workers, health care providers, assisted living providers and other employees.

2. Day Care

Child-care facilities providing care for any number of children authorized by the Department of Human Resources of the State of Nevada, provided that (1) the proposed site must front a street included on the Master Streets and Highway Plan; and (2) the minimum building site area shall be one lot or parcel of land 12,000 square feet in area.

3. Park and Recreation Facility

Recreation facilities not operated by public agencies are limited to noncommercial functions, including swim clubs and tennis clubs.

4. Religious Assembly

Only schools operating in conjunction with religious services are permitted as an accessory use. A general day care facility may be allowed as a conditional use, if the Governing Body finds that it would be compatible with adjacent areas in terms of hours of operation, noise, lighting, parking, and similar considerations and not cause significant traffic impacts.

5. Temporary Development Lodging

The length of time a developer may provide Temporary Development Lodging shall be established by the conditional use permit. Unless otherwise approved by conditional use permit, Temporary Development Lodging shall consist of not more than 3 living units on any lot, with the maximum number of Temporary Development Lodging units not to exceed 5 percent of the total living unit count for the project. The lodging period shall not exceed 14 consecutive nights for any one guest, lodging shall be in a residential structure on a lot or parcel in a project with an LDR or VLDR land use classification, and the lodging shall be for potential purchasers of the developer's new residential dwellings at the project where the temporary lodging is located.

6. Airport Landing Strip

In addition to meeting all standard requirements for conditional use application and approval, the applicant shall provide a list of all property owners within 1500 feet of the parcel boundary along with a mailing label addressed to each property owner on that list and funds to pay postage for each notification. The list of property owners shall be obtained from the County Assessor or from a similarly reliable source of property ownership records approved by the. The Governing Body shall prepare the public hearing notice for mailing, provide the envelopes and deliver the mailings to the postal service.

- 7. One Accessory Living Quarters** may be allowed as a secondary use to the primary dwelling by Conditional Use Permit in the VLDR-1A, VLDR-2 and LDR-4 districts only. If a Conditional Use Permit is approved, prior to issuance of the building permit the property owner shall record a covenant against the property, in a form approved by the City and in a manner which cannot be removed without City consent, restricting use of the Accessory Living Quarters to the property owner and his successors, and the owner's and successors' non-paying invited guests. The intent of allowing Accessory Living Quarters is not to allow the property owner or his successors to rent the Accessory Living Quarters and create a two-family

residential parcel in a single family category. The Accessory Living Quarters structure shall have a floor area no greater than either, 25 percent of the living area of the primary dwelling, exclusive of garages, carports and basements, or 1000 square feet, whichever is less. Each Accessory Living Quarters structure shall comply with the accessory uses and structures standards of Section 6 and the compatibility requirements of infill development as specified in Section 9.

8. **One Guest House** may be allowed by Conditional Use Permit as a secondary use to the primary dwelling in the VLDR-1A, VLDR-2 and LDR-4 sub-categories only. If a Conditional Use Permit is approved, prior to issuance of the building permit the property owner shall record a covenant against the property, in a form approved by the Governing Body and in a manner which cannot be removed without Governing Body consent, restricting use of the Guest House to the property owner and his successors, and the owner's and successors' non-paying invited guests. The intent of allowing a Guest House is not to allow the property owner or his successors to rent the Guest House and create a two-family residential parcel in a single family category. No Guest House shall have a floor area greater than either, 25 percent of the living area of the primary dwelling, exclusive of garages, carports and basements, or 1000 square feet, whichever is less. Each Guest House structure shall comply with the accessory uses and structures standards of Section 6 and the compatibility requirements of infill development as specified in Section 9.

3.4 Intensity and Dimensional Standards

A. Intensity and Dimensional Standards Table

All development in residential land use districts shall be subject to the intensity and dimensional standards set forth in Table 3.4-1. These intensity and dimensional standards may be further limited or modified by other applicable sections of these Development Standards. Additional regulations are set forth immediately following the table.

**Table 3.4-1
Residential District Intensity and Dimensional Standards**

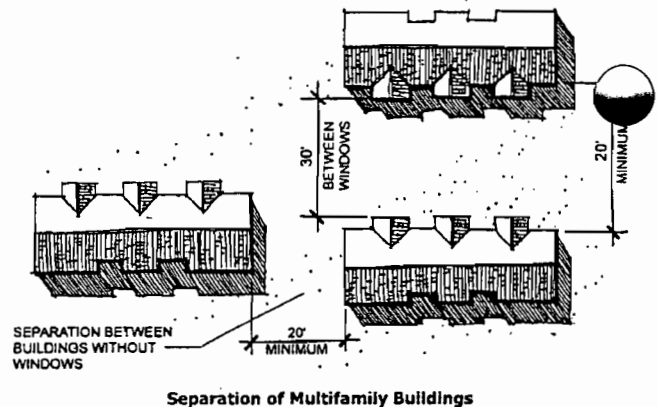
Site Development Standard	Land Use Category			Additional Regulations*
	VLDR/LDR	MDR	HDR	
Minimum District Size		10 acres	10 acres	
Maximum Density (Units/Gross Acre)	VLDR-1A=1 VLDR-2=2 LDR-4=4 LDR-6=6	MDR-8=8 MDR-10=10	HDR-16=16	Indicates density up to and including number listed
Minimum Lot Dimensions				
Area (Square Feet)	VLDR-1A=40,000 VLDR-2=20,000 LDR-4=10,000 LDR-6=6,000 LDR-6=6,000	4,500		1, 2, 7
Width (Feet)	VLDR-1A=100 VLDR-2=100 LDR-4=75 LDR-6=60	MDR-8=40 MDR-10=40		1, 8
Minimum Setbacks (Feet)				
Front	25, except LDR-6=20	20	20	3, 5
Interior Side	VLDR-1A=10 VLDR-2=10 LDR-4=7.5 LDR-6=5	5	5	4, 5
Street Side	15, except LDR-6=10	10	10	
Rear	30, except LDR-6=15	15	15	5
Maximum Height (Feet)	35	35	35	6
Max. Site Coverage (%)			40	
Minimum Spacing Between Units		20/30	20/30	8
Minimum Dwelling Unit Size (Sq. ft.)	1,200			Applicable only to VLDR-1A & VLDR-2 categories
Floor Area Ratio (FAR)		0.4	0.4	

* See Sec. 7 for allowed exceptions to setback, height and other standards.

B. Additional Intensity and Dimensional Regulations

1. See Sec. 6. In the VLDR-1A, a dwelling may be built on a site that is one-fifth, and in the VLDR-2 district, a dwelling may be built on a site that is one-tenth the

- net usable area of a preexisting standard government 5-acre parcel, provided that the minimum frontage on a public street or dedicated easement is 100 feet.
2. The minimum lot area shall be 12,000 square feet for large family day care (6-12 children), general day care, general residential care, and public or private schools.
 3. In the MDR categories, the front setback may be reduced to 14 feet for non-garage portions of the dwelling and to 10 feet for side-entry garages.
 4. In LDR-4 district, the minimum side setback shall be 5 feet and the aggregate of 2 interior side setbacks within the lot shall be 15 feet.
 5. **Minimum Property Line Setback Requirements**
 - (a) No living unit shall be located within 10 feet of a mobile home park perimeter property line.
 - (b) In the MDR, no principal structure on a peripheral lot shall be located closer than 20 feet from the common property line of an abutting public street or residence district of the same or lesser density.
 6. Corner lots less than 10,000 square feet shall be at least 5 feet wider than the minimum lot width in Table 3.4-1
 7. Other lot dimensions and setbacks may be allowed with an approved Master Plan or in a Planned Unit Development.
 8. In MDR and HDR a minimum 20-foot separation between buildings shall be provided, with a minimum separation of 30 feet between windows in facing buildings.



3.5 Nonresidential Development

Development regulations shall be as specified in a conditional use permit if one is required, provided that if a conditional use permit fails to regulate an element, then the underlying residential base category regulations shall apply. If the underlying residential base category does not contain applicable regulations, then the regulations of the least intensive abutting base category shall apply.

CHAPTER 4 NONRESIDENTIAL LAND USE CLASSIFICATIONS

4.1 General Purpose/Intent

The nonresidential land use classifications contained in this section are created to:

- A. Provide appropriately located areas consistent with the land use plan for a full range of office, retail commercial, service commercial, and industrial uses needed by Henderson and Clark County residents, businesses and workers;
- B. Strengthen the regions economic base, and provide employment opportunities close to home for residents of the plan and surrounding communities;
- C. Create suitable environments for various types of commercial and Industrial uses, and protect them from the adverse effects of incompatible uses;
- D. Minimize the impact of commercial and industrial development on abutting residential land use categories;
- E. Ensure that the appearance and effects of commercial and industrial buildings and uses are harmonious with the character of the area in which they are located;
- F. Ensure the provision of adequate off-street parking and loading facilities; and
- G. Provide sites for public and semipublic uses needed to complement commercial and industrial development.

4.2 Commercial Categories/Category Purposes

The following Commercial land use classifications and sub-categories are hereby created with the specific purposes as set forth below:

A. NC, Neighborhood Commercial

To provide sites for businesses serving the daily needs of nearby residential areas, areas for high-quality, low rise office complexes while establishing development standards that prevent significant adverse effects on adjoining residential uses. Two types of NC sub-categories are established:

Sub-category

NC-CN
NC-CO

B. GC, General Commercial

To provide sites for community and regional retail shopping centers containing a wide variety of commercial establishments, including retail stores and businesses selling home furnishings, apparel, durable goods and specialty items, restaurants, commercial recreation, service stations, and business, personal and financial services. One GC sub-category is established:

Sub-category

GC-CC

4.3 Allowed Uses (Commercial Land Use Categories)

Table 4.3-1 below sets forth the uses permitted within the commercial land use categories.

A. Permitted Uses

A "P" in a cell indicates that a use category is allowed by-right in the respective sub-category. Permitted uses are subject to all other applicable regulations of these Development Standards, including General Development Regulations set forth in Sec. 9.

B. Conditional Uses

A "C" in a cell indicates that a use category is allowed only if reviewed and approved as a Conditional Use.

C. Uses Not Allowed

A "N" in a cell indicates that a use type is not allowed in the respective land use sub-category, unless it is otherwise expressly allowed by other regulations of these Development Standards.

D. Temporary Uses

A "T" indicates that a use type is allowed only by a Temporary Use Permit, unless it is otherwise expressly allowed by other regulations of these Development Standards.

E. Numerical References

The numbers contained in certain table cells and in the Additional Regulations column are references to additional standards and requirements that apply to the use type listed. Standards referenced in the Additional Regulations column apply in all land use categories unless otherwise expressly stated.

F. Use Categories/Use Types

All of the use categories listed in Table 4.3-1 are described in Sec. 6.1. In some cases, specific uses are listed in the second column of the table. The use categories are intended to be mutually exclusive. If a use type is specifically listed in the table, that use type is allowed only in the sub-category indicated, not within the categories that allow the broader classification. If a use type is not listed, then the Director shall, upon the request of any interested party and pursuant to the procedures set forth in Sec. 2, make a determination within which use category, if any, such use type should be included.

**Table 4.3-1
Uses Allowed in Commercial Categories**

Category	Specific Use	Land Use Categories			Additional Regulations (apply in all categories unless otherwise stated)
		NC		GC	
		NC-CN	NC-CO	GC-CC	
Residential					
Household Living	Multi-Family	N	N	N	
	Travel Trailer/RV Park	N	N	N	See Henderson Municipal Code Title 17
	Caretaker Quarters	P	P	P	
Institutional, Public, Semi-Public					
Airport/Landing Strip		C	C	C	
Clubs and Lodges		C	C	P	Not permitted on a primary arterial depicted on Henderson Master Streets Plan.
Institutional Housing	Skilled Nursing Facility	N	N	C	
Cultural Institution		P	P	P	
Day Care	Day Care, General	9	C	C	
Emergency Health Care		2	C	P	
Govt. Office		P	P	P	
Heliport		N	C	C	Not allowed within 1000 feet of any residential use.

Category	Specific Use	Land Use Categories			Additional Regulations (apply in all categories unless otherwise stated)
		NC		GC	
		NC-CN	NC-CO	GC-CC	
Non-Profit Rehabilitation Center		N	N	C	
Park/ Recreation Facility		C	C	C	Limited to facilities on 2 acres or less.
Public safety facility		C	C	C	
Religious assembly		C	C	C	
School		C	C	C	
Utility	Minor	P	P	P	
	Major	C	C	C	
Commercial					
Adult Business		N	N	N	Subject to locational requirements set forth in Henderson Municipal Code licensing regulations
Ambulance Service		N	N	N	
Animal sales/ service	Animal boarding	N	N	5	
	Animal Grooming	C	N	C	
	Animal Hospital	20	N	20	
	Animal Shows/sales	C	N	C	
	Retail Sales	P	N	P	
	Veterinary Office	P	N	P	
Artist Studio		P	P	P	
Bail Bond Broker		N	N	N	
Breweries, malt beverage	Brew Pubs	9	N	C	
Building materials/ Service		N	N	C	
Casinos/ Gaming	Nonrestricted gaming	N	N	N	
	Restricted gaming	P	P	P	
Catering service		P	8	P	

Category	Specific Use	Land Use Categories			Additional Regulations (apply in all categories unless otherwise stated)
		NC		GC	
		NC-CN	NC-CO	GC-CC	
Commercial Filming		N	N	C	
Commercial recreation/entertainment		8	N	8	
Eating/ Drinking establishments	Restaurant	P	10	9	
	Restaurant with bar	9	9, 10	P	
	Tavern/supper club	N	N	C	
	With take-out service	P	9, 10	P	
	With drive-through	N	N	C	
Financial Institution	Without drive-through service	P	P	P	
Financial Institution	With drive-through service	C	P	P	Off-site drive-up facility not located on same lot as principal use requires conditional use permit.
Food and Beverage Sales	Convenience Markets	P	9	P	
	Liquor Store	N	N	C	
	All Other	P	9, 10	P	
Funeral/Internment Service		N	N	C	Only mortuaries allowed
Home/business Service		9	N	P	
Laboratories		N	C	P	
Maintenance/Repair service		9	9	P	
Mining and Processing	Short-Term	C	C	C	Subject to Section 6 of Development Standards
Offices, Business and Professional		P	P	P	
Pawnshop	General	N	N	N	
	Auto-exclusive	N	N	N	
Personal improvement service		C	10	C	Riding academy not allowed.

Category	Specific Use	Land Use Categories			Additional Regulations (apply in all categories unless otherwise stated)
		NC		GC	
		NC-CN	NC-CO	GC-CC	
Personal Service	Dry Cleaning Agencies	18	18	18	
	General	P	P	P	
	Massage Studio	19	N	19	
Plant Nurseries		N	N	P	
Research and development service		N	C	N	
Retail Sales/Rental	General	P	9	P	Only on fully improved, paved lots unless otherwise approved by the Director
	Holiday Sales	P	N	P	
	Second-hand goods	N	C	C	
	Swap meet, recurring	N	N	C	
Service Stations		9	N	C	Vehicle repairs only allowed as a conditional use
Time Share Projects		N	N	P	
Travel Service		P	9	P	
Outdoor Display/Sales		P	9, 15	P	
Pharmacy		N	C	C	Pharmacy drive-through service permitted, subject to compliance with 9.7
Vehicle/ Equipment Sales and Services	Automobile Rentals	N	C	P	In CO only inside a hotel or motel - freestanding rental offices not allowed in CO
	Automobile Washing	N	N	14	
	Commercial Parking Facility	N	C	C	In CO, only with principal office use.
	Limited Rentals	N	C	P	In CO only with Hotel
	Vehicle/Equipment Repair	N	N	11	
	Vehicle/Equipment Sales, Auctions and Rentals	N	N	9	
Visitor Accommodation	Hostel	N	N	N	

Category	Specific Use	Land Use Categories			Additional Regulations (apply in all categories unless otherwise stated)
		NC		GC	
		NC-CN	NC-CO	GC-CC	
	Hotel/motel	P	C	P	8
Warehousing	Mini-storage	N	N	22	
Temporary Uses		T	T	T	Subject to Standards in Sec. 6.4.
Arts/crafts show, outdoors		N	T	T	Temporary mining and processing must comply with Sec. 6.2.M
Commercial Filming Limited		T	N	T	
Retail Sales, Outdoor		T	T	T	
Street Fair		N	N	T	
Swap Meet, Non-recurring		T	T	T	
Temporary Construction Trailer		T	T	T	
Temporary Dwelling Unit		T	T	T	
Temporary Holiday Sales		T	T	T	
Temporary Live Entertainment Events		P	P	P	
Temporary Mining and Processing		N	N	N	
Temporary Outdoor Event		N	N	N	
Temporary Religious Assembly		T	T	T	
Temporary Security Trailer		N	N	N	

Category	Specific Use	Land Use Categories			Additional Regulations (apply in all categories unless otherwise stated)
		NC		GC	
		NC-CN	NC-CO	GC-CC	
Temporary Vehicle/ Equipment Sales, Auctions and Rentals					
Accessory Uses		P	P	P	

G. Additional Use Standards

1. **Reserved**
2. **Emergency Health Care**
The emergency health care service must be small-scale (not exceeding 7,500 square feet), and the provider must furnish sufficient proof that emergency response vehicles and other visitors and activities associated with the proposed use will not interfere with existing or anticipated surrounding uses.
3. **Reserved**
4. **Reserved**
5. **Animal Boarding**
Permitted only in conjunction with veterinary office.
6. **Reserved**
7. **Reserved**
8. **Conditional use permit required for Day Care; Catering Service; Eating and Drinking Establishment; Liquor Store; Food and Beverage Sales; Maintenance/Repair Service; Home/Business Service; Dry Cleaning Agency; Retail Uses; Service Station and Hotel Motel.**
In addition to requiring a conditional use permit, for uses located within 500 feet of the boundary of a residential land use category, the following conditions may be imposed to ensure that nonresidential uses are compatible with surrounding dwellings, including but not limited to:
 - a. Hours of operation and deliveries;
 - b. Location on a site of activities that generate potential adverse impacts on adjacent uses such as noises and glare;
 - c. Placement of trash receptacles;
 - d. Location of loading and delivery areas;
 - e. Lighting location, intensity, and hours of illumination;

- f. Placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;
 - g. Additional landscaping and buffering;
 - h. Height restrictions to preserve light and privacy and views of significant features from public property and rights-of-way;
 - i. Preservation of natural lighting and solar access;
 - j. Ventilation and control of odors and fumes; and
 - k. Dust-control paving.
9. **Eating/Drinking Establishments; Financial Institutions; Food and Beverage Sales; Retail Sales/Rental; Travel Service; Day Care; Maintenance/Repair Service; Home/Business Service; Commercial/Retail Uses; Service Stations in NC-CO land use category**
Permitted subject to the following conditions:
- a. The primary purpose of the use is to serve employees of the office development; and
 - b. The use shall not be the principal use in any free-standing building; and
 - c. The use shall not occupy more than 5,000 square feet in gross floor area or 5 percent of the gross floor area of the principal office structure, whichever is less; and
 - d. The use shall not have an entrance leading directly to the outside; and
 - e. No free-standing sign shall be allowed in connection with such use.
10. **Personal Improvement Service**
Only health clubs, spas, weight reduction salons and clubs allowed.
11. **Vehicle Repair**
Permitted, except body and fender shops are prohibited.
12. **Vehicle Repair**
Permitted, except conditional use permit required only for body and fender shops.
13. **Vehicle Sales and Rental**
Permitted use, except that new car sales are not permitted.
14. **Vehicle Washing**
Attended facilities permitted; unattended facilities allowed only with conditional use permit.
15. **Outdoor Display/Sales**
Subject to compliance with outdoor display regulations in Sec. 9.5.
16. **Time Share**
Conditional use approval required. In addition to meeting all standard requirements for conditional use permit application and approval, every time share project shall comply with the following:
- a. All time share units must be affiliated with and located within a resort complex containing at least one hotel with 200 or more rooms.

- b. No time share unit shall serve as a primary place of residence.
- c. In order to convert a time share project to permanent residential use, the entire project must be converted. Conversion of one or more individual time share units to primary places of residence without converting the entire time share project is prohibited. Prior to any time share project being converted to primary residential use the project must be brought into compliance with all requirements of the Multi-Family Ordinance.

17. Day Care

When a day care abuts a residential use, additional buffering maybe required to reduce adverse impacts.

18. Dry Cleaning Agency

Permitted by right only in a freestanding building. Conditional use approval required if located in a building with attached lease space on one or more sides.

19. Massage Studio

Permitted only as a secondary use incorporated in or occupying space on the premises of a hotel or a beauty shop, athletic club or other similar General Personal Service or Personal Improvement Service facility, which is the primary use at the location. Conditional use approval required for massage studio as a primary use in any location in CC district. Prohibited as a primary use in CN district.

20. Animal Hospital

Totally enclosed animal hospitals with no kennels, cages, exercise pens or similar features exposed to the outdoors are permitted by right in the NC-CN and GC-CC land use categories. Such facilities shall have non-operable (permanently closed) windows and shall be restricted to single-user buildings (freestanding) or shall be located in the outermost lease space (end-cap) of a multi-user building. Animal hospitals with kennels, cages, pens, or similar features exposed to the outdoors are prohibited in the NC-CN land use category, and may be allowed only by conditional use permit in the GC-CC category. Facilities with exposed kennels shall be restricted to single-user buildings (freestanding) only. In all instances, within 10 feet of the entrance to an animal hospital the property owner shall maintain a minimum 100 square foot landscaped area consisting of turf, shrubs, and at least one tree for animal use.

21. Hostel

Conditional use permit required, subject to the following restrictions:

- a. Except for parking, hostel facilities shall comply with all site development standards of the underlying land use category.

- b. Required parking shall be the total of one parking space for each individual room, plus one space for each 300 square feet of non-guest floor area.
- c. Hostel site must be within 1000 feet of a regular designated stop for a public transit bus.
- d. No live gaming or gaming machines shall be allowed on a hostel site.
- e. Hostels shall provide indoor and outdoor congregational areas for their guests.
- f. Maximum length of stay for any guest shall be 7 consecutive days.
- g. Maximum number of beds shall be 150 per approved hostel.
- h. Hostel shall maintain status as a non-profit organization which holds a valid exemption from federal income taxes under the Internal Revenue Code of 1954, as amended, or which is licensed by and operated under the rules of Hosteling International - American Youth Hostels, or by a comparable hosteling umbrella organization approved by the Governing Body.
- i. Unless otherwise approved by the Governing Body through the required conditional use permit, the following restrictions shall apply:
 - (1) Hostel shall provide small dormitory rooms of 4 to 6 beds per room for a substantial portion of the total bed capacity.
 - (2) Hostel shall provide a majority of the following for each hosteller: room key, mirror with shelf, night light for each room, secured locker or comparable secured storage space, individual bed light, clothes storage, table and chair (one each per room), hair dryer, sheets (not sheet), additional floor space per bed (minimum standard floor space is 30 square feet), and improved decor. ("Improved" shall mean, at a minimum, wall hangings and window blinds or drapes.)
 - (3) Hostel shall provide toilets at a ratio of no fewer than one toilet in commercial style bathrooms for 8 beds.
 - (4) Each bathroom shall include a shelf by each sink and a bench.
 - (5) Hostel shall provide separate common areas for (1) dining, (2) quiet socializing, and (3) noisier activities, such as television.
 - (6) Hostel operator shall provide specialized recreational and meeting equipment.
 - (7) Hostel shall be fully accessible to disabled users.

- (8) Hostel shall accept credit card payment for services and shall have FAX and IBM compatible personal computer available for use with hostel association reservation systems worldwide.
- (9) Hostel shall provide extensive displays and referral information on Southern Nevada attractions and on attractions at destinations outside Southern Nevada.
- (10) Hostel shall display a commitment to environmentally sound practices by demonstrating compliance with guidelines of the Hosteling International - America Youth Hostel Sustainable Living Center manual, or a comparable publication or program approved by the Governing Body, and shall provide environmental, social, and educational programs for each of the following: (1) Consumption, (2) Recycling, (3) Pollution (solid Waste Reduction), (4) Energy Conservation, (5) Transportation, (6) Nature, (7) Environmental Education. In addition, hostel shall produce a weekly or monthly calendar of events and shall provide a hospitality desk separate from the registration staff, available at least 2 hours per day during peak season.
- (11) Hostel shall be open year-round. Front desk hours shall be from at least 7 A.M. until at least 2 A.M. every day. Hostellers shall have 24 hour access. In addition, hostel shall have front desk or security staff on duty 24 hours per day.
- (12) Hostel shall provide multilingual staff and handouts in several languages. Compliance with this requirement shall require, at a minimum, the presence of one multilingual staff member per eight-hour shift. The term "several languages" shall mean English plus a minimum of 2 other languages.
- (13) Hostel shall accept luggage for storage and provide lockers for hostellers.
- (14) Hostel operator shall not ask or require hostellers to assist with chores.
- (15) Hostel shall provide a public telephone for hostellers' use.
- (16) Hostel shall be subject to review for compliance with all approved standards at any time, and shall be inspected at least once per year. Failure to comply with all approved standards shall result in a hearing

before the City Council with the possible result of revocation of the hostel conditional use permit and business license.

22. Warehousing, Mini-Storage

All mini-storage facilities shall provide minimum 32-foot wide drive aisles between all buildings and adjacent to all building walls with storage compartment access doors. Conditional use permit required for mini-storage facilities without resident manager or with more than one resident manager living unit. Mini-storage facilities with one onsite resident manager/caretaker living unit shall be permitted by right, subject to the following conditions:

- a. Mini-storage facility shall comply with all development regulations (setbacks, building coverage, height, etc.) listed for the land use category or Planned Unit Development in which the facility is located.
- b. Manager/caretaker quarters shall be incorporated into and occupy space on the premises of the mini-storage facility.
- c. Mini-storage facility must include 1 covered parking space for exclusive use by each resident manager quarters. Mini-storage facility shall include a single 600 square foot (minimum) landscaped private recreation area within the mini-storage project for exclusive use by resident caretakers. The landscaped recreation area shall include a minimum of one 24-inch boxed shade tree, turf, shrubs, and recreation equipment as approved by the Director. Recreation equipment shall consist of picnic table and barbeque facilities, or other comparable equipment for use by the resident manager.
- d. All buildings in the mini-storage facility shall be architecturally compatible with the surrounding land use. Architectural compatibility shall be measured as follows: projects constructed abutting residential or public/semi-public land use shall employ sloped concrete tile or clay roofs and shall display wall relief features and colors commonly found in residential construction; projects abutting commercial or industrial land use categories may employ more rigid lines and features; where a project abuts a residential or public/semi-public land use category and any other land use category the residential compatibility requirement shall prevail.
- e. Hours of public access to mini-storage units abutting one or more residential land use categories shall be restricted to the period from 6:00 A.M. to 10:00 P.M., Monday through Sunday.

- f. Minimum setback from residential land use category for all office or storage structures shall be 20 feet, or the height of the building, whichever is greater.
- g. All setbacks abutting residential land use parcels shall be landscaped.

23. Airport Landing Strip

In addition to meeting all standard requirements for conditional use application and approval, the applicant shall provide a list of all property owners within 1500 feet of the parcel boundary along with a mailing label addressed to each property owner on that list and funds to pay postage for each notification. The list of property owners shall be obtained from the Clark County Assessor or from a similarly reliable source of property ownership records approved by the Director. The Governing Body shall prepare the public hearing notice for mailing, provide the envelopes and deliver the mailings to the postal service. (Airport/landing strip)

4.4 Intensity and Dimensional Standards (Commercial Land Use Categories)

A. Intensity and Dimensional Standards Table

All development in commercial land use categories shall be subject to the intensity and dimension standards set forth in Table 4.4-1. These intensity and dimensional standards may be further limited or modified by other applicable sections of these Development Standards. Numbers denote additional regulations that are set forth immediately following the table. These additional regulations are applicable to specific uses or circumstances as indicated.

**Table 4.4-1
Commercial Land Use Site Intensity and Dimensional Standards**

Site Development Standard	Land Use Sub-category			Additional Regulations (See §4.4-B)
	NC-CN	NC-CO	GC-CC	
Minimum Size (Gross Acres)	2	2	10	1
Minimum Lot Area (Square feet)	10,000	20,000	10,000	
Minimum Lot Width (feet)	80	100	80	
Minimum Setbacks (feet)				
Front	25	25	25	1
Interior Side	10	10	10	2

Site Development Standard	Land Use Sub-category			Additional Regulations (See §4.4-B)
	NC-CN	NC-CO	GC-CC	
Street Side	10	15	15	
Rear	10	10	10	2
Maximum Height (feet)	35	50	50	3
Maximum Building Coverage (Percent of Site)	35	40	35	

See Sec. 7.1 for allowed exceptions to setback, height and other standards.

B. Additional Intensity and Dimensional Regulations

1. Smaller sites may be permitted in the GC-CC land use category subject to the Operational Compatibility standards of Sec. 9.4. Smaller lot and setback requirements in the GC-CC category may be permitted with a governing body-approved development plan if the average dimensions equal or exceed the standard for the land use category.
2. An interior side or rear setback adjoining a residential or public semi-public land use shall be 20 feet or the height of the structure, whichever is greater.

4.5 Industrial Land Use Categories/Category Purposes

The following Industrial land use classification is hereby created with the specific purposes as set forth below:

BP, Business Park District

To provide and protect sites for research and development facilities and limited industrial activities, including non-nuisance production, distribution and storage of goods, but no raw-materials processing or bulk handling, in a landscaped setting. Offices and support commercial services are permitted in mixed-use projects. Accessory office uses are allowed. Two types of BP sub-categories are established:

Sub-category

BP-IL
BP-IP

4.6 Allowed Uses (Industrial Land Use Categories)

Table 4.6-1 below sets forth the uses permitted within Industrial land use categories.

A. Permitted Uses

A "P" in a cell indicates that a use category is allowed by-right in the respective category. Permitted uses are subject to all other applicable regulations of these Development Standards, including General Development Regulations set forth in Sec. 9.

B. Conditional Uses

A "C" in a cell indicates that a use category is allowed only if reviewed and approved as a Conditional Use.

C. Uses Not Allowed

A "N" in a cell indicates that a use type is not allowed in the respective land use category, unless it is otherwise expressly allowed by other regulations of these Development Standards.

D. Temporary Uses

A "T" indicates that a use type is allowed only by a Temporary Use Permit, unless it is otherwise expressly allowed by other regulations of these Development Standards.

E. Numerical References

The numbers contained in certain table cells and in the Additional Regulations are references to additional standards and requirements that apply to the use type listed. Standards referenced in the Additional Regulations column apply in all land use categories unless otherwise expressly stated.

F. Use Categories/Use Types

All of the use categories listed in Table 4.6-1 are described in Sec. 6.1. In some cases, specific uses are listed in the second column of the table. The use categories are intended to be mutually exclusive. If a use type is specifically listed in the table, that use type is allowed only in the categories indicated, not within the categories that allow the broader classification. If a use type is not listed, then the Director shall, upon the request of any interested party and pursuant to the procedures set forth in Sec. 2, make a determination within which use category, if any, such use type should be included.

**Table 4.6-1
Uses Allowed In Industrial Land Use Categories**

Category	Specific Use	Land Use Categories		Additional Regulations (apply in all categories unless otherwise stated)
		BP-IL	BP-IP	
Institutional, Public, Semi-Public				
Airport/Landing Strip		C	C	13
Clubs/Lodges		12	12	
Day Care	Day Care General	C	C	1
Emergency Health Care		C	C	
Heliports		N	C	Prohibited within 1,000 feet of an R land use category unless approved by Conditional Use Permit
Maintenance and service facilities		P	N	
Park/recreation facilities		N	P	Limited to facilities of 2 acres or less; 9
Public safety facilities		C	C	
Utility	Minor	P	P	
	Major	C	C	
Commercial				
Ambulance Service		P	N	
Animal Sales/ service	Animal Boarding	C	N	
	Animal Hospitals	C	N	
	Riding Stable	N	N	
	Riding Academy	N	N	
Artist Studio		P	P	
Bail Bond Brokers		P	N	
Brewers, Malt Beverage	Breweries	5	5	
Building Materials/Services		P	N	
Catering service		P	N	
Commercial filming		C	C	
Commercial Laundry	General	P	N	
	Limited	P	C	
Communication Facilities		C	P	

Category	Specific Use	Land Use Categories		Additional Regulations (apply in all categories unless otherwise stated)
		BP-IL	BP-IP	
Construction Storage Yard		C	P	14
Convenience Market		P	P	Service stations may be allowed as a conditional use with convenience market.
Eating/drinking Establishments	Restaurant	1	1	
	Restaurant with bar	N	1	
	Tavern/supper club	N	N	
	With drive-through service	N	N	
	With take-out service	1	1	
Financial institution	Without drive-through service	N	P	
	With drive-through service	N	P	
Funeral/Internment service		P	N	
Horticulture	General	N	N	
	Limited	P	N	
Junk yard		N	N	
Laboratory		P	P	
Maintenance/Repair service		P	N	
Mining and Processing	General	N	N	Requires approval of Reclamation and Ultimate Use Plan as part of Conditional Use Permit
	Short-Term	C	C	Subject to Sec. 6.2.M
Offices, business and professional		P	P	15
Pawn Shops	Auto-exclusive	P	N	
Plant Nurseries		P	N	
Personal Improvement service		2	2	
Recycling facility		C	N	

Category	Specific Use	Land Use Categories		Additional Regulations (apply in all categories unless otherwise stated)
		BP-IL	BP-IP	
Research and development service		P	P	
Retail sales/Rental	General	3	3	
Rock Crushing		N	N	
Transfer Terminal		C	N	
Vehicle/Equipment Sales and Services	Fleet Fueling Station	P	C	
	Service Stations	N	N	
	Vehicle/Equipment Repair	P	N	
	Vehicle/Equipment Sales, Auctions and Rentals	4	N	
	Vehicle Storage	C	N	
Warehousing	General	5	6	
	Limited	P	C	
	Mini-storage	P	C	9
Industrial				
Cogeneration Facility		N	N	
Concrete Production		N	N	10
Industry	Custom	P	P	
	General	N	6	See Sec. 4.6
	Limited	P	P	See Sec. 4.6
	Research and Development	P	P	
Wholesaling, distribution, storage		7	8	
Temporary Uses				
Animal shows/sales		N	N	Subject to procedures in Sec. 6. Temporary mining and processing must comply with Sec. 6
Religious assembly, temporary		T	T	
Temporary Construction Trailer		T	T	
Temporary Dwelling Unit		T	T	
Temporary Mining and Processing		P	P	

Category	Specific Use	Land Use Categories		Additional Regulations (apply in all categories unless otherwise stated)
		BP-IL	BP-IP	
Temporary Vehicle and Equipment Sales, Auctions and Rentals		T	T	
Temporary Sales Office		T	T	
Temporary Security Trailer		T	T	
Trade fairs		T	T	
Accessory Uses		P	P	Conditional use permit required if primary use is conditional.

G. Additional Use Standards

1. **Day Care, Restaurant**
Permitted in a building as a secondary use not occupying more than 25 percent of the gross floor area or in a freestanding structure in a mixed-use project.
2. **Personal Improvement Service**
Gymnastics classes, riding academies, technical schools, trade schools offering classes in heavy equipment repair and similar uses may be allowed by conditional use. The intent of this section is to allow by conditional use those uses that require high ceilings, large clear space buildings, or some form of noise or other environmental isolation, provided the applicant can demonstrate that such uses will not adversely affect the health, safety, and welfare of surrounding uses.
3. **Retail Sales/Rental**
Limited to sale of products manufactured or processed on the subject premises. Permitted for areas up to 15 percent of the gross floor area of on-site buildings directly associated with the manufacturing, processing, and administration of the retailed products. Conditional use permit required for retail areas greater than 15 percent of the gross floor area.
4. **Vehicle/Equipment Sales and Rental**
No new or used automobile, truck, or motorcycle sales permitted, except for the following:
 - a. Used vehicle sales made between licensed dealers with no sales made directly to the general public.
 - b. Used vehicle sales as a secondary use of, and on the site of an automobile dismantling/wrecking business licensee.

c. Used vehicle sales as a secondary use of and on the site of a salvage pool or towing company licensee.

5. **Warehousing, General; Indoor Manufacturing**

General warehousing and the manufacture of products from raw materials may be permitted with a conditional use permit. Unless otherwise specified in the BP-IL land use classification, no other general industry uses are allowed. All warehousing and manufacturing processes must be conducted within a totally enclosed building and all outside storage of materials and equipment must be behind a minimum eight-foot-high cinder block or comparable masonry fence approved by the Governing Body. All storage must be completely screened from view from all neighboring properties and the public rights-of-way.

6. **Warehousing, General**

General warehousing and the manufacture of products from raw materials are permitted. Unless otherwise specified in the BP land use classifications, no other general industry uses are allowed. All warehousing and manufacturing processes must be conducted within a totally enclosed building, and all storage of materials and equipment, except vehicles used for transporting the warehoused or manufactured products, must be within a totally enclosed building. Vehicles used for transporting and warehoused or manufacture products must be screened from view from all neighboring properties and internal and external streets with masonry fencing and landscaping, berms and landscaping, or other comparable screening method approved by the Governing Body.

7. **Wholesaling, Distribution, Storage**

Permitted subject to the following conditions: All wholesaling and distribution must be conducted within a totally enclosed building and all outside storage of materials and equipment must be behind a minimum eight-foot-high cinder block or comparable masonry fence approved by the Governing Body. All storage must be completely screened from view from neighboring properties and public streets.

8. **Wholesaling, Distribution, Storage**

Permitted subject to the following conditions: All wholesaling, distribution, and storage of materials and equipment, except vehicles used for transporting the warehoused products, shall be conducted within a totally enclosed building. Vehicles used for transporting the warehoused products must be screened from view from all neighboring properties and from internal and external streets with minimum 8-foot solid masonry fencing and landscaping, berms and landscaping, or other comparable screening approved by the Governing Body.

9. **Park/Recreation Facility; Mini-Storage**

Maximum of one dwelling unit per site as caretaker's housing. No freestanding dwelling units are permitted in the BP-IP land use sub-category. Three parking spaces shall be provided per caretaker's living unit and dedicated for exclusive use by the caretaker and guests.

10. Concrete Production

Conditions may be imposed to ensure that fugitive dust, mud on adjacent roads, and other external environmental impacts are controlled. All finished concrete products shall be stored indoors or screened from view from neighboring properties and all public rights-of-way.

11. Personal Improvements Service

Limited to instruction in aircraft flying, repair, and maintenance at airports only, without limitation to size of site.

12. Clubs and Lodges

Limited to labor union locals and similar labor organization offices only. No other clubs or lodges are permitted. Includes unlimited interior office and assembly floor area, and includes kitchen facilities to serve membership gatherings only. No food shall be served to the general public. This classification includes skill classes and apprenticeship training conducted wholly within a building. No outdoor instruction shall be permitted. (See Personal Improvement Services for other training provisions in industrial land use sub-categories.)

13. Airport/Land Strip

Conditional use permit required. In addition to meeting all standard requirements for conditional use permit application and approval, the applicant shall provide a list of all property owners within 1500 feet of the parcel boundary along with a mailing label addressed to each property owner on that list and funds to pay postage for each notification. The list of property owners shall be obtained from the Clark County Assessor or from a similarly reliable source of property ownership records approved by the Director. The Governing Body shall prepare the public hearing notice for mailing, provide the envelopes and deliver the mailings to the postal service.

14. Construction Storage Yard

Raw materials such as sand or gravel may be stored on site, except that any pile of raw material stored on site shall not exceed 8 feet in height unless approved by conditional use review.

15. Offices

Offices shall be allowed in BP-IL and BP-IP sub-categories up to a maximum of 35,000 square feet of building floor area provided that parking requirements for all uses on the site are met. In any building over 35,000 square feet in the BP-IL and BP-IP sub-categories, no more than 50 percent of the floor area of the structure shall be devoted to office

use, up to a maximum of 100,000 square feet of floor area devoted to office use.

H. Prohibited Uses

The following uses are specifically prohibited in all industrial sub-categories:

1. **Feedlots**
Feedlots.
2. **SIC Group 29**
All establishments falling within Standard Industrial Classification (SIC) Major Group No. 29, Petroleum Refining and Related Industries, as identified in the Standard Industrial Classification Manual (OMB 1987).
3. **SIC Group 331**
All establishments falling within Standard Industrial Classification (SIC) Major Group No. 331, Steel Works, Blast Furnaces, and Rolling and Finishing Mills, as identified in the Standard Industrial Classification Manual (OMB 1987).
4. **SIC Group 33**
All establishments falling within Standard Industrial Classification (SIC) Major Group No. 33, Primary Metal Industries, as identified in the Standard Industrial Classification Manual (OMB 1987).
5. **SIC Group 4911**
All electrical generation facilities falling within Standard Industrial Classification (SIC) Major Group No. 4911, as identified in the Standard Industrial Classification Manual (OMB 1987), but not including cogeneration facilities.
6. **SIC Group 4925**
All establishments falling within Standard Industrial Classification (SIC) Major Group No. 4925, Mixed, Manufactured, or Liquefied Petroleum Gas Products and/or Distribution, as identified in the Standard Industrial Classification Manual (OMB 1987).
7. **SIC Group 2011**
All establishments falling within Standard Industrial Classification (SIC) Major Group No. 2011, Meat Packing Plants, as identified in the Standard Industrial Classification Manual (OMB 1987).
8. **SIC Group 2015**
All establishments falling within Standard Industrial Classification (SIC) Major Group No. 2015, Poultry Slaughtering and Processing, as identified in the Standard Industrial Classification Manual (OMB 1987).
9. **SIC Group 2077**
All establishments falling within Standard Industrial Classification (SIC) Major Group No. 2077, Animal and Marine Fats and Oils, as identified in the Standard Industrial Classification Manual (OMB 1987).

4.7 Intensity and Dimensional Standards (Industrial Land Use categories)

A. Intensity and Dimensional Standards Table

The following intensity and dimensional standards apply in industrial districts. These standards shall be considered as the maximum allowable intensity or dimensions as to height and site coverage and the minimum dimensions as to setbacks and site area permitted within a district and may be limited or modified by other applicable sections of these Development Standards.

Industrial Land Use Site Intensity and Dimensional Standards

Site Development Standard	Land Use Category		Additional Regulations
	BP-IL	BP-IP	
Minimum Lot Size	1 Acre	2 Acres	
Minimum Lot Width	70	N/A	
Minimum Setbacks (Feet)			
Front	25	25	35 foot setbacks required along all street sections with rights-of-way less than 120 feet.
Interior Side	20	20	An interior side or rear setback adjoining an R land use category shall be 20 feet or the height of the structure, whichever is greater.
Street side	10	20	
Rear	20	20	20-foot setback required where lot is abutting public street or non-industrial land use.
Maximum Height (feet)	40	50	
Maximum Building Coverage (Percent)	50	50	

See Sec. 7.1 for allowed exceptions to setback, height and other standards.

4.8 Public Land Use Category/Category Purposes and Intent

The following Public Land Use Classification is hereby created with the purposes as set forth below:

PS, Public and Semipublic Land Use

To allow consideration of a large public or semipublic use separately from regulations for an underlying land use that may or may not be appropriate in combination with the public or semipublic use; permit consideration of establishment or expansion of a large public or semipublic use, and give notice to all of the extent of a site approved for a large public or semipublic use, and to allow the Planning Commission and Governing Body to consider the most appropriate use of a site following discontinuance of a large park or recreation facility without the encumbrance of a land use designation that may or may not provide appropriate regulations for reuse of the site. One PS sub-category is established:

Sub-category

PS-PS

4.9 Allowed Uses (PS, Public and Semipublic Land Use Category)

Table 4.9-1 below sets forth the uses permitted within the PS, Public and Semipublic land use category.

A. Permitted Uses

A "P" in a cell indicates that a use category is allowed by-right in the respective land use classification. Permitted uses are subject to all other applicable regulations of these Development Standards, including General Development Regulations set forth in Sec. 9.

B. Conditional Uses

A "C" in a cell indicates that a use category is allowed only if reviewed and approved as a Conditional Use.

C. Uses Not Allowed

An "N" in a cell indicates that a use type is not allowed, unless it is otherwise expressly allowed by other regulations of these Development Standards.

D. Temporary Uses

A "T" indicates that a use type is allowed only by a Temporary Use Permit, unless it is otherwise expressly allowed by other regulations of these Development Standards.

E. Numerical References

The numbers contained in certain table cells and in the Additional Regulations are references to additional standards and requirements that apply to the use type listed. Standards referenced in the Additional Regulations column apply unless otherwise expressly stated.

F. Use Categories/Use Types

All of the use categories listed in Table 4.9-1 are described in Sec. 6.1. In some cases, specific uses are listed in the second column of the table. The use categories are intended to be mutually exclusive. If a use type is specifically listed in the table, that use type is allowed only in the categories indicated, not within the categories that allow the broader classification. If a use type is not listed, then the Director shall, upon the request of any interested party and pursuant to the procedures set forth in Sec. 2, make a determination within which use category, if any, such use type should be included.

**Table 4.7-1
Uses Allowed In Public Land Use Categories**

Category	Specific Use	Land Use Category PS-PS	Additional Regulations (apply unless otherwise stated)
Institutional, Public, Semipublic			
Airports/Landing strip		C	1
Cemetery		C	No embalming or other preparation allowed
Cultural Institution		C	
Day Care, General		C	
Detention facility		C	1
Emergency health care		C	1
Government Offices		C	
Heliport		C	1; No heliport may be located within 1,000 feet of any residential use unless approved by Conditional Use Permit.
Hospital		C	1; Restaurant, florist, pharmacy, and gift shop allowed as accessory use as part of main structure.

Category	Specific Use	Land Use Category PS-PS	Additional Regulations (apply in all categories unless otherwise stated)
Institutional Housing	Continuing Care Retirement Community	C	Must comply with Multi-family Ordinance
	Group Living – Assisted Living	C	Must comply with Multi-family Ordinance
	Group Living – General	C	Must comply with Multi-family Ordinance
	Skilled Nursing Facility	C	
Maintenance and Service Facility		C	
Nonprofit Rehabilitation Center		C	
Park and Recreation Facility	General	C	All projects subject to review by the parks and recreation board.
	Golf Course	C	Clubhouses, golf schools, driving ranges, pro shops, and restaurant/bar allowed as accessory uses.
Public Safety facility		C	1
Religious Assembly		C	
Residential Care, general		C	
School		C	
Utility	Minor	P	
	Major	C	
Commercial			
Commercial filming		C	
Commercial Recreation and Entertainment		C	
Eating and Drinking Establishment	Restaurant	1	
	Restaurant with bar	2	
	With take-out service	2	Limited facilities permitted only as part of a park or recreation facility
Mining and Processing	Short-term	C	Subject to Sec. 6
Holiday Sales		C	Allowed only on an improved, paved lot unless otherwise approved by the Community Development Director
Agricultural			

Category	Specific Use	Land Use Category PS-PS	Additional Regulations (apply in all categories unless otherwise stated)
Animal Husbandry		C	Conditions may be imposed limiting operations to designated area to protect water resources from runoff and to protect the public health, safety, and welfare.
Crop Production		C	
Temporary Uses			
Animal Show		T	Subject to standards of Sec. 6 Temporary mining and processing must comply with Sec. 6
Circus/Carnival		T	
Commercial Fishing, limited		T	
Religious assembly, temporary		T	
Retail Sales, outdoor		T	
Swap Meet		T	
Street Fair		T	
Temporary Dwelling unit		T	
Temporary Construction Trailer		T	
Temporary Mining and Processing		P	
Temporary Sales Office		T	
Temporary Security Trailer		T	
Trade Fair		T	
Accessory Uses			Conditional use permit required if primary use is conditional.

G. Additional Use Standards

1. Airport Landing Strip/Detention Facility/Emergency Health Care

Conditional use approval required. In addition to meeting all standard requirements for conditional use application and approval, the applicant shall provide a list of all property owners within 1500 feet of the parcel boundary along with a mailing label addressed to each property owner on that list and funds to pay postage for each notification. The list of property owners shall be obtained from the Clark County Assessor or from a similarly reliable source of property ownership records approved by the Director. The Governing Body shall prepare the public

hearing notice for mailing, provide the envelopes and deliver the mailings to the postal service.

2. **Eating Establishment**

Permitted as an accessory use in a cultural, educational, or medical institution project, a civic or private institution occupying no more than 5,000 square feet.

4.10 Intensity and Dimensional Standards (PS Land Use Category)

Intensity and Dimensional Standards shall be as specified by the conditional use permit, provided that, if the conditional use permit fails to regulate an element regulated by an abutting land use classification or no conditional use approval is required for the use listed in Table 4.9-1, the most restrictive regulations of the nearest land use category shall apply to each portion of a PS land use classification.

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CHAPTER 5 OVERLAY LAND USE CATEGORIES

5.1 General

This chapter sets forth a number of overlay land use categories.

A. Overlay Categories

The overlay categories of this chapter are intended to apply in combination with the underlying land use categories to impose regulations and standards in addition to those required by the base land use category. The requirements of an overlay district shall apply whenever they are in conflict with or are more stringent than those in the base land use category. The following overlay land use categories are hereby created:

1. **AE, Airport Environs Overlay**
2. **MP, Master Plan Overlay**
3. **PUD, Planned Unit Development Overlay**
4. **E, Efficiency Lot Overlay**
5. **C, Center Overlay**
6. **H, Hillside Overlay**

5.2 AE, Airport Environs Overlay

A. Purposes

The specific purposes of the AE, Airport Environs Overlay is to ensure land use compatibility around Henderson Executive Airport and to provide for the safe operation of aircraft by controlling height limits.

B. Applicability and Land Use Map Designator

The AE, Airport Environs Overlay is combined with any land use classification. The AE, Airport Environs Overlay shall include all noise and hazard exposure zones of 65 LDN and greater. The Henderson Executive Airport related AE district shall include the following: all airport property in Section 2, Township 23 South, Range 61 East, as it existed on January 1, 1993; all land in the south half of the southwest quarter and the northwest quarter of the southwest quarter of Section 35, Township 22 South, Range 61 East; all land in the east half of the east half of the northeast quarter and the east half of the east half of the southeast quarter of Section 3, Township 23 South, Range 61 East. Additionally, Sections 2 and 3, Township 23 South, Range 61 East. All land in the the east half of the southeast quarter of Section 34, Township 22 South, Range 61 East; all land in the east half of the northeast

quarter, and the northeast quarter of the southeast quarter of Section 10, Township 23, Range 61 East; all land in the west half of the northwest quarter, the west half of the east half of the northwest quarter, the west half of the southwest quarter and the west half of the northeast quarter of the southwest quarter of Section 11, Township 23 South, Range 61 East; and all land in the northwest quarter of the northwest quarter of Section 14, Township 23 South, Range 61 East.

The AE Airport Environs Overlay shall be shown on the land use map by adding a designator "-A" to the base land use classification.

C. Land Use Regulations

Land use regulations shall be those of the base land use classification within which the Airport Environs district is combined, subject to the restrictions set forth in Table AE, entitled Land Use Compatibility in the Airport Environs Overlay. No use may be made of land within any airport approach zone, airport turning zone or airport transition zone that would create electrical interference with radio communication between the airport and the aircraft, make it difficult for flyers to distinguish between airport lights and others, result in glare, impair visibility, or otherwise interfere with or endanger the landing, taking off, or maneuvering of aircraft.

D. Property Development Regulations

Development standards shall be those of the land use classification with which the AE Airport Environs Overlay district is combined, subject to the restrictions set forth in Table AE, entitled Land Use Compatibility in the Airport Environs Overlay. No structure shall be erected or altered or tree maintained in any airport approach zone, airport turning zone, or airport transition zone to a height that would project above the approach surface as defined by Federal Aviation Regulations Part 77, Surfaces, a copy of which shall be available through the Airport Authority.

Height limitations shall be those of the base land use classification or the height indicated in Table AH, entitled Airport Related Threshold Filing Heights Henderson Executive Airport, whichever height is the lesser. The threshold filing height indicated in Table AH may be exceeded, provided the construction height is not increased beyond that of the base land use classification if the developer presents certification by the Airport Authority that the proposed structure or other feature will not exceed the restrictions established in Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace, as revised, and further provided that the developer must file a Notice of Construction or Alteration (Form 7460-1) with the Federal Aviation Administration.

(Note: Table AH is not intended to be a final listing of structural height limitations, but instead, is a listing of building heights above which the Airport Authority must review each proposed structure for compliance with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace, and above which FAA form 7460-1 must be submitted.)

E. Avigation Easements Required

No division of land shall be approved nor shall a permit of any type be issued for any use or development activity within an AE, Airport Environs Overlay until the Governing Body is provided with satisfactory evidence that the avigation easement has been recorded. Alterations and additions to dwellings existing prior to the effective date of these development standards shall be exempt from this requirement. For the purposes of this section a dwelling shall be considered existing upon issuance of its building permit.

F. Table AE -- Land Use Compatibility in the Airport Environs Overlay, and

Table AH -- Airport Related Threshold Filing Heights Henderson Executive Airport.

1. Table AE, which specifies compatible uses in the AE Airport Environs Overlay and under what conditions some incompatible uses may be modified so as to be considered compatible, is adopted as follows:

**Table AE
Land Use Compatibility in the Airport
Environs Overlay**

Primary Category	Specific Category	Risk Zones and Noise Zones in 65 or Greater Ldn						
		RPA AE-RPZ	APZ-1 AE-I	APZ-2 AE-II	65-70 AE-65	70-75 AE-70	75-80 AE-75	80+ AE-80
Undetermined	An Undetermined Use	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Nonresidential	Unspecified Accessory Use	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Residential	Unspecified Accessory Use	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Accessory Use to Residential (>2 Du/ac)	No	No	No	25	(No)	<No>	<No>
	Single Family (>2 Du/ac)	No	No	No	25	(No)	<No>	<No>
	Accessory Use to Residential (<2 Du/ac)	No	No	Yes	25	30	<No>	<No>
	Single Family (<2 Du/ac)	No	No	Yes	25	30	<No>	<No>
	Two Family	No	No	No	25	(No)	<No>	<No>
	Multifamily Structures	No	No	No	25	(No)	<No>	<No>
	Group Quarters	No	No	No	25	(No)	<No>	<No>

Primary Category	Specific Category	Risk Zones and Noise Zones in 65 or Greater Ldn						
		RPA AE-RPZ	APZ-1 AE-I	APZ-2 AE-II	65-70 AE-65	70-75 AE-70	75-80 AE-75	80+ AE-80
	Residential Hotels	No	No	No	25	(No)	<No>	<No>
	Permanent Mobile Home Parks-courts	No	No	No	25	(No)	<No>	<No>
	Transient Mobile Home Parks-courts	No	No	No	Yes	(No)	<No>	<No>
	Hotels, Motels & Tourist Courts	No	No	No	25	30	35	<No>
	Other Residential	No	No	No	25	(No)	<No>	<No>
	Manufacturing	Food & Kindred Products	No	No	(Yes)	Yes	(25)	(30)
Textile Mill Products		No	No	No	Yes	(25)	(30)	(35)
Apparel & Finished Products		No	No	No	Yes	(25)	(30)	(35)
Lumber & Wood Products (Except Furn.)		No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
Furniture & Fixtures		No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
Paper & Allied Products		No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
Printing-Publishing		No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
Chemicals & Allied Products		No	No	No	Yes	(25)	(30)	(35)
Petroleum Refining & Related Industries		No	No	No	Yes	(25)	(30)	(35)
Rubber & Miscellaneous Plastic		No	No	No	Yes	(25)	(30)	(35)
Stone, Clay & Glass Products		No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
Primary Metal Industries		No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
Fabricated Metal Products		No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
Instruments & Optical Goods		No	No	No	25	30	No	No
Miscellaneous Manufacturing		No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
Trans. & Utils.	Railroad, Rapid Rail & Street Railway	No	(Yes)	Yes	Yes	Yes	Yes	Yes
	Motor Vehicle Transportation	No	(Yes)	Yes	Yes	(25)	(30)	(35)
	Aircraft Transportation	No	(Yes)	Yes	Yes	(25)	(30)	(35)
	Highway & Street R-O-W	(Yes)	(Yes)	Yes	Yes	Yes	Yes	Yes
	Auto Parking	(Yes)	(Yes)	Yes	Yes	Yes	Yes	Yes
	Communications	(Yes)	(Yes)	Yes	Yes	(25)	(30)	(35)
	Utilities	(Yes)	(Yes)	Yes	Yes	Yes	Yes	Yes
Trade	Other Trans.-Comm. & Utilities	(Yes)	(Yes)	Yes	Yes	Yes	Yes	Yes
	Wholesale Trade	No	Yes	Yes	Yes	(25)	(30)	(35)
	Building Materials & Hardware (Retail)	No	Yes	Yes	Yes	(25)	(30)	(35)

Primary Category	Specific Category	Risk Zones and Noise Zones in 65 or Greater Ldn						
		RPA AE-RPZ	APZ-1 AE-I	APZ-2 AE-II	65-70 AE-65	70-75 AE-70	75-80 AE-75	80+ AE-80
	General Merchandise (Retail)	No	No	Yes	Yes	25	30	35
	Food-Retail	No	No	Yes	Yes	25	30	35
	Automotive, Marine & Aircraft Acces.	No	Yes	Yes	Yes	25	30	35
	Apparel & Accessories (Retail)	No	No	Yes	Yes	25	30	35
	Furniture & Home Furnishings (Retail)	No	No	Yes	Yes	25	30	35
	Eating & Drinking Places	No	No	No	Yes	25	30	35
	Other Retail Trade	No	No	Yes	Yes	25	30	35
	Services	Finance, Insurance & Real Estate	No	No	<Yes>	Yes	25	30
	Personal Services	No	No	<Yes>	Yes	25	30	35
	Cemeteries	<Yes>	<Yes>	<Yes>	Yes	(25)	(30)	(35)
	Business Services	No	No	<Yes>	Yes	25	30	35
	Warehousing & Storage Services	No	Yes	Yes	Yes	(25)	(30)	(35)
	Explosives Storage	No	No	No	Yes	(25)	(30)	(35)
	Repair Storage	No	<Yes>	<Yes>	<Yes>	(25)	(30)	(35)
	Medical & Other Health Services	No	No	No	25	30	No	No
	Legal Services	No	No	<Yes>	Yes	25	30	35
	Other Professional Services	No	No	<Yes>	Yes	25	30	35
	Contract Construction Services	No	<Yes>	<Yes>	Yes	(25)	(30)	(35)
	Government Services	No	No	<Yes>	Yes	25	30	35
	Educational Services	No	No	No	25	30	No	No
	Religious Activities	No	No	No	25	30	No	No
	Other Miscellaneous Services	No	No	<Yes>	Yes	25	30	35
Recreation	Cultural Activities	No	No	No	25	30	No	No
	Nature Exhibitions	No	(Yes)	(Yes)	Yes	No	No	no
	Outdoor Entertainment Assembly	No	No	No	No	No	No	No
	Indoor Entertainment Assembly	No	No	No	25	30	No	No
	Outdoor Sports Assembly	No	No	No	Yes	Yes	No	No
	Indoor Sports Assembly	No	No	No	Yes	25	30	35
Recreation	Miscellaneous Public Assembly	No	No	No	(25)	(30)	No	No
	Fairgrounds & Amusement Parks	No	No	No	Yes	Yes	No	No
	Outdoor Amusements	No	No	(Yes)	Yes	Yes	No	No
	Indoor Amusements	No	No	(Yes)	Yes	25	30	35
	Outdoor Sports Activities	No	(Yes)	(Yes)	Yes	Yes	No	No

Primary Category	Specific Category	Risk Zones and Noise Zones in 65 or Greater Ldn						
		RPA AE-RPZ	APZ-1 AE-I	APZ-2 AE-II	65-70 AE-65	70-75 AE-70	75-80 AE-75	80+ AE-80
	Indoor Sports Activities	No	No	(Yes)	(Yes)	25	30	35
	Outdoor Playground & Athletic Areas	No	No	(Yes)	Yes	Yes	No	No
	Indoor Playground & Athletic Areas	No	No	(Yes)	(Yes)	25	30	35
	Golf Courses, Riding Stables & Water Rec.	No	Yes	(Yes)	Yes	(25)	(30)	(35)
	Other Recreation	No	Yes	(Yes)	Yes	Yes	No	No
	Resorts & Group Camps	No	No	No	Yes	Yes	No	No
	Parks	No	Yes	Yes	(25)	(30)	(35)	No
Resources	Dairy Farmg	No	Yes	Yes	(25)	(30)	(35)	No
	Livestock Farms & Ranches (2)	No	Yes	Yes	(25)	(30)	(35)	No
	Other Agriculture (3)	Yes	Yes	Yes	(25)	(30)	(35)	(35)
	Agricultural Related Activities (2)	No	Yes	Yes	(25)	(30)	(35)	No
	Forestry Activities & Related Services	No	Yes	Yes	(25)	(30)	(35)	(35)
	Fishing Activities & Related Services (3)	No	Yes	Yes	Yes	Yes	Yes	Yes
	Mining Activities & Related Services	No	Yes	Yes	Yes	Yes	Yes	Yes
Undeveloped	Undeveloped & Unused Land	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	Water Areas (3)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	Open Space	Yes	Yes	Yes	Yes	Yes	Yes	yes

Key Conditions

- (*) previously undetermined or undefined uses will be reviewed by the Director and assigned appropriate restrictions.
- Yes land use and related structures allowed without restrictions.
- No land use and related structures are not compatible and are not allowed.
- (No) where the provisions of the AE overlay permit uses but require noise attenuated construction in buildings and structures a minimum exterior to interior noise level reduction of 35 decibels must be incorporated into building construction.
- <no> where the provisions of the AE overlay permit uses but require noise attenuated construction in buildings and structures a minimum exterior to interior noise level reduction of 35 decibels must be incorporated into building construction.
- 25 requires a minimum exterior to interior noise level reduction of 25 decibels incorporated into building construction.
- 30 requires a minimum exterior to interior noise level reduction of 30 decibels incorporated into building construction.
- 35 requires a minimum exterior to interior noise level reduction of 35 decibels incorporated into building construction.

- (25) a minimum exterior to interior noise level reduction of 25 decibels must be incorporated into construction of portions of buildings where public is received, office areas, noise sensitive areas or where the normal noise level is low.
- (30) a minimum exterior to interior noise level reduction of 30 decibels must be incorporated into construction of portions of buildings where public is received, office areas, noise sensitive areas or where the normal noise level is low.
- (35) a minimum exterior to interior noise level reduction of 35 decibels must be incorporated into construction of portions of buildings where public is received, office areas, noise sensitive areas or where the normal noise level is low.
- (Yes) (mfg) conditional use permit required: additional factors to be considered: labor intensity, structural manufacturing coverage, explosive characteristics, air pollution, size of establishment, people density, peak period (including shoppers/visitors) concentrations.
- (Yes) no structures in clear zones. No passenger terminals and no major above ground transmission lines unless allowed by the FAA.
- (Trans/Utils) Trans./Utils. in runway protection zones or APZ I.
- <yes> (services) conditional use permit required: low intensity office use only (limited scale of concentration of services of such uses). Meeting places (including chapels), auditoriums, etc. not allowed.
- (Yes) (Recreation) conditional use permit required: facilities must be low intensity.
 - (1) "Other agriculture" includes livestock grazing but excludes feedlots and intensive animal husbandry.
 - (2) "Livestock farms and ranches" and "agricultural related activities" includes feedlots and intensive animal husbandry.
 - (3) "Fishing activities & related services" and "water areas" include hunting and fishing.
- < Less than or equal to.
- > Greater than or equal to.

2. Table AH, which specifies threshold filing heights in certain areas is adopted as follows:

Table AH
Airport Related Threshold Filing Heights
Henderson Executive Airport

Section	Township	Range	Threshold Filing Height	Airport	Section	Township	Range	Threshold Filing Height	Airport
31	21	62	105	SM	1	22	62	200	M
32	21	62	150	SM	2	22	62	200	M
33	21	62	142	SM	3	22	62	200	M
34	21	62	200	M	4	22	62	135	M
35	21	62	200	M	5	22	62	100	M
36	21	62	200	M	6	22	62	85	SM
					7	22	62	115	M
28	21	63	200	M	8	22	62	145	M
29	21	63	200	M	9	22	62	145	M
31	21	63	200	M	10	22	62	200	M
32	21	63	200	M	11	22	62	200	M
33	21	63	200	M	12	22	62	200	M
					17	22	62	200	S
1	22	61	120	M	18	22	62	115	SM
2	22	61	60	M	19	22	62	200	S
3	22	61	35	M	30	22	62	200	S
11	22	61	50	M	31	22	62	200	S
12	22	61	65	SM	32	22	62	200	S
13	22	61	45	SM					
14	22	61	60	M	4	22	63	200	M
21	22	61	155	S	5	22	63	200	M
22	22	61	173	S	6	22	63	200	M
23	22	61	193	S	7	22	63	200	M
24	22	61	200	S	8	22	63	200	M
25	22	61	200	S	9	22	63	200	M
26	22	61	100	S	16	22	63	180	M
27	22	61	100	S	17	22	63	135	M
28	22	61	166	S	18	22	63	195	M
33	22	61	52	S					
34	22	61	35	S	1	23	61	35	S
35	22	61	35	S	2	23	61	35	S
36	22	61	100	S	3	23	61	35	S

S = Lies within Henderson Executive Airport height restriction area.

M = Lies within McCarran International Airport height restriction area.

SM = Lies within both Henderson Executive and McCarran International Airports height restriction areas.

Note: Any construction or alteration of more than 200 feet above ground level at its site requires FAA notification.

G. Noise Level Reduction Standards

The noise level reduction standards in Henderson Municipal Code Chapter 15.56 shall be used to meet the corresponding interior noise level reduction requirements of Table AE.

H. Notification of Airport Authority

Except for alterations and additions to residential uses, the Governing Body shall notify the Airport Authority of applications and provide necessary exhibits for any new or expanded uses or developments within an AE Airport Environs Overlay.

5.3 MP, Master Plan Overlay

A. Purpose

In addition to the general purposes listed in Sec. 1.4, the specific purposes of the MP Master Plan Overlay are to:

1. Ensure orderly planning for the development of large, unsubdivided parcels within limited service areas, and in other developing areas, consistent with the Land Use Plan;
2. Maintain an environmental equilibrium consistent with existing vegetation, soils, geology, topography, and drainage patterns, and protect sensitive natural resources;
3. Avoid premature or inappropriate development that would result in incompatible uses or create public service demands or traffic exceeding the capacity of existing or planned facilities; and
4. Encourage innovative and sensitive site planning and design with high levels of landscaping and other site amenities.
5. Ensure adequate provision of open space, recreational facilities, and other community amenities.
6. Encourage high-quality structures in terms of design, materials, and layout.
7. Ensure that transportation links are maintained and enhanced with adjacent developments and other areas in the region.
8. Implement the Centers concept as recommended in the 1996 Henderson Comprehensive Plan.
9. Accommodate neo-traditional (Traditional Neighborhood Development) designs.

B. Applicability and Land Use Plan Map Designator

The MP Master Plan Overlay may be combined with any base land use category and applied to an area at least 90 acres in size, unless otherwise approved by the Governing Body. Each MP Master Plan Overlay district shall be shown on the Land Use Map by adding an "-MP" designator to the base land use category and a Master Plan shall be required for all development, consistent with the provisions of these Development Standards.

C. Initiation

The MP, Master Plan Overlay may be initiated by the Governing Body, Planning Commission or by a petition of property owners under the procedures. If the property is not under a single ownership and all owners agree to the proposed development, then all owners must join the application, and a map showing the extent of ownership must be submitted with the application. If initiated by the County or City, owners of property subject to an MP Overlay district shall be required to prepare a Master Plan conforming to the regulations of this chapter prior to architectural approval and issuance of permits for individual projects or unless otherwise imposed as a requirement for development.

D. Required Plans and Materials

Each MP Master Development Plan shall set forth a land use and circulation system concept that is consistent with the traffic-carrying capacity of surrounding streets, compatible with the environment, and capable of being served by existing and planned public facilities and utilities. Submittal requirements and exhibits shall be as established by the Director.

E. Approval of a MP Master Development Plan

1. General Procedures

An application for approval of a MP Master Development Plan shall be processed in the same manner as an amendment to the land use plan.

2. Required Findings

In order to approve a MP Master Development Plan, the Governing Body must make the same findings as required for a land use plan amendment.

F. Land Use Regulations

Land use regulations shall be those of the base land use category within which the MP Overlay is combined provided that no new or expanded use may be approved unless a Master Development Plan has been approved. To promote mixed-use developments,

commercial and residential uses may be combined in any plan, site, or building.

G. Development Regulations

Unless expressly modified in an approved Master Development Plan, the otherwise applicable regulations of these Development Standards shall apply within an MP overlay, including the Use and Intensity and Dimensional Standards of the underlying land use category; the General Development Regulations; and the Subdivision Design and Improvement Standards. No land division in an area subject to an MP Overlay shall be permitted without an approved Master Development Plan. The Planning Commission may recommend and the Governing Body may approve a Master Development Plan including lots smaller than those required by the base land use category. Restrictions on the number of dwelling units permitted shall be recorded with a subdivision map or prior to issuance of a grading permit.

H. Amendments to Adopted Master Development Plan

Amendments to adopted Master Development Plans shall be processed as Land Use Plan Amendments, in accordance with the procedures of Sec. 2.4.

I. Extension of Time

1. Expiration

A Master Development Plan shall lapse and become void 5 years following the date of approval, unless actions specified in the conditions of approval have been taken or unless the original approval was for a stated period other than 5 years.

2. Renewal

An approved Master Development Plan may be renewed for a period approved by the Planning Commission after a duly-noticed public hearing. Application for renewal shall be made in writing prior to lapse of the original approval. All subsequent applications shall be consistent with the approved Master Plan.

J. Development Plan Review

Plans for a project requiring a Master Development Plan shall be accepted for Design Review only if they are consistent with an approved Master Development Plan, a Master Sign Plan, if required, and with all other applicable requirements of these Development Standards.

5.4 PUD, Planned Unit Development Overlay

A. Purpose

The PUD, Planned Unit Development Overlay is intended to encourage innovative land planning and site design concepts that achieve a high level of environmental sensitivity, energy efficiency, aesthetics, high-quality development and other community goals by:

1. Reducing or eliminating the inflexibility that sometimes results from strict application of land use category standards that were designed primarily for individual lots;
2. Allowing greater freedom in selecting the means to provide access, light, open space and design amenities;
3. Promoting quality urban design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land uses; and
4. Requiring compliance with development standards that reflect the high level of public investment in adjoining lands.

PUDs may also be used to accommodate neo-traditional (Traditional Neighborhood Development) designs.

B. Developer's Statement of Intent

Each application for approval of a Planned Unit Development shall include a statement by the applicant describing how the proposed development departs from the otherwise applicable standards of these Development Standards and how the proposed development, on balance, is an improvement over what would be required under otherwise applicable development regulations.

C. Review and Approval Procedures

The review and approval procedures for a land use plan amendment.

D. Standards of General Applicability

The standards of this subsection (5.4.C) shall apply to all Planned Unit Developments unless otherwise expressly provided (See also LDR-6 PUD standards of Sec. 5.4).

1. Allowed Uses

a. Residential Planned Unit Developments

The following uses shall be allowed in Planned Unit Developments located in residential base land use categories:

- (1) Detached and attached single-family homes (including mobile and modular homes in trailer estates);

- (2) Multifamily residences, including multistory residential structures;
- (3) Day care, including limited, large-family, and general facilities;
- (4) Religious assembly;
- (5) Common open space, passive and active;
- (6) Landscaped areas;
- (7) Accessory buildings and structures;
- (8) Circulation and parking facilities including lots and garages;
- (9) Signs, including public and private street identification signs;
- (10) Street lighting and street furniture;
- (11) Underground utilities and
- (12) Other residential and supporting uses expressly approved as part of the Planned Unit Development.

b. Nonresidential Planned Unit Developments

Only the following uses shall be allowed in Planned Unit Developments located in nonresidential base land use categories:

- (1) uses permitted in the underlying base land use category; and
- (2) any residential use.

2. Size

A Planned Unit Development shall contain a minimum of 10 contiguous acres of land unless a smaller size is approved by the Governing Body as part of the PUD approval process.

3. Density

The maximum residential density permitted within a Planned Unit Development shall be that of the land use category in which the Planned Unit Development is located.

4. Development Standards and Modifications

Unless otherwise expressly allowed by this section and approved by the Governing Body during the PUD approval process, Planned Unit Developments shall be subject to all applicable standards of these Development Standards, including those of the underlying base land use category. In order to approve modifications of otherwise applicable standards, the Governing Body must find that:

- a. Deviations from applicable base land use category or subdivision design standards that otherwise would apply are justified by compensating benefits of the Planned Unit Development; and
- b. The Planned Unit Development includes adequate provisions for utilities services and emergency vehicle access.

5. **Setbacks**

Setbacks shall be provided in accordance with the underlying land use category standards unless another minimum setback is expressly approved as part of the Planned Unit Development approval.

6. **Signs**

Unless otherwise expressly provided in this Development Code, Planned Unit Developments shall be subject to the sign regulations of Sec. 10. Master Sign Plans shall be required.

7. **Landscaping**

Unless otherwise expressly provided in these Development Standards, Planned Unit Developments shall be subject to the landscaping and buffer regulations of Sec. 9.2.

8. **Parking**

Unless otherwise expressly provided in these Development Standards, Planned Unit Developments shall be subject to the off-street parking and loading standards of Sec. 9.1.

9. **Common Open Space**

a. **Minimum Requirements**

All Planned Unit Developments that include residential dwelling units shall provide common open space in accordance with the following schedule:

Land Use Category	Common Open Space Required Per Dwelling Unit (Square Feet)
VLDR or LDR (except LDR-6)	700
LDR-6 (PUD)	See Sec. 5.4-E.7d
MDR or HDR	See Sec. 6.2-G
Nonresidential	500

No credit shall be granted for private open space.

b. **Management**

A Planned Unit Development that includes common open space shall be subject to NRS 278A.130 to 278A.190, inclusive.

10. **Compliance with Land Use Category Standards**

Unless otherwise specified in the approval of the Planned Unit Development, once initial construction is complete, all subsequent development and construction shall be governed by the underlying land use category regulations, unless otherwise specified in the original approval.

E. LDR-6 PUDs

The standards of this subsection shall apply to all LDR-6 Planned Unit Developments. In the event that the standards of this subsection conflict with those in Sec. 5.4, the LDR-6 PUD standards of this subsection (E) shall control.

1. **Required Land Use Classification**
A LDR-6 PUD may only be approved in a LDR-6 land use category. Land use changes to the LDR-6 category may be processed concurrently with a PUD application.
2. **Minimum Site Area**
A LDR-6 PUD shall contain a minimum of 10 contiguous acres of land unless a smaller size is approved by the Governing Body as part of the PUD approval process.
3. **Minimum Lot Area**
The minimum lot area within a LDR-6 PUD shall be 5,000 square feet. The minimum average lot area shall be 5,500 square feet.
4. **Minimum Lot Width**
The minimum lot width shall be 50 feet, provided that a minimum lot width of 55 feet shall be required for homes with 3-car garages facing the street.
5. **Maximum Lot Depth**
In no case shall the depth of a lot exceed a dimension 3 times the width of the lot.
6. **Perimeter Landscaping**
Perimeter landscaping with a minimum depth of 25 feet shall be provided abutting all arterial streets with a width of 100 feet or more. Perimeter landscaping with a minimum depth of 20 feet shall be provided abutting all arterial streets with a width of less than 100 feet. Arterial streets and corresponding widths shall be as identified on the Master Streets and Highways Plan. The depth of perimeter landscaping shall be measured from the back of curb as required on the Master Streets and Highways Plan.
7. **Common Useable Open Space**
Common useable open space shall be provided in a central location readily accessible to all lots.
 - a. Required perimeter landscaping shall not be considered for inclusion as common useable open space. Drainage facilities and utility easements may be included in the calculations of common useable open space, provided they are fully landscaped and improved for recreation purposes and further provided they meet minimum dimensional and area requirements for common useable open space.
 - b. Common useable open space areas shall have a minimum dimension of 20 feet by 20 feet and have a maximum slope of 1:4 (1-foot vertical rise for each 4-feet of horizontal run).
 - c. Subdivisions that have private streets and in which all lots are a minimum of 6,000 square feet shall be exempt from internal open space requirements but not trail, bike lane or perimeter landscaping requirements.

- d. In subdivisions with any lot size less than 6,000 square feet, common useable open space shall be provided for each lot, regardless of lot size, in accordance with the following schedule:

Lot Area (Square Feet)	Common Open Space Required Per Lot (Square Feet)
5,000 – 5,500	500
5,501- 6,000	250

8. Building Setbacks

Minimum building setbacks shall be as follows:

Setback	Minimum Distance (feet)
Front	
Garage Door	20 [1] (from back of curb)
Other Building Features	14 [1] (from back of curb)
Interior Side	
Garage Door	10
Other Building Features	5
Street Side	
Garage Door	20 [1]
Other Building Features	10 [1]
Rear	15
Perimeter [2]	20

Notes:

- [1] Where sidewalks are not provided an additional 5 feet of setback shall be required.
- [2] Perimeter setbacks shall be provided abutting any perimeter street and any property abutting the PUD with the same or less intensive land use.

9. Parking

Each dwelling unit within the LDR-6 PUD shall provide at least one 2-car garage, plus driveway parking for at least 2 cars. In addition, at least 0.5 parking spaces shall be provided per lot within the PUD. These additional spaces may be provided on- or off-street. Outdoor parking or storage of recreational vehicles, trailers, vehicles and boats shall be prohibited on any residential lot with a LDR-6 PUD. Garage and parking dimensions shall comply with the standards of Sec. 9.1.

10. Landscaping

Developers shall install front yard landscaping on the site of all houses within a LDR-6 PUD, regardless of lot size, before issuance of a Certificate of Occupancy. Front yard landscaping shall include an automatic irrigation system.

Front yard landscaping shall include a minimum of two 24-inch box trees, 5, 5-gallon shrubs and 5, 1-gallon ground covers. The balance of the front yard landscaping shall include turf, rock or a combination of both.

11. Mechanical Equipment Screening

Mechanical equipment shall be ground-mounted and screened from view of streets. Decorative walls are the preferred method for screening.

12. House Design

a. Appearance

Diversity in the appearance of houses within the subdivision shall be required. Each LDR-6 PUD, regardless of lot size, shall provide at least 3 models.

b. Single-Story Houses

For any subdivision containing lots of less than 6,000 square feet in size, the following requirements shall apply to all lots:

- (1) A single-story model shall be provided.
- (2) Identical elevation homes shall not be placed side by side. The term, "identical" shall include homes of identical window treatments, color schemes, or roof tile shape and color.

13. Floor Area Ratio

In any subdivision containing lots of less than 6,000 square feet in size, the maximum floor area ratio on each lot (regardless of size) shall be 0.40. In calculating floor area ratio, the entire square footage of the house shall be counted, including bonus rooms. Garage area shall not be included as part of the house's floor area. Square footage shall be measured from the inside face of all exterior walls.

14. Lot and Housing Mix

The Governing Body may allow greater flexibility in housing mix and floor area ratio for subdivisions that incorporate the following design features:

- a. Single-story garages;
- b. Single-story front porches;
- c. Front setback variation of at least 4 feet;
- d. One standard model with a side loaded garage;
- e. Multiple elevations for each model. Elevation changes should include color, texture and building material changes;
- f. A different roof line for each model (i.e., gable, exposed gable, shed, hip, flat);
- g. Front elevations terraced (setback of element proportional to height);
- h. Curved roadway design;
- i. Cul-de-sacs of less than 300 feet in length;
- j. Mid-block knuckles; and
- k. Blocks less than 1,000 feet in length;

15. Subdivision Design Standards

A LDR-6 PUD shall comply with all of the Subdivision Design and Improvement Standards of Chapter 8 unless expressly waived or modified by the Governing Body as part of the PUD approval process.

16. Common Area Improvements

Applicants shall submit conceptual plans for common area improvements as part of the PUD Tentative Map approval process. Common area improvements shall include active as well as passive recreational amenities. The term "active recreational amenities" shall include improvements such as tot lots with playground apparatus, hard courts, picnic areas, shelters and similar features. Improvements shall be developed as approved by the Governing Body. All common areas shall be installed by the developer according to a schedule as approved by the Governing Body. Maintenance shall be the responsibility of a Property Owners' Association.

17. Property Owners' Associations

Each LDR-6 PUD shall either establish and maintain a Property Owners Association for the individual subdivision or be part of a Master Association. The Association shall be responsible for the maintenance and upkeep of all common areas as well as the enforcement of covenants and restriction of the development. Landscape maintenance responsibility may be transferred to a third party, as allowed by NRS.

Commentary: Master Plans typically establish "Master Associations," which are responsible for perimeter features such as landscaping and "Sub-Associations," which are responsible for internal subdivision open space areas.

18. Waivers

All requests for waivers of otherwise applicable Development Standard requirements shall be made in writing by the applicant at the time of submittal of PUD application. The request shall include the Development Standard requirement, the requested waiver and an explanation of the compensating benefit of the waiver being requested. All applicable standards of these Development Standards shall apply unless expressly waived or modified during the Planned Unit Development approval process.

5.6 ELO, Efficiency Lot Overlay District

A. Specific Purposes

In addition to the general purposes listed in Sec. 1.4, the specific purposes of the ELO efficiency lot overlay are to:

1. Promote balanced residential development throughout the land use plan area; and, especially encouraging creative

solutions for sensitive sectors where residential density requires mitigation;

2. Ensure orderly design, with appropriate engineering, open space and siting standards, to accommodate residential opportunities on parcels of reduced size in a manner that is consistent with the comprehensive plan;
3. Encourage single-family home development as an alternative to premature or inappropriate multifamily development that would exacerbate dwelling density in a sensitive sector, particularly where public service or traffic demand exceeds the capacity of existing or planned facilities;
4. Provide a variety of housing types, addressing the needs of local residents generally, and those with special shelter requirements in particular; and
5. Encourage sensitive site planning and design in a manner that utilizes transitional housing densities of 6 to 10 units per acre as buffering developments between land uses of greater and/or lesser intensity.

B. Applicability and Land Use Plan Map Designator

The ELO efficiency lot overlay may be combined with any MDR or HDR land use category and applied to an area at least 10 acres in size; and such lesser area as may represent an entire, pre-existing HDR land use property or, upon showing special justification, a parcel proposed for infill or redevelopment.

The efficiency lot overlay may be initiated by the Governing Body or the Planning Commission or by a petition of property owners under the procedures established in Sec. 2. If initiated by the Governing Body, owners of property subject to the ELO overlay shall be required to prepare a development plan conforming to the regulations of this chapter prior to design review approval and issuance of permits for individual projects.

Each ELO efficiency lot overlay shall be shown on the land use map by adding an "ELO" designator to the base land use category designation and a master development plan shall be required for all development.

C. Land Use Regulations

Land use regulations shall be those of the MDR or HDR land use classifications, provided that no temporary, accessory, new or expanded use requiring a conditional use permit or construction of any kind may be established unless an efficiency lot plan has been approved.

D. Development Regulations

The following basic requirements apply to all permitted and conditional uses, except as may have been expressly modified in

ELO adoption or efficiency lot plan approval. These regulations relate the scale and siting of efficiency lot dwellings to their respective lots.

1. Minimum Site Area

A minimum site area of 10 gross acres shall be provided; except such lesser area as may be expressly authorized at the time of ELO designation.

2. Minimum Lot Area

Lots of lesser area than the preferred 4,500-foot parcel site may be provided upon showing special circumstances; however, no efficiency lot development shall maintain a density yield exceeding an average of 10 dwelling units per acre.

3. Minimum Lot Width

Lots shall not be less than 40 feet in width. A minimum width of 55 feet shall be provided for homes with 3-car garages facing the street.

4. Variations in Site Design

Diversity in home appearance is maintained through the following requirements:

- a. Two of 3 variation components - setback, elevation and roofline - shall be included to distinguish adjacent homes.
- b. Front setback variations shall be a minimum of 2 feet.
- c. Two-story homes shall not be sited on more than one-half of the corner lots in the development; however, homes with second levels not more than 50 percent of the ground floor area (exclusive of garage and patio) are considered single-story dwellings for purposes of this section.
- d. Variations of basic house models are required:
 - (1) A minimum of 2 variations in developments up to 50 units.
 - (2) Three elevation variations, resulting in not less than 15 elevations, for larger efficiency lot developments.
- e. Sub-area themes shall be incorporated in the design of efficiency lot developments with 150 or more homes.

5. Minimum Setbacks

Setbacks are applicable to individual lots within an efficiency lot development, subject to area requirements in subsection I of this section.

a. Front

Landscaped front yards shall be maintained, as follows:

- (1) Front entry garage - 20 feet setback to garage; 14 feet to home facade.
- (2) Side entry garage - 10-foot setback.

- b. **Side**
A 10-foot minimum separation distance shall be provided between structures on adjacent lots.
- c. **Corner Side**
A minimum 10-foot corner side setback shall be provided.
- d. **Rear**
A minimum 10-foot setback shall be provided; except that dwellings abutting the efficiency lot development's perimeter shall provide setbacks of not less than 20 feet from the property line.
- e. **Perimeter**
A minimum 20-foot setback shall be provided where the adjacent property is a public street or residential site of equal or lower density.

6. **Maximum Height**
The height of any structure shall not exceed 30 feet from natural grade.

7. **Maximum Coverage**
Efficiency lot dwellings shall not exceed a floor area ratio of 0.4, excluding a garage.

8. **Open Space and Planting Areas**
Efficiency lot development spaciousness is established through requirements for common open space, streetscape treatments and useable outdoor space on individual lots.

- a. Common open space shall be provided in aggregated areas accessible to residents of the efficiency lot development and, as appropriate, the general public which area requirements shall be calculated from the following table. Increments required for each lot under 6,000 square feet in area are:

Lot Size (sq. ft.)	Percentage to Open Space
5,999 - 5,000	5
4,999 - 4,500	10
4,499 - 4,000	15
3,999 - 3,500	20
Under 3,500	25

- b. Peripheral landscaped tracts shall be provided as part of the efficiency lot development plan streetscape component including, at a minimum, ten-foot landscaped areas (which may incorporate portions of right-of-way) along perimeter streets.
- c. Usable open space on individual lots is required at a minimum area of 500 square feet other than in the required front setback, with a least dimension of 15 feet.

9. Walls

Perimeter walls shall be included in the efficiency lot development plan, installed to a height of not less than 5 nor greater than 6 feet (except as required by the traffic visibility triangle) and with detail variations, such as pilasters or wrought-iron cut-outs, at spacing not less than 50 feet.

- a. Walls may be extended to 10 feet in height where additional height is required for soil retention.
- b. Subject to plan approval, security walls up to 8 feet in height with dense plantings on each side may be accepted.

10. Off-Street Parking

Parking requirements are established by the underlying MDR or HDR category.

- a. Two-car garages are required for each dwelling unit.
- b. Guest parking shall be provided in efficiency lot developments containing fifty or more dwellings so that the combination of on-street spaces and additional guest parking is equal to or greater than 1.5 spaces per dwelling.
- c. Additional parking shall be provided in bays of 6 to 12 spaces located in mid-street boulevards or off-street parcels.
- d. Vehicle storage facilities provided within the efficiency lot development may be submitted for required guest parking, as follows: each 600 square feet of storage excuses one guest parking space.

11. Accessory Structures

Accessory Structures in an Efficiency Lot Overlay district shall comply with Sec. 6.3.A

E. Initiation

An application to approve an efficiency lot plan shall be initiated by a property owner or authorized agent. If the property is not under a single ownership and all owners agree to the proposed development, then all owners shall join the application, and a map showing the extent of ownership shall be submitted with the application.

F. Required Plans and Materials

Each efficiency lot plan shall set forth allotting and circulation system concept that is consistent with the goals and policies of the comprehensive plan, the efficiency lot design guidelines and existing or planned public facilities and utilities. The following plans and materials shall be submitted; provided, however, that the Director may waive submission of items deemed unnecessary.

1. A map showing the efficiency lot plan boundaries and the relationship of the area to abutting uses and structures;
2. A map of the efficiency lot plan area showing sufficient topographical data to indicate clearly the character of the terrain, the location of ridgelines, and drainage patterns;
3. A site plan indicating the existing and proposed uses, approximate gross floor area, building coverage, height, parking and density;
4. A circulation plan, showing proposed streets and the relation to the master plan for streets and highways;
5. A preliminary development schedule indicating phases and the sequence and timing of development;
6. A plan for extension of public facilities and services, and for flood control and drainage, including proposed financing arrangements for public improvements; and
7. Landscaping plans and other relevant concepts for the physical development of the property. Illustrations shall include:
 - a. Perimeter streetscape treatments,
 - b. Entry signage and other sign concepts,
 - c. Interior streetscape themes, and
 - d. Screening materials such as walls, berms and landscape materials;
8. Open space plans illustrating location, dimensions, improvement, equipment or other features as well as accessory improvements such as parking or pathway linkages; and
9. Architectural/urban design concepts consistent with efficiency lot design guidelines and the requirements of Sec. 9.8.

G. Minimum Lot Size -- Maximum Number of Dwelling Units

Preferred average lot size is 4,500 square feet; however, a mixture of lots accomplishing yields of up to 10 dwelling units per acre may be accepted. In no case shall efficiency lot developments exceed 10 units per gross acre.

H. Approval of an Efficiency Lot Plan

1. General Procedures

An application for approval of an efficiency lot plan shall be processed as an amendment to the land use plan procedures of Sec. 2..

2. Required Findings

In addition to the findings required by Sec. 2, the Governing Body shall find that the efficiency lot plan:

- a. Conforms to the land use plan and, as applicable, other adopted plans such as, but not limited to, the master parks and recreation plan;

- b. Substantially complies with the efficiency lot design guidelines' regulations and expectations; and
- c. Can be adequately, reasonably and conveniently served by public services, utilities and public facilities.
- d. Amended Land Use Plan Map Designator. Adopted efficiency lot plans shall be indicated on the land use plan map by adding a number to the "-ELO" designator.

I. Amendments to Adopted Efficiency Lot Plan

Procedures for an amendment to an adopted efficiency lot plan which increases the number of dwelling units to be constructed within the development shall be initiated in the same manner as an application for a land use plan amendment prescribed by Sec. 2.4.

J. Expiration and Renewal

Efficiency lot developments are intended to be implemented and constructed within a reasonable time of overlay adoption for purposes of maintaining consistency with the Governing Bodies development timing objectives, including, but not limited to, the capital improvement program.

1. Expiration

An efficiency lot plan shall become void 2 years following the date of approval, unless actions specified in the conditions of approval have been taken or unless the original approval was for a stated period other than 2 years.

2. Renewal

An approved efficiency lot plan may be extended for a period approved by the Planning Commission after a duly noticed public hearing. Applications for renewal shall be made in writing between 60 and 120 days prior to lapse of the original approval; and, may, at the discretion of the Planning Commission, be subject to changes in development regulations adopted subsequent to the earlier approval.

K. Development Plan Review

Plans for efficiency lot development shall be accepted for Design Review only if they are consistent with efficiency lot design guidelines as adopted by the Governing Body and, from time to time, revised.

5.8 C, Center Overlay

A. Purpose

In addition to the general purposes listed in Sec. 1.4, the specific purposes of the C Center Overlay are to:

1. Encourage economic development through combination of appropriate land uses developed to intensities or dwelling densities that enable full use of municipal facilities and transportation access;
2. Provide compatibility with adjacent existing or planned residential neighborhoods through the use of planned transitions, spacing buffers and graduated use or intensity zones;
3. Establish amenities (such as recreational open space, trails, scenic corridors, or joint-use parking/vehicle storage facilities) for use by residential property owners as well as business and institutional developments;
4. Create activity centers including gathering places, shopping, jobs, educational and cultural opportunities for the neighborhoods and Planning Area the Center is designed to serve; and
5. Adapt land uses with regional or tourist destinations attraction to the scale of surrounding neighborhoods through orderly development principles, quality urban design, and environmental conservation measures.

B. Applicability and Land Use Plan Map Designator

The C, Center Overlay may be combined with any base land use category and applied only to the area or logically extended area or portion thereof of a Center site designated in the City of Henderson Comprehensive Plan. It may be initiated by the Governing Body or the Planning Commission or by a petition of property owners under the procedures established by Sec. 2. Whether initiated by the Governing Body or property owners, a Master Development Plan or Planned Unit Development approval shall be required prior to architectural approval and issuance of permits for individual projects.

Each C, Center Overlay, upon approval, shall be shown on the land use map by adding a "-C" designation to the base land use category.

C. Land Use Regulations

Land use regulations shall be those of the base land use category with which the C overlay is combined. Additional or expanded uses may be approved in conjunction with the Center Development Plan adoption upon the Governing Body making findings as set forth below, including but not limited to:

1. Space Allocations

Minimum lot area, width and setbacks may be reduced upon finding both that:

- a. Such alterations are conducive to the creation of pedestrian precincts or other transportation efficiency with clustered urban design which creates plazas and gathering places, and
- b. That more efficient utilization of public infrastructure results. Such alterations to otherwise applicable district standards are expected to be justified by additional open space, public amenity and design excellence.

D. Height and Bulk Standards

Building height, building coverage, horizontal wall dimension and related structural massing guidelines may be varied upon finding that such alteration is in scale with the surrounding neighborhood, contributes to massing in the Center Development Plan's core so as to provide additional open areas in its periphery and, generally, contributes to the furtherance of spatial, amenity and design objectives expected in subsection A, above.

E. Development Regulations

Development regulations shall be those of the land use category with which the C overlay is combined, unless modified by an approved Center Development Plan, taking into account the special character and conditions of developed or planned residential neighborhoods in the vicinity.

1. Development Regulations Table

The standards of Table 5.8-1 shall be in addition to those of the base land use category and shall govern where conflicts arise.

Table 5.8-1

Development Standard	Basic Standard	Additional Standards (see Sec. 5.8-D-2, below table)
Minimum Site Area	Designated Center- 160 Acres	A
Minimum Setbacks (Feet)		
Front	30	B
Interior Side	20	
Street Side	30	B
Rear	20	-
Vehicular Access	-	C
Signs	-	D

2. Additional Standards

- a. No division of land shall be permitted without an approved Center Development Plan.
- b. A buffer yard of at least 25 feet shall be landscaped. Driveways and walks may cross the landscaped area, but no parking shall be permitted within the required landscape area.
- c. Each Center shall have multiple main entry points for public use; additional access may be provided to individual sites from peripheral arterial streets for highway-related uses and service vehicles if signs are installed clearly indicating special ingress/egress. The Governing Body may require that internal circulation of adjacent developments be connected to eliminate the need to use public streets to drive from one use to another.
- d. The maximum height of a free-standing Center identification sign shall not exceed 50 feet.

E. Initiation

An application to approve a Center Development Plan shall be initiated by a property owner or authorized agent or by the Governing Body.

1. If the property is not under a single ownership, owners of 50 percent or more of the designated Center land area shall join the application to constitute a full Center Development Plan and a map showing the extent of ownership shall be submitted with the application.
2. A partial Center Development Plan may be initiated by the owners of not less than 5 contiguous acres located within the designated Center area.

F. Required Plans and Materials

Each Center Development Plan shall set forth a land use and circulation system concept that is consistent with the traffic-carrying capacity of surrounding streets, compatible with the environment, and capable of being served by existing and planned public facilities and utilities. The following plans and materials shall be submitted:

1. A map showing proposed Center Development Plan boundaries and the relationship of the area to uses and structures with a one-mile radius of the plan area boundaries;
2. A map of the Center Development Plan showing sufficient topographical data to indicate clearly the character of the terrain;
3. A site plan indicating the existing and proposed uses, gross floor area, building coverage, height, parking and density, and a circulation plan;

4. A preliminary development schedule indicating phases and the sequence and timing of development; and
5. Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design and landscape concepts.

G. Approval of a Center Development Plan

1. General Procedures

An application for approval of a Center Development Plan shall be processed as an amendment to the land use plan.

2. Required Findings

In order to approve a Center Development Plan, the Governing Body must find that the proposed Development Plan:

- a. Conforms to the land use plan;
- b. Substantially complies with the land use and development regulations of the base land use category and does not significantly alter the regulations, except as provided for herein; and
- c. Can be adequately, reasonably and conveniently served by public services, utilities and public facilities; and
- d. Demonstrate through its Centers Guidelines that there has been full participation by residents and property owners in the surrounding neighborhoods so that the proposed development responds specially to the unique conditions of the area.

H. Amended Land Use Plan Map Designator

Adopted Center Development Plans shall be indicated on the land use plan map by adding a number to the "-C" designator.

I. Amendments to Adopted Center Development Plan

Procedures for an amendment to an adopted Development Plan shall be initiated in the same manner as a new application for a land use plan amendment as prescribed by Sec. 2.

J. Expiration and Renewal

1. Expiration

A Center Development Plan shall become void 3 years following the date of approval, unless actions specified in the conditions of approval have been taken or unless the ordinance approval was for a stated period other than 3 years. Substantial compliance shall satisfy this requirement. A partial Center Development Plan shall become void 2 years following the date of approval unless actions specified in the conditions of approval have been

taken or unless the ordinance approval was for a stated period other than 2 years. Substantial compliance shall satisfy this requirement.

2. Renewal

An approved Center Development Plan or partial Development Plan may be renewed for a one-year period approved by the Planning Commission after a duly noticed public hearing. Application for renewal shall be made in writing and the applicable fee paid between 30 and 120 days prior to lapse of the original approval.

K. Development Plan Review

Plans for a project requiring a Center Development Plan or partial Development Plan shall be accepted for architectural and site plan review only if they are consistent with an approved Development Plan or partial Development Plan and with all other applicable requirements of this Title.

5.9 H, Hillside Overlay

A. Introduction

Henderson is surrounded by mountains, foothills and mesas. These mountainous areas exhibit steep slopes which may contain unstable rock. Development on potentially unstable rock can be hazardous to life and property. Development in these areas should include construction methods which ensure slope stabilization and minimize soil erosion.

Henderson's mountains, foothills and mesas are valuable scenic resources which should be considered for preservation to the maximum extent possible, while allowing for the development and beneficial use of private property located in and around the mountains, foothills and mesas. Dominant peaks, ridges and mesas should be identified and developed with the goal of maintaining the jurisdiction's unique visual setting, promoting its economic well being, and encouraging tourism. Regulating the intensity of development according to the natural characteristics of hillside terrain, such as degree of slope, significant landforms, and slope stability and existing drainage patterns, allows for development in hillside areas while minimizing the physical impacts of such development.

B. Purpose

The Hillside overlay provides for the reasonable use of hillside areas and related lands while protecting the public health, safety, and general welfare by:

1. Determining whether certain conditions exist, such as loose or easily eroded soils or rocky soils which may

require blasting; and using appropriate engineering technology to ensure stable slopes during and subsequent to development.

2. Reducing water runoff, soil erosion, and rock slides by minimizing grading and by requiring revegetation.
3. Permitting intensity of development compatible with the natural characteristics of hillside terrain, such as degree of slope, significant landforms, soil suitability, and existing drainage patterns.
4. Preserving the scenic quality of the desert and mountain environment by identifying and considering sensitive ridgelines in development of hillside areas.
5. Reducing the physical impact of hillside development by encouraging innovative site and architectural design, minimizing grading, and requiring restoration of graded areas.
6. Providing safe and convenient vehicular access by encouraging development on the less steeply sloped terrain.
7. Promoting cost-efficient public services by encouraging development on the less steeply sloped terrain, thereby minimizing service extensions and utility costs and maximizing access for all necessary life safety services.
8. Providing specific design criteria for off-site improvements which will reduce grading and site disturbance.
9. Recognizing the unique characteristics of the hillside terrain and promoting the placement of building pads which are compatible with the hillside terrain.

C. Applicability and Land Use Plan Map Designator

The Hillside Development Plan Overlay may be combined with any base land use category located within the area identified on the hillside regulation map. It may be initiated by the Governing Body or the Planning Commission or by a petition of property owners under the procedures established in Sec. 2. If the Governing Body initiates the designation, the owners of property containing slopes of 15 percent or greater, as shown on the Hillside Regulation Map shall apply for approval under the provisions of the Hillside Development Plan Overlay and shall be required to submit a plan for development conforming to the standards of this section prior to applying for development approvals.

Each Hillside Development Plan Overlay shall be shown on the land use map by adding an "H" designator to the base land use category.

D. Land Use Regulations

Land use regulations shall be those of the land use category with which the H overlay is combined, provided that no new or

expanded use may be approved unless a Hillside Development Plan has been approved by the Governing Body.

E. Development Regulations

The hillside design guidelines and the following development regulations shall apply to the Hillside Development Plan Overlay:

1. **Density Allocation and Maximum Site Disturbance**
 - a. For all areas of the lot or parcel with less than a 15 percent slope and outside a sensitive ridgeline, 100 percent site disturbance may occur. For areas of slope greater than 15 percent the standards of this chapter shall apply. For property that has a land use of VLDR, the location of density and site disturbance shall be specific to the slope category in which it is located. Density and site disturbance shall be determined in accordance with the following table:

Table 5.9-1

Slope (%)	Density (Units per Acre)	Site Disturbance (%)
15 – 19.9	2	50
20 – 24.9	1	40
25 – 29.9	0.4	30
30 – 34.9	0.2	25
35+	0.1	15

- b. Site disturbance shall include all grading for the development of the property but, shall not include any public or private street.
 - c. A maximum of 10 percent increase in site disturbance shall be allowed for the construction of a driveway subject to staff level approval. Any increase in excess of 10 percent shall be subject to Planning Commission approval.
 2. **Density and Site Disturbance Transfer**
Density and site disturbance may be transferred from portions of a lot or parcel with a slope greater than 15 percent to any area of the hillside development plan, regardless of slope. Areas from which density and site disturbance are transferred shall be designated as natural areas in accordance with this chapter. Density and site disturbance shall be transferred only within the boundaries of the hillside development plan. In no case shall the gross density exceed the land use category of the property.
 3. **Minimum Lot Area**
The minimum lot area shall be 4,500 sq. ft.

4. **Lot Width and Depth**

Lot width and depth of non flag lots shall not exceed a ratio of 3 feet of width/depth for 1 foot of width/depth. For flag lots the following shall apply:

- a. The flag pole or panhandle portion of the lot shall be a minimum of 24 feet wide, and the depth of the flag pole or panhandle shall not exceed 150 feet as measured from the adjacent public or private street.
- b. The non flag portion of a flag lot shall be subject to the lot width/depth ratios for non flag lots.
- c. The flag pole or panhandle portion of the lot shall not be included in calculating lot size.

5. **Sensitive Ridgeline Setback**

All development, excluding perpendicular road crossings, is subject to a 100-foot setback from each sensitive ridgeline as depicted on the Hillside Regulation Map. The 100 foot setback is measured horizontally on each side of the center of the ridgeline.

6. **Setbacks, Commercial, Industrial and Multiple Family**

Except for required sensitive ridgeline setbacks, commercial, industrial and multiple family projects shall provide setbacks per the land use category in which the project is located.

7. **Setbacks, Single Family Residential**

Except for required sensitive ridgeline setbacks, single family residential shall provide the following setbacks:

- Front: 20 feet
- Rear: 15 feet
- Side: 5 feet
- Corner: 10 feet

However, in order to adjust for terrain and produce the optimum building area, setbacks may be provided as follows:

- a. The aggregate total of setback dimensions around a building shall be equal to the sum of the minimum setbacks.
- b. Corner side setbacks may not be reduced.
- c. No setback, regardless of lot placement, shall be less than 5 feet. (For example these development standards require an interior side setback of 5 feet and a rear setback of 15 feet. Those 2 setbacks may be adjusted to 10 feet side and 10 feet rear.)
- d. Front setbacks for the living area portion of a dwelling on a non-flag lot may be reduced to 16 feet, however, in no case shall the garage setback be less than 20 feet from the street or property line.
- e. On flag lots the dwelling may be located 5 feet from any 2 sides, but the garage shall remain a minimum of 20 feet from the street. Interior side and rear setbacks for non-corner lots shall be the cumulative

total of the setbacks, so long as a minimum of 5 feet is maintained from a property line.

8. Building Height

No structure shall exceed a height of 35 feet. If the area is also subject to the AE (Airport Environs Overlay) the more restrictive shall apply.

9. Grading Standards

All development subject to the provisions of the Hillside Development Regulations shall have a grading plan approved by the Director and Governing Body Engineer. The review process for the grading plan shall coincide with the hillside development plan review process. The grading scheme shall be shown as a separate grading plan. All development shall meet all of the following criteria:

- a. The portions of the site or lot to be graded must be clearly shown on the grading plan.
- b. The site or grading plan shall be approved by the Director and the Governing Body Engineer prior to any grubbing, grading, or clearing. Grubbing, grading, and clearing are to occur only within the areas identified on the approved grading plan.
- c. All portions of the site or lot to be left ungraded are to remain undisturbed areas and are not to be used for stockpiling of materials or excess fill.
- d. If natural areas are designated on a site or lot, temporary fencing shall be installed where they abut construction areas in order to prevent encroachment into the natural areas.
- e. The maximum height of an exposed vertical cut or fill shall not exceed 35 feet and the maximum length of an exposed vertical cut or fill shall not exceed 150 feet and:
 - (1) The cut is either revegetated or varnished;
 - (2) The backfilled area is compacted per the approved grading plan and revegetated/varnished in compliance with this section; and
 - (3) The edges of the cut or fill are shaped to conform with the natural topography of the land.
- f. The vertical distance of retained material shall not exceed 35 feet and a width of 150 feet.
- g. Exposed cut and fill slopes shall be revegetated/varnished in accordance with this chapter.
- h. Prior to any cut or fill on slopes which encroach into a floodplain the cut or fill design must first be approved by the Director and the Governing Body Engineer.

- i. The grading plan shall include a statement which certifies all finished floor elevations are 18-inches above the 100-year base flood elevation.
 - j. Excess material shall be hauled to an appropriate off-site disposal area.
 - k. All site revegetation/varnish shall be completed within 90-days of completion of work or prior to issuance of certificate of occupancy, whichever occurs first.
- 10. Revegetation and Preservation of Desert Varnish**
- a. All exposed cut and fill areas shall be revegetated and varnished according to the following:
 - b. All disturbed areas shall be revegetated, landscaped or varnished.
 - c. Seeds for trees, desert shrubs, and grasses shall be planted with a density adequate to control erosion and may use one of the following methods of planting:
 - (1) Raked into the soil with appropriate mulch materials;
 - (2) Hydroseeding;
 - (3) Anchored mulches;
 - (4) Established on jute, rolled straw, or similar material; or,
 - (5) Any other method approved by the Director:
 - d. A temporary watering system shall be installed, activated and maintained until the revegetated materials are established.
 - e. The desert varnish shall be restored in a hue similar to the surrounding undisturbed area using eonite, permeon or a similar approved process.
- 11. Slope Stabilization**
- a. All cut slopes steeper than a ratio of 3-horizontal-to-1-vertical, or as approved by a geotechnical report with the exception of retaining walls, shall be stabilized with properly engineered stone riprapping or sculptured rock as follows:
 - (1) Stone riprapping shall be hand-placed on the slope.
 - (2) The stabilizing material used shall blend with the natural appearance of the site or lot and its surrounding terrain.
 - (3) Unless otherwise approved by the Director, vegetation retention and revegetation shall be used in conjunction with riprapping.
 - b. All fill slopes steeper than a ratio of 3-horizontal-to-1-vertical, or as approved by a geotechnical report with the exception of retaining walls, shall be stabilized with properly engineered stone riprapping or sculptured rock as follows:

- (1) Stone riprapping shall be hand-placed on the slope.
- (2) The stabilizing material used shall blend with the natural appearance of the site or lot and its surrounding terrain.
- (3) Unless otherwise approved by the Director, vegetation retention and revegetation shall be used in conjunction with riprapping.

12. Natural Areas

The intent of natural areas is to provide for retention of hillside areas in their natural state. The density and site disturbance shall be transferred to other portions of a site. Specific criteria for natural areas includes:

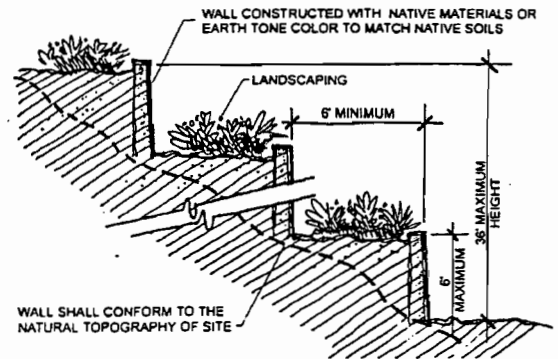
- a. Natural areas shall be at least one half acre in size or immediately adjacent or contiguous to other land also designated as a natural area which, in the aggregate, totals at least one half acre in size.
- b. Site disturbance other than hiking trails shall not be permitted within the geographical area of a natural area.
- c. The natural area shall be delineated in a surveyable manner on the tentative and final maps of a subdivision or on any development plan required for development other than a subdivision, and shall be designated by legal description on a document recorded with the Clark County Recorder for lot division.
- d. Natural areas may be designated as a deed-restricted portion of a privately owned lot, or as a separate parcel. Such parcel may be under the ownership of a property owners' association or deeded to any organization which accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the Governing Body. To protect the natural areas, covenants which run with the land shall be recorded in favor of the Governing Body and of all owners with record interest in the natural area.

13. Wall Standards

The intent of wall standards is to reduce the visual impact of screening and retaining methods used on hillside developments. Specific criteria for design includes:

- a. The maximum height of retaining walls is 36 feet. For each 6 feet of vertical height, a 6-foot horizontal offset shall be provided.
- b. Walls shall conform to the topography of the site.
- c. Walls with a change in alignment shall to the greatest practical extent incorporate the use of graduating steps rather than sharp corners.

- d. Walls shall either incorporate the use of native materials or be earth tone colors to match the native soils.
- e. The use of wrought iron or other similar open materials is encouraged for security walls, such as for pools.
- f. Perimeter walls shall be permitted around the entire lot or parcel.
- g. Perimeter walls shall not exceed a maximum height of 32-inches solid block and 40-inches wrought iron or a maximum of 72-inches wrought iron and no solid block.



Hillside Wall Standards

14. Color

For land subdivided by a tentative map/planned unit development and final map, as well as multiple family, commercial, industrial, public and semi public uses, development within sensitive ridgeline setbacks and land use approvals granted in accordance with the Master Plan Overlay, all exposed exterior walls and roofs of structures, retaining walls, and accessory structures, except satellite dishes shall be colored to blend with the overall character of the desert environment.

The intent of this requirement is that existing single family lots and single family lots created by parcel maps or tentative map (not planned unit development) and final map which are not within sensitive ridgeline setbacks be exempt from color requirements.

15. Building Materials

Reflective building materials (mirror finished glass and mirror finished doors) shall not be permitted.

16. Building Pad

Stepping floor elevations shall be utilized to avoid massive building forms and surfaces which contrast with the surrounding terrain. All single family detached lots within the Hillside Development Plan Overlay shall be exempt from Sec. 8.12 as it relates to usable yard area.

17. Mechanical Equipment, Residential

All external mechanical equipment shall be ground mounted and screened. Additionally, required vents shall be architecturally compatible with the structure.

18. Mechanical Equipment, Commercial and Industrial

All external mechanical equipment shall either be located in mezzanine or ground mounted and screened. Additionally, buildings utilizing a flat roof shall provide a

parapet one foot above the highest required vent and the vents shall be architecturally compatible with the structure.

19. Planned Unit Development

Single-family detached residential projects approved by a Planned Unit Development shall be exempt from common open space requirements.

20. Landscaping

For land subdivided by a tentative map/planned unit development, as well as multiple family, commercial, industrial, public and semi public uses, development within sensitive ridgeline setbacks and land use approvals granted in accordance with the Master Plan Overlay, landscaping within the hillside development area shall be as follows:

- a. Plant materials shall be those per Exhibit 4.
- b. Turf areas shall not exceed 50 percent of the site disturbance area additionally, turf areas shall be located within an enclosed area and not be visible from a lower elevation. Parks public or private parks and golf courses shall be exempt from this requirement.
- c. Golf courses shall be subject to the following landscaping criteria:
 - (1) A maximum of 5 acres of turf area per hole, to include a driving range shall be permitted.
 - (2) Plant materials shall be those per Exhibit 4.
 - (3) Site disturbance shall be calculated based upon Table 19.5.9.1.
 - (4) Site disturbance may be transferred to areas of greater slope provided site disturbance in the higher slope area shall not exceed 50 percent.
 - (5) Cuts and fills shall be regulated per this ordinance.

The intent of this requirement is that existing single family lots and single family lots created by parcel maps, tentative map (not planned unit development) and final map which are not located within sensitive ridgeline setbacks be exempt from landscaping requirements.

21. Improvements

All requirements and standards pertaining to public or private streets, driveways, drainage, sidewalks, curbs and gutters, curb cuts, water and fire hydrants, sewage, underground utility services, water supply, erosion control and street lighting shall be as prescribed by this ordinance.

a. Water (Public Works Department)

Except as noted, all water systems shall be designed in accordance with the Uniform Design and Construction Standards for Water Distribution

Systems, Clark County and the Uniform Standard Specifications for Public Works Construction, Clark County area.

b. **Water (Fire Department)**

- (1) **Water System Design Flow.** The water mains and the distribution system shall be designed to deliver a minimum residual pressure of 20 pounds per square inch (psi) at the fire hydrants in service during maximum day demand plus the required fire flow demand. Minimum fire flow shall be equal to 750 gallons per minute (gpm) for residential property classified as a Group R, Division 3 occupancy. All others occupancies shall be as prescribed by the Fire Code. The system shall be designed to provide a minimum of 40 psi during peak hour conditions without fire flow. A maximum pressure delivery at the point of service shall not exceed 120 psi.
- (2) **Building Fire Sprinkler Systems.** All buildings shall be provided with an approved automatic fire sprinkler system in accordance with the Fire Code. The water system design shall accommodate the requirements for building fire sprinkler systems. The building fire sprinkler system shall meet Governing Body requirements, in addition to the Fire Code requirements. (Based upon steeper road grades, reduced roadway design speeds, reduced roadway width, longer dead ends and cul de sacs, reduced water system design requirements and relaxed secondary access requirements the response time for emergency vehicles is increased above that of conventional development patterns within the jurisdiction. Given the increased response time, a waiver of the requirement for building sprinkler systems is subject to review and approval by the Fire Chief.)
- (3) **Water Main Sizes.** Residential water main sizes shall be a minimum of 6 inches in diameter or as required by the Public Works Department. If minimum fire flow requirements are met fire hydrant branch lines shall not be required to be looped.
- (4) **Fire Hydrant Branch Lines.** Fire hydrant branch lines shall be set at right angles to street mains. The hydrant shall be set at the end of the branch line and shall face the

branch. No horizontal or vertical bends or reducers shall be used in installing fire hydrant branch lines unless specifically approved by the Governing Body. Under no circumstances shall any size or manner of tap be made on a fire hydrant branch line.

(5) **Fire Hydrant Location and Distribution.**

The number and spacing of fire hydrants shall meet the approval of the Fire Prevention Division. Fire hydrants shall be located adjacent to and accessible from fire apparatus access roads. Fire hydrants shall be located along fire apparatus roads as follows:

- (a) Spacing of fire hydrants shall normally start by placing fire hydrants at all intersections; or
- (b) In all residential areas, fire hydrants shall not be spaced greater than 750 feet apart ; or
- (c) The maximum distance from a Group R, Division 3 Occupancy to a fire hydrant shall not exceed 500 feet, as measured from an approved point on a street or road frontage to a fire hydrant.

c. **Wastewater Collection Treatment**

Wastewater collection systems shall be designed in accordance with the Design and Construction Standards for Wastewater Collection Systems, Clark County, 1991 and the Uniform Standard Specifications for Public Works Construction, Clark County area. Septic systems shall not be permitted.

d. **Drainage Design**

Drainage facilities shall be designed to maintain the natural runoff characteristics. Drainage facilities shall be designed in accordance with the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design manual. Private drainage facilities, cross lot drainage easements or rear lot drainage easements shall be privately maintained.

e. **Roadways**

Within the Hillside Development Plan Overlay district all roadways public or private shall be designed according to the standards of this ordinance as well as AASHTO requirements. The standards are also intended to supplement the Public Works Department Plan Review Guidelines. Roadways should be located such that impacts to the natural environment are avoided.

They should follow the topography of the area to minimize grading cuts and fills. Curvilinear horizontal alignments and gently rolling profiles consistent with the natural topography will minimize unnecessary site disturbance. Significant features such as rock outcroppings should be avoided. For roadways serving 100 or fewer units, the following standards shall apply:

- (1) **Right of way -**
 - 42 feet (no parking or parking on side. See Exhibits 1 and 2.
 - 45 (parking on both sides) See Exhibit 3.
- (2) **Travel lanes -**
 - 2
- (3) **Face of curb dimension -**
 - 24 feet (no on street parking)
 - 28 feet (parking on one side)
 - 36 feet (parking on both sides)
- (4) **Curbing -**
 - Curbing shall be required. Curb type shall be as approved by the City Engineer.
- (5) **Design speed -**
 - 20 miles per hour
- (6) **Stopping site distance -**
 - 125 feet
- (7) **Site distance (intersections) -**
 - 200 feet
- (8) **Minimum center line radius -**
 - 180 feet without superelevation
- (9) **Minimum center line radius -**
 - 140 feet with 2 percent superelevation
- (10) **Minimum curve length -**
 - 100 feet
- (10) **Minimum grade -**
 - 0.4%
- (11) **Maximum grade -**
 - 15%, except that where a fire apparatus road is within 50 feet of a structure the grade shall not exceed 8 percent. In lieu of providing an 8 percent roadway grade within 50 feet of a structure, the structure shall have a full-building fire sprinkler system per Fire Department requirements

- (13) **Maximum grade length –**
 7-9% = 1400 feet
 9-12% = 700 feet
 12-15% = 350 feet
- (14) **Vertical clearance –**
 13.6 feet
- (15) **Sidewalks –**
 Minimum lot sizes less than 20,000
 sq. feet (4 foot walk on one side of
 the street)
 Minimum lot sizes greater than
 20,000 sq. feet (none required)
- (16) **Cul de sacs –**
 Radius (45 foot measured to the
 face of curb)
 Maximum units served = 25
- (17) **Vertical curves –**
 Required if grade difference exceeds
 1 percent
- (18) **Roadway aprons –**
 2 percent maximum slope measured
 4 feet from the back of curb on both
 sides of street
- (19) **Right-of-way slope –**
 3 feet horizontal for 1 foot vertical
 behind the roadway apron and within
 the right-of-way
- (20) **Cross slopes –**
 4 percent
- (21) **Street lighting –**
 Intersections and other locations for
 public safety as required by the
 Public Works Department.
- (22) **Intersection spacing –**
 200 feet, measured center line to
 center line. Within the Hillside
 Development Plan Overlay, the
 design to include width and design
 speed of all roadways public or
 private serving greater than 100
 residential units shall be reviewed on
 a case-by-case basis by the Public
 Works Department.

22. Driveways

Driveways in the Hillside area should be kept to one per residence. Additional driveways to include circular driveways shall be permitted provided they do not adversely disrupt the surrounding environment. The minimum driveway width is 14 feet. A single driveway may serve more than one residence, however the minimum

width is 20 feet. In no case shall a driveway exceed 20 feet in width.

In special cases, driveways with a maximum length of 400 feet may serve up to four single family lots. Driveways greater in length than 150 feet or with grades steeper than 12% must receive prior approval from the Fire Department. Driveways in excess of 150 feet in length and driveways which serve more than a single residence shall meet the requirements for Fire apparatus access roads. An exception to this requirement can be granted if turnarounds are provided and the driveway meets minimum width requirements. Driveways and parking areas shall be designed for adequate vehicle maneuvering and turn around for a Single Unit Truck (SU) as defined by AASHTO.

Driveways must be located a minimum of 100 feet from the right of way line of the intersecting street and a minimum of 25 feet from the side property line except for flag lots which shall be 5 feet from the property line.

23. Homeowners Association

Each hillside development plan which provides for private streets or improvements, common open space, perimeter landscaping or natural areas shall establish and maintain a Homeowners Association. The association shall be responsible for the maintenance and upkeep of all private streets and improvements as well as all common open space, perimeter landscaping and natural areas.

24. Sensitive Ridgeline Development

a. Transfer of Development Outside Sensitive Ridgeline Setback

Hillside development plans which include property within a sensitive ridgeline setback are permitted increased density and site disturbance outside the area of a sensitive ridgeline setback if no development occurs within the sensitive ridgeline setback area. Specifically, the following shall apply:

- (1) Calculate density and site disturbance for the area within the sensitive ridgeline setback.
- (2) Double the permitted density and site disturbance within the sensitive ridgeline setback.
- (3) Transfer all density and site disturbance outside the sensitive ridgeline setback.
- (4) Designate the sensitive ridgeline setback area as a natural area.
- (5) All transfers must occur within the subject property. Transfers cannot be to any other property that is not a part of a hillside development plan.

a. Development Within Sensitive Ridgeline Setback

Requests for development within designated sensitive ridgeline setbacks, shall be subject to review by the Planning Commission Hillside Development Committee. Following review by the committee, hillside development plans shall be processed in accordance with these Development Standards. Exemptions for existing single family lots and single family lots created by parcel maps shall not apply. In addition, the following shall apply:

- (1) Split pad design shall be utilized.
- (2) Maximum height shall not exceed 25-feet.
- (3) Building material color to include walls shall match the natural colors found on the lot or parcel.
- (4) The slope of all roofs shall be the same as the natural slope of the property.

25. Approval of a Hillside Development Plan

Within the Hillside Development Plan Overlay District are six different options by which a Hillside Development Plan can be approved. The six options and corresponding processes are:

- a. Request for a single family home on a single lot or parcel of record; or the division of land into four or fewer parcels to include development within a sensitive ridgeline setback, the design of which meets all requirements of this section: Approval is subject to design review/parcel map approval by the Director.
- b. Request for unsubdivided multiple family which meets all requirements of the multi-family development standards and this section; request for commercial or industrial buildings which meet all requirements of these Development Standards: Approval is subject to Governing Body approval of a design review.
- c. Request for subdivision of land into more than four lots; the design of which meets all requirements of this section: Approval is subject to Governing Body approval of a tentative and final map.
- d. Request for a single family home on a single lot or parcel of record, the division of land into four or fewer parcels, commercial or industrial buildings; the design of which does not meet all requirements of this section or golf courses, churches, schools and parks conforming and non conforming to this section: Approval is subject to Governing Body approval of a variance and design review.
- e. Request for subdivided multiple family conforming and non-conforming to the multi-family standards and this section or subdivision of land into more

than four lots; the design of which does not meet all requirements of this section: Approval is subject to Governing Body approval of a tentative map/planned unit development and final map.

- f. Request for approval of development standards on property which meets the size requirements of Master Development Plan Overlay, including requests to deviate from this section: Approval is subject to Governing Body approval of a land use amendment.

26. Findings of Fact

In addition to the findings required by Chapter 1 and in order to approve a hillside development plan which includes waivers of this section, the Governing Body must find that the proposed project:

- a. Preserves the integrity of and locates development with the least impact upon sensitive peaks and ridges;
- b. Minimizes grading and site disturbance;
- c. Locates development compatibly with the natural terrain;
- d. Provides for adequate drainage, protects downstream properties and minimizes erosion;
- e. Provides for development standards in excess or equal to those required by this ordinance.

27. Application Requirements

Each application for approval of a hillside development plan shall be initiated by all property owners or their authorized agent. The form of the application and submittal requirements shall be as established by the Director.

28. Amendment

Any request for amendment to an approved hillside development plan which increases the number of dwelling units, decreases or relocates common open space or natural areas, alters lot lines or road patterns, changes the types of structures, increases the building area, or results in a request for new waivers shall be initiated and processed as a new application. An application to approve additional area or annexation of property with a slope in excess of 15% for the Hillside Development Plan Overlay shall be initiated by the Director or by property owners or an authorized agent. If the property is not under a single ownership and all owners agree to the proposed development, then all owners shall join the application, and a map showing the extent of ownership and the proposed area for inclusion within the H overlay shall be submitted with the application. Procedures for an amendment shall be initiated in the same manner as a new application for land use.

29. Expiration and Renewal

In order to maintain consistency with Jurisdictions development timing objectives, including but not limited to the Capital Improvement Program, Hillside Development Plans are required to be implemented and constructed within a reasonable time from approval. Approval of a hillside development plan may be renewed and the expiration date extended by a time period equal to or less than the initial approval period. Requests for renewal shall be made in writing by the applicant, prior to expiration. For an approval to be extended, the extension shall be extended in the same manner as the initial approval. At the discretion of the Governing Body, any extension approval may include additional restrictions or approval conditions, including but not limited to changes in Development Standards adopted after the initial approval.

30. Lot Development Standards

Lot Feature	Requirements
Minimum Lot Width	45 feet
Maximum Lot Width	3 times the lot depth
Maximum Lot Depth	3 times the lot width
Maximum flag pole or panhandle depth on flag lot	150 feet
Minimum flag pole or panhandle width at street	24 feet
Minimum corner side yard setback	10 feet
Minimum side setback	5 feet
Minimum setback when yard sizes are transferred	5 feet
Maximum Height	35 feet*
Minimum dwelling and garage setback	15 feet for dwelling 20 feet for garage

* unless otherwise restricted by development regulations in the base land use category.

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CHAPTER 6 USE REGULATIONS

6.1 Use Classifications

A. Purpose and applicability

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The Director shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in these Development Standards. The Director may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification. The Director's decision may be appealed, as provided by Section 2 of these Development Standards.

B. Uses Not Classified

Any new use, or any use that cannot be clearly determined to be in an existing use classification, may be incorporated into the Development Standards by a land use plan amendment, as provided by Section 2.

C. Use Classifications

Accessory Uses and Structures

Uses and structures that are incidental to the principal permitted or conditionally permitted use or structure on a site and are found on the same site.

a. Residential Land Use Categories

Allowed accessory uses include, but are not limited to, carports and garages, pool houses and cabanas, home occupations, amateur radio and satellite dish antennas, barns, corrals, stables, and similar uses and structures.

b. Nonresidential Land Use Categories

Allowed accessory uses include, but are not limited to, carports and garages, caretaker's quarters, guard houses, storage sheds, and outdoor facilities for storage, display, manufacturing or processing, microwave and satellite dish antennas, and similar uses and structures.

Adult Businesses

a. Adult Entertainment

Establishments based primarily on materials or performances that depict, describe or relate to specified

sexual activities, as defined in Section 13 of these Development Standards.

b. Tattoo and Body Alteration Parlors

Establishments offering permanent body art or coloring, establishments where decorations or other devices are inserted in human or animal skin, and similar businesses whose primary function is permanent body alteration for non-surgical purposes. Establishments engaged solely in ear piercing, and medical offices in which procedures are performed by doctors for medical purposes are excluded from this use classification.

Agriculture

The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or land devoted to a soil conservation or forestry management program. (See also Horticulture.)

Airports and Landing Strips

Runways and related facilities for aircraft, including rotary-winged and ultralight aircraft, take-off and landing.

Ambulance Services

Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

Animal Husbandry

Raising of animals or production of animal products, such as eggs or dairy products, on an agricultural or commercial basis. Typical uses include grazing, ranching, dairy farming and poultry farming.

Animal Sales and Services

a. Animal Boarding

Provision of shelter and care for small animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming and incidental medical care.

b. Animal Grooming

Provision of bathing and trimming services for small animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of 48 hours.

- c. **Animal Hospitals**
Establishments where small animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed and air-conditioned. Grooming and temporary (30 days) boarding of animals is included if incidental to the hospital use.
- d. **Animals, Retail Sales**
Retail sales and boarding of small animals, provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of 48 hours.
- e. **Animal Shows or Sales**
Exhibitions of domestic or large animals for a maximum of 7 days. This classification includes animal sales.
- f. **Riding Stables**
Facilities for the care and exercise of horses and related equestrian activities.
- g. **Riding Academies**
Establishments offering facilities for instruction in horseback riding, including rings, stables and exercise areas.

Arts and Crafts

- a. **Artists' Studios**
Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft.
- b. **Arts and Crafts Shows, Outdoor**
Display and sale of painting, sculpture, hand crafts and similar objects.

Bail Bond Brokers

Person or establishment offering bonds in lieu of confinement by judicial courts.

Banks and Savings and Loans

See Financial Institutions.

Breweries, Malt Beverage

- a. **Brewery**
An establishment which manufactures malt beverages but does not sell those beverages at retail.
- b. **Brew Pub**
An establishment which manufactures malt beverages and sells those malt beverages at retail.
- c. **Malt Beverage**
Beer, ale, porter, stout or other similar fermented beverages of any name or description, brewed or produced from malt, wholly or in part.

Building Materials and Services

Retailing, wholesaling or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excludes establishments exclusively devoted to retail sales of paint and hardware and activities classified under Vehicle/Equipment Sales and Services, including vehicle towing services.

Caretakers Quarters

Accessory housing for employee acting as caretaker, custodian, or security personnel for principal use on property. Living area of caretakers quarters shall not exceed 800 square feet of net interior floor area.

Casinos and Gaming Establishments

Establishments where limited gaming or nonrestricted gaming is conducted, including associated bars, cocktail lounges and other facilities, as well as the area occupied by the games.

a. Nonrestricted Gaming

The operation of 16 or more slot machines or gaming devices or any live game. This license is limited to a resort hotel or other specific nonconforming establishments as defined in Section 4.32.350 of the Henderson Municipal Code.

b. Restricted Gaming

The operation of 15 or fewer slot machines or gaming devices which are incidental to the primary business at the establishment wherein the slot machines or gaming devices are to be located regardless of ownership of the slot machines and/or gaming devices.

c. Sports Pool (Sports Book)

An establishment at which wagers are placed on athletic and certain nonathletic contests. Sports pools are further defined in HMC 4.32.380.

Catering Services

Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption. (See also Eating and Drinking Establishments.)

Cemetery

Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbariums, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery. A "Limited" cemetery is one in which no embalming or other preparation takes place.

Circuses and Carnivals

Provision of games, eating and drinking facilities, live entertainment, animal exhibitions, or similar activities in a tent or

other temporary structure for a maximum of 7 days. This classification excludes events conducted in a permanent entertainment facility.

Clubs and Lodges

Meeting, recreational or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs and youth centers, fraternal and veteran's organizations.

Cogeneration Facility

A facility for the simultaneous production of useful thermal energy and electricity from the same fuel source.

Commercial Filming

Commercial motion picture or video photography at the same location more than 6 days per quarter of a calendar year. A "limited" commercial filming use is one involving commercial motion picture or video photography at the same location 6 or fewer days per quarter of a calendar year.

Commercial Laundry

a. General

A business which launders and dry cleans clothing and other fabric articles in bulk.

b. Limited Commercial Laundry

A "limited" commercial laundry is business which launders clothing and other fabric articles in bulk. Dry cleaning is not allowed in conjunction with a "limited" commercial laundry.

Commercial Recreation and Entertainment

Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alley, billiard parlors, poolrooms, dancehalls, ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, health/fitness clubs, recreation clubs (as defined in Title 4, Sec. 4.36.020), pinball arcades or electronic games centers having more than 3 coin-operated game machines.

Commercial Recreation and Entertainment, Limited

Indoor movie theaters, performing arts theaters, and establishments with non-restricted gaming and electronic game centers as secondary uses occupying less than 10 percent of the floor area of the primary building.

Communications Facilities

Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding Utilities, Major. This classification includes radio,

television, or recording studios; telephone switching centers; and telegraph offices.

Concrete Products Production

Establishments that produce concrete products from raw materials on site, including concrete blocks, cinder blocks, and similar products. Includes stockpiling of raw materials and storage of products produced on site.

Construction Storage Yard

A facility utilized for the storage of vehicles, equipment, and materials utilized in the construction industry.

Convenience Markets

Retail sales of food, beverage and small convenience items typically found in establishments with long or late hours of operation. This definition excludes delicatessens and other specialty food shops having a sizeable assortment of fresh fruits and vegetables, and fresh-cut meat.

Conventions

Meetings of professional, fraternal, business or other organizations lasting for a maximum period of 5 days.

Crop Production

Raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis, including packing and processing.

Cultural Institutions

Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries.

Daycare

a. Day Care, General

Provision of non-medical care for 7 or more persons on a less than 24 basis. This classification includes nursery schools, preschools and day care centers for children or adults.

b. Day Care, Large Family

A state-licensed family care home serving 7 to 12 children at one time where care, protection and supervision are regularly provided in the caregiver's home for periods of less than 24 hours per day while parents or guardians are away. The number of children served shall include children of the caregiver who are at home.

c. Day Care, Limited

Non-medical care and supervision of 6 or fewer persons on a less than 24 basis. This classification includes nursery schools, preschools and day care centers for children and adults.

Detention Facilities

Publicly owned and operated facilities providing housing, care, and supervision for persons confined by law.

Duplex

A single structure that contains 2 primary dwelling units on one lot. The units may share common walls or common floor/ceilings.

Eating and Drinking Establishments

Businesses serving prepared food or beverages for consumption on or off the premises.

a. Taverns, Supper Clubs and Restaurants

Establishments licensed under the provisions of HMC Title 4.

b. With Take-Out Service

Establishments at which 20 percent or more of the transactions are sales for off-site consumption.

c. Drive-Through

Service from a building to persons in vehicles through an outdoor service window.

d. Limited

Establishments that do not serve persons in vehicles. This includes fast-food establishments with no seating and take-out restaurants with seating.

Emergency Health Care

Facilities providing emergency medical service with no provision for continuing care on an inpatient basis.

Financial Institutions

Establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses. This classification includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities, but shall not include bail bond brokers.

Financial Institution with Drive-Through Service

Financial institutions that provide services accessible to persons who remain in their automobiles.

Food and Beverage Sales

Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site or take-out

consumption shall be classified as Catering Services or Eating and Drinking Establishments.

Funeral and Interment Services

Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries. The term, mortuary, shall include preparation and temporary storage of the dead while awaiting interment. A place where only mourning and verbalizations of respect are performed, but where no preparation or storage of the dead occurs shall be considered Religious Assembly.

Golf Course

A tract of land, either public or private, laid out for at least 9 holes for playing the game of golf and improved with tees, greens, fairways, and hazards. Golf course may include related facilities such as clubhouses, golf schools, and driving ranges and accessory uses such as restaurants/bars, pro shops, and related facilities.

Government Offices

Administrative, clerical, or public contact offices of a government agency, including postal facilities, with incidental storage and maintenance of vehicles.

Heliports

Pads and facilities enabling takeoffs and landings by helicopters. This classification includes helipads and helistops.

Holiday Sales

See Retail Sales/Rentals.

Home and Business Services

Provision of recurrently needed services for business and residential uses. Uses include upholsterers, photocopying and small print shops.

Home Occupation

Any activity carried out for gain by a resident of a dwelling unit and conducted as a customary, incidental, and accessory use in the resident's dwelling unit.

Horticulture

a. General

The raising of vegetables, flowers, ornamental trees and shrubs as a commercial enterprise, including the storage of nursery equipment and materials and the erection of nursery structures.

b. Limited

The raising of vegetables, flowers, ornamental trees and shrubs as a commercial enterprise, provided that no nursery equipment or materials shall be stored and no structures erected. Commercial horticulture accessory to a dwelling unit shall be regulated as a home occupation.

Hospitals

Facilities providing medical, surgical, psychiatric, or emergency medical services to the sick or injured, primarily on an inpatient basis. This classification includes incidental facilities for outpatient treatment, as well as training, research, and administrative services for patients and employees.

Hotel/Motel

See Visitor Accommodations.

Household Living

A family unit related by blood, marriage, or adoption or 8 or fewer unrelated individuals (including resident and non-resident caregivers) living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.

Industry

a. Custom

Establishments primarily engaged in on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment.

b. General

Manufacturing of products, primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes food processing and packaging, laundry and dry cleaning plants, small animal breeding, stonework and concrete products manufacture (including concrete ready-mix plants), and power generation. Noxious industrial uses, such as asphalt and chemical manufacture, hot-mix plants, rendering, and tanneries, are excluded from this classification.

c. Limited

Manufacturing of finished parts or products, primarily from previously prepared materials, and provision of industrial services, both within an enclosed building. Includes uses utilizing mechanical equipment not exceeding 2 horsepower or a single kiln not exceeding 8 kilowatts. This classification includes laboratories, processing, fabrication, assembly, treatment, and packaging, but excludes basic

industrial processing from raw materials, food processing, and vehicle/equipment services. Typical uses include custom bookbinding, ceramic studios, candle-making shops, and custom jewelry manufacture. Incidental direct sale to consumers of only those goods produced on-site is permitted.

d. Research and Development

Establishments primarily engaged in the research, development, and controlled production of high technology electronic, industrial or scientific products or commodities for sale, but prohibits uses that may be objectionable in the opinion of the Community Development Director, by reason of production of offensive odor, dust, noise, vibration, or storage of hazardous materials. Uses include biotechnology, films, and non-toxic computer component manufacturers.

e. Small-Scale

Limited to a maximum gross floor area of 5,000 feet.

Institutional Housing

a. Continuing Care Retirement Community (also called Independent Living Facility)

An age-restricted development that is planned, designed, and operated to provide a full range of accommodations and services for older adults, including independent living, congregate care housing and medical care. Dwellings include, but are not limited to attached or detached houses, apartments, condominiums or townhomes, offering private or semi-private rooms and may be either rentals or owner-occupied units. Such facilities may offer health care and a variety of other personal services. For a facility to qualify under this definition:

- (1) The ages of all occupants shall be restricted to 60 years of age or older for all units, or in the alternative, at least one resident in each of eighty percent of the units shall be 55 years of age or older.
- (2) Housing in all independent living facilities shall be "one level." The term "one level" shall mean elevators or ramps are provided between all levels. Qualifying ramps shall not exceed a grade of one foot change of elevation for each 12 feet of horizontal travel. Stairs shall not be the sole route between any 2 levels.

b. Congregate Housing

Specially planned, designed and managed multi-unit rental housing with self-contained apartments. Congregate housing is designed to provide supportive environments built also to accommodate a relatively independent lifestyle. A limited number of services such as meals, laundry, housekeeping, transportation, and social and recreational activities may be provided. Congregate housing should be located so that residents have access to other necessary services in the neighborhood where those services are not provided.

c. Group Living

(1) General

Shared living quarters for 9 or more individuals without separate kitchen or bathroom facilities for each room or unit. This classification includes boardinghouses, dormitories, fraternities, sororities, and private residential clubs, but excludes residential or apartment hotels or motels.

(2) Assisted Living

A residential care facility designed primarily for citizens with no serious health problems, but who may have chronic or debilitating conditions requiring assistance with daily activities. Permitted services include but are not limited to staff-supervised meals, housekeeping and personal care, medication supervision, and social activities. Both private and shared sleeping rooms may be provided.

d. Hospice

See Skilled Nursing Facility

e. Skilled Nursing Facility

These facilities provide a full range of 24-hour direct medical, nursing, and other health services by registered nurses, licensed practical nurses, and nurses aides prescribed by a resident's physician. These facilities are designed for older adults who need health supervision, but not hospitalization. Emphasis is on nursing care, but restorative therapies may be provided. Specialized nursing services such as intravenous feeds or medication, tube feeding, injected medication, daily wound care, rehabilitation services, and monitoring of unstable conditions may also be provided. Surgical and emergency medical services are not permitted.

Junkyard

Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk.

Laboratories

Establishments providing medical or dental laboratory services; or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified as Industry, General.

Liquor Store

A retail establishment that sells alcoholic beverages for consumption off premises.

Live Entertainment Events, Temporary

Concerts and other cultural events lasting less than 5 days.

Maintenance and Repair Services

Establishments providing appliance repair, office machine repair, or building maintenance services. This classification excludes maintenance and repair of vehicles; see Vehicle/Equipment Repair.

Maintenance and Service Facilities

Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities owned by the city, public or private utilities, or other public entities.

Mining and Processing

a. General.

Places or plants primarily devoted to surface or subsurface mining of metallic and nonmetallic minerals, oil or gas, together with essential on-site processing and production of only nonmetallic mineral products. Typical uses are borrow pits, quarries, rock crushing and power screening facilities, oil and gas drilling rigs, or concrete batch plants. See also "Rock Crushing."

b. Short-Term

Places or plants primarily devoted to surface or subsurface mining of metallic and nonmetallic minerals, oil or gas, together with essential on-site processing and production of only nonmetallic mineral products. Such uses are deemed to be "Short-Term" if the time period for such uses is anticipated to be less than 18 months. Typical uses are borrow pits, quarries, rock crushing and power screening facilities, oil and gas drilling rigs, or concrete batch plants. See also "Rock Crushing" and 6.2.

c. Temporary

Places or plants primarily devoted to surface or subsurface mining of metallic and nonmetallic minerals, oil or gas, together with essential on-site processing and production of only nonmetallic mineral products. Such uses are deemed to be "Temporary" if the time period for such uses is anticipated to be less than two calendar days. Typical uses are rock crushing and power screening facilities. See also "Rock Crushing" and 6.2.

Mobile Home Estate Subdivision

A subdivision of individual lots, each containing one single-family mobile home.

Mobile Home Park

A site containing spaces with required improvements and utilities that are leased for the long-term placement of mobile homes and that may include services and facilities for residents.

Multi-Family Residential

Two or more dwelling units on a site. This classification includes mobile homes and manufactured housing.

Nonprofit Rehabilitation Centers

Facilities operated by established nonprofit organizations such as Goodwill Industries, Salvation Army and Opportunity Village, etc. which are intended to provide employment and training for handicapped persons. Such facilities may include, but are not limited to, activities such as light assembly of products, training, administrative offices, repair and sale of secondhand clothing, furniture and appliances, and may also include certain facilities for persons with profound mental retardation. This use does not include homeless shelters or other forms of transient or permanent residential accommodation.

Offices

a. Business and Professional

Offices of firms or organizations providing professional, executive, management or administrative services, such as architectural, computer software consulting, data management, engineering, interior design, graphic design, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

b. Offices, Medical and Dental

Offices for physicians and dentists. This classification includes clinics but excludes emergency health care.

Outdoor Display/Sales

See Retail Sales, Outdoor

Park and Recreation Facilities

Noncommercial parks, playgrounds, recreation facilities and open spaces.

Pawnshops

a. General

Establishments licensed under HMC 4.64 and engaged in the buying or selling of new or secondhand merchandise, including used autos (auto pawn), and offering loans secured by personal property.

b. Auto-Exclusive

Auto pawnshops are those businesses dealing exclusively in offering loans secured by automobiles, trucks,

motorcycles, recreational vehicles, travel trailers and similar vehicles, the storage of which requires one or more large parking areas. An auto pawn dealer may sell unredeemed pawned vehicles; however, the auto pawn classification does not include the sale of new vehicles unless the auto pawn business is in conjunction with and on the premises of a new vehicle dealership.

Personal Improvement Services

Provision of instructional services or facilities, including photography, fine arts, crafts, dance or music studios, driving schools, riding academies, business and trade schools, and diet centers, reducing salons, and fitness studios. "Health Clubs," "Spas," "Weight Reduction Salons" and "Clubs" are establishments with equipment for exercise and physical conditioning, licensed under HMC 4.46.

Personal Property Sales

Sales of personal property for a period of not more than 2 days every 6 months.

Personal Services

a. General

Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, seamstresses, tailors, shoe repair shops, laundry and dry cleaning drop-off/pick-up facilities (no dry cleaning performed on the premises), and self-service laundries.

b. Dry Cleaning Agencies

Dry cleaning agencies perform dry cleaning on the premises for retail customers only. Dry cleaning agencies are distinguished from commercial laundries which perform dry cleaning of materials delivered to the premises by persons or services other than the owner of the materials (see Commercial Laundry). Dry cleaning agencies are distinguished from laundry and dry cleaning drop-off/pick-up facilities where no dry cleaning is performed on the premises.

c. Limited

Excludes dry cleaning agencies and self-service laundries.

d. Massage Studios

Established licensed under HMC 4.84.

Plant Nurseries

Establishments selling plants and garden supplies in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

Public Safety Facilities

Facilities for public safety and emergency services, including police and fire protection.

Recycling Facilities

A lot or parcel of land, with or without buildings, upon which used materials are separated and processed for shipment for eventual reuse in new products.

Religious Assembly

Facilities for religious worship and incidental religious education, but not including private schools as defined in this section.

Research and Development Services

Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electron research firms or pharmaceutical research laboratories, but excludes manufacturing, except of prototypes, or medical testing and analysis.

Retail Sales/Rental**a. General**

The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, video rental stores and furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, art, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).

b. Holiday Sales

Retail sales of goods and products such as decorations, trees, and wreaths associated with nationally recognized holidays.

c. Pharmacy

Stores or shops licensed by the Nevada Board of Pharmacy where drugs, controlled substances, poisons, medicines or chemicals are stored or possessed, or dispensed or sold at retail, or displayed for sale at retail, or where prescriptions are compounded or dispensed. This classification includes pharmacies owned or operated by the State of Nevada and political subdivisions and municipal corporations therein.

d. Outdoor Display/Sales

The display and sale (or rental) of products and services primarily outside of a building or structure, including, but not limited to, vehicles, garden supplies, gas, tires and motor oil, food and beverages, boats and aircraft, farm

equipment, motor homes, burial monuments, building and landscape materials, and lumber yards.

e. Second-Hand Goods

The retail sale or rental of used appliances, furniture, clothing and other merchandise by secondhand dealers. This classification excludes antique shops primarily engaged in the sale of used furniture and accessories, other than appliances, that are at least one hundred years old, jewelry shops whose primary business is the sale of newly manufactured jewelry, auto dealers, pawnshops, used book stores, used baseball card, stamp and similar collectibles stores.

f. Swap Meets

(1) Nonrecurring (Multiple Vendor Arena Sales

Retail sale or exchange of new, handcrafted or secondhand merchandise for a maximum period of 48 hours, conducted by a sponsor no more than twice in any year.

(2) Swap Meets, Recurring (Multiple Vendor Arena Sales)

Retail sale or exchange of new, handcrafted or secondhand merchandise for a maximum period of 48 hours, conducted by a sponsor on a more than twice yearly basis. Sales of more than 48 hours are classified as "retail sales."

Rock Crushing

The pulverizing and breaking up of rocks by mechanical means. Rock crushing is regulated as Mining and Processing, Short-Term or Temporary (also see Sec. 6.2.L).

Schools, Public or Private

Educational institutions having a curriculum comparable to that required in the public schools of the state of Nevada.

Service Station

See Vehicle/Equipment Sales and Services.

Single-Family Residential

Buildings containing one dwelling unit located on a single lot. This classification includes mobile homes, manufactured housing and homes for mentally retarded persons, pursuant to NRS 278.021. Mobile homes and manufactured housing on leased lots shall not be included in the single-family residential category.

a. Single-Family Residential--Accessory Living Quarters

One or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes, which occupies a lot as a secondary use to a dwelling unit which is the primary use of the lot.

b. Single-Family Residential--Guest House

One or more rooms with no kitchen or other cooking facilities, designed for occupancy by one family for temporary guest sleeping purposes, which occupies a lot as a secondary use to a dwelling unit which is the primary use of the lot.

Street Fairs

Provision of games, eating and drinking facilities, live entertainment, or similar activities not requiring the use of roofed structures. This classification includes block parties.

Tattoo and Body Alteration Parlors

See Adult Businesses.

Temporary Development Lodging

Lodging associated with and on the site of a development project that is used on a temporary basis only by prospective buyers of land or residential dwelling units within that development or another project owned by the applicant within Clark County or the City of Henderson.

Temporary Outdoor Event

Events that are carried out primarily out-of-doors for a fixed period of time, including flea markets, fireworks displays, farm stands, seasonal sales, racing meets, circuses, carnivals, concerts, and parades.

Temporary Religious Assembly

Religious services conducted on a site that is not permanently occupied by a religious assembly use, for a period of not more than 30 days.

Trade Fairs

Display and sale of goods or equipment related to a specific trade or industry for a maximum period of 5 days.

Transfer Terminal

A facility that serves as an intermediate destination for the transshipment of goods or solid waste.

Travel Services

Establishments providing travel information and travel reservations to individuals and businesses. This classification excludes car rental agencies and reservation services that do not make travel arrangements as a primary function of their operation.

Travel Trailer and RV Park

Any lot, tract of land, or facility renting or leasing space on a short-term or long-term basis for the accommodation of 2 or more to

owners or users of travel trailers and recreational vehicles, not intended for permanent residence.

Utilities

a. Major

Generating plants, electrical substations, aboveground electrical transmission lines, switching buildings, refuse collection, recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or wastewater treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification.

b. Utilities, Minor

Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, switch boxes, transformer boxes, cap banks and underground water and sewer lines.

Vehicle/Equipment Sales and Services

a. Automobile Rentals

Rental of automobiles, including storage and incidental maintenance, but excluding maintenance requiring pneumatic lifts.

b. Automobile Washing

Washing, waxing or cleaning of automobiles or similar light vehicles.

c. Commercial Parking Facility

Lots offering short-term or long-term parking to the public for a fee.

d. Fleet Fueling Station

An unmanned facility for the fueling of vehicle fleets, that may include fuel for certain gasoline vehicles. This classification is primarily intended to serve diesel trucks, taxicabs and similar fleet-type vehicles employing charge-account fuel billing. A Fleet Fueling Station is not a Service Station as specified in this code. A Fleet Fueling Station does not include a convenience store or other retail services except vending machines.

e. Limited Rentals

The rental of equipment primarily intended for homeowner use and minor residential gardening and construction projects. The net site area for this category must not exceed 2 acres. All equipment in this category must be stored within an enclosed area or building. This use category does not include the rental, storage or maintenance of large construction equipment. Such vehicles are restricted to the broader use category of vehicle/ equipment sales and rentals. All maintenance of equipment must be conducted within an enclosed building.

f. Service Stations

Any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels; servicing and repair of automobiles; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories. Vehicle repairs may be allowed as a conditional use. Body and fender work and/or repair of heavy trucks or vehicles are excluded from this use classification.

g. Temporary Vehicle and Equipment Sales, Auctions and Rentals

The sale, auction or rental of vehicles or equipment from a site not permanently licensed by the City of Henderson for such sales, auctions or rentals.

h. Vehicle/Equipment Repair

Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping.

i. Vehicle/Equipment Sales and Rentals

Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats, and similar equipment, including incidental storage and incidental maintenance.

j. Vehicle Storage

Storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles.

Veterinary Office

Any facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, and prevention of animal diseases wherein animals are limited to dogs, cats, and other comparable household pets. Overnight care and boarding of such small animals is permitted for up to 30 consecutive days on the interior of such facility. No outside boarding shall be allowed. Treatment or boarding of larger animals such as horses, cows, and llamas shall not be allowed.

Visitor Accommodations

a. Bed and Breakfast Guest House

A dwelling unit or accessory building within which bedrooms are available for paying guests on a less than monthly basis, the rental of which includes at a minimum a daily breakfast meal provided to the guest by the landlord.

b. Hostel

An establishment operated, managed, or maintained under sponsorship of a non-profit organization that holds a valid

exemption from federal income taxes under the Internal Revenue Code of 1954, as amended, or which is licensed by and operated under the rules of Hosteling International - American Youth Hostels, or a comparable hosteling umbrella organization approved by the Governing Body. A hostel shall provide beds for rent on a daily basis to travelers. Such beds shall be in individual rooms or dormitories, and guests shall be provided toilet and bathing facilities. Hostels are distinguished from homeless shelters providing permanent or temporary homes to area residents who lack other shelter alternatives. Hostels are distinguished from honor camps, half-way hours, or early-release shelters operated through the judicial system, or in conjunction with or in lieu of incarceration in a penal institution. Hostels are also distinguished from drug, alcohol, or other rehabilitation facilities or similar institutional facilities providing physical or psychological care.

c. Hotels

Establishments offering fifty or more rooms as lodging on a less than weekly basis to guests, with eating and drinking service and a dining room where meals are served. The intent of this use classification is to provide a land use category for establishments offering individual hotel lodgings for traveling guests, with rooms generally designed for single-family units or business travelers lodging independently. This classification is distinguished from bed-and-breakfast facilities and hostel facilities traditionally offering dormitory style lodging, and which do not meet site development requirements specified for hotels in these Development Standards.

d. Motels

Establishments offering lodging on a less than weekly basis. This classification includes incidental eating or drinking service. The intent of this classification is to provide a land use category for establishments offering individual motel lodgings for traveling guests, with rooms generally designed for single-family units or business travelers lodging independently. This classification is distinguished from bed-and-breakfast facilities and hostel facilities traditionally offering dormitory style lodging, and which do not meet site development requirements specified for motels in these Development Standards.

e. Residential Hotels and Motels

Buildings with 6 or more guest rooms without kitchen facilities in individual rooms, or kitchen facilities for the exclusive use of guests, and which are also the primary residences of the hotel or motel guests.

f. Temporary Lodging

The provision of short-term on-project lodging by the developer of a residential project. It is intended solely for

potential purchasers of the developer's new residential dwellings at the project where the temporary lodging is located.

g. Time Share Project

A project or building in which a purchaser receives the right in perpetuity, for life, or for a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room, or segment of real property. This right of use or occupancy may be annually or on some other seasonal or periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided. Time Share Project includes but is not limited to time-share estate, interval ownership, vacation license, vacation lease, club membership, time share use, and hotel/condominium.

Warehousing and Storage

a. General

A building or tract of land used primarily for the storage of goods and materials, including tank storage, commodity warehouses, refrigerated warehouses, and general merchandise warehouses.

b. Limited

Provision of storage space for household or commercial goods within an enclosed building without direct public access to individual storage spaces. This classification includes facilities with a maximum of 5,000 square feet of gross floor area, but excludes wholesaling, distribution and storage, mini-storage and vehicle storage.

c. Mini-Storage

Provision of storage space for household or commercial goods within an enclosed building with direct public access to individual storage spaces. This use classification includes quarters for one or more persons employed by and residing at the mini-storage facility for the purpose of on-site management and security. This classification also may include vehicle storage to a maximum of 20 percent of the site. (Where greater than 20 percent of the site is allocated to vehicle storage, the vehicle storage must be treated as a separate use.)

Wedding Chapel

Establishments performing marriage or wedding services for a fee. This classification excludes religious assembly.

Wholesaling, Distribution and Storage

Storage and distribution facilities without direct public access.

a. Trucking Terminals

Storage and distribution facilities having more than 6 heavy trucks on the premises at one time, but excluding

trucking accessory to a limited industry or general industry classification.

b. Small-Scale

Wholesaling, distribution and storage having a maximum gross floor area of 5,000 square feet and having no more than 2 docks or service bays.

6.2 Use Standards

A. Animals

1. Purpose

Supplemental regulations governing the care and keeping of animals are intended to provide for the compatibility between such animals and neighboring land uses. These are in addition to the general requirements governing animals established by HMC Title 7.

2. Domestic and Wild Animals

In an residential land use category, or in conjunction with any residential uses in any other categories, not more than 3 dogs and 3 cats may be kept on a lot, subject to the following requirements:

a. Any enclosure shall be located in an interior side or rear yard and set back at least 5 feet from the property line;

b. Newborn and baby animals up to the age of 3 months shall not be counted in determining compliance with the numerical limits of this subsection; and

c. Keeping wild animals, as defined by HMC Title 7 is prohibited. (For further restrictions regarding the keeping of more than 3 dogs or cats, see HMC Chapter 7.04)

d. Other Animals.

(1) In a VLDR-1A or VLDR-2 land use (or in conjunction with any residential use in a commercial land use category), one horse and one foal up to the age of one year may be kept for each 10 thousand square feet of site area. For the purposes of this section, regardless of actual square footage, one-tenth of a government-created 5-acre parcel shall be considered to contain 20,000 square feet, and one-fifth of a government-created 5-acre parcel shall be considered to contain 40,000 square feet. All other parcels shall be evaluated based on actual net lot area.

(2) Horses shall be maintained in a permanently fenced yard, corral or other enclosure constructed and inspected under

a Building Department fence permit. Where a yard is surrounded by a fence constructed and inspected under a Building Department fence permit, Building Department inspection of portable corrals within the yard is not required.

- (3) Corrals or other approved enclosures shall be a minimum of 20 feet by 20 feet per horse, shall include a minimum of 40 square feet of shade per horse, and shall have a properly operating hose bibb within 20 feet of the fenced enclosure.
- (4) Stables, barns, corrals, paddocks or other approved fenced enclosures shall be in a rear or side yard a minimum of 75 feet from the front property line. Unless otherwise authorized by the Director, the front of a corner lot shall be as defined in Chapter 13. The Director shall waive the standard definition of "lot, front" on a corner lot where the functional rear yard is in a non-standard location, and strict interpretation of the definition will have an adverse effect on the subject property or a neighboring parcel.

B. Development on Substandard Lots

A legally created lot with less width or area than required by the land use category in which it is located may be occupied by a permitted or conditional use if it has a width of at least 25 feet and an area of at least 1,875 square feet, provided that on the effective date of the regulations that made it substandard it was in single ownership separate from any abutting lot. No substandard lot shall be further reduced in area or width unless rezoned to a district that permits such area or width.

A substandard lot shall be subject to the same setback and density requirements as a standard lot, provided that in a residential land use category, one dwelling unit may be located on a substandard lot that meets the requirements of this section.

C. Development on Lots Divided by Land Use Boundaries

The regulations applicable to each land use category shall be applied to the area within that category, and no use other than parking serving a principal use on the site shall be located in a category in which it is not a permitted or conditional use. Pedestrian or vehicular access from a street to a use shall not cross a portion of the site in a district in which that use is prohibited.

D. Relocated Buildings

In addition to the requirements of HMC 15.36.010, (moving buildings), a moving permit for relocation of a building shall be required. This permit, to be issued by the Director, upon approval of Design Review, shall establish conditions necessary to ensure that the relocated building will be compatible with its surroundings in terms of architectural character, height and bulk, and quality of exterior appearance. Decisions of the Director may be appealed by the applicant.

E. Swimming Pools and Hot Tubs

1. Construction and Protective Barriers

Swimming pools, spas, and hot tubs shall be secured by protective barriers and constructed in accordance with the Jurisdictions adopted Swimming Pool Code.

2. Public Telephones

A public telephone is required within 100 feet of the water line of each public and semipublic swimming pool, spa or hot tub.

F. General Residential Use Standards

1. Exterior Materials in Residential Land Use Categories

In all residential land use categories, the exterior walls of all structures, other than accessory structures, shall have a nonmetallic finish, unless approved pursuant to Design Review.

2. Front Yards in Residential Land Use Categories

Where lots comprising 40 percent of the frontage on a blockface in an residential land use category are improved with buildings, the required front yard shall be the average of the front yard depths for structures other than garages or carports on each developed site in the same district on the blockface. In computing the average, the actual depth shall be used up to a maximum depth 10 feet greater than the normally required front yard for any site having a yard depth exceeding the minimum requirement. Any residential lot fronting on an arterial street shown on the master streets and highways plan shall have a circular drive.

3. Maximum Dwelling Unit Occupancy

Occupancy by persons living as a single household in a dwelling unit shall be limited as follows: A dwelling unit shall have a minimum of 150 square feet of gross floor area for each of the first 10 occupants and 300 square feet for each additional occupant to a maximum of 20. In no case shall a dwelling unit be occupied by more than 20 persons. A conditional use permit shall be required for occupancy of a dwelling unit by more than 10 persons 18 years or older.

G. Multi-Family Development

1. Purposes

The general purposes of the Multi-Family standards of this section are to:

- a. Establish criteria, procedures and standards for the review and evaluation of existing and proposed multi-family projects;
- b. Establish standards for density analysis and multi-family/efficiency lot construction to ensure continuing certainty in the development process while providing flexibility in the development of such projects, and to achieve the goals of both the developer and the City in mitigating the impact of continued multi-family development;
- c. Provide for safety, security, privacy, traffic, schools, recreation, appearance and maintenance;
- d. Address the primary concerns of residential density, design issues, amenities, scale, buffering, and appearance;
- e. Identify, encourage, and preserve the desired residential character of Henderson's housing component in accordance with the Comprehensive Plan;
- f. Provide incentives for a variety of housing types; and
- g. Assure neighborhood compatibility.

2. Applicability

Unless otherwise specified through specific development plan approval, all projects with MDR and HDR land use are subject to the provisions of these Development Standards.

3. Multi-Family Categories

For purposes of determining appropriate land use regulations, multifamily is grouped into three subcategories:

- a. MDR, comprises 8 through 10 dwelling units per gross acre densities;
- b. HDR, comprises the 10 through 16 dwelling units per gross acre densities; and

4. Review Procedure

An application to approve a multi-family plan shall be initiated by a property owner or authorized agent. If the property is not under a single ownership, all owners shall agree to the proposed development, and all owners shall join the application. A map showing the extent of ownership shall be submitted with the application. A three-step review procedure is required for the review and approval of proposed land use changes to multi-family land use categories and for multi-family development projects:

- a. Sensitive Area Identification (Sector Analysis);
- b. Density Accommodation/Reduction; and

- c. Development Capacity Impact Analysis.
5. **Sensitive Area Identification (Sector Analysis)**
Proposed projects with multi-family land use or projects requesting multi-family land use shall, in addition to requirements of the land use plan be subject to a comparative computation of dwelling units called a "Sector Analysis."
- a. The sector analysis shall include counts of all built dwelling units as well as the potential yield for all residentially zoned, undeveloped land within one-half mile of the project site. For site sector computation on undeveloped land which has been master planned, either by an owner/developer or by the City of Henderson, the computation of potential unit yield from the site sector shall be determined by using either the existing zoning designation or the master planned land use designation. Said determination shall be made on a case-by-case basis by the Director based on likely development, intensity of surrounding uses and any other relevant considerations. Partial sites within the described half-mile perimeter are to be computed.
- b. For purposes of housing mix ratio comparison, the units are separated into two categories:
(1) Single-Family Housing.
(2) Multi-Family and Transition Density Housing.
- c. The proposed project is to be added into its proper housing type category for purposes of arriving at the projected ratio.
- d. Special circumstances may permit an adjustment to the measurement sector. Factors such as natural or man-made barriers or significant land uses just beyond the radius limit may be considered in evaluating the sensitivity of the housing balance within the sector.
- e. A site located in a sector with 35 percent or more of its actual and potential dwelling units identified as something other than single-family lots (density of 6 units or less per acre) is regarded as being subject to sensitive area procedures.
- f. Once certified by the Director, a sector analysis shall remain valid for a period of 90 days.
6. **Density Accommodation/Reduction**
- a. **Condition Level Table**
For each established sensitive area, (sector), density accommodation shall be determined in accordance with the following condition level table.

Condition	MF Projection	Entitlement	Mitigation/Density Reduction
A	Under 35%	Fully developable	Comply with Multi-family Development Regulations only. No additional mitigation/reduction required.
B	35-39%	Mitigate	60 points mitigation
C	40-44%	Mitigate/Reduce	80 points mitigation; or 60 points mitigation + 10% density reduction
D	45-49%	Mitigate/Reduce	80 points mitigation + 20% density reduction; or 60 points mitigation + 30% density reduction
E	50% or more	Mitigate/Reduce	80 points mitigation + 40% density reduction; or 60 points mitigation + 50% density reduction

- (1) Projects that are found to have a Condition Level A are not required to prepare a Development Capacity Analysis. They are required to conform with adopted multi-family development regulations.
- (2) Projects that are found to have a lower Condition Level, (B through E), require a Development Capacity Impact Analysis.
- (3) A project in a sensitive sector may be advanced to a "developable" status by scoring 60 or more mitigation points.
- (4) Projects that are found to have a Condition Level B or C may require mitigation points only and compliance with adopted multi-family development regulations.
- (5) Projects that are found to have a Condition Level D or E shall require mitigation points, net density reduction and compliance with adopted multi-family development regulations.
- (6) Condition levels may be improved in accordance with the number of mitigation points achieved. The table of condition level improvement by achieving mitigation points is as follows:

b. Condition Level Improvement

Condition	Mitigation Points	Improve to Condition Level
A	None required	-
B	60-100	A
C	80-100	A
D	80-100	B
E	80-100	C

c. Density Reduction

In addition to mitigation points, certain projects may also be required to provide a Net Density Reduction in accordance with the following percentage reductions:

Condition Level + Mitigation Points	Density Reduction	Improve
C 60-79	10%	One Condition Level
D 80-100	20%	One Condition Level
D 60-79	30%	-
E 80-100	40%	-
E 60-79	50%	-

7. Development Capacity Impact Analysis

Projects located in a sector having a Condition Level of B through E require a Development Capacity Impact Analysis. The Development Capacity Impact Analysis is an assessment of the proposed project, based upon a "yes" or "no" answer to the 11 Capacity Factors. For projects with partial compliance, a "Plan" or "Mitigation" score is available. The analysis shall be prepared by the applicant and reviewed by the Director. The Planning Commission shall hear appeals from the Director regarding determination of Condition Level, Impact Mitigation, or Net Density Reduction.

a. Capacity Factors

The eleven capacity factors and accompanying chart are as follows:

- (1) **Development Balance** - the sector evaluation shows 65 percent or more standard size lot, single family units;
- (2) **Approved Master Plan** - the project conforms to a previously-approved plan of development or previous approval;
- (3) **Infrastructure** - sewer, water, drainage and utility systems are in place for project connection and of sufficient capacity to accommodate the sector's full development.
- (4) **Primary Transportation** - major and collector streets to carry project traffic will be completed prior to occupancy;
- (5) **Schools** - sufficient primary and secondary educational facilities will exist to serve current and projected buildout school populations;
- (6) **Parks** - the sector has adequate improved park acreage of 5.25 acres per thousand population;

- (7) **Open Space Credit** - developer meets open space reservation and fee requirements;
- (8) **Employment** - there is at least one job available for every sector dwelling unit (within one mile);
- (9) **Freeway Access** - an existing freeway access ramp is located within the sector limits;
- (10) **Housing Ratio Improvement** - (if acceptable balance is not recorded in, above) the project proposal reduces the imbalance.
- (11) **Other** - e.g., affordable housing, preserve aesthetics, natural resources, capital improvements and other considerations.

Capacity Factor	Yes 10	No 0	Plan 1-5	Mitigation 1-5	Total Points 0-10
1. Development Balance					
2. Approved Master Plan					
3. Infrastructure					
4. Primary Transportation					
5. Schools					
6. Parks					
7. Open Space Credit					
8. Employment					
9. Freeway Access					
10. Improve Housing Ratio					
11. Other					

c. Development Capacity Scoring

The Development Capacity Impact Analysis shall be scored as follows:

- (1) Existing plans to meet factor criteria receive 1 to 5 points, depending on relative for performance adequacy and funding.
- (2) Mitigation measures proposed by developers including financial contribution or installation of improvements may qualify for up to 5 points.
- (3) Projects scoring 80 points or more, located in a sector with less than 45 percent multi-family are presumed to have met the

amelioration criteria and may proceed without additional density adjustment.

8. MDR Category

The MDR corresponds with transition density housing types including duplexes, triplexes, four-plexes, townhomes, patio homes and efficiency lots.

a. Specific Purposes

The specific purposes of the MDR category are to:

- (1) Promote balanced residential development throughout the plan; and, especially encouraging creative solutions for sensitive sectors where residential density requires mitigation;
- (2) Ensure orderly design, with appropriate engineering, open space and siting standards, to accommodate residential opportunities on parcels of reduced size in a manner that is consistent with the desired community character as set forth in the plan;
- (3) Encourage single-family home development as an alternative to premature or inappropriate multifamily development that would exacerbate dwelling density in a sensitive sector, particularly where public service or traffic demand exceeds the capacity of existing or planned facilities;
- (4) Provide a variety of housing types, addressing the needs of local residents generally, and those with special shelter requirements in particular; and
- (5) Encourage sensitive site planning and design in a manner that utilizes transitional housing densities of six to ten units per acre as buffering developments between land uses of greater and lesser intensity.

b. Development Regulations

The following basic standards apply to all MDR projects, unless modified by an approved plan.

- (1) **Required Land use Classification:** MDR-8 or MDR-10. Land use and zoning may be applied for and approved concurrently with a TM/ PUD application.
- (2) **Minimum Site Area:** A minimum site area of 10 gross acres shall be provided unless proper justification for a smaller site is made to the satisfaction of the Governing Body.
- (3) **Minimum Lot Area:** The minimum lot area shall be 4,500 square feet.
- (4) **Minimum Lot Width:** The minimum lot width shall be forty feet. However, a

minimum lot width of fifty-five feet shall be required for homes with three car garages facing the street.

- (5) **Common Usable Open Space:** Common usable open space shall be accessible to residents and appropriate to the general public. Common open space shall be provided for each lot, regardless of lot size, according to the following table:

Lot Area (Square Feet)	Common Open Space Required
5,000-5,999	5%
4,500-4,999	10%
4,000-4,499	15%
3,500-3,999	20%
Under 3,500	25%

- (6) **Private Usable Open Space:** Private useable open space is required at a minimum area of 500 square feet per unit. Private usable open space shall not occupy any required front yard, shall have a minimum dimension of fifteen feet.

- (7) **Building Setbacks:** The following minimum building setbacks shall be provided:

Setback	Minimum Distance (Feet)
Front	
Garage Door	20 [1] (from back of curb)
Other Building Features	14 [1] (from back of curb)
Interior Side	
Garage Door	10
Other Building Features	5 (0 if attached construction)
Street Side	
Garage Door	20 [1]
Other Building Features	10 [1]
Rear	10 (0 if attached construction)
Perimeter [2]	20

Notes:

- [1] Where sidewalks are not provided an additional 5 feet of setback shall be required.

[2] Perimeter setbacks shall be provided abutting any perimeter street and any property abutting the project the same or less intensive land use.

[3] Projects utilizing an attached rear and side design shall provide a minimum side yard of 15-feet on the detached side of the unit.

(8) **Maximum Height:** The height of any structure shall not exceed thirty feet from natural grade.

(9) **Maximum Coverage:** Efficiency lot dwellings shall not exceed a Floor Area Ratio of .4. The area of the garage shall be excluded from the floor area.

(10) **Walls and fences:** Perimeter walls shall be installed to a height of not less than 5 nor greater than 8 feet (except as required for traffic visibility) and shall include detail variations such as pilasters, decorative caps or decorative iron cut-outs at a spacing not less than 50-feet.

(11) **Parking:** Each dwelling shall provide a minimum of one two-car garage. Additionally, a minimum of 1.5 parking spaces per lot shall be provided on the street or in an off-street parking space for developments containing over 50 units.

(12) **Housing:** Diversity in home appearance shall be provided.

(a) Two of three variation components; setback, elevation and roofline shall be utilized in a manner to distinguish adjacent homes.

(b) Front setback variations shall be a minimum of two feet.

(c) Two-story homes shall not be sited on more than half of the corner lots in the development.

(d) The floor area ratio (FAR) on each lot shall not exceed .40.

(e) Variations of basic house models are required:

i. A minimum of two variations in developments up to 50 lots.

ii. Three variations resulting in not less than 15 elevations in developments containing over 50 lots.

- (f) Sub-area themes shall be incorporated in the design of developments with 150 or more lots.

9. **HDR Land Use Category**

a. **HDR Specific Purposes**

The HDR category includes garden type two-story structures. The specific purposes of the HDR are as follows:

- (1) Provide density site analysis to accommodate appropriate residential densities;
- (2) Promote improved design and enhanced site planning of multi-family development;
- (3) Encourage sensitive design and planning of multi-family housing units which enhances compatibility among different residential densities and types.
- (4) Address development and design issues from a community, neighborhood and site scale perspective.
- (5) Encourage sensitive site planning and design in a manner that adequately accommodates ten to sixteen units per acre.

b. **Development Regulations**

The following basic requirements apply to HDR projects, unless modified by an approved plan.

- (1) **Required Land Use Classification:** HDR-16 (land use and zoning may be applied for and approved concurrently with a Design Review or TM/PUD application).
- (2) **Minimum Site Area:** A minimum site area of 10 gross acres shall be provided unless proper justification for a smaller site is made to the satisfaction of the Governing Body.
- (3) **Access:** Multifamily developments are to be served exclusively by arterial streets.
 - (a) A minimum of one secondary point of ingress-egress shall be required per Fire Department specifications.
 - (b) No vehicular access entering and leaving the property is permitted from multifamily developments into local streets serving single-family residences; however, emergency vehicle access may be provided if required.
 - (c) Provision of bus bays is required.
- (4) **Perimeter Landscaping:** Perimeter landscaping shall be provided and shall include drought-resistant plant materials consistent with adjacent neighborhoods as

approved by the Director. Tracts at least 25 feet in width from back of curb to perimeter walls (which may include sidewalks and portions of right-of-way) shall be maintained abutting arterial streets. Meandering pathways or sidewalks are required. Additionally, a minimum ten foot buffer yard shall be planted with 24-inch box trees, at spacing appropriate to each plant variety, and maintained abutting all residential property with a less intensive classification.

- (5) **Walls:** Perimeter walls shall be installed to a height of not less than 5 nor greater than 8 feet (except as required for traffic visibility) and shall include detail variations such as pilasters, decorative caps or decorative iron cut-outs. Perimeter walls, end walls, return walls and common area walls shall be decorative and installed by the developer. Acceptable decorative materials include split face block, slump stone, stucco finish and iron pickets. In any location where a wall or fence may serve as a barrier for a future swimming pool or spa the wall must comply with Uniform Building Code requirements for such barrier at time of construction, regardless of when the swimming pool or spa may be constructed.

- (6) **Open Space:**
- (a) 400 square feet of open space, a minimum of 75 percent of which is usable, is required to be provided and maintained for each multifamily dwelling unit.
 - (b) Recreational space shall be sufficient for the development's population. Larger projects, especially, shall be self-contained in terms of neighborhood open space standards. Facilities shall be tailored to the intended clientele.
 - (c) Each dwelling unit shall be not more than 300 feet from the nearest usable open space.
 - (d) Common usable open space, a minimum of fifty percent of the development's open space amenities shall be accessible within 300 feet of any unit; however, highly trafficked facilities such as swimming

pools or recreation buildings may be located centrally, at any distance.

- (7) **Building Setbacks:**
- (a) Building setbacks shall be provided according to the following:
 - i. Multistory buildings shall maintain setbacks equal to or greater than their height.
 - ii. No multi-family structure exceeding one story or 20 feet in height shall be constructed within 40 feet of an adjacent residential property line.
 - iii. Walls containing windows shall be separated from opposing windows in the same, or any other, residential development by a distance of not less than 30 feet. However, in no instance shall building separation be less than 20 feet.
 - (b) Multi-family housing developed at a higher grade elevation (five feet or more) from adjacent residential properties shall prepare a line of sight analysis to determine the necessity for additional setbacks or, in the alternative, setbacks shall be increased by one foot for each foot (or portion thereof) of additional ground elevation. If multifamily development is downhill by five feet or more, setbacks may be reduced to not less than 30 feet, including buffer yard, based on findings of a line of sight analysis.
 - (c) Buildings exceeding 32 dwelling units shall be separated from any property line by a distance of not less than 50 feet and from any other on-site residential structure by a minimum of 20 feet.
- (8) **Maximum Height:** The height of any structure shall not exceed thirty-five feet from natural grade.
- (9) **Maximum Building Coverage:** Building coverage shall not exceed 40 percent of the net lot area.

(10) **Parking:** Multifamily development parking lots shall be strategically located and spaced as elements of site design. Tenant and visitor parking shall be placed conveniently to units served. Alternate transportation modes, bicycle and pedestrian, shall be included in site master planning.

(a) Ample parking space shall be provided in compliance with site planning requirements. Features may include flexible parking for guests and at recreational facilities, storage and vehicle maintenance areas, and bicycle and cart path alternatives.

(b) Well landscaped, compact parking areas are encouraged. Except as required to meet setback or separation standards, individual parking areas delineated by buildings, walkways or landscaping not less than 20 feet wide should contain spaces for 80 or fewer vehicles.

(c) One required parking space shall be provided within 100 feet of each unit to be served.

(d) One additional required space shall be provided within 150 feet and 0.5 guest parking spaces within 300 feet walking distance of unit to be served.

(e) Guest parking spaces may be reduced in an amount equivalent to on-site recreational vehicle storage facilities.

(11) **Housing and Site Design:** The multifamily complex is expected to make a positive contribution to its surrounding area by providing such amenities as public open space, landscaped peripheries with street furniture or bus bays, and distinctive, human-scale architecture.

(a) Multifamily housing complexes shall blend into the plans residential character.

(b) More dense developments shall set and follow visual themes intended to establish community identify and blend with their surroundings.

- (c) Light earthtone or neutral colors and concrete or clay tile on pitched roofs are required.
- (d) Entry signage shall be integrated into project design and shall comply with the Sign Code.
- (e) Shared front entries or stairways shall be permitted only for groupings of two to four units. Individual balconies and patios are encouraged. Any portion of a private, ground level outdoor area exceeding 100 square feet or 50 square feet on upper stories may be counted toward open space requirements. Long exterior balconies served by one or two stairways in a single, continuous path are prohibited.
- (f) Use of visible balconies for storage is prohibited.
- (g) Not more than four dwelling units may be entered from a single hall, landing area or walkway. Exceptions to limited entry points may be made for elevator buildings, congregate care or other arrangements for residents with special needs requiring common entry.
- (h) Access to common facilities is required within convenient distance from each dwelling unit.
- (i) Household related services or amenities, such as storage, laundry, trash and parking, shall be within a 300-foot distance of each dwelling unit.
- (j) Multifamily structures, particularly in larger complexes, shall be designed to comply with convenient distance requirements and allow spacious, open areas within the complex.
- (k) Groupings of multifamily structures including variations in rooflines and/or floor plates and clustering shall be utilized to soften the effect of box-like buildings and contribute to a residential scale.
- (l) Structures containing more units can be grouped more closely around amenity areas. Less dense buildings

shall be located toward the site's perimeter to take advantage of spaciousness provided by landscaping and parking buffers.

- (m) Clusters with buildings containing 100 or more units shall be arranged around an open space or recreational amenity and separated from other groupings by distances of 75 feet or more.
- (n) Developments with 300 or more dwellings shall include separate "village cluster" architectural themes for each 200 units or portion thereof.

H. Eating and Drinking Establishments with Take-out Service

The following supplementary development regulations shall apply to eating and drinking establishments with take-out service other than limited take-out service.

1. Minimum Separation

Except as otherwise expressly provided, freestanding sites having adjoining parking that are outside of a major tenant/occupant consisting of at least 50,000 square feet in a mixed use project, or located outside a single building serving one occupant/major retailer consisting of at least fifty thousand square feet, shall not be closer than 300 feet to the site boundaries of a public or private school grades kindergarten through 12, park or playground.

2. Litter Control

Containers and napkins identifying the retailer from which they were dispensed shall be used for all carry-out-food, and all litter resulting shall be promptly removed by that retailer.

I. Eating and Drinking Establishments with Outdoor Seating Areas or Outdoor Food Service

The following supplementary development regulations shall apply to eating and drinking establishments with outdoor seating areas or food service.

1. Outdoor Seating Areas

Eating and drinking establishments and convenience markets may provide outdoor seating areas, including tables and chairs, for the use of their customers. The location, configuration, and operational aspects (such as lighting) of such outdoor seating areas shall be subject to review and approval by the Director to ensure that such outdoor seating area will be compatible with surrounding uses, will be maintained in an attractive manner and will comply with Building and Fire Codes.

2. Outdoor Food Service

Eating and drinking establishments may, with approval by the Director, provide outdoor food service on the site of the principal use at tables provided by the establishment. Food service shall be provided by employees of the establishment. In approving outdoor food service, the Director may impose conditions relating to the location, configuration, and operational aspects (such as lighting and litter control) of such outdoor food service areas to ensure that such area is compatible with surrounding uses and maintained in an attractive manner.

J. Live Entertainment

The following regulations shall apply to any use offering scheduled live entertainment, as defined, more than 3 times per calendar year:

1. Exits and entrances shall not be located opposite a residential land use adjoining the site. This provision does not apply to required emergency entrances and exits.
2. A conditional use permit shall establish conditions ensuring that no litter problem will exist.
3. A conditional use permit for live entertainment shall apply only to the type of entertainment approved, and a different type of entertainment shall require approval of a new conditional use permit.

K. Service Stations and Automobile Washing

The following supplementary development standards shall apply to the Service Stations and Automobile Washing uses.

1. **Minimum Separation**
 - a. Minimum separation between such uses shall be 500 feet (as measured from site boundaries), except that one such use may be located at each corner of a street intersection.
 - b. Such uses shall be located at least 500 feet from schools and day care uses, as measured from the outer boundaries of the sites.
2. **Site Layout**

Conditions of approval of a conditional use permit may require buffering, screening, or planting areas necessary to avoid adverse impacts on properties in the surrounding area.
3. **Storage of Materials and Equipment**

The provisions of Sec. 9.5 shall apply, except that a display rack for automobile products no more than 4 feet wide may be maintained within 3 feet of the principal building, subject to a limit of 1 such display rack per street frontage. Storage of unlicensed or inoperable vehicles shall be prohibited. The location of display racks and

vending machines shall be specified by the conditional use permit.

L. Mining, Short-Term and Temporary

1. The following standards shall apply to short-term mining and processing facilities:

- a. The minimum distance between a Short Term Mining and Processing Facility and any existing, occupied residential dwelling units shall be one-half mile (2,640 feet). The only exceptions to this distance requirement shall be as specified in subsection 3 below or by approval of a variance. Once an approved facility is in operation and a newly constructed or previously vacant dwelling unit becomes occupied within the ½ -mile distance, the facility shall be allowed to continue operation until the end of the approved time limit stipulated by the conditions of the use permit or as stipulated by the conditions on any extensions of time for the use permit.
- b. All applicants shall provide documentation of the existing distance between a Short Term Mining and Processing Facility and any existing, occupied residential dwelling units. Such documentation shall be provided at the time a use permit application is submitted to the Director for processing.

2. The following standards shall apply to temporary mining and processing facilities: Equipment capable of crushing or processing dirt, rock and other construction site material is not subject to the use permit and distance requirements contained in subsections 1.a. and 1.b. above, provided that the processing equipment meets the following specifications and is operated in the following manner:

- a. Material processing equipment must not be operated in a stationary position for more than two calendar days.
- b. Materials for processing or having been processed shall not be stacked more than 10 feet in height.
- c. Processed materials shall be used in the immediate area from which they came. Materials for processing shall not be imported to the site from another site, or on large projects, from a distant greater than 1000 feet on the same site, and materials having been processed shall not be removed from the site, or on large projects, taken to a location farther than 1000 feet on the same site.
- d. Mechanized material processing equipment shall be self-propelled by means of its own on-board engine.

- e. Mechanized material processing equipment must have a self-contained watering system of sufficient size and design to control dust while the equipment is in operation, and that watering system shall be used continuously while the equipment is in operation.

The intent of this subsection is to permit certain self-propelled material processing equipment to operate on construction sites for a short time, generally limited to no more than two days, to allow certain site cleanup and materials processing activities without meeting the distance and conditional use permit requirements imposed on standard rock crushing operations.

6.3 Accessory Uses and Structures

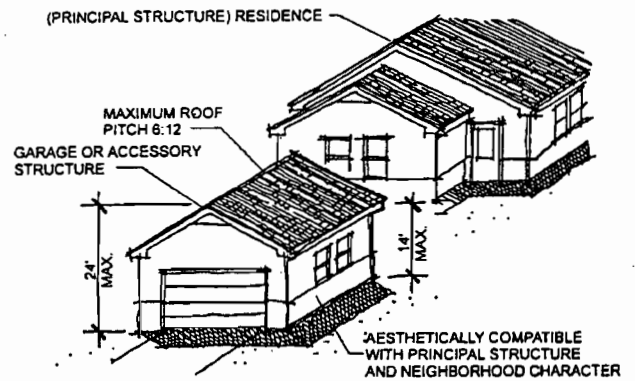
A. Residential Land Use Categories

1. Exemption

Accessory structures having a gross floor area of 120 square feet or less shall be exempt from the provisions of this section, except that no accessory structure standing more than 4 feet in height, regardless of floor area, shall be permitted in a required front or corner side yard.

2. Height

The height of any accessory structure containing more than 120 square feet of gross floor area shall not exceed 14 feet measured from the finished floor to the top plate of the exterior walls, and shall have a roof slope not to exceed 6 feet of rise to 12 feet of horizontal run. In no instance shall the peak of the roof exceed 24 feet above finished floor.



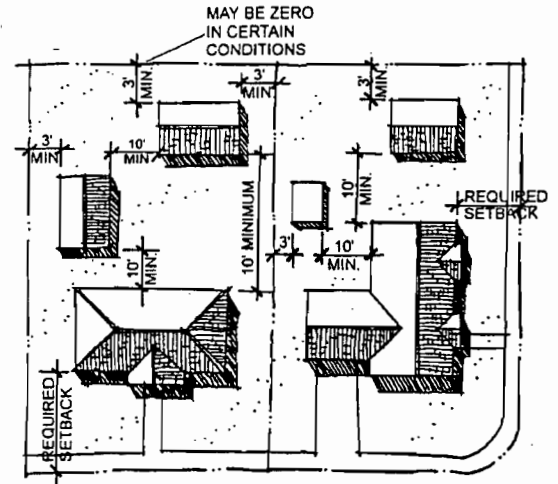
Accessory Structure Height

3. Design

Each accessory structure containing more than 120 square feet of gross floor area shall be designed to be aesthetically compatible with the principal structure and with the neighborhood character. Any garage or other accessory building used or intended for use for vehicle storage must have a minimum 20-foot-long driveway from its access street.

4. **Location**

Except as provided in this subsection, accessory structures containing more than 120 square feet of gross floor area each shall not occupy a required front or corner side yard or court, or project beyond the front building line of the principal structure on site. No accessory uses shall be permitted off-site. A minimum 10-foot separation shall be required between the principal structure and any



Accessory Structure Setbacks

detached accessory structure containing more than 120 square feet of gross floor area. An accessory structure constructed closer than 10 feet to a principal residential structure must be designed with the same wall and window materials as the principal structure, must have its roof slope and roofing materials identical to the principal structure and must be connected to the principal structure by a roof no smaller in width than that of the accessory structure, with identical slope and materials. Regardless of wall separation distance from the principal residential structure, for setback purposes all connected accessory structures shall be treated as one in the same with the principal structure. This restriction is intended to be applied to buildings and sheds which are enclosed. This restriction does not apply to residential patio covers, carports or similar open shade structures.

5. **Size/Area**

Except for guest houses and accessory living quarters, the total combined floor area of all freestanding accessory structures, containing more than 120 square feet of gross floor area each and standing more than 4 feet in height, shall not exceed 10 percent of the lot or 50 percent of the size of the principal dwelling on the lot, whichever is greater. This does not restrict the size of garages or other accessory uses attached to a house.

Unless otherwise approved by Governing Body, a guest house or accessory living quarters floor area shall be no greater than 25 percent of the living area of the primary dwelling, exclusive of carports, garages and basements, or 1000 square feet, whichever is less.

6. **Relation to Property Lines**

An accessory structure containing more than 120 square feet of gross floor area in a required interior side yard shall

be a minimum of 3 feet from the side property line. An accessory structure containing more than 120 square feet of gross floor area in a required rear yard shall be located on a property line or shall be not less than 3 feet from a property line.

B. Commercial Land Use Categories

1. Timing

Nonresidential accessory structures shall not be established or constructed prior to the start of construction of a principal structure on a site, except that construction trailers may be placed on a site at the time site clearance and grading begins and may remain on the site only for the duration of construction.

2. Location

Except as provided in this subsection, nonresidential accessory structures shall not occupy a required front or corner side yard or court, or project beyond the front building line of the principal structure on a site. No accessory uses shall be permitted off-site.

3. Relation to Property Lines

A nonresidential accessory structure in a required rear yard shall be located on a property line or shall be not less than 3 feet from a property line. A structure on a property line shall not exceed 14 feet in height at the property line.

4. Limitation on Mobile Homes

No mobile home shall be used for commercial or office use except in conjunction with a construction project and only for the duration of construction (see Sec. 6.4.)

C. Business Park and Public land Use Categories

Accessory structures shall comply with all regulations applicable to the principal structure on a site. Off-site accessory uses shall not be allowed.

6.4 Temporary Uses and Structures

A. Permit Required

All temporary uses and structures shall obtain a temporary use permit.

B. Permits

A temporary use permit authorizing certain temporary use classifications shall reviewed, approved, or revoked only in accordance with the regulations of this section.

C. Time Limits

Temporary Use Permits shall be valid for a specified period of time, not to exceed 30 days.

D. Required Findings

The application shall be approved as submitted, or in modified form, if the Director finds:

1. That the proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the plan and the provisions of these Development Standards; and
2. That approval of the application will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare.
3. That the proposed temporary use complies with all applicable standards of this unless otherwise expressly stated.

E. Conditions of Approval

In approving a temporary use permit, the Director may impose reasonable conditions, including but not limited to limitations on hours of operation, illumination, storage, and parking, necessary to:

1. Achieve the general purposes of this title and the specific purposes of the land use category in which the temporary use will be located, or to be consistent with the plan;
2. Protect the public health, safety and general welfare; or
3. Ensure operation and maintenance of the temporary use in a manner compatible with existing uses on adjoining properties and in the surrounding area.

F. Temporary Dwelling Units on Single-Family Lots

1. The owner of any lot or tract of land may place thereon, and live therein, a manufactured home, mobile home, or a travel trailer provided sanitary plumbing, power and utilities are approved by the Building Department, and provided further that:
 - a. The owner is constructing a single-family residence on the lot or tract of land and has obtained all necessary permits and paid all mandatory fees;
 - b. The use of the temporary dwelling unit shall not exceed the period of 6 months from the date of permit issuance;
 - c. The owner has placed \$500 bond in cash or surety with the Governing Body for purposes of ensuring the removal of the temporary dwelling unit at the end of the 6-month period; and

- d. The owner has submitted to the Building Department a construction schedule for the new house and accessory buildings, and a statement of intent to complete construction within the proposed time period.
2. The time limits and other provisions of this section are based on the premise that an owner-builder exercising proper judgment will not enter into a residence-construction project unable to complete the project within 6 months, and once started, the owner-builder will diligently continue the work and finish construction prior to expiration of his temporary dwelling permit. However, the owner of any lot or tract of land on which a temporary dwelling unit has been placed may request a single 6-month extension of time from the Building Department by showing cause of extreme hardship.
3. All temporary dwelling units shall require a permit issued by the Director, and shall be subject to inspection.

G. Temporary Construction, Security, Real Estate Sales Offices

1. **General**

The owner of a construction project may place on the construction site and utilize a temporary office for use by construction, security and real estate sales personnel.
2. **Location**

The temporary office shall be located on the lot on which construction or development is occurring and shall not be located within 25 feet of any abutting residential use.
3. **Plumbing**

The sanitary plumbing requirements can be waived by the Building Department provided adequate sanitary plumbing is available elsewhere on the site.
4. **Time Limits**

The office shall be removed 10 days after final inspection of the permanent structure or expiration of the corresponding building permit, whichever event occurs first. In the case of residential development projects, the office must be removed with 10 days of sale or lease of all dwelling units.

H. Security Trailers

The owner of a permitted business, who requires security protection during hours of closure, may maintain a travel trailer for that purpose until a permanent facility can be constructed. In no case shall the use of such security trailer be for longer than a 6-month period.

CHAPTER 7 INTENSITY AND DIMENSIONAL STANDARDS

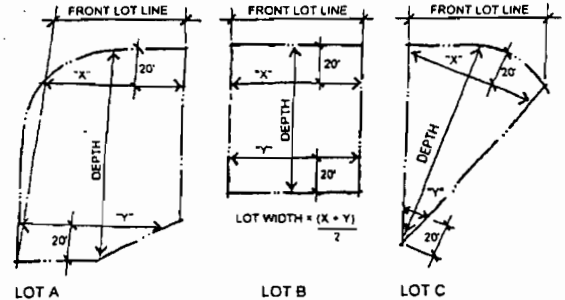
7.1 Measurements and Exceptions

A. Lot Area/Site Area

Lot or site area refers to the amount of horizontal land area contained inside the lot lines of a lot or site. Public rights-of-way shall not be included in calculating lot size.

B. Lot Width

Lot width refers to the horizontal distance between side lot lines. Lot width shall be measured at right angles to the lot depth at points 20 feet from the front lot line and 20 feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.



Lot Width

C. Density

Density refers to the number of dwelling units for each acre of land. Density is calculated by dividing the number of dwelling units on a lot by the gross area (in acres) of the site on which the dwelling units are located. The number of dwelling units allowed on a site is based on the presumption that all other applicable standards will be met. The maximum density established for a land use category is not a guarantee that such densities may be obtained, nor a valid justification for varying other dimensional or development standards. For purposes of calculating residential density or intensity of development, existing dedicated rights-of-way within a site and that portion of existing dedicated rights-of-way adjoining a site that is between the street or alley centerline and the site boundaries shall be included.

D. Lot Depth

Lot depth means the horizontal distance for the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line.

E. Lot or Property Line, Front

Front lot or property line means the lot line describing the edge of the lot abutting the street or right-of-way to which the lot has access and is oriented to for purposes of development. On a corner lot only one street shall be considered as a front line, and the shorter street or right-of-way frontage shall be considered the front line.

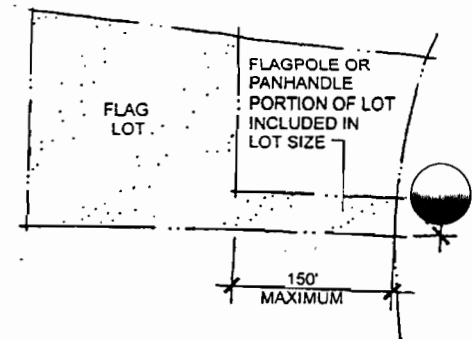
F. Lot or Property Line, Rear

Rear lot or property line means a lot line, not a front lot line, that is parallel or approximately parallel to the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line for the purpose of measuring rear yard depth.

G. Flag Lots

The following dimensional standards shall apply to flag lots:

1. The flag pole or panhandle portion of the lot shall be a minimum of 24 feet wide, and the depth of the flag pole or panhandle shall not exceed 150 feet as measured from the adjacent public or private street.
2. The non-flag-pole portion of a flag lot shall be subject to the lot width/depth requirements for non-flag lots.
3. The flag pole or panhandle portion of the lot shall not be included in calculating lot size.

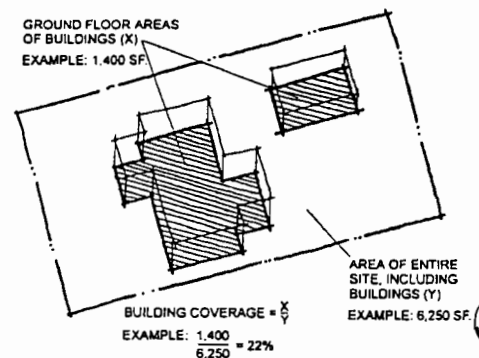


Flag Lots

Commentary: Designation of the front yard is intended to be reviewed for each flag lot on a case-by-case basis, but it is envisioned that for practical vehicle maneuvering purposes, some portion of the front yard setback will abut the point where the "pole" connects to the "flag".

H. Building Coverage

The portion of a site covered by principal and accessory buildings and structures, as measured from the outside of the building or structure at ground level. Expressed as a percentage of total site area.



I. Setbacks

Building Coverage

1. **Measurement**

Setbacks shall be measured as the distance between the nearest lot line and the foundation of a building or structure along a line at right angles to the lot line. Where no minimum front, side or rear yards are specified, the setback line shall be coterminous with the corresponding lot line. Allowable projections into setback areas shall not be utilized for measurement of setbacks.
2. **Front Setback**

Extends across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a line parallel thereto on the site.
3. **Front Setbacks on Corner Lots**

The front setback of a corner lot shall be measured from the side of the lot designated as the "front." On a corner lot only one street line shall be considered as a front line, which shall be the shorter street frontage.
4. **Rear Setback**

Extends across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site, except that on a corner lot the rear yard shall extend only to the side yard abutting the street.
5. **Side Setback**
 - a. **Interior**

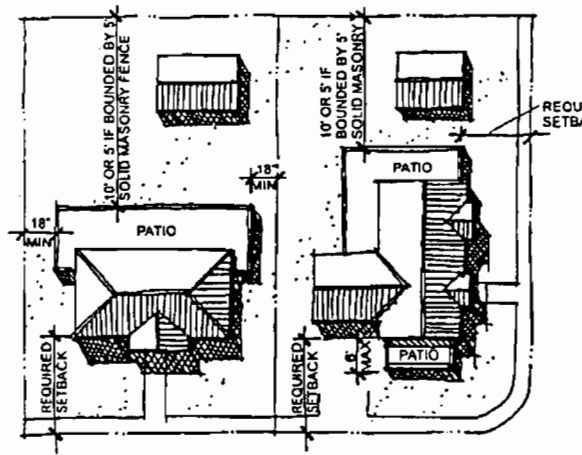
A side setback on that portion of a lot that is not abutting a private or public street. Extends from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the width of which is the horizontal distance between the side property line and a line parallel thereto on the site, except that the corner side yard shall extend to the rear lot line.
 - b. **Street**

A side setback on that portion of a lot that is abutting a private or public street. Extends from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the width of which is the horizontal distance between the side property line and a line parallel thereto on the site, except that the corner side yard shall extend to the rear lot line.
6. **Features Allowed Within Setbacks**

Trees, shrubs, flowers, fences, walls, hedges, and other landscape features may be located within any required setback. The following features may be located within any required setback, subject to the limitations set forth:

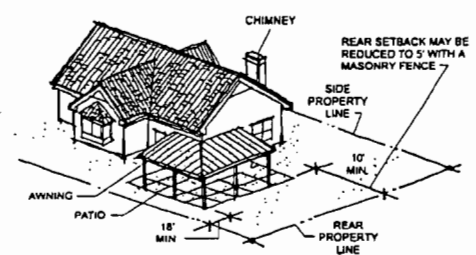
- a. Antennas, including satellite dishes in excess of 36 inches in diameter, amateur licensed radio antennas, and similar personal communication device reception towers and facilities shall not be located in any required front or side setback area unless such prohibition would substantially interfere with reception of such devices or facilities to the extent they are rendered inoperable.

- b. Attached patio covers, pergolas, and awnings: not closer than 10 feet from the rear property line and 18 inches from a side property line, measured from the eave, provided that the roof area does not exceed one-third of the area of the required rear yard. The required setback may be reduced to 5 feet from the rear property line and 18 inches from a side property line, measured from the eave, provided that the yard is bounded by a solid masonry fence at least 5 feet in height. (Detached shade structures and carports are treated as "accessory structures")



Patio Covers

- c. Balconies, stairs, and covered porches: 6 feet into a front or rear yard, and 3 feet into a side yard.
- d. Bay windows that do not exceed 8.5 feet in width: 2.5 feet.
- e. Attached Carports: not closer than 18 inches from a side property line and behind the front setback line.
- f. Media niches: 1 per wall projecting no more than 2 feet into a required yard and not exceeding 8.5 feet in linear dimension along the affected wall.
- g. Clothesline post: 3 feet.
- h. Cornices, eaves, mechanical equipment, and ornamental features: 2 feet.
- i. Driveways, curbs, and sidewalks: May extend into a side setback area to within 3 feet of a lot line.



Building Projections Into Setback

- j. Fireplaces and chimneys: 1 per wall projecting no more than 2 feet into a required yard and not exceeding 8.5 feet in linear dimension along the affected wall.
- k. Flagpoles: 3 feet.
- l. Signs, in accordance with Chapter 10.
- m. Steps or stairs (non-enclosed) to a dwelling unit: 4 feet.
- n. Uncovered porches, terraces, platforms, decks, subterranean garages, and patios:
 - (1) More than 12 inches but not more than 3 feet in height: 3 feet in a side yard and 4 feet in a front or rear yard.
 - (2) Less than 12 inches in height: to the property line. (This includes flatwork, such as concrete slabs, walks, bricks, and flagstone.)
- o. Yard and service lighting fixtures, poles: 3 feet.

J. Boundary Determinations

Where uncertainty exists regarding the boundary of a land use category, the following rules shall apply:

1. Land use category boundaries shown as approximately following the property line of a lot shall be construed to follow such property line.
2. On unsubdivided land, or where a land use boundary divides a lot, the location of the category boundary shall be determined by using the scale appearing on the land use map, unless the boundary location is indicated by dimensions printed on the map.
3. Land use category boundaries shown as approximately following right-of-way lines of freeways, streets, alleys, railroads, or other identifiable boundary lines shall be construed to follow such right-of-way or boundary lines.
4. Land use category boundaries shown as lying within right-of-way lines of freeways, streets, alleys, railroads, or other identifiable boundary lines shall be construed to follow the centerline of such right-of-way or boundary lines.
5. Should any uncertainty remain as to the location of a land use category boundary or other feature shown on the land use map, the location shall be determined by the Director.

K. Vehicle Travel Distance

Means the distance measured along a vehicular route from the exterior property line of a school, religious institution or day care, general (protected use) to a point perpendicular to the closest portion of the premises of a liquor licensee, as further defined in HMC 4.36.010, as amended. Such VTD is used to regulate liquor licensure. Also see diagram entitled Liquor Ordinance VTD

Definition, incorporated in this section by reference, as amended from time to time.

L. Height

1. Measurement of Height

Height shall be measured as the vertical distance in feet between finished grade (including finished grade of a basement with direct, at-grade walk-out access) to the top of the highest roof beam on a flat or shed roof, the deck level on a mansard roof, or the average distance between the eaves and apex of a gable, hip or gambrel roof. The height of fences or walls shall be measured as the vertical distance between finished grade on the highest side of the fence or wall to the top of the fence or wall.

2. Exceptions to Height Limits

Towers, spires, cupolas, chimneys, elevator penthouses, water tanks, flagpoles, monuments, theater scenery lofts, radio and television antennas, and similar structures and necessary mechanical appurtenances covering not more than 25 percent of the roof area of the structure may exceed the maximum permitted height in the district in which the site is located. Such exceptions shall be subject to the following limitations: May extend to 10 feet above the primary conforming structure on a residential parcel, and 10 feet above the base district height on a non-residential parcel with no discretionary review. A conditional use permit shall be required for features extending more than 10 feet above the primary conforming structure on a residential parcel or more than 10 feet above the base district height on a non-residential parcel.



Measurement of Height

CHAPTER 8 SUBDIVISION DESIGN AND IMPROVEMENTS

8.1 General

A. Applicability

The regulations of this chapter apply to all development in the plan area including but not limited to building permits, grading permits, encroachment permits, off-site permits, subdivisions, resubdivisions, minor subdivisions or other divisions of land for any purpose within the plan area and the preparation of subdivision maps and other maps provided for by NRS 278 and these Development Standards. All subdivisions and any part thereof lying within the plan area shall be made and all subdivision maps shall be prepared and presented for approval as provided for in these Development Standards.

B. Exemptions

The regulations of this chapter shall not apply to any of the following:

1. Creation or realignment of a public right-of-way by a public agency;
2. Creation or realignment of an easement;
3. Adjustment of the boundary line or the transfer of land between 2 adjacent property owners that does not result in the creation of any additional parcels;
4. Purchase, transfer, or development of space within an apartment building or an industrial or commercial building;
5. Carrying out an order of any court or dividing land as a result of an operation of law;
6. Creation of a lien, mortgage, deed of trust, or any other security instrument;
7. Creation of a security or unit of interest in any investment trust regulated under the laws of Nevada or any other interest in an investment entity;
8. Conveying an interest in oil, gas, minerals, or building materials, that is severed from the surface ownership of real property;
9. Conveying an interest in land acquired by the Nevada Department of Transportation under NRS; and
10. Filing a certificate of amendment under NRS.

C. Improvement Plans

The subdivider shall file with the Jurisdiction Engineer complete plans covering the improvement of alleys, streets with all appurtenances, curbs, gutters, sidewalks, street lights, driveways, sewer mains, and house laterals within the public right-of-way, water mains, gas mains, fire hydrants, parking areas, subsurface drainage, utility easement location, and such other plans and documents as may be required by the Jurisdiction Engineer. The subdivider shall enter into a contract with the Governing Body, approved as to form and legality by the Governing Body Attorney, to make, install, and complete all required improvements.

D. Standard Drawings and Standard Specifications

All improvements and construction shall conform to all standards and specifications of the Jurisdiction Engineer and all applicable Master Plans.

E. Dedication of Land and Improvements

As a condition of approval of a Tentative Map or Parcel Map, the subdivider shall dedicate, or make an irrevocable offer to dedicate, all parcels of land within the subdivision that are needed for improvements required by this chapter. In addition, the subdivider shall construct or case to be constructed all public facilities and improvements required by this chapter.

F. Easements and Dedications

All dedications of property to the Governing Body for public purposes shall be made in fee title except that, at the Governing Bodies discretion, the grant of an easement may be taken for the following purposes: recreational easements, emergency-access easements, municipal easements, or public-utility easements. All dedications in fee and grants of easements shall be free of liens and encumbrances except for those which the Governing Body, in its discretion, determines would not conflict with the intended ownership and use.

G. Supplemental Improvement Capacity

As a condition of approval of a Tentative Map, the Governing Body may impose a requirement that improvements installed by the subdivider for the benefit of the subdivision contain supplemental size, capacity, number, or length for the benefit of property not within the subdivision and that those improvements be dedicated to the public. However, when such supplemental size, capacity, number, or length is solely for the benefit of property not within the subdivision, the Governing Body may enter

into an agreement with the subdivider to reimburse the subdivider for that portion of the cost of such improvements equal to the difference between the amount it would have cost the subdivider to install such improvements to serve the subdivision only and the actual cost of such improvements. The Governing Body shall determine the method for payment of the costs required by a reimbursement agreement that may include but is not limited to the establishment and maintenance of local benefit districts for the levy and collection of such charge or costs from the property benefited.

8.2 Avigation Easements

If a proposed subdivision lies within any "AE," Airport Environs Overlay, the developer shall dedicate an avigation easement in a form required by the Governing Body.

8.3 Access

The subdividing of land shall be such as to provide each lot, park, or public grounds with satisfactory means of ingress and egress by public street.

- A. The Governing Body may require, as a condition of approval of a Tentative Map, that dedications or offers of dedication of streets include a waiver of direct access rights from any lot within the subdivision to any such street within or abutting the subdivision. Upon acceptance of the dedication, such waiver shall be reflected in an appropriate title document, which shall be recorded and shall become effective in accordance with its provisions.
- B. Lots abutting a Primary or Secondary Arterial or Highway (as designated on the approved Master Streets and Highways Plan) shall be denied vehicular access to such street.
- C. Vehicular access to lots denied direct access from a Primary or Secondary Arterial or Highway Plan shall be by Minor Street or alley.
- D. The paving materials, widths, and locations of driveways shall conform to the Standard Drawings. In residential districts, all driveways shall be at least 26 feet from the point of curvature of any intersection, per Standard Drawing Nos. 222 and 222A, unless this requirement is waived by the Traffic Engineer.

Commentary:
The Fire
Department
also conducts
reviews and
inspections.

8.4 Lots

A. Dimensions and Configuration

1. Lot sizes and dimensions shall comply with the standards of the underlying land use category, provided that the net area of lots to be served by individual sewage disposal and water-supply installations shall be determined by Clark County Health District standards.
2. Lots shall not be divided by another lot, street, alley, or any other thoroughfare or property.
3. Lots shall not be divided by city boundary lines. City boundary lines may be coterminous with lot lines or centerlines of streets and alleys.
4. Corner lots for residential use that are less than 10,000 square feet shall have a minimum width of 5 feet more than the minimum lot width otherwise required by the underlying land use category.

B. Setbacks

Building setbacks shall comply with the standards of the underlying land use category. Required setbacks shall be shown on the final map.

8.5 Easements

A. Utility Easements

Uniform and continuous easements shall be provided along lot lines for utility service. Easements for water, sewer and storm-sewer lines shall be at least 20 feet in width. Other Utility easements (for other than water, sewer, and storm-sewer lines) shall be a minimum of 5 feet in width when abutting the street lot lines and at least 3 feet in width when abutting interior lot lines.

B. Emergency Access Easements

Emergency access easements shall be at least 24 feet in width. Emergency access easements shall not be divided by lot lines.

8.6 Inspections

The subdivider shall notify the Jurisdiction Engineer at least 24 hours in advance of commencing work on any of the following items:

- A. Laying of sewage and construction of manholes;
- B. Backfilling of sewage;

- C. Placing of water lines, fire hydrants and valves;
- D. Backfilling around water lines, fire hydrants and lateral connections;
- E. Laying of storm-drainage lines and facilities;
- F. Backfilling of storm-drainage lines and facilities;
- G. Preparing the base and placing concrete for curbs, gutters, sidewalks, or valley gutters;
- H. Placing of Type I base course;
- I. Placing of Type II base course;
- J. Priming base course;
- K. Placing surfacing;
- L. Sealing surfacing;
- M. Installing street lighting; and
- N. Other off-site improvement construction.

If the start of the work will be delayed, the subdivider shall notify the Jurisdiction Engineer of the delay at least 2 hours before work is scheduled to begin. Signed construction plans shall be maintained at all times on the job site by the subdivider.

8.7 Monuments

A. General

1. Permanent survey monuments shall be furnished, constructed and set in accordance with the types illustrated in the Standard Drawings and located as shown on the plans or as directed by the Jurisdiction Surveyor. Prior approval of alternate survey monuments is required. All alternate types of survey monuments shall equal or surpass the requirements in the Standard Drawings regarding quality, durability, and conformance with applicable laws and ordinances.
2. Only a land surveyor, duly licensed by the State of Nevada, shall be authorized to determine or establish the exact location for a survey monument and only such registered land surveyors shall be authorized to perpetuate and reference existing survey monuments located within the limits of construction. The contractor will coordinate the work with the licensed Professional Land Surveyor.

3. All monuments shall be set in such a manner that the accuracy of their relative positions is not less than second-order Class II, in accordance with the specifications established by the U.S. Federal Geodetic Control Committee.
4. A minimum of 4 reference monuments are to be set and identified at each control point that falls within the street limits. An original tracing of a survey monumentation plan, clearly identifying all monument locations including reference monuments, is to be prepared and certified by a Nevada registered land surveyor. This plan is to be filed with the Department of Public Works prior to the release of the improvement bond and shall certify that the monuments are of the character and occupy the position shown.

B. Monument Types

The type of monuments to be used shall be those illustrated in the Standard Drawings. All final maps shall describe the monuments in detail and not simply refer to a type.

1. **Type I Monument**
Type I monuments shall be installed as a section corner or one-quarter section corner surface monument in a street or road section which is paved with Portland cement concrete or asphaltic concrete. Construction shall be in accordance with Standard Drawing No. D-30.
2. **Type II Monument**
Type II monuments shall be installed as a surface monument within a street or road section that is paved with Portland cement concrete or asphaltic concrete at one-sixteenth section corner points. Type II monuments shall also be used as subsurface section corner and one-quarter section corner monuments in an unpaved street or road section where maintenance would preclude the use of surface monuments. Construction shall be in accordance with Standard Drawing D-31.
3. **Type III Monument**
Type III monuments shall be installed at all other survey control points on the plans, such as secondary street intersections, center of hammerhead turnarounds or circular cul-de-sacs, points of curvature or tangency, points of intersection and points of reverse or compound curvature. Construction shall be in accordance with Standard Drawing No. D-32.
4. **Type IV Monument**
Type IV monuments are reference monuments. They shall be placed in accordance with Standard Drawing No. D-33A and with a tie-to-tie angle as close to 90 degrees as possible. Construction shall be in accordance with Standard Drawing No. D-33.

C. Determination of Monument Location

1. The surveyor will indicate on the survey map and the survey monumentation plan ample monuments of a permanent nature to enable the survey to be readily retraced and identified.
2. In situations where street centerlines are obstructed by median islands, plantings, street lights or other structures, consideration should be given to placing clearly identified monuments on an off-set baseline.
3. Monumentation at a point of intersection that falls within the street limits will be preferred over setting monuments at Points of Curve or Points of Tangency unless the Point of Intersection falls within an unpaved area.

D. Alternate Monument Types

1. Other types of monuments, such as "Berntsen" monuments, will be considered as an approved equal for all types of monuments except Type I monuments.
2. Where hard rock or other physical obstructions are encountered, monument length sufficient to resist removal may vary within reasonable limits.
3. Alternate types of survey monuments that do not meet or exceed the requirements of the Standard Drawings regarding quality, durability and conformance with applicable laws or ordinances shall be removed and reconstructed.

E. Construction

The physical construction of monuments shall be installed to the Standard Specifications and under the surveyor's direction by others. Poor workmanship or substandard materials will not be accepted.

F. Survey Requirements

1. Survey Required

A complete and accurate boundary survey of the land to be divided or subdivided shall be made by a Nevada professional land surveyor in accordance with the standard practices and principles of land surveying. Unless an alternate method of property line verification is approved by the Director of Building and Safety, no foundation or footing for any structure or addition shall be constructed or approved for construction by the Director of Building and Safety unless the property's corner markers are in place and the property boundaries identified.

2. Error Limit for Traverse

The traverse of the exterior boundaries of the subdivision and of each block shall close within a limit of error of 1 foot to 10,000 feet.

3. Tying in Monuments

All centerlines of streets, property lines, monuments, alleys and easements within or adjacent to the subdivision shall be tied into the survey.

4. Monuments

a. Monuments shall be set in accordance with the recorded subdivision maps so that the survey, or any part thereof, may be readily retraced. Such monuments shall be set at:

- (1) All angle points in the subdivision boundary;
- (2) All angle points of tangency and points of curvature in the subdivision boundary;
- (3) All street centerline intersections;
- (4) All angle points of tangency and points of curvature in street centerlines;
- (5) All intersections of street centerlines with the subdivision boundary;
- (6) All section corners, quarter corners and sixteenth corners;
- (7) All intersections of prolonged subdivision boundary lines with the centerline of the adjoining street; and
- (8) All other locations determined by the City Surveyor's Office.

b. All monuments shall conform to the Standard Drawings. Monuments shall be not less than 6 inches in diameter and not less than 12 inches long with the point of reference clearly marked, and shall be set not less than 4 inches below the surface. In addition to this, surface points shall be set carrying a registered engineer's tag at all the above locations. All the above established points that fall within the limits of public or private rights-of-way shall be referenced to 4 firmly established ties within a radius of 20 to 100 feet. The angle from tie to tie shall be as close to 90 degrees as possible, radiating from the established intersection.

c. All monuments shall have a nonferrous cap of bronze or brass securely attached to the top of the monument permanently punched for marking the exact center. The registration or license number shall be stamped on the cap.

d. Monuments may be set after approval of the Final Map, but shall be set prior to the final acceptance of the subdivision improvements. If the monuments are to be set after recordation and approval of the Final Map, a cash deposit or approved bond in an

amount set by the Jurisdiction Engineer shall be filed with the Governing Body to guarantee performance of such work.

G. Subdivision Lots

All rear lot corners shall be set with a nail and tag with PLS number on block walls. All front or side lot corners adjoining public right-of-way and private streets shall be marked by saw-cutting the back of curb.

8.8 Reservation of Parks and Recreation Sites

- A.** The Planning Commission shall review proposed subdivisions in relation to park and recreation facility needs identified in adopted plans and recommend that sites within those subdivisions be reserved for such facilities when deemed essential to provide adequate public facilities and services for residents of the area. Reserved sites shall not abut primary or secondary arterial streets, unless such sites are shown on the Master Parks and Recreation Plan.
- B.** Unless otherwise approved by the Planning Commission, parks shall be surrounded by public streets or other nonresidential features such as schools, washes with rim trails, railroad or powerline rights-of-way, other approved uninhabited property, or any combination thereof. The Parks and Recreation Board shall be the first Board to review all proposed plans for parks and recreational facility development.

8.9 Reservation of School Sites Not Identified on Master Plan

A. Notification of Plans for School Construction

When the Board of Trustees of a school district develops a plan for the future construction of one or more schools within the plan area not originally depicted on the master plan it shall notify the Planning Commission. The notice must include the grades to be taught, the number of pupils to be accommodated, and the area to be served. The Board of Trustees shall notify the Planning Commission of any change in or abandonment of its plan.

B. School District Review of Tentative Map Applications

The Director shall forward a copy of the Tentative Map applications to the Board of Trustees of the school district within which the proposed subdivision is located. Within 15 days after receipt of the Tentative Map application, the Board of Trustees shall, if a school site is needed within the area, notify the Director that a school site is requested.

C. Reservation of Land

If the Board of Trustees requests a site, the person proposing the subdivision shall set aside a site of the size which is determined by the Board of Trustees. The person proposing the subdivision and the Board of Trustees shall negotiate a sales price for the site, which must not exceed the fair market value of the land, as determined by an independent appraisal paid for by the Board of Trustees.

D. Disposal of Unused Land

1. If any land purchased by a school district pursuant to the provisions of this section have not been placed in use as a school site at the end of 10 years from the date of purchase, the land must be offered to the subdivider or his successor in interest at a sales price equal to the fair market value. If such person does not accept the offer, then the Board of Trustees may:
 - a. Sell or lease such property in the manner provided in NRS 277.050 or 393.220 to 393.320, inclusive;
 - b. Exchange such property in the manner provided in NRS 277.050 or 393.326 to 393.3293, inclusive; or
 - c. Retain such property, if such retention is determined to be in the best interests of the school district.
2. Except as provided in Sec. 8.9-D-3, when any land dedicated to the use of the public school system or any land purchased and used as a school site becomes unsuitable, undesirable or impractical for any school uses or purposes, the Board of Trustees of the school district in which the land is located shall dispose of the land as provided in Sec. 8.9-D-1.
3. Land dedicated under the provisions of former NRS 116.020, as it read before April 6, 1961, which the Board of Trustees determines is unsuitable, undesirable or impractical for school purposes may be reconvened without cost to the dedicator or his successor or successors in interest.

8.10 Resource Preservation

In reviewing subdivision layout and lot configuration, the Planning Commission shall encourage preservation of natural features and historic landmarks. The Planning Commission shall also ensure that the proposal complies with the resource-related standards of Chapter 9.

8.11 Sidewalks

A. Where Required

Concrete sidewalks shall be required on all streets in accord with the Standard Specifications. Sidewalks shall be provided on both sides of Minor Collector, Industrial Collector, Minor Local, Interior Subdivision Streets and Cul-de-Sac streets.

B. Width; Setback from Curb

1. Residential

Sidewalks in residential land use categories shall be provided in accordance with the standards of Sec. 8.13-B-2.

2. Nonresidential

Sidewalks in nonresidential land use categories shall be detached from the curb. They shall be set back at least 5 feet from the back of curb, such sidewalks shall have a minimum width of 5 feet.

C. Construction

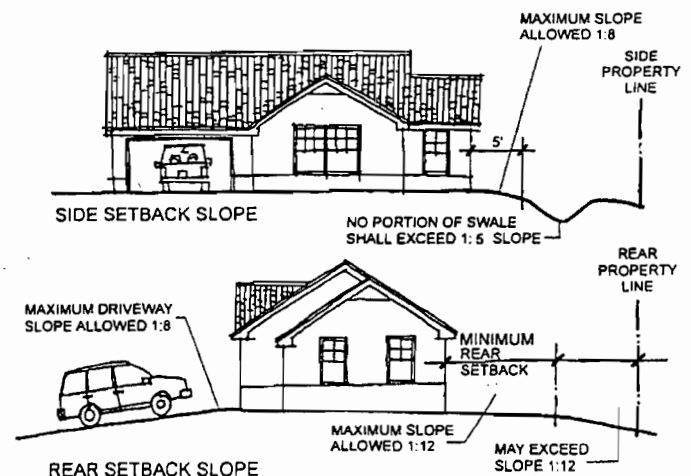
Unless expressly approved by the Governing Body, construction details shall be in accord with the Standard Specifications and Standard Drawings.

D. Pedestrian Connections Between Developments

Pedestrian connections between developments shall comply with the provisions of Sec. 9.9.

8.12 Slopes

- A. Unless otherwise approved by the Director of Building and Safety or specified in these Development Standards, on lots less than 12,000 square feet in area, the slope of the rear setback required by the underlying land use category shall not exceed 1 foot of vertical change per 12 feet of horizontal run, measured from the house outward. If the total rear yard area is greater in horizontal dimension than the minimum required zoning setback, the remainder of the yard area beyond the minimum required setback may exceed the 1:12 slope.



- B. Unless otherwise approved by the Director of Building and Safety or specified in these Development Standards, on residential lots smaller than 12,000 square feet, the slope of the first 5 feet of side setback area or any side setback required by the underlying land use category, whichever is smaller, shall not exceed 1 foot of vertical change per 8 feet of horizontal run, measured from the dwelling outward, unless such side setback is required to be accessible by persons with disabilities, in which case the slope shall not exceed 1 foot of vertical change per 12 feet of horizontal run. A swale may lie within this area, however, in no instance shall either side of the swale exceed a slope of 1 foot vertical per 5 feet of horizontal change.
- C. Unless otherwise approved by the Director of Building and Safety, or unless otherwise specified in these Development Standards no driveway or parking space intended to satisfy the off-street parking requirements of these Development Standards shall exceed a slope of 1 foot of vertical change per 8 feet of horizontal run.
- D. Unless otherwise approved by the Director of Building and Safety, or unless otherwise specified in these Development Standards, no ramped driveway or walkway that serves as a primary pedestrian access from a public way to a required exit from a building shall exceed slope of 1 foot of vertical change per 8 feet of horizontal run, and further, if such access way is required to be accessible by handicapped persons, the slope shall not exceed 1 foot of vertical change per 12 feet of horizontal run.

8.13 Streets

A. Alignment

Streets shall be aligned in accordance with the Master Streets and Highways Plan. Street layouts and alignments shall be subject to the Transportation and Circulation standards of Sec. 9.9.

B. Street and Right-of-Way Widths

1. Minimum Standards

The minimum widths of public and private streets and rights-of-way shall be as follows:

Street Type	Right-of-Way Width (Feet)	Pavement Width [1] (Feet)	
		If No On-Street Parking	If On-Street Parking
Cul-de-Sac	60	See 8.13-B-2	
Minor Local/Interior Subdivision			
Minor or Industrial Collector	60	36	49

Secondary Arterial	80 [3]	[2]	[2]
Primary Arterial	100 [4]	[2]	[2]
Controlled Access Arterial	120	[2]	[2]

- [1] Pavement Width measured from face of curb to face of curb.
- [2] Per Standard Drawings/Specification and Master Streets and Highways Plan
- [3] Where a secondary arterial street intersects another secondary arterial or larger street, each secondary arterial or larger street right-of-way shall be increased in width, as specified in Standard Drawings/Specifications and the Master Streets and Highways Plan.
- [4] Where a primary arterial street intersects another primary arterial or larger street, each primary arterial right-of-way shall be increased to 120-foot width for 660 feet in each direction from the intersection.

2. Options for Minor Local/Interior Subdivision Streets

The following design shall be required for minor local street and interior subdivision streets, including cul-de-sacs:

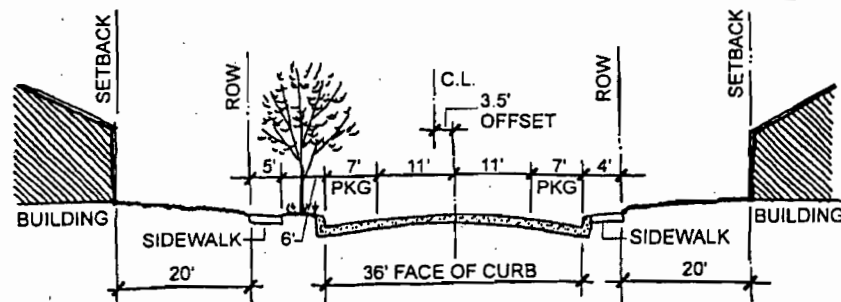
Right-of-Way Width (Feet)	Pavement Width [1] (Feet)	Parking Lanes		Tree Lawns		Sidewalks	
		Sides of Street	Width [1]	Sides of Street	Width	Sides of Street	Width
51	36	2	7	1	6	2	4/5

- [1] Pavement and parking lane widths measured from face of curb.

**STANDARD STREET SECTION
SUBDIVISION STREET**

◆

51' RIGHT-OF-WAY



Minor Local/Interior Subdivision Streets

3. Subdivision Boundary Street

Subdivision boundary streets shown on the Master Plan of Streets and Highways shall be dedicated for one-half of the otherwise required width, and one-half the otherwise required street improvement section shall be required.

4. Half-Streets

Half-streets shall not be permitted within the interior of a subdivision. They shall be permitted along the exterior boundaries of subdivisions when they are major streets or when the need is dictated by traffic, topography, or drainage factors. Where there exists a dedicated half-street or alley abutting the proposed subdivision, the other half shall be dedicated to make the street or alley complete. In the event that the abutting half-street is unimproved or partially unimproved, the developer shall be required to construct a half-street or complete the partially improved half-street, which for the purposes of this section shall consist of:

- a. curb and gutter, street lights, sidewalk, one 8-foot wide parking lane and two 12-foot wide travel lanes for 51-foot and narrower rights-of-way;
- b. curb and gutter, street lights, sidewalk, one 9-foot wide parking lane and two 15-foot wide travel lanes for 52 to 80-foot rights-of-way; and
- c. as prescribed by the Jurisdiction Engineer for all other rights-of-way.

5. Waiver of Street Width Standards

The Governing Body, upon recommendation of Jurisdiction Engineer and the Planning Commission, may waive or modify otherwise required street width standards upon finding that such waivers or modifications are justified by compensating benefits, such as public open space, recreational amenities or enhanced landscaping, and that adequate provision for utilities service and emergency vehicle access are provided.

6. Private Driveways and Drive Aisles

Multi-family, commercial and industrial developments served by private driveways or drive aisles shall comply with the paving materials, width, and location standards of this section 8.13. In nonresidential land use categories, driveways approaching an intersection shall be at least 140 feet from the point of curvature of the intersection and at least 200 feet from the point of curvature when departing the intersection. In residential land use categories, all driveways shall be at least 26 feet from the point of curvature of any intersection, per Standard Drawing Nos. 222 and 222A, unless this requirement is waived by the Jurisdiction Traffic Engineer.

Commentary: This provision does not exempt developments from compliance with any Fire Code.

Private driveways and drive aisles shall comply with the Fire Code when the Fire Chief determines that they are necessary for fire apparatus access.

7. Direct Access to Collector and larger Streets Restricted.

No direct vehicular access onto any minor or industrial collector, secondary arterial or primary arterial or larger street shall be permitted from any lot with a land use of VLDR-1A, VLDR-2, LDR-4, LDR-6, MDR-8 or MDR-10. Access to lots with a land use of VLDR-1A, VLDR-2, LDR-4, LDR-6, MDR-8 or MDR-10 shall be by minor local or interior subdivision streets or alleys only. Unless otherwise approved by the Director of Public Works, each VLDR-1A and VLDR-2 lot existing prior to adoption of these Development Standards that fronts on and directly accesses a street shown on the Master Streets and Highways Plan shall provide a circular drive to access that street.

C. Street Jogs

Streets shall not have centerline off-sets of less than 125 feet unless approved by the Jurisdiction Engineer.

D. Reverse or Compound Curves

The minimum tangent on reverse or compound curves on all streets, except local streets, shall be 100 feet.

E. Cul-de-Sacs

In addition to the right-of-way and pavement width standards of this section, cul-de-sac streets shall comply with the following standards.

1. Length

The maximum length of a cul-de-sac shall be 600 feet, measured from the center of intersection to center of the turnaround. Cul-de-sac lengths in excess of 600 feet shall require approval of the Fire Chief.

2. Number of Lots

No more than 20 lots may be located on a cul-de-sac street. Cul-de-sacs that serve more than 20 lots shall require approval of the Fire Chief.

F. Block Length

Blocks shall not exceed 1,200 feet in length between intersections except where topography, traffic or other conditions require longer blocks.

G. Intersections

1. Minimum tangent distances between right-of-way lines shall be as shown in Standard Drawings. The intersection angle shall not deviate from 90 degrees by more than 5 degrees.
2. At intersections of local/collector streets (49-foot or less flow line) with arterial streets (greater than 49-foot flow line) visibility zones shall be provided and kept free of obstructions within horizontal sight clearance triangles measuring 16 feet back from the curb at the corner on each side of the intersecting street and 80 feet in each direction along the intersected street. If both intersecting streets have flow lines exceeding 49 feet, the sight clearance triangles shall be preserved in both directions on all corners at the intersection. (See diagram in Sec 9.1.N.6.d.)

H. Drainage

1. Drainage System

The subdivider shall provide the necessary means to assure complete drainage in and adjacent to the subject property by making use of State or Jurisdiction storm drains, natural watercourses or constructed channels. The subdivider shall submit to the Jurisdiction Engineer sufficient information in the form of maps and profiles prepared by a surveyor or engineer to indicate the proper drainage of the surface water to natural drainage courses or into city or state drain systems. If surface water drainage is proposed across lands intended to be used as private lots, rights-of-way and easements shall be indicated on the proposed plat. The location and width of easements shall be indicated on the plat to be recorded and marked "easements reserved for drainage." If deemed necessary by the Jurisdiction Engineer, ditching shall be provided. The Jurisdiction Engineer may also require that the drain be enclosed in pipe made to designed size and specifications, and laid to the grade and depth required by governmental authority.

2. Valley Gutters and Underdrains

Valley gutters with a minimum width of 8 feet, or underdrains are required across intersections. The construction of valley gutters or underdrains shall comply with the Standard Drawings. Alley gutters shall be constructed across alleys in conformance with Standard Drawings. Valley gutters will not be allowed to cross 80-foot wide or larger streets. Drainage will be placed in appropriately sized pipe at those points and drained to daylight.

3. Drainage Channel Design

Drainage channels shall be so designed as to maintain a minimum velocity of 2 feet per second and a maximum velocity of 8 feet per second where possible.

4. Drainage Pipe

No public storm-water drainage pipe shall be less than 18 inches in diameter. All public storm-water drainage pipe shall be corrosive-resistant pipe.

5. Curb and Gutter

Curbs and gutters shall conform to the Standard Drawings and Standard Specifications.

a. Rolled Curbs and Gutters--Private Streets

A 30-inch rolled curb and gutter may be used on privately owned and maintained streets, provided that all sidewalks abutting the rolled curb and gutter are constructed with a minimum thickness of 5 inches of class B concrete and all meter covers in the sidewalk area are the traffic-bearing type.

I. Alleys

1. Alleys not less than 20 feet wide may be provided in commercial and industrial land use classifications except where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking that is adequate for the proposed uses.
2. If alleys are provided in residential developments, they shall be at least 24 feet wide.

J. Street Names

1. All street names and addresses shall conform to Standard for Street Naming and Addressing, as adopted by the Governing Body.
2. The subdivider shall purchase and install street signs in accordance with Governing Body standards.

K. Access Streets

All access streets shall be constructed in compliance with the Standard Drawings and Standard Specifications, as approved by the Jurisdiction Engineer and Fire Chief.

L. Gating and Restricting Access to Streets

1. No street, whether publicly or privately owned or maintained shall be gated or otherwise restricted with regard to vehicular or pedestrian (traffic) access without specific permission from the Governing Body. As used in this section, the term "gate" shall refer to any electronically operated barrier or similar device which would allow

access or passage to a certain person, group of people or type of traffic and not to the general public or to transient traffic.

2. Permission to restrict access from public streets to private streets or to gate or otherwise restrict access to private streets may be granted through the Planned Unit Development (PUD) process at the time the subdivision and road are first designed and approved. If such design does not result in a restriction of access to any existing street the Henderson Citizens Traffic Advisory Board need not review the plans. If, however, the restriction of access on a proposed street would result in restricting access to an existing street the applicant shall first follow the procedures described below for gating an existing street.
3. Public streets shall not be gated.
4. In the event that one or more property owners wish to restrict access on an existing public street or to gate or otherwise restrict access on an existing private street, said property owners shall initiate an application through the Governing Body Clerk and the Clerk shall forward the application to the Governing Body for acceptance or rejection. The application shall be signed by every property owner whose lot or condominium directly abuts the street and every owner of properties on cul-de-sacs or loop streets which are primarily accessed by the street.
5. The fee for such application shall be the same as for an application for vacation of street right-of-way. If rejected, the application shall be void, the fee shall be refunded and no reapplication shall be accepted by the Governing Body Clerk for the same or substantially the same proposal for a period of 180 days.
6. If accepted, the Governing Body shall remand the application to the Henderson Citizens Traffic Advisory Board and Planning Commission for their reviews. The applicants shall cause a traffic study to be performed in accordance with the specifications of the Jurisdictions traffic engineer, and the results of the study, along with any Police and Fire Department requirements shall be included in a plan presented to the Henderson Citizens Traffic Advisory Board. The Henderson Citizens Traffic Advisory Board shall forward the results of their review to the Planning Commission which shall then make a recommendation to the Governing Body. Upon receipt of the Planning Commission's recommendation the Governing Body shall conduct a public hearing and make its final determination on the application. If denied, no reapplication shall be accepted by the Governing Body Clerk for the same or substantially the same proposal for a period of 180 days.
7. Access to either public or private streets may be restricted using a permanent barrier if approved by the Governing

Body. Such restriction shall be for all vehicles with the exception of emergency vehicles which may require passage as an option. The Governing Bodies decision to allow restricted access to a street shall be based on the restriction enhancing the health, safety and welfare of the general public, and not solely to help isolate or segregate a segment of the population or an organization.

8. It is the intent of this subsection that no street access restriction shall be authorized until all traffic and emergency access studies and all functional and aesthetic designs are completed, reviewed by the Planning Commission, and approved by the Governing Body. Furthermore, the Henderson Citizens Traffic Advisory Board shall also review all such proposals for streets already in existence at the time of the application.

8.14 Street Lighting

- A. The electricity supply shall be adequate for domestic use and street lighting.
- B. The subdivider shall furnish a statement from the electric supply company certifying that the company will furnish necessary electricity.
- C. Street lights shall be located and installed in conformance to the Standard Specifications and Standard Drawings.
- D. Street lighting materials and installation shall conform to recommended practices for street and highway lighting as established by the Illuminating Engineers' Society.
- E. The cost of making the connections to existing street lighting circuits is the responsibility of the subdivider.

8.15 Water Supply and Fire Hydrants

- A. Water lines to fire hydrants shall comply with the standards of the Fire Code.
- B. The following information shall be provided for subdivisions to be supplied by a source of water other than the City of Henderson or the Las Vegas Valley Water District:
 1. A copy of the State Well Permit;
 2. A statement showing capacity of the well, pressure, the population that can be served from the well or wells, and the state certificate number issued for each well;
 3. Provisions to comply with the Fire Code; and
 4. An agreement, approved by the Governing Body Attorney, guaranteeing continued water supply for the subdivision.

8.16 Performance Guarantees

A. Types Allowed

The subdivider shall provide a performance guarantee to ensure the completion of required improvements in the form of either a performance bond, a surety bond, cash deposit, agreement in-lieu of bond, or a letter of credit.

1. Performance and Surety Bonds

A performance or surety bond shall be posted in the amount of 100 percent of the total cost of improvements, plus 10 percent for engineering and contingencies. The performance or surety bond shall be written by a company on the approved federal list and authorized to do business in the State of Nevada.

2. Cash Deposits

If surety is in the form of a cash deposit with the Governing Body, proportional parts thereof shall be refundable in relation to progress payments less retainage, subject to approval of the Jurisdiction Engineer and subject to a minimum deposit balance of \$15,000.

3. Agreement In-Lieu of Bond

If security is in the form of an agreement in-lieu of bond, two options are available: (1) establishment of a separate account or (2) establishment of a segregated account.

- a. If a separate account is established, it shall be designated an "off-site improvement account" in which there has been deposited a sum equal to the amount that would otherwise have been required for a performance or surety bond.
- b. If a segregated account is established, it shall be in a sum equal to the amount that would otherwise have been required for a performance or surety bond. It shall include a pledge by the lending institution that the funds necessary to carry out the agreement are on deposit.

An agreement in-lieu of bond shall further provide that any funds on deposit may be withdrawn only upon draft or request for withdrawal signed jointly by the Jurisdiction Engineer, by some person designated by the subdivider, and a representative of the lending institution. The agreement also shall provide for progress payments to be made to the subdivider, or directly to contractors if acceptable lien releases are submitted, based on a percentage of the work completed by line item, provided that at all times there shall be a 10 percent retention of the funds deposited by line item of the bond estimate form, until all off-site improvements have been completed and accepted by the Governing Body. The agreement shall

further include such additional terms and conditions as the Governing Body may deem necessary to ensure the completion of off-site improvements. Agreements shall be on a form provided by the Governing Body.

4. Letter of Credit

An irrevocable letter of credit by the subdivider with a financial institution acceptable to the Governing Body, may be used. If an irrevocable letter of credit is issued it shall be in a sum equal to the amount that would otherwise have been required for a performance or surety bond. It shall include a pledge by the lending institution that the funds necessary to carry out the terms of the agreement are guaranteed for payment, and will be released only upon receipt of written instruction from the Jurisdiction Engineer. A letter of credit is subject to the written approval of the Finance Director.

B. Designation of Acceptable Financial Institution

Any subdivider wishing to provide the necessary performance guarantee for improvements in the form of an agreement in-lieu of bond shall submit financial background information concerning the financial institution to the Director of Finance for approval. Said request for approval of the institution shall include:

1. The most recent annual statement of the institution; and
2. A copy of the institution's current quarterly report, or a current unaudited statement of the institution if applicable.

If the institution's financial status is approved by the Director of Finance, then a recommendation will be forwarded to the Governing Body for approval to place the institution on the list of approved financial institutions for participation in agreements in-lieu of bonds under these Development Standards. The approval by the Governing Body shall be for 1 calendar year or until the subsequent January at which time the financial institution's approval may be renewed for an additional 1 calendar year upon the submission of the information set forth in this subsection. A financial institution will be annually renewed unless the institution fails to submit the requested information by January 30, specifically requests its name be removed from the list, or the Director of Finance recommends denial. The list of approved institutions shall be maintained by the Governing Body Clerk and updated annually.

8.17 Maintenance Guarantees

If the subdivider completes all required improvements and complies with all conditions of the subdivision agreement, as determined by the Jurisdiction Engineer, the remainder of monies retained by a financial institution or by the Governing Body may be released to the subdivider or his successor in title. Prior to release, the subdivider shall provide the Governing Body, prior to the issuance of any building permit, a

performance bond, surety bond, or cash deposit equal to the amount determined by the Jurisdiction Engineer or his designee that would ensure the repair of any damage to the existing improvements during the course of any construction, but in no case will the amount of the security be less than \$1,000 for each individual building lot. Prior to the issuance of any certificate of occupancy, the Jurisdiction Engineer or his designee shall determine whether or not any breakage or damage has occurred. If no damage to any off-site improvements has occurred, then the Jurisdiction Engineer may release the security to the subdivider or his successor in title. If damages have occurred, they shall be repaired or the Governing Body may draw on the security before it is released.

CHAPTER 9 GENERAL DEVELOPMENT STANDARDS

9.1 Off-Street Parking and Loading

A. Applicability

1. New Development

The off-street parking and loading standards of this section shall apply to any new building constructed and to any new use established.

2. Expansions and Alterations

The off-street parking and loading standards of this section shall apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces shall be required to serve only the enlarged or expanded area, provided that in all cases the number of off-street parking and loading spaces provided for the entire use (preexisting + expansion) must equal at least 75 percent of minimum ratio established in the Off-Street Parking Schedule "A" of this section.

3. Change of Use

Off-street parking and loading must be provided for any change of use or manner of operation that would, based on the Off-Street Parking Schedule "A" or the Off-Street Loading Schedule of this section, result in a requirement for more parking or loading spaces than the existing use.

B. Off-Street Parking Schedule "A"

Unless otherwise expressly stated in these Development Standards, off-street parking spaces shall be provided in accordance with the following off-street parking "Schedule A."

Use Classification	Specific Use	Minimum Number of Spaces Required	Off-Street Loading Group (See Sec. 19.9.1-D)
Residential			
Household Living	Mobile Home Estate Subdivision/ Mobile Home Park	1 covered space per dwelling unit + 0.50 guest spaces per unit	n/a
	Multi-family	Must comply with Sec. 6	n/a
	Caretakers Quarters	3 per unit	n/a
	Efficiency Lot	See Sec. 5	n/a
	Single-family and Duplex	2 per dwelling unit; on lot with less than 20,000 square feet of area, 1 space must be covered	n/a
Institutional, Public, Semi-Public			
Airport/Landing Strip		See Schedule "C"	

Use Classification	Specific Use	Minimum Number of Spaces Required	Off-Street Loading Group (See Sec. 19.9.1-D)
Clubs and Lodges		1 per 100 square feet of assembly area	3
Cemetery		See Schedule "C"	
Cultural Institution		1 per 300 square feet + 1 per 90 square feet of assembly area	3
Day Care	General	1 per 6-person capacity, including staff, based on maximum allowable under State regulations and building code	2
	Day Care, Limited	2 spaces	2
	Day Care, Large Family	1 per 6-person capacity, including staff, based on maximum allowable under State regulations and building code	2
Detention Facility		See Schedule "C"	
Emergency Health Care			
Government Office		1 per 300 square feet	2
Institutional Housing	Congregate Housing	1 per 100 square feet of assembly area + must comply with Multi-family requirements in Sec. 6	1
	Continuing Care Retirement Community	1 per 100 square feet of assembly area + must comply with Multi-family requirements in Sec. 6	1
	Group Living – General	1 per bed + 1 per 100 square feet of assembly area	1
	Group Living – Assisted Living	1 per bed + 1 per 100 square feet of assembly area	1
	Skilled Nursing Facility	1 per 2 beds + 1 per 100 square feet of assembly area	1
Heliport		See Schedule "C"	
Hospitals		1 per bed	3
Park/Recreation Facility		See Schedule "C"	
Public Safety Facility			
Religious Assembly		1 per 50 square feet of seating/assembly area	3
Schools, Public or Private	Elementary Middle/Junior High	1 per teacher/employee + drop-off spaces per Sec. 9.1	1

Use Classification	Specific Use	Minimum Number of Spaces Required	Off-Street Loading Group (See Sec. 19.9.1-D)
	Senior High	1 per teacher/employee + 1 per 5 students + drop-off spaces per Sec. 9.1	1
Utility		See Schedule "C"	1
Commercial			
Adult Business		1 per 60 square feet	1
Ambulance Service		1 per 500 square feet	1
Animal Sales/Service	Animal Sales	1 per 250 square feet	1
	Animal Boarding	1 per 400 square feet	1
	Animal Grooming	1 per 400 square feet	1
	Stable	1 per 5 stalls	n/a
	Riding Academy	1 per 4 stalls	n/a
	Veterinary Office/Hospital	1 per 400 square feet	1
Artist Studio		1 per 1,000 square feet	n/a
Building Materials/Service		1 per 400 square feet + 1 per 1,000 square feet of outdoor storage/display area	1
Catering Service		1 per 400 square feet	1
Commercial Filming		1 per 400 square feet	n/a
Commercial Recreation/Entertainment Commercial Recreation/Entertainment	Bowling Alley	3 per alley	1
	Casinos and Gaming Establishments	1 per 30 square feet of gaming and seating area	1
	Electronic Game Centers	1 per 400 square feet	n/a
	Golf Course (Public or Private)	4 per hole + spaces provided for accessory uses	1
	Skating Rinks	1 per 5 fixed seats or 1 per 60 square feet of seating area if no fixed seats + 1 per 250 square feet of floor area not used for seating	1
	Tennis and Racquet Ball Courts	3 per court	1
	Theaters, Indoor	1 per 3 fixed seats or 1 per 60 square feet of seating area if no fixed seats	1
Commercial Recreation/Entertainment Commercial Recreation/Entertainment	All other Commercial Recreation/entertainment	See Schedule "C"	

Use Classification	Specific Use	Minimum Number of Spaces Required	Off-Street Loading Group (See Sec. 19.9.1-D)
Communication Facility (Manned)		1 per 500 square feet	2
Eating/Drinking Establishments	Restaurant, General	1 per 100 square feet of customer service area	1
Eating/Drinking Establishments	Restaurant, Fast Food	1 per 75 square feet of customer service area + Vehicle Stacking Spaces as required by Sec. 9.1	1
	Tavern/Supper Club	1 per 100 square feet of customer service area + 1 per 35 square feet of dance floor	1
Financial Institution		1 per 300 square feet + Vehicle Stacking spaces as required by Sec. 9.1L	2
Food and Beverage Sales		1 per 300 square feet	1
Funeral/Internment Service		1 per 35 square feet of seating area	1
Home and Business Service		1 per 400 square feet	N/a
Horticulture		1 per 2 acres	N/a
Laboratories		1 per 500 square feet	1
Maintenance/Repair Service		See Schedule "B"	1
Offices	Medical and Dental	1 per 200 square feet	N/a
	All other	1 per 300 square feet	2
Pawnshop		1 per 250 square feet	1
Personal Improvement Service	Health Clubs, Spas	1 per 400 square feet	N/a
	All Other	1 per 250 square feet	n/a
Personal Service		1 per 250 square feet	1
Research and Development Service		1 per 400 square feet	n/a
Retail Sales/Rental	Furniture, Appliance and Other Large Consumer Goods	1 per 500 square feet	1
Retail Sales/Rental	Convenience Store	1 per 200 square feet of convenience store/food sales area + 1 gas pump + Vehicle Stacking Spaces per Sec. 9.1-K	n/a
	Uses not otherwise listed	1 per 250 square feet	1
Travel Service		1 per 250 square feet	n/a
Vehicle/Equipment Sales and Service	Car Rental	1 per 400 square feet	1

Use Classification	Specific Use	Minimum Number of Spaces Required	Off-Street Loading Group (See Sec. 19.9.1-D)
Vehicle/Equipment Sales and Service	Car Wash	1 per 200 square feet of sales, office or lounge area + Vehicle Stacking Spaces per Sec. 9.1-K	n/a
Vehicle/Equipment Sales and Service	Service Station	1 per 200 square feet of convenience store/food sales area + 1 per service bay	n/a
	Repair	See Schedule "B"	1
	Sales/Rentals	1 per 400 square feet + 1 per 500 square feet of outdoor display area	1
	Storage	See Schedule "B"	1
Visitor Accommodations	Motels	1 per guest room	1
	Hotels	0.75 per guest room	1
Warehouse, Mini-storage		1 per 100 lockers on inside of fenced area and at least 5 spaces outside of fenced area	1
Warehousing and Storage		See Schedule "B"	1
Wedding Chapel		1 per 60 square feet of seating area	1
Industrial Uses			
Industry	Custom or General	See Schedule "B"	1
	Research and Development	1 per 500 square feet	1
	Limited	See Schedule "B"	1
Wholesaling, Distribution, Storage		See Schedule "B"	1

C. Off-Street Parking Schedule "B"

Use subject to off-street parking schedule "B" shall provide the following minimum number of off-street parking spaces.

Activity	Number of Spaces Required
Office or administrative area	1 per 300 square feet
Indoor Sales Area	1 per 200 square feet
Outdoor sales or display area (3, 000 sq.ft. or less)	1 per 750 square feet
Outdoor sales or display area (over 3, 000 sq. ft.)	1 per 2, 000 square feet
<ul style="list-style-type: none"> • Motor Vehicles/equipment sales • Other sales/display 	1 per 1, 000 square feet
Indoor storage/warehousing/vehicle service/manufacturing area <ul style="list-style-type: none"> • 1 - 3, 000 square feet 	1 per 250 square feet

• 3,001 - 5, 000 square feet	1 per 500 square feet
• 5, 01 - 10,000 square feet	1 per 750 square feet
• 10,001 - 50, 000 square feet	1 per 1,250 square feet
• 50,001 square feet +	1 per 1,250 square feet

D. Off-Street Parking Schedule "C"

Schedule "C" uses have widely varying parking and loading demand characteristics, making it impossible to specify a single off-street parking or loading standard. Upon receiving a development application for a use subject to "Schedule C" standards, the Director shall apply the off-street parking and loading standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of a parking and loading study prepared by the applicant. The study must include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the Director and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study must document the source of data used to develop the recommendations.

E. Off-Street Loading Schedule

Off-street loading spaces shall be provided in accordance with Schedule A (Sec. 9.1-B) and the following schedule:

Gross Floor Area	Minimum Number of Spaces Required	
	Type A	Type B
Loading Group 1		
0 – 5,000 square feet	n/a	n/a
5,001 – 15,000 square feet	n/a	1
15,001 – 50,000 square feet	n/a	2
50,000 +	n/a	3
Loading Group 2		
0 – 10,000 square feet	1	n/a
10,001 – 20,000 square feet	n/a	1
20,001 +	1	1
Loading Group 3		
0 – 30,000 square feet	n/a	1
30,001 – 100,000 square feet	n/a	2
100,000 +	n/a	3

Note:

Type A: 10-foot minimum width, 20-foot minimum length and 10-foot minimum vertical clearance

Type B: 12-foot minimum width, 35-foot minimum length and 14-foot minimum vertical clearance

F. Rules for Computing Requirements

The following rules apply when computing off-street parking requirements.

1. Multiple Uses

Unless otherwise approved, lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses.

2. Fractions

When measurements of the number of required spaces result in a fractional number, any fraction of $\frac{1}{2}$ or less shall be rounded down to the next lower whole number and any fraction of more than $\frac{1}{2}$ shall be rounded up to the next higher whole number.

3. Area Measurements

Unless otherwise specifically noted, all square footage-based parking and loading standards must be computed on the basis of gross floor area.

4. Occupancy- or Capacity-Based Standards

For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations shall be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.

5. Unlisted Uses

Upon receiving a development application for a use not specifically listed in an off-street parking schedule, the Director shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of the requirements that apply to "Schedule C" uses, in accordance with Sec. 9.1-C.

G. Location

1. General

Except as otherwise expressly provided in this section, required off-street parking spaces shall be located on the same lot as the principal use (See Off-Street Parking Alternatives, Sec. 9.1-H).

H. Setbacks

- 1.** In a C or I land use category, required off-street parking spaces may occupy any part of the property, except within required landscape areas or sight distance triangles.
- 2.** Off-street parking or storage of vehicles, travel trailers or motor homes shall not be permitted within any front or street side setback area, provided that off-street parking may be permitted within that portion of any setback used for driveway access to required off-street parking areas. Storage of mobile homes is not permitted.

I. Off-Street Parking Alternatives

The Director shall be authorized to approve alternatives to providing the number of off-street parking spaces required by Off-street Parking Schedule A in accordance with this subsection.

1. General

a. Procedure

Alternative Parking Plans shall be reviewed and approved by the Director.

b. Recordation of Approved Plans

An attested copy of an approved Alternative Access Plan must be recorded with the Clark County Recorder on forms made available in the Planning Department. An Alternative Access Plan may be amended by following the same procedure required for the original approval. The applicant shall provide proof of recordation prior to approval of the Certificate of Occupancy.

c. Violations

Violations of an approved Alternative Access Plan constitute a violation of these Development Standards and will be subject to enforcement and penalties.

2. Off-Site Parking

The Director may approve the location of required off-street parking spaces on a separate lot from the lot on which the principal use is located if the off-site parking complies with the all of following standards.

a. Ineligible Activities

Off-site parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off-site.

b. Location

No off-site parking space may be located more than 600 feet from the primary entrance of the use served (measured along the shortest legal pedestrian route) unless remote parking shuttle bus service is provided. Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided, or other traffic control or remote parking shuttle bus service is provided.

c. Land Use Classification

Off-site parking areas require the same or a more intensive land use classification than required for the use served.

d. Agreement for Off-Site Parking

In the event that an off-site parking area is not under the same ownership as the principal use

served, a written agreement between the record owners will be required. The agreement must guarantee the use of the off-site parking area for at least 10 years. An attested copy of the agreement between the owners of record must be submitted to the Director for recordation in form established by the Jurisdiction Attorney. Recordation of the agreement must take place before issuance of a Building Permit or Certificate of Occupancy for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces will be provided, in accordance with Schedule A (Sec. 9.1-B). No use shall be continued if the parking is removed unless substitute parking facilities are provided, and the Director shall be notified at least 60 days prior to the termination of a lease for off-site parking.

3. Shared Parking

The Director may approve shared parking facilities for developments or uses with different operating hours or different peak business periods if the shared parking complies with the all of following standards.

a. Location

Shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided.

b. Land Use Classification

Shared parking areas require the same or a more intensive land use classification than required for the use served.

c. Shared Parking Study

Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the Director that clearly demonstrates the feasibility of shared parking. The study must be provided in a form established by the Director and made available to the public. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

d. Agreement for Shared Parking

A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Director for recordation in a form established by the Jurisdiction Attorney. Recordation of the agreement must take place before issuance of a

building permit for any use to be served by the off-site parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided, in accordance with Schedule A (Sec. 9.1-B).

4. Valet Parking

The Director may approve valet parking as a means of satisfying otherwise applicable off-street parking requirements if:

- a. Adequate assurances of the continued operation of the valet parking are provided;
- b. The valet spaces comply with all location and design standards of this section; and
- c. The design of the valet parking does not cause customers who do not use the valet service to park off-premise or cause queuing in the right-of-way.

5. Other Eligible Alternatives

The Director may approve any other alternative to providing off-street parking spaces on the site of the subject development if the applicant demonstrates to the satisfaction of the Director that the proposed plan will do at least as good of job protecting surrounding neighborhoods, maintaining traffic circulation patterns and promoting quality urban design than would strict compliance with otherwise applicable off-street parking standards.

J. Fees In-Lieu of Parking

Within parking land use classification established by the Governing Body and shown on the land use map, off-street parking requirements for nonresidential uses may be satisfied by payment of an in-lieu parking fee established by the Governing Body. Such payment shall be made before issuance of a Building Permit or a Certificate of Occupancy. Fee revenue shall be used to provide public parking in the vicinity of the use. The Governing Body shall not be obligated to provide more than 20 spaces, and then only with the express approval of the Governing Body. In establishing parking land use categories, the Governing Body may set limitations on the number of spaces or the maximum percentage of parking spaces required for which an in-lieu fee may be tendered.

K. Use of Off-Street Parking Areas

Required off-street parking areas are to be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, motor homes, campers, mobile homes, or building materials.

L. Vehicle Stacking Areas

The vehicle stacking standards of this subsection shall apply unless otherwise expressly approved by the Jurisdiction Traffic Engineer.

1. Minimum Number of Spaces

Off-street stacking spaces shall be provided as follows:

Activity Type	Minimum Stacking Spaces	Measured From
Bank teller lane	4	Teller or Window
Automated teller machine	3	Teller
Restaurant drive-through	6	Order Box
Restaurant drive-through	4	Order Box to Pick-Up Window
Car wash stall, automatic	6	Entrance
Car wash stall, self-service	3	Entrance
Gasoline pump island	2	Pump Island
Other	Determined by Traffic Engineer based on Traffic Study	

2. Design and Layout

Required stacking spaces are subject to the following design and layout standards.

a. Size

Stacking spaces must be a minimum of 8 feet by 20 feet in size.

b. Location

Stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces.

c. Design

Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the Director for traffic movement and safety.

M. Accessible Parking for Physically Handicapped Persons

A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located and reserved for use by persons with physical disabilities.

1. Number of Spaces

The minimum number of accessible spaces to be provided shall be a portion of the total number of off-street parking spaces required, as determined from the following schedule. Parking spaces reserved for persons with disabilities shall be counted toward fulfilling off-street parking standards.

Total Parking Spaces Provided	Minimum Number of Accessible Spaces	Minimum Number of Van-Accessible Spaces	Minimum Number of Car-Accessible Spaces
1 – 25	1	1	0
26 – 50	2	1	1
51 – 75	3	1	2
76 – 100	4	1	3
101 – 150	5	1	4
151 – 200	6	1	5
201 – 300	7	1	6
301 – 400	8	1	7
401 – 500	9	2	7
501 – 1,000	2% of total spaces	1 out of every 8 accessible spaces	7 out of every 8 accessible spaces
Over 1,000	20 + 1 per each 100 spaces over 1,000		

2. Minimum Dimensions

All parking spaces reserved for persons with disabilities shall comply with the parking space dimension standards of this section, provided that access aisles shall be provided immediately abutting such spaces, as follows:

a. Car-Accessible Spaces

Car-accessible spaces shall have at least a 5-foot wide access aisle located abutting the designated parking space.

b. Van-Accessible Spaces

Van-accessible spaces shall have at least an 8-foot wide access aisle located abutting the designated parking space.

3. Location of Spaces

Required spaces for persons with disabilities shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the building entrance on an unobstructed path.

4. Signs and Marking

Required spaces for persons with disabilities shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level.

N. Parking Design Standards

1. Markings

a. Each required off-street parking space and off-street parking facility shall be identified by surface

markings and shall be maintained in a manner so as to be readily visible and accessible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking and storage of vehicles. Marking required to be maintained in a highly visible condition include striping, directional arrows, lettering on signs and in handicapped-designated areas, and field color.

- b. One-way and two-way accesses into required parking facilities shall be identified by directional arrows. Any two-way access located at any angle other than 90 degrees to a street shall be marked with a traffic separation stripe the length of the access. This requirement does not apply to aisles.

2. Surfacing and Maintenance

All off-street parking areas shall be paved and kept in a dust-free condition at all times.

3. Dimensions

a. General

Required off-street parking spaces shall comply with the following dimensional standards:

Uses	Type of Space	Dimensions (feet)
Residential	Spaces in Garage or Carport	See Sec. 19.9.1-N.4
	Uncovered	9 x 19
Nonresidential	Angle Spaces	9 x 19
All	Parallel	8 x 23

b. Compact Spaces

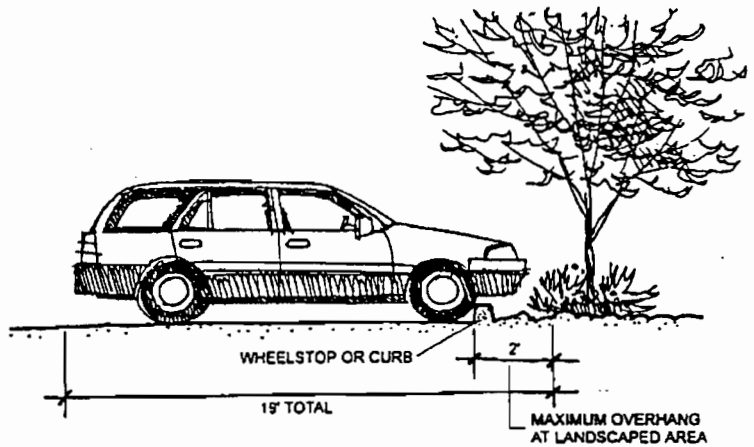
The Director shall be authorized to approve the use of compact parking spaces for up to 50 percent of employee parking, if the need for compact parking spaces is supported by a parking study that has been prepared by the applicant. Compact parking spaces shall have minimum dimensions of 8.5 feet by 18 feet. Compact parking spaces shall be designated by signs or other approved markings.

c. Vertical Clearance

Vertical clearance for off-street parking spaces shall be 7 feet, except that an entrance may be 6.67 feet and the front 5 feet of a parking space serving a residential use may have a minimum vertical clearance of 4.5 feet.

d. Reduction for Planter Overhangs

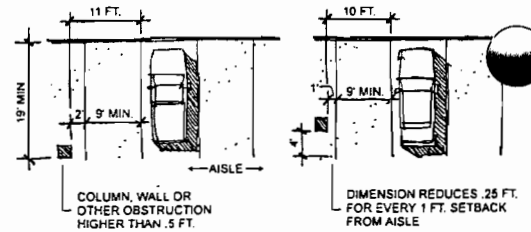
When a parking space abuts a landscape island or planter, the front 2 feet of the required parking space length may overhang the planter, provided that wheel stops or curbing is provided.



Reduction for Planter Overhangs

e. Spaces Near Obstructions

When the side of a parking space adjoins a wall, column, or other obstruction that is taller than 0.5 feet, the width of the parking space shall be increased by 2 feet on the obstructed side, provided that the increase may be reduced by 3 inches for each 12 inches of unobstructed distance from the edge of a required aisle, measured parallel to the depth of the parking space.



Spaces Near Obstructions

4. Garages and Carports in Residential Districts

The following standards shall apply to driveways, garages, and carports in residential (R) land use categories, whether they are accessory structures or part of a principal structure.

a. Driveways

Driveways shall be paved in conformance with the Standard Drawings and Specifications and shall have widths and clearances prescribed by Sec. 9.1-M.6.

b. Garage Dimensions

Residential garages shall have the following minimum interior dimensions:

Garage Type	Minimum Dimensions (feet)
Without Appliances	
1-Car Garage	10 x 20
2- Car Garage	18.3 x 20
With Appliances at Side	
1 – Car Garage	13.2 x 20
2 – Car Garage	22.3 x 20
With Appliances at Front or Rear	
1 – Car Garage	10 x 24
2 – Car Garage	18.3 x 24

Note: No interior door shall open into garage space unless the door will fully open without encroaching into the above-specified areas.

c. Carport Dimensions

Carports shall measure at least 9 feet by 19 feet, measured from the inside face of support to inside face of opposite support. The carport roof shall cover the entire 19-foot length of the space.

5. Aisle Widths

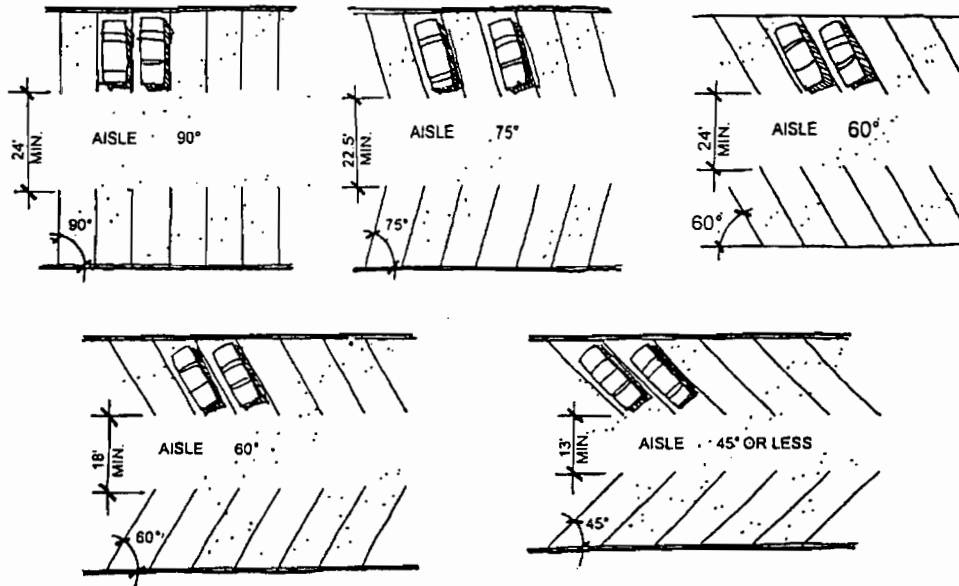
Aisle widths adjoining off-street parking spaces shall comply with the following dimensional standards:

Increase in Parking Space Width (feet)	Minimum Aisle Width for Specified Parking Angle (feet) [1]			
	90°	75°	60°	45° or Less
0.00	24	22.5	18	13
0.50	23	20.5	-	-
1.00+	22	-	-	-

Note:

[1] Required fire lanes shall have a minimum width of 24 feet with a vertical clearance of 13.5 feet. Except for 24-foot wide required fire lanes, aisles designed for two-way traffic shall have the minimum width shown in the chart above, or 20 feet, whichever is greater.

[2] At the end of a parking bay, an aisle providing access to a parking space perpendicular to the aisle shall extend 2 feet beyond the required width of the parking space.



Aisle Widths

SEE FOOTNOTE [1.] ABOVE

6. Driveways

a. Widths

Driveways shall conform to the Standard Drawings and Specifications and shall have the following minimum widths at the gutter line, plus a minimum of 1 foot additional clearance on each side of a vertical obstruction exceeding 0.5 foot in height.

Use Served	Number of Spaces	Width (feet)
Residential	6 or Less	10
	7+	12 if 1-way 20 if 2-way
Nonresidential	24 or Less	12 if 1-way 20 if 2-way
	25+	15 if 1-way 24 if 2-way

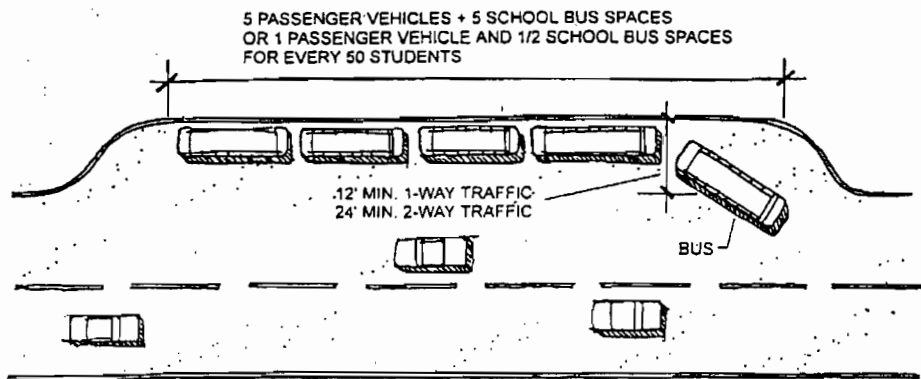
Note: The Director, in consultation with the Jurisdiction Traffic Engineer, may require driveways in excess of these widths where unusual traffic, grade or site conditions prevail. The Jurisdiction Traffic Engineer may require driveways to be constructed with full curb returns and handicapped ramps, as opposed to simple curb depression. Private driveways and drive aisles shall comply with the Fire Code when the Fire Chief determines that they are necessary for fire apparatus access.

b. Spacing

Driveways serving the same parking facility shall comply with the Standard Drawings and Specifications.

c. Passenger Drop-Off Areas

- (1) All schools, public or private institutional and recreational uses shall provide an on-site area for drop-offs and pick-ups.
- (2) A traffic circulation plan shall be submitted to the Director for review and approval prior to issuance of any permits for the use. The traffic circulation plan shall describe proposed measures for ensuring safe and efficient traffic circulation on-site and in the area surrounding the subject site. The plan shall also include information about the number of enrollees or users; the hours of operation and peak loading and unloading times; the projected number of vehicles that will be using the loading and unloading area; plans for directing traffic within the area and other safety measures; and other information deemed necessary by the Director.
- (3) Required drop-off and pick-up areas for schools (public or private) shall include at least: (1) 5 automobiles and 5 school bus spaces or (2) one automobile and 1/2 school bus spaces for every 50 students, whichever results in the greater number of spaces. No more than 12 automobile or bus spaces shall be required for any size school facility. Drop-off and pick-up areas may be adjacent to a primary driveway access or aisle, but they shall be located far enough off the roadway so that they do not cause traffic to stop.
- (4) Minimum widths for drop-off areas combined with access drives shall be 12 feet for one-way traffic and 24 feet for two-way traffic.



Drop-Off Loading Areas

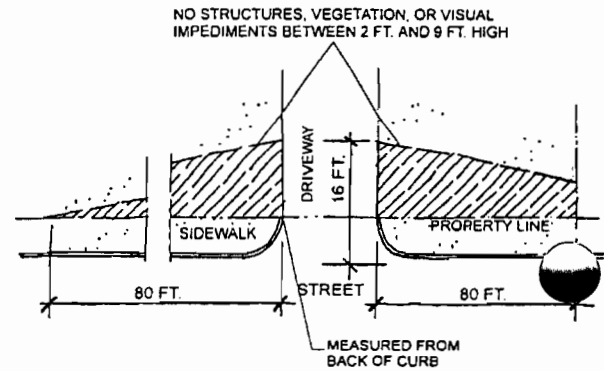
of a driveway crossing a street property line shall not be blocked between a height of 2 feet and 9 feet for a depth of 16 feet from the back of curb. This driveway visibility zone shall extend along the edge of the right-of-way on either side of the driveway for a distance of 80 feet or to the nearest property line intersecting the street property line, whichever is less. (Sight clearance triangles at the intersections of local or collector streets (curb-to-curb flow lines 49 feet or less) with streets having flow lines greater than 49 feet shall be measured in the same manner as driveways entering streets. Where two streets intersect, each having flow lines greater than 49 feet, sight clearance triangles shall be preserved in both directions on all corners.)

7. Basins and Drainage Facilities

All basin and drainage facilities shall comply with the Clark County Regional Flood Control Manual and the Standard Drawings and Specifications.

8. Access to Parking Areas

a. All off-street parking spaces shall be accessible without backing into or otherwise reentering a public right-of-way, unless it is physically impossible to provide for such access. An alley may be used as maneuvering space for access to off-street parking, and a 20-foot credit may be granted for required back-up space.



Driveway Visibility

b. When an off-street parking area does not abut a public street, there shall be provided an access drive not less than 24 feet in width for two-way traffic, connecting the off-street parking area with a public street. The access drive shall be paved in the manner required for off-street parking lots and may not traverse property in a residential district unless the drive provides access to a parking area serving a use allowed in a residential district.

Commentary:
Required fire lanes must have a minimum width of 24 feet with a vertical clearance of 13.5 feet.

Where an access or service drive is such that satisfactory turn-around is not possible, a turn-around shall be provided as required by the Fire Chief.

- c. Entrances and exits are subject to the approval of the Jurisdiction Traffic Engineer in accord with encroachment regulations of the Standard Drawings and Specifications. All driveways shall be at least 26 feet from the point of curvature at intersections unless this requirement is waived by the Jurisdiction Traffic Engineer.

9. Off-Street Parking Area Screening

Off-street parking areas shall be screened in accordance with the standards of Sec. 9.2.

O. Loading Area Design

Required off-street loading spaces (See Sec. 9.1-B and 9.1-D) shall not be located within a building, but shall be on the site of the use served or on an adjoining site. On a site adjoining an alley, a required loading space shall be accessible from the alley unless alternative access is approved by the Jurisdiction Traffic Engineer. A required loading space shall be accessible without backing a truck across a street property line unless the Jurisdiction Traffic Engineer determines that provision of turn-around space is infeasible and approves alternative access. An occupied loading space shall not prevent access to a required off-street parking space. A loading area shall not be located in a required setback. In addition, street side loading docks shall be set back at least 70 feet from the street property line or 110 feet from the street center line, whichever is greater. No loading bay may intrude into any portion of a required aisle or access dimension. Loading areas visible from a street shall be screened on 3 sides by a solid, decorative fence, wall, or hedge at least 6 feet in height.

9.2 Landscaping and Screening

This section sets out the minimum landscaping, buffering and screening requirements for development within the plan area.

A. Open Space Landscaping

1. Landscape Planting Area

Open Space Landscape planting area shall be provided in accordance with the following schedule of requirements:

Minimum Open Space Landscaping Requirement by Land Use Classification (Percent of Lot)					
NC-CN	NC-CO	GC-CC	BP-IL	BP-IP	Multi-Family and Nonresidential Uses in R Land Use Categories
15	15	15	15	15	15

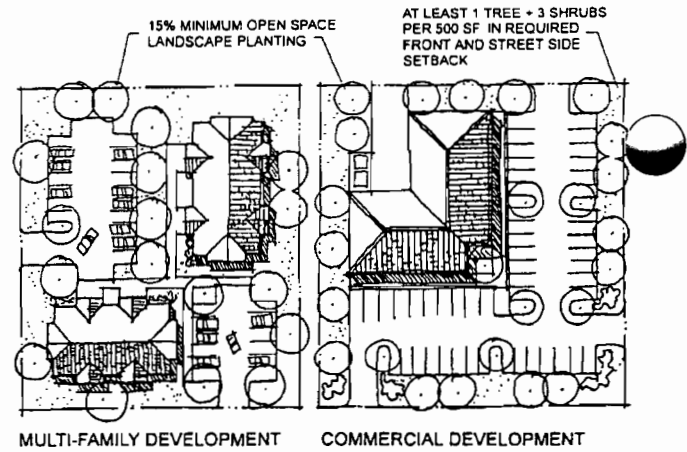
2. Location of Open Space Landscaping

Plant units required pursuant to this section shall be installed in required front and street side setback areas to the maximum extent possible.

3.

Plant Units
At least 1 tree and 3 shrubs shall be provided per each 300

square feet of required front and street side setback.
Plant clustering may be allowed, subject to approval by the Director.



Open Space Landscaping Requirements

B. Perimeter Landscape Buffers

1. Applicability

Perimeter Landscape buffers shall be provided abutting street rights-of-way and parcels abutting developing sites in accordance with the standards of this subsection.

2. Relationship to Other Landscaping Standards

Landscaping provided to meet the Open Space landscaping standards of this section may be counted towards meeting a project's Perimeter Landscape Buffer requirements. Landscaping provided to meet the Interior Parking Lot Landscaping standards of this section shall not be counted towards meeting a project's Perimeter Landscape Buffer requirements.

3. Buffer Width

The minimum width of required landscape buffers shall be as follows:

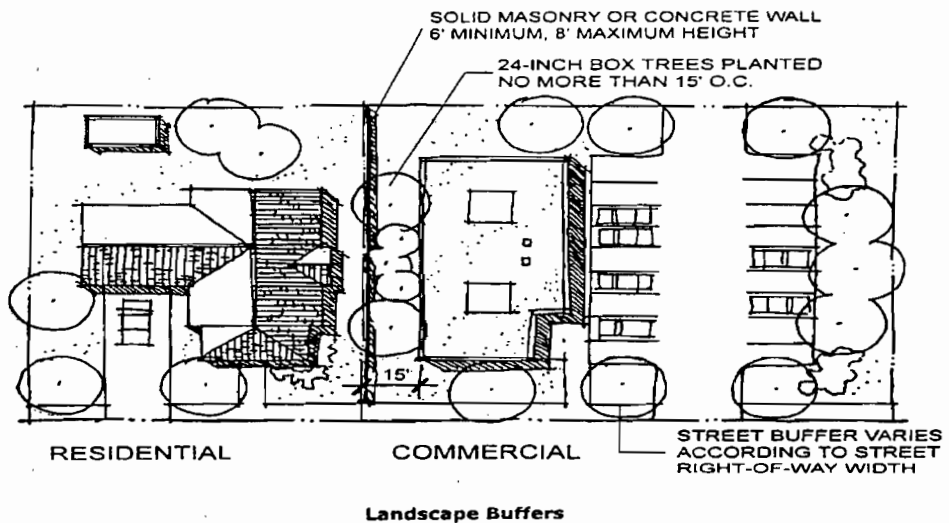
Developing Use (Classification)	Street Right-of-Way Width (Ft)				Abutting Parcel (Land Use)	
	120+[1]	100+[1]	61-80[2]	60 or less [3]	Res [4]	Nonres
Single-Family	34	32	20	10	n/a	n/a
Multi-Family	34	32	20	10	10	5
Commercial	34	32	20	10	15 [5]	5
Industrial	34	32	20	10	15 [5]	5
Public and Semi-Public	34	32	20	10	10 [5]	5

Notes:

General: Buffer width may be reduced by the Director when necessary to accommodate unique site conditions or physical constraints, provided that reduction is offset by greater buffer widths in non-constrained areas, such that the "average" buffer width complies with the minimum width requirement. No reduction in width shall be allowed below 50 percent of the

required minimum (e.g., if 25 feet required, reduction can not exceed 12.5 feet).

- [1] Buffer width measured from back of curb. Landscape buffer includes 12-foot detached pedestrian/bike trail.
- [2] Buffer width measured from back of curb. Landscape buffer includes 5-foot detached sidewalk.
- [3] Buffer width measured from back of sidewalk.
- [4] Buffer requires 24-inch box trees planted no less than 15 feet on center.
- [5] A solid masonry or concrete wall with a minimum height of 8 feet and a maximum height of 8 feet shall be provided to screen nonresidential uses from adjoining residential land use classifications. Walls adjoining the front yards or street side yards of an adjoining residential lot shall not exceed 32 inches in height.



4. Plant Material

Unless otherwise expressly stated, a minimum of 1 shrub shall be provided per 3 linear feet of landscape buffer. A minimum of 1 tree shall be provided per 25 linear feet of landscape buffer. All landscape planting areas that are not dedicated to trees or shrubs shall be landscaped with grass, ground cover, or other appropriate landscape treatment in accordance with Sec. 9.2-G.

5. Parking Area Screening

- a. All off-street parking areas serving nonresidential uses and containing 5 or more spaces shall be screened from view of all adjacent residential land use categories by a solid, decorative concrete or masonry wall. The fence or wall shall have a minimum height of 8 feet, except that the

height of a wall adjoining a required front setback in a residential land use category shall not exceed 32 inches. Required Landscape Buffers shall be located on the outside of the fence or wall.

- b. All carports or open parking areas serving residential uses and containing 5 or more spaces shall be screened from all adjacent residential land use categories by a solid, decorative concrete or masonry wall with a minimum height of 6 feet. The height of a wall or fence adjoining a required front setback in a residential land use category shall not exceed 32 inches. The only exception is a chain-link or wrought-iron picket fence with a maximum height of 4 feet, which may be located in a front or corner side setback. Required Landscape Buffers shall be located on the outside of the fence or wall.

C. Interior Parking Lot Landscaping

1. Applicability

The Interior Parking Lot Landscaping standards of this section shall apply to all off-street parking lots containing 5 or more off-street parking spaces.

2. Relationship to Other Landscaping Standards

Landscaping provided to meet the Open Space landscaping

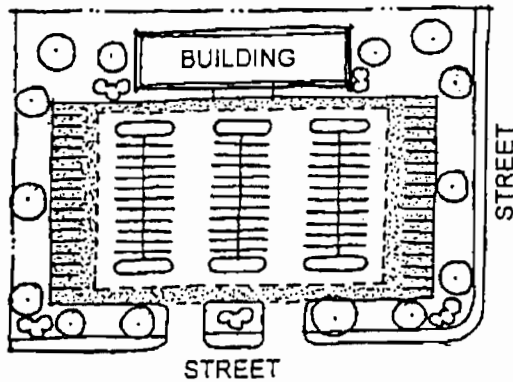
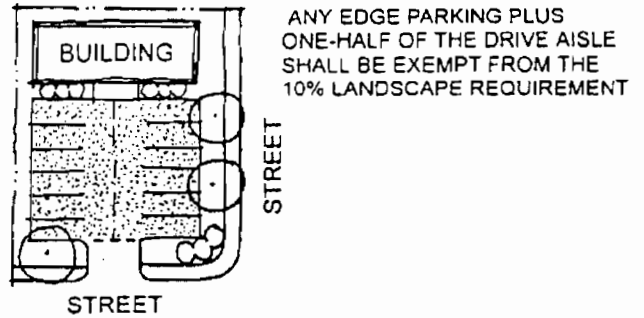
standards of this section may be counted towards meeting a project's Interior Parking Lot Landscaping requirements.

Commentary:
Landscape diamonds may also be used to satisfy interior parking lot landscaping requirements.

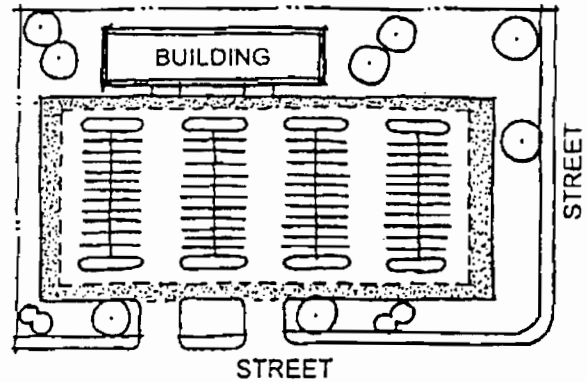
Landscaping provided to meet the Perimeter Landscape Buffer standards of this section shall not be counted towards meeting a project's Interior Parking Lot Landscaping requirements.

3. Planting Area

At least 10 percent of the interior area of off-street parking lots shall be devoted to landscape planting areas.



ANY EDGE PARKING PLUS ONE-HALF OF THE DRIVE AISLE SHALL BE EXEMPT FROM THE 10% LANDSCAPE REQUIREMENT

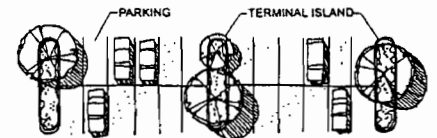


WHERE NO EDGE PARKING EXISTS, ONLY HALF THE DRIVE AISLE SHALL BE EXEMPT FROM THE 10% LANDSCAPE REQUIREMENT

10 Percent Parking Lot Landscaping Requirement

4. Terminal Islands

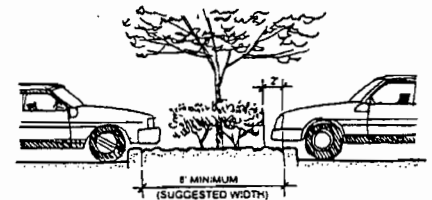
Landscaped terminal islands shall be provided at the end of each parking row. Terminal islands shall have minimum interior dimensions of at least 5 feet in width and 15 feet in length. At least 1 tree shall be provided within each terminal island. All tree planting areas shall have a minimum width of 7 feet.



Terminal Islands

5. Divider Medians

Divider medians that form a continuous landscaped strip may be installed between abutting rows of parking spaces. The minimum width of divider medians shall be 5 feet if wheel stops or raised curbs prevent vehicle overhang of the median. If vehicle overhang is allowed, the minimum width shall be 8 feet. All tree planting areas shall have a minimum width of 7 feet.



Divider Medians

6. Plant Units

- a. Shade trees shall be provided within the interior of off-street parking areas in accordance with the following table:

Number of Parking Spaces Provided	Minimum Required Tree Planting
0 – 4	None Required
5 – 100	1 Tree per 10 spaces
101+	1 Tree per 15 spaces

- b. Each parking space within an off-street parking area shall be located within 40 feet of a tree (measured from the tree trunk to the outer perimeter of the parking space).
- c. All landscape planting areas that are not dedicated to trees or shrubs shall be landscaped with ground cover or other appropriate landscape treatment, in accordance with Sec. 9.2-G. No turf shall be allowed within Interior Parking Lot Landscape areas.

D. Mechanical Equipment Screening

1. Applicability

The mechanical equipment screening standards of this section shall apply to all of the following:

- a. Electrical and gas-powered mechanical equipment;
- b. Duct work and major plumbing lines used to heat, cool or ventilate; and
- c. Power systems for the building or site upon which the equipment is located.

Antennas and vent openings shall not be considered mechanical equipment for purposes of these mechanical equipment screening standards:

2. Screening Standards

For all developments, the following mechanical equipment screening standards shall apply to the maximum practical extent. If full compliance with these standards cannot be achieved, an alternative screening plan may be approved in accordance with Sec. 9.2-D-3:

a. Roof-Mounted Mechanical Equipment

Roof-mounted mechanical equipment shall be screened by a parapet wall or similar structural feature that is an integral part of the building's architectural design. The parapet wall or similar structure feature shall be of a height equal to or greater than the height of the mechanical equipment being screened.

b. Wall-Mounted Mechanical Equipment

Wall-mounted mechanical equipment that protrudes more than 6 inches from the outer building wall shall be screened from view by structural features that are compatible with the architecture or the subject building. Wall-mounted

mechanical equipment that protrudes 6 inches or less from the outer building wall shall be designed to blend with the color and architectural design of the subject building.

c. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view by a decorative wall that is compatible with the architecture and landscaping of a development site. The wall shall be of a height equal to or greater than the height of the mechanical equipment being screened.

3. Alternative Screening

Mechanical equipment that is not screened in full compliance with the screening standards of Sec. 9.2-D-2 shall be reviewed in accordance with the design review procedures of Sec. 9.2. As part of the Design Review, decision-making bodies shall be authorized to approve alternatives to full compliance with the screening standards of Sec. 9.2-D-2 if the decision-making body determines that any adverse visual impacts associated with the mechanical equipment have been mitigated to the maximum practical extent. Alternative screening methods may include, but shall not be limited to, increased setbacks, increased landscaping, grouping the equipment on specific portions of a site, painting, or otherwise camouflaging the equipment.

E. Dumpster Screening

Trash dumpsters and other waste/recycling containers serving multi-family or nonresidential uses shall be completely screened from view off-site.

1. Design and Other Specifications

Dumpsters or other trash receptacles shall be screened from public view on 3 sides by a solid decorative wall at least 6 feet in height and on the fourth side by a solid gate at least 5 feet in height. The gate and wall shall be maintained in good working order and shall remain closed except when trash pick-ups occur. The wall and gate shall be architecturally compatible with other buildings and structures on the site. Applicants shall be responsible for coordinating with the solid waste disposal provider on matters relating to appearance, quantity, interior dimensions, locations and access.

2. Setbacks

All enclosures shall be located a minimum of 50 feet from residential land use categories, and from the property lines of sites containing existing or proposed school, licensed daycare, public and semi-public uses.

F. Loading and Access Areas--Design and Screening

Commercial and industrial buildings with rear or side vehicular access shall maintain adequate room for loading docks, loading spaces, customer pick-up areas, trash enclosures (and their

setbacks), vaults, transformer pads, other utility service boxes, and all ground-mounted mechanical equipment. Beyond the physical boundaries of the docks and other such adjacent circulation impediments, property owners shall provide and maintain a minimum setback of 34 feet from all property lines. Within this minimum 34-foot setback, the 24 feet closest to building and its adjacent circulation impediments shall remain clear at all times, and the 10 feet nearest the property line shall be available for vaults, transformer pads and other above- and below-ground utility service boxes. Areas within 10 feet of property lines that are not used for utility boxes shall be landscaped with minimum 24-inch-box pine trees, planted 15 feet on center. Alternative plant materials may be approved by the Director, provided the alternative materials result in equivalent immediate and long-term screening.

G. Landscape Material Standards

The following standards shall be considered the minimum required standards for all trees, shrubs and landscape material installed to satisfy the requirements of this section.

1. General Design

Plant materials shall be selected for: energy efficiency and drought tolerance; adaptability and relationship to the Henderson environment; color, form and pattern; ability to provide shade; soil retention and resistance to fire. The overall landscape plan shall be integrated with all elements of the project, such as buildings, parking lots and streets, to achieve a desirable microclimate and minimize energy demand.

2. Preparation of Landscape Plans

All landscape plans detailing proposed installation and irrigation systems shall be prepared by a landscape architect registered in the state of Nevada in accordance with the NRS. This requirement shall not apply to conceptual landscape plans or site plans.

3. Plant Quality

Plants installed to satisfy the requirements of this section shall meet or exceed the plant quality and species standards of the Association of Arizona Nurserymen. Plants shall be nursery-grown and adapted to the local area. No artificial plants or vegetation shall be used to meet any standards of this section.

4. Plant Sizes and Specifications

a. Trees

Trees planted to satisfy the standards of this section shall have a minimum box size of 24 inches.

b. Shrubs

Shrubs planted to satisfy the standards of this section shall have a minimum container size of 5 gallons.

c. **Ground Cover**

Ground covers planted to satisfy the standards of this section shall have a minimum container size of 1 gallon.

d. **Ground Treatments**

(1) **Rock Mulch:** Rock mulch shall be installed and maintained at a minimum depth of 2 inches and a maximum depth of 4 inches on all planted areas except where ground cover plants are fully established.

(2) **Grass Seed and Sod:** Turf areas shall be planted with species suitable as permanent lawns in Henderson. Turf areas may be sodded or seeded. Additional maintenance shall be provided until coverage is complete.

(3) **Other:** Other ground covers suitable for the soil and climate conditions of the area may be approved within required landscape areas.

e. **Species**

Tree and plant species provided to meet the landscaping and screening standards of this section shall comply with "Approved Plant Materials List."

H. **Installation, Maintenance and Irrigation**

1. **Installation**

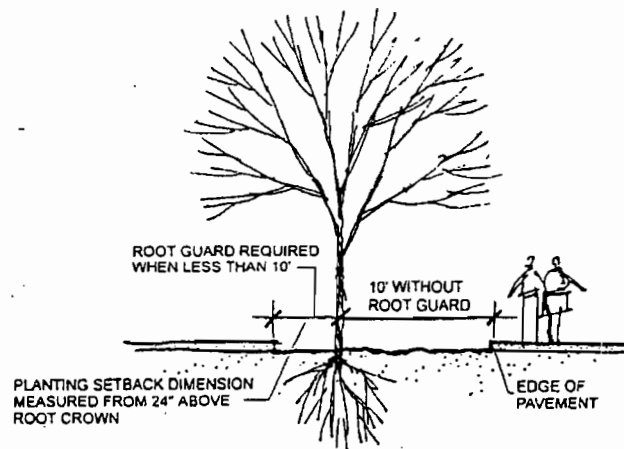
a. **General**

All landscaping shall be installed according to sound nursery practices in a manner designed to encourage vigorous growth. All landscape material and irrigation improvements shall be in-place prior to issuance of the final

Certificate of Occupancy unless an extension is approved by the Director and a deferred completion agreement is executed.

b. **Root Guards**

Trees planted within 10 feet of public improvements within the public right-of-way shall be protected by root guards.



Root Guards

c. Building Additions and Remodeling -

For projects consisting primarily of additions to or remodeling of existing buildings for which landscaping is required, a deferred completion agreement shall be executed by the applicant and the Director prior to issuance of the Building Permit. The agreement shall include a commitment by the applicant to guarantee installation of the landscape and any irrigation improvements within 1 year or prior to occupancy, whichever occurs first.

2. Maintenance

Trees, shrubs, fences, walls, irrigation improvements and other landscape features depicted on plans approved by the City shall be considered elements of the project in the same manner as parking, building materials and other details are elements of the plan. The land owner, or successors in interest, or agent, if any, shall be jointly and severally responsible for the following:

- a.** Regular maintenance of all landscaping and irrigation improvements in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices;
- b.** The repair or replacement of required landscape structures (e.g., walls, fences) to a structurally sound condition; and
- c.** The regular maintenance, repair, or replacement, where necessary, of any landscaping required by this section.

3. Irrigation

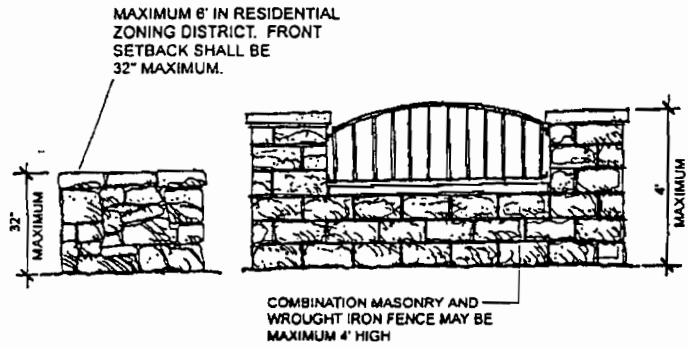
Landscaped areas shall be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans shall be submitted with development plans and shall contain all construction details for an automatic system. A backflow prevention device shall be provided in accordance with NRS.

9.3 Fences and Walls

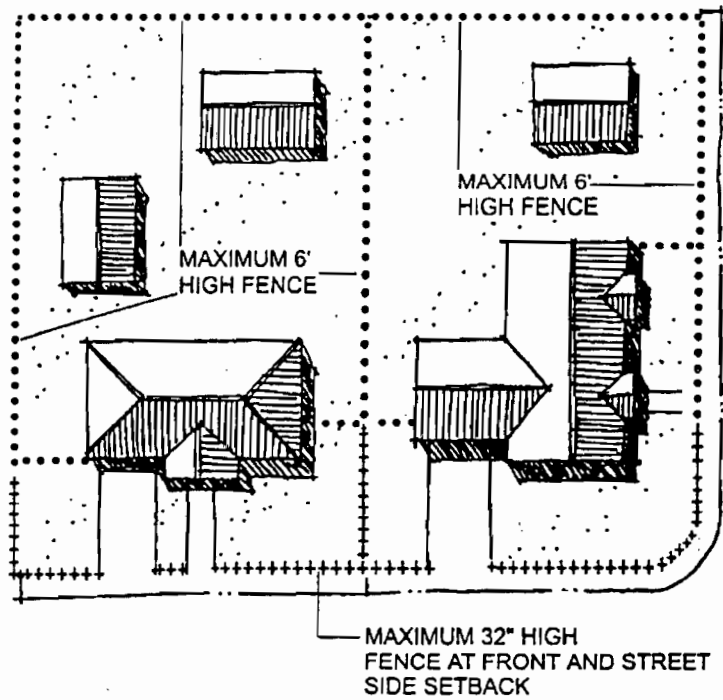
Unless otherwise expressly provided in these Development Standards, fences and walls shall comply with the following general standards:

A. Residential Land Use Categories

The maximum height of a fence or wall in a residential land use category shall be 6 feet, except in required front setbacks, where the maximum height of a solid fence or wall shall be 32 inches and the maximum height of a chain-link or wrought-iron fence shall be 4 feet.



Fences



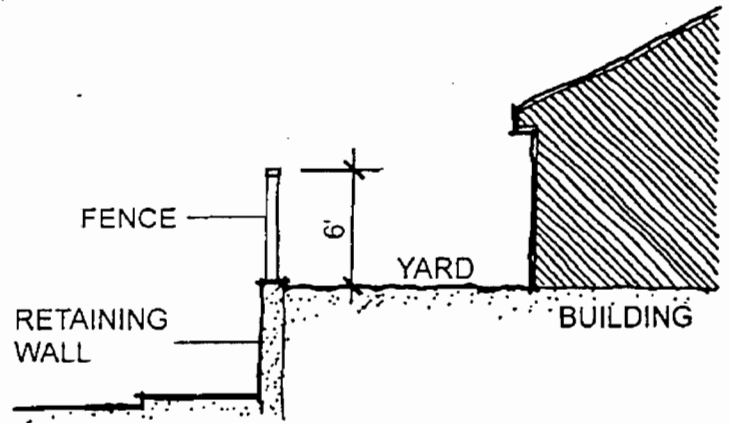
Residential Fences

B. Commercial Land Use Categories

The maximum height of a fence or wall in a commercial land use category shall be 8 feet, except in required front or street side setbacks, where the maximum height of a solid fence or wall shall be 32 inches and the maximum height of a chain-link or wrought-iron fence shall be 4 feet.

C. Industrial Land Use Categories

The maximum height of a fence or wall in an industrial land use category shall be 8 feet when adjacent to a residential land use category, except in required front or street side setbacks, where the maximum height of a solid fence or wall shall be 32 inches and the maximum height of a chain-link or wrought-iron fence shall be 4 feet.



Measurement of Height (Fences)

D. Fence or Wall Height

Fence or wall heights shall be measured from finished grade on the highest side of the fence or wall to the top of the fence or wall.

9.4 Residential Protection Standards

A. Operational Compatibility Standards

As a condition of approval of any Conditional Use Permit, Temporary Use Permit, Rezoning or other discretionary approval of any nonresidential use located within 500 feet of any residential land use category, the Decision-making Body shall be authorized to impose conditions that are necessary to reduce or minimize any potentially adverse impacts on residential property. Such conditions may include but shall not be limited to the following:

1. hours of operation and deliveries;
2. location on a site of activities that generate potential adverse impacts on adjacent uses such as noises and glare;
3. placement of trash receptacles;
4. location of loading and delivery areas;
5. lighting location, intensity, and hours of illumination;

6. placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;
7. additional landscaping and buffering;
8. height restrictions to preserve light and privacy and views of significant features from public property and rights-of-way;
9. preservation of natural lighting and solar access;
10. ventilation and control of odors and fumes; and
11. dust-control paving.

B. Height/Setbacks

Any nonresidential structure in a commercial land use category within 100 feet of a residential use shall maintain a setback from the residential use equal to the height of the nonresidential structure.

9.5 Outdoor Storage and Display

A. Land use Categories; Permits

1. General

Outdoor storage and display of merchandise, materials, or equipment, including display of merchandise, materials, and equipment for customer pick-up, shall be permitted by right in the BP-IL category. In the NC-CN and GC-CC, such activities shall be allowed only if an outdoor facilities permit is approved by the Director. Outdoor facilities permits shall not be issued unless the Director determines that the proposed storage or display will have no adverse impact on the visual appearance of the surrounding area. The Director shall be authorized to impose visual screening requirements and other conditions if deemed necessary to prevent such adverse impacts.

2. Sidewalk Cafes and Outdoor Food Service

Sidewalk cafes and outdoor food service accessory to an eating and drinking establishment shall be allowed in the GC-CC, NC-CO and BP-IP categories only if an outdoor food service permit is approved by the Director. Outdoor food service permits shall not be issued unless the Director determines that the proposed activity will have no adverse impact on the surrounding area. The Director shall be authorized to impose visual screening, operating hour restrictions, lighting, noise and other conditions if deemed necessary to prevent such adverse impacts.

B. Uses Permitted

Regardless of the underlying land use category, outdoor storage and display shall be allowed in conjunction with all of the following use types:

1. Nurseries, provided outdoor storage and display is limited to live plants only;
2. Vehicle/equipment sales and rentals (including RV and boat sales), provided outdoor storage and display shall be

limited to vehicles or equipment offered for sale or rent only and are stored and displayed on-site.

C. Screening

1. Industrial Land Use Categories

In the BP-IL category outdoor storage and display areas shall be screened from view of all streets within 100 feet of the site by a solid, decorative masonry wall at least 8 feet in height. The height of merchandise, materials, and equipment stored or displayed shall not exceed the height of the screening wall. In other land use categories, screening shall be provided as prescribed by the outdoor facilities or outdoor food service permit. This provision shall not apply to nurseries or vehicle/equipment sales and rental uses.

2. Vending Machines

Each internally illuminated machine located in a residential land use category or within 300 hundred feet of a residential land use category, except for machines located on the site of a service station, shall be screened from view from all streets.

9.6 Underground Utilities

All electrical, telephone, CATV, and similar distribution lines providing direct service to a development site shall be installed underground within the site in accord with Chapter 15.18 of the City of Henderson Code unless the requirement is waived pursuant to Sec. 15.18.220 of the City of Henderson Code.

9.7 Operational Performance Standards

A. Air Quality

The emission of dust, dirt or smoke shall comply with Title 5 of the City of Henderson Code or relevant Clark County Code.

B. Combustibles and Explosives

The use, handling, storage, and transportation of combustibles and explosives shall comply with the provisions of the Henderson Municipal Code Chapter 15.32 (Fire Code), and all applicable state and federal laws.

C. Gases

The escape or emission of any gas that is noxious, injurious, or destructive is unlawful and shall be immediately eliminated, and, in addition, shall comply with Title 5 of the City of Henderson Code and all applicable state and federal regulations, including the federal Emergency Planning and Community Right to Know Act of 1986.

D. Glare and Lighting

The glare and lighting standards of this section shall apply to all development, including public owned facilities, such as parks.

1. Use of Reflective Glass

Mirror or highly reflective glass shall not cover more than 20 percent of a building surface visible from a street unless an applicant submits information demonstrating to the satisfaction of the Planning Commission and Governing Body that use of such glass would not significantly increase glare visible from adjacent streets or pose a hazard for moving vehicles.

2. Outdoor Lighting

Outdoor lighting shall be shielded in a manner that prevents a direct line between its luminary and any residential land use category. Within 50 feet of a residential land use category or within 50 feet of the lot line of a lot containing a residential use, lighting shall be installed no higher than 20 feet above the ground directly below the light fixture.

Outdoor lighting shall not exceed the following levels:

- a. 0.50 footcandles at the property line if the subject property abuts a residential land use category or a lot containing a residential use; or
- b. 2.00 footcandles at the property line if the subject property abuts a nonresidential land use category or lot containing a nonresidential use.

Lighting for outdoor court or field games within 300 feet of a residential land use category shall require approval of a conditional use permit.

3. Industrial Operations

Glare and heat from arc welding, acetylene torch cutting or similar processes shall be contained within a completely enclosed and vented building.

E. Hazardous Materials Storage

Above ground storage of 250 gallons or less of hazardous substances is allowed subject to approval of the Fire Chief, provided, that unless otherwise approved through Design Review, no aboveground storage shall be permitted in a front or unenclosed corner side yard, and storage containers, pumps and other associated equipment shall be considered mechanical equipment for the purposes of screening under Sec. 9.2-D. The 250 gallon (or equivalent dry unit of measurement) limit applies to the size of the tank or container where a single unit is proposed, and where multiple units are proposed the 250 gallon limit applies to the total aggregate aboveground storage capacity on the site. Aboveground storage of greater than 250 gallons on any site requires approval by conditional use permit.

F. Heat and Humidity

Uses, activities, and processes shall not produce any unreasonable, disturbing, or unnecessary emissions of heat or

humidity, at the property line of the site on which they are situated, that cause material distress, discomfort, or injury to a reasonable person.

G. Noise

1. General

All uses and activities (except publicly owned airports and railroads) shall comply with Henderson Municipal Code Chapter 8.84, and maximum sound pressure level radiated by any use or facility shall not exceed the values shown in Table 9.7-1:

Table 9.7-1

Octave-Band Range in Cycle Per Second	Sound Pressure Level in Decibels 0.0002 dyne/cm²
Below 75	72
75 – 150	67
151 – 300	59
301 – 600	52
601 – 1200	46
1201 – 2400	40
Octave-Band Range in Cycle Per Second	Sound Pressure Level in Decibels 0.0002 dyne/cm²
2401 – 4800	34
Above 4800	32

a. Measurement Point

In BP land use categories, the sound pressure level shall be measured at the BP category boundaries for uses and activities located in a BP category. In other land use categories, the sound shall be measured at the lot line of the property on which the sound is generated.

b. Uneven/Discontinuous Noise

If the noise is not smooth and continuous or is not present between the hours of 10 p.m. and 7 a.m., one or more of the following corrections set forth in Table 9.7-2 shall be applied to the above octave-band levels:

Table 19.9.7-2

Noise Source/Timing	Correction in Decibels
Daytime operation only	+5
Noise source operates less than 20 percent of any one-hour period	+5
Noise source operates less than 5 percent of any one-hour period	+10
Noise of impulsive character such as hammering	-5
Noise of periodic character such as humming or screeching	-5

c. Measuring Equipment

The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standard Association.

2. Additional Standards For Specific Operations and Activities

a. Outdoor Paging Systems

Such systems shall not be permitted within 1,000 feet of any noncommercial or non-industrial land use category, or within 1,000 feet of any existing or proposed residential, school, licensed day care, public or semi-public use property line. This standard shall not apply to face-to-face drive-up teller windows or remote teller systems at financial institutions, pharmacies, and similar uses where cashiers and customers have direct face-to-face contact, where drive aisles are adjacent to the primary structure, and where the remote appliance is located under a portecochere attached to the primary building.

b. Refuse Collection/Loading

No person shall engage in waste disposal services or refuse loading and collection or operate any compacting equipment or similar mechanical device in any manner so as to create any noise exceeding the standards set forth above when measured at a distance of 50 feet from the equipment when inside of or within 500 feet of a residential land use category.

c. Truck/Rail Loading

No truck or rail loading area shall be allowed within 250 feet of a residential lot between the hours of 10:00 p.m. and 6:00 a.m., unless within a fully enclosed building.

d. New Construction or Additions

All new construction or additions in excess of 5,000 square feet that are planned to house any stationary machinery, device, or equipment that will create noise that exceeds 60 db(A) shall be reviewed to ensure that noise mitigation measures such as building noise attenuation and insulation, siting modifications, berms, barriers, and other measures are utilized to effect noise level reductions up to 15 db(A) more than normal construction or to 55 db(A) at the property line abutting any residential development, whichever will result in the lower expenditure for the applicant.

e. Exemptions

The following operations and activities are exempted from the limitations of this section:

- (1) Warning or alarm devices that have the purpose of signaling unsafe or dangerous situations or calling for police.

- (2) Noises resulting from authorized public activities such as parades, fireworks displays, sports events, musical productions, and other activities that have the approval of the City Council or its designee.

H. Odors

No person or business shall cause or allow the emission of odorous air contaminants from any source such as to result in detectable odors that are measured in excess of the following limits:

1. For areas used predominantly for residential purposes, it is a violation if odors are detected after the odorous air has been diluted with 7 or

Commentary: The most widely used technique for measuring odors is the American Society of Testing Materials method using a syringe for making multiple dilutions and then determining if the odor is detectable once diluted. A scentometer measures the odor threshold. Air is drawn through carbon filters to produce odor free air, and mixed with a know amount of odorous gas.

- more volumes of odor-free air.
2. No violation shall occur provided that the person or business causing or allowing the emission of odorous air contaminants is employing the best available treatment, maintenance, and control currently available to maintain the lowest possible emission of odorous gases.

I. Radioactive Materials

The use, handling, storage, and transportation of radioactive materials shall comply with all applicable local, state and federal regulations, including the Fire Code. Compliance with Henderson Municipal Code Title 15 shall be required.

J. Vibration

No use, activity, or process shall produce vibrations that are perceptible without instruments at the property line for more than 3 minutes in any one hour of the day between the hours of 7:00 a.m. and 10:00 p.m. or for more than 30 seconds in any one hour between the hours of 10:00 p.m. and 7:00 a.m.

K. Evidence of Compliance

The Director shall require such evidence of ability to comply with appropriate performance standards and mitigation measures as he deems necessary prior to issuance of a building permit and certificate of occupancy.

9.8 Building Design and Architectural Standards

A. Purpose

The purpose of these standards is to ensure that the physical characteristics of proposed buildings and uses are compatible when considered in the context of the surrounding area and community as a whole. They are intended to promote the design of an urban environment that is built to human scale; to encourage creativity in new development (as opposed to homogeneity or "look-alike" developments); and to foster attractive street fronts and pedestrian environments, while accommodating vehicular movement and access.

B. Applicability

These standards shall apply to all developments as set forth in Sec. 2.

C. General Review Standards

1. Infill Uses

The Director shall approve or approve with conditions an application for Design Review on an infill use or building only upon a finding that all applicable infill use standards of this subsection have been met unless the Director determines that the existing character of the area is undesirable in terms of overall community character and the purposes of these Development Standards. If a finding of undesirability is made, then the application shall comply with the standards for Greenfield Development Sites.

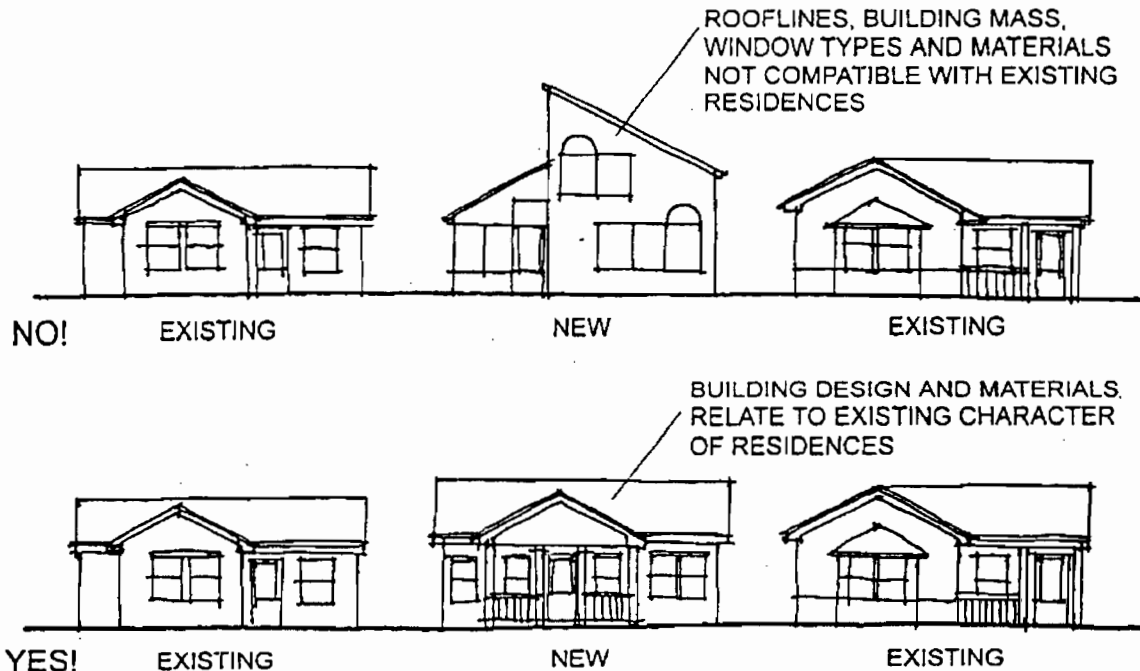
a. Architectural Character

Infill uses in existing developed areas shall be compatible with the established architectural character of such uses by using a design that is complementary in terms of:

- (1) Consistency of rooflines, roof materials and roof colors;
- (2) Use of similar proportions in building mass and outdoor spaces,
- (3) Similar relationships to the street,
- (4) Similar window and door patterns,
- (5) Similar streetscapes including landscaping, light fixtures and other site amenities;
- (6) Similar decorative elements such as ornamental grillwork and accent tiles; and

Commentary: "Infill use" is a use on a site previously developed or now being redeveloped or a site adjacent to or across a public right-of-way from 2 or more lots with existing structures.

- (7) The use of building materials that have colors, shades or textures similar to those found in projects in the immediate area that have been approved pursuant to the Governing Bodies Design Review procedures or that are found in the natural terrestrial environment.



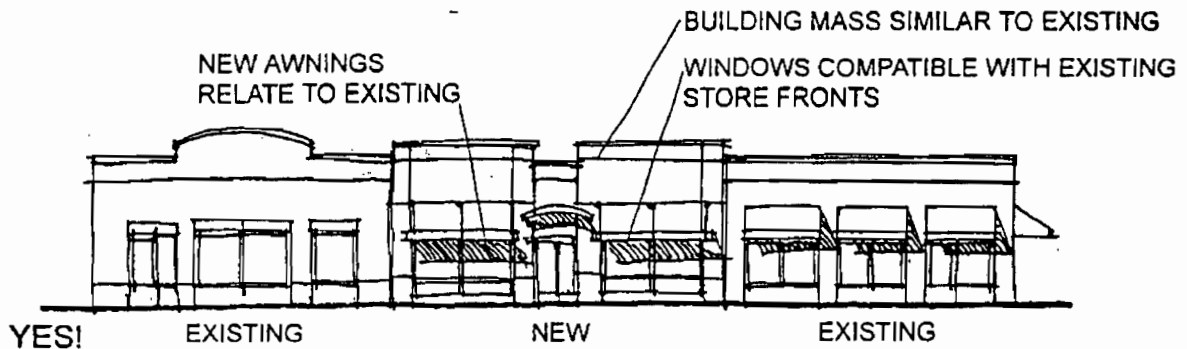
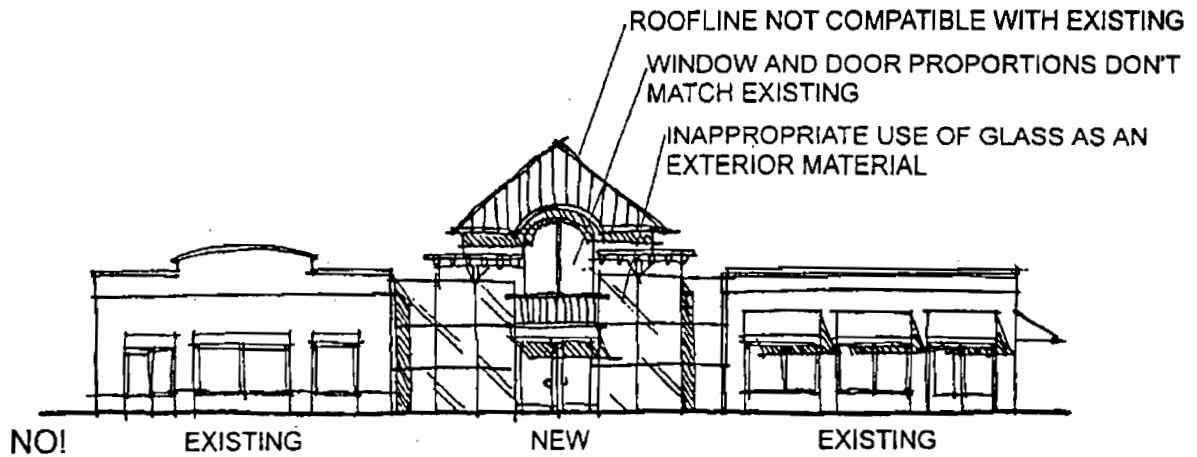
Architectural Character (Residential)

- b. **Building Size, Height, Bulk, Mass, and Scale**
In infill development, buildings shall either be similar in size and height, or if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures on the same block, or if no buildings exist thereon, then on adjoining blocks.
- c. **Building Orientation**
To the maximum extent feasible, primary facades and entries shall face the adjacent street. Except in industrial (I) districts, a main entrance shall face the adjacent street or a connecting walkway with a direct pedestrian connection to the street without requiring pedestrians to walk through parking lots or cross driveways.
- d. **Building Materials**
Building materials shall either be similar to the materials already being used in the neighborhood

or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form architectural detailing, and color and texture shall be utilized to ensure that enough similarity exists for the building to be compatible despite the differences in materials.

e. Building Color

Color shades shall be used to facilitate blending into the neighborhood and unifying the development. The color shades of building materials shall draw from the range of color shades found in projects in the immediate area that have been approved pursuant to the Governing Bodies Design Review procedures or that are found in the natural terrestrial environment.



Architectural Character (Nonresidential)

2. **Greenfield Development Sites**

The Director shall approve or approve with conditions an application for Design Review for developments on sites that do not have an architectural or design character established by surrounding sites or areas, or if such character is found by the Director to be

Commentary: A "greenfield development site" is one on which there has been no previous development and which is adjacent to or across a public right-of-way from no more than one lot with existing structures

undesirable in terms of overall community character and purposes of these Development Standards, upon a finding that the following standards have been met:

a. **Building Design**

Building design shall contribute to the uniqueness of a land use category and the plan area with predominant materials, elements, features, color range, and activity areas tailored specifically to the site and its context in consultation with the Director.

b. **Multiple-Building Developments**

Each individual building shall feature predominant characteristics including, but not limited to, consistent rooflines, use of compatible proportions in building mass and outdoor spaces, complementary relationships to the street, similar window and door patterns, and the use of similar building materials in terms of color, shades, and textures.

c. **Massing**

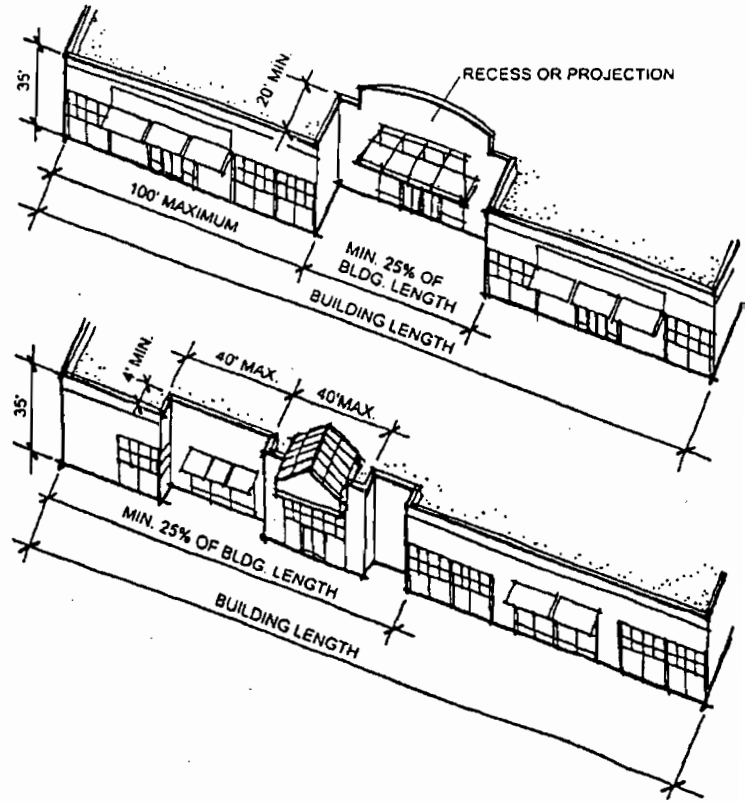
A single, large building mass shall be avoided in all residential and commercial land use categories.

d. **Building Color**

Color shades shall be used to facilitate unifying the development. The color shades of building materials shall draw from the range of color shades that already exist in the region in projects already approved pursuant to the City of Henderson or Clark County Design Review procedures or that are found in the natural terrestrial environment.

D. Specific Review Standards

In addition to the General Review Standards set forth in Sec. 9.8-C, an application for Design Review shall meet the following standards, where applicable.



Maximum Horizontal Wall Dimension

1. Maximum Horizontal Wall Dimension

The following maximum horizontal wall dimension shall apply to all building elements in the NC-CN, NC-CO, GC-CC, BP-IL, BP-IP and PS-PS land use categories. A wall surface shall be no longer than 100 feet without a break, which shall, at a minimum, consist of a recess or offset measuring at least 20 feet in depth and one-quarter of the building in length or a series of recesses or offsets, at intervals of not more than 40 feet, that vary the depth of the building wall by a minimum of 4 feet. Not less than 25 percent of the building wall shall be varied in this way. The objective of this standard is to avoid large, undifferentiated wall surfaces. Smaller offsets at 40-foot intervals are an acceptable substitute.

2. **Exterior Materials in Residential Land Use Categories**
In all residential land use categories, the exterior walls of all structures, other than accessory structures, shall have a nonmetallic finish.

9.9 Transportation and Circulation

A. Connectivity

To the maximum practical extent, subdivisions shall be laid out and designed to provide walkways and paths that connect with destinations such as parks, schools, and shopping areas. Key-entry gates may be used to meet this connectivity standard.

B. Location of Existing and Planned Transit Routes

Any proposed development shall take into account the location of existing and planned transit routes and provide vehicular and pedestrian connections to any transit points within or adjacent to the development.

C. Intersection Visibility

At the intersection of any local or collector street (curb-to-curb flow line of 49 or fewer feet) with another street having a flow line exceeding 49 feet, intersection visibility zones shall be provided and kept free of obstructions within sight clearance triangles measuring 16 feet back from the curb on each side of the intersecting street and 80 feet in each direction along the intersected street. If both intersecting streets have flow lines exceeding 49 feet, the sight clearance triangles shall be preserved in both directions on all corners at the intersection.

CHAPTER 10 SIGNS

10.1 Purpose

A. General

The sign regulations of this chapter are intended to ensure that signs throughout the community meet standards for appearance, quality and safety, while also allowing consumers to locate goods and services.

B. Specific

The general purposes of this section are to be achieved by coordinating the types, placement and physical dimensions of signs and by the use of innovative sign design, sound planning and architectural principles, as follows:

1. By providing each sign user an opportunity for effective identification by controlling the number and area of signs permitted on all sites;
2. By controlling off-premises signs in order to maintain the legibility of on-premises signs;
3. By maintaining and enhancing the quality of the city's appearance and the safety of its citizens by avoiding clutter, promoting proper maintenance, requiring removal of abandoned signs, and by subjecting certain signs to design review;
4. By enabling consumers to identify establishments offering goods and services to meet their needs;
5. By regulating the number, size, scale and proportionate balance of signs according to standards consistent with the types of establishments and their approved architecture;
6. By protecting residential districts adjoining nonresidential districts from adverse impacts of nearby signs.

10.2 General Provisions

A. Permit Required

Except as otherwise expressly provided in this chapter, all persons erecting, hanging, painting, installing, or otherwise placing signs in the plan area must first obtain a sign permit.

B. License Issuance/Renewal and Property Owner's Responsibility

Regardless of whether a business is owned by the property owner or by a tenant proprietor, no business license shall be issued or renewed for a premises on which a prohibited sign exists. Except as otherwise expressly provided in this chapter, each property owner shall be responsible for proper permitting, installation and maintenance of all signs on their property.

C. Alterations of Signs

1. Except for message and graphics changes on Class-I Signs or Class-II Co-op Signs, no Class-I or Class-II Co-op Sign shall be altered unless its Class-I or Class-II Co-op Sign permit is reissued. No Class-IV sign shall be altered in any way except as prescribed in its approved Master Sign Plan. No structural changes in a Class-IV sign shall be made until its Class-IV sign permit is reissued. Except as otherwise authorized by the Director, no Class-III Temporary Directional Sign shall be altered in any way, including message or graphics, unless its Class-III permit is reissued. The Director may authorize minor message changes on Class-III signs, such as corrections in the advertised telephone number or subdivision phase number, or other similar minor text or maintenance items. The term "minor message changes," however, does not include changes in project or developer name or redesigning the fundamental message or graphics of the sign. For weekend directional signs, the term "minor message changes" shall be construed liberally. It is the intention of this chapter to allow broad changes in copy and graphics on weekend directional signs without requiring reissuance of sign permits; provided, however, that if the name of the subdivision changes the developer must then apply for a new weekend directional sign permit.
2. No on-premises sign requiring a Building Permit by these Development Standards shall be altered unless its sign permit is reissued.
3. Except for message changes authorized by these Development Standards, no nonconforming sign shall be altered unless a Building Permit to do so is issued and the sign is brought into conformance with the requirements of these Development Standards at the time of alteration.
4. Except for message changes, no sign included in a Master Sign Plan shall be altered except as prescribed in its approved Master Sign Plan.

D. Flags and Banners

1. Off-premises flags shall only be permitted as Class-IV signs when approved as a part of a Master Sign Plan, or when included in a civic project approved by the Governing Body. Except as otherwise provided in this chapter, a single flag of the United States of America or the state of Nevada, or both, each not exceeding 100 square feet in area or 40 feet in height shall be permitted as a permanent patriotic display on the premises of any business without a sign permit; provided, however, that a permit must be obtained and appropriate inspections performed as required by the Director of Building and Safety for the flag pole. This permit waiver applies only to the 2 flags referred to above in this section. Additional flags may be allowed if part of an approved Master Sign Plan, or when included in a civic project approved by the Governing Body. The flag of the United States of America and flags of other nations, states and governments, where allowed, must be displayed in accordance with the protocol set forth in United States Code, Title 36, Chapter 10, Patriotic Customs, the pertinent portions of which are contained in the book, Our Flag, published by the Joint Committee on Printing, United States Congress, and available for review in the office of the Henderson City Clerk.
2. Off-premises banners are prohibited except when installed and maintained for the purpose of civic events by the Governing Body, or any other organization authorized to do so by the Governing Body.

E. Painted-On Wall Signs.

Except for temporary promotional signs painted on and covering less than 40 percent of the surface of each window, no sign shall be painted on the exterior wall of a building that is viewable from a public right-of-way unless and until such sign has been approved in a Master Sign Plan that was recommended by the Planning Commission and approved by the Governing Body. Painted-on wall signs that can be viewed from a public right-of-way shall count against any size, area or other restrictions applicable to the premises for all other exterior signs.

F. Removal of Abandoned, Unsafe, Unpermitted and Unmaintained Signs

1. **Abandoned On-Premises Signs**
Within 45 days of abandonment, all abandoned signs shall be removed. Except for vehicle signs, an on-premises sign shall be deemed abandoned that no longer directs, advertises or identifies a licensed business establishment, legal product or activity. Upon determination by the Director of Building and Safety that a sign has been abandoned for 45 days the Director of Building and Safety shall notify the property owner of such

condition and shall allow the property owner no less than 10, but no more than 30 calendar days to either:

- a. Remove the abandoned sign;
- b. Reoccupy the premises with a business requiring the same sign message, and make any changes to the sign needed to bring it into conformance with the building, electrical, neon and all other applicable codes adopted by the Governing Body at the time of reoccupancy;
- c. Replace the former business message with the message of a public service organization, and make any changes to the sign needed to bring it into conformance with the building, electrical, neon and all other applicable codes adopted by the Governing Body. For the purposes of this section, naming the sign's leasing agent shall not be considered a qualified message;
- d. Apply to the Director for an extension of time up to an additional 45 days to reoccupy the premises with a licensed business. This request must be accompanied by a signed lease for occupancy of the premises by a user allowed under the terms of the Development Standards, and the applicant must make any changes to the sign needed to bring it into conformance with this chapter, the building, electrical, neon and other applicable codes adopted by the Governing Body;
- e. Appeal of the Director's decision or any request for an extension beyond that granted by the Director shall require review and recommendation by the Planning Commission and final determination by the Governing Body. An applicant appealing the Director's decision or seeking an extension beyond that granted by the Director must make any changes to the sign needed to bring it into conformance with this chapter, the building, electrical, neon and other applicable codes adopted by the Governing Body.

Failure of the property owner to comply with one of the 5 options described in this subsection within the time specified by the Director of Building and Safety or within any extension of time granted by the Director or Governing Body shall cause the Director of Building and Safety to initiate proceedings as specified below.

2. Unsafe, Unpermitted and Unmaintained Signs

Unpermitted weekend directional signs shall be impounded immediately. Uninspected off-premises signs shall be considered unsafe and shall be impounded immediately. All signs blocking public sidewalks or other required pedestrian walkways or exit corridors shall be impounded immediately. With the exception of signs blocking sidewalks and other required pedestrian walkways or exit corridors, upon determination by the Director of Building and Safety that a sign was properly permitted, that a sign does not comply with the approved

plans or other requirements of this chapter, or that such sign, through lack of maintenance or other damaging cause, has come into such disrepair that it must be renovated or removed, the Director of Building and Safety shall notify the property owner of such condition and shall allow the property owner no less than 10, but no more than 30 calendar days to make the necessary repairs. Failure of the property owner to remedy all deficiencies within the time specified by the Director of Building and Safety shall cause the Director of Building and Safety to initiate removal proceedings as follows.

3. Removal Proceedings

- a. For all signs except vehicle signs, the Director of Building and Safety shall, where an imminent threat to public safety exists, take any necessary actions to prevent public exposure to the danger, including demolition if necessary, until the sign is removed. Any costs incurred for such preventive measures or removal shall be reimbursed by the property owner. The Director of Building and Safety shall impound the removed sign for a period of 30 days, or until the removal expenses are reimbursed to the Governing Body, whichever is sooner. If at the end of the 30-day impound period the property owner or his authorized agent has not reimbursed the Governing Body for the removal expenses and claimed the sign, the sign shall be disposed of at the discretion of the Director of Building and Safety. The removal expense to be reimbursed for each sign shall be the cost for labor and materials as determined by the Finance Director or \$10 per sign, whichever is greater. The Director of Building and Safety shall place a lien against the parcel from which the sign was removed for any unreimbursed expenses.
- b. For Class-I Signs, the Director of Building and Safety shall initiate removal proceedings. Where an imminent threat to public safety exists the Director of Building and Safety shall immediately take any necessary actions to prevent public exposure to the danger, including demolition if necessary, until the sign is removed. Any costs incurred for such preventive measures or removal shall be reimbursed by the property owner. The Director of Building and Safety shall place a lien against the parcel from which the sign was removed for any unreimbursed expenses.
- c. For Class-II, Class-III and Class-IV signs, the Director of Building and Safety shall, at the property owner's expense, remove or cause to have removed the subject sign. Where an imminent threat to public safety exists the Director of Building and Safety shall immediately take any necessary actions to prevent public exposure to

the danger, including demolition if necessary, until the sign can be removed. The Director of Building and Safety shall also impound the removed sign for a period of 30 days, or until the removal expenses are reimbursed to the Governing Body, whichever is sooner.

If at the end of the 30-day impound period the property owner or his authorized agent has not reimbursed the Governing Body for the removal expenses and claimed the sign, the sign shall be disposed of at the discretion of the Director of Building and Safety. Except for weekend directional signs, the removal expense to be reimbursed for each sign shall be the cost for labor and materials as determined by the Finance Director or \$10 per sign, whichever is greater.

- d.** No weekend directional signs for any development found in violation shall be installed until all impounded signs are recovered. Any weekend directional sign installed without permit or which was placed or left remaining in violation of the terms of this chapter shall be impounded without notice and shall be recovered only after payment of the following fees:

- (1)** For unpermitted signs during any calendar year: First Violation. \$10 per sign if unpermitted. The \$10-dollar fee shall be waived if the owner obtains the proper sign permits. In the event of subsequent placement by the same developer of one or more weekend directional sign prior to recovery of impounded weekend directional signs, or prior to issuance of the required weekend directional sign permit, the newly placed signs shall be confiscated, the developer shall be subject to citation by the Director of Building and Safety and each violation shall be punishable as a misdemeanor. Following court disposition of any citations issued, a fee of \$20 per sign shall be collected for any signs to be recovered.
- (2)** For permitted signs during any calendar year: First Violation. Warning only, if the signs were permitted. Second Violation. \$10 per sign. Second warning issued. Third Violation. \$15 per sign. Subject to misdemeanor citation. The fourth violation and any violation thereafter shall be subject to citation by the Director of Building and Safety and punishable as misdemeanors. Upon the occurrence of such fourth violation all permits for the violating development shall be revoked in accordance with Sec.19.12.6. Following

court disposition of any citations issued, a fee of \$20 per sign shall be collected for any signs to be recovered.

Any weekend directional sign not claimed within 10 days of notice of impoundment shall become the property of and be disposed of at the discretion of the Governing Body.

- e. For regulations regarding removal of Class-V Signs, refer to Sec. 10.3.F.4.
- f. For vehicle signs, the Director of Building and Safety shall, where an imminent threat to public safety exists, take any necessary actions to prevent public exposure to the danger, including causing its removal and impoundment if on private property, or notification of the Police Department if on public right-of-way. If an imminent threat to public safety does not exist the Director of Building and Safety shall issue a misdemeanor citation for each day in which the violation occurs. At such time as the Director of Building and Safety determines that the vehicle or vehicle-mounted sign has been abandoned the Director of Building and Safety shall cause it to be removed and shall dispose of it in the same manner as any other abandoned vehicle.

G. Exempt Signs

The following signs shall be exempt from the regulations of this chapter:

1. Official notices of any court, public body or officer;
2. Notices posted by a utility or other quasi-public agent in the performance of a public duty or by any person giving due legal notice;
3. Street address numbers;
4. Public information, directional, warning and special event signs, scoreboards and in-park advertising panels on playing field walls, backboards and scoreboards erected by a public agency or other organization authorized to do so by the Governing Body;
5. Brass, marble or similar plaques containing names of buildings, dates of erection, monumental citations, commemorative tablets and the like that are made an integral part of the structure;
6. On-premises parking and other directional signs, not exceeding 1 two-faced sign per entrance, and not exceeding 8 square feet in area or 32 inches in height;
7. Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial or public or semipublic use, including telephone booths, vending machines, automated teller machines, and gasoline pumps;
8. Signs within a building not visible from a public street, with regard to size only;

9. Holiday lights and displays not advertising a product or sale, erected no sooner than 45 days before the holiday and removed within 14 days following the holiday;
10. Nonilluminated wall signs not over 1 square foot in area, displaying the name and profession of the occupant of the premises.
11. On-site real estate signs offering a parcel "for sale" or "for lease," not exceeding 32 square feet each; and provided further, that the maximum number of signs per site shall not exceed 1 sign per 250 linear feet of frontage along a public right-of-way.

H. Prohibited Signs

Unless otherwise provided in this chapter, the following signs are prohibited:

1. Abandoned signs;
2. Banners, pennants, festoons, searchlights;
3. Signs imitating or resembling official traffic or government signs or signals;
4. Snipe signs or signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property or public right-of-way;
5. Vehicle Signs and Portable Signs. The Governing Body finds that the structural and aesthetic qualities of portable signs placed in on-premises and off-premises locations and signs mounted or painted on driven or towed vehicles parked on the premises of businesses or along roadsides or other off-premises locations are unreasonably difficult to control, and that the resultant potential for unsafe and unsightly vehicle-mounted signs is in conflict with the welfare of the general public. Equally difficult to control are the distance requirements between fixed and mobile signs, as well as size restrictions and all other regulations of this chapter as they apply to on-premises and off-premises signs.

Except as otherwise provided, signs and other advertising devices painted on or otherwise affixed to stationary cars, trucks, trailers or other similar vehicles and portable signs, any of which can be viewed from a public right-of-way, are prohibited.

For the purposes of this section, a car, truck, trailer or other similar vehicle shall be considered stationary upon remaining parked in the same location for 2 hours. A vehicle that is moved at intervals of 2 hours or less, yet remains on the same property or in virtually the same location or proximity shall be considered stationary and in violation of this chapter.

Exceptions: The following vehicles shall not be required to comply with the 2-hour limitation specified above:

- a. Vehicles owned or operated by agencies of cities, counties, states or national governments,
- b. Vehicles of companies delivering services to the general public that are regulated by the public service commission,

- c. Vehicles displaying signs not exceeding 6 square feet of area affixed to not more than one door on each side of the vehicle,
 - d. Vehicles of building trades contractors while on a construction site for which a valid building or grading permit has been issued that requires that contractor's presence,
 - e. Delivery vehicles parked on the premises of a licensed business when that business is closed,
 - f. Delivery vehicles staged at industrially zoned manufacturing, warehousing and distributions sites while awaiting loading and dispatching,
 - g. Vehicles displaying signs that cannot be readily viewed from a public right-of-way,
 - h. "U-Haul/Ryder" type trucks and trailers displaying the Insignia of the rental company, while parked a minimum of 15 feet behind the street curb on the rental agency's premises;
- 6. Unpermitted signs;
 - 7. Unmaintained signs;
 - 8. Illegal signs;
 - 9. Painted-on wall signs, except:
 - a. Temporary promotional signs painted on the surfaces of windows, and
 - b. Signs painted on exterior walls of buildings that are included in a Master Sign Plan reviewed by the Planning Commission and approved by the Governing Body;
 - 10. Roof-mounted signs and signs projecting above a parapet.

I. Maintenance Required

All signs must be maintained in like-new condition. Any damage, including weathering, resulting from wind or any other natural or artificial cause must be repaired immediately.

J. Nonconforming Signs

- 1. **Determination of Legal Nonconformity:** Existing signs that do not conform to the specific provisions of these Development Standards may be eligible for the designation of "legal nonconforming" and may be permitted to remain provided that:
 - a. The Director determines that such signs are properly maintained and do not in any way endanger the public;
 - b. The sign was installed in conformance with any required permit, and complied with all laws in effect at the time of installation.
- 2. **Loss of Legal Nonconforming Status:** A legal nonconforming sign may lose its designation and must be removed or otherwise brought into conformance with these Development Standards if:
 - a. The sign is relocated or replaced;

- b. The structure or size of sign is altered in any way except toward compliance with this chapter. This does not refer to normal maintenance or changes of copy otherwise allowed by this chapter;
- c. The sign suffers more than 50 percent damage or deterioration as determined by the Director;
- d. A nonconforming Class-I Sign fails to meet the requirements of Sec. 10.3-B.

10.3 Off-Premises Signs

A. General Provisions

1. Sign Map

The map entitled, Sign Map, dated September 1, 1993, and as amended from time-to-time, is hereby adopted and made a part of these Development Standards.

2. Sign Zone

The "Class-I Off-Premises Sign Zone" is that area designated as such on the City of Henderson Sign Map.

3. Amendments to Sign Map

Amendments to the Sign Map shall be applied for and processed in the same manner as amendments to the Land Use Plan Map, as specified in Sec. 2, with the following conditions:

a. Class-I off-premises and special (study area) off-premises sign zones shall only be placed adjacent to streets listed on the Henderson Master Streets and Highways Plan.

b. Class-I off-premises and special off-premises sign zones must apply to both sides of the street. Class-I off-premises and special off-premises sign zones are intended to be corridors, and therefore, are not contemplated to overlay only one side of a street.

c. New Class-I Off-Premises Sign zones must be extensions of and contiguous with an existing Class-I Off-Premises Sign zone.

d. No Class-I off-premises or special off-premises sign zone shall be placed on residential land use categories.

4. Signs Prohibited Over Other Structures

No off-premises sign shall be erected over structures or mobile homes, and following construction of the sign, no building or mobile home shall be constructed or placed beneath any part of an off-premises sign.

5. Lease Agreements

Unless otherwise approved by the Director, a land-lease agreement, proof of ownership, or other suitable land use agreement for the specific site where a Class I, II, III, IV or V off-premises sign is to be installed shall be submitted to the City prior to issuance of a Building Permit for construction of each sign.

6. Use of Public Lands

Class-III weekend directional signs, only, may be placed on any Governing Body-owned unimproved land that is not street right-of-way, and except for Las Vegas Boulevard and Lake Mead Drive, within the public right-of-way of any street included on the master streets and highways plan; provided, however, that no weekend directional sign shall block or overhang any sidewalk or other established pedestrian walkway; and further provided, that no sign shall be placed in any right-of-way within 25 feet of a street intersection or driveway or within ½ mile of a Class II Kiosk sign. Rights-of-way for streets not included on the master streets and highways plan may not be used for signs unless a revocable permit has been issued by the Governing Body for each specific sign. In instances where a right-of-way is owned by the state of Nevada or the federal government, the permittee must abide by that owner's regulations in addition to the provisions of this title. Improved Governing Body-owned lands, including parks, may not be used without specific permission from the Governing Body. Other publicly owned lands (those owned by the Clark County School District, the federal government, etc.) are not to be used for weekend directional signs unless proof of permission for such use is submitted to the Governing Body. If any sign is placed in any public right-of-way or on publicly owned land under the terms of this chapter, the permittee shall assume full responsibility for any damages or injuries to persons or property resulting either wholly, or in part, from the placement of the sign and shall agree to defend and indemnify the Governing Body and hold the Governing Body harmless from all liability for such damages or injuries.

7. Las Vegas Boulevard/Lake Mead Drive

No sign shall be placed in the Las Vegas Boulevard or Lake Mead Drive right-of-way unless specifically authorized by the Governing Body.

B. Class-I Off Premises Signs

A "Class-I Off-premises Sign" (Class-I Sign) is any sign that advertises products or services that are not sold on the premises upon which the sign is constructed. This definition does not include Temporary Election Signs, Temporary Directional or Master Development Signs.

1. Location

No Class-I Sign shall be located in the plan area except within an off-premises sign zone, as designated on the Sign Map. The entire sign must lie on or above the Class-I Off-Premises Sign zone and no part may lie on or overhang any lands not so designated. No Class-I Sign shall be permitted within 100 feet of a residence. Unless otherwise approved by Governing Body through a master sign plan or variance, no Class-I sign shall be constructed on any parcel on which a structure other than a fence is

constructed, or for which any building permit has been issued. Unless otherwise approved by Governing Body through master sign plan or variance, no Class-I sign shall remain on any parcel following construction of any other structure.

2. Separation

No new Class-I Sign shall be constructed within 750 feet of any existing Class-I Sign. For the purposes of this section, a sign for which a Class-I permit has been issued shall be considered an existing sign. The minimum required distance shall be measured between points on the centerline of the adjacent street, and those points shall reflect each sign's perpendicular relationship to that street's centerline. In no instance, however, because of a change in street direction or other measurement peculiarity, shall the distance between signs be less than 750 feet when measured in a straight line.

3. Height

No Class-I Sign may exceed 50 feet in height, excluding allowable embellishments. Each sign shall be elevated a minimum of 9 feet above the ground and shall have maximum of 2 supports.

4. Size

No Class-I Sign shall have a display surface greater than 672 square feet, except for an embellishment, which shall not be higher than 5 feet or exceed 128 square feet of additional surface. For the purposes of this standard, only one side of a back-to-back off-premises sign shall be counted, however, two opposing faces shall not exceed 45 degrees from parallel.

5. Setbacks

No portion of a Class-I Sign shall be closer than 25 feet to any existing or future public right-of-way.

6. Life of Permit; Lapse of Approval

A Class-I Sign permit shall have an initial life of 10 years. Unless the Class-I permit is reissued, the off-premises sign for which it was issued shall be removed at the owner's expense upon expiration of its permit. The Class-I permit for an off-premises sign may be reissued for succeeding periods not to exceed 5 years from the date of reissuance if the following conditions exist:

- a. The expiring permit must be at least 9 years and 9 months old for the first reissuance and 4 years and 9 months old for each succeeding reissuance.
- b. The permit applicant must be an appropriately licensed sign contractor and must present all exhibits and fees required for a new Class-I permit.
- c. The subject off-premises sign must have been in the permitted location and must have been maintained in accordance with the requirements of these Development Standards during the entire life of the expiring permit.
- d. The subject off-premises sign must meet all of the requirements of these Development Standards

and all other applicable sign regulations for a new sign in the subject location. If any condition exists that would prohibit a new Class-I Off-Premises Sign from being permitted at the subject location, the expiring Class-I permit shall not be reissued.

Exception: The single exception to this requirement is that an existing Class-I Sign that meets, without modification to the sign, all current Development Standards requirements except for the minimum distance between Class-I Signs, may be treated as though the distance requirement, too, has been met.

7. Permit Number and Address

The permit number, permit issuance and expiration dates, permittee's name and telephone number, and the sign's address as assigned by the Governing Body shall be indicated on a 4-inch by 6-inch plate, or other approved substitute, installed so as to be readily accessible and readable, approximately 6 feet above the adjacent ground surface, on every Class-I Sign erected in accordance with the provisions of this section. The display shall also identify the sign's owner.

8. Face, Frame and Reverse Side Treatment of Sign

a. The face of each permitted Class-I Sign shall contain a discernable message or graphic at all times. A Class-I Sign that stands as a skeletal structure without message panels, or that has all blank panels or panels removed or arranged in such a manner as to make the message unreadable shall be considered in disrepair and not in compliance with the maintenance requirements of these Development Standards.

b. The structural members of all Class-I Signs and the reverse side of each single-faced sign shall be painted to be compatible with the background surrounding it. Unless otherwise approved by the Director, for the purposes of this section tan and light brown colored paints shall be considered compatible. All Class-I Off-Premises Signs shall comply with this standard or be considered in violation of these Development Standards and removed.

9. Conversion of Existing Off-Premises Sign Permit to Class-I Permit

Each off-premises sign that existed on November 21, 1991 and which met the definition of a Class-I Sign and that was properly permitted, constructed, inspected and maintained in the plan area shall be issued a Class-I permit, and shall be allowed to remain in place for the life of the Class-I permit, provided that it is maintained in accordance with the provisions of these Development Standards. For the purposes of this section, regardless of the actual date of issuance of the Class-I permit for each such previously existing, legally permitted and legally constructed sign, the effective date of its Class-I permit shall be November 21, 1991. Upon issuance of the Class-

I permit, all previous permits shall expire. Following the granting of a Class-I permit by way of this conversion process, all signs shall comply with all provisions of these Development Standards. Any sign that did not at the time of conversion meet the locational or size requirements of these Development Standards may not be altered unless it is brought into complete conformance with these Development Standards.

C. Regulations for Class-II Kiosk Signs

A "Class-II Temporary Cooperative Off-premises Development Directional Sign" (Class-II Kiosk Sign) is a sign that directs potential buyers or renters to more than one real estate project offering lots, buildings or dwellings for sale or rent. Where specifically approved by the Governing Body a Class-II sign may also direct travelers to public and semi-public uses, such as government buildings, recreation facilities, hospitals, and airports. A Class-II Kiosk Sign is intended to serve multiple developments for a period of time longer than would be needed for a single project, with the names and directional symbols changed from time to time during the life of the sign. A Class-II Kiosk Sign is different from a Class-IV Master Development Sign in that a Class-II Sign is a temporary marketing sign, whereas a Class-IV Sign is a permanent display of a name or emblem.

1. Location

- a.** Prior to installation, the location of each Class-II sign must be submitted to and approved by the Governing Body Traffic Engineer, and in the instance of a sign to be installed in a Governing Body-owned or maintained landscaped area, also by the Governing Body Parks Superintendent.
- b.** No Class-II Kiosk Sign may be located on a lot within a residential subdivision, located within 50 feet of any other Class-II Kiosk Sign, located within 100 feet of any Class-III Off-premises Sign or located within 100 feet of any Class-X through Class-XXI on-premises sign. For the purposes of this section, a residential subdivision lot is one that is less than one acre. A residentially planned or zoned parcel larger than one acre may contain a Class-II sign, and that sign may remain on the lot following the recording of a subsequent subdivision map that creates lots smaller than one acre until occupancy of the first lot of that subsequent subdivision. That first occupied lot need not be the specific lot on which the sign is constructed.

2. Size

The size of each Class-II sign shall be as approved by Governing Body through master sign plan or through a kiosk sign contract.

3. Setbacks

Except where a revocable permit has been authorized by the Governing Body for a sign to occupy space within a

public right-of-way, Class-II signs shall be set back a minimum of 3 feet from all existing and future street rights-of-way.

4. Life of Permit; Lapse of Approval

Unless otherwise expressly approved by the Governing Body, a Class-II sign permit shall have a life of 5 years. Unless the Class-II permit is reissued, the off-premises sign for which it was issued shall be removed 5 years from the date of issuance of its Class-II permit. The Class-II permit for an off-premises sign may be reissued for succeeding periods not to exceed 5 years if the following conditions exist:

- a. The expiring permit must be at least 4 years and 9 months old at the time of application for each reissuance.
- b. The permit applicant must be an appropriately licensed sign contractor and must present all exhibits and fees required for a new Class-II permit.
- c. The subject off-premises sign must have been in the permitted location and must have been maintained in accordance with the requirements of these Development Standards during the entire life of the expiring permit.
- d. The subject off-premises sign must meet all of the requirements of these Development Standards and all other applicable sign regulations for a new sign in the subject location. If any condition exists that would prohibit a new Class-II Kiosk Sign from being permitted at the subject location, the expiring Class-II permit shall not be reissued.

5. Permit Number and Address

The permit number, permit issuance and expiration dates, permittee's name and telephone number, and the sign's address as assigned by the Governing Body shall be indicated on a 4-inch by 6-inch plate, or other approved substitute, installed so as to be readily accessible and readable, approximately 6 feet above the adjacent ground surface; on every Class-II off-premises sign erected in accordance with the provisions of this section. The display shall also identify the sign's owner.

6. Reverse Side of Sign Treatment

The structural members of all Class-II signs and the reverse side of each single-faced sign shall be painted to match the framework of the face.

D. Class-III Temporary Directional Signs

A "Class-III Temporary Individual Off-Premises Development Directional Sign" (Class-III Temporary Directional Sign) is intended to serve only the short-term customer directing needs of its respective development, and is not envisioned to be a semi-permanent directional sign post for a greater number of projects. Included in this definition is the original message and graphics on the face of the sign. Removing, adding to or altering the message

or graphics of the sign shall be considered as removing, adding to or altering the sign itself. This is distinguished from Class-I Signs and Class-II Kiosk Signs that are contemplated by this chapter to employ changeable messages and graphics. Also included in this definition are angle iron-mounted and similarly constructed weekend directional signs that are typically placed along roadsides. Such weekend directional signs shall be used to direct traffic to residential projects only, and shall not be employed for nonresidential purposes of any kind.

1. Number Allowed

- a. Except for weekend directional signs, a maximum of 6 Class-III Temporary Directional Signs may be permitted for each separately identified project offering either lots, buildings or dwellings for sale or lease. Where 2 or more developments are advertised on a single sign structure, that sign shall count as one sign against the 6 allowable signs for each development. A sign structure may have multiple faces; however, a single sign structure shall count as only one sign against the 6 allowable signs for each development, regardless of the number of faces advertising the same developments on that sign structure.
- b. Until January 1, 2000, a maximum of 60 weekend directional signs may be permitted; provided, however, that no such sign shall be installed unless it has been approved as a part of a master weekend directional sign plan. Beginning January 1, 2000, weekend directional signs shall be prohibited.

2. Size and Form

- a. Except for weekend directional signs, the maximum size of any Class-III Temporary Directional Sign shall be 64 square feet. The measurement of the size of a sign shall include all surfaces and faces containing messages, arrows and graphics, including the structural framework if it contains messages or graphics.
- b. The maximum size of weekend directional signs shall be 3 square feet. Such signs shall be made of plastic or shall be of some other weather-resistant material approved by the Director, and shall be attached to a single metal stake. Signs mounted on wooden stakes are prohibited.

3. Height

- a. Except for weekend directional signs, the maximum height of any Class-III Temporary Directional Sign shall be 20 feet.
- b. The maximum height of weekend directional signs shall be 48 inches above the nearest street curb, except that within 50 feet of any street intersection or driveway opening the maximum height shall be 32 inches above the nearest street curb. Where no curb exists, the maximum height of weekend

directional signs shall be measured from the edge of the adjacent traveled way.

4. Location

- a. Except for weekend directional signs, no part of any Class-III Temporary Directional Sign may be placed within, or overhang any area closer than 15 feet to any curb. Where no curb exists, the street right-of-way line shall be identified as required by the Director of Building and Safety, and except for weekend directional signs, no portion of the sign may be placed within, or overhang any area closer than 10 feet to the right-of-way.
- b. Except for weekend directional signs, no Class-III Temporary Directional Sign may be located on a lot within a residential subdivision, within 100 feet of any residence, or within 100 feet of any other Class-III Temporary Directional Sign, Class-I, Class-II, Class-IV off-premises sign or on-premises sign. For the purposes of this section, a residential subdivision lot is one that is less than one acre. A residentially planned or zoned parcel larger than one acre may contain a Class-III sign, and that sign may remain on the lot following the recording of a subsequent subdivision map that creates lots smaller than one acre until occupancy of the first lot of that subsequent subdivision. That first occupied lot need not be the specific lot on which the sign is constructed.
- c. Except for weekend directional signs, within 200 feet of any freeway-limited access, controlled access arterial or primary arterial as defined on the master streets and highways plan, the minimum distance between Class-III signs and all other off-premises and on-premises signs, except Class-V Temporary Election Signs, shall be 300 feet.
- d. The maximum distance for placement of any weekend directional sign from its respective project shall be 1.5 miles. Such 1.5-mile distance shall be measured along a radial line whose axis shall be located at a single point on the subject property, such point to be determined by the permit applicant. The minimum spacing between weekend directional signs for any one project shall be 300 feet, except that two signs may be installed side-by-side for each required turning movement at each intersection or driveway where traffic is being directed to turn. The minimum distance for installation of a Weekend Directional Sign from a Class-II Kiosk sign shall be one-half mile (measured on a radial).

5. Life of Permit; Lapse of Approval

A Class-III permit for a sign advertising buildings or apartments for lease shall expire 180 days following issuance of the final lease unit certificate of occupancy for

the project, or 2 years after issuance of the Class-III permit, whichever is sooner. A Class-III permit for a sign advertising buildings or apartments for sale shall expire 10 days following closure of the project sales office, or 2 years after issuance of the Class-III permit, whichever is sooner. Unless the Class-III sign permit is reissued, an off-premises development directional sign shall be removed upon expiration of its Class-III permit. The Class-III Temporary Directional Sign permit for an off-premises development directional sign may be reissued if the following conditions exist:

- a. The permit applicant must be an appropriately licensed sign contractor and must present all exhibits and fees required for a new Class-III permit.
- b. The subject off-premises sign must have remained unaltered in the permitted location and must have been maintained in accordance with the requirements of these Development Standards during the entire life of the expiring permit.
- c. The subject off-premises sign must meet all of the requirements of these Development Standards and all other applicable sign regulations for a new sign in the subject location. If, at the time of application for reissuance, any condition exists that would prohibit a new Class-III Temporary Directional Sign from being permitted at the subject location, or if the existing sign has not been maintained in like-new condition, the expiring Class-III permit shall not be reissued.

No weekend directional sign shall be installed before 6:00 p.m. on Friday, and all such signs shall be removed by 6:00 a.m. on Monday (6:00 a.m. Tuesday if the local jurisdiction is closed on Monday due to a holiday).

6. Reverse Side of Sign Treatment

Except for weekend directional signs, the structural members of all Class-III signs and the reverse side of each single-faced sign shall be painted to be compatible with the background surrounding it. Unless otherwise approved by the Director, for the purposes of this section tan and light brown colored paints shall be considered compatible. All Class-III Off-premises Signs shall comply with this standard or be considered in violation of these Development Standards and removed.

7. Permit Number and Address

The permit number, permit issuance and expiration dates, permittee's name and telephone number, and the sign's address as assigned by the Governing Body shall be indicated on a 4-inch by 6-inch plate, or other approved substitute, installed so as to be readily accessible and readable, approximately 6 feet above the adjacent ground surface, on every Class-III Off-premises Sign erected in accordance with the provisions of this section. The display shall also identify the sign's owner. Weekend directional signs are exempt from this requirement.

E. Class-IV Master Development Signs

A "Class-IV Off-Premises Master Development Sign" (Class-IV Master Development Sign) is a sign that identifies, embellishes or directs visitors to a planned community or large aggregate body of developments. A Class-IV Master Development Sign is generally a permanent project emblem or identity sign, whereas a Class-II Sign is a marketing sign of a more temporary nature.

1. Master Sign Plan Required

Class-IV Master Development Signs are anticipated to include long-term development directional, and long-term neighborhood and community identification signs, that do not fall into either the Class-II or Class-III categories. No Class-IV sign shall be erected unless first approved by the Governing Body as a part of a Master Sign Plan, in accordance with Sec. 2.13.

2. Number Allowed

The number of signs allowed shall be as prescribed by the approved Master Sign Plan.

3. Size

The size of signs allowed shall be as prescribed by the approved Master Sign Plan.

4. Height

The maximum height of signs allowed shall be as prescribed by the approved Master Sign Plan.

5. Location

The location of all Class-IV signs shall be as prescribed by the approved Master Sign Plan, except that no Class-IV sign shall be allowed to visually block any area from a height of 32 inches above the curb to 108 inches above the curb within a street right-of-way, or within the area 15 feet behind the street curb-line. Where no curb exists, the street right-of-way line shall be identified with markers placed there by a Nevada professional land surveyor.

6. Life of Permit; Lapse of Approval

Unless otherwise specified in the approval of its Master Sign Plan, a Class-IV sign permit shall have no time limit. If a time limit is imposed on any Class-IV sign as a part of the approval of its Master Sign Plan, the subject sign shall be removed upon expiration of its permit. Extensions of time for expiring Class-IV permits may be granted administratively by the Director, based upon the Director's determination that the sign does not present a nuisance or in any other way deter from the appearance of the neighborhood, and upon the owner's record of past maintenance and upkeep of the sign, or at the Director's option, the extension request may be treated as an amendment to the Master Sign Plan and forwarded to the Planning Commission and Governing Body for review and final determination.

7. Reverse Side of Sign Treatment

The reverse side of a single-faced sign shall be finished as prescribed by the approved Master Sign Plan. If not specified in the Master Sign Plan the structural members

of all Class-IV signs and the visible reverse side of each single-faced sign shall be painted to be compatible with the background surrounding it. Unless otherwise approved by the Director, for the purposes of this section tan and light brown colored paints shall be considered compatible. All Class-IV Off-Premises Sign shall comply with this standard or be considered in violation of these Development Standards and removed.

8. Permit Number and Address

Unless otherwise approved by the Director of Building and Safety, the permit number, date of issuance and expiration, and address assigned by the Governing Body shall be indicated on a 4-inch by 6-inch plate, or other approved substitute, installed so as to be readily accessible and readable, approximately 6 feet above the adjacent ground surface, on every off-premises sign erected in accordance with the provisions of this section. The display shall also identify the sign's owner.

9. Conversion of Existing Sign Permit to Class-IV Permit

Each existing off-premises sign that existed on November 21, 1991 and which met the definition of a Class-IV off-premises sign and that was properly permitted, constructed, inspected and maintained shall be issued a Class-IV permit, and shall be allowed to remain in place for the life of the Class-IV permit; provided, that it is maintained in accordance with the provisions of these Development Standards. Upon issuance of the Class-IV permit, all previous permits shall expire. Following the granting of a Class-IV permit by way of this conversion process, all signs shall comply with all provisions of these Development Standards. Any sign that did not at the time of conversion meet the locational or size requirements of these Development Standards may not be altered unless it is brought into complete conformance with these Development Standards.

F. Class-V Temporary Election Signs

A "Class-V Temporary Election Sign" is an off-premises sign that advertises, promotes, supports or opposes a candidate, issue or ballot question to be decided in a scheduled election. This definition includes City, county and other public elections as well as elections of clubs, labor unions and other organizations not conducted by the City, county or state.

Commentary: Applicants should contact the Nevada Department of Transportation for information about placement of temporary signs along the public right-of-way.

1. Permit Required

Each candidate for political office and each organization or individual supporting a position on an issue or ballot question who places a Class-V Temporary Election Sign within the plan area must first obtain a permit to do so from the Director of Building and Safety. The fee for this permit shall be \$25 per candidate, issue or ballot

question, regardless of the number of signs placed. The purpose of the permit is to provide the Director of Building and Safety with the name and pertinent information about the campaign manager or party responsible for repair of damaged or hazardous signs, and to monitor and remove all unclaimed signs following the election. Signs placed without benefit of the proper permit shall be removed and impounded until the proper permit is obtained.

2. Size

The maximum size of a Class-V Temporary Election Sign shall be 18 square feet in residential land uses and 128 square feet in all other land uses, except that the size restriction is waived if a candidate or group supporting a position on a ballot question employs the use of a Class-I Off-Premises Sign.

3. Location

Placement in public rights-of-way is not prohibited; however, no Class-V Sign shall visually block any area within a street right-of-way, or block the area within 15 feet behind any street curb from a height of 32 inches above the curb to 108 inches above the curb. Where no curb exists, the 15-foot measurement shall be made from the edge of the street pavement. Where no pavement exists, measurement shall be made from the edge of the traveled way.

4. Time Allowed; Removal

Class-V Signs supporting a candidate for office may be installed on or after January 1 of the year in which the election for that candidate or ballot question occurs. Each Class-V Temporary Election Sign must be removed by the permittee within 5 days of the election in which the office, issue or ballot question is decided. Any Class-V Temporary Election Sign found to be in violation of the provisions of these Development Standards must be brought into conformance by the permittee upon notification by the Director of Building and Safety. If the permittee fails to make appropriate corrections in a timely manner, the Director of Building and Safety shall remove or cause to have removed any signs in violation and shall impound those signs until the permittee can make the necessary corrections. Following the election in which the subject office, issue or ballot question is decided, all unclaimed temporary election signs shall become the property of the Governing Body and shall be disposed of at the discretion of the Governing Body.

G. Temporary Off-Premises Special Event Signs

Off-premises special event signs advertising or pertaining to a special event of general public interest taking place within the plan area may be authorized by the Director upon determination that such signs will not conflict with the general purpose of these Development Standards. Such signs, when permitted, shall not be installed prior to 7 days before, and shall be removed within 24 hours after the event. Requests for permits shall include a

description of the event including place and duration, a depiction of the signs, a depiction of sign placement in relation to pedestrian and vehicle traffic, and a map showing all proposed sign locations.

10.4 On-Premises Signs

A. Applicability

The regulations of this subsection apply to all nonexempt on-premises signs. The standards for individual signs may be modified by a Master Sign Plan or Sign Variance.

B. Setbacks for On-Premises Signs

No portion of any on-premises sign shall project over any existing or future public right-of-way unless the projection is approved in a Master Sign Plan and the property owner obtains a revocable encroachment permit from the jurisdiction governing the right-of-way. Except for blade signs over pedestrian walkways, no sign taller than 32 inches shall be installed within 15 feet of a street or driveway curb. If no curb exists, the distance shall be measured from the edge of pavement for private drives and parking areas, and from the right-of-way line for a public street. Blade signs over pedestrian walkways must maintain 80 inches of vertical clearance.

Except for directional/informational signs or as otherwise approved in a Master Sign Plan, no on-premises sign shall be installed within 5 feet of a side or rear property line. A sign may be approved for placement within 5 feet of a side or rear property line through a Master Sign Plan if it serves adjacent properties.

C. Class-X Exterior, Fixed On-Premises Signs.

"Class-X Exterior, Fixed On-Premises Sign" (Class-X On-Premises Sign) is any sign that is constructed, painted, hung or otherwise permanently affixed outside a building, or that is affixed inside a building, but is viewable from a public right-of-way, and draws attention to or identifies a business, product or service available on the premises. This definition does not include fabric signs, flags, banners or signs that are temporary in nature such as signs advertising occasional sales or promotions.

1. Maximum Number

- a.** No freestanding Class-X On-Premises Sign shall be constructed within 100 feet of any existing freestanding Class-X On-Premises Sign on the same site, or within 40 feet of any freestanding sign on a neighboring site. For the purposes of this section, a sign for which a permit has been issued shall be considered an existing sign. The minimum required distance shall be measured in a straight line without regard to intervening structures, streets or other physical features.
- b.** No freestanding Class-X Sign shall occupy the same frontage as a projecting sign.

- c. In C and I districts, one freestanding Class-X Sign not exceeding 100 square feet shall be permitted on each frontage, as follows:

Frontage (feet)	Number of Class-X Freestanding Signs
Less than 250	1
250 or more	1 per 250 feet of frontage

- d. Unless otherwise approved by Master sign plan, in all other districts one freestanding Class-X Sign not exceeding 100 square feet shall be permitted per frontage.

2. Landscaped Barriers

Unless an alternate method of providing traffic and pedestrian safety is approved through Master Sign Plan, each freestanding sign shall be placed within a landscaped area extending a minimum of 4 feet from the sign in each direction. Such measurement shall begin at the sign base or at the edge of any overhang within 20 feet of the ground, whichever requires the greater barrier.

3. Height

For height purposes only, setbacks for freestanding Class-X Signs shall be measured from the back of curb, not property lines. Where no curb exists the measurement shall be made from the edge of pavement or traveled way. On Las Vegas Boulevard and Lake Mead Drive the measurement shall be from the paved edge of the primary thoroughfare. Frontage roads may lie within the setback. Height shall be measured from sign base; provided, that if the ground at the base is augmented in a manner that adds height to the sign and not the surrounding buildings the height shall be measured from the nearest paved travel way.

a. C and I Land Use Categories (Except NC-CN)

In all C and I land use categories, except NC-CN, unless otherwise approved by Master Sign Plan, no freestanding Class-X Sign may exceed 32 inches in height within 15 feet of a street curb. Beginning at the 15-foot setback behind the curb a freestanding sign may be 15 feet high and may increase 1 foot in height for each additional 1 foot of setback to a maximum of 40 feet.

Freestanding Class-X Center Identification Signs in commercial centers containing an excess of 1 million square feet of leased building floor area may exceed 40 feet, subject to approval of a Master Sign Plan and subject to the 1:1 height-to-setback requirements of this chapter; provided, however, that no sign shall exceed 100 feet in height.

b. NC-CN Land Use Category

In the NC-CN land use category, unless otherwise approved by Master Sign Plan, no freestanding Class-X Sign may exceed 32 inches in height within 15 feet of a street curb. Beginning at the 15-

foot setback behind the curb a freestanding Class-X Sign may be 15 feet high and may increase 1 foot in height for each additional foot of setback to a maximum of 20 feet.

c. All Other Land Use Categories

In all other land use categories (other than C or I) freestanding signs shall be allowed for project identification only when the Planning Commission finds that other sign types and advertising media cannot adequately aid passersby in safely entering projects from adjacent thoroughfares. One freestanding Class-X Sign shall be permitted per project entrance and that sign shall be no larger than needed to provide adequate safe entrance identification. In areas not planned with a C or I prefix all freestanding signs must be included in a Master Sign Plan approved by the Planning Commission. Unless otherwise approved by Master Sign Plan, no freestanding sign may exceed 32 inches in height within 15 feet of a street curb. Beginning at the 15-foot setback behind the curb a freestanding sign may not exceed 10 feet in height.

4. Size

a. All Other Categories

In all other land use categories (other than C or I) freestanding signs shall be allowed for project identification only when the Planning Commission finds that other sign types and advertising media cannot adequately aid passersby in safely entering projects from adjacent thoroughfares. One freestanding Class-X Sign shall be permitted per project entrance and that sign shall be no larger than needed to provide adequate safe entrance identification. In areas not planned with a C or I prefix all freestanding signs must be included in a Master Sign Plan approved by the Planning Commission. Unless otherwise approved by Master Sign Plan, no freestanding sign may exceed 32 inches in height within 15 feet of a street curb. Beginning at the 15-foot setback behind the curb a freestanding sign may not exceed 10 feet in height.

b. Frontage Calculations

- (1) Where a parcel abuts only one street, the full length of the street frontage shall be calculated.
- (2) Where a parcel abuts more than one street, neither of which is 80 feet or greater in width, only the side with longest frontage shall be calculated.
- (3) Where a parcel abuts multiple streets, only one of which is an 80-foot or wider arterial, only the frontage along 80-foot or wider arterial shall be calculated.

- (4) Where a parcel abuts multiple streets, more than one of which is an 80-foot or wider arterial, the total frontages along those 80-foot or larger arterials only shall be calculated.

c. **Sign Area**

The maximum area of signage per site shall be as follows:

- (1) C Land Use Categories, Except Limited and Nonrestricted Gaming: 3 square feet total sign area per lineal foot of frontage, of which no more than one-third may be used for freestanding Class-X Signs.
- (2) Limited and Nonrestricted Gaming: 8 square feet total sign area per lineal foot of frontage, of which no more than one-third may be used for freestanding signs. All casinos require Master Sign Plan.
- (3) I Land Use Categories: 1 square foot total sign area per lineal foot of frontage, of which no more than one-third may be used for freestanding signs.
- (4) PS Land use Categories: As specified by the Master Sign Plan approved in accordance with the Policy statement of this subsection, except that churches, schools, parks and publicly owned institutions shall be permitted one freestanding monument sign no larger than 50 square feet and wall signage of up to 50 square feet without a Master Sign Plan, subject to all setback and other design restrictions of these Development Standards.
- (5) R Land Use Categories: 1 square foot total sign area per each 5 lineal feet of frontage, subject to with the Policy statement of this subsection.

d. **Display Surface**

Unless otherwise approved by Master Sign Plan, no freestanding Class-X Sign shall have a display surface greater than 100 square feet, except for an embellishment that shall not extend beyond the primary message surface more than 2 feet or exceed 10 square feet of additional surface. Regardless of an applicant's request for Master Sign Plan, except for limited gaming and nonrestricted gaming establishments the aggregate total area of all freestanding signs for a business or project shall not exceed 1 square foot per lineal foot of site frontage. The ratio of freestanding to all other Class-X Signs for limited and nonrestricted gaming establishments shall be as specified in an approved Master Sign Plan.

5. **Life of Permit; Lapse of Approval**

A Class-X Sign permit shall have an initial life of 20 years. Unless the Class-X permit is reissued, the sign for which it was issued shall be removed at the owners' expense upon expiration of its permit. The Class-X permit for an on-premises sign may be reissued for succeeding periods not to exceed 10 years from the date of reissuance if the following conditions exist:

- a. The expiring permit must be at least 19 years old for the first reissuance and 9 years old for each succeeding reissuance.
- b. The permit applicant must be an appropriately licensed sign contractor and must present all exhibits and fees required by the Director of Building and Safety.
- c. The subject sign must have been in the permitted location and must have been maintained in accordance with the requirements of these Development Standards during the life of the expiring permit.
- d. The subject sign must meet all requirements of these Development Standards and all other applicable sign regulations for a new sign in the subject location. If any condition exists that would prohibit a new Class-X Sign from being permitted at the subject location, the expiring Class-X permit shall not be reissued.

6. Address

Each freestanding Class-X Sign shall exhibit the address of its subject business or commercial center. The address shall be painted or otherwise affixed, either on the message board, or on the supporting structure in a manner that can readily be seen and interpreted by drivers on the adjacent street at the posted speed. Unless otherwise approved by Master Sign Plan, freestanding signs within 50 feet of the street curb shall employ minimum 6-inch high letters with a 1.25-inch stroke. This requirement is intended to reduce safety hazards caused when drivers slow in traffic to search for destinations. Address posting on all other freestanding signs, or any alternate exhibition methods that achieve equal or greater driver safety shall be as approved by Master Sign Plan.

D. Class-XI Interior, Fixed On-Premises Signs

A "Class-XI Interior, Fixed On-Premises Sign" is any sign that is constructed, painted, hung or otherwise permanently affixed within a building and not viewable from a public right-of-way, and that draws attention to or identifies a business, product or service available on the premises. This definition does not include fabric signs, flags, banners or signs that are temporary in nature such as signs advertising occasional sales or promotions.

1. Class-XI Interior Fixed On-Premises Signs that are incidental product or promotional displays, or that cannot be viewed from a public right-of-way, are exempt from the requirements of these Development Standards except

that prior to installation, their specifications shall be submitted for Building Department review and all required permits must be obtained.

2. Class-XI Interior Fixed On-Premises Signs that identify the occupant in a manner similar to an exterior sign, and that can be viewed from a public right-of-way, shall be considered exterior signs and shall be subject to all restrictions applicable to Class-X Exterior, Fixed On-Premises Signs.

E. Class-XX Exterior, Fabric On-Premises Signs

A "Class-XX Exterior Fabric On-Premises Sign" is any sign, flag or banner that is constructed, hung or otherwise permanently affixed outside a building, or that is affixed inside a building, but is viewable from a public right-of-way, and draws attention to or identifies a business, product or service available on the premises. This definition includes flags, signs and banners primarily comprised of fabric or a similar material whose notable attribute is motion or flexibility, and that are flown or are suspended between supports. This definition does not include flags, banners or signs that are temporary in nature such as signs advertising occasional sales or promotions.

All Class-XX Exterior Fabric On-Premises Signs shall comply with the approved Design Review plan for the property on which they are installed. If there is no Design Review plan or if the approved Design Review plan does not include fabric signs, a Master Sign Plan shall be submitted and all Class-XX signs shall comply with the approved Master Sign Plan.

F. Class-XXI Interior, Fabric On-Premises Signs

A "Class-XXI Interior Fabric On-Premises Sign" is any fabric sign, flag or banner that is constructed, hung or otherwise permanently affixed within a building and not viewable from a public right-of-way, and that draws attention to or identifies a business, product or service available on the premises. This definition includes signs and banners primarily comprised of fabric or a similar material, whose notable attribute is motion or flexibility, and that are flown or are suspended between supports.

This definition does not include flags, banners or signs that are temporary in nature such as signs advertising occasional sales or promotions.

1. Class-XXI Interior Fabric On-Premises Signs that are incidental product or promotional displays are exempt from the requirements of these Development Standards, except that prior to installation their specifications shall be submitted for Fire Department review and shall meet the requirements of the Fire Marshal.
2. Class-XXI Interior Fabric On-Premises Signs that identify the occupant in a manner similar to an exterior sign, and that can be viewed from a public right-of-way shall count against any size, area or other restrictions applicable to the premises for all other exterior signs.

G. Class-XXX Temporary, Exterior On-Premises Signs

A "Class-XXX Temporary Exterior On-Premises Sign" is any sign, flag or banner that is temporarily constructed, hung, placed or otherwise affixed outside a building and that draws attention to or identifies a business, product or service available on the premises. This definition includes all signs, flags and banners that are temporary in nature such as signs advertising occasional sales or promotions and that are not permitted for permanent placement or have the functional effect of permanently placed signs.

Temporary exterior on-premises signs are prohibited, except as follows (Master Sign Plan is not required for Class-XXX signs as specified in this section):

1. Merchants' 90-Day Initial Promotion

Upon issuance of the initial business license for sales of products or for the provision of a service to the public, a proprietor may, without purchasing a sign permit, install temporary signs and banners for 90 days to announce the opening of the new business on the premises. This 90-day promotional sign period is a one time opportunity for product and service businesses and is not intended for use by residential or commercial rental agents or owners to market their available residential units or commercial or industrial lease space. Merchants seeking to take advantage of this ninety-day initial promotional sign allowance may do so without obtaining a sign permit; provided, however, that the type and mounting methods of any proposed temporary signs must be reviewed and approved by the Director of Building and Safety, and further provided that no such sign or banner shall be constructed or employed on the premises that presents a hazard to traffic or pedestrian safety.

2. Merchants' Temporary Promotions

After the 90-day period following issuance of the initial business license, except for window displays covering less than 40 percent of each window, proprietors licensed for sales of products or for the provision of a service to the public must obtain Planning Commission approval prior to installation, placement or other use of Class-XXX Temporary Exterior On-Premises Signs. The request for Governing Body approval shall specify the type of signs to be used, their location on the premises, installation date and date of removal. Applicants gaining Planning Commission approval must then submit plans and specifications and obtain sign permits as required by the Director of Building and Safety. Window displays covering less than 40 percent of each window are exempt from the permit, size and area restrictions of these Development Standards. This section is not intended for use in selling or leasing residential units or commercial or industrial space.

3. Temporary Promotional Signs for New Construction

A developer may employ temporary on-site promotional signs, in excess of permanent signs approved by Master Sign Plan, to advertise the sale or lease of an improved residential, commercial or industrial project, as follows:

a. Small Signs

One sign up to 32 square feet in size shall be exempt from permit requirements, provided it is constructed a minimum of 15 feet behind the curb, or 15 feet behind the travelled way where no curb exists. Additionally, one 16 square foot or smaller sign directing construction traffic shall be allowed per construction entrance and shall be exempted from permit requirements provided it is erected a minimum of 15 feet behind the curb, or 15 feet behind the traveled way where no curb exists.

b. Large Signs

For signs greater than 32 square feet in size, temporary promotional signs may consist of one or more wall or freestanding signs not to exceed a total aggregate area of 400 square feet or 16 square feet per acre, whichever is the lesser, one nongovernmental flag per acre not larger than 15 square feet per flag, 2 banners per project not larger than 48 square feet per banner, and one A-frame sign per project not larger than 32 square feet per side.

c. Time Periods

The temporary promotional sign period shall begin upon the Governing Bodies acceptance of street and utility public improvement bonds required for the project, and shall continue for a period not to exceed 180 days after issuance of the last certificate of occupancy for permitted structures. Following this temporary promotional sign period, all signs for residential projects not approved by Master Sign Plan shall be removed. For nonresidential projects, following this temporary promotional sign period all signs except those approved by Master Sign Plan or otherwise expressly authorized by this subsection shall be removed. Permits for all structures offered for sale or lease must be kept current. Permits for common buildings, fences, pools or other accessory structures shall not extend the temporary promotional sign period.

d. Additional Signage for New Construction

In addition to other temporary promotional signs allowed for new construction, during the temporary promotional sign period, a developer may increase signage by 50 percent from 6:00 p.m. Friday to 6:00 a.m. Monday (6:00 a.m. Tuesday if Monday is a state holiday).

All other on-premises temporary promotional signs for improved residential, commercial and industrial properties offered for sale or lease shall be as approved by Master Sign Plan.

3. **Residential, Commercial and Industrial "Land-Only" Sales or Leases, or Pre-Leases of Unconstructed Improvements**

A developer may employ temporary on-site promotional signs to advertise the sale or lease of an unimproved parcel of residential, commercial or industrial land, or to pre-lease unconstructed improvements as follows:

a. **Small Signs**

One 16-square foot or smaller sign for each parcel one gross acre or smaller shall be exempt from permit requirements, provided it is constructed a minimum of 15 feet behind the curb, or 15 feet behind the traveled way where no curb exists. One 32-square foot or smaller sign per parcel larger than one gross acre shall be exempt from permit requirements, provided it is constructed a minimum of 15 feet behind the curb, or 15 feet behind the traveled way where no curb exists.

b. **Large Signs**

For signs greater than the exempted 16 and 32 square feet specified above, the temporary promotional sign permit shall be valid for 1 year and shall be renewable subject to the sign meeting all structural, size and locational requirements applicable to new signs at the time of renewal. The maximum size of each such sign shall be 96 square feet. One such sign shall be permitted for each 250 linear feet of frontage, up to a maximum of 4 signs per frontage. No sign shall be placed within 15 feet of a street curb, or within 15 feet of the traveled way where no curb exists.

c. **All others**

All other on-premises temporary promotional signs for improved properties offered for sale or lease shall be as approved by Master Sign Plan.

5. **Temporary Promotional Signs for Sales or Leases of Existing Improved Commercial and Industrial Property**

A developer may employ temporary on-site promotional signs to advertise the sale or lease of an existing improved commercial or industrial project, including newly constructed projects beyond 180 days after issuance of the last certificate of occupancy as specified in this subsection, as follows:

a. **Small Signs**

One 32-square foot or smaller sign per project shall be exempt from permit requirements, provided it is constructed a minimum of 15 feet behind the curb, or 15 feet behind the traveled way where no curb exists.

b. Large Signs

For signs greater than 32 square feet the temporary promotional sign permit shall be valid for 1 year and shall be renewable subject to the sign meeting all structural; size and locational requirements applicable to new signs at the time of renewal. Permitted signs may consist of wall or freestanding signs not to exceed 400 square feet or 1 square foot per lineal foot of improved store front, whichever is the lesser. Where a building fronts on more than one street only the longer side shall be used to determine sign size. Where an available lease area consists of only a portion of a building, only that area available for lease shall be counted in determining the length of the store frontage.

c. Additional Signage

In addition to the signs listed above, during the temporary promotional sign period a developer may increase signage by 50 percent from 6:00 p.m. Friday to 6:00 a.m. Monday (6:00 a.m. Tuesday if Monday is a state holiday).

H. Class-XXXI Temporary, Interior On-Premises Signs

A "Class-XXXI Temporary Interior On-Premises Sign" is any sign, flag or banner that is temporarily constructed, hung, placed or otherwise affixed within a building and that draws attention to or identifies a business, product or service available on the premises. This definition includes all signs, flags and banners that are temporary in nature such as signs advertising occasional sales or promotions. Such signs must not require fasteners or electrical connections of a permanent nature, must not require permits for permanent placement, and must not have the functional effect of a permanent sign.

1. Class-XXXI Temporary Interior On-Premises Signs that are incidental product or promotional displays, or that cannot be viewed from a public right-of-way are exempt from the requirements of these Development Standards except that prior to installation their specifications shall be submitted for Building Department review and shall meet all requirements of the Director of Building and Safety and Fire Marshal.
2. Class-XXXI Temporary Interior On-Premises Signs that serve as business identification signs and can be viewed from a public right-of-way shall be considered exterior signs and shall be subject to all restrictions applicable to Class-XXX Temporary Exterior Signs.

10.5 Master Sign Plans

A. Purpose

The Master Sign Plan is the device required by these Development Standards to ensure an appropriate balance between building architecture, signage and neighborhood aesthetics. This chapter assumes that strict compliance with preceding sections of this chapter provides effective signage for smaller projects and meets community goals for appearance and safety. As projects grow in size, however, opportunities for effective signage other than as specified in these Development Standards increase. Larger sites and setbacks offer opportunities for better regulation of the number, size, proportion and balance of signs according to standards consistent with the types of establishments and their approved architecture. An effective Master Sign Plan should reduce visual screening of and by neighbors' signs and buildings. An effective Master Sign Plan should avoid clutter by providing an effective hierarchy of signage that encourages signs on buildings and utilizes central identification signage rather than multiple freestanding signs along roadsides. Master sign plans offer thematic design opportunities. By reducing clutter, effective Master Sign Plans allow consumers to more readily identify establishments offering goods and services to meet their needs, while addressing the community's need for attractive, unobtrusive architecture and commercial graphics.

B. Applicability

A Master Sign Plan is required for each of the following uses:

1. Gaming establishments;
2. Commercial center having a single tenant with 50,000 or more square feet;
3. Nonresidential developments on sites of 2½ acres or larger;
4. Developments with 6 or more nonresidential occupants;
5. Planned Unit Developments employing freestanding signs other than directional/informational signs greater than 32 square feet each or wall signs in excess of 100 square feet total;
6. Apartment projects of 36 units or more employing freestanding signs other than directional/informational signs greater than 32 square feet each or wall signs in excess of 100 square feet total; and
7. Any development whose signage requires, by Planning Commission or Governing Body action, coordination with its surrounding area or coordination with an approved Design Review.

C. Approval Procedure

The review and approval procedure for Master Sign Plans is set out in Sec. 2.

CHAPTER 11 NONCONFORMITIES

Reserved

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CHAPTER 12 VIOLATIONS AND ENFORCEMENT

Reserved

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CHAPTER 13 DEFINITIONS

13.1 Purpose and Applicability

The purpose of this chapter is to ensure precision in interpreting the provisions of these Development Standards. The meaning and construction of words and phrases defined in this chapter shall apply throughout these Development Standards except where the context clearly indicates a different meaning or construction. Sec. 6.1 contains definitions of specific land use types regulated in these Development Standards.

13.2 Terms Defined

Abandoned Vehicle

See HMC 8.80.050.

Abandoned Sign

Means a sign which no longer directs, advertises, or identifies a legal business establishment, product, or activity, or which lacks any required maintenance certification.

Abutting or Adjoining

Means having common district boundaries or lot lines or being immediately adjacent.

Access Road

Means a road designated on an approved grading plan and used during construction operations for the movement of grading equipment, hauling of fill material and for other traffic to and from the grading site.

Accessory Building

Means a building detached from a principal building and customarily used with, and clearly incidental and subordinate to, the principal building or use, and ordinarily located on the same lot with such principal building.

Accessory Structure

Means a structure detached from a principal building and customarily used with, and clearly incidental and subordinate to, the principal building or use, and ordinarily located on the same lot site or with such principal building.

Accessory Use

Means a use of land that is incidental to the principal permitted or conditionally permitted use on a site and is found on the same site or lot.

Acre, Gross. "Gross Acre"

Means a measure of land area (43,560 square feet). For purposes of calculating residential density or intensity of development, existing dedicated rights-of-way within a site and that portion of existing dedicated rights-of-way adjoining a site that is between the street or alley centerline and the site boundaries shall be included.

Action

Means an act to approve, approve with conditions, or to deny an application, based on whether the Final Map is consistent with the approved Tentative Map and whether it complies with the Development Code and all other applicable regulations.

Administrative Adjustment

Means minor deviations from otherwise applicable standards that may be approved by the Director.

Airport

Means either Henderson Executive Airport or McCarran International Airport.

Airport Approach Zone

Means the airport approach area, as defined in Federal Aviation Regulations Part 77, Surfaces.

Airport Authority

Means the Clark County Director of Aviation.

Airport Transition Zone

Means the land areas directly beneath the transition surfaces, as defined in Federal Aviation Regulations Part 77, Surfaces.

Airport Turning Zone

Means the land areas directly beneath the conical surface and the horizontal surface, as defined in Federal Aviation Regulations Part 77, Surfaces.

Alley

Means a minor public right-of-way permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting a street.

Alter

Means to make any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

Amendment

Means any addition, deletion, or revision of the text of this Code or any addition, deletion, or revision of the Official Land Use Map adopted by the Governing Body after public hearings.

Animal, Domestic. "Domestic Animal"

Means small animals of the type generally accepted as pets, including but not limited to dogs, cats, and fish, but not including roosters, ducks, geese, pea fowl, goats, sheep, hogs, or similar animals.

Animal, Exotic or Wild. "Wild Animal"

Means any wild animal not customarily confined or cultivated by humans for domestic or commercial purposes but kept as a pet or for display.

Animal, Large. "Large Animal"

Means an animal larger than the largest breed of dogs. This term includes horses, cows, and other mammals customarily kept in corrals or stables.

Animal, Small. "Small Animal"

Means an animal no larger than the largest breed of dogs. This term includes fish, birds, and mammals customarily kept in kennels.

Animated Sign

Means any sign which is designed to deliver a message through a sequence of progressive changes of parts or lights or degree of lighting.

Appeals

Means a procedure by which a decision, interpretation or enforcement action is brought from a lower decision making authority to a higher authority for determination.

Application for Subdivision or Development

Means the application form and all accompanying submittal documents and exhibits required of a applicant by an approving authority for review of site plans, conditional uses, subdivisions, planned developments, and other similar development or land use purposes.

Approval

Written notice by an authorized representative of the City of Henderson or Clark County approving the design, progress or completion of work.

Area

See "site."

Area of Sign

See "sign, area of."

Awning

Means a shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework. An awning is distinguished from a marquee in that a marquee is covered with rigid material. An awning is distinguished from a canopy in that an awning is cantilevered, whereas a canopy is supported by posts or other devices beyond the building wall.

Awning Sign

Means a sign painted on, printed on, or otherwise attached flat against the surface of an awning.

Back Lit Awning

See "electric awning sign."

Banners

See "flags and banners."

Basement

Means a space having one-half or more of its floor-to-ceiling height above the average level of the adjoining ground and with a floor-to-ceiling height of not less than 62 feet (as distinguished from a cellar which has less than one-half of its floor-to-ceiling height above the average level of the adjoining ground or has a floor-to-ceiling height of less than 62 feet).

Berm

Means, in the context of landscaping or bufferyard requirements, a mound of earth typically used to shield, screen, and buffer undesirable views and to separate potentially incompatible land uses.

Billboard

Means a Class-I off-premises sign.

Blade Sign

Means a projecting sign, generally 8 square feet or smaller in size, either lighted or unlighted, designed to be suspended from a canopy or to project from a wall or post above a walkway to aid pedestrians in locating store entrances.

Blockface

Means the properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse or city boundary.

Board of County Commissioners

Means the Board of County Commissioners of the County of Clark.

Building

Means any permanent structure built for the shelter or enclosure of persons, animals, chattels, or property of any kind, which is governed by the following characteristics:

- a. Is permanently affixed to the land;
- b. Has one or more floors and a roof; and
- c. Is bounded by either open space, yards, or the lot lines of a lot.

Building, Principal

Means the building or structure on a lot used to accommodate the primary permitted use, such use possibly occurring in more than one building or structure

Building Mass

Means the three-dimensional bulk of a building: height, width, and depth.

Building and Safety, Director

Means the director of building and safety.

Buffer/Buffer Yard

Means open spaces, landscaped areas, fences, walls, berms, or any combination thereof, used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.

Canopy, Building

Means a rigid, multi-sided structure covered with fabric, metal, or other Material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities.

Canopy, Freestanding

Means a rigid, multi-sided structure covered with fabric, metal, or other Material and supported by columns or posts embedded in the ground at other points or extremities.

Canopy Sign

Means a sign affixed or applied to the exterior facing surface or surfaces of a canopy.

Caretaker's Quarters

Means a dwelling unit on the site of a commercial, industrial, public, or Semipublic use, occupied by a guard or caretaker.

Changeable Sign

Means a sign whose informational content is changed or altered manually, electrically, electronically, or electro-mechanically. Changeable signs include the following types:

- a. Manually activated: signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.
- b. Electrically activated: signs whose alphabetic, pictographic or symbolic informational content can be changed or

altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:

- (1) Fixed Message Electronic Signs: Signs Whose Basic Informational Content has been preprogrammed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.
- (2) Computer Controlled Variable Message Electronic Signs: Signs Whose informational content can be changed or altered by means of computer driven electronic impulses.

Character

Means those attributes, qualities, and features that make up and distinguish a development project and give such project a sense of purpose, function, definition, and uniqueness.

City

Means the City of Henderson.

Class-I Off-premises Sign

Means any sign which advertises products or services which are not sold on the premises upon which the sign is constructed. This definition does not include temporary election signs, temporary directional or master development signs, as defined below. For the purposes of this definition a sign shall be considered an off-premises sign only if no other structure except a fence exists on the lot, and a structure shall be considered an existing structure upon issuance of its building permit. Upon construction of a structure on the premises a Class-I sign shall be considered a non-conforming Class-X On-Premises Sign.

Class-II Temporary Cooperative Off-premises Development Directional Sign

Means an off-premises sign which directs potential buyers or renters to more than one real estate project offering lots, buildings, or dwellings for sale or rent. A Class-II co-op sign is intended to serve multiple developments for a period of time longer than would be needed for a single project, with the names and directional symbols changed from time to time during the life of the sign. A Class-II co-op sign is different from a Class-IV master development sign in that a Class-II sign is a temporary marketing sign, whereas a Class-IV sign is a permanent display of a name or emblem.

Class-III Temporary Individual Off-premises Development Directional Sign

Means an off-premises sign intended to serve only the short-term customer directing needs of its respective development, not envisioned to be a semi-permanent directional sign post for a greater number of projects. Included in this definition is the original message and graphics on the face of the sign. Removing, adding to, or altering the message or graphics of the sign shall be

considered as removing, adding to, or altering the sign itself. This is distinguished from Class-I signs and Class-II co-ops, which are contemplated by this chapter to employ changeable messages and graphics. Also included in this definition are angle iron-mounted and similarly constructed weekend directional signs, which are typically placed along roadsides. Such weekend directional signs shall be used to direct traffic to residential projects only, and shall not be employed for nonresidential purposes of any kind.

Class-IV Off-premises Master Development Sign

Means an off-premises sign which identifies, embellishes, or directs visitors to a planned community or large aggregate body of developments.

Class-V Temporary Election Sign

Means an off-premises sign which advertises, promotes, supports, or opposes a candidate, issue, or ballot question to be decided in a scheduled election. This definition includes city, county, and other public elections as well as elections of clubs, labor unions, and other organizations which are not conducted by the city, county, or state.

Class-X Exterior Fixed On-premises Sign

Means any sign which is constructed, painted, hung, or otherwise permanently affixed outside a building, or which is affixed inside a building, but is viewable from a public right-of-way, and draws attention to or identifies a business, product, or service available on the premises. This definition does not include fabric signs, flags, banners, or signs which are temporary in nature such as signs advertising occasional sales or promotions.

Class-XI Interior Fixed On-premises Sign

Means Any Sign Which Is Constructed, Painted, Hung, or Otherwise Permanently affixed within a building and not viewable from a public right-of-way, and which draws attention to or identifies a business, product, or service available on the premises. This definition does not include fabric signs, flags, banners, or signs which are temporary in nature such as signs advertising occasional sales or promotions.

Class-XX Exterior Fabric On-premises Sign

Means any sign, flag, or banner which is constructed, hung, or otherwise permanently affixed outside a building, or which is affixed inside a building, but is viewable from a public right-of-way, and draws attention to or identifies a business, product, or service available on the premises. This definition includes flags, signs, and banners primarily comprised of fabric or a similar material whose notable attribute is motion or flexibility, and which are flown or are suspended between supports. This definition does not include flags, banners, or signs which are temporary in nature such as signs advertising occasional sales or promotions.

Class-XXI Interior Fabric On-premises Sign

Means any fabric sign, flag or banner which is constructed, hung or otherwise permanently affixed within a building and not viewable from a public right-of-way, and which draws attention to or identifies a business, product, or service available on the premises. This definition includes signs and banners primary comprised of fabric or a similar material, whose notable attribute is motion or flexibility and which are flown or are suspended between supports. This definition does not include flags, banners, or signs which are temporary in nature such as signs advertising occasional sales or promotions.

Class-XXX Temporary Exterior On-premises Sign

Means any sign, flag, or banner which is temporarily constructed, hung, placed or otherwise affixed outside a building and which draws attention to or identifies a business, product, or service available on the premises. This definition includes all signs, flags, and banners which are temporary in nature such as signs advertising occasional sales or promotions and which are not permitted for permanent placement or have the functional effect of permanently placed signs.

Class-XXXI Temporary Interior On-premises Sign

Means any sign, flag, or banner which is temporarily constructed, hung, placed, or otherwise affixed within a building and which draws attention to or identifies a business, product, or service available on the premises. This definition includes all signs, flags, and banners which are temporary in nature such as signs advertising occasional sales or promotions. Such signs must not require fasteners or electrical connections of a permanent nature, must not require permits for permanent placement, and must not have the functional effect of a permanent sign.

Clearance, Sign

See "sign clearance."

Clearing

Means the substantial removal of vegetation.

Community Vantage Point

Means the intersection of any arterial identified on the City of Henderson Master Street and Highways Plan with Lake Mead Drive, the intersection of any arterial identified on the City of Henderson Master Street and Highways Plan with US 93-95, the intersection of Lake Mead Drive with US 93-95, or the intersection of any two arterial streets identified on the Master Streets and Highways Plan. As applied to hillside regulations, community vantage points are characterized by higher traffic volumes, generally have clear views of the mountains and are easy to identify. The intersections also allow for larger concentrations of residents and visitors to view the natural scenic beauty of the mountains.

Compatible or Compatibility

Means the characteristics of different uses, activities, or design that allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access, and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor, and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

Complete Application

Means an application for development approval or permit that has been submitted in the required format, including all mandatory information and accompanied by the established fee.

Comprehensive Plan

Means the master plan of the South Enterprise/ South Henderson Land use Plan, as amended.

Conditional Use Permit

Means a discretionary approval process for uses with unique or widely varying operating characteristics or unusual site development features.

Conditionally Permitted

Means permitted subject to approval of a conditional use permit or temporary use permit.

Connecting Walkway

Means:

- a. Any street sidewalk, or
- b. Any walkway that directly connects a building entrance to the street sidewalk, and connects other origins and destinations for pedestrians, including but not limited to commercial establishments, schools, parks, dwellings, work places, and transit stops, without requiring pedestrians to walk across parking lots or driveways, around buildings, or follow parking lot outlines which are not aligned to a logical route.

Construction Sign

Means a temporary sign identifying the persons, firms, or businesses directly connected with a construction or development project.

Council

Means the City Council of the City of Henderson.

County

Means the County of Clark.

Court

Means an open space of prescribed dimensions opposite a required window of a habitable room in a multifamily dwelling that is unobstructed by structures and open to the sky, except as otherwise provided in this title.

Coverage, Lot or Site

Means the percentage of a site covered by roofs, soffits, or overhangs and by decks more than 30 inches in height.

Curb

Means a stone, concrete, or other improved boundary usually demarcating the edge of a roadway, parking lot, or other paved area.

Cut Slope

Means the exposed ground surface resulting from the excavation of material from the natural terrain.

Decision-making Body

Means the entity (typically board of county commissioners, city council, planning commission or staff) that is authorized to finally approve or deny an application or permit required under these Development Standards.

Deck

Means a platform, either freestanding or attached to a building, that is supported by pillars or posts.

Density

Means the number of dwelling units for each acre of land. Density is calculated by dividing the number of dwelling units on a lot by the gross area (in acres) of the site on which the dwelling units are located. For purposes of calculating residential density, dedicated rights-of-way within a site and that portion of existing dedicated rights-of-way adjoining a site that is between the street or alley centerline and the site boundaries shall be included.

Depth

Means the horizontal distance between the front and rear property lines of a site measured along a line midway between the side property lines.

Desert Conservation Plan

Means the Clark County Desert Conservation Plan approved and adopted by the Board of County Commissioners on June 21, 1994, and as thereafter modified.

Desert Tortoise

Means an animal species known as *Gopherus agassizii*.

Detached Sign

See "freestanding sign."

Developed Residential District

Means a district zoned primarily for residential use in which at least one completed residential unit has been constructed on the date that the petitioner files a petition pursuant to this section.

Developer

Means the legal or beneficial owner or owners of a lot or of any land included in a proposed development, including the holder of an option or contract to purchase or other persons having enforceable property interests in such land.

Development

Means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, but shall not include the dividing of land into two or more parcels (see "subdivision" below).

a. The term "development" shall include:

- (1) Any construction, placement, reconstruction, alteration of the size, or material change in the external appearance of a structure on land;
- (2) Any change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on a tract of land or a material increase in the intensity and impacts of the development;
- (3) Any change in use of land or a structure;
- (4) Any alteration of a shore or bank of a river, stream, lake, pond, reservoir, or wetland;
- (5) The clearing of land as an adjunct of construction;
- (6) The commencement of drilling (except to obtain soil samples) mining, stockpiling of fill materials, filling, or excavation on a parcel of land;
- (7) The deposit of refuse, solid or liquid waste, or fill on a parcel of land; and
- (8) The installation of landscaping within the public right-of-way when installed in connection with the development of adjacent property.

b. The term "development" shall not include:

- (1) Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way;
- (2) Work by any utility and other entity or persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing, on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like;
- (3) A change in the ownership or form of ownership of any parcel or structure; and
- (4) Creation or termination of rights of access, easements, or covenants concerning development of land, or other rights in land.

Development Permit

Means an on-site or off-site permit issued by the Governing Body which authorizes the development of a parcel of land which has not previously been in accordance with all applicable ordinances, including, but not limited to, building permits and grading permits issued by the Governing Body and dust permits for construction activities issued by the Clark County Health District. Demolition permits and temporary power permits do not constitute a development permit.

Director

Mean either the City of Henderson Community Development Director or the Clark County Planning Director.

Directional/Informational Sign

Means an on-premises incidental sign designed to guide or direct pedestrian or vehicular traffic, to specify procedures or to warn of hazards.

Directional/informational signs contain no advertising, but may contain a company name or logo if such name or logo enhances the directional or informational message of the sign. (Example: A small logo combined with a directional arrow may reduce confusion for drivers looking for a certain driveway entrance.)

Commentary: On-premises parking and other directional signs, not exceeding 1 two-faced sign per entrance, and not exceeding 8 square feet in area or 32 inches in height are exempt from regulation (Sec. 10.2.6). All other directional/informational signs are counted fully in sign calculations for each parcel.

Distribution Line

Means an electric power line bringing power from a distribution substation to consumers.

District

Means a zone, zoning district or land use category within which the use of land and structures and the location, height, and bulk of structures are governed by this title.

Double-faced Sign

Means a sign with two essentially equal back-to-back faces. For the purposes of this definition, "back-to-back" shall mean the two faces shall not exceed 45 degrees from parallel. For contrast, see "V sign."

Drive-Through

Means an establishment which by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

Driveway

Means a private roadway providing access to a street or highway from a building or structure.

Dwelling, Multifamily

Means a building containing two or more dwelling units, including duplexes, condominiums, townhouses, row houses, or apartments.

Dwelling, Single-family

Means a building containing one dwelling unit.

Dwelling Unit

Means one or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes.

Dwelling Unit, Attached

Means a dwelling unit located on its own lot that is attached to 1 or more dwelling units.

Easement

Means a grant of one or more property rights (e.g., access) by the owner to, or for the use by, the public, a corporation, or another person or entity.

Election Sign

Means a sign designed for the purpose of soliciting support of or opposition to a candidate or proposition at a public election. Generally regulated as Class-V off-premises signs.

Electric Awning Sign

Means an internally illuminated fixed space-frame structure with translucent, flexible, reinforced covering designed in awning form, either with or without graphics or copy applied to the visible surface of the awning. (Also called a "back lit awning sign.")

Electrical Sign

Means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

Electronic Message Center

See "changeable signs -- electrically activated."

Entertainment, Live

Regulations pertaining to "live entertainment" in these Development Standards apply to the following activities where they occur on a scheduled basis 3 or more days during a calendar year on the site of a use other than a public or semipublic use:

- a. A musical, theatrical, dance recital, cabaret, or comedy act performed by one or more persons, regardless of whether performers are compensated;
- b. A fashion show, except when conducted within an enclosed building used primarily for the manufacture or sale of clothing. A change of performers shall not constitute a change in the type of live entertainment.

Erosion

Means the wearing away of the ground surface as a result of movement by wind or water.

Excavation

Means the mechanical removal of earth material.

Fee Assessment Area

Means all real property located within the Clark County Desert Conservation Plan fee assessment area.

Fence

Means an artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Fill Slope

Means the exposed ground surface resulting from the placement of excavated material on the natural terrain.

Final Map

Means a map prepared in accordance with the provisions of NRS 278.325, 278.360 to 278.460, inclusive, 278.472, 278.4725 or 278.4955 and any applicable local ordinance, which is designed to be placed on record in the office of the Clark County Recorder.

Finished Grade

See Grade, Finished.

Fire Lane

Means a "Fire Apparatus Access Road" as defined in the Uniform Fire Code.

Flags and Banners

As used in this chapter, the term "flag" shall be distinguished from the term "banner," as follows: "Flag" shall mean the flag of a recognized government and its agencies; or a flag-like device not bearing governmental emblems, whether flown from a flagpole, draped, or displayed by some other method. "Banner" shall mean a fabric device, either solid in color, or displaying a civic or private symbol, message or pattern, whether flown on a flagpole, draped, or displayed by some other method. The term banner also includes all other forms of bunting and fabric or metallic festoonery, whether "stars and stripes" or other colors, used for festive occasions or to draw attention to a place or event.

Flashing Sign

Means an illuminated sign which contains an intermittent or sequential flashing light source or any other means to attract attention. This definition is not intended to include changeable copy signs or animated signs.

Floodplain

A natural watercourse and adjacent low land areas that would be inundated by flood waters which are generated from a 100-year storm.

Floor Area Ratio (FAR)

Means the amount of gross floor area of all buildings and structures on a building lot divided by the total lot area.

Floor Area, Gross. "Gross Floor Area"

Means the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, and including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and basement or attic areas having a height of more than 7 feet, but excluding areas used exclusively for vehicle parking or loading and, in industrial areas, storage sheds with less than 150 square feet of space, bunkers, electrical substations, smoking shelters, instrument shelters, and similar enclosures.

Freestanding Sign

Means a sign supported by the ground or by freestanding frames, braces, or poles and not attached to any building. This includes ground signs, detached signs, pole signs, and monument signs.

Frontage

Means the linear length of a building or lot facing a public way or which contains a public entrance.

Garage

Means an accessory building for the private use of the owner or occupant of a principal building situated on the same lot as the principal building and intended for the storage of motor vehicles and equipment with no facilities for mechanical service or repair of a commercial or public nature.

Governing Body

Means either the City of Henderson City Council or the Clark County Board of County Commissioners.

Grade

Means the vertical alignment of a surface of land, as it exists or as rendered by cut and/or fill activities.

Grade, Finished

Means final elevation of the ground level after topsoil has been applied to graded slopes, as measured 6 feet from the exterior walls of the structure.

Grade, Existing

Means the surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this title.

Grade, Street

Means the top of the curb, or the top of the edge of the pavement or traveled way where no curb exists.

Grading

Means rearrangement of the earth's surface by stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new contours or grades.

Ground Sign

See "freestanding sign."

Grubbing

Means the removal of trees and other large plants by their roots.

Hanging Sign

See "projecting sign."

Hazardous Waste or Materials

Means those chemicals or substances which are physical or health hazards as defined and classified in the Fire and Building Codes. Hazardous materials categories include explosives and blasting agents, compressed gases, flammable and combustible liquids, flammable solids, organic peroxides, oxidizers, pyrophoric materials, unstable (reactive) materials, water-reactive solids and liquids, cryogenic fluids, highly toxic and toxic materials, radioactive materials, corrosives, carcinogens, irritants, sensitizers, and other health hazards. Each category is defined separately in the Fire and Building Codes in accordance with the Code of Federal Regulations Title 29 and other nationally recognized standards.

Height

Means the vertical distance in feet between finished grade (including finished grade of a basement with direct, at-grade walk-out access) to the top of the highest roof beam on a flat or shed roof, the deck level on a mansard roof, or the average distance between the eaves and apex of a gable, hip, or gambrel roof.

Height (of Fence or Wall)

Means the vertical distance between finished grade on the highest side of the fence or wall to the top of the fence or wall.

Height, Sign

See "sign height."

Hillside

Means a part of a hill between the summit and the foot with slopes of 15 percent or more.

Hillside Regulation Map

A graphic display depicting properties subject to the requirements of the Hillside Overlay District, including parcels with 15 percent or greater slope, Community Vantage Points and Sensitive Ridgelines.

Hillside Development Plan

A series of written words and graphic depictions describing the proposed development of property located within the Hillside Overlay District. Hillside Development Plans may include but are not limited to a slope analysis map, grading plans, tentative and final maps, parcel maps, architecture of proposed structures as well as other written and pictorial concepts regarding the physical development of property located within the Hillside Overlay District.

HMC

Means Henderson Municipal Code.

Home Occupation

Means an occupation for monetary gain conducted in a dwelling unit, garage, or accessory building in a residential district that is incidental to the principal residential use of a lot or site.

Illegal Sign

Means a sign which does not meet the requirements of this Code and which has not received legal nonconforming status, or which has lost its legal nonconforming status.

Illuminated Sign

Means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Illumination, Direct

Means illumination by means of light that travels directly from its source to the viewer's eye.

Illumination, Indirect

Means illumination by means only of light cast upon an opaque surface from a concealed source.

Incidental Sign

Means a small sign, emblem, or decal pertaining to goods, products, services, or facilities which are available on the premises where the sign occurs, and intended primarily for the convenience of the public.

Infrastructure

Means those man-made structures that serve the common needs of the population, such as: potable water systems; waste water disposal systems, solid waste disposal sites or retention areas; storm drainage systems; electric, gas, telephone, cable and other utilities; bridges; roadways; bicycle paths and trails; pedestrian sidewalks, paths and trails; and transit stops.

Landscaping

Means an area devoted to or developed and maintained with native or exotic plantings, lawn, groundcover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops, porches, or in boxes attached to buildings are not considered landscaping.

Land Use Plan Map Amendment

Means a formal application and procedure for amending the land use plan map.

Landscaping, Interior Parking Lot

Means a landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Landscaping, Perimeter

Means a landscaped area adjoining and outside the shortest circumference line defining the perimeter or exterior boundary of a subdivision, project, parking, loading, or similar paved area, excluding driveways or walkways providing access to the subdivision, project or other facility.

Large Parcel Division

Means divisions of land that would otherwise require Tentative and Final Map approval, but which may be processed in accordance with the Large Lot Parcel Division procedures if each proposed lot is at least: (1) 40 acres in area, including roads and easements; or (2) 1/16 of a section, as described by a government land office.

Loading Area

Means an off-street area of a lot where goods are received and/or from which they are shipped, and where adequate space is available to permit maneuvering of vehicles entirely on the lot.

Lot

Means a piece or parcel of land established by plat, subdivision, or otherwise permitted by law to be used, occupied, or intended to be occupied by one or more buildings, structures, or uses, together with such open spaces and access to or frontage on a street, as required by these Development Standards.

Lot, Area

Means the amount of horizontal land area contained inside the lotlines of a lot or site. Rights-of-way shall not be included in calculating lot size.

Lot, Corner

Means a site bounded by 2 or more adjacent street lines that have an angle of intersection of not more than 135 degrees. The front yard of a corner lot shall adjoin the shortest street property line, provided that where street property lines are substantially the same length, the development services director shall determine the location of the front yard.

Lot Depth

Means the horizontal distance for the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line.

Lot or Property Line, Rear

Means a lot line, not a front lot line, that is parallel or approximately parallel to the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line for the purpose of measuring rear yard depth.

Lot or Property Line, Interior

Means a lot line not abutting a street.

Lot or Property Line, Side

Means any lot line that is not a front lot line or a rear lot line.

Lot or Property Line, Street

Means a lot line abutting a street.

Lot Width

Means the mean of the horizontal distance between the side lot lines measured at right angles to the lot depth at points 20 feet from the front lot line and 20 feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line. (See lot depth, lot width diagram.)

Manufactured Home

Means a structure that is:

- a. Built on a permanent chassis;
- b. Designed to be used with or without a permanent foundation as a dwelling when connected to utilities;
- c. Transportable in one or more sections;
- d. Eight feet or more in body width or 40 feet or more in body length when transported, or, when erected on-site, contains 320 square feet or more; and
- e. Complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sections 5401 et seq.).

Marquee

Means a shelter projecting from and supported by the exterior wall of a building constructed of rigid materials on a supporting framework. A marquee is distinguished from an awning in that an awning is covered with non-rigid material. A marquee is

distinguished from a canopy in that a marquee is cantilevered, whereas a canopy is supported by posts or other devices beyond the building wall.

Marquee Sign

Means a sign painted on, printed on or otherwise attached flat against the surface of a marquee.

Maximum Extent Feasible

Means that no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

Maximum Practical Extent

Means that, under the circumstances, reasonable efforts have been undertaken to comply with the regulation, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation

Mitigation Fee

Means the fee imposed pursuant to the provisions of this chapter.

Mixed Use

Means the development of a lot, tract or parcel of land, building or structure with 2 or more different uses including, but not limited to, residential, office, retail, public uses, personal service, or entertainment uses, designed, planned and constructed as a unit.

Mobile Home

Means a vehicle without motive power designed or equipped for living purposes and to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle. As defined, a mobile home does not include a travel trailer, commercial coach, manufactured home or any structure built in compliance with the requirements of Chapter 461 of NRS.

Mobile Home Lot

Means any area or tract of land designated, designed, or used for the occupancy of a mobile home.

Monument Sign

Means a freestanding sign with a solid base.

Motor Home

Means any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade, or occupation, or use as a selling or advertising device, or use for the storage or conveyance for materials, tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, and propelled by its own motor power.

Moving Sign

Means any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement.

Net Density Reduction (NDR)

Means the percentage of total dwelling units to be subtracted from a proposed project to achieve, where necessary, a condition Level A, suitable for development.

Nonconforming Lot

Means a lot whose area, dimensions, or location were lawful under prior law on the day before the effective date of these Development Standards or subsequent amendment thereof, but that fails by reason of such adoption, revision, or amendment to conform to all the present requirements of this code.

Nonconforming Sign

Means a sign, outdoor advertising structure or display of any character which was lawfully erected or displayed, but which does not conform with standards of location, size or illumination for the district in which it is located by reason of adoption or amendment of the ordinance codified in this title, or by reason of annexation of territory to the city.

Nonconforming Structure

Means a structure that was lawfully erected but which does not conform with the standards for yard spaces, height of structures, or distances between structures prescribed in the regulations for the district in which the structure is located by reason of adoption or amendment of this title or by reason of annexation of territory to the city.

Nonconforming Use

Means a use of a structure or land that was lawfully established and maintained, but which does not conform with the use regulations or required conditions for the land use category in which it is located by reason of adoption or amendment of this title or by reason of annexation of territory to the city.

Nonconformity

Means a nonconforming use, structure, or building.

NRS

Means Nevada Revised Statutes.

Off-premises Sign

See Sec. 10.3.

On-premises Sign

See Sec. 10.4.

Off-street Loading

Means a site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-street Parking

Means a site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Open Space, Common

Means a parcel or parcels of land, or an area of water, or a combination of land and water within the site designated for a planned unit development which is designated and intended for the use or enjoyment of the residents or owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents or owners of the development.

Open Space, Private

Means a usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space, Usable

Means outdoor or unenclosed area on the ground, or on a roof, balcony, deck, porch, or terrace designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways, utility or service areas, or any required front or corner side yard, and excluding any space with a dimension of less than 6 feet in any direction or an area of less than 36 square feet.

Opposite

Walls, windows, signs, districts, or property lines shall be deemed "opposite" if a line perpendicular to a vertical plane through one element and having its widest horizontal dimension would intersect a similar vertical plane through another element.

Outdoor Activity

Means any enterprise, operation, or activity that occurs in an unroofed area as part of a permitted use on a lot and any outdoor display of materials, machinery, vehicles, or things that may or may not be for sale or rent.

Outdoor Living Area

See "open space, usable."

Outdoor Storage

Means the keeping, in an unroofed area, of any equipment, goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours.

Overlay District

Means a land use category that encompasses one or more underlying land uses and that imposes additional or alternative requirements to that required by the underlying land use category.

Parcel

Means all real property for which a development permit is applied.

Parcel Map

Means a map as provided in NRS 278.461, 278.462, 278.463, 278.464, or 278.466.

Parking Aisle

Means the traveled way by which cars enter and depart parking stalls or spaces.

Parking Area

Means any public or private area, under or outside a building or structure, designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets.

Parking Lot

Means an off-street, ground-level open area for the temporary storage of motor vehicles.

Parking, Shared

Means joint use of a parking lot or area for more than one use.

Parking Space

Means the space or area in which vehicles park in a private or public parking lot.

Parking Structure

Means a building or structure consisting of more than one level and used to temporarily park or store motor vehicles.

Permitted

Means allowed without a requirement for approval of a use permit or temporary use permit.

Plan

Means the provisions for development of a planned unit development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, private streets, ways and parking facilities, common open space, and public facilities.

Planned Unit Development

Means an area of land controlled by a landowner which is to be developed as a single entity for one or more planned unit residential developments (PURDs), one or more public, quasi-public, commercial or industrial areas, or both. Unless otherwise stated, "planned unit development" or PUD includes the term "planned unit residential development" or PURD.

Pole Sign

See "freestanding sign."

Political Sign

See "election sign."

Porch

Means a covered platform, usually having a separate roof, at an entrance to a dwelling, or an open or enclosed gallery or room, which is not heated or cooled, that is attached to the outside of a building.

Portable Sign

Means any sign designed to be moved and not permanently attached to the ground or to a structure or building.

Preexisting

Means in existence prior to the effective date of the subject provision.

Principal Use

Means the primary or predominant use of any lot or parcel.

Private School

Has the meaning ascribed to it in NRS 394.103.

Project

Means any proposal for new or changed use, or for new construction, alteration or enlargement of any structure, that is subject to the provisions of this title.

Projecting Sign

Means a sign which is attached to and projects from the structure or building face, and is not parallel to the part of the structure to which it is attached. This definition is not intended to include awnings, canopies or marquees. This definition does, however, include awning signs, canopy signs and signs hung from the undersides of awnings, canopies and marquees.

Public Right-of-way

Means land owned by the United States of America, the state of Nevada, Clark County, or the City of Henderson, which is used, reserved, or intended for use for pedestrian or vehicular travel.

Public School

Has the meaning ascribed to it in NRS 385.007.

Public Service Information Sign

Means any sign intended primarily to promote items of general interest to the community such as time, temperature, date, atmospheric conditions, news, or traffic control.

Real Estate Sign

Means any temporary sign pertaining to the sale, exchange, lease or rental of land or buildings. This definition includes stab signs, designed and constructed to be installed in the ground without tools, but excludes subdivision development and directional signs and "weekend directional signs."

Registered Property Owners' Association

Means a private, non-profit group of property owners formed for the purpose of owning, operating, and maintaining various common properties and irrigation facilities, provided that such association has been registered with the Governing Body.

Residential Dwelling Unit

Means a building or a portion of a building, planned, designed, or used as a residence for one family only, living independently of other families or persons, and having its own bathroom and housekeeping facilities included in the unit.

Resort Hotel

Means a building or group of buildings kept, used, maintained, advertised, and held out to the public to be a hotel or motel where sleeping accommodations are offered to transient guests, in which a minimum of two hundred or more rooms are used for sleeping accommodations, the premises on which the building or group of buildings are located are a minimum of 25 acres or more, and which has a minimum of the following amenities all of which are directly connected to the building or group of buildings upon the premises;

- a. One main bar with more than thirty permanent seats wherein alcoholic liquors are dispensed by the drink to customers at such bar; and
- b. One service bar wherein alcoholic liquors are prepared for service only at tables and not direct to customers at such bar; and
- c. Entertainment which includes at least one of the following:
 - (1) One facility with at least 25 seats wherein live entertainment is provided by at least 1 professional entertainer (musician or variety artist) on a regularly scheduled basis; or
 - (2) One facility with at least 300 seats wherein live entertainment is provided by at least one professional entertainer (musician or variety artists) on a semi-regular basis (at least six times per year).
- d. One restaurant open for service to the public 24 hours per day, 7 days per week, which is used, kept, maintained, advertised or held out to the public to be a place where meals are served and which has a seating capacity of more than 60 persons at one time at tables; and
- e. Room service to all rooms, including, without limitation, service of meals; and
- f. A recreational facility which includes at least one of the following:

- (1) Four regulation tennis courts with locker rooms and attendant facilities, or
- (2) One swimming pool that is swimmable and adequate in relationship to the size of the resort hotel as approved by the Governing Body, or
- (3) One regular golf course consisting of at least 9 holes comprising at least 50 acres, or
- (4) One gymnasium with dimensions of at least 40 feet in width, 60 feet in length, and 20 feet in height and equipped with exercise equipment.

When determining whether a particular applicant complies with the resort hotel definition, the Governing Body may consider: (1) the physical layout of buildings and facilities; and (2) the unity of title and ownership of the buildings or group of buildings; and (3) the operation and management relationship of gaming to hotel administration; and (4) the proximity of the proposed resort hotel to residential development.

When determining whether a particular applicant complies with the requirement of the resort hotel definition that the premises on which the building or group of buildings are located are a minimum of 25 acres or more, the Governing Body may exempt from this requirement those premises within a master planned development provided that all other requirements of the resort hotel definition shall continue to apply to the particular applicant.

Review Body

Means the entity (typically staff or Planning Commission) that is authorized to recommend approval or denial of an application or permit required under these Development Standards.

Retaining Wall

Means a wall designed and constructed to withstand lateral earth and hydrostatic pressures.

Revegetation

Means the replacement of drought tolerant living plant materials or seeds on areas where the natural vegetation has been removed. Such areas include disturbed natural areas and manmade cut and fill slopes.

Ridge

Means an elongated crest or series of crests of a hill.

Ridgeline

Means a ground line located at the highest elevation of and running parallel to the long axis of the ridge.

Roof Sign

Means any sign erected upon or above a roof or parapet wall of a building and which is completely or partially supported by the building.

Rotating Sign

Means any sign or portion thereof which physically revolves about an axis.

Section 10(a) Permit

Means a permit issued by the Secretary of the Interior pursuant to Section 10(a) of the Federal Endangered Species Act of 1973, 16 U.S.C. Section 1539.

Sensitive Ridgeline

Means a line meeting all the following characteristics as viewed from two or more Community Vantage Points:

- a. A series of points which when connected form an uninterrupted line with a definable starting and ending point;
- b. Two intersecting side slopes each having a minimum gradient of 15 percent;
- c. A starting point which shall be a point at which three side slopes intersect at a definable point, which shall be a point at which the elevation is a minimum of 200 vertical feet higher than the closest community vantage point and
- d. An ending point of a sensitive ridgeline shall be the highest vertical elevation along the series of connecting points.

A ridgeline shall not be considered for sensitive identification if all of the following pertain:

- a. The intersecting side slopes create a top on the ridgeline which has a slope of less than 15 percent;
- b. The ridgeline has a minimum width of 200 feet
- c. The ridgeline has an average width of 400 feet and
- d. The ridgeline has a minimum length of 1,000 feet.

Setback Line

Means a line within a lot parallel to a corresponding lot line, which is the boundary of any specified front, side or rear yard, or the boundary of any public right-of-way whether acquired in fee, easement, or otherwise, or a line otherwise established to govern the location of buildings, structures or uses. Where no minimum front, side, or rear yards are specified, the setback line shall be coterminous with the corresponding lot line.

Setback, Front

Extends across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a line parallel thereto on the site.

Setback, Front on Corner Lots

The front setback of a corner lot shall be measured from the side of the lot designated as the "front." On a corner lot only one street line shall be considered as a front line, which shall be the shorter street frontage

Setback, Rear

Extends across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site, except that on a corner lot the rear yard shall extend only to the side yard abutting the street.

Setback, Side Interior

Means a side setback on that portion of a lot that is not adjacent to a private or public street. It extends from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the width of which is the horizontal distance between the side property line and a line parallel thereto on the site.

Setback, Side Street

A side setback on that portion of a lot that is adjacent to a private or public street. It extends from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the rear property line of the site, the width of which is the horizontal distance between the side property line and a line parallel thereto on the site.

Sexual Activities, Specified

Means human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation, or sodomy; fondling or other erotic touching of human genitals (pubic region), buttocks, or female breasts.

Sign

Means a visual communications device used to convey a message to its viewer. A sign shall mean and include every advertising message, announcement, declaration, insignia, mural, surface or space erected or maintained in view of the observer thereof for identification, advertisement or promotion of any establishment, product, good or service or the interests of any person or entity.

Sign, Area of

Means:

- a. **Projecting and Freestanding.** The face side of any single-faced and the largest side only, of any double-faced freestanding or projecting sign shall be counted in calculating its area. One-half the total area of any spherical, round, oval, elliptical, polygonal, totem or any other sign having more than two faces shall be counted in calculating its area. The area of the sign shall be measured as follows:

For each face, a rectilinear line of not more than eight sides shall be drawn around and enclosing the perimeter of all cabinets or modules and their structure where the structure adds mass to the sign. Such area within the rectilinear line shall be the total sign area of that face. The perimeter of the measurable area shall not include incidental embellishments such as poles and pole covers sixteen inches or narrower, framing, etc., provided that such embellishments do not include any advertising message, announcement, declaration, insignia, mural, or are otherwise erected or maintained in view of the observer thereof for identification, advertisement or

promotion of the interests of any person, entity, product or service.

- b. **Wall Signs.** The area shall be measured by calculating the area within a rectilinear line of not more than eight sides drawn around and enclosing the perimeter of the advertising message, announcement, declaration, insignia, mural, or other attention attracting device. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area within a rectilinear line of not more than eight sides drawn around and enclosing the entire perimeter of all combined symbols or letters.

Sign Area, Total

Means the sum of the measurements of individual signs.

Sign Clearance

Means the smallest vertical distance between the grade of the adjacent sidewalk and the lowest point of any sign, including framework and embellishments extending over that grade or over any area within 10 feet of that grade. Measurement is to be made from the grade of the curb where no sidewalk exists, from the grade of the traveled way where no curb or sidewalk exists, and from finished soil grade at the base of the sign where no traveled way is anticipated. Where a traveled way is to be enlarged in the future, the measurement of clearance is to be made from the projected grade of the anticipated traveled way at final buildout.

Sign Height

Height shall be measured from sign base; provided, that if the ground at the base is augmented in a manner which adds height to the sign but not the surrounding buildings the height shall be measured from the nearest paved travel way. Where such traveled way is to be enlarged or otherwise altered in the future, the measurement is to be made from the projected grade of the anticipated traveled way at final buildout.

Sign Module

Means the portion of a sign consisting of a cabinet, board, panel or similar device which contains an advertising message, announcement, declaration, insignia, mural, or other attention attracting device.

Single Ownership

Means holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm, corporation or partnership, individually, jointly, in common, or in any other manner where the property is or will be under unitary or unified control.

Site

Means a lot, or group of contiguous lots not divided by an alley, street, other right-of-way, or city limit, that is proposed for development in accord with the provisions of this title, and is in a

single ownership or has multiple owners, all of whom join in an application for development.

Site Disturbance

Means the area on a lot or parcel, excluding streets, which has been graded, excavated, cleared, grubbed or contain cut slopes or fill slopes.

Slope Analysis Map

Means a slope analysis map is a pictorial representation of the natural ground surface of property expressed in a series of percentages. To meet the requirements for slope analysis the map must be prepared according to the following:

- a. **Maximum contour interval:** 10 feet, including the subject parcel and extending outward 200 feet from all property lines and access roads.
- b. **Scale:** no less than 1:100 (1 inch=100 feet).
- c. **Maximum sheet size:** 36 inches by 42 inches.
- d. **Indicate the following slope categories:**

SLOPE	COLOR SYMBOL
15 – 19.9%	Light Green
20 – 24.9%	Yellow
25 – 29.9%	Orange
30 – 34.9%	Pink
35% +	Red

- e. **In addition, the map must contain:**
 - (1) Legend which lists the area and percentage of the total site for each slope category.
 - (2) Scale.
 - (3) North arrow.
 - (4) Identification of adjacent parcel lines.
 - (5) Date the topographical data was gathered.
 - (6) Sufficient survey information to accurately locate the property.
 - (7) Name, address and phone number of the applicant.
 - (8) Name, address and phone number of the person/firm which prepared the slope analysis.
 - (9) Existing easements and rights-of-way, both onsite, and within the 200 feet adjacent to the site.
 - (10) A label on each 100 foot contour line.
 - (11) Source of topographical data.

Soil

Means all earth material of any origin that overlies bedrock and may include a decomposed zone of bedrock which can be excavated by mechanical equipment or blasting.

Special Events Sign

Means a temporary sign advertising or pertaining to any civic, patriotic or special event of general public interest taking place within the city.

Snipe Sign

Means a temporary sign or poster affixed to a tree, fence, etc.

Stab Sign

Means angle-iron mounted and similarly constructed signs, typically placed along roadsides to direct traffic to projects or activities or to support political candidates. Also see "weekend directional signs."

Standard Drawings

Means the Uniform Standard Drawings for Public Works Construction, Off-Site Improvements, Clark County area, Nevada, as modified and adopted by the Governing Body.

Standard Specifications

Means the Uniform Standard Specifications for Public Works Construction, Off-Site Improvements, Clark County area, Nevada as modified and adopted by the Governing Body.

Street

Means an improved vehicular passage within a right-of-way that affords the primary means of access to abutting lots. The term "street" includes avenue, drive, circle, road, roadway, parkway, boulevard, or any other similar term.

Street, Major Arterial

Means a street with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterials, and which is defined specifically as such on the Master Streets and Highways Plan.

Street, Minor Arterial

Means a street with signals at important intersections and stop signs on the side streets and that collects and distributes traffic to and from collector streets, and which is defined specifically as such on the Master Streets and Highways Plan.

Street, Collector

Means a street that collects traffic from local streets and connects with minor or major arterials, and which is defined specifically as such on the Master Streets and Highways Plan.

Street, Cul-de-sac

Means a street with a single common ingress and egress and with a turnaround at the end.

Street, Local

Means a street designed to provide vehicular access to abutting property and to discourage through traffic, and which is defined specifically as such on the Master Streets and Highways Plan.

Street, Private

Means a street that has not been accepted by the municipality or other governmental entity.

Street, Public

Means a right-of-way intended to be used for travel by the public, improved for such purpose, and accepted by the Governing Body for perpetual maintenance.

Structure

Means any man-made construction in, on, or over the ground or water. The term structure includes buildings and, among other things, stadiums, platforms, radio towers, sheds, storage bins, fences, improved facilities for drainage, flood control, retention, and public recreation.

Subdivision Directional Sign

Means a sign designed to inform the public of the existence of a real estate subdivision.

Subdivision Identification Sign

Means a freestanding or wall sign identifying a recognized subdivision, condominium, apartment complex or residential development.

Swimming Pools and Hot Tubs

Means water-filled enclosures having a depth of eighteen inches or more used for swimming or recreation.

Temporary Sign

Means a sign which is installed for a limited time and is not constructed or intended for long-term use.

Temporary Window Sign

Means a sign painted on or constructed of paper or other light weight material and affixed to the interior or exterior side of a window or glass area on a building for a limited time.

Tentative Map

Means a map indicating the proposed layout of the subdivision or site plan that is submitted to the approving authority for preliminary approval.

Traditional Neighborhood Development

Means a development that exhibits several of the following characteristics:

- a. Alleys
- b. Streets laid out in a grid system
- c. Buildings oriented to the street
- d. Front porches on houses
- e. Pedestrian-orientation
- f. Compatible, mixed land uses
- g. Village squares and greens

Traffic Impact Study

Means a report analyzing anticipated roadway conditions with and without an applicant's development, and may also include a parking study and overall access management plan for the development site.

Trailer (also see the definition of Motor Home)

Means any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping quarters or for the conduct of any business, trade, or occupation, or for use as a selling or advertising device, or for the storage or conveyance of materials, tools, equipment, machinery or recreational apparatus, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power. For the purposes of this code, the definition of Trailer includes Motor Home.

Transition Density Housing

Means dwellings in developments or subdivisions at densities greater than 6, but not more than 10.

Transmission Line

Means an electric power line bringing power to a receiving or distribution substation.

Under-canopy Sign

Means a sign suspended beneath a canopy, ceiling, roof, marquee, or similar structure. Also see "blade sign."

Undisturbed Area

Means the area on a lot or parcel which has not been graded for access, building pad or driveway. Undisturbed areas may include areas that are fenced and landscaped.

Use

Means the purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

Use, Accessory

Means a use that is appropriate, subordinate, and customarily incidental to the main use of the site and which is located on the same site as the main use.

Used

Includes the following meanings: arranged, designed, constructed, altered, rented, leased, sold, occupied, and intended to be occupied.

V-sign

Means a sign consisting of two essentially equal faces, positioned at an angle subtending between 46 and 179 degrees. For contrast, see "double-faced sign."

Variance

Means a grant by the Planning Commission permitting an owner to use a lot not wholly in accordance with the provisions of these development Standards because the Commission finds that strict conformance would be an unusual hardship not created by the owner, but depriving him of reasonable use of the lot. Such a grant specifies a minimum deviation or deviations from the regulations intended to cure the hardship but not create detrimental conditions affecting abutting property owners or the public at large.

Vegetation

Means trees, grass, shrubs, or vines.

Vehicle Sign

Means a sign or other advertising device painted on or otherwise affixed to a car, truck, trailer, or other similar vehicle.

Vehicle Travel Distance -- Liquor Ordinance (VTD)

Means the distance measured along a vehicular route from the exterior property line of a school, religious institution, or day care, general (protected use) to a point perpendicular to the closest portion of the premises of a liquor licensee, as further defined in HMC 4.36.010, as amended. Such VTD is used to regulate liquor licensure. Also see diagram entitled Liquor Ordinance VTD Definition, incorporated in this section by reference, as amended from time to time.

Visible

Means likely to be noticed by a person of average height walking on a street or sidewalk two years after installation of any planting intended to screen a view.

Wall Sign

Means any sign posted, painted or suspended from or otherwise affixed to the wall of any building or structure in an essentially flat position, or with the exposed face of the sign in a place approximately parallel to and not greater than 24 inches away from the wall with no copy on the sides or edges.

Weekend Directional Sign

Means angle iron-mounted or similarly constructed sign, typically placed along roadsides to direct traffic to residential projects. Sometimes called "stab sign." Regulated as Class-III off-premises sign.

Window Sign

Means a sign installed inside a window and intended to be viewed from the outside.

Yard

Means an open space on the same site as a structure, unoccupied and unobstructed by structures from the ground upward except as otherwise provided in this title, including a front yard, side yard, or rear yard.