

ORDINANCE NO. 3917
(ZCA-2011500286-A16 – Rainbow Canyon at Lake Las Vegas - Parcel N-1)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, AMENDING ORDINANCE NO. 2870, THE ZONING MAP, TO RECLASSIFY CERTAIN REAL PROPERTY WITHIN THE CITY LIMITS OF THE CITY, DESCRIBED AS A PORTION OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 63 EAST, M.D. & M., CLARK COUNTY, NEVADA, GENERALLY LOCATED AT THE NORTH END OF LAKE LAS VEGAS PARKWAY, IN THE LAKE LAS VEGAS PLANNING AREA, FROM RM-16-G-MP-H (MEDIUM-DENSITY RESIDENTIAL WITH GAMING ENTERPRISE, MASTER PLAN AND HILLSIDE OVERLAYS) AND PS-G-MP-H (PUBLIC/SEMIPUBLIC WITH GAMING ENTERPRISE, MASTER PLAN AND HILLSIDE OVERLAYS) TO RS-6-G-MP-H (LOW-DENSITY RESIDENTIAL WITH GAMING ENTERPRISE, MASTER PLAN AND HILLSIDE OVERLAYS) ON 19.9 ACRES, AND FROM RM-16-G-MP-H (MEDIUM-DENSITY RESIDENTIAL WITH GAMING ENTERPRISE, MASTER PLAN AND HILLSIDE OVERLAYS) TO PS-G-MP-H (PUBLIC/SEMIPUBLIC WITH GAMING ENTERPRISE, MASTER PLAN AND HILLSIDE OVERLAYS) ON 1.2 ACRES.

WHEREAS, the City Council of the City of Henderson, Nevada, on November 1, 2022, committed to the rezoning of certain real property, located in a portion of Section 14, Township 21 South, Range 63 East, generally located at the north end of Lake Las Vegas Parkway, from RM-16-G-MP-H (Medium-Density Residential with Gaming Enterprise, Master Plan and Hillside Overlays) and PS-G-MP-H (Public/Semipublic with Gaming Enterprise, Master Plan and Hillside Overlays) to RS-6-G-MP-H (Low-Density Residential with Gaming Enterprise, Master Plan and Hillside Overlays) on 19.9 acres, and from RM-16-G-MP-H (Medium-Density Residential with Gaming Enterprise, Master Plan and Hillside Overlays) to PS-G-MP-H (Public/Semipublic with Gaming Enterprise, Master Plan and Hillside Overlays) on 1.2 acres; and

WHEREAS, Raintree Investment Corporation, LLC, has made application for a zone change; and

WHEREAS, the City Council finds that all of the following criteria have been met:

- A. The proposal is consistent with the Comprehensive Plan.
- B. The planned development addresses a unique situation, confers a substantial benefit to the City, or incorporates creative site design such that it achieves the purposes of this Code and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards. Such improvements in quality may include, but are not limited to: improvements in common open space provision and access; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; or increased choice of living and housing environments.

- C. The planned development complies with the applicable standards of HMC Section 19.8.5, Master Plan Development Overlay District.
- D. The proposal mitigates any potential significant adverse impacts to the maximum practical extent.
- E. Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development.
- F. The same development could not be accomplished through the use of other techniques, such as variances or administrative adjustments.
- G. In addition to the above-listed criteria, any proposed master plan amendment that would result in the redevelopment or change in use of a golf course, park, open space or PS-zoned land, is subject to the following additional approval criteria which must be addressed in the proposed amendment. These criteria require the governing body to consider:
 - i. Mitigation of impacts of the proposed land uses on schools, traffic, parks, emergency services, utility infrastructure, and any other potential impact identified by the Director;
 - ii. Provision of a compensating benefit for the loss of the larger, contiguous open space to the surrounding neighborhood as a result of the redevelopment or change in use;
 - iii. The preservation of open space beyond what would be required under the requested master plan amendment and in furtherance of the goals and objectives of the City's Comprehensive Plan with regard to protection of open space; and
 - iv. Compliance with the closure plan.
- H. The proposed hillside plan preserves the integrity of and locates development with the least impact upon sensitive peaks and ridges, or any other significant topographical feature designated on the existing conditions report per Section 19.4.8.D.2(b).
- I. Minimizes grading and site disturbance.
- J. Locates development compatibly with the natural terrain.
- K. Provides for adequate drainage, protects downstream properties, and minimizes erosion.
- L. Provides for development standards in excess or equal to those required by this ordinance.
- M. Provides for adequate revegetation.

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Ordinance No. 2870 of the City of Henderson, Nevada, entitled "Zoning Map adopted" is hereby amended as follows:

The Zoning Map, adopted by reference as an integral part of the title that outlines and defines the various zoning districts that are described in detail and that indicate which land uses are permitted and which are prohibited, shall be amended to reclassify certain real property within the City limits of the City of Henderson, Nevada, as more particularly described below and as depicted in Exhibit A attached hereto, consisting of one (1) page:

A PORTION OF LOTS N-1, N-4, COMMON ELEMENT OO AND LAKE LOT 1 OF THAT CERTAIN FINAL MAP ENTITLED "AMENDED PARENT FINAL MAP OF RAINBOW CANYON AT LAKE LAS VEGAS" ON FILE IN BOOK 167, PAGE 13 OF PLATS, OFFICIAL RECORDS, CLARK COUNTY, NEVADA, LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 63 EAST, CITY OF HENDERSON, CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 14;

THENCE ALONG THE WEST LINE THEREOF, SOUTH 01°01'51" WEST, 1,630.88 FEET;

THENCE LEAVING SAID WEST LINE, SOUTH 88°58'09" EAST, 175.55 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 13°17'35" EAST, 115.12 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 120.00 FEET, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 04°31'35", AN ARC LENGTH OF 9.48 FEET;

THENCE NORTH 08°46'00" EAST, 112.47 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 80.00 FEET, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 04°31'35", AN ARC LENGTH OF 6.32 FEET;

THENCE NORTH 13°17'35" EAST, 73.31 FEET;

THENCE NORTH 76°42'25" WEST, 5.00 FEET;

THENCE NORTH 13°17'35" EAST, 114.18 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 185.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 48°50'56", AN ARC LENGTH OF 157.73 FEET;

THENCE NORTH 62°08'31" EAST, 87.95 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 185.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 28°09'47", AN ARC LENGTH OF 90.93 FEET;

THENCE SOUTH 89°41'42" EAST, 881.74 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 185.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 42°48'56", AN ARC LENGTH OF 138.24 FEET;

THENCE SOUTH 46°52'46" EAST, 172.77 FEET;

THENCE SOUTH 06°42'41" EAST, 149.00 FEET;

THENCE SOUTH 38°17'19" WEST, 14.14 FEET;

THENCE SOUTH 83°17'19" WEST, 152.91 FEET;

THENCE SOUTH 06°42'41" EAST, 92.33 FEET TO THE SOUTH BOUNDARY LINE OF SAID LOT N-1;

THENCE ALONG SAID SOUTH BOUNDARY LINE THE FOLLOWING TEN (10) COURSES:

- 1) SOUTH 14°19'44" WEST, 32.18 FEET;
- 2) CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 210.00 FEET, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 31°39'27", AN ARC LENGTH OF 116.03 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 72°40'18" EAST;

- 3) CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 290.00 FEET, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 28°56'31", AN ARC LENGTH OF 146.49 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 78°23'12" EAST;
- 4) CONTINUING TO CURVE TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 40.00 FEET, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 54°08'16", AN ARC LENGTH OF 37.80 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 24°14'55" EAST;
- 5) CONTINUING TO CURVE TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 240.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 68°26'45", AN ARC LENGTH OF 286.71 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 44°11'50" EAST;
- 6) CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 230.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 26°44'41", AN ARC LENGTH OF 107.36 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 17°27'08" WEST;
- 7) CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 40.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 45°04'05", AN ARC LENGTH OF 31.46 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 62°31'13" EAST;
- 8) CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 275.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 19°02'33", AN ARC LENGTH OF 91.40 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 43°28'40" EAST;

- 9) CONTINUING TO CURVE TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 70.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 25°08'02", AN ARC LENGTH OF 30.71 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 18°20'37" EAST;
- 10) CONTINUING TO CURVE TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 350.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 15°36'17", AN ARC LENGTH OF 95.32 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 02°44'20" EAST;

THENCE LEAVING SAID SOUTH BOUNDARY LINE, CONTINUING TO CURVE TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 200.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 16°54'52", AN ARC LENGTH OF 59.04 FEET;

THENCE SOUTH 75°49'28" WEST, 162.57 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 105.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 09°45'10", AN ARC LENGTH OF 17.87 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 23°55'42" WEST AND THE SOUTH BOUNDARY LINE OF SAID LOT N-1;

THENCE ALONG SAID SOUTH BOUNDARY LINE THE FOLLOWING THREE (3) COURSES:

- 1) CONTINUING TO CURVE TO THE LEFT ALONG THE ARC OF THE LAST DESCRIBED CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 29°59'00", AN ARC LENGTH OF 54.95 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 53°54'41" EAST;
- 2) CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 200.00 FEET, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 31°10'05", AN ARC LENGTH OF 108.80 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 22°44'36" WEST;

- 3) CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 345.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 16°09'07", AN ARC LENGTH OF 97.26 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 38°53'43" WEST;

THENCE LEAVING SAID SOUTH BOUNDARY LINE, NORTH 76°42'25" WEST, 143.03 FEET;

THENCE NORTH 71°56'36" WEST, 60.21 FEET;

THENCE NORTH 76°42'25" WEST, 105.65 FEET;

THENCE NORTH 26°33'54" WEST, 60.18 FEET TO THE POINT OF BEGINNING. CONTAINING 1.2 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 89°50'58" EAST, BEING THE BEARING OF THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 15, TOWNSHIP 21 SOUTH, RANGE 63 EAST, M.D.M., CITY OF HENDERSON, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN BOOK 152, PAGE 85 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

From RM-16-G-MP-H (Medium-Density Residential with Gaming Enterprise, Master Plan and Hillside Overlays) and PS-G-MP-H (Public/Semipublic with Gaming Enterprise, Master Plan and Hillside Overlays) to RS-6-G-MP-H (Low-Density Residential with Gaming Enterprise, Master Plan and Hillside Overlays) on 19.9 acres, and from RM-16-G-MP-H (Medium-Density Residential with Gaming Enterprise, Master Plan and Hillside Overlays) to PS-G-MP-H (Public/Semipublic with Gaming Enterprise, Master Plan and Hillside Overlays) on 1.2 acres.

SECTION 2. That the above-described amendment to the zoning map is subject to the following conditions and waivers:

PUBLIC WORKS CONDITIONS

1. Applicant shall submit a drainage study for Public Works' approval.

2. Applicant shall submit a traffic impact analysis to address traffic concerns and to determine the proportionate share of this development's local participation in the cost of traffic signals and/or intersection improvements. Applicant shall comply with conditions of the traffic study.
3. Applicant shall submit an earthwork analysis for Public Works' approval.
4. Applicant must apply for and receive approval to vacate unnecessary rights-of-way and/or easements per Public Works' requirements and provide proof of vacation prior to issuance of a certificate of occupancy.
5. FHA Type B drainage shall be allowed only where lots drain directly to drainage facilities, parks, or open space. (A1)
6. Applicant shall show the limits of the flood zone and submit a letter of map revision to FEMA prior to the Shear and Tie inspection. (A1)
7. Coordinate with Public Works Quality Control regarding City project on Lake Las Vegas Parkway.
8. The acceptance or approval of this item does not authorize or entitle the applicant to construct the project referred to in such application or to receive further development approvals, grading permits or building permits.

PARKS AND RECREATION CONDITION

9. Applicant shall comply with the park agreement.

BUILDING AND FIRE SAFETY CONDITIONS

The authority for enforcing the International Fire Code is NRS 477.030 and Ordinance Number 3048 as adopted by the City of Henderson. Building and Fire Safety approval is based upon review of the civil improvement or building drawings, not planning documents.

10. Applicant shall submit plans for review and approval prior to installing any gate, speed humps (speed bumps not permitted), and any other fire apparatus access roadway obstructions.
11. Applicant shall submit fire apparatus access road (fire lane) plans for Fire Department review and approval.

12. Applicant shall submit utility plans containing fire hydrant locations. Fire Department approval is based upon the review of the civil improvement drawings, not planning documents. Fire hydrants shall be installed and operational in accordance with the 2009 International Fire Code Section 1412 as amended.
13. Projects constructed in phases shall submit a phasing plan describing the fire apparatus access roads and fire hydrant locations relevant to each phase.
14. Applicant shall provide a minimum turning radius of 52 feet outside and 28 feet inside for all portions of the fire apparatus access road (fire lane). This radius shall be shown graphically and the dimensions noted on the drawings.
15. Applicant shall install an approved sprinkler system in all buildings / dwelling units as required by the Hillside Ordinance. (A5)

COMMUNITY DEVELOPMENT PLANNING SERVICES CONDITIONS

16. Approval of this application requires the applicant to comply with all Code requirements not specifically listed as a condition of approval but required by Title 19 of the Henderson Municipal Code, compliance with all plans and exhibits presented and amended as part of the final approval, and compliance with all additional items required to fulfill conditions of approval.
17. All walls, fences, and gates visible from streets, parking lots, and common areas shall be constructed of decorative materials and installed by the applicant. Unless specifically shown on the approved plans, the use of chain link fence or colored, common gray or painted CMU block shall not be permitted.
18. Applicant shall submit landscaping and irrigation construction documents for Community Development staff review and approval prior to the issuance of a building permit. Landscape and irrigation construction documents shall include all required common area, parking lot, and perimeter landscaping.
19. Unless approved by a phasing plan, all landscaping shall be installed with the first phase of development. All landscaping shall be maintained by the applicant or property owner(s) association.
20. Prior to issuance of a building permit for homes, the applicant shall submit to Community Development and Neighborhood Services a copy of the Owner's Association's (i.e., Homeowners Association or Landscape Maintenance Association) articles of incorporation to include association name, officers, addresses, and resident agent (if applicable).

21. No construction activities shall take place within the Rainbow Gardens Area of Critical of Environmental Concern (ACEC). Nor shall the applicant disturb any areas within the NCA or any property under control of the Bureau of Land management, as regulated by the Code of Federal Regulations, 43 CFR Part 8364.1
22. Applicant for each specific planning parcel shall post a bond with the Public Works Department for the installation of all perimeter landscaping and common open space landscaping and amenities prior to approval of the Civil Improvement Plans.
23. Applicant must post a hillside restoration bond with the Public Works Department prior to approval of the Civil Improvement Plans for development within the Hillside Overlay.
24. All grading and construction/staging activity must remain completely on-site, or will require the approval of any and all affected adjacent property owner(s).
25. Any dwelling units added to the master plan may require an amendment to the Lake Las Vegas Fire Station, Equipment, and Police Substation Agreement (“emergency services agreement”) or as amended to address potential need for additional emergency services equipment or other requirements to properly serve the community. For purposes of calculation, any residential unit that is designated as age restricted or active adult will count as two and a half (2.5) dwelling units. The emergency services agreement may need to be amended if the addition of non-age-restricted dwelling units, calculated as one (1) unit for each unit existing or added, plus age restricted or active adult units, calculated as two and a half (2.5) units for each unit existing or added, causes the maximum number of units in the Rainbow Canyon master plan to exceed three thousand and five hundred (3500). (Updated A14)
26. Applicant must comply with the Lake Las Vegas Fire Station and Police Substation Agreement, or an alternate agreement as determined and agreed upon by the Fire Chief and the Director of Community Development and Services. (A4)
27. All homes utilizing the reduced setbacks allowed by Waiver "x" must provide enhanced architecture/articulation on the street-facing facade, to be determined and approved by Community Development staff through a design review application prior to submittal of building permits. (A4)
28. Age-restricted community designation is approved for Parcel C2-A. (A10)

29. The applicant must demonstrate with the future design review for home design that the standard building footprint of all homes will comply with the RS-6 Hillside setback requirements (waiver "aa"). (A10)
30. Applicant shall identify a minimum 8-acre school site in Rainbow Canyon or other suitable location prior to issuance of the 251st residential building permit within Rainbow Canyon. (condition satisfied per memo approved with amendment A7.)
31. Upon recordation of each Final Map, applicant shall provide updated unit count to Community Development. Maximum number of units for Rainbow Canyon (including existing Northshore II/III) Master Plan shall not exceed 3,500.
32. Age-restricted community designation is approved for Parcel M-5A-1. (A14)
33. Age restricted community designation approval is subject to City Council approval of the "Amended and Restated Lake Las Vegas Fire Station Equipment - Rainbow Canyon Development Agreement". The required contribution for a fire rescue unit shall be paid prior to final approval of the Final Map for Parcel M-5A-1. (A14)
34. All landscaping within the public right-of-way shall be maintained by the Master Association or Homeowners Association. Landscaping within the public right-of-way shall require a revocable permit.

WAIVERS

- a. Two one-way travel lanes with an 8-foot center median with a minimum 60-foot right-of-way with no parking, along with 5-foot-detached sidewalk on one side, if no trail is provided. No sidewalk if trail is provided.
- b. 41-foot right-of-way back-of-curb to back-of-curb, 5-foot meandering walk on one side where no trail exists, 8-foot minimum planting strip on each side of street. A minimum 4-foot sidewalk shall be provided on each side of a public street where development fronts with residential driveways. Roadway section widened at intersections to accommodate turning movements where required.
- c. 37-foot right-of-way with 33 feet back-of-curb to back-of-curb, parking on one side, 4-foot sidewalk on one side. A minimum 4-foot sidewalk shall be provided on each side of a public street where development fronts with residential driveways.

- d. 41-foot right-of-way with 37 feet back-of-curb to back-of-curb of curb parking both sides, 4-foot sidewalk on one side. A minimum 4-foot sidewalk shall be provided on each side of a public street where development fronts with residential driveways.
- e. 14-foot wide drive with 3-foot paved shoulders each side serving up to 6 residential lots.
- f. Allow one driveway up to 600 feet in length with maximum 15 percent grade to serve up to a maximum of 6 lots.
- g. Allow option to provide sidewalk on one side of Minor Residential Collector Street and Minor Residential Collector Street with median opposite of where trails are provided. A minimum 4-foot sidewalk shall be provided on each side of a public street where development fronts with residential driveways.
- h. Allow a 4-foot sidewalk on one side of street where the maximum lot sizes are 8,000 square feet and no sidewalks when the lots are greater than 8,000 square feet. A minimum 4-foot sidewalk shall be provided on each side of a public street where development fronts with residential driveways.
- i. Allow cul-de-sac radius measured 42 feet to the face of curb
- j. For roadways within the hillside overlay, allow maximum length of cul-de-sac to be 2,400 feet. Cul-de-sacs in excess of 900 feet will provide adequate turnaround space as approved by the City of Henderson Fire Department.
- k. Allow a minimum centerline radius without superelevation shall be 100 feet. The minimum centerline radius with 2 percent superelevation shall be 85 feet for Primary Arterials and Minor Collectors unless physical circumstances dictate otherwise. Local streets shall have a minimum center line radius of 50 feet.
- l. Allow the use of decorative pavers in streets. Decorative pavers must receive approval of the Fire Department.
- m. Allow transplanted and container plant materials to be substituted for seeding to revegetate desert varnish.
- n. To not provide the existing conditions report due to previous developer already grading portions of the site.
- o. All maximum vertical cut/fill to exceed 35 feet and maximum length of vertical cut/fill to exceed 150 feet.
- p. Allow site revegetation/varnish to be completed within 180 days of completion of work or prior to release of bond for the specific planning parcel, whichever comes first.
- q. To allow the construction of 5-foot privacy walls to encroach 5 feet into the required front setback for "courtyard" homes.

- r. Street lights on all streets are placed only at intersections, curves in the road, and at the ends of cul-de-sacs. The lights are a maximum of 150 watts. The street light poles are 16 feet in height on private streets and 26 feet, 6 inches on public streets and specifications.
- s. Allow local streets to have a minimum centerline radius with superelevation shall be 50 feet. The minimum radius shall be 45 feet.
- t. Allow an enhanced private right-of-way entry street with widths varying from 58 feet minimum to 114 feet maximum, inclusive of two travel lanes 26 feet wide measured back-of-curb to back-of-curb containing a raised landscaped median varying in width up to 23 feet wide and a 4-foot-wide sidewalk on both sides of the street. (A2)
- u. Reduce the required connectivity index score from 1.4 to 1.2 for Parcel C-1. (A3)
- v. Allow minimum lot size of 4,000 square feet and minimum lot width of 40 feet for RS-6 districts. (A4)
- w. Allow minimum hillside street width to be 31-feet. (A4)
- x. Allow minimum front yard setback to living area to be 10 feet and rear setback to be 5 feet for lots with houses that are situated parallel to the front lot line. (A4)
- y. Reduce the minimum lot size to 2,511 square feet for Unit 2 of Parcel K. (A5)
- z. Reduce the front setback to street facing garages to 5 feet for Unit 2 of Parcel K (attached product only). (A5)
- aa. Reduce the rear yard setback to 10 feet for five models (Plans 3012, 3013, 3014, 4522, 4524) in Parcel C2-A . (A10)
- bb. Reduce the required connectivity index score to 1.1. (A15)

SECTION 3. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

SECTION 4. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses, or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 5. A copy of this Ordinance shall be filed with the office of the City Clerk and notice of such filing shall be published once by title in the Las Vegas Review-Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance (Initial Publication). Following adoption by the City Council, this Ordinance shall be published by title together with the names of the Council members voting for or against passage (Final Publication). This Ordinance is scheduled for Final Publication on Friday, November 18, 2022, in the Las Vegas Review-Journal, at which time it will become effective.

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PASSED, ADOPTED, AND APPROVED THIS 15th DAY OF NOVEMBER, 2022.

Debra March, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on November 1, 2022, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on November 15, 2022, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held November 15, 2022, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Debra March, Mayor
Councilmembers:
John F. Marz
Michelle Romero
Dan H. Stewart

Those voting nay: None
Those abstaining: None
Those absent: Dan K. Shaw

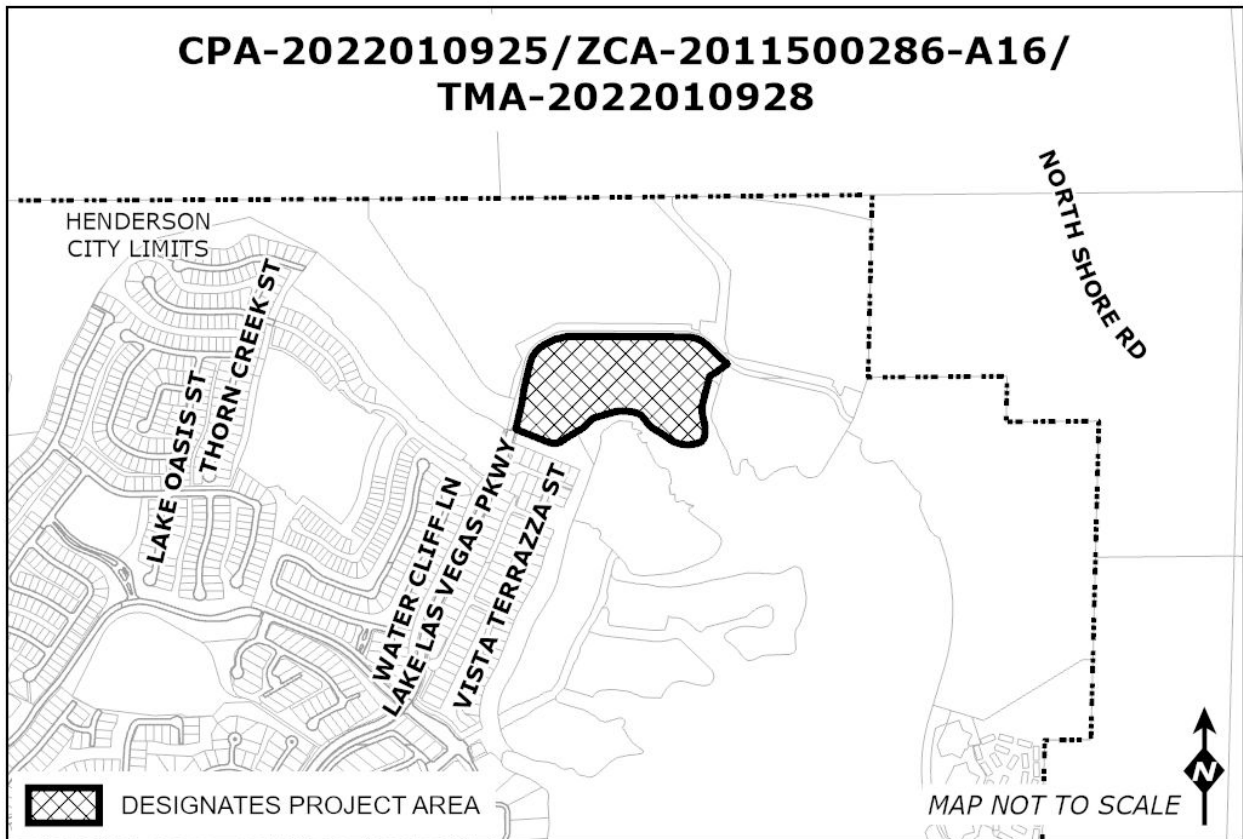
Debra March, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

EXHIBIT A

ZCA-2011500286-A16 – Rainbow Canyon at Lake Las Vegas - Parcel N-1



Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is red and enclosed in [brackets], and language proposed to be added is in blue italics and underlined.