

ORDINANCE NO. 4006
(ZOA-2023013721 – Amending Chapter 19.8.3 - Gaming Enterprise Overlay District)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 19 OF THE HENDERSON MUNICIPAL CODE – HENDERSON DEVELOPMENT CODE – BY AMENDING CHAPTER 19.8.3 TO MAKE CHANGES TO THE GAMING ENTERPRISE OVERLAY DISTRICT STANDARDS.

WHEREAS, the City Council of the City of Henderson (the “City Council”) has statutory authority pursuant to NRS 278.0201 et seq. to regulate and restrict the improvement of land and to control the location and soundness of structures within its jurisdiction for the purpose of promoting health, safety, morals, and the general welfare of the community; and

WHEREAS, pursuant to this authority, on April 19, 2022, the City Council adopted City of Henderson Municipal Code Title 19 (“Development Code”), as may be amended from time-to-time by the City Council; and

WHEREAS, it is the intent of the City of Henderson to maintain a Development Code for the safe and orderly development of property; and

WHEREAS, the City Council considers the Development Code a “living document,” which will invariably need amending for corrections, revisions and necessary updates; and

WHEREAS, certain minor conforming changes must be made to Section 19.8.3 of the Development Code because the term “development plan” is not defined in the Development Code and the City desires to properly reflect the procedure used by City staff in processing applications; and

WHEREAS, it is in the best interest of the general public to update the Development Code, Section 19.8.3, to allow modification by an approved development agreement or design review within the City of Henderson.

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

SECTION 1. Henderson Development Code, Section 19.8.3 is hereby amended as depicted in Exhibit A, attached hereto, consisting of one (1) page.

SECTION 2. 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 3. 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 4. 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 December 22, 2023, in the Las Vegas Review-Journal, at which time it will become effective.

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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*.

PASSED, ADOPTED, AND APPROVED THIS 19th DAY OF DECEMBER, 2023.

Michelle Romero, 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 December 5, 2023, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on December 19, 2023, 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 December 19, 2023, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Michelle Romero, Mayor
Councilmembers:
Carrie Cox
Jim Seebock
Dan H. Stewart

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

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

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