

ORDINANCE NO. 4030
(ZCA-2006660020-A23 – The Falls at Lake Las Vegas – Lorin Williams and Lake Mead)

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 26, TOWNSHIP 21 SOUTH, RANGE 63 EAST, M.D. & M., CLARK COUNTY, NEVADA, LOCATED AT THE SOUTHWEST CORNER OF LAKE MEAD PARKWAY AND LORIN WILLIAMS PARKWAY, IN THE LAKE LAS VEGAS PLANNING AREA, FROM RM-16-MP-PUD-H (MEDIUM-DENSITY RESIDENTIAL WITH MASTER PLAN, PLANNED UNIT DEVELOPMENT AND HILLSIDE OVERLAYS) ON 25.4 ACRES AND RS-6-MP-PUD-H (LOW-DENSITY RESIDENTIAL WITH MASTER PLAN, PLANNED UNIT DEVELOPMENT AND HILLSIDE OVERLAYS) ON 1 ACRE TO RS-8-MP-H (LOW-DENSITY RESIDENTIAL WITH MASTER PLAN AND HILLSIDE OVERLAYS) ON 26.4 ACRES.

WHEREAS, the City Council of the City of Henderson, Nevada, on June 4, 2024, committed to the rezoning of certain real property totaling 26.4 acres, more or less, located in a portion of Section 26, Township 21 South, Range 63 East, located at the southwest corner of Lake Mead Parkway and Lorin Williams Parkway from RM-16-MP-PUD-H (Medium-Density Residential with Master Plan, Planned Unit Development and Hillside Overlays) on 25.4 acres and RS-6-MP-PUD-H (Low-Density Residential with Master Plan, Planned Unit Development and Hillside Overlays) on 1 acre to RS-8-MP-H (Low-Density Residential with Master Plan and Hillside Overlays) on 26.4 acres; and

WHEREAS, LGI Homes-Nevada, 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 Section 19.8.5, Master Plan Development Overlay.
- 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 rezonings, variances, or administrative adjustments.
- G. 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 of Community Development and Services;
 - 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 19.8.4.F.1(e).
- 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 update" 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 page:

A PORTION OF LAND SITUATED IN SECTION 26, TOWNSHIP 21 SOUTH, RANGE 63 EAST THE COUNTY OF CLARK, STATE OF NEVADA, AND IS DESCRIBED AS FOLLOWS:

LOT II-1A, LOT JJ-1 AND S-23A OF AMENDED FINAL MAP OF LAKE LAS VEGAS THE FALLS PARENT FINAL MAP, A MERGER AND RESUBDIVISION AS SHOWN BY MAP THEREOF ON FILE IN BOOK 133 OF PLATS, PAGE 63 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA RECORDS.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE CITY OF HENDERSON BY GRANT, BARGAIN, SALE DEED RECORDED JULY 19, 2016, IN BOOK 20160719 AS DOCUMENT NO. 00844, OFFICIAL RECORDS.

EASEMENTS FOR INGRESS AND EGRESS AS CREATED BY THAT CERTAIN INSTRUMENT RECORDED JANUARY 23, 1990, IN BOOK 900123 AS DOCUMENT NO. 00709.

Containing 26.4 acres, more or less, from RM-16-MP-PUD-H (Medium-Density Residential with Master Plan, Planned Unit Development and Hillside Overlays) on 25.4 acres and RS-6-MP-PUD-H (Low-Density Residential with Master Plan, Planned Unit Development and Hillside Overlays) on 1 acre to RS-8-MP-H (Low-Density Residential with Master Plan and Hillside Overlays) on 26.4 acres.

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

PUBLIC WORKS CONDITIONS

1. 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, nor does it infer approval for final lot configuration, geometry, or roadway layout.

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*.

2. Applicant shall submit a drainage study (update) for Public Works' approval.
3. Applicant shall submit a traffic analysis update 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 and dedicate any necessary right-of-way.
4. Applicant shall resolve all mapping concerns per Public Works, Parks and Recreation's requirements. (Added A11)
5. Applicant shall revise Civil Improvement Plans per Public Works' requirements.

PARKS AND RECREATION CONDITIONS

6. The golf course land, which is designated to become open space, shall be deed restricted to limit its use to open space or conversion back to a golf course. If the open space is not converted back to golf course within 5 years, the applicant must install amenities such as fitness stations and/or dog parks, unless otherwise agreed upon by Parks and Recreation. (Amended A11)
7. Finalize and execute the First Amendment to the Lake Las Vegas Park Agreement prior to release of any subdivision Final Map for recordation, or upon an alternate timeline as approved by the Director of Public Works, Parks & Recreation. (Revised A11)
8. The applicant shall provide minimum 14-foot-wide public access easement from Strada Veneto to the Lake Mead Trail Corridor prior or concurrent to recordation of the final map. The City and applicant shall reach an agreement regarding trail location and access issues on APN 160-26-411-013 prior to recordation of the final map for Parcel N-1. (Revised A7)
9. Open space parkland or the equivalent contribution shall be donated at 5.25 acres per 1,000 population ($Du \times 2.77 / 1000 \times 5.25 =$ acres of land required) by the developer(s) responsible for such population. Without waiving any rights in the future, the City acknowledges that this applicant may presently have met this condition. (Revised A7)
10. Parks that are not dedicated to and accepted by the City must be privately maintained by the respective homeowners' association. (Revised A7)
11. Applicant must comply with approved park agreement. (Added A11)

UTILITY SERVICES CONDITIONS

12. Applicant shall submit a utility plan and utility analysis for Department of Utility Services' approval.

13. Applicant shall comply with the requirements of the master utility plan established for the project area.
14. Applicant shall grant a municipal utility easement per the Department of Utility Services' requirements.
15. All water and sewer services shall comply with (i) HMC Title 14 regarding public-public or private-private service requirements and (ii) the Water Agreements.
16. Civil improvement plans shall comply with the requirements of the (i) Uniform Design and Construction Standards for Water Distribution Systems, (ii) the Design and Construction Standards for Wastewater Collection Systems, and (iii) the Water Agreements.
17. Applicant shall prepare water and sewer system design in accordance with the Department of Utility Services' requirements. Approval of this application does not infer Department of Utility Services' approval for the water and sewer system layout as reflected on the application.
18. Applicant may be required to provide a water and/or sewer system capacity analysis covering the overall water and/or sewer system providing service to the project, prior to submitting civil improvement plans to the City. Preparation of said capacity analysis shall be coordinated with the Department of Utility Services.
19. Applicant may be responsible for performing water and/or sewer system upgrades in accordance with the results of the system capacity analysis or, at a minimum, applicant shall be responsible for participating in a proportionate share of the costs to complete these system upgrades.
20. Applicant must update the water and sewer master plans, if as a consequence of applicant's project (ZCA-2006660020) the City determines that the Study needs to be updated.
21. Applicant may be requested to update The Falls Master Utility Study, if as a consequence of applicant's project (ZCA-2006660020) the City determines that the Study needs to be updated.
22. Applicant will obtain a resolution from the LLVMA governing board resolving to update the raw water master plan that will address lake water quality and LLVMA's long range strategy for raw water use within the project, with such update to be completed before the City will release the final 20 percent of the security amount described in that certain Agreement Regarding Applicant's Obligations Related to Conditional Zoning Approval For The Falls dated November 22, 2013. (A9, Revised A11)

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.

23. Applicant shall install an approved sprinkler system in all buildings / dwelling units as required by Hillside Ordinance. (A15)
24. 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.
25. Applicant shall submit fire apparatus access road (fire lane) plans for Fire Department review and approval.
26. 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 prior to starting construction or moving combustibles on site.
27. Projects constructed in phases shall submit a phasing plan describing the fire apparatus access roads and fire hydrant locations relevant to each phase.
28. 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.
29. In lieu of providing dual access and a dual water source, fire sprinklers shall be provided to all structures on the site in accordance with the following chart:

Building Area Size Range 8	Access Required Per 97 UFC 902.2.1	Table A-111-A-1 Fire Flow Required With 1	Type V-N Const. Min. # Hydrant Within 750 ft 2	Mitigation Residential System Type 5	Fire Flow Reduction Allowance
<3,600 sq. ft.	250 ft.	1,500 gpm	2 (2 X 1,000 = 2,000)	Standard NFPA 13D 4	25%
>3,600 sq. ft. & <10,000 sq. ft.	150 ft.	2,250 gpm @ 6,201 sq. ft.	3 (3 x 1,000 = 3,000)	Enhanced NFPA 13D 3,4	50%
>10,000 sq. ft. & <15,000 sq. ft.	150 ft.	3,250 gpm @ 13,401 sq. ft.	4 (4 x 1,000 = 4,000)	Enhanced NFPA 13 R 3	50%
>15,000 sq. ft.	150 ft.	4,250 gpm @ 23,301 sq. ft.	5 (5 x 1,000 = 5,000)	Modified NFPA 13 3	50%

FOOTNOTES

1	Use required fire flow per 97 UFC Table A-III-A-1 or required no. of hydrants x 1,000 gpm each, whichever is greater.
2	All hydrants used to calculate required fire flow shall be within 750 ft. of the structure being protected as measured along the approved fire apparatus access road per 97 UFC 903.2 as amended.
3	This mitigation constitutes a building "completely protected with an approved fire sprinkler system" per 97 UFC 902.2.1 Exception 1.
4	Domestic demand of 5 gpm is required to be added to the sprinkler demand in the hydraulic calculations.
5	Freestanding detached guesthouses or garages shall be protected by an Enhanced NFPA 13D system.
6	Excluding Group R Division 3 occupancies used as Group Care Homes.
7	U.G. lead-in shall be the minimum size required hydraulically as proven by the sprinkler contractor and shall be hydrostatically tested and flushed, witnessed by Henderson P.W.Q.C. Division.
8	Building area is defined as all areas under roof except for porches, patios, balconies, carports, and porte cocheres.

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MITIGATION DESCRIPTION

Standard NFPA 13D - 1996 Edition, Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes.
Enhanced NFPA 13D - See NFPA 13D-1996 Edition plus provide sprinkler protection in all bathrooms, closets, pantries, entrance foyers, and garages.
Enhanced NFPA 13R - See NFPA 13R-1996 Edition plus provide sprinkler protection in all bathrooms, closets, pantries, attics, equipment rooms, elevator shafts, crawl spaces and garages. Provide insulation at the roof deck or provide freeze protection using an anti-freeze system. (No dry systems permitted.)
Modified NFPA 13 - See NFPA 13-1996 Edition plus City of Henderson Fire Department list of DESIGN CRITERIA for NFPA 13 Systems in Residences > 15,000 sq. ft.

COMMUNITY DEVELOPMENT PLANNING SERVICES CONDITIONS

30. All private open space, landscaped areas within public rights-of-way, landscaping along public rights-of-way, and landscaping within drainage channels (arroyos) shall be installed by the developer and maintained by a property owners association, unless otherwise approved by City Council. Water conservation shall be a primary design element in the planning, design, and construction of landscaped projects.
31. Permitted uses, prohibited uses, restricted uses, limited uses, and property development standards shall be as approved by this application. In the case of a conflict between the approved uses and property development standards and City ordinances, unless specifically approved as a waiver, the most restrictive shall prevail.
32. Each subdivision containing lots less than 6,000 square feet shall provide Code -required open space within the physical boundaries of, or immediately adjacent to, the subdivision. Private open space improvements shall be as approved by the City's Community Development and Parks and Recreation departments and the City Manager.
33. Maximum buildout of the project shall remain 3,255 dwelling units. (A15)

EXISTING WAIVERS

- a. CM zoning for Parcel F, a 16-acre site and Parcel J, a 4-acre site.

- b. Development standards for RS-zoned parcels shall be per those of the RS-6-PUD, and parcels zoned RM-8 or RM-10 shall be per the ELO provisions of 19.6.6. Except 10-foot front setbacks for single-story side-loaded garages are permitted in RS or RM-8/10 districts.
- c. To allow 0.5 FAR for RS-6, RM-8 and RM-10.
- d. Minimum rear-yard setbacks of 10 feet for RS-zoned lots adjacent to a golf course, and 15 feet all other perimeter setbacks.
- e. Approval of two parking spaces for projects with RM-8 and RM-10 zoning. Projects zoned RM-16 or residential in a CM district should be held to higher parking standards.
- f. (With median) - Two 20-foot one-way travel lanes with a 6- to 14-foot center median within a minimum 62-foot right-of-way with no on-street parking. Five-foot detached sidewalk on one side if no trail is provided. No sidewalks if trail is provided. Curbs will be provided as required by drainage studies.
(No Median) - 24-foot (if trails are provided) to 28-foot (if no trails are provided) pavement within a minimum 34-foot right-of-way with no on-street parking. Roadway section widened at intersections to accommodate turning movements where required. Five-foot detached sidewalks on one side if no trails provided. No sidewalks if trails provided. Road sections for individual parcel entries may be widened to accommodate gatehouses, entry walls signage and enhanced landscaping.
Except that the following roadway shall be provided for access to Parcels D and K: Two 25-foot one-way travel lanes in a private gated street measured from face-of-curb to face-of-curb, a 5-foot minimum center median, with no on-street parking, no lots having access to the street, and a five-foot attached sidewalk on one side of the street if no trail is provided in an adjacent common element. The sidewalk may be detached if no median is provided. The following roadway shall be allowed in Parcel K only: (No Median) - 24-foot (if trails are provided) to 28-foot (if no trails are provided) pavement within a minimum 32-foot right-of-way with no on-street parking. Roadway section widened at intersections to accommodate turning movements where required. Four-foot attached sidewalks on one side if no trails provided. No sidewalks if trails provided. Road sections for individual parcel entries may be widened to accommodate gatehouses, entry walls signage and enhanced landscaping. (Amended A5 & A8)
- g. Use of decorative pavers in streets, decorative streetlights and design standards for hillside streets in areas not subject to the Hillside Ordinance.

- h. Twenty-four-foot-wide private gated streets measured from face-of-curb to face-of-curb with no on-street parking and no sidewalks west of Lake Las Vegas Parkway. Lake Las Vegas already has been approved and has installed numerous 24-foot-wide roads on the North and South shores.
- i. For hillside lots, the minimum lot width shall be 40 feet subject to the minimum lot size remaining 4,500 as required by Code.
- j. To allow one driveway up to 600 feet in length to serve a maximum of 6 lots subject to conditions requiring upgraded sprinklers.
- k. Allow a maximum height of masonry retaining walls as identified in "Exhibit A" (Serrano, Serrano "M", and Parcel "X" only) to be 13.6 feet with no offset, where 6 feet is allowed. (Added A6)
- l. To provide a 4-foot-wide sidewalk on one side of a local street when the minimum lot sizes are 8,000 square feet, and no sidewalks where the lots are greater than 8,000 square feet.
- m. For hillside areas, 42-foot radius for cul-de-sacs measured to the face-of-curb.
- n. Transplanted and container plant materials may be substituted for seeding to revegetate disturbed areas.
- o. Allow required parking for multifamily units within The Bluffs development to be reduced from 655 parking stalls to 651 parking stalls. (A3)
- p. Increase the Maximum floor area ratio (FAR) within The Bluffs Development for Plan 5 on 50-foot x 110-foot lots to a .56 FAR and increase Plan 4 on 40-foot x 110-foot lots to a .55 FAR. (A3)
- q. Reduce the setbacks from the face of the garage to the private drive within the cluster portion of The Bluffs development from 5 feet to 3 feet. (A3)
- r. Allow on-street parking on one side of a 34-foot-wide right-of-way and reduce the sidewalk from 5 feet to 4 feet. (A3)
- s. Reduce the window-to-window separation requirement within the multifamily portion of The Bluffs development from 30 feet to 20 feet. (A3)
- t. Allow 13.6-foot-tall masonry retaining walls for Serrano-L, Serrano-M, Provence, and Verona, and a 9-foot-tall masonry retaining wall for Parcel K. (Added A7, Amended A10)
- u. Reduce the minimum required Connectivity Index Score from to 1.1 for Parcels 6A, A1A/5A, and K (including 2A and 4A). (A10)

- v. To accommodate a “lateral” house placement, revise the required setbacks for Lot 77 in Parcel K to:
 - Front: 5 feet
 - Side: 20 feet to front entry garage
14 feet to living area
10 feet to side-loaded garage
 - Side: 15 feet
 - Rear: 5 feet (A10)
- w. For Parcel K, increase the allowable depth-to-width ratio to 4.2:1. (A10)
- x. For Parcel K, allow street jogs of less than 125 feet for Street A’s offsets from Streets E & F. (A10)
- y. For Parcels I-1, 3A, and K Phase 4, reduce the minimum lot size to 3,137 square feet. (A15)
- z. For Parcel 7A, Lots 1, 2, 32, 33: 1) Reduce the front setback to garage to 5 feet, 2) reduce the front setback to living area to 5 feet, 3) reduce the front setback to side loaded garage to 5 feet; and 4) reduce the rear setback to 5 feet. (A16)
- aa. Reduce the minimum lot size to 1,862 square feet per unit for Parcel H-1. (A21)
- bb. Increase the maximum lot coverage to 0.74 for Parcel H-1. (A21)

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 June 21, 2024, in the Las Vegas Review-Journal, at which time it will become effective.

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 18th DAY OF JUNE, 2024.

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 June 4, 2024, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on June 18, 2024, 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 June 18, 2024, 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

Dan K. Shaw

Those voting nay: None

Those abstaining: None

Those absent: None

Michelle Romero, Mayor

ATTEST:

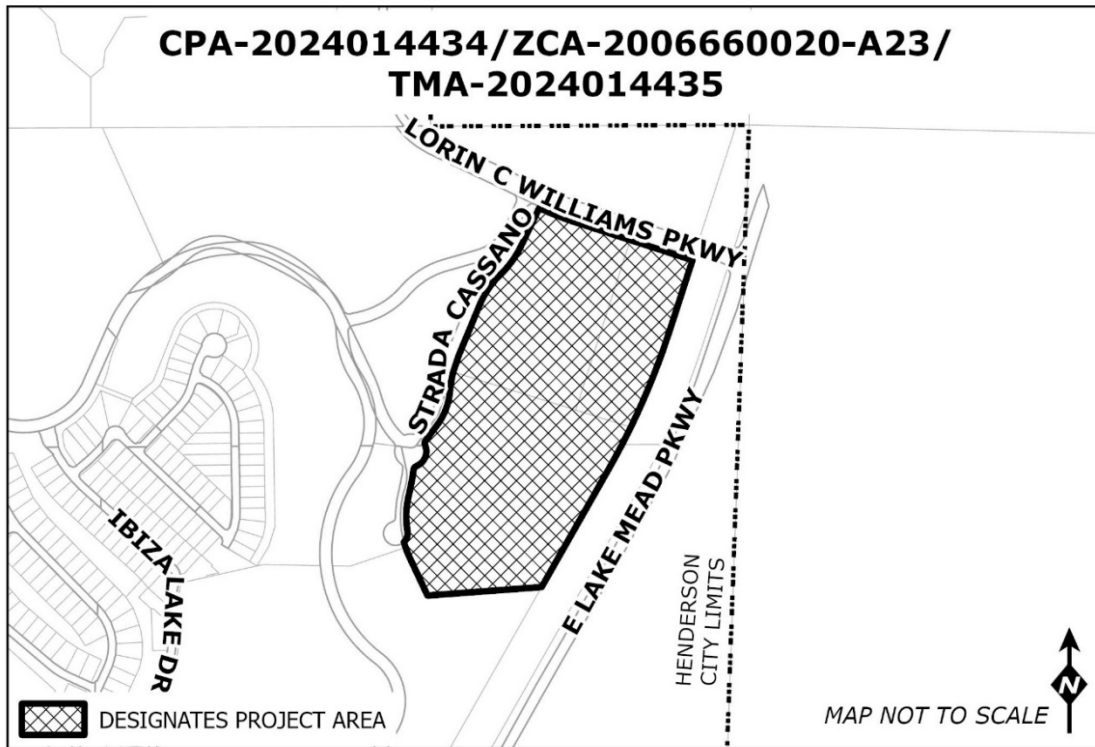
Jose Luis Valdez, CMC, City Clerk

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EXHIBIT A

ZCA-2006660020-A23

The Falls at Lake Las Vegas / Lorin Williams & Lake Mead



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