

ORDINANCE NO. 2997  
(ZCA-12-500391 – Barndt Zone Change)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, AMENDING ORDINANCE NO. 2869, THE ZONING MAP, TO RECLASSIFY CERTAIN REAL PROPERTY WITHIN THE CITY LIMITS OF THE CITY, DESCRIBED AS A PORTION OF SECTION 09, TOWNSHIP 23 SOUTH, RANGE 61 EAST, M.D.B. & M., CLARK COUNTY, NEVADA, LOCATED AT 12720 DAVIS WRIGHT COURT, ON 0.47 ACRES, TO APPLY RS-2 (LOW-DENSITY RESIDENTIAL) ZONING ON CURRENTLY UN-ZONED PROPERTY AND OTHER MATTERS RELATING THERETO.

WHEREAS, the City Council of the City of Henderson, Nevada, on February 5, 2013, committed to the rezoning of certain real property totaling 0.47 acres, more or less, located in a portion of Section 09, Township 23 South, Range 61 East, located at 12720 Davis Wright Court to apply RS-2 (Low-Density Residential) zoning on currently un-zoned property; and

WHEREAS, Ultryx Design Group has made application for a zone change; and

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

- a) The proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact.
- b) The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of Section 19.1.5.
- c) The proposed amendment will protect the health, safety, morals or general welfare of the public.
- d) The City and other service providers will be able to provide sufficient public safety, transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development.
- e) The proposed rezoning will not have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation.
- f) The proposed amendment will not have significant adverse impacts on other property in the vicinity of the subject tract.
- g) The subject property is suitable for the proposed zoning classification, and there is a need for the proposed use at the proposed location; and

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

SECTION 1. Ordinance No. 2869 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 page:

That portion of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 9, Township 23 South, Range 61 East, M.D.B.&M., City of Henderson, Clark County, Nevada, as described as follows:

Parcel One (1) as shown by map thereof in File 93, Page 17 of Parcel Maps, Clark County, Nevada

containing 0.47 acres, more or less, to apply RS-2 (Low-Density Residential) zoning on currently un-zoned property.

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

#### PUBLIC WORKS DEPARTMENT 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.
2. Davis Wright Court is a private street and shall be privately maintained.

#### FIRE DEPARTMENT CONDITION

The authority for enforcing the International Fire Code is NRS 477.030 and Ordinance Numbers 2649 and 2738 as adopted by the City of Henderson. Fire Department approval is based upon review of the civil improvement or building drawings, not planning documents.

3. Applicant shall install an approved sprinkler system in all buildings / dwelling units as required by Code

SECTION 3. If any section, subsection, paragraph, clause or provision of this Ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section or subsection, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4. All ordinances, or parts of ordinances, sections, subsection, 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 Review Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on February 22, 2013, in the Review Journal.

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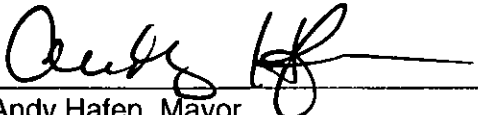
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PASSED, ADOPTED, AND APPROVED THIS 19<sup>th</sup> DAY OF FEBRUARY, 2013.



  
Andy Hafen, Mayor

ATTEST:

  
Sabrina Mercadante, MMC, City Clerk

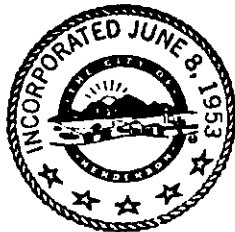
The above and foregoing Ordinance was first proposed and read in title to the City Council on February 5, 2013, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

"COUNCIL AS A WHOLE"

Thereafter on February 19, 2013, 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 February 19, 2013, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:      Andy Hafen, Mayor  
                                 Councilmembers:  
                                 Sam Bateman  
                                 Debra March  
                                 John F. Marz  
                                 Gerri Schroder

Those voting nay:      None  
Those abstaining:      None  
Those absent:          None

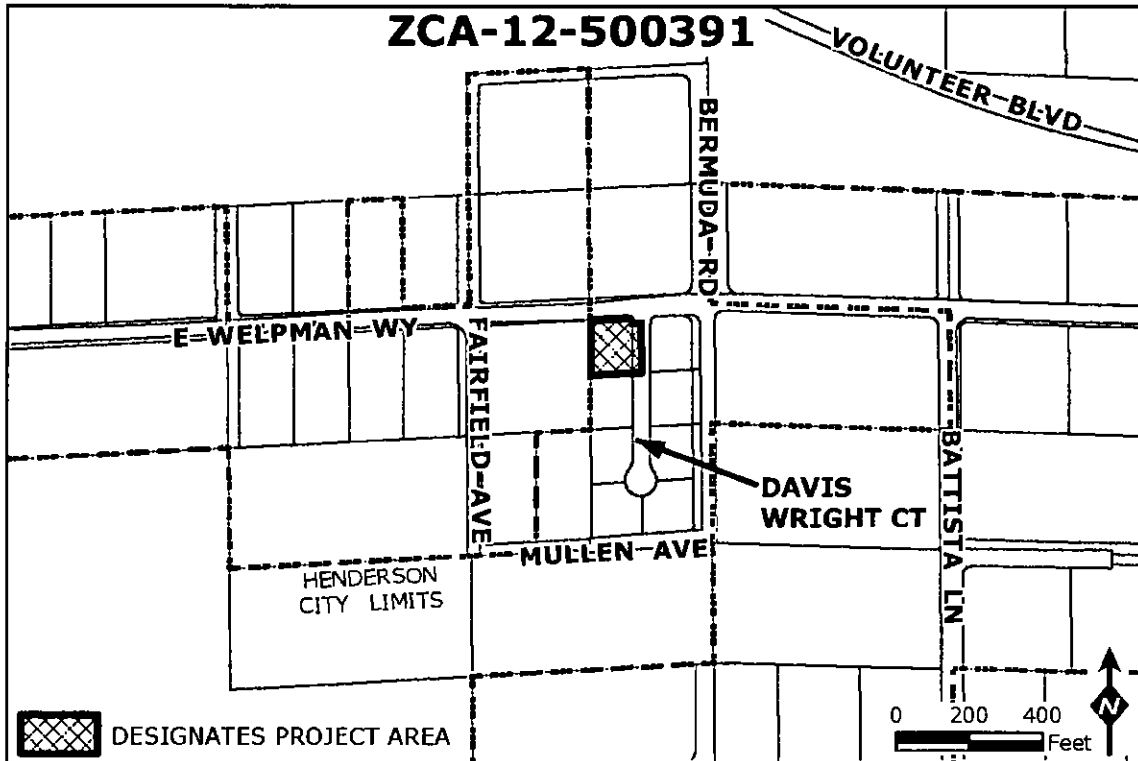


  
Andy Hafen, Mayor

ATTEST:

  
Sabrina Mercadante, MMC, City Clerk

EXHIBIT A  
ZCA-12-500391 – Barndt Zone Change



Editor's Note: Pursuant to City Charter Section 2 090(3), language to be omitted is enclosed in [bold brackets], and language proposed to be added is underscored.