

ORDINANCE NO. 3218
(ZCA-14-500266 – Paradise Hills – Horizon Ridge)

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 31, TOWNSHIP 22 SOUTH, RANGE 63 EAST, M.D.B. & M., CLARK COUNTY, NEVADA, LOCATED AT THE SOUTHWEST CORNER OF PARADISE HILLS DRIVE AND HORIZON RIDGE PARKWAY, IN THE PARADISE HILLS PLANNING AREA FROM RS-1 (LOW-DENSITY RESIDENTIAL) TO RS-8 (LOW-DENSITY RESIDENTIAL), AND MATTERS PROPERLY RELATING THERETO.

WHEREAS, the City Council of the City of Henderson, Nevada, on September 9, 2014, committed to the rezoning of certain real property totaling 4 acres, more or less, located in a portion of Section 31, Township 22 South, Range 63 East located at the southwest corner of Paradise Hills Drive and Horizon Ridge Parkway from RS-1 (Low-Density Residential) to RS-8 (Low-Density Residential); and

WHEREAS, Ryland Homes 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 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 19.4.4, Master Plan Development Overlay, or Section 19.4.5, Planned Unit 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.

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:

LOT 105-2 AS SHOWN ON THAT CERTAIN MAP ON FILE IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER IN FILE 13, PAGE 57 OF PARCEL MAPS, LYING WITHIN THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 63 EAST, M.D.M., CITY OF HENDERSON, CLARK COUNTY, NEVADA;

containing 4 acres, more or less, from RS-1 (Low-Density Residential) to RS-8 (Low-Density Residential).

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

PUBLIC WORKS DEPARTMENT CONDITION

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.

COMMUNITY DEVELOPMENT DEPARTMENT CONDITION

2. 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.

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 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 October 10, 2014, in the Review Journal.

//

//

//

//

//

//

//

//

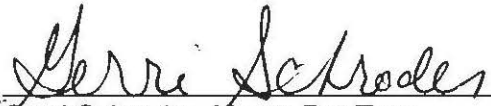
//

//

//

PASSED, ADOPTED, AND APPROVED THIS 7TH DAY OF OCTOBER, 2014.




Gerri Schroder, Mayor Pro Tem

ATTEST:


Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on September 9, 2014, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on October 7, 2014, 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 October 7, 2014, the Ordinance was read in title and adopted by the following roll call vote:

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

Those voting nay: None
Those abstaining: None
Those absent: Andy Hafen, Mayor

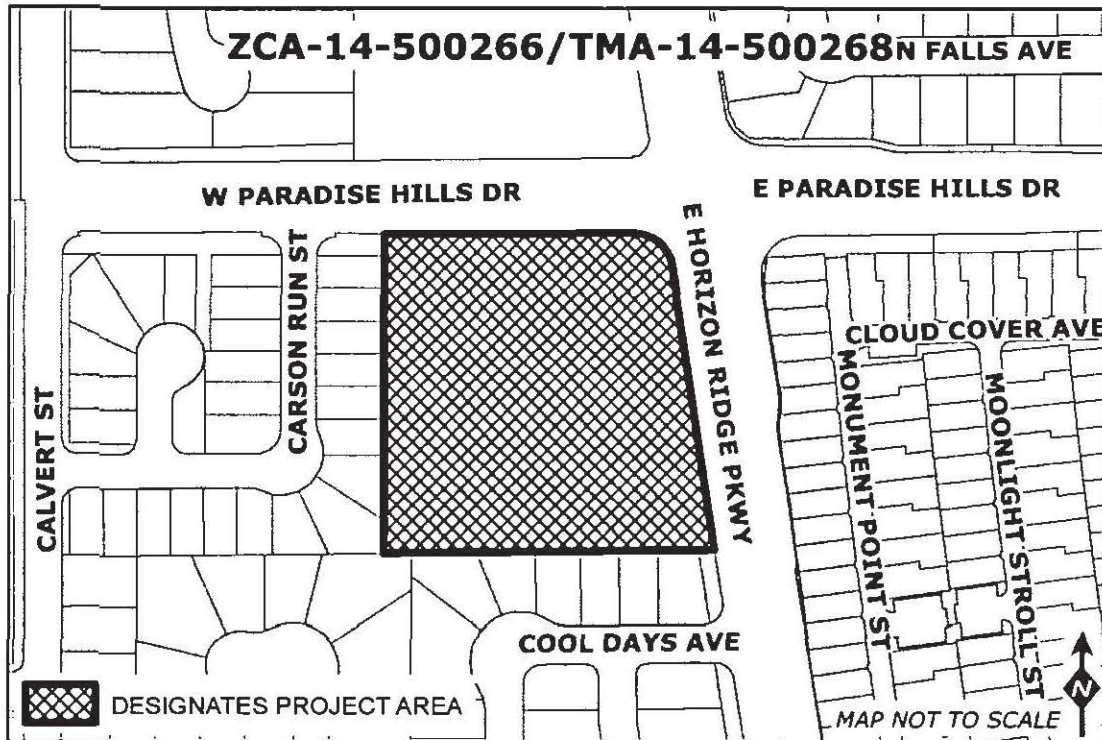



Gerri Schroder, Mayor Pro Tem

ATTEST:


Sabrina Mercadante, MMC, City Clerk

EXHIBIT A
ZCA-14-500266 – PARADISE HILLS – HORIZON RIDGE



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.