

## **ORDINANCE NO. 3135**

AN ORDINANCE RELATED TO ZONING; RECLASSIFYING APPROXIMATELY 4.08 ± ACRES FROM R-E, RANCH ESTATES DISTRICT AND R-1, SINGLE-FAMILY LOW DENSITY DISTRICT TO A PUD / PID, PLANNED UNIT DEVELOPMENT / PLANNED INFILL DEVELOPMENT DISTRICT, (ZN-15-2022, KAVISON HOMES) CONSISTING OF 27 SINGLE-FAMILY RESIDENTIAL LOTS, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF SIMMONS STREET AND SAN MIGUEL AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

**WHEREAS**, the rezoning is consistent with the Comprehensive Plan; and

**WHEREAS**, the Council determines that the amendment will not adversely affect the health and general welfare; and,

**WHEREAS**, according to Paragraph B of Section 70 of Chapter 12 of Title 17 of the North Las Vegas Municipal Code, the City Council may, by ordinance, reclassify property.

**NOW THEREFORE**, the City Council of the City of North Las Vegas does ordain:

**SECTION 1:** In accordance with the provisions of Ordinance No. 3135, the following described parcel of land shall be reclassified as follows:

THE R-E, RANCH ESTATES DISTRICT AND R-1, SINGLE-FAMILY LOW DENSITY DISTRICT TO A PUD/PID, PLANNED UNIT DEVELOPMENT DISTRICT/PLANNED INFILL DEVELOPMENT DISTRICT (ZN-15-2022), THE FOLLOWING PROPERTY DESCRIBED TO WIT:

### **LEGAL DESCRIPTION**

**APN: 139-05-801-001**

THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA

EXCEPTING THEREFROM THE WEST 30 FEET AS CONVEYED TO THE CITY OF NORTH LAS VEGAS BY DEED RECORDED DECEMBER 6, 1967 IN BOOK 839 AS DOCUMENT NO. 674372 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

FURTHER EXCEPTING THEREFROM THE NORTH 30 FEET AS CONVEYED TO THE CITY OF NORTH LAS VEGAS BY DEED RECORDED SEPTEMBER 10, 1998, IN BOOK 980910 AS DOCUMENT NO. 01962, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

AND FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF NORTH LAS VEGAS BY GRANT DEED OF DEDICATION RECORDED MARCH 11, 2013, AS INSTRUMENT NO. 201303110003236 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

**APN: 139-05-801-003**

SOUTHWEST QUARTER (SW 1/4), NORTHWEST QUARTER (NW 1/4), SOUTHWEST QUARTER (SW 1/4), SOUTHEAST QUARTER (SE 1/4), SECTION 5, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B.&M.

SAVING AND EXCEPTING THE WESTERLY THIRTY (30) FEET TO BE USED FOR ROAD PURPOSES.

ALSO RESERVING THE EASTERLY TEN (10) FEET TO BE USED FOR UTILITIES.

**SECTION 2:** The Planned Unit Development /Planned Infill Development District (PUD/PID) herein is subject to the development standards and requirements of the North Las Vegas Municipal Code as well as the following conditions of approval:

**CONDITIONS:**

***Planning and Zoning:***

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The maximum density shall be 6.6 dwelling units per acre.
3. The common open space shall include, at a minimum, the following amenities:
  - a. a tot-lot with EPDM surfacing
  - b. an open play turf area
  - c. a barbeque area
  - d. a shaded ramada
  - e. benches
  - f. lighting
  - g. dog station areas

***Public Works:***

4. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope. A queuing analysis may be required.

7. The size and number of access points and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code section 17.24.040; Conformance may require modifications to the site.
8. Proposed residential driveway slopes shall not exceed twelve percent (12%).
9. All residential driveway geometrics shall be in compliance with the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 222.
10. Dedication and construction of the following streets and/or half streets is required per the Master Plan of Streets and Highways and/or City of North Las Vegas Municipal Code section 16.24.100:
  - a. Simmons St (sidewalk/streetlights)
  - b. San Miguel Ave (sidewalk)
11. All off-site improvements must be completed prior to final inspection of the first building.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Simmons Street.
13. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
14. A revocable encroachment permit for landscaping within the public right of way is required, if applicable.
15. All common elements shall be labeled and are to be maintained by the Homeowner Association.
16. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

**SECTION 3:** NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

**SECTION 4:** SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

**SECTION 5:** EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas and, after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

**SECTION 6:** PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Council Members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS 17th day of August, 2022.

AYES: Mayor Lee, Mayor Pro Tempore Gyones-Brown, Councilmembers Barron, Black, and Cherchio

NAYS: None

ABSTAIN: None

ABSENT: None

APPROVED:

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JOHN J. LEE, MAYOR

ATTEST:

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JACKIE RODGERS  
CITY CLERK