

## **ORDINANCE NO. 2761**

### **AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, NEVADA AMENDING ORDINANCE NO. 2672; AMENDING THE DEVELOPMENT AGREEMENT FOR PARK HIGHLANDS WEST TO AMEND THE LAND USE PLAN FOR PARCEL 2.1; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO**

WHEREAS, pursuant to Nevada Revised Statute section 278.0201, the City Council of the City of North Las Vegas enacted North Las Vegas Municipal Code section 15.56 providing for the utilization of development agreements to regulate land development within the incorporated boundaries of the City of North Las Vegas;

WHEREAS, on May 6, 2006, the City of North Las Vegas adopted Ordinance Number 2267 which acted to approve and adopt that certain Development Agreement by and between the City of North Las Vegas and November 2005 Land Investors, L.L.C./DRHI, Inc., for the development that is commonly known as Park Highlands (the "Original Development Agreement");

WHEREAS, subsequent to the passage of Ordinance Number 2267, the ownership of the land controlled by the Original Development Agreement changed, and the land subject to the Original Development Agreement was sold to seven (7) different owners (the "Current Landowners").

WHEREAS, on June 18, 2014, the City of North Las Vegas adopted Ordinance 2672 which divided Park Highlands into Park Highlands West and Park Highlands East as the Aliante Master Planned Community naturally divides both developments.

#### **THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS DOES ORDAIN**

**SECTION 1:** The Development Agreement by and between the City of North Las Vegas and Argent Management, LLC approved and adopted pursuant to City of North Las Vegas Ordinance No. 2672 shall be hereby amended as provided by the exhibits attached hereto. Attachment "A" provides a new land use plan for Parcel 2.1 within the Park Highlands West Development.

**SECTION 2:** Except as otherwise provided in the Development Agreement and all other accompanying exhibits, all ordinances, resolutions, and regulations applicable to that certain property which is the subject of the Development Agreement and governing the permitted uses of that land, density and standards for design, improvements and construction are those in effect at the time the Development Agreement is approved and as amended from time to time.

**SECTION 3: NON-INFRINGEMENT OF RIGHTS.** The City Council of the City of North Las Vegas has been informed by the North Las Vegas City Attorney's Office 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 Ordinance No. 2761

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 remaining provisions of this ordinance.

**SECTION 5: REPEALER.** All ordinances, parts of ordinances or chapters, sections or paragraphs contained in the North Las Vegas Municipal Code in conflict herewith are hereby repealed.

**SECTION 6: 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.

PASSED AND ADOPTED ON THE 15<sup>th</sup> DAY OF June, 2016.

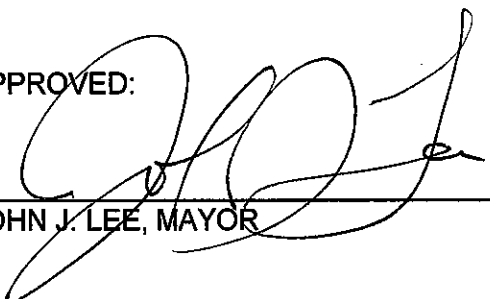
AYES: Mayor Lee, Mayor Pro Tempore Goynes-Brown, Council Members Wood, Barron and Cherchio

NAYES: None

ABSTAIN: None

ABSENT: None

APPROVED:

  
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JOHN J. LEE, MAYOR

ATTEST:

  
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CATHERINE A. RAYNOR, MMC, CITY CLERK