

ORDINANCE NO. 2775, AS AMENDED

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1322 WHICH RECLASSIFIED THE PROPERTY (ZN-25-93) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO ALLOW 1.9 ACRES OF COMMERCIAL AND 11.6 ACRES OF RESIDENTIAL CONTAINING 96 MULTI-FAMILY DWELLING UNITS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET AND BY ADDING CONDITIONS, AS SET FORTH BELOW; 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,

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

SECTION 1: In accordance with the provisions of Ordinance No. 2775, the conditions of the PUD shall be amended to read as follows:

Residential Multi-Family Development:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That the number of units shall not exceed 96 multi-family homes.
3. That the minimum separation between each multi-family building shall be ten feet.
4. The open space amenities shall be provided as depicted on the site plan.
5. The guest houses shall not be available for rent or transient guest lodging, and shall only be used for family members of the tenants of the development.
6. Occupancy of the dwelling units shall be restricted to Senior Citizens as defined in the Federal Fair Housing Act and amendments.
7. A minimum of 158 off-street parking spaces shall be provided.

8. If the units are constructed as condominiums, additional mapping is required to complete the project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision map approval. However, if the units are constructed as apartments for rent then additional mapping is not needed.
9. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
10. All known geologic hazards, such as fault lines and/or fissures, shall be shown on the civil improvement plans submitted to the Department of Public Works. Subsequent identification of additional hazards may substantially alter the original site plan.
11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. The size and number of driveways 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 will require modifications to the site. The proposed driveway fronting Lone Mountain Road shall align with Columbine Drive, or the driveway shall be for the purpose of emergency access only and gated to meet Fire Department requirements, in which case, the Emergency Access driveway shall be constructed per Clark County Area Uniform Standard Drawing number 224.
13. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1 and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
14. Security gate geometrics, including throat depths, are to be designed and constructed in accordance with *Clark County Area Uniform Standard Drawing* number 222.1. Modifications to the site plan may be needed to comply with the standards.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. 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.
17. All off-site improvements must be completed prior to final inspection of the first building.

18. Construction of the following 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 Street
 - b. Lone Mountain Road
19. The developer is required to construct a raised median within Simmons Street. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 PCC and 219 "A" type island curb.
20. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Simmons Street.
21. 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.
22. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
23. A revocable encroachment permit for landscaping within the public right of way is required.
24. Proposed residential driveway slopes shall not exceed twelve percent (12%).

Commercial Development:

25. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
26. The development shall comply with the Commercial Design Standards and Design Guidelines.
27. A final development plan shall be required for Planning Commission review and approval.
28. That the commercial uses in this Planned Unit Development shall only be those allowed in the C-1, Neighborhood Commercial District as principally permitted

uses, or as special uses subject to Title 17.24.020 and 17.28.050, with the exception of the following:

- a. A restricted gaming or nonprofit club "on-sale" liquor use shall be prohibited.

SECTION 2: 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 3: 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 4: 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 5: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmen 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 19th day of October, 2016

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

NAYS: None

ABSENT: Mayor Lee

APPROVED:



JOHN J. LEE, MAYOR

ATTEST:



CATHERINE A. RAYNOR, MMC, CITY CLERK