

ORDINANCE NO. 3197

AN ORDINANCE RELATED TO ZONING; RECLASSIFYING APPROXIMATELY 4.92 ACRES FROM C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO AN MUD-N, MIXED-USE NEIGHBORHOOD DISTRICT, (ZN-14-2023, LAKE MEAD & ENGLESTAD MICROBUSINESS) FOR PROPERTY LOCATED ON THE NORTH SIDE OF LAKE MEAD BOULEVARD, APPROXIMATELY 300 FEET WEST OF ENGLESTAD STREET, 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. 3197, the following described parcel of land shall be reclassified as follows:

MUD-N, Mixed-Use Neighborhood District, (ZN-14-2023, Lake Mead & Englestad Microbusiness),

THE FOLLOWING PROPERTY DESCRIBED TO WIT:

LEGAL DESCRIPTION

Assessor's Parcel Number: 139-22-201-005

THAT PORTION OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B.&M, DESCRIBED AS FOLLOWS:

PARCEL ONE (1) AS SHOWN BY MAP THEREOF IN FILE 74 OF PARCEL MAPS, PAGE 56 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

SECTION 2: The Mixed-Use Neighborhood District (MUD-N) herein is subject to the development standards and requirements of the North Las Vegas Municipal Code as well as the following conditions of approval:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A shared parking plan shall be enforced through a written agreement among all owners of record. An attested copy of the agreement between the owners of record must be recorded. Recordation of the agreement shall take place prior to issuance of any permits

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for any use to be served by the shared parking area.

3. No multifamily structure exceeding two stories or thirty (30) feet in height shall be constructed within thirty (30) feet of an adjacent single-family residential property line.
4. Prior to the issuance of any permits for the project, legal access (Ingress / Egress Easement) must be established from APN 139-22-201-017 (currently owned by Nevada Partners Inc) granted to and for the benefit of APN 139-22-201-005. This easement must be established, recorded and referenced on the project's civil improvement plans; and, if the property is to be subdivided, on the parcel map prior to recording. The maintenance agreement for the access must be established at this time as well.
5. The applicant shall include a detailed and dimensioned open space exhibit showing proposed amenities with the Final Development Plan application to ensure that all open space requirements are met. The open space exhibit must clearly identify Pedestrian Priority Areas, Private Common Open Space, Private Open Space and Neighborhood Nodes.
6. The total number of residential dwelling units shall not exceed 76.
7. All known geologic hazards shall be shown on any preliminary development plans and civil improvement plans submitted to the City. Subsequent identification of additional hazards may substantially alter development plans.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. Clark County Regional Flood Control District (CCRFGD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
10. Approval of a traffic study is required prior to submittal of the civil improvement plans and the City of Las Vegas concurrence is required. Please contact Traffic Engineering at 633-2676 to request a scope.
11. 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 plan.
12. The project shall provide a bus turnout and loading pad and shelters on Lake Mead in accordance with Uniform Standard Drawing 234.1 and 234.2.
13. The property owner is required to grant a roadway easement for commercial driveway(s).
14. The property owner is required to grant a sidewalk easement for sidewalk located on private property when that sidewalk is providing public access adjacent to the right-of-way, if applicable.
15. If the parcel is intended to be subdivided, 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 and/or parcel map approval.

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 _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED:

PAMELA A. GOYNES-BROWN, MAYOR

ATTEST:

JACKIE RODGERS
CITY CLERK