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APN# 12421610019 - See attached List

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Second Amended and Restated Development Agreement

for the Villages At Tule Springs

formerly known as Park Highlands East

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Assessor's Parcel Numbers

12421610019	12415510001	12421610017	12414299001
12414110002	12415510003	12421610018	12414299002
12414110003	12415610001	12421610020	12414299003
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12414810004	12421212002	12416510005	12421599001
12414810005	12421212004	12416510007	12421599002
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**SECOND AMENDED AND RESTATED DEVELOPMENT
AGREEMENT**

FOR

**THE VILLAGES AT TULE SPRINGS
(FORMERLY KNOWN AS PARK HIGHLANDS EAST)**

JUNE 3, 2015

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SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT
FOR
THE VILLAGES AT TULE SPRINGS

This Second Amended and Restated Development Agreement (this "Agreement") is made and entered into this ____ day of _____, 2015, by and between the City of North Las Vegas, State of Nevada (the "City"); Crescent Bay Development Services, LLC, a Delaware limited liability company (the "Master Developer"); KBS SOR Park Highlands, LLC, a Delaware limited liability company ("KBSSOR"); KBS SOR Park Highlands II, LLC, a Delaware limited liability company ("KBSSOR II"); Standard Pacific of Las Vegas, Inc., a Delaware corporation ("Stanpac"); and Highlands Park Holdings, LLC, a Delaware limited liability company ("HPH"). KBSSOR, Stanpac, KBSSOR II, and HPH, are sometimes individually referred to as an "Owner" and may be collectively referred to as "Owners". The City, Master Developer and the Owners, and their successors and assigns, are sometimes individually referred to as a "Party" and collectively as the "Parties".

PRELIMINARY STATEMENTS

A. The BLM was authorized to sell the Land pursuant to the Southern Nevada Public Land Management Act of 1998, P.L. 105-263, the applicable provisions of the Federal Land Policy and Management Act, 43 U.S.C. § 1701 *et. seq.*, and all other applicable federal and state laws and regulations.

B. An auction was held by the BLM and November 2005 Land Investors, LLC and DRHI, Inc. were the high bidders to acquire the Land.

C. The City, November 2005 Land Investors, LLC and DRHI, Inc. entered into a development agreement for the Land on May 3, 2006 which was recorded as Book No. 20060508 and Instrument No. 0004269 (the "Original Agreement").

D. The Original Agreement was approved by the City during the peak of home sales and prices in southern Nevada.

E. Subsequently, the country as well as the City experienced the worst economic recession on record which significantly impacted development in the state and in southern Nevada with unprecedented unemployment rates soaring and demand for development, specifically new homes, coming to a standstill.

F. During this time, DRHI, Inc. sold their holdings within the Land to BOH, LLC who subsequently sold its holdings within the Property to KBSSOR II.

G. November 2005 Land Investors, LLC sold a portion of its land holdings to Stanpac and Insight Park Highlands, LLC, a Nevada limited liability company's ("Insight") predecessor in interest. Insight is not a Party to this Agreement and the Insight Parcels (defined below) are not part

of this Agreement or the Master Planned Community.

H. November 2005 Land Investors, LLC went through two bankruptcies resulting in their holdings in the Land being sold at auction to KBSSOR.

I. The Land was divided into what was referred to as the West Parcel and the East Parcel because the West Parcel and the East Parcel are separated by the Aliante Master Planned Community. This geographic separation, along with disparate ownership of the West and East Parcels, made the development of the Land as one Master Planned Community impractical. As such, the City and the owners of the East Parcel, on one hand, and the City and owners of the West Parcel, on the other hand, entered into two separate standalone development agreements, each of which were approved by the City on June 18, 2014. The Amended and Restated Development Agreement ("ARDA") for Park Highlands West was recorded in the Official records of Clark County as Book No. 20141105 and Instrument No. 0002791 and the ARDA for Park Highlands East was recorded as Book No. 20141105 and Instrument No. 0002827. The ARDA for Park Highlands West and the ARDA for Park Highlands East were approved along with approved Design Guidelines and accepted Master Studies, which may be amended from time to time. Upon recordation of the two ARDAs, the obligations of the Original Agreement with respect to the Property were deemed satisfied, with respect to the Parties to this Agreement.

J. Insight executed the ARDA for Park Highlands East for the limited purposes set forth in the Consent and Joinder attached to that agreement, which I remains in full force and effect. Further, the Consent and Joinder specifically stated that the ARDA for Park Highlands East could be amended or modified without Insight's consent or approval.

K. With the exception of the Outside Parcels as defined in Section 12.04, this Agreement shall supersede the ARDA for Park Highlands East recorded as Book No. 20141105 and Instrument No. 0002827 upon recordation.

L. The Owners have appointed a "Master Developer" to represent them in connection with the development of the Property. The Property shall be divided and developed into four separate Villages known as The Villages at Tule Springs, which will include an Active Adult Community in Village 2.

M. The City desires, and Owners acknowledge the City's desire to i) facilitate the development of the Property, ii) maintain appropriate design congruity within the Master Planned Community, and iii) minimize the administrative and maintenance burden on the City associated with the development of the Master Planned Community.

N. The City and Owners desire to enter into this Development Agreement for The Villages at Tule Springs in accordance with NRS 278.0201 to 278.0207 and Section 15.56 of the Code to set forth their mutual understanding with respect to the orderly zoning and development of the Property as a planned community.

O. The City Council, having determined that all of the substantive and procedural requirements for approval of this Agreement have been satisfied and after giving notice as required by law, held a public hearing on _____, 2015, wherein the City Council found this Agreement to be in the public interest and lawful in all respects.

NOW, THEREFORE, in consideration of the foregoing recitals, the promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

SECTION 1. DEFINITIONS

For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires, the following terms shall have the following meanings:

“Active Adult Community” means the active adult lifestyle community proposed in Village 2. The Active Adult Community will be subject to a Deed Restriction as permitted under the Housing for Older Persons Act of 1995 (“HOPA”) which (among other things) requires that (a) at least eighty percent (80%) of the occupied units within the Active Adult Community must be occupied by at least one person who is 55 years of age or older per unit; (b) the owner or management of the housing facility/community must publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons 55 years or older; and (c) the facility/community must comply with rules issued by the Secretary (of HUD) for verification of occupancy through reliable surveys and affidavits.

“Affiliate” means, with respect to any Person, any other Person (a) directly or indirectly controlling, controlled by, or under common control with that Person, or (b) who is a member, stockholder, director, officer, manager or comparable principal of, or relative or spouse of, the specified Person. For purposes of this definition, “controlling,” “controlled by” or “under common control” means the right to exercise, directly or indirectly, more than fifty percent (50%) of the voting power of the stockholders, members or owners and, with respect to any individual, partnership, trust or other entity or association, alternatively means the possession, directly or indirectly of the power to direct or cause the direction of the management and policies of that Person, whether through ownership of voting securities or otherwise.

“Agreement” means this Second Amended and Restated Development Agreement, as it may be amended from time to time, including the Preliminary Statements, and all addenda, schedules and exhibits incorporated by reference.

“Alcohol Related Uses” means any saloons, supper clubs, tavern/restaurants as defined in the Code.

“Applicable Development Rules” means and refers to the following:

(a) the development principles and policies set forth in the City Comprehensive Plan, as amended to support the development of the Property contemplated by this Agreement;

(b) the Code, including certain variances, waivers, exceptions and deviations to the Code, as set forth in or contemplated by the Master Development Plan and this Agreement, as approved by the City;

(c) the Master Development Plan; and

(d) all applicable federal and state laws and regulations.

“Approved Transferee” has the meaning given to it in Section 12.01.

“Beltway” means Clark County Route 215.

“BLM” means the United States Department of the Interior, Bureau of Land Management.

“Builder” means an entity that is improving any discrete area within a Parcel as depicted on the Land Use Plan.

“Business Day” means a day when the City is open for public access, currently Mondays through Thursdays, unless the City is not open for the celebration or observance of holidays, or is otherwise declared not open to the public by the City Manager.

“Certificate of Occupancy” means a legal document issued by the City that authorizes occupancy of a structure for its intended use.

“City” means the City of North Las Vegas, County of Clark, and State of Nevada together with its successors and assigns.

“City Council” means the City Council of the City.

“City Comprehensive Plan” means the North Las Vegas Comprehensive Plan, as in effect on the Effective Date.

“City Manager” means the person holding the position of City Manager at any time or his/her designee.

“Code” means the City of North Las Vegas Municipal Code, including all rules, regulations, standards, criteria, manuals and other references adopted therein.

"Conservation Agreement" means the agreement between the City, BLM, FWS, and the NDF which was entered into on July 6, 2005, for the purpose of management of special resources on the BLM parcels nominated for disposal by the City.

"Custom Lot" means a mapped, buildable single family residential lot that is a minimum of 10,000 gross square feet intended to be sold to a buyer for construction of a house to be designed by the buyer's independent architect.

"Deed Restriction" has the meaning given in the definition of Active Adult Community and shall be placed on 2,000 residential housing units within the Active Adult Community.

"Design Guidelines" means Master Developer-prepared architectural guidelines which govern the exterior design and architectural appearance of the architectural improvements within each Village in the Master Planned Community as amended from time to time by Master Developer and the City. They are a part of the Master Development Plan and are attached hereto as Exhibit "A."

"Developed Residential District" has the meaning ascribed to it in the Code.

"Development Standards" means the Development Standards prepared for the Property, as amended from time to time by Master Developer and the City, which are a part of the Master Development Plan and are attached hereto as Exhibit "A."

"Dwelling Unit" has the meaning ascribed for such term in Title 17 of the Code.

"Effective Date" means the date, after the adoption by the City of an ordinance approving the execution of this Agreement, and after the subsequent execution by the Parties, that the ordinance is published as required by the ordinance.

"Fire Engine" means a vehicle similar to the Pierce Manufacturing Type 1 pumper with a minimum 1,500 g.p.m. pump, internal foam tank, ground ladders, and all standard engine company equipment and hose as defined by the North Las Vegas Fire Department standards and NFPA Standard 1901 in effect at the time of purchase.

"Financing Parties" means lenders to Master Developer or Owners and agents and representatives of such lenders, and any Affiliates of such Persons.

"Fire Station" means a public building and appurtenances therein built by Owners pursuant to this Agreement and conveyed to City for the purpose of providing fire protection and rescue services.

"FWS" means the United States Fish and Wildlife Service.

“Geotechnical Report” means the Geotechnical Investigation/Analysis Report prepared for each Village in the Property.

“Ladder Truck” means a vehicle similar to the Pierce Manufacturing minimum 100 foot Heavy Duty Quint Aerial Tiller with all standard aerial apparatus ground ladders, breathing air at tip, and equipment as defined by the North Las Vegas Fire Department standards and NFPA Standard 1901 in effect at the time of purchase.

“Land” means 2,675 acres of undeveloped land formerly owned by the United States and under the jurisdiction of the BLM located within the boundaries of the City.

“Landscaped Median Areas” means the landscaped areas in the street medians within the Master Planned Community as further described in Section 6.07.

“Land Use Plan” means the Land Use Concept for the Property, dated March 17, 2015 and attached as Exhibit “B”. The Land Use Plan is included in and made a part of the Master Development Plan.

“Major Modification” has the meaning given it in Section 2.09(b).

“Master Association” shall mean the master association for the Master Planned Community. Master Association will be known as “The Villages at Tule Springs Community Association, a Nevada Non-Profit Corporation”.

“Master Boundary Plan” means the constraints map prepared for the Property by a licensed professional land surveyor (as attached to the Development Standards), which constitutes the Master Boundary and Right-of-Way Easement Plan and Survey Control Plan.

“Master Developer” has the meaning in Section 2.02.

“Master Development Plan” means the Land Use Plan, the Master Studies, the Parks & Trails Agreement, the Development Standards and Design Guidelines, the MPC Overlay Application, the Amendment to the City Comprehensive Plan to support the development of the Property contemplated by this Agreement, the Amendment to the Master Streets and Highways Plan to support the development of the Property contemplated by this Agreement and the Master Tentative Map for the Property each as may be amended from time to time by Master Developer and the City.

“Master Drainage Study” means a comprehensive hydrologic and hydraulic study prepared for the Property.

“Master Planned Community” means the Property as developed in accordance with this Agreement.

“Master Sewer Study” means a comprehensive analysis of the quantity of wastewater that will enter, be generated within, and be exported to an adequately-sized outlet facility prepared for the Property.

“Master Studies” means the Geotechnical Report, the Master Boundary Plan, the Master Parks & Trails Plan, the Master Transportation Study, the Master Drainage Study, the Master Water Study, and the Master Sewer Study, and any other studies that are required by the City for and in support of the development of the Property, all of which shall be reviewed and accepted by the City and may only be amended from time to time by the Master Developer and City.

“Master Tentative Map” means a map which creates Parcels which will be further subdivided into lots as more particularly described in Section 2.11.

“Master Transportation Study” means a comprehensive transportation study prepared for this Property.

“Master Water Study” means a comprehensive water network analysis prepared for this Property.

“Minor Modification” has the meaning given to it in Section 2.09(a).

“MPC District” means the Master Planned Community Overlay District reclassification for the Property, as defined in the Code.

“MPC Overlay Application” means Master Developer’s application for the MPC District.

“NDF” means State of Nevada, Division of Forestry.

“Notice of Default” has the meaning given to it in Section 11.02.

“NRS” means the Nevada Revised Statutes.

“Off-Property Improvements” means infrastructure improvements that are required for the Property but are located outside of the Property and are required by the Master Studies to be completed by Master Developer due to the necessity of these improvements for the Master Planned Community.

“Offsite Improvements” with respect to any particular parcel means improvements within the Property and off of the parcel, but necessary for the development of Parcel.

“Owner” means each of the entities identified as “Owners” in the introductory paragraph to this Agreement individually, and their successors and assigns (other than Builders) that are permitted

transferees (or deemed permitted transferees) pursuant to Section 14.02 below, and "Owners" means such entities collectively.

"Owner Parcel" or "Owner Parcels" means the specific Parcel(s) owned by each Owner with a legal description by Owner attached as Exhibits "C1-C-4".

"Parcel" means one or more of the legal parcels within the Property.

"Pathways" means the linear area located adjacent to arterial and collector streets, which consists of a concrete walkway on collector streets and arterial streets, landscaping on both sides of the walkway and pathway amenities including but not limited to signage, benches, drinking fountains, dog stations and trash receptacles, all as specified and detailed in the Master Development Plan.

"Person" means any natural person, corporation, limited liability company, partnership, trust, or other entity of whatever nature.

"Planned Community" has the same meaning ascribed to Master Planned Community.

"Police Department Area Command Land Dedication" has the meaning given to it in Section 3.04.

"Post Office" has the meaning given to it in Section 3.01.

"Property" means the Property shown in Exhibit "B" containing approximately 2,002 acres with a legal description attached as Exhibit "D".

"Public Acreage" means those portions of the Property dedicated to or owned by the City.

"Qualified Transferee" means any Person, Affiliate of Owner and any subsidiary, joint venture or other entity managed or controlled by one or more such Persons with experience in the development of master planned communities similar in size and scope to the Master Planned Community.

"Resort Hotel" means a resort hotel as defined by NRS Section 463.01865.

"Regional Park" means approximately thirty-five (35) acres of land planned for a regional park located at the northwest corner of Deer Springs Road and Commerce Street shown on Exhibit "B" as RP 3.01 and RP 3.02.

"School Sites" has the meaning given to it in Section 3.02.

"Semi-Custom Lot" means a mapped, buildable single family residential lot that is a minimum of 10,000 gross square feet intended to be built by a Builder but providing the buyer with multiple design options.

"Shell" means, when used to reference a building, a building complete except for furniture, fixtures and equipment.

"State" means the State of Nevada.

"Street Light Pole(s)" means a standard designed metal pole with a mast arm supporting a lighting fixture and used for street lighting purposes, but specifically does not include any traffic signal poles or school zone flashers.

"Submittals" means studies, maps, plans, applications or any other requirements deemed necessary by the City for permits and other authorizations for development of and within the Master Planned Community.

"Subsequent Approvals" means the following approvals, authorizations, reclassifications and amendments, together with applicable conditions consistent with this Agreement, to be granted by the City, subsequent to the Effective Date:

(a) An amendment to the City Comprehensive Plan, which amendment (i) authorizes the land use designations set forth on the Master Development Plan and (ii) establishes development principles and policies which are consistent with this proposed development of the Property as contemplated by this Agreement:

(b) An amendment to the Master Streets and Highways Plan to support development of the Property contemplated by this Agreement;

(c) A Master Tentative Map for the Property;

(d) Approval of the MPC Overlay Application; and

(e) Approval of a vacation application to support development of property contemplated by this Agreement.

"Telecommunication Towers" or "Towers" means any permanent, above-ground, freestanding tower or structure, other than City owned Street Light Pole(s), associated with the transmission or reception of communications, but specifically does not include Temporary Telecommunication Towers.

"Temporary Telecommunications Towers" means any mobile above-ground, freestanding, tower or structure associated with the transmission or reception of communications, but specifically

does not include Telecommunication Towers.

“Term” means the term of this Agreement together with any extension(s) agreed upon pursuant to Section 14.01 hereof.

“Trails” means the linear areas not adjacent to a street that may follow natural features such as washes, ridge lines, flood control facilities and utility rights of way. Trails consists of, but are not limited to, asphalt walkways, landscaping on both sides of the walkway and trail amenities such as signage, benches, recreational nodes, drinking fountains, dog stations and trash receptacles, all as specified and detailed in the Master Development Plan.

“Village” means the four defined development areas in the Property as shown on Exhibit “B” with legal descriptions attached hereto as Exhibits “D1-D4”.

“Village Developer” has the meaning given to it in Section 2.02.

SECTION 2. DEVELOPMENT OF THE MASTER PLANNED COMMUNITY

2.01 The Master Planned Community. One of the primary objectives of the Parties is that development of the Property be undertaken in an organized fashion so as to ensure a well-integrated, quality community with four unique Villages with an appropriate harmonious mix of residential, commercial, open space, recreational, and public uses. To further that end, the City agrees that the Property will be zoned and Owners agree that the Property will be developed under a single Master Development Plan, thoughtfully incorporating residential (including Active Adult Communities), commercial, and public uses (including charter schools), and marketed as a “master planned community.” The Master Planned Community will promote community identity through (i) the philosophical commitment to the neighborhood as the primary building block of the community connected by a continuous system of Trails and Pathways, (ii) designs that promote family-centered living, neighborly interaction, and a pedestrian-oriented community - based public realm, (iii) thoughtful placement of commercial, office, employment center and public uses to encourage community interaction and create a pleasant pedestrian setting, (iv) design codes to reflect the character of the development emphasizing the point of arrival in the community, (v) themed architecture (consistent with the Design Guidelines), landscaping, and signage, (vi) an extensive network of Pathways, (vii) pedestrian/bicycle connections between all major land uses via the Trails and Pathways, (viii) a diverse mix of housing products, (ix) vibrant and vital public realms that are compelling to the residents and responsive to the environment, and (x) arterial and collector streets planted with a balance between desert authenticity and visual richness. The Parties acknowledge that the Master Planned Community will provide desirable housing, employment, commercial centers, public and recreational opportunities for the City. This Agreement sets forth the terms and conditions of development. Subject to the terms of this Agreement and the Applicable Development Rules, Master Developer and Village Developer shall have discretion as to the time of

commencement, construction, phasing and completion of any and all development of the Planned Community.

2.02 Master Developer and Village Developers.

(a) Appointment of Master Developer by Owners. The Property is owned by the multiple Owners described above. In order to carry out the intentions of this Agreement to develop the Master Planned Community in four separate Villages, the Owners have appointed a representative of the Owners to serve as the "Master Developer" (as the term is used throughout the Agreement) on behalf of the Owners. The Master Developer shall act pursuant to authority granted to it under a separate agreement between the Owners (other than HPH, which agrees that it need not be a party to such agreement or any amendment thereto). The Owners' separate agreement shall (among other things) govern: (i) the scope of authority of the Master Developer to exercise the rights and powers reserved to it under this Agreement (including the extent to which the Master Developer may delegate or assign any such rights or powers to a Village Developer), (ii) the Owners' relative rights to approve and/or authorize the Master Developer's exercise of such rights and powers, and (iii) the Owners' relative obligations and liabilities derived from the obligations of the Master Developer under this Agreement. The Owners agree to provide the City with a copy of the owners' separate agreement, and any amendments thereto, at the time of such recordation. Crescent Bay Development Services, LLC, a Delaware limited liability company ("Crescent Bay"), has been appointed by the Owners to serve on behalf of the Owners as the initial "Master Developer", as that term is used throughout this Agreement (and the defined term "Master Developer" shall initially mean Crescent Bay).

(b) Role and Authority of Master Developer. Except as provided herein, the Parties agree that any communication, consent, approval, waiver, submission or other action by or on behalf of the Owners pursuant to the terms of this Agreement shall be made by the Master Developer. To this end, the Owners agree and acknowledge that: (i) the Master Developer has the express authority to bind the Owners and each Owner individually; and (ii) the City has no obligation to verify or confirm that any decision made or action taken by Master Developer is acceptable to the Owners or any individual Owner or consistent with the Owners' separate agreement, including any decision or action of Master Developer that might or could impact only one Owner, unless and until the City has received written notice from an Owner certifying that (A) such Owner is authorized to deliver such notice to the City pursuant to the Owners' separate agreement, (B) Crescent Bay (or any successor Master Developer) is no longer authorized to represent the Owners as Master Developer under this Agreement and (C) a successor Master Developer has been appointed by the Owners to serve as the "Master Developer" or assume the Master Developer's obligations under this Agreement on behalf of the Owners, together with the name and contact information for such successor Master Developer. Throughout the Term of this Agreement, Master Developer shall maintain oversight over the Villages and be responsible for construction of the improvements outlined in this Agreement, but may assign all or portions of its rights and obligations under this Agreement to a "Village Developer" with respect to each Village as provided herein. Each Village must be

developed in compliance with this Agreement and the Master Development Plan.

(c) Effect of Breach or Default by Master Developer. The Parties acknowledge that the Master Developer serves as a representative of the Owners. Because of this, it is understood that each Owner is ultimately responsible for the performance of the Master Developer with respect to the obligations of the Master Developer under this Agreement (or to perform or cause to be performed such obligations) that the Master Development Plan attributes to the portion of the Property it owns. If Master Developer shall breach this Agreement or fail to perform any of its obligations hereunder after receiving written notice from the City of such failure or default in accordance with this Agreement, the City, through the City Manager, shall have the right to exercise any and all rights and remedies available to the City with respect to such default against the Owner(s), and not against Master Developer, subject to the terms and conditions of this Agreement.

(d) Master Developer as a Party to this Agreement. For the sake of clarity, the entity serving as the Master Developer for the Owners shall be a "Party" to this Agreement, but any entity that is no longer the "Master Developer", including without limitation, Crescent Bay, shall no longer be a "Party" to this Agreement, unless such entity was otherwise a Party to this Agreement.

(e) Role and Authority of Village Developer. If Master Developer assigns any of its obligations with respect to a Village Developer, such Village Developer shall assume such obligations and liabilities of the Master Developer with respect to that specific Village in writing pursuant to a separate written assumption agreement between Master Developer and such Village Developer. The City must consent, in writing, to the Master Developer assigning its obligations and liabilities to a Village Developer. Such consent shall not be unreasonably withheld or delayed. Master Developer shall provide the City with notice of such assignment and a copy of such assignment. Upon the delivery of such notice to the City, the obligations of the Master Developer so assigned shall become the obligations of the Village Developer. To this end, the Owners of Parcel(s) within that specific Village agree and acknowledge that: (i) the Village Developer has the express authority to bind the Owners of that Village and each Owner of that Village individually; and (ii) the City has no obligation to verify or confirm that any decision made or action taken by that Village Developer is acceptable to the Owners or any individual Owner or consistent with the Owners of that Village's separate agreement, including any decision or action of the Village Developer that might or could impact only one Owner of that Village, unless and until the City has received written notice from an Owner of that Village certifying that (A) such Owner is authorized to deliver such notice to the City pursuant to that Village's separate agreement, (B) Village Developer is no longer authorized to represent the Owners of that Village as Village Developer, and (C) a successor Village Developer has been appointed by the Owners of that Village to serve as the "Village Developer" or assume the Village Developer's obligations and liabilities on behalf of the Owners of that Village, together with the name and contact information for such successor Village Developer. There will be up to four Village Developers within the Master Planned Community with four different identifiers for each Village as shown on Exhibit B and described below. All amendments to the Master

Development Plan must have the Master Developer and City's prior written approval.

Village 1 Development is generally located west of North 5th Street and north of the 215.

Village 2 Development is generally located east of North 5th Street and north of the 215.

Village 3 Development is generally located west of North 5th Street and south of the 215.

Village 4 Development is generally located east of North 5th Street and south of the 215.

Each Village may have separate ownership and may be developed and constructed at separate times. In addition, each Village may be governed by its own homeowner sub-association(s) if approved by the Master Association. A Village Developer cannot remove the Master Developer.

(f) Effect of Breach or Default by Village Developer. The Parties acknowledge that the Village Developer serves as a representative of the Owners of the specific Village. Because of this, it is understood that each Owner of that Village is ultimately responsible for the performance of the Village Developer with respect to the obligations of the Village Developer under this Agreement (or to perform or cause to be performed such obligations) that the Master Development Plan attributes to the portion of the Property it owns. If Village Developer shall breach this Agreement or fail to perform any of its obligations hereunder after receiving written notice from the City of such failure or default in accordance with this Agreement, the City, through the City Manager, shall have the right to exercise any and all rights and remedies available to the City with respect to such default against the Village Owner(s) of that Village only, and not against Village Developer, subject to the terms and conditions of this Agreement. A default by a Village Developer shall not impact the remaining rights or obligations of the Master Developer or any of the other Village Developers.

(g) Village Developer Not a Party to this Agreement. For the sake of clarity, the entity serving as a Village Developer for specific Owners of a Village shall not be a "Party" to this Agreement, solely by virtue of its appointment as a Village Developer, but is an assignee of the rights, obligations and liabilities assigned to it from the Master Developer.

(h) Bonding Requirements. Owners acknowledge that bonding will be required for all construction and infrastructure obligations under this Agreement. Nothing in this Section shall relieve, or be construed to relieve, Master Developer, Village Developer, any Owner or any Builder from City bonding requirements associated with development of the Planned Community.

2.03 Development of Villages.

(a) Development of Village 2 with an Active Adult Community. Village 2 may be developed separately as part of the Master Planned Community, a portion of which shall be developed as an Active Adult Community in accordance with the Master Developer Plan. Because an Active Adult Community has different impacts on the Master Planned Community than traditional housing has on the Master Planned Community, the Master Development Plan

(including but not limited to the School Sites identified on the Land Use Plan and the Parks & Trails Agreement) contemplates that a portion of Village 2 shall be developed as an Active Adult Community. If a portion of Village 2 is not developed as an Active Adult Community as contemplated under this Agreement and the Master Development Plan, then the Master Developer and the City shall work together to amend the Master Development Plan to address the impacts associated with the development of anything other than an Active Adult Community in a portion of Village 2.

(b) Development of Villages 1, 3 and 4. Villages 1, 3 and 4 may be developed separately as part of the Master Planned Community with a mix of residential, commercial, open space, recreational, and public uses in accordance with the Master Development Plan.

2.04 Village Supplements. In recognition of the fact that each Village may be developed separately and at different times, the Parties acknowledge that it may be necessary or desirable for certain modifications to be made to this Agreement and/or the Master Development Plan that pertain only to one Village. The Parties anticipate that any modifications to this Agreement that affect only one Village, but not other Villages, would be in a form of a supplement to this Agreement (each, a "Village Supplement"). A Village Supplement shall be submitted as a Major Modification and not as an amendment to this Agreement. A Village Supplement must be approved and signed by the City, the Master Developer, the Village Developer for that specific Village, and the other Parties to this Agreement who are Owners within the Village affected by the Village Supplement, but need not be approved or signed by the other Parties that are not Owners of that Village or the other Village Developers. After execution, each Village Supplement shall be recorded in the Official Records of Clark County, Nevada. The City shall have no obligation to verify or confirm that the appropriate Parties have signed a Village Supplement.

2.05 Annexation of Additional Property. City acknowledges that the Master Developer may during the term of this Agreement, annex additional property ("Additional Parcels") into the Master Planned Community. An amendment to this Agreement shall not be required provided that:

(a) Each Additional Parcel is contiguous to some portion of the Property of the Master Planned Community;

(b) Development of each Additional Parcel must conform to this Agreement, the Master Development Plan and the Development Standards and Design Guidelines;

(c) This Section, and the addition of any Additional Parcels, shall not permit the development or construction of more Dwelling Units than otherwise permitted under Section 2.15(a) of this Agreement; and

(d) Master Developer obtains the necessary zoning and land use approvals and approval of all necessary technical studies for each Additional Parcel.

Additional Parcels shall be annexed by recording, and shall be considered annexed upon recordation of, a notice of annexation, in a form to be reasonably agreed upon, which notice shall require the written consent, on the notice, of the City Manager, which consent shall not be unreasonably withheld. The terms Master Planned Community, Planned Community and Property shall include each Additional Parcel upon annexation of each such Additional Parcel.

2.06 Master Development Plan. Master Developer's proposed development of the Property as a Master Planned Community is more fully described in the Master Development Plan. The Master Development Plan promotes community identity by including requirements for compatible signage, landscape and architecture. The Master Development Plan shall govern each Village until such time as any items comprising the Master Development Plan are amended as approved by the City and Master Developer. The Master Development Plan shall be considered formally approved by the City when all items comprising the Master Development Plan are approved by the City. In addition, the development of the Master Planned Community will be in accordance with all Master Studies and all required addenda to those studies for the Property. The Parties acknowledge that the Development Standards, Design Guidelines and Master Studies will be amended for the Master Planned Community to conform with the approved Land Use Plan. The development of Village 3 may commence with the existing Master Studies and said plan review shall run concurrent with the amendments to the Master Studies for the remainder of the Master Planned Community. A Village Developer and/or Builder cannot amend any part of the Master Development Plan without prior written approval of the Master Developer and City. The City hereby agrees and assures Master Developer that Master Developer, each Village Developer, and Owners will be permitted to carry out and complete development of the entire Master Planned Community in accordance with the Master Development Plan and the Subsequent Approvals subject to the terms and conditions of this Agreement and the Applicable Development Rules. The Master Development Plan for the Property shall not be required to account for the dwelling units, resident population, or any development existing on or contemplated for any property located outside of the Master Planned Community. The Design Guidelines will address and describe the character of each Village to allow each Village to have its own unique image while remaining part of the Master Planned Community. A Village Developer may request the Master Developer's approval of modifications to the Design Guidelines for its Village, and upon Master Developer's approval thereof, Master Developer shall submit such modifications to the City for approval. A Village Developer and/or Builder must obtain written approval from the Master Developer (until such time as an architectural review committee ("ARC") has been established for that purpose) prior to submitting any such request to the City for improvements requiring review including, but not limited to, commercial and residential products including new construction, remodel, building additions, landscaping, signage and amenities such as parks, open play areas, or community structures. The Master Developer (or ARC, if applicable) shall review all plans and accompanying information for any new construction or exterior remodel based on their adherence to the standards set forth in the Design Guidelines. A letter of approval by the ARC shall be sent along with an applicant's submittal to the City.

2.07 Zoning. The City agrees to cooperate reasonably with Master Developer and each Village Developer to expeditiously process zoning reclassification applications in connection with

the Property, which are properly completed and in conformance with this Agreement and the Master Development Plan.

2.08 Variances and Waivers. The Master Studies, the Master Development Plan, including the Development Standards and Design Guidelines, and this Agreement contain or contemplate certain variances and waivers from the current requirements of the Code and the customary policies of the City. These variances and waivers have been reviewed by the City and, by the approval of this Agreement and the Subsequent Approvals, are deemed granted and approved.

2.09 Modifications.

(a) Minor Modifications. Only Master Developer or a Village Developer (if first approved by Master Developer in writing) may submit for a minor modification to the City Manager. A minor modification ("Minor Modification") is a modification that accomplishes one or more of the following in the determination of the City:

(1) An adjustment that includes, but is not limited to, a lot setback or similar dimensional requirement, lot(s) size(s), yard area, or lot coverage (individual lots);

(2) The addition of housing types that are comparable in design, density or intensity to those permitted under the Development Standards and Design Guidelines;

(3) The addition of standards, architectural styles, influences, or detail elements to the Development Standards and Design Guidelines, but only if the addition conforms to the intent of the Development Standards and Design Guidelines and this Agreement;

(4) The revision and approval of amended Design Guidelines specific to each Village;

(5) Any other change or modification planned which the City Manager determines will not have a material negative impact on the Master Planned Community.

(b) Major Modifications. Any application submitted by Master Developer or a Village Developer (if first approved by Master Developer in writing) for a modification that does not qualify as a Minor Modification, or any Minor Modification not granted by the City Manager ("Major Modification"), is subject to approval by the City Council.

(c) Any conflicts between this Agreement and the Master Development Plan, as amended, shall be submitted to the City Manager for review and determination.

2.10 Time for Construction and Completion of the Master Planned Community. The Parties acknowledge and agree that it is in their respective best interests that development of the Master Planned Community be accomplished in a reasonably expeditious manner. In light of this

mutual objective, and subject to the terms of this Agreement and the Applicable Development Rules, including, without limitation, Section 2.22 of this Agreement and the obligation of Master Developer, when and if required, to construct certain Offsite Improvements, Master Developer shall have complete discretion as to the time of commencement, construction, phasing and completion of any and all development of the Master Planned Community, provided that construction of any Offsite Improvement shall not commence until construction plans for that improvement have been approved by the City and corresponding permits have been secured by Master Developer.

(a) Master Developer shall furnish a phasing plan to the City providing for the orderly construction of Offsite Improvements and Off-Property Improvements consistent with the Master Development Plan to be constructed by Master Developer within and in support of the Master Planned Community.

(b) Master Developer and/or the Master Developer's representatives, including contractors, shall obtain approvals for construction plans and secure construction plans and construction permits for all construction activities.

(c) No structures shall be occupied until the Offsite Improvements designed to support said structures have been constructed and are substantially complete as determined by the City Manager.

(d) Any amendments to the Design Guidelines on a Village specific basis must be approved by Master Developer and City prior to approval of the Parent Final Map for that Village.

2.11 Mapping and Subdivision of Property. All applicable NRS Statutes, Nevada Administrative Codes and Municipal Codes pertaining to the subdivision of lands will be adhered to during the development of the Planned Community.

(a) Prior to the approval of the Master Tentative Maps for the Planned Community, the Master Developer shall submit boundary surveys showing all known and identifiable constraints and easements on the Property. The boundary surveys shall be prepared by a Professional Land Surveyor licensed in the State of Nevada.

(b) Subsequent to the approval of a Master Tentative Map, the subdivision of land may begin with a Parent Final Map as defined in the next sentence. The Parent Final Map ("Parent Final Map") shall be in conformance with the approved Master Tentative Maps for the Planned Community, and shall outline and identify the horizontal geometry of the street centerlines, rights-of-way and parcel configurations for use by all consultants and City personnel involved with the design, review and construction of the Planned Community. The Master Developer shall not be required to design the streets and infrastructure, or post a performance bond for the improvements needed within the area covered by the Parent Final Map.

(i) A Parent Final Map was recorded against the Property in 2008 under Book No. 20080723 and Instrument No. 0002822. Consistent with the new Land Use Plan, City and Master Developer shall vacate any unnecessary easements and rights-of-way created by the 2008 Parent Final Map.

(c) Further subdivision of lands within areas of a recorded Parent Final Map shall follow the rules and procedures for subdivisions as set forth in the Code. All right of way dedications will be accomplished through the mapping processes and not by document except where acceptable to the City. The boundary of any final map shall extend to include full government lots and/or full lots created by previous mapping efforts.

(d) Public utility, as required by this Agreement, pedestrian ingress/egress and landscape easements shall be granted along the rights of way dedicated per the Parent Final Map to allow for the construction and maintenance of roadway sections as shown on the approved Master Tentative Maps prior to the construction of those improvements.

(e) With the Submittal of any final map, parcel map or map for division of land for final approval, the Master Developer, or Village Developer subject to the approval of Master Developer, shall deliver an electronic CAD file of the subdivision to the City in a format compatible with the City's software. This requirement shall be in effect for any builders that propose to further subdivide the project.

2.12 Common Name for the Master Planned Community. The common name for the Master Planned Community shall be The Villages at Tule Springs. The City acknowledges that Owners, Master Developer or Village Developers will devote substantial resources to promote such common name and protect its value as a unique intellectual property right which may include filing state and federal registrations for such name. The Parties therefore agree that Master Developer on behalf of the Owners shall have the exclusive right to own, control and license the name with respect to the Master Planned Community and any additional portions of the Property which Master Developer, Village Developer or an Affiliate may acquire and develop; provided, however, that the City shall have no obligation to police the use, wrongful or otherwise, of the name by third parties.

2.13 Subdivision Names. Each Owner agrees that the names of all subdivisions within the Planned Community on their recorded subdivision maps shall end with "at Tule Springs" for the purpose of identifying such subdivisions as being subject to the terms of the Agreement. Nevertheless, all such subdivisions may be commonly known and marketed under other names.

2.14 Permitted and Prohibited Uses. The Master Planned Community provides the City with a well-integrated, quality community with an appropriate and harmonious mix of residential, commercial, open space, recreational and public uses.

(a) Permitted Uses. There are certain uses that the Master Developer proposes to be placed in commercial and residential parcels that would otherwise require a special use permit.

Because a Planned Community requires a mixture of uses to serve the community, the City and Master Developer agree that such certain uses should be permitted provided Master Developer complies with Section 2.14. The list of permitted uses as set forth below does not preclude the Master Developer from applying for special use permits as set forth in the Code. Master Developer agrees that the permitted uses set forth below are subject to the Development Standards and Design Guidelines, and site plan review process.

PROPERTY	PERMITTED USES
Parcels 1.20, 2.19, 2.20, 2.21	<p>All uses allowed in a C-2 zone under the Code</p> <p>Automobile Service Facility (without service bays, i.e. smog check)</p> <p>Automobile Washing Establishment, drive through, self-service or hand wash</p> <p>Banks</p> <p>Child Care Facilities</p> <p>Convenience Store with gas pumps</p> <p>Mini Warehousing and Storage</p> <p>Movie Theater</p> <p>Supper Club (Alcohol Related Use)</p> <p>Tavern/Restaurant (Alcohol Related Use)</p> <p>Urgent Care Center</p> <p>* All other Single Family Residential Parcels will be detailed and defined within the Village at Tule Springs Development Standards.</p> <p>** This does not preclude the filing and processing of Special Use Permits on any parcel within the Villages at Tule Springs.</p>
Parcels 3.08 and 3.09	<p>Automobile Washing Establishment, drive through, self-service or hand wash</p> <p>Child Care Facilities</p> <p>Mini Warehousing and Storage</p>

(b) Churches and Schools (public/charter/private). The Parties agree that churches located on parcels up to five (5) acres in size and public, charter and private schools (K through 12)

located on parcels up to five (5) acres in size may be allowed on any residential, commercial, mixed use or public facility parcels within the Planned Community with a Special Use Permit.

(c) Proximity Restrictions. Any proximity restrictions specified in Title 5 and Title 17 between Alcohol Related Uses and a Developed Residential District shall be waived to the extent those Alcohol Related Uses are enumerated in Section 2.14(a). Additionally, all proximity restrictions specified in Title 5 and Title 17 between Alcohol Related Uses and other Alcohol Related Uses and between Alcohol Related Uses and parks and/or schools are waived to the extent these Alcohol Related Uses are located on mixed-use parcels within the Planned Community. Master Developer agrees it will not request, approve or permit a waiver of the proximity restriction between any Alcohol Related Uses and schools on non mixed use parcels. Master Developer agrees that City may use this Section of this Agreement as a defense to any attempt to request such proximity waiver on non mixed use parcels in the Planned Community.

(d) Notice. Master Developer agrees to provide notice or cause such notice to be provided of the permitted uses set forth in Section 2.14(a) to each purchaser of a residential Dwelling Unit within the Planned Community. Such notice shall be provided in a format and with language that is approved by the City Manager. The City Manager shall have thirty (30) days from date of Submittal to review and provide comments. If the City Manager does not provide any comments within thirty (30) days of Submittal, the format and language of the notice shall be deemed acceptable to the City. Each purchaser of a residential Dwelling Unit within the Planned Community must execute a disclosure form at the time of purchase that acknowledges the permitted uses and their location. Additionally, Master Developer agrees to provide an exhibit attached to its Declaration of Covenants, Conditions, and Restrictions for each residential subdivision in the Planned Community identifying the permitted uses and any waiver of proximity restrictions.

(e) Prohibited Uses. The Parties agree that there are certain uses that are not desirable in the Planned Community. Therefore, Master Developer agrees that it will not request, approve or permit any of the following uses, as defined in the Code, in the Planned Community: sexually oriented businesses. Master Developer agrees that City may use this Section of this Agreement as a defense to any attempt to request such uses in the Planned Community and that Master Developer and any successor shall be estopped from claiming any right to such uses.

2.15 Density and Product Transfers. The Parties agree that Master Developer may modify the Master Development Plan without triggering an amendment to this Agreement or the ordinance approving the MPC District as follows:

(a) Density. The maximum density for the Master Planned Community shall not exceed 8,683 residential Dwelling Units and is more particularly set forth in Exhibit "B1" attached hereto.

(b) Density Transfers. Master Developer and Village Developer may utilize unlimited density transfers not to exceed ten percent (10%) within the Parcels of each Village so long

as the transfer does not trigger an amendment to the Master Studies, but in no event shall the maximum number of Dwelling Units for each Village exceed the total Dwelling Units allowed per Village as outlined below without the Master Developer first obtaining a Minor Modification from City.

VILLAGE	TOTAL DWELLING UNITS ALLOWED
Village 1	3,756
Village 2	2,736
Village 3	1,606
Village 4	585

(c) Custom/Semi-Custom Lots. Master Developer and City mutually agree that Master Developer shall provide a minimum of twenty (20) Custom Lots and eighty (80) Semi-Custom Lots within the Planned Community. The Design Guidelines and/or Development Standards shall detail the extent to which the Custom and Semi-Custom Lots shall be grouped together throughout the Planned Community to create enclaves or neighborhoods. Master Developer agrees to provide the City Manager with written notice of its intent to begin marketing these lots for sale. If Master Developer is unable to sell twenty (20) Custom Lots within six (6) years from the Effective Date, the Master Developer shall be allowed to sell the remaining Custom Lots as Semi-Custom Lots. Prior to selling the remaining Custom Lots as Semi-Custom Lots, the Master Developer is obligated to provide the City Manager with written notice of intent to sell such Semi-Custom Lots. The City shall not prohibit the Master Developer from selling any remaining Custom Lots as Semi-Custom Lots.

2.16 Building Height/Size. The maximum height and size for all residential and non-residential structures to be constructed within the Master Planned Community shall be as set forth in the Development Standards and Design Guidelines.

2.17 Gaming Enterprise District. The Parties acknowledge that the development of a Resort Hotel is predicated on securing a gaming enterprise district designation for the gaming site shown on the Land Use Plan in accordance with NRS 463.3086. The Parties further acknowledge that this Agreement does not ensure approval of a gaming enterprise district or a special use permit for a casino in a Resort Hotel. The City recognizes that non-restricted gaming establishments have been appropriately included and developed in other master planned communities throughout Clark County and further believes that a master planned community is an optimal location for such an establishment.

2.18 Telecommunication Towers. The Parties acknowledge that Telecommunication Towers are a necessary component to effective communication and will be necessary on the Property. The Parties agree that determining the appropriate location(s), number, and general appearance of Telecommunication Towers as part of this Agreement will permit both Master Developer and the City to appropriately plan the Master Planned Community and will help minimize

any potential conflicts or disputes that might arise in regard to permits for such Towers in the future. Therefore, the Parties agree that, subject to the final paragraph of this Section, the Master Developer and the applicable Owners shall have the exclusive right to install, contract to install or lease Telecommunication Towers on the Property, subject to the following conditions:

(a) The Telecommunication Towers must comply with Federal Communication Commission standards;

(b) They may only be located within a non-residential zoning district and no more than five (5) Telecommunication Towers may be constructed;

(c) They shall incorporate reasonable camouflaging/stealth techniques, including, by way of example, (i) architecturally screened roof-mounted antennas or (ii) designed so as to be incorporated into light poles, trees, flagpoles and the like;

(d) Reasonable efforts are used to co-locate antennas on the Telecommunication Towers;

(e) They shall not be located within seven hundred fifty (750) feet of one another and shall be set back at least two hundred (200) feet from any residential property line. If they are located on a mixed-use parcel, Developer shall work with City Manager to determine an appropriate location for the Tower which may be less than two hundred (200) feet from a residential building on the mixed-use parcel;

(f) They shall not obstruct public safety communications and the usual and customary transmission of other communication services enjoyed by adjacent property owners; and

(g) They shall not be in excess of one hundred (100) feet in height.

Prior to installing any Telecommunication Tower, Master Developer shall submit the plans for such Tower to the City Manager for review and approval based on the standards set forth herein. The City Manager shall issue a written determination within thirty (30) days of receipt of the plans. Master Developer may appeal the determination of the City Manager to the City Council.

In the event five (5) Telecommunication Towers have been installed, as provided for herein, and Master Developer determines that one or more additional Telecommunication Towers are necessary to adequately serve the citizens of the Master Planned Community, Master Developer may apply to the City for such additional Telecommunication Towers.

The City shall have the right to install or permit the installation of equipment to be utilized by a provider of telecommunication services under Federal law, upon Street Light Poles, and to receive any and all revenue associated therewith, whether or not such equipment could limit the:

(i) number of Telecommunication Towers that could potentially be installed within the Master

Planned Community, or (ii) potential revenue to applicable Owner from Telecommunication Towers. City shall notify Master Developer in writing not less than sixty (60) days prior to authorizing installation of such equipment in order for Master Developer and City to agree on placement and aesthetics.

2.19 Temporary Telecommunication Towers. The Parties acknowledge that significant development will occur on the Property prior to the time that it is practicable to locate and install the Telecommunication Towers, and that, during this period, Temporary Telecommunication Towers are a necessary component to effective communication and will be necessary on the Property. The Parties further acknowledge that it is in the interest of the City that the Temporary Telecommunication Towers be rationally located, each in relation to the others, in order to facilitate a requisite level of wireless communications service. Therefore, the Parties agree that Master Developer or applicable Owner shall have the exclusive right to install, contract to install or lease, Temporary Telecommunication Towers on the Property, subject to the following conditions:

(a) The Temporary Telecommunication Towers must comply with Federal Communication Commission standards;

(b) Temporary Telecommunication Towers may only be located within a non-residential zoning district, and no more than an aggregate of five (5) operational Temporary Telecommunication Towers and Telecommunication Towers may be maintained at any point in time;

(c) Reasonable efforts are used to collocate antennas on the Temporary Telecommunication Towers;

(d) Temporary Telecommunication Towers shall not be located within seven hundred fifty (750) feet of one another and, at the time of installation, shall be set back at least two hundred (200) feet from any Dwelling Unit that is covered by a Certificate of Occupancy;

(e) Temporary Telecommunication Towers shall not obstruct public safety communications and the usual and customary transmission of other communication services enjoyed by adjacent property owners;

(f) Temporary Telecommunication Towers shall not be in excess of one hundred (100) feet in height.

Prior to installing any Temporary Telecommunication Tower, Master Developer shall submit the plans for such Temporary Telecommunication Tower to the City Manager for review and approval based on the standards set forth herein. The City Manager shall issue a written determination within thirty (30) days of receipt of the plans. Master Developer may appeal the determination of the City Manager to the City Council.

The City approval of each Temporary Telecommunication Tower shall carry a term of two (2) years and, at the request of the Master Developer or the applicable Owner, the City shall consider (under the same administrative procedure as described above) the renewal of that approval on an annual basis. The City approval of a particular Temporary Telecommunication Tower shall not constitute approval under Section 2.18 of a Telecommunication Tower proposed in the same location. The applicable Owner shall receive one hundred percent (100%) of the net rental payments for the use of any Temporary Telecommunication Tower for the first twelve (12) months. Commencing with the thirteenth (13th) month, one hundred percent (100%) of the net rental payments for the use of any Temporary Telecommunication Tower received by such Owner shall be paid to the City. The rental payments to the City for the Temporary Telecommunication Towers will cease upon either the removal of any such Temporary Telecommunication Tower or the renewal of such Temporary Telecommunication Tower.

2.20 Subsequent Approvals. The City hereby agrees and assures Master Developer and Owners that the development of the Master Planned Community, including, without limitation, the City's review and processing of studies, maps and improvement plans, will not be delayed due to the fact that the Subsequent Approvals will not be approved by the City on the Effective Date. The City supports and will approve the applications for the Subsequent Approvals as expeditiously as possible.

2.21 Modification of the Applicable Development Rules. The Parties acknowledge and agree that the Development Standards are particular to the Master Planned Community and may not be amended, modified or changed without the express written consent of Master Developer. Titles 16 and 17 as in effect on the effective date of the Original Agreement, copies of which are attached hereto as Exhibit "E," of the Code may be amended or modified by the City in the future or new ordinances, rules, regulations or policies may be adopted which effectively modify or replace some or all of Titles 16 and 17, as attached, but without impact on Master Developer, the Village Developers, the Owners or the development of the Master Planned Community or any portion thereof. Any "cost based fees" imposed by virtue of the Code (which are deemed to be fees such as fees for the issuance of land use approvals, building permits, plan checks, or inspections which are based upon actual costs to the City and which are uniformly applied to all development and construction subject to the City's jurisdiction) that are increased by an adopted ordinance of the City shall be binding on Master Developer, Village Developers, Owners and Builders. In addition, should the City adopt amended or new ordinances, rules, regulations or policies, which effectively modify or replace some or all of Titles 16 and 17 of the Code as in effect on the effective date of the Original Agreement, Master Developer on behalf of the Owners shall have the option, in its sole discretion, of accepting such new or amended matters, in a non-piecemeal fashion, by giving the City written notice of such acceptance. To the extent a special use permit is required to obtain a license pursuant to Title 5, and such use requiring the special use permit is specified in Section 2.14(a), the special use permit requirement shall be considered waived. To the extent a proximity restriction is required to obtain a license pursuant to Title 5, and such proximity restriction is waived in Section 2.14(c), then the waiver provisions of Section 2.14(c) shall control.

2.22 Impact Fees. Except as otherwise expressly provided in the respective Master Development Plan, the Property shall not be subject to any impact fees imposed by the City pursuant to NRS Chapter 278B or any other development taxes, fees, charges or exactions of a similar nature, whether currently in existence or enacted after the Effective Date; provided, however, that the Property shall not be exempt from (a) impact fees for capital improvements, as such term is defined in NRS Chapter 278B, not constructed by Master Developer, Village Developers or Owner, or not caused to be constructed by Master Developer or Owner; and (b) impact fees, taxes, exactions and charges levied or mandated by other governmental agencies, including those which the City is required to assess.

2.23 The Processing of Applications.

The Parties acknowledge that it is in their mutual best interests to cooperate in processing all Master Development Plans, permits, plans, specifications, maps and/or other development applications as may be requested by the Master Developer, and if applicable, any Village Developer.

City will use its best efforts to assist in the coordination and processing of permits and applications for development of the improvements required to be constructed by Master Developer, and if applicable, any Village Developer under this Agreement. If the Master Developer, a Village Developer or Owner is in default, the City retains its right to cease the processing of any new or pending permits and applications within the defaulting Village(s). The Parties acknowledges that to achieve this goal, to secure a level of experience and expertise with which the City will administer this Agreement, and to create an expedited plan review and project coordination process which may include: review and/or processing of Submittals; onsite and/or offsite inspections; field coordination; and/or other related tasks, City may need to employ a consultant and/or designate a City employee(s) dedicated to the Property. The Parties further acknowledges and agrees that the City will not be able to hire a consultant or dedicate a City employee(s) without funding assistance from Master Developer. Therefore, the City, Owners and Master Developer agree that City may employ a consultant(s) or dedicate City employees to the Property, including the identification and funding for a liaison to facilitate communication and problem-solving for the Property, only to the extent City and Master Developer agree in a separate writing or writings identifying such staffing and the funding for such staffing.

The following provisions of this Section shall only be effective if City and Master Developer have entered into a separate writing identifying the staffing necessary to accomplish the following goals and identifying the funding for such staffing. However, nothing contained in the following subsections shall be required, and Master Developer and City shall be entitled to make other arrangements than only those in their separate writing.

- (a) The City and Master Developer agree that the schedule ("City Schedule") set forth below is a reasonable estimate of time for the City to process applications that are complete and in full compliance with the City's Submittal requirements, and shall constitute the targeted time for City to review applications of the type listed. Note that the turnaround times listed for building department applications can only be met if the City building

department provides expedited service. The City Schedule is expressed in Business Days (bd) from the date of Submittal:

[City Schedule follows]

Category	1 st Review	2 nd Review	3 rd Review*	Mylar / Map Signatures
1. Hydrology Studies	15 bd	10 bd	5 bd	N/A
2. Traffic Studies	15 bd	10 bd	5 bd	N/A
3. Civil Improvement Plans	10 bd	10 bd	5 bd	8 bd
4. Final Maps	10 bd	5 bd	N/A	6 bd
5. Parcel Maps	10 bd	5 bd	N/A	6 bd
6. Boundary Line Adjustments	10 bd	5 bd	N/A	6 bd
7. Reversionary Maps	10 bd	5 bd	N/A	6 bd
8. New Commercial (< 200K sf)	15 bd	10 bd	5 bd	
9. Single Family Production Homes	10 bd	5 bd	5 bd	
10. Single Family Custom	15 bd	10 bd	5 bd	
11. Apartments Model Plans	15 bd	10 bd	10 bd	
12. Apartments Production Plans	10 bd	5 bd	5 bd	
13. Condo Standard Plans	15 bd	10 bd	5 bd	
14. Condo Model Plans	10 bd	5 bd	5 bd	
15. Condo Production Plans	10 bd	5 bd	5 bd	
16. Assembly – Restaurants	10 bd	10 bd	5 bd	
17. Commercial Shell Building	15 bd	10 bd	5 bd	
18. Tenant Improvement (< 2.5k sf)	5 bd	5 bd	5 bd	
19. Tenant Improvement (> 2.5k sf)	10 bd	5 bd	5 bd	
20. Fire sprinkler system	10 bd	5 bd	5 bd	
21. Fire alarm systems	10 bd	5 bd	5 bd	

* if 3rd or subsequent review is required

- (b) The City reserves the right to extend the City Schedule for unusually large or complex applications (i.e., pump stations, reservoirs, flood control facilities, etc.) subject to written or electronic (e-mail) notification of Master Developer within four (4) Business Days of the Submittal and the provision of a target date for the completion of the review. Applications not listed in the City

Schedule shall be reviewed within a reasonable time frame as is agreed upon between the City and Master Developer.

- (c) Master Developer acknowledges that submission of applications in other than the proper sequence, incomplete, or not in compliance with City Submittal requirements may delay the consideration of many related applications. The Master Developer further acknowledges that Submittals made to the City that are incomplete and not in full compliance with the City's Submittal requirements may also delay the consideration of related applications. For backbone infrastructure, or for other processing as determined necessary, the City or Master Developer will determine the proper sequence of Submittals (as agreed upon, the "Alternative Schedule"). The City agrees to the review of applications in accordance with the City Schedule or the Alternative Schedule only if the applications are submitted in the proper sequence. Proper sequence as used in this Section for submitting applications: (i) in accordance with the City Schedule is the order of submission of similar type applications as required by City as of the Effective Date; and (ii) in accordance with the Alternative Schedule is the order as provided in the Alternative Schedule. Therefore, Master Developer or Owner agrees to submit applications in the proper sequence in order to avoid coordination problems with reviews.
- (d) City shall advise Master Developer's application processor, whose name and standard and electronic (e-mail) address shall be provided to City with each application, in writing or electronically within four (4) Business Days of a Submittal if City is unable to process an application submitted in proper sequence; and City shall advise Master Developer's application processor of the Business Day when City reasonably believes it will complete processing of the application. If the City's projected completion date is more than five (5) Business Days later than the date required under the City Schedule or the Alternative Schedule, Master Developer shall have the option to either: (i) accept the alternative timeframe projected by City; or (ii) request City to utilize a consultant to process the application at Master Developer's expense (the "Consultant Option").
- (e) If Master Developer agrees to pay for a coordinator as referenced herein, City shall assign one full time staff member to act as a central point of contact ("Coordinator") for all coordination and communication issues between the City and the Master Developer as to applications. The Coordinator will be responsible for facilitating communications and providing the Master Developer with periodic updates regarding the City Schedule and issues that need to be resolved to stay on the City Schedule.
- (f) If requested in writing by Master Developer and upon mutual consent of City, City shall provide, within thirty (30) Business Days of receipt by City of

Master Developer's written request, such number of dedicated on-site plan check and/or inspection services personnel for the review and inspection of permits as City determines appropriate.

- (g) In addition to payment of normal plan check and permit fees, Master Developer shall be required to pay standard fees for plan review and inspection services.

- (h) The Master Developer will be permitted to commence rough grading of the Property earlier than would otherwise be required under the Applicable Rules upon approval of a drainage study addressing the "interim" rough grading conditions, Submittal of rough grading improvement plans, payment of all applicable fees, and posting of a bond equal to two thousand (\$2,000) dollars per acre of land being disturbed for reclamation in the event development does not proceed in a timely manner.

- (i) Both Master Developer and City acknowledge that certain Bureau of Land Management ("BLM") permit applications for development of Property infrastructure improvements shall be required during the development phases of the Property. Further, both Master Developer and City understand that such applications must be received by the BLM from the City. Upon Submittal of any BLM permit applications to the City by Master Developer and Owner, the City will process said applications provided the applications are correct and the applications are complete, forward them to the BLM within thirty (30) calendar days of receipt. The City agrees to process and sign said applications upon acceptance by City of such plans as BLM requires or customarily requires for permits of the nature sought. City shall not be liable for delays caused by BLM.

- (j) Both Master Developer and City acknowledge that certain permit applications for development of improvements will be required to be reviewed and approved by outside agencies. City may conditionally approve such permit applications; however, City shall not be liable for delays caused by outside agencies.

2.24 Crushing / Batch Plants. In connection with Master Developer's, any Builder's and any Village Developer's proposed development of the Property, multiple temporary crushing operations / batch plants may be necessary to process on-site materials. The City agrees to grant Master Developer an umbrella permit for each Village for any such temporary crushing operations / batch plants established or maintained within the boundaries of the Property, excluding the Beltway, provided that such operations maintain a one thousand (1,000) foot separation from the nearest occupied residence and further provided that the maximum hours of operation are from 7:00 A.M. to dusk, Monday through Friday. The City further agrees to grant Master Developer an umbrella permit for any such temporary crushing operation / batch plants established or maintained within the

boundaries of the Property provided that such operations maintain a two thousand six hundred and forty (2,640) foot separation from the nearest occupied residence. The maximum hours of operation in this area are from 5:00 a.m. to 8:00 p.m., Monday through Friday. Said umbrella permit may be reviewed and renewed by the City every six (6) months subject to Master Developer's compliance with this Section. Builders on the Property shall be entitled to conduct crushing operations / batch plants under Master Developer's permit, provided that Master Developer provides prior notice to the City of such Builder's intended crushing operations / batch plants. Master Developer agrees that the crushing operations / batch plants contemplated herein are to be limited in scope to meet the needs of the ongoing construction on or related to the Property and shall not become a commercial operation and shall not include any import of materials except as to be used on the Property, or for the Offsite Improvements or Off-Property Improvements, or export of materials other than materials to be used for the Offsite Improvements and the Off-Property Improvements. Furthermore, Master Developer acknowledges that it must secure any necessary air quality permits from the appropriate air quality agency. In the event a Builder's operations are in violation of the conditions set forth herein, the City shall have the right to immediately suspend the offending operations until cured and shall provide written notice to Master Developer of such violation. The City agrees not to suspend Master Developer's permit solely on the grounds of a Builder violation.

2.25 Land Use Plan. The Land Use Plan generally shows how Master Developer proposes to subdivide the Property into various parcels and generally depicts the use, location and acreage for each parcel. The boundary lines on the Land Use Plan are approximate only and, for any particular parcel, will not be finalized until the parcel is surveyed and a final map is recorded for such parcel. Until such time as a final map is recorded for a particular parcel, Master Developer, upon written notice to the City, may make minor boundary line adjustments to such parcel without triggering an amendment to this Agreement, the Master Development Plan, or the MPC District.

2.26 Development Standards and Design Guidelines. The approved Development Standards and Design Guidelines attached as Exhibit "A" shall govern the development, exterior design and architectural appearance of the architectural improvements within the Master Planned Community. The Development Standards and Design Guidelines shall be amended to conform with the Land Use Plan. Thereafter, the Development Standards and Design Guidelines may be amended for each Village if approved by the Master Developer and the City. If there is a question as to Master Developer's obligations, or the Village Developer's obligations, as applicable, under the Development Standards and Design Guidelines, the issue shall be presented to the City Manager for resolution through the Modification process outlined in this Agreement.

2.27 City Comprehensive Plan. By adopting this Agreement the City finds that the Master Planned Community is consistent with the City Comprehensive Plan. Therefore, the City agrees, to work expediently with the Master Developer or Village Developer to process amendments to the City Comprehensive Plan to permit development of the Property, as contemplated by this Agreement. The City further agrees not to make future amendments to the City Comprehensive Plan which conflict with the Master Development Plan of the Property, as contemplated by this Agreement.

2.28 Anti-Moratorium. The Parties hereby acknowledge and agree that this Agreement contemplates and provides for the development of the Master Planned Community and that no moratorium, or future ordinance, resolution or other land use rule or regulation imposing a limitation on the conditioning, rate, timing or sequencing of the development of property within the City and affecting the Property or any portion thereof shall apply to or govern the development of the Property, whether affecting parcel or subdivision maps, building permits, occupancy permits or other entitlements to use land issued or granted by the City, except as may be necessary to: (i) comply with any state or federal laws or regulations, provided that if any such state or federal law or regulation prevents or precludes compliance with any provision of this Agreement, such affected provisions shall be modified as may be necessary to meet the minimum requirements of such state or federal law or regulation; (ii) alleviate or otherwise contain a legitimate, bona fide harmful and noxious use of the Property in which event any ordinance, rule, or regulation to be imposed in an effort to contain or alleviate such harmful and noxious use shall be the most minimal and the least intrusive alternative possible and may be imposed only after public hearing and comment and shall not, in any event, be imposed arbitrarily; or (iii) maintain the City's compliance with local and state sewage, water systems, air quality and utility regulations. In the event of any such moratorium, future ordinance, resolution or rule or regulation, unless taken by the City as provided under the three exceptions contained above, Master Developer shall continue to be entitled to apply for and receive approvals as contemplated by this Agreement and in accordance with the Applicable Development Rules.

SECTION 3. PUBLIC FACILITIES

3.01 Post Office. Prior to the Auction, the City discussed with the United States Postal Service the receipt by the United States Postal Service of certain property for a United States Postal Facility ("Post Office"). The United States Postal Service and Master Developer may agree on a location for the Post Office, which the Master Developer contemplates would be in Village 1, 3 or 4; provided, however, that if Village 2 is not developed as an Active Adult Community, the Master Developer may locate the Post Office in any Village. If such Post Office is required by the United States Postal Service, this land will be provided by the Master Developer to the United States Postal Service in a current "as is" condition. Prior to the issuance of the 4000th residential permit in the Planned Community, Master Developer shall either inform the City of the location of the Post Office in the Planned Community or provide the City with a letter from the United States Postal Service indicating that there is no desire for a Post Office within the Planned Community. The Master Developer, Owners and City will not be responsible for any on-site grading, paving, utilities or construction of the Post Office. Master Developer agrees to provide roadway paving adjacent to the Post Office location and stub utilities to the site. The United States Postal Service will be responsible for any remaining infrastructure costs, and these costs may be in the form of a reimbursement to Master Developer. If the agreed upon parcel is not used for a Post Office, the parcel shall revert back to applicable Owner(s) Master Developer at no cost to the Master Developer and to applicable Owner(s). If the parcel reverts back to Master Developer, Master Developer and City shall mutually

agree on an alternative use for the parcel that is compatible with the Planned Community. City agrees that in the event the United States Postal Service does not require a Post Office on the agreed upon parcel as evidenced in writing, the Master Developer is relieved of their obligation to provide a Post Office in the Planned Community.

3.02 Schools. The Clark County School District ("District") is responsible for providing the primary and secondary education of all school age children within Clark County. The District, its Real Property Management Department, contingent on approval by the Board of School Trustees, and Master Developer have planned for a minimum of two (2) elementary school sites based on the planned occupancy within the Property (the "School Sites") as identified on the Land Use Plan. Master Developer must meet school siting criteria. Prior to the City's approval of the Master Tentative Map, the Board of School Trustees and Master Developer will enter into a new Memorandum of Agreement ("MOA") that, once recorded, will replace the existing Memorandum of Understanding. The Parties acknowledge that a third elementary school site has been reserved and may be required within the Planned Community if and to the extent required by the MOA.

3.03 Fire. Master Developer shall design, construct and dedicate a Fire Station as identified on the Land Use Plan. The size of the Fire Station shall be similar in size to fire station 56 plus such additional square footage as necessary for: (i) one additional bay sufficient to house a Ladder Truck, provided by others, which is approximately 58' x 76', and (ii) all related necessary personnel and equipment provided by others. Such design and construction of the Fire Station building and development of the site shall be in conformance with the Development Standards and Design Guidelines. Master Developer shall commence construction of the Fire Station upon the earlier of the issuance of the 1,700th residential building permit within the Planned Community or the issuance of the 500th residential building permit within Village 2. Completion of construction shall be within twelve (12) months from the date of commencement. City agrees to act in good faith to process all necessary applications, permits and inspections for the construction in an expeditious manner. Master Developer agrees to give one hundred thousand dollars (\$100,000.00) to the City, for furniture, fixtures and equipment which must be used for the Fire Station, but shall not be responsible for the provision of a Ladder Truck or any personnel or equipment for the Ladder Truck. Master Developer agrees to give this contribution to the City prior to completion of construction of the Fire Station and as mutually agreed upon between the Parties. The City agrees to operate, and, to the extent Master Developer's contribution is insufficient, to equip the Fire Station at the City's expense. The City agrees to have the Fire Station in operation within six (6) months upon completion of construction and dedication.

The City agrees that prior to completion and dedication of the Fire Station, the public safety needs of the Property will be provided by the City from elsewhere within the City. Upon completion and dedication of the Fire Station, the City shall provide or ensure that others provide the Ladder Truck and one (1) Fire Engine that will be permanently housed at the Fire Station. Additionally, the City and Master Developer agree to work together to ensure an Emergency Medical Service ("EMS") vehicle, provided by City, will be permanently housed at the Fire Station. City shall ensure that the EMS vehicle will be housed and operational within six (6) months upon completion of construction

and dedication of the Fire Station to the City. Upon Master Developer's dedication of the Fire Station and payment for the furniture, fixtures and equipment, the City acknowledges that the Master Developer has satisfied its obligation with respect to fire services.

3.04 Police Department Area Command Land Dedication and Maintenance Building. The Owner of Parcel 3.01 (previously known as Parcel 5.09 on the 2008 Parent Final Map) in Village 3 has provided the owner(s) of what is known as the Park Highlands West Parcel with a signed easement to construct the Police Department Area Command and Maintenance Building on approximately five (5) acres of Parcel 3.01. A copy of that easement is attached hereto as Exhibit "H". The owner of Parcel 3.01 shall dedicate that portion of Parcel 3.01 to the City, and City shall accept said dedication, after the completion of the Police Department Area Command and Maintenance Building by the owners of the West Parcel. The construction of the Police Department Area Command and Maintenance Building shall be governed by the ARDA for Park Highlands West recorded in the Official records of Clark County as Book No. 20141105 and Instrument No. 0002791. The City shall be responsible for ensuring the Police Department Area Command and Maintenance Building is completed to ensure the public safety needs of the Planned Community are met. The City agrees that prior to completion and operational control of the Police Department Area Command and Maintenance Building, the public safety needs of the Property shall be provided by the City from somewhere else within the City.

3.05 Construction of Improvements. Master Developer, or Village Developer, as applicable, may enter into a construction agreement with a contractor for the construction of any and all improvements required to be constructed in accordance with this Agreement. It is understood by City and Master Developer that the City will not be a party to or review or approve any construction contract entered into by Master Developer, or Village Developer, as applicable, for these improvements. Upon completion of such improvement, the Master Developer, shall present or cause the presentation of the improvements to the City for City acceptance. Master Developer, or Village Developer, as applicable, shall perform and complete all improvements in accordance with the regulations, standards, specifications and ordinances of the City. Prior to acceptance by the City a final inspection will be performed and a final punch-list will be created. Any punch-list items required by the City in accordance with the specifications contained within this document for the completion of improvements shall be completed by the Master Developer, or Village Developer, as applicable, prior to acceptance of the improvement by the City. After acceptance of the improvement by the City, the Master Developer, or Village Developer, as applicable, is required to provide a one-year warranty for all improvements and will be responsible should any original or developed defect(s) or failure(s) appear within the one-year period.

3.06 Library Contribution. Master Developer and City agree that it is in the best interest of the Master Planned Community to provide up-to-date access to information. As such, in lieu of the construction of a library within the Master Planned Community and the dedication of said library to City, Master Developer shall install WIFI capabilities throughout those parks over one (1) acre in size in the Master Planned Community and Master Association (or Village homeowner sub-

associations) shall maintain said WIFI in all of those parks except the City-maintained Regional Park located in Village 3.

SECTION 4. PARKS & TRAILS

4.01 Parks & Trails Agreement. Master Developer and City have entered into a Parks & Trails Agreement attached hereto as Exhibit "F", which will be updated based on the new Land Use Plan prior to the City's approval of a new Master Tentative Map and shall also provide that any land currently owned by Park Highlands Master Association, a Nevada Non-Profit Corporation shall be subject to the updated Parks & Trails Agreement. Master Developer and City agree that Master Developer shall meet its obligations with respect to the Parks & Trails Agreement upon the completion and dedication of the Regional Park to City, and dedication of the Community Parks, Master Association Parks, Trails and Trailheads identified in the Parks and Trails Agreement for the Property to the Master Association. If there is a question as to Master Developer's obligations under the Parks & Trails Agreement, the issue shall be presented to the City Manager for resolution through the Minor Modification process outlined in Section 2.09 of this Agreement which resolution shall be subject to the limitations set forth in Section 2.

SECTION 5. CONSERVATION AGREEMENT

5.01 Conservation Agreement. On July 6, 2005, the City, the BLM, the FWS, and the NDF entered into an agreement for the purpose of management of special resources on the BLM parcels nominated for disposal by the City. This Conservation Agreement is attached to this Agreement as Exhibit "G", and is incorporated as if set forth herein.

5.02 Compliance with Conservation Agreement. To the extent portions of the Property are contained within the parcels governed by the Conservation Agreement, then development pursuant to this Agreement must be in compliance with those provisions of the Conservation Agreement applicable to Master Developers. If there is a question as to the obligations under the Conservation Agreement, the issue shall be presented to the City Manager for resolution through the Minor Modification process outlined in Section 2.09 of this Agreement.

SECTION 6. TRAFFIC

6.01 Master Transportation Study. The Master Transportation Study 2,074 Acre Site prepared by Carter and Burgess, Inc., dated April 10, 2006 is approved, however because of the age of the study and the changes to the Land Use Plan, a new Master Transportation Study, including a phasing plan, shall be prepared by the Master Developer. Owners agree that development of the Property shall be in compliance with the approved Master Transportation Study for the Property, the

scope of which study shall be subject to the limitations set forth in Section 2. Any changes to the proposed street network shall not reduce the acreage of parks, schools or municipal sites by more than ten percent (10%).

6.02 Commerce/Revere. Because the Commerce and Revere interchange (bridge over the Beltway) is important to the Master Planned Community, Master Developer and City agree to work in good faith with Clark County to see that the interchange is constructed by Clark County as soon as possible. The roadways north and south of the interchange will be constructed as the adjacent property is developed by the owners of the adjacent property and in accordance with the Master Transportation Study, but the City, Owners and the Master Developer shall not have any obligation to construct or contribute to the cost of the interchange, other than development fees collected at the time of the issuance of building permits. Master Developer and City acknowledge that the Commerce and Revere interchange (bridge over the Beltway) is integral to having proper access to the Regional Park currently located in Village 3.

6.03 Clayton Street. The Parties agree that any improvements on Clayton Street to be constructed from its intersection with Elkhorn Road up to, but not over the Beltway, will be determined by the Master Plan of Streets and Highways and the Master Transportation Study. If the City intends to construct a pedestrian bridge over the Beltway, at the City's expense, in the former alignment of the Clayton Street vehicular bridge, the Master Developer shall cause a trail to be constructed to the northern end of such pedestrian bridge. Such new trail shall connect to Master Developer's existing trail network and utilize sixty (60) feet of right-of-way in accordance with the standard trail width in the Master Planned Community.

6.04 Bus Turnouts. Master Developer agrees to construct Bus Turnouts within Pathways as identified in the Master Transportation Study.

6.05 Bike Lanes. Master Developer agrees to install bike lanes on all collector and minor arterial roadways in the Master Planned Community as identified in the Master Transportation Study.

6.06 Improvement Requirements. All improvements set forth in the Master Transportation Study and any approved alterations thereto must be approved by the appropriate City Department(s).

6.07 Landscaped Median Areas. Master Developer shall design and construct full landscaped medians on those arterial and major collector streets throughout and adjacent to the Master Planned Community as identified in Development Standards and Design Guidelines. Landscaped Median Areas shall be completed concurrent with adjacent street improvements.

6.08 Maintenance of Landscaped Median Areas. Subject to receiving necessary easements from the City, and until such time as maintenance is assigned as provided herein, Master Developer shall maintain all landscaped medians, throughout and adjacent to the Master Planned Community. Once the City has approved the improvements located on any landscaped median, Master Developer will assign the maintenance obligation for any such landscaped median to a Master Association or

homeowner sub-association. When required by the City, the Master Developer, Master Association, or homeowner sub-association, as applicable, shall enter into a landscape agreement for the maintenance of any of the landscaped medians in accordance with NRS 278.478 to 278.4789.

6.09 Fiber Optic Conduit. Master Developer agrees to install fiber optic conduit for the connectivity of traffic signals on major and minor arterial roadways of the Property as identified in the Master Transportation Study.

6.10 Construction of Grand Teton Drive. Pursuant to the terms of the Master Transportation Study, as amended, subject to Master Developer's appeal rights set forth in the last paragraph of this section, Master Developer shall construct the northern half street section of Grand Teton Drive from Aliante Parkway to the eastern boundary of the master planned community of Aliante. This street section build out will be constructed as determined by the Master Transportation Study. The part of the Grand Teton Drive alignment from the western boundary of the Property to the North 5th Street alignment shall be constructed as a trail, which shall be adjacent to the dedicated right-of-way of Grand Teton Drive within the City's public utility easement. Master Developer shall not be responsible for the construction of road improvements in the Grand Teton Drive alignment from the western boundary of the Property to the North 5th Street alignment and said right-of-way shall remain the control and ownership of City. The remainder of Grand Teton Drive from the North 5th Street alignment to the eastern boundary of the Property (which is Losee Road) shall be developed as a half street roadway, to the same half street standards that currently exist north of Aliante, by the Master Developer or Village Developer for Village 2. Construction of this section shall commence upon the issuance of the 1,500th residential building permit for Village 2.

In the event that the City does not accept the future submitted Master Transportation Study relating to the improvements on Grand Teton Drive, Master Developer shall have the right to appeal the City's decision not to accept the submitted improvements on Grand Teton Drive to the City Manager upon written notice. The City Manager shall issue a written determination within thirty (30) days of such notice. Master Developer may appeal the determination of the City Manager to the City Council. The appeal must be scheduled for the first available City Council meeting.

6.11 Refunding Agreement. City and Master Developer agree to enter into a mutually acceptable refunding agreement as further set forth in Section 12.04. The refunding agreement shall also include the full cost and immediate contribution upon completion of any park, street, sewer, water or drainage improvement that is not required in the approved Master Studies and any Person that purchases BLM property that is located east of Aliante Parkway, north of Grand Teton Drive and/or east of Losee Road. If Master Developer is required to make park, street, sewer, water or drainage improvements that also benefit other property not within the Planned Community, then City will include the proportionate of those improvements in the refunding agreement. If Master Developer, is required to oversize any utility improvement, the City or other property owner(s)' proportionate share shall include, but not be limited to, the labor and trenching costs. Nothing in this Agreement shall prevent Master Developer from assigning all or a portion of its rights under the refunding agreement.

SECTION 7. DRAINAGE

7.01 Master Drainage Study. The Master Drainage Study for the Property entitled Conceptual Drainage Study for North Las Vegas 2,074-Acre Site prepared by GC Wallace, Inc., dated February 13, 2006 is approved; however, because of the age of the study and the changes to the Land Use Plan, a new Master Drainage Study including phasing plan shall be prepared by Master Developer. Owners agree that development of the Property shall be in compliance with the approved Master Drainage Study for the Property, the scope of which study shall be subject to the limitations set forth in Section 2. Any changes to the proposed drainage infrastructure shall not reduce the acreage of parks, schools or municipal sites by more than ten percent (10%). The Master Drainage Study may be amended from time to time to address changes in the Master Planned Community development and specific Village development. The issuance of permits and certificates of occupancy shall not be held up if a Master Plan Update ("MPU") is being processed by Clark County Flood Control District so long as there are adequate drainage facilities to support the issuance of such permits and certificates of occupancy.

7.02 Improvement Requirements. All improvements to be constructed in conjunction with the Master Drainage Study and any revisions thereto must be approved through the proper Submittal and approval process by the appropriate City Department(s). All plans for drainage system facilities shall bear certification by the Professional Engineer responsible for the design that the facilities are in compliance with all applicable Master Plans and Master Studies. Master Developer shall not be responsible for any improvements outside the Planned Community or inside the Planned Community that do not affect the Planned Community.

SECTION 8. WATER

8.01 Master Water Study. The Master Water Study prepared for Property by GC Wallace, Inc., entitled North Las Vegas, 2,074 Acre Site Water Mater Plan, dated August 24, 2006, addendum 3 dated August 28, 2008 is approved, but will be updated based on the new Land Use Plan. A copy of the Master Water Study, including the City's letter of acceptance, which sets forth the terms and conditions of approval, is on file with the City's Clerk's Office. Master Developer agrees that development of the Property shall be in compliance with the approved Master Water Study for the Property, the scope of which study shall be subject to the limitations set forth in Section 2. The Master Water Study may be amended from time to time to address changes in the Master Planned Community development and specific Village development.

- 8.02 Water System Facilities. Water system facilities shall comply with the following:
- "Uniform Design and Construction Standards for Water Distribution Systems" (UDACS), current edition
 - City of North Las Vegas Municipal Water Service District Service Rules and Regulations

• City of North Las Vegas Municipal Code

8.03 Provision of Water. The City represents and warrants that it has sufficient water to serve the Property (including its intended uses), and upon construction, from time to time, of the required water improvements described in the Master Water Study for the Property, the City shall permit Master Developer to connect, in seriatim fashion, to the City's water systems and shall provide water service to the Property and its intended uses in the City's customary manner.

8.04 Reclaimed Water. Master Developer shall be required to provide "reclaimed water" distribution lines located within right-of-way identified by the City for irrigation of median strips.

8.05 Improvement Requirements. All improvements to be constructed in conjunction with facilities set forth in the Master Water Study and any revisions thereto must be approved through the proper Submittal and approval process by the appropriate City Department(s). All plans for water system facilities shall bear certification by the Professional Engineer responsible for the design that the facilities are in compliance with all applicable Master Development Plans and Master Studies.

SECTION 9. SEWER

9.01 Master Sewer Study. The Master Sewer Study prepared for Property by GC Wallace, Inc., entitled North Las Vegas, 2,074 Acre Site Wastewater Master Plan, dated June 20, 2006, addendum 1 dated October 18, 2006 is approved, but will be updated based on the new Land Use Plan. A copy of the Master Sewer Study, including the City's letter of acceptance which sets forth the terms and conditions of approval, is on file with the City's Clerk's Office. Master Developer agrees that development of the Property shall be in compliance with the approved Master Sewer Study for the Property, the scope of which study shall be subject to the limitations set forth in Section 2. The Master Sewer Study may be amended from time to time to address changes in the Master Planned Community development and specific Village development.

9.02 Sewer System Facilities. Sewer system facilities shall comply with the following:

- "Design and Construction Standards for Wastewater Collection Systems", current edition
- City of North Las Vegas Wastewater Service Rules and Regulations
- City of North Las Vegas Municipal Code

9.03 Provision of Sewer Service. The City represents and warrants that it has sufficient sewer capacity to serve the Property (including its intended uses), and upon construction, from time to time, of the required sewer system improvements described in the Master Sewer Study for the Property, the City shall permit the Master Developer to connect, in seriatim fashion, to the City's sewer system and shall provide sewer service to the Property and its intended uses in the City's customary manner.

9.04 Improvement Requirements. All improvements to be constructed in conjunction with facilities set forth in the Master Sewer Study and any revisions thereto must be approved through the proper Submittal and approval process by the appropriate City Department(s). All plans for sewer system facilities shall bear certification by the Professional Engineer responsible for the design that the facilities are in compliance with all applicable Master Plans and Master Studies.

UNOFFICIAL COPY

SECTION 10. INFRASTRUCTURE

10.01 Acquisition of Off-Property Rights-of-Way and Easements. The City acknowledges that certain rights-of-way and easements outside the boundaries of the Master Planned Community are necessary for development and construction of the improvements described in Sections 6, 7, 8, and 9. The City shall cooperate with Master Developer in obtaining such necessary rights-of-way and easements through acquisitions from the BLM or by power of condemnation where authorized by law, so as not to delay development and construction of such improvements as contemplated by the development phasing schedules set forth in the Master Studies. At the request of Master Developer, the City shall pursue such acquisitions at Master Developer's expense, including the payment of all condemnation awards. In the alternative, and when supported by the Master Transportation Study for the Property or an update thereof, to the extent required, the Parties may agree that Master Developer may accelerate the development and use of an alternative right-of-way or easement and thereby delay the acquisition of a particular Off-Property right-of-way or easement until such Off-Property right-of-way or easement is deemed necessary.

10.02 Granting of Easements on the Public Acreage. The City acknowledges that certain easements within the Public Acreage are necessary for development and construction of the improvements described or contemplated by this Agreement and the Master Studies. The City agrees that Master Developer shall have the right, subject to the City's prior approval, which shall be granted as reasonably and customarily required, to grant such easements within the Public Acreage prior to Master Developer's conveyance of the Public Acreage to the City. After Master Developer's conveyance of the Public Acreage to the City, the City agrees that it will promptly grant any and all such easements within the Public Acreage.

10.03 Routing. The routing of the various utility lines, pipes and facilities serving the Property shall be in accordance with the Master Studies, which the Parties acknowledge are and will be in public rights-of-way, Public Acreage or public utility easements granted for those purposes.

10.04 Franchise Agreements. The City hereby warrants that it has entered into franchise agreements with all of the public utility companies that provide utility services within the Las Vegas valley, including NV Energy, CenturyLink, Southwest Gas Corporation and Cox Cable of Las Vegas (collectively, the "Franchise Agreements"). The City agrees that the Franchise Agreements will be amended from time to time to insure the adequate provision of utility services to the Property. The

City hereby agrees to take all necessary steps to revise or update the Franchise Agreements, as such revisions or updating may be necessary or appropriate in order to satisfy the needs for such services throughout the Master Planned Community, and to enforce the same for the benefit of Master Developer and successors-in-interest.

10.05 Comprehensive Facilities Plan. Master Developer has delivered a dry utility study and a utility corridor study to the City which, when coupled with the Master Studies, satisfies the comprehensive facilities plan requirement. Master Developer shall comply with such dry utility and utility corridor studies, as approved by the City.

10.06 Offsite Improvements and Off-Property Improvements. Any required Offsite Improvements and Off-Property Improvements shall be completed by Master Developer and/or the applicable Village Developer. Master Developer and Village Developers will not be obligated to participate in any additional Off-Property Improvements or Offsite Improvements that are not included within this Agreement.

SECTION 11. REVIEW, DEFAULT AND REMEDIES

11.01 Frequency of Reviews. As required by NRS 278.0205, the City Council shall review the development of the Master Planned Community at least once every twenty-four (24) months during the Term of this Agreement. Prior to such review, and upon the written request of the City, Master Developer shall provide a report summarizing the extent of Master Developer's and the City's material compliance with the terms of this Agreement during the period preceding such report. The City shall not charge any expense, fee or cost with respect to such review.

11.02 Procedures for Alleged Noncompliance. In the event that any Party believes ("Alleging Party") any other Party ("Noncompliant Party") is not in compliance with any provision of this Agreement, Alleging Party shall deliver to the Noncompliant Party in writing a notice stating the reason for noncompliance and any alleged action necessary to correct the noncompliance ("Notice of Default"). The notice shall include the Section of this Agreement alleged to be violated, the nature of the alleged default, and, where appropriate, the manner and period of time in which it may be satisfactorily corrected. Notices must be delivered in accordance with this Agreement. The Noncompliant Party will have thirty (30) days to respond in writing to the notice of noncompliance or such longer time period as may be set forth in the applicable Notice of Default. The response shall be either that i) the Noncompliant Party agrees with the notice of noncompliance and shall state what the Noncompliant Party shall do to cure the noncompliance and when it will be accomplished; or 2) the Noncompliant Party denies the notice of noncompliance. If the Noncompliant Party fails to respond, such silence shall be deemed a denial. If the Noncompliant Party agrees, then the Alleging Party shall either accept the proposed cure and time frame or provide written notice to the Noncompliant Party of its objections to the proposed cure and time frame. If the Noncompliant Party denies the alleged noncompliance, is deemed to have denied the alleged noncompliance, or if the

Alleging Party and Noncompliant Party cannot agree on a cure and/or time frame, then the proceedings under Section 11.03 of this Agreement shall apply.

11.03 City Council Review. The Alleging Party shall have the right to have the matter heard by the City Council. The City Manager shall place the matter on the next legally available agenda at which meeting the City Council shall make its determination. The hearing need not be conducted according to technical or judicial rules relating to evidence and witnesses. Any relevant evidence may be utilized. The Parties shall have the right to call and examine witnesses, cross examine witnesses, introduce Exhibits and offer rebuttal evidence. The City Council shall have the authority to regulate the course of the hearing.

11.04 Unavoidable Delay or Default, Extension of Time for Performance. The Parties hereunder shall not be deemed to be in default, and performance shall be excused, where delays or defaults are caused by actions outside the control of the Parties. If written notice of any such delay is given to City within thirty (30) days after the commencement thereof, an extension of time, unless otherwise objected to by City within ten (10) days of such written notice, shall be granted coextensive with the period of the enforced delay or longer as may be required by circumstances or as may be subsequently agreed to between City and Master Developer.

11.05 Institution of Legal Action. City, Owners and Master Developer agree that none would have entered into this Agreement if any of them were liable for, or could be liable for, damages under or with respect to this Agreement. Accordingly, City, Owners and Master Developer may pursue any remedy at law or equity available for breach, except that Master Developer and Owners on the one hand and City on the other hand shall not be liable to the other for any monetary damages whatsoever. Judicial review of the decision of the City Council shall be limited to the evidence presented to the City Council at the public hearing as described in this Section. If a party desires to present new or additional evidence to the Court, they may petition the Court to remand the matter to the City Council to consider the additional or new evidence. Jurisdiction for judicial review or any judicial action under this Agreement shall rest with the federal court or the Eighth Judicial District Court, State of Nevada.

11.06 Applicable Laws. This Agreement shall be construed and enforced in accordance with the law of the State of Nevada.

SECTION 12. FINANCING

12.01 City Cooperation. The City expressly acknowledges and agrees that Master Developer, Owners and/or Builders may be required to finance a portion of its acquisition of the Property and for its obligations under this Agreement (including the development of the Master Planned Community contemplated by this Agreement) through private financings. The City agrees to cooperate with Master Developer, Owners and/or Builders with respect to such financings (including any amendments, modifications or refinancings with respect thereto) by, among other

things, executing and delivering to any Financing Party or other interested Person such documents, estoppel certificates or consents as may be reasonably requested to acknowledge (a) that the City has no lien on the Property, and (b) that the City shall recognize and allow (i) any Financing Party which has foreclosed or acquired all or a portion of the Master Planned Community from Master Developer, Owner and/or Builders, as applicable, and (ii) any other Persons pre-approved by the City in writing which have acquired all or a portion of the Master Planned Community from any Financing Party or in connection with any foreclosure or other transfer in connection with the exercise of remedies by the Financing Parties, in each case, to succeed to the rights and benefits of the applicable borrower Owner under this Agreement and the rights and benefits of this Agreement as to all or such portion of the Property; provided that the City shall not unreasonably withhold, condition or delay its approval under clause (b)(ii) if such Person is a Qualified Transferee. Any Person approved by the City pursuant to this Section 12 or any Financing Party shall be referred to herein as an "Approved Transferee." Master Developer and Owners acknowledge, however, that if a special improvement district is created, such district will constitute a lien on the Property to secure repayment of the bonds.

12.02 Special Improvement District. The City agrees to assist Owners in the creation of one or more special improvement districts in accordance with the NRS. Such districts shall be financed on a minimum twenty (20) year amortization schedule and the financing shall include 2-year capitalized interest and shall be based on an improved property loan to value ratio of three (3) to one (1). The City further agrees to waive any requirement on the part of Owners to secure a performance bond for any infrastructure improvements covered by a special improvement district. Owners shall reimburse to the City all reasonable third-party costs that the City incurs directly with respect to a special improvement district. A third party cost shall be reasonable if a similar cost was paid by the Master Developer of the Aliante master planned community as part of the Aliante special improvement district.

12.03 Oversizing Reimbursement/Refunds. The Parties acknowledge that the development of the Master Planned Community may require the Master Developer to construct certain Off-Property Improvements, which improvements the City may request be oversized to accommodate properties not associated with the Master Planned Community (each such request an "Oversizing Request"), or which may require an advancement of funds ("Advancement of Funds"). In the event that the City makes an Oversizing Request or Advancement of Funds, then the City and Master Developer shall enter into a mutually acceptable oversizing or advancement agreement, which shall include but not be limited to all trenching and labor costs where applicable. In addition, in the event that Master Developer installs an Off-Property Improvement, the benefit of which shall accrue to persons who, in the future, will apply for the service such Off-Property Improvement provides, then the City and Master Developer shall enter into a mutually acceptable refunding agreement. Refunding agreements will be secondary to the City recouping all associated costs the City paid for oversizing any such improvement.

12.04 Reimbursement Agreements for Parcels in the MPC District Not a Part of This Agreement. There are certain owners of property within the MPC District that have opted to not be a

part of this Agreement. The current properties that will not be a part of this Agreement that are within the MPC District are assessor's parcel numbers 124-16-710-004 and 124-21-510-002 ("Outside Parcels"). The City acknowledges that the Outside Parcels will be obligated to contribute their fair share towards their impact on the Master Planned Community as it relates to, but is not limited to, parks, trails, police, fire, schools, traffic, sewer, water, dry utilities, trenching, labor costs, etc. prior to approval of the first map or site plan on the Outside Parcels. The City and the owner(s) of the Outside Parcels will determine the Outside Parcels' fair share of its obligations and require said contribution from the Outside Parcels. Master Developer and City shall then enter into a separate Reimbursement Agreement setting forth the monetary contribution for Outside Parcel's fair share impact on the Master Planned Community and providing that upon receipt of said monetary contribution, the City shall reimburse the Master Developer who paid for or caused the payment and installation of the improvement. The City further agrees to document these obligations in a standalone development agreement between the owner of the Outside Parcels and the City.

SECTION 13. AMENDMENTS

13.01 Amendments to the Master Development Plan. Subject to the exceptions set forth in Section 2, amendments to the Master Development Plan shall be processed in accordance with the amendment procedures set forth in Section 17.12.070(E) of the Code (establishing the MPC District).

13.02 Amendments to this Agreement. The Parties shall cooperate in good faith to agree upon and shall promptly process any amendments to this Agreement and shall follow the procedures set forth in NRS 278.0205 and 278.0207.

SECTION 14. GENERAL PROVISIONS

14.01 Term of this Agreement. Except as to those provisions of this Agreement which specifically provide for a longer duration, the Term of this Agreement shall commence upon the Effective Date and shall expire on the date which is twenty-five (25) years from the Effective Date. The Parties agree that this Agreement cannot be terminated without mutual consent from the Parties.

14.02 Assignment.

(a) Approved Owner Transfer. Without the requirement of further action on the part of the City, the City hereby consents to the transfer, at any time, and from time to time, of all or any portion of ownership interest in an Owner to any one or more of the following (each, individually, an "Affiliated Transferee" and severally the "Affiliated Transferees"), provided

however that any Affiliated Transferee and all Affiliated Transferees take such transfer subject to Section 2:

- (i) An Affiliate(s) of the transferor;
- (ii) The other owners of such Owner and/or their Affiliate(s);

(iii) Financing Parties as pledge or security for loans, provided that upon foreclosure or exercise of remedies in connection therewith, Financing Parties or Qualified Transferees may become holders of such interest;

(iv) The surviving entity in a merger or conversion of the ownership interests in and to the securities of such Owner in a single transaction or series of related transaction;

(b) Approved Property Transfers. Without the requirement of further action on the part of the City, the City hereby consents to the transfer, at any time and from time to time, of all or any portion of the Property to one or more Affiliated Transferees or to an entity in which one or more Affiliated Transferees own or control, in the aggregate, more than fifty percent (50%) of the ownership interest, provided however that any Affiliated Transferee and all Affiliated Transferees take such transfer subject to Section 2. Such transferor will be released from liability to the City under this Agreement only with a written release of liability signed by the City, which the City will provide upon such Affiliated Transferee demonstrating, to the reasonable satisfaction of the City, that the transferee has the ability and finances to perform the obligations of the transferor.

(c) Transfers to Builders. Without the requirement of further action on the part of the City, the City hereby consents to the transfer, from time to time following execution of this Agreement, of parcels of the Property as shown on the Land Use Plan to one or more Builders provided that such transferee(s) is subject to the applicable portions of this Agreement and agrees to develop such parcels in accordance with the Master Development Plan. The City shall release the transferor of the applicable Parcel(s) from any obligation and liability under this Agreement with respect to such Parcel(s) to the extent assumed by the respective Builder transferee upon approval by the City of such Builder's tentative map. A Builder shall not be an Owner as defined herein or a Party to this Agreement.

(d) Transfers of a Village. With the prior written consent of the City, which shall not be unreasonably withheld or delayed, the Parcels of the Property identified as Villages as shown on the Land Use Plan may be transferred, from time to time, to one transferee(s) per Village provided that at the time of such transfer such transferee(s) (i) acknowledge its Village is subject to this Agreement and (ii) agrees to develop at the time of such transfer to that Village in accordance with the Master Development Plan. The City shall release the transferor of the Village from any obligation and liability under this Agreement with respect to such Village upon approval by the City of such transferee's Parent Final Map for the specific Village. Said transferee shall be an Owner as defined herein, but not a Party to this Agreement, unless the transferor is a Party and assigns all its

rights as a Party to said transferee at the time of such transfer.. If said transferee is assigned the rights of a Party, then the transferor shall notify the Master Developer and the Master Developer shall then notify the City in writing of such assignment, together with the name and contact information for such transferee and record a notice or similar document in the Official Records of Clark County stating the transferee is a Party to this Agreement. The City may rely on any such notice received from Master Developer and shall have no obligation to verify or confirm the facts regarding the approval (or a denial) of the transferee as a Party to this Agreement.

(e) To a Third Party. Assignment or transfer of the Property from an Owner to a third party other than as provided herein, is not a contemplated transaction under this Agreement. No Owner shall sell or transfer all or any portion of the Property to a third party other than as provided herein, without the written consent of the City which shall not be unreasonably withheld. It shall be unreasonable for the City to withhold its consent to a transfer by an Owner of a portion of the Property to a third party if the third party is a Qualified Transferee, or has otherwise demonstrated financial strength commensurate with the obligations under this Agreement. Any such transfer shall be deemed a default of this Agreement by the Owner. Any cumulative transfer of more than forty percent (40%) of the ownership interests in an Owner to a third party other than as provided herein shall be considered a transfer of the Property. Any transfer made, even without the consent of the City, and even if such transfer constitutes a default of this Agreement, shall be subject to Section 2 and shall make the transferee subject to Section 2. Such transferor will be released from liability to the City under this Agreement upon the transfer of the applicable Parcel(s) to the transferee if the transfer is approved by the City. If approved by the City, said transferee shall be an Owner as defined herein, but not a Party to this Agreement unless the transferor is a Party and assigns all its rights as a Party to said transferee at the time of such transfer. If said transferee is assigned the rights of a Party, then the transferor shall notify the Master Developer and the Master Developer shall then notify the City in writing of such assignment, together with the name and contact information for such transferee and record a notice or similar document in the Official Records of Clark County stating the transferee is a Party to this Agreement. The City may rely on any such notice received from Master Developer and shall have no obligation to verify or confirm the facts regarding the approval (or a denial) of the transferee as a Party to this Agreement.

(f) In Connection with Financing Transactions. City agrees that each Owner may, without notice and consent of the City, in connection with any financing (or amendment, modification or refinancing with respect thereto) of the Property or any portion thereof, collaterally assign, mortgage or otherwise encumber, without limitation, its portion of the Property (collectively, the "Collateral") in favor of the Financing Parties under such financing. Upon written notice from such Financing Parties that they have exercised their rights with respect to the Collateral, such Financing Parties or any other Approved Transferee may exercise all rights of such Owner under this Agreement in accordance with the terms and conditions hereof, including the right to cure any breaches or defaults of Master Developer under this Agreement and succeed such Owner's interest in the Property, provided, however, that notwithstanding anything in this Agreement to the contrary, no Financing Parties or Approved Transferees will have liability to the City under this Agreement unless and to the extent such Financing Parties or Approved Transferees become the owner of the

Property following exercise of foreclosure or other remedies, in which case only the Financing Parties or Approved Transferees acquiring such ownership and assuming the rights of such Owner under this Agreement will have any such liability. Said Financing Parties or Approved Transferees may only be a Party to this Agreement if the borrower Owner owns no other Parcels within the Property after the Financing Party exercises its remedies and such borrower Owner was a Party. If said Financing Party becomes a Party by virtue of the preceding sentence, said Financial Party shall notify the Master Developer and the Master Developer shall notify the City in writing of such event, together with the name and contact information for such transferee and record a notice or similar document in the Official Records of Clark County stating the Financing Party is a Party to this Agreement. The City may rely on any such notice received from Master Developer and shall have no obligation to verify or confirm the facts regarding the approval (or a denial) of the transferee as a Party to this Agreement.

14.03 Joint Defense. Master Developer, Owners and the City agree to jointly defend this Agreement in any legal action filed in a court of competent jurisdiction by a third party challenging the validity of this Agreement.

14.04 Binding Effect of Agreement and Release. The burdens of this Agreement bind, and the benefits of this Agreement inure to, the Parties' respective permitted assignee(s) and successors in interest; except, however, that this Agreement shall terminate without the execution or recordation of any further document or instrument as to any portion of the Property which has been subdivided, and with respect to which a Certificate of Occupancy (or comparable City authorization) has been issued that allows the use and occupancy of the improvements thereon. In addition, a tenant under a lease for any portion of the Property, which lease has a term of less than fifty (50) years, including options, shall not have the right to enforce this Agreement against the City.

14.05 Unavoidable Delay or Default; Extension of Time for Performance. No Party hereunder shall be deemed to be in default, and performance shall be excused, where delays or defaults are caused by insurrection, strikes, walkouts, riots, floods, earthquakes, fires, casualties, acts of God, restrictions imposed or mandated by governmental entities (excluding the City), failure of governmental agencies (other than the City) to perform acts or deeds necessary for the performance of this Agreement, enactment of conflicting state or federal laws or regulations, new or supplementary environmental regulations, or similar matters beyond the control of the Parties. If written notice of any such delay is given to the non-delaying Party within thirty (30) days after the commencement thereof, an automatic extension of time, coextensive with the period of the unforced delay, or longer as may be required by circumstances or as may be agreed to between the Parties, shall be deemed granted.

14.06 Relationship of Parties. It is understood that the contractual relationship between the City and Master Developer is such that Master Developer is an independent contractor and not an agent of the City for any purpose.

14.07 Governing Law; Jurisdiction. This Agreement shall be governed by the laws of the State. Any action brought to enforce the terms of this Agreement shall be brought in Clark County, Nevada.

14.08 Notices. All notices required to be given hereunder shall be in writing and addressed as follows. Each Party may designate from time to time, another address in place of the address below set forth by notifying the other Parties in the same manner as provided in this paragraph.

UNOFFICIAL COPY

TO CITY:

City of North Las Vegas
Attn: City Attorney
2250 Las Vegas Blvd N., Suite 250
North Las Vegas, NV 89030

TO MASTER DEVELOPER:

Crescent Bay Development Services, LLC
Attn: Gregg Wolin/Geoff Beer
c/o Crescent Bay Holdings, LLC
7144 E. Stetson Drive, Suite 410
Scottsdale, AZ 85251
wolin@crescentbayholdings.com
beer@crescentbayholdings.com

OWNERS:

KBS SOR Park Highlands, LLC
Attn: Gregg Wolin/Geoff Beer
c/o Crescent Bay Holdings, LLC
7144 E. Stetson Drive, Suite 410
Scottsdale, AZ 85251
wolin@crescentbayholdings.com
beer@crescentbayholdings.com

With a copy to:

KBS Strategic Opportunity REIT, Inc.
Attn: Brian Ragsdale / David Snyder
620 Newport Center Drive, Suite 1300
Newport Beach, CA 92660

And to:

Sheppard, Mullin, Richter & Hampton LLP
Attn: Scott Morehouse
650 Town Center Drive, 4th Floor
Costa Mesa, CA 92626
smorehouse@sheppardmullin.com

Highlands Park Holdings, LLC
Attn: Terry Manley
New West Development
5055 West Patrick Lane, Suite 101
Las Vegas, Nevada 89118
Terry@newwestnv.com

UNOFFICIAL COPY

Standard Pacific of Las Vegas, Inc.
Attn: Adam Sheehan
Standard Pacific Homes
15360 Barranca Parkway
Irvine, CA 92618-2215
asheehan@stanpac.com

KBS SOR Park Highlands II, LLC
Attn: Gregg Wolin/Geoff Beer
c/o Crescent Bay Holdings, LLC
7144 E. Stetson Drive, Suite 410
Scottsdale, AZ 85251
wolin@crescentbayholdings.com
beer@crescentbayholdings.com

With a copy to:
KBS Strategic Opportunity REIT, Inc.
Attn: Brian Ragsdale / David Snyder
620 Newport Center Drive, Suite 1300
Newport Beach, CA 92660

Sheppard, Mullin, Richter & Hampton LLP
Attn: Scott Morehouse
650 Town Center Drive, 4th Floor
Costa Mesa, CA 92626
smorehouse@sheppardmullin.com

WITH A COPY TO:

Kaempfer Crowell
Attn: Bob Gronauer
8345 West Sunset Road, Suite 250
Las Vegas, NV 89113
bgronauer@kcnvlaw.com

Notice shall be accomplished only in accordance with one of the following procedures, and shall be effective, in all cases, upon actual receipt or refusal to accept. Email communications shall not constitute notice:

(a) By personal (hand) delivery to a party, and if a party is an entity, to an adult representative of such party, at the street address for the party.

(b) By United States certified or registered mail, postage prepaid, with return receipt requested.

(c) By a nationally recognized delivery service company to the street address with written proof of delivery.

In the event any applicable statute, law, rule or regulation requires notice to be delivered in a particular manner, or to a particular address for a party, such statute, law, rule or regulation shall control, unless the requirements of such statute, law, rule or regulation can be waived in which case all Parties to this Agreement hereby waive such requirements.

14.09 Entire Agreement; counterparts. This Agreement, the Preliminary Statements, and all of the exhibits, plans or documents attached hereto or referenced herein, constitute the entire understanding and agreement of the Parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements, including the ARDA for Park Highlands East, with respect to all or any part of the subject matter hereof. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all such counterparts together shall constitute one and the same instrument.

The Parties acknowledge that those portions of the Master Development Plan that need to be amended and/or updated to reflect the Land Use Plan should be agreed to and finalized as expeditiously as possible after the Effective Date (the "Target Approval Date"). The City and Master Developer agree to meet one (1) time per week in attempting to reach finalization if needed.

The Parties also acknowledge that there most likely will be changes to the Land Use Plan as a result of finalization of the Master Studies. Therefore, should the Land Use Plan change, and provided the change does not have a material impact on the Planned Community, approval of the revised Land Use Plan shall be evidenced by its attachment to the original of this Agreement as Exhibit "B" and shall not require further approval by the City Council. However, should the City Manager determine that revisions to the Land Use Plan does have a material impact on the Planned Community, then the revised Land Use Plan will need to be approved as an amendment to this Agreement under Section 13.02.

14.10 Waivers. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate officers of the Parties, as the case may be.

14.11 Recording, Amendments. Promptly after full execution hereof, an executed original of this Agreement shall be recorded in the Official Records of Clark County, Nevada. Except as set forth in Section 2.04 above, all amendments hereto must be in writing, signed by the appropriate officers of the Parties in a form suitable for recordation in the Official Records of Clark County, Nevada. Upon the expiration of the Term of this Agreement, or its earlier revocation or termination, the Parties shall record a written statement evidencing said termination or revocation in the Official Records of Clark County, Nevada.

14.12 Headings, Exhibits, Cross-References. The headings and captions used in this Agreement are for convenience and ease of reference only and shall not be used to construe, interpret, expand or limit the terms of this Agreement. All exhibits attached to this Agreement and the Preliminary Statements at the front of this Agreement are incorporated herein by the references thereto contained herein as a substantive part of this Agreement. Any term used in an exhibit hereto shall have the same meaning as in this Agreement unless otherwise defined in such exhibit. All references in this Agreement to sections and exhibits shall be to sections and exhibits of or to this Agreement, unless otherwise specified.

14.13 Severability of Terms. If any term or other provision of this Agreement is held to be invalid, illegal or incapable of being enforced by any rule of law or public policy, all other conditions and provisions of this Agreement shall nevertheless remain in full force and effect, provided that the invalidity, illegality or unenforceability of such term does not materially impair the Parties' ability to consummate the transactions contemplated hereby. If any term or other provision is invalid, illegal or incapable of being enforced, the Parties hereto shall, if possible, amend this Agreement so as to affect the original intention of the Parties.

Except for those provisions, which, by their express terms, apply to multiple parcels on an aggregate basis, terms of this Agreement shall be applied, administered and enforced on a severable basis against each legally subdivided lot created from the Property. Without limiting the generality of the foregoing, a violation of this Agreement shall not subject any lot within the Property (or the owner of any such lot) to liability or any other applicable remedy except to the extent that the violation involves such lot and/or is caused by such owner. The breach of any aggregate limitation by the cumulative development of more than one lot shall be deemed a violation solely with respect to the lot(s) whose development causes such limit to be exceeded.

14.14 Manner of Acting. In their respective administration of and performance under this Agreement, the City and Master Developer (and where applicable Owners) shall each act reasonably. The aforesaid duty to act reasonably shall not, by reason of this Agreement, modify the standard of review otherwise applicable as to matters and actions not expressly covered by this Agreement (even if such matters or actions directly relate to or impact the Property or the Master Planned Community).

**SECTION 15.
REPRESENTATIONS AND WARRANTIES**

15.01 Each Owner hereby represents and warrants to the City, Master Developer and each other Owner, with respect to itself and its Parcel(s), as follows:

(a) Each Parcel(s) owned by it within the Property are subject to this Agreement.

(b) It is the owner of its respective Parcel(s) as identified on Exhibit C1-C4 attached hereto, including specifically the portions of its respective Parcel(s) that are identified within this Agreement or the Master Development Plan as land to be dedicated or used for public purposes. To the best of its knowledge, the Property identified on Exhibits D attached hereto represent all of the Property as of the date hereof.

(c) It owns its respective Parcel(s) free and clear of any and all mortgages or deeds of trust securing a loan from a lender ("Mortgagee"). In the event of a Mortgagee, the applicable Owner represents and warrants that it has obtained written consent and a subordination agreement from such Mortgagee stating that said Mortgagee's rights and interests as beneficiary under a the applicable mortgage or deed of trust for said Parcel(s) are subordinate and junior to this Agreement and City's rights hereunder and delivered a copy thereof to the City. Each Owner acknowledges and agrees that a breach of this Section by an Owner shall constitute a default by such Owner and that upon such default, the City, through the City Manager, shall have the right to exercise any and all rights and remedies available to the City with respect to such default against such Owner and its Parcel(s).

[Signature pages follow]

IN WITNESS WHEREOF, this Agreement has been executed by the Parties on the day and year first above written.

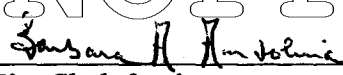
CITY:
CITY OF NORTH LAS VEGAS,
STATE OF NEVADA

By: 

Mayor of the City of North Las Vegas

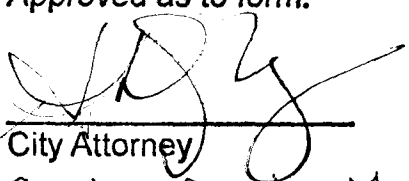
John Lee

Attest:


City Clerk for the
City of North Las Vegas

Barbara Andolina

Approved as to form:


City Attorney

Sandra Douglas Morgan

Crescent Bay Development Services, LLC,
a Delaware limited liability company

By: [Signature]
Name: Gregg N. Wolin
Its: Co-Manager of Manager

UNOFFICIAL COPY

STATE OF NEVADA) ARIZONA
COUNTY OF CLARK) ss. MARICOPA

Laurey Garcia
NOTARY PUBLIC



OWNERS:

KBS SOR Park Highlands, LLC,
a Delaware limited liability company

By: CRESCENT BAY LAND FUND 2, LLC,
a Delaware limited liability company,
its Managing Member

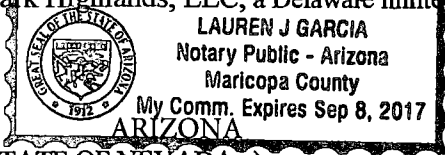
By: Crescent Bay Holdings, LLC,
a Delaware limited liability company,
its Managing Member

By: [Signature]
Name: Gregg N. Wolin
Title: Co-Manager

By: [Signature]
Name: Geoffrey Beer
Title: Co-Manager

ARIZONA
STATE OF ~~NEVADA~~)
MARICOPA) ss.
COUNTY OF ~~CLARK~~)

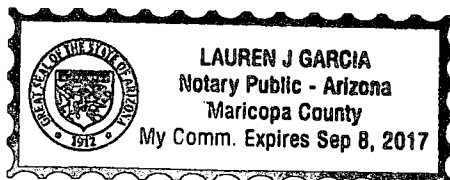
This instrument was acknowledged before me on the 8 day of
June, 2015, by Gregg Wolin as authorized representative of KBS SOR
Park Highlands, LLC, a Delaware limited liability company.



[Signature]
NOTARY PUBLIC

STATE OF ~~NEVADA~~)
MARICOPA) ss.
COUNTY OF ~~CLARK~~)

This instrument was acknowledged before me on the 8 day of
June, 2015, by Geoffrey Beer as authorized representative of KBS SOR
Park Highlands, LLC, a Delaware limited liability company.



[Signature]
NOTARY PUBLIC

KBS SOR Park Highlands II, LLC,
a Delaware limited liability company

By: CRESCENT BAY LAND FUND 2, LLC,
a Delaware limited liability company,
its Managing Member

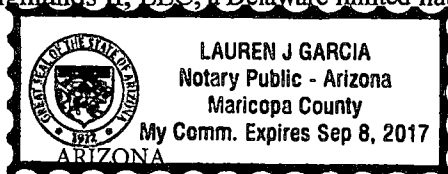
By: Crescent Bay Holdings, LLC,
a Delaware limited liability company,
its Managing Member

By: [Signature]
Name: Gregg N. Wolin
Title: Co-Manager

By: [Signature]
Name: Geoffrey Beer
Title: Co-Manager

ARIZONA
STATE OF ~~NEVADA~~)
MARICOPA) ss.
COUNTY OF ~~CLARK~~)

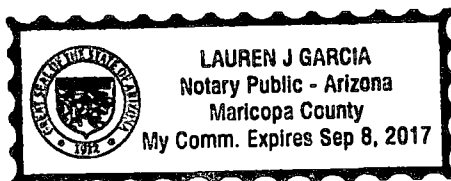
This instrument was acknowledged before me on the 8 day of
June, 2015, by Gregg Wolin as authorized representative of KBS SOR
Park Highlands II, LLC, a Delaware limited liability company.



[Signature]
NOTARY PUBLIC

STATE OF ~~NEVADA~~)
MARICOPA) ss.
COUNTY OF ~~CLARK~~)

This instrument was acknowledged before me on the 8 day of
June, 2015, by Geoffrey Beer as authorized representative of KBS SOR
Park Highlands II, LLC, a Delaware limited liability company.



[Signature]
NOTARY PUBLIC

By: _____
Name: _____
Its: _____


UNOFFICIAL COPY

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

This instrument was acknowledged before me on the _____ day of _____, 2015, by _____ as authorized representative of Highlands Park Holdings, LLC, a Delaware limited liability company.

KBS SOR Park Highlands, LLC,
A Delaware limited liability company

By: Crescent Bay Land Fund 2, LLC
a Delaware limited liability company,
its Managing Member

By: Crescent Bay Holdings, LLC,
a Delaware limited liability company,
its Managing Member, 

By: [Signature]
Name: Gregg N. Wolin
Title: Co-Manager

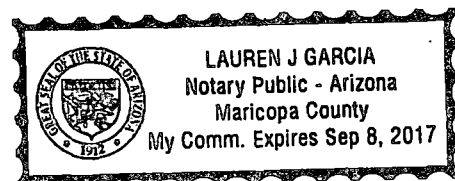
By: _____
Name: Geoff Beer
Title: Co-Manager

STATE OF ARIZONA)
) ss.

COUNTY OF MARICOPA)

This instrument was acknowledged before me on the 9 day of October, 2015, by Gregg N. Wolin and Geoff Beer as authorized representatives of KBS SOR Park Highlands, LLC, a Delaware corporation.

NOTARY PUBLIC



Standard Pacific of Las Vegas, Inc.,
a Delaware corporation

By: [Signature]
Name: TED M. K. BIRTS
Its: Authorized Representative

STATE OF NEVADA)
COUNTY OF CLARK) ss. **UNOFFICIAL COPY**

This instrument was acknowledged before me on the 21st day of June, 2015, by [Signature] as authorized representative of Standard Pacific of Las Vegas, Inc., a Delaware corporation.

NOTARY PUBLIC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

COUNTY OF ORANGE)

UNOFFICIAL COPY

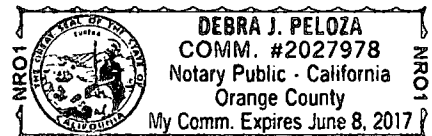
On **June 18, 2015** before me, **Debra J. Pelozo, Notary Public**, personally appeared **Ted McKibbin** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Debra J. Pelozo



(Seal)

EXHIBITS

Exhibit "A" Development Standards and Design Guidelines. A copy is on file with the City of North Las Vegas Clerk

Exhibit "B" Land Use Plan. A copy is on file with the City of North Las Vegas Clerk

Exhibit "C1-C4" Legal Descriptions of Owner Parcels.

Exhibit "D" Legal Description of the Property.

Exhibit "D1-D4"
Legal Descriptions of Villages.

Exhibit "E" Titles 16 and 17. A copy is on file with the City of North Las Vegas Clerk.

Exhibit "F" Parks and Trails Agreement. A copy is on file with the City of North Las Vegas Clerk.

Exhibit "G" Conservation Agreement. A copy is on file with the City of North Las Vegas Clerk.

Exhibit "H" Easement for Police Department Area Command & Maintenance Building

EXHIBIT A
Development Standards and Design Guidelines.

A copy is on file with the City of North Las Vegas Clerk.

UNOFFICIAL COPY



UNREVEALED

*D*esign Guidelines for Park Highlands

CITY OF NORTH LAS VEGAS

07.25.07



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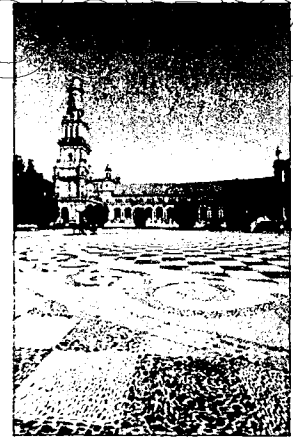




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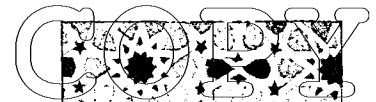
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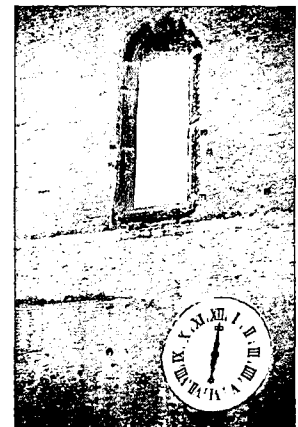
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EXHIBIT 'A' - MIXED USE DISTRICT STANDARDS

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*M*aster Development



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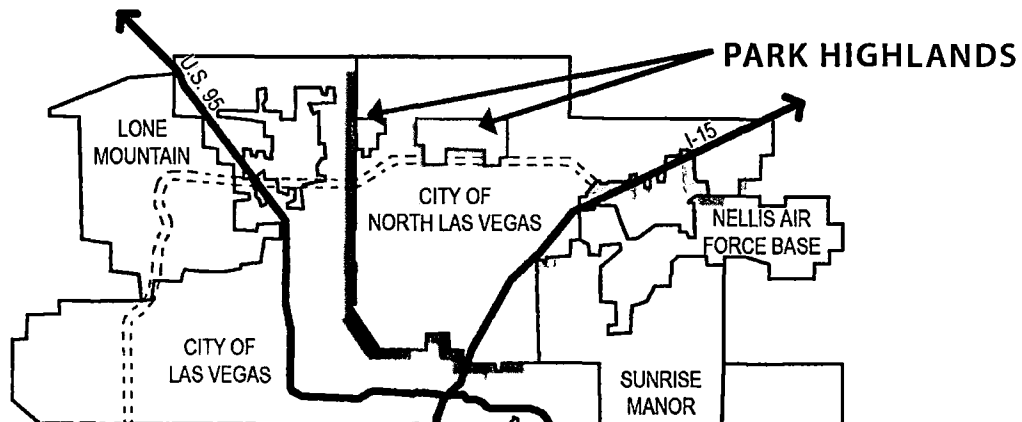


Introduction

PURPOSE AND INTENT

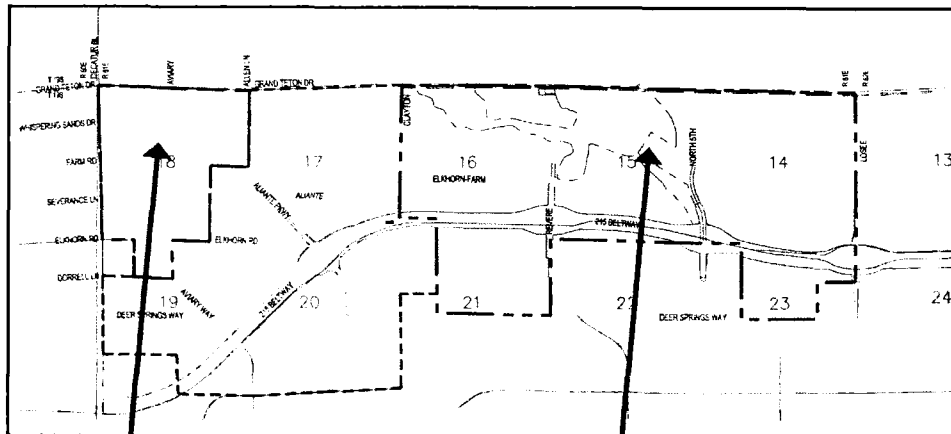
The purpose of these Design Guidelines is to set forth a consistent standard of quality throughout the Park Highlands master-planned community. In addition, these Design Guidelines are intended to guide the physical development of each of Park Highlands' communities and ensure the design of each subdivision, home, and improvements on lots, remains true to the developed vision and character established. The Park Highlands master planned community, with the assistance of the City of North Las Vegas, has taken into consideration public quality-of-life issues through thoughtful and strategic planning of community open space, parks, trails, and public support amenities.

MAP OF CLARK COUNTY



PROJECT LOCATION

Park Highlands is strategically located and bounded by Grand Teton Drive to the north, Deer Springs Way to the south, Losee Road to the east, and Decatur Boulevard to the west.



**PARK HIGHLANDS
PARCEL - WEST**

**PARK HIGHLANDS
PARCEL - EAST**

ORGANIZATION OF DESIGN GUIDELINES

These Guidelines are intended to be comprehensive in nature and include sections related to:

- Subdivision and Lot Improvements – describing how the roadways, utilities, walls, Subdivision grading, Subdivision and front-yard landscaping and Lots will be designed and constructed by the Master Developer or other Developer/Builder.
- Architecture – including standards and criteria for any new construction executed by a Developer/Builder or Merchant Builder or remodel or addition performed by a Homeowner.
- Signage – describing Subdivision signs and temporary signs that may be located within the Subdivision, Common Areas and on individual Lots.

RELATIONSHIP TO OTHER DOCUMENTS

The Design Guidelines are one of several documents providing design guidance and restrictions for Park Highlands and will be the primary document for use by the Master Developer, Developer/Builders, Merchant Builders and Homeowners in undertaking any improvement, alteration or remodels. Information contained in this document supersedes correlating information in Titles 16 & 17 of the City of North Las Vegas City Municipal Code. Other documents relating to the physical development of Park Highlands include but are not limited to:

A. NORTH LAS VEGAS COMMUNITY DEVELOPMENT AGREEMENT, PARKS

AGREEMENT AND DEVELOPMENT STANDARDS

On May 3, 2006, the North Las Vegas City Council adopted the Development Agreement and Parks Agreement for the Park Highlands Community. These documents address master-planning issues establishing the location, extent and nature of proposed land uses, the provision of public facilities and services, basic infrastructure needs, environmental and natural resource conservation, circulation and flood control. In no instance shall these Design Guidelines supersede the adopted Development Agreement and Parks Agreement.

B. PARENT TENTATIVE MAP

The two North Las Vegas Parent Tentative Maps for the West and East parcels as approved by the City of North Las Vegas, provides further details and controls for development within the overall site. The Parent Tentative Maps consist of details that indicate the internal Street and utility Systems required to prepare the individual parcels for building.

C. MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS (CC&RS)

These Design Guidelines are in addition to the CC&Rs, which when recorded, will establish covenants for Homeowner Associations and legal authority for any Architectural Review Committee (ARC). CC&Rs are subordinate to the Design Guidelines and any recorded tract declaration to which a lot or parcel may be subject.

D. TITLES 16 & 17, AND OTHER CITY OF NORTH LAS VEGAS CODES OR ORDINANCES

The City of North Las Vegas has established codes (Municipal Code) and ordinances that affect building and subdivisions. A builder may elect to utilize the Municipal Code and ordinances in effect at the time of adoption of the Development Agreement. Development Standards and Design Guidelines shall govern development of the planned community. If an item is not specifically addressed in the Development Standards and Design Guidelines Title 16 and Title 17 shall govern unless otherwise stated in the Development Agreement. Building improvements shall be subject to applicable Building Codes.

E. CITY OF NORTH LAS VEGAS COMPREHENSIVE PLAN

The Comprehensive Plan in effect as of May 3rd, 2006.

F. CONSERVATION TRANSFER AGREEMENT (CTA)

Exhibit 'G' of the Development Agreement.

INTERPRETATION

Flexibility in interpretation and innovation is encouraged to create distinct individual Subdivision identities within the common theme for Park Highlands. However, all deviations from the Design Guidelines would be subject to the approval of the Architectural Review Committee (ARC) and the City of North Las Vegas. Approved waivers/deviations do not set precedent except where provided herein for future Applications.

For purposes of interpretation of these Guidelines, the following provisions apply: Except as specifically defined herein or in the Municipal Code (Title 17) all words and terms used in these Design Guidelines shall have their customary dictionary definitions.

- The use of “may” or “should” means permissive, recommended or advised but not mandatory; the use of “shall”, “shall not”, “must,” “will,” “prohibited” or “not allowed” means compliance is mandatory and not voluntary or permissive.
- Where terms or phrases are subject to more than one reasonable interpretation, the more stringent interpretation shall apply.
- Where two or more provisions conflict between what is described in this document, the more specific controls the more general and the more stringent controls the less stringent.
- It is the obligation of the Applicant to request updated copies of the Design Guidelines.

DESIGN REVIEW PROCESS

For process, see the Appendix of this document, pages 143-147.

Definitions

For purposes of these Design Guidelines, except as otherwise expressly provided or unless the context otherwise requires, the terms listed below shall have the following meanings. For terms not found within this list, refer to the Municipal Code.

ALLEY – A permanent thoroughfare providing a secondary means of access to abutting properties.

APPLICANT – Such person or entity that is submitting an Application to any review committee for design review.

APPLICATION – The submittal or bundle of submittals required to achieve approval to construct improvements.

ARC – Architectural Review Committee. The Committee created pursuant to the CC&Rs to review new construction (other than that installed by Master Developer) and modifications and to administer and enforce architectural controls.

BIG BOX – A single tenant retail building over 70,000 square feet.

BLOCK – A tract of land within a subdivision entirely bounded by streets, highways or ways, except alleys, and the exterior boundary or boundaries of the subdivision.

CASITA – An accessory detached livable building without a kitchen for use on single family residential lots.

COMMERCIAL – A portion of the Property to be developed as commercial property as described in the Land Use plan.

COMMERCIAL VEHICLE – Every vehicle designed, maintained, or used primarily for the transportation of property for sale and for construction.

COMMON AREA – Portions of the Property that are to be used for common or public use, including but not limited to Streets, Programmable Parks, Recreational Trails and Recreation Nodes and required Landscape Area.

COMMON OPEN SPACE – Any land used for recreation, amenity or buffer designed for joint use by the tenants or residents of a community, whether it is residential, commercial or industrial. Open space shall not be

occupied by buildings or structures other than those in conjunction with the use of open space, nor shall it include the yards or lots of residential dwelling units required to meet minimum lot area or parking area requirements.

DEVELOPMENT AGREEMENT – An agreement entered into by November 2005 Land Investors, LLC/DRHI, INC and the City of North Las Vegas outlining the conditions for development of the 2,675 acre master planned community located in the City of North Las Vegas.

DEVELOPER/BUILDER – Any entity other than the Master Developer that constructs Subdivision improvements and Homes within the community.

EIFS – Exterior Insulation and Finish Systems. Multi-layered exterior wall systems.

EMERGENCY ACCESS – An access way designed, installed and maintained in accordance with the fire code that is used by emergency personnel and/or emergency vehicles to physically reach each site having known or possible hazards.

ENHANCED PAVING/PAVEMENT – Any decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and colored concrete. Stained/ stamped asphalt is not allowed.

HOME – Single-family dwellings including any accessory structures located on a Lot.

HOMEOWNER – An individual or group of individuals that owns a Lot or Dwelling in the community.

HOMEOWNER'S ASSOCIATION (HOA) – A non-profit corporation established by the Covenants, Conditions and Restrictions for a particular Subdivision for the purpose of managing, establishing and maintaining community property and services within the Subdivision. All residential property owners within the Subdivision are members of the HOA for that Subdivision.

MASONRY – Brick, block, and cultured stone.

MASTER DEVELOPER – November 2005 Land Investors, LLC/DRHI, INC. and its permitted successors and assigns.

MERCHANT BUILDER – Any individual or entity that purchases a group of Lots within a Subdivision for the purposes of constructing and selling Homes.

MINI PARK (HOA) – Smaller parks that serve neighborhoods. Mini parks may include amenities such as pools, shade structures, benches, picnic tables, tot lots, sport courts, spring riders, water play structures, etc.

MIXED USE – Allows the mixing of residential and non-residential uses on the same site and/or within the same building to create economic and social vitality within new and existing neighborhoods. Vertical mixed use projects incorporate different land uses within the same building (e.g., residential and/or office above retail uses). Horizontal mixed use projects incorporate different land uses within adjacent buildings on the same site.

OPEN SPACE – Open space consists of the CTA, parks, trails, Pathways and utility open space that allow for active and passive use for the residents of the community.

PAE – Pedestrian Access Easement

PUE – Public Utility Easement

PARCEL – A separately assessed portion of real property.

PARKS – Sites that are developed to serve the general active and passive recreational needs of the population.

PATHWAY – The linear area located adjacent to arterial and collector streets, which consists of 5' concrete walkway on collector streets and 8' concrete walkway on arterial streets, landscaping on both sides of the walkway and Pathway amenities including but not limited to signage, benches, drinking fountains, dog stations and trash receptacles.

PRIVATE – Elements of the community that are not for public use and are operated and maintained by a private entity. Such as, but not limited to, Private Drive and Private Street.

PRIVATE OPEN SPACE - Any private open area that is required by the Design Guidelines and Development Standards, maintained and owned by an individual property owner for passive or active recreational use, such as balconies, courtyards, etc.

PROPERTY – The real property subject to the Development Agreement.

PUBLIC FACILITIES – Facilities such as, but not limited to, power sub-stations, schools, churches, public utilities, pump stations, etc.

PUBLIC VIEW – Wholly or partly visible from any Street or Common Area.

RECREATION NODE – Trail or neighborhood pedestrian linkage. Refer to page 32 for additional information.

ROOT BARRIER – Usually installed to manufacturer's specifications between concrete foundations or flat work and adjacent trees to prevent tree roots from consuming moisture from the soil under the area of concern. The roots are essentially blocked from being able to spread beneath these areas of concern. Typically made of impermeable material and installed to a min. 30" deep or as recommended by a Landscape Architect or a soils engineer.

STREETSCAPE – That area between the roadway curb and the nearest front property line, lying within the public right-of-way.

TRAIL – The linear areas not adjacent to a street that may follow natural features such as washes, ridge lines, flood control facilities and utility rights of way. Trails consist of, but are not limited to, 12' concrete walkway, landscaping on both sides of the walkway and trail amenities such as signage, benches, recreational nodes, drinking fountains, dog stations and trash receptacles.

UOS (UTILITY OPEN SPACE) - areas designated for utility corridors that include open space / trail joint usage.

VIEW CUL-DE-SAC – Cul-de-sac ends that are oriented to provide views of adjacent parks, open space and site features and are designed to include View Fences to allow views in and out of Subdivision.

VIEW FENCE – Is a fence constructed of decorative wrought iron or similar material with not less than fifty percent of the vertical surface of the fence open. View fencing will consist of a maximum 3.5' of solid decorative block with wrought iron on top of the block with height limits to 9', excluding retaining walls.

Vision

STATEMENT

Park Highlands is a master planned community in North Las Vegas. Situated on approximately 2,675 acres, Park Highlands offers the City of North Las Vegas a unique opportunity to create a new district where their community values and forward thinking aspirations can be showcased. Intrinsically linked, and supported by a public framework system of pedestrian friendly streets and open spaces, trails, diverse housing types, mixtures of uses, and public facilities, Park Highlands will be developed as a series of three specific areas of differing densities and uses organized to create a single, clearly recognizable community master plan.

One of the primary objectives of the City and Developer is that Park Highlands be undertaken in an organized fashion to ensure a well-integrated, quality community with an appropriate harmonious mix of residential, commercial, open space, recreational, and public uses. The master planned community of Park Highlands will promote community identity through the philosophical commitment to the neighborhood as the primary building block of the community, connected by a continuous system of trails and Pathways. It's designs will promote family-centered living, neighborly interaction, and a pedestrian-oriented community-based public realm, and thoughtful placement of commercial, office, employment center, and public uses. This in turn will encourage community interaction and create a pleasant pedestrian setting. Park Highlands will incorporate design codes to reflect the character of the development and emphasize the point of arrival in the community, themed architecture (consistent with the Design Guidelines), landscaping and signage, an extensive network of Pathways and pedestrian/bicycle connections between all major land uses via the trails and Pathways, a diverse mix of housing products, vibrant and vital public realms that are compelling to the residents and responsive to the environment, and arterial and collector streets planted with a balance between desert authenticity and visual richness.

With the goal in mind to provide a mixture of uses and differing densities, the plan allows for a targeted ratio of living units based on current market demands and will adjust to allow for future market demands. A review of the mixture will be provided biennially by Developer and City, at which time, the mixture may be adjusted as appropriate.

The current mixture is as follows:

- **19% - Start Up**, being a product type attractive to first time home buyers.
- **32% - Move Up**, being a product type attractive to existing home owners looking to make their second purchase.
- **29% - Upgrade**, being a product type attractive to existing home owners looking to acquire either a larger house or a house with greater amenities.
- **20 % - Executive**, being a product type at the high end of production housing.
- **.3% - Custom/Semi-Custom**, being a product type built by a builder specific to a buyer's design ideas and needs.





PARCEL AREAS

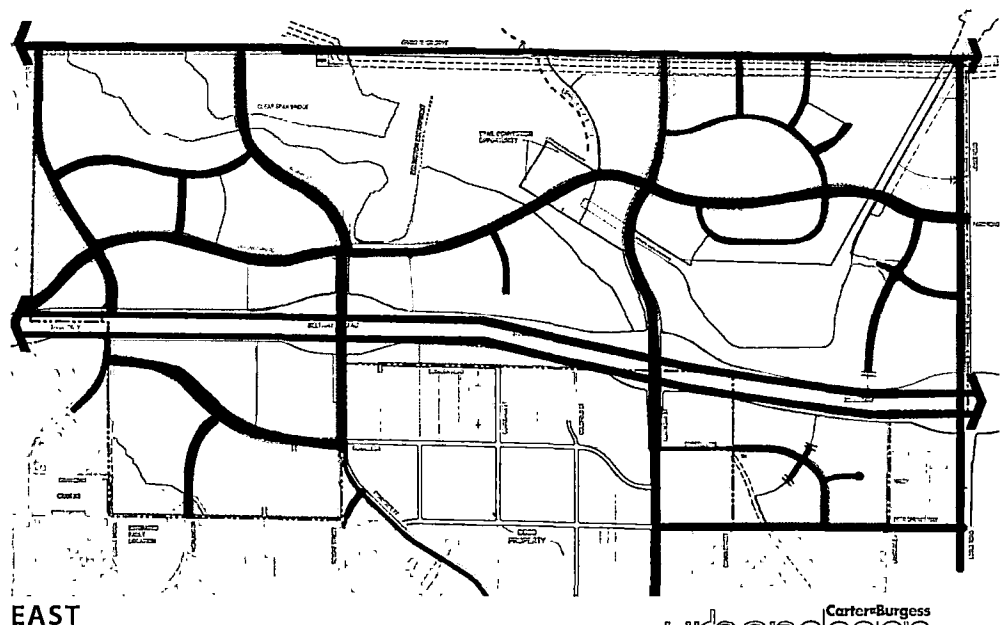
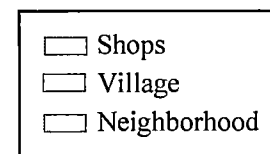
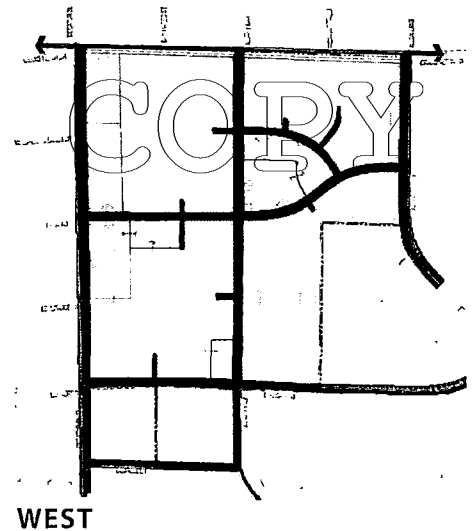
In keeping with the overall project vision the civic functions including post offices, municipal police, fire stations, churches, schools, parks, and utility open spaces will be placed throughout all three areas.

The Master Developer or Builder may request a Minor Modification to reduce density for an entire residential parcel, with a condition that states a Minor Modification of the entire parcel shall be effective at time of recordation of first final map which complies with the reduced density. A Tentative Map on the entire parcel to establish gross density may be filed concurrent with Minor Modification application.

THE SHOPS – As designated on the Land Use plan, consists of Neighborhood Commercial (NC), Regional Commercial (RC) and Resort will require GED and Use Permit applications and be subject to Title 17 and NRS requirements. No residential development is allowed in The Shops unless allowed by a Minor Modification.

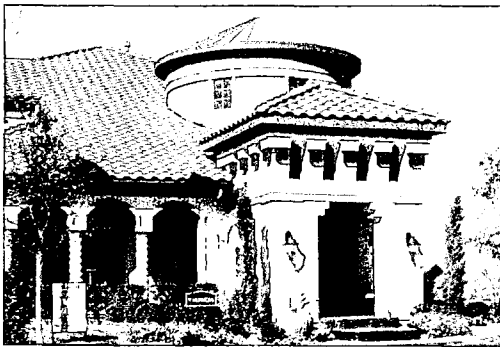
THE VILLAGE – As designated on the Land Use plan, consists of High Density Residential (HDR), Very High Density Residential (VHDR), and Mixed Use (MU). Single family detached homes are not allowed in zone districts RZ-25 and RZ-50 unless allowed through the above Minor Modification process.

THE NEIGHBORHOOD – As designated on the Land Use plan, consists of single family lots, Medium-Low Density Residential (MLDR), Medium Density Residential (MDR), and Medium-High Density Residential (MHDR).



ARCHITECTURAL VISION

The Park Highlands community will be inspired by the architectural vision of the Mediterranean styles Italian Renaissance, Spanish Eclectic, and Mission, as defined in this document on pages 14–20, or a combination of the three. This architectural spirit is rooted in simple forms, authenticity of materials, a true response to climate, and a limited color / material palette. The use of distinctive features such as “S” Tile roofs, parapets, arched doorways, decorative railings, carved stonework, etc. will support the architectural concept of Park Highlands and project a strong image collectively. All development in Park Highlands will conform to one of these styles (Italian Renaissance, Spanish Eclectic, Mission or a combination thereof) in a modern context, as illustrated on the following pages. A minimum of 3 architectural characteristics from a style or a combination thereof, as depicted on pages 14, 16 & 19, are required. See pages 55-63 for Shops architectural guidelines, see pages 90-98 for Village architectural and pages 126-141 for Neighborhood architectural guidelines.



MODERN SPANISH ECLECTIC



MODERN MEDITERRANEAN



MODERN MEDITERRANEAN



MODERN MEDITERRANEAN



MODERN MEDITERRANEAN



MODERN SPANISH ECLECTIC

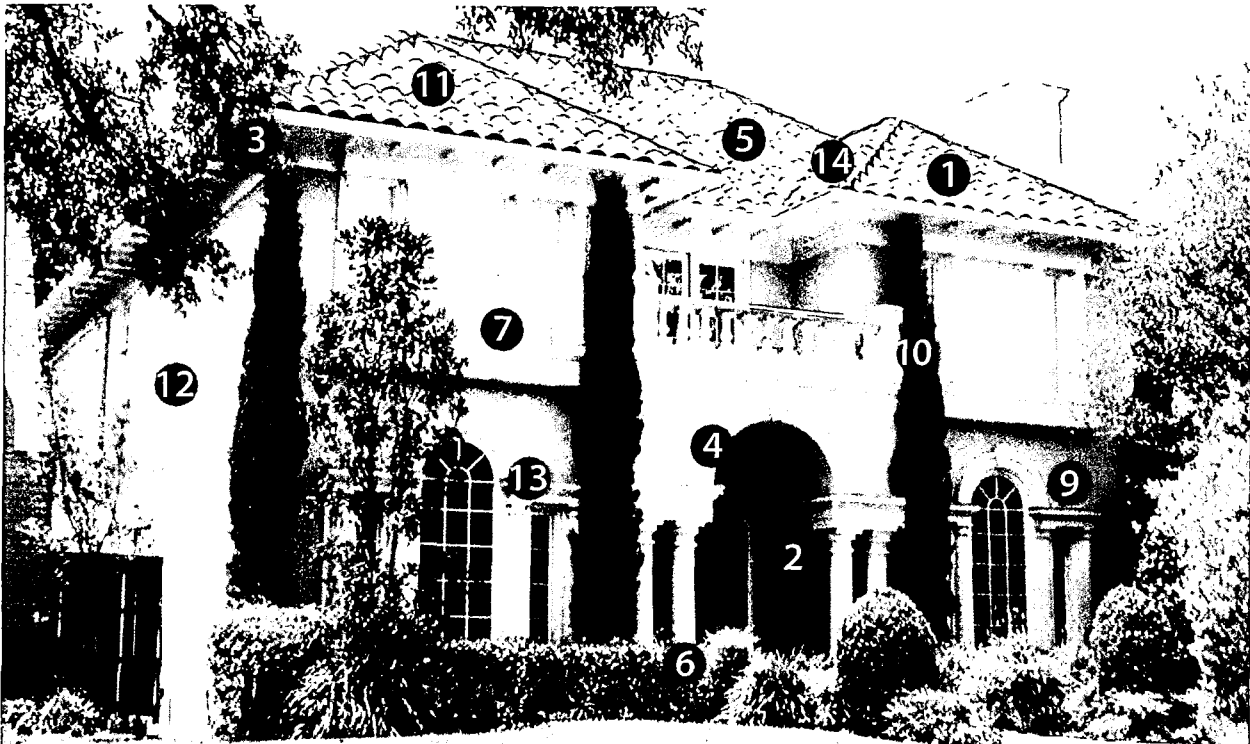


MODERN SPANISH ECLECTIC

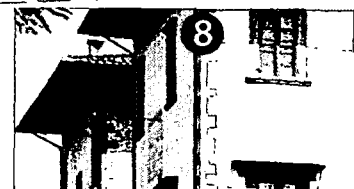
ITALIAN RENAISSANCE

Architectural Characteristics

- 1 Hipped roof of low pitch (occasionally flat or gabled)
- 2 Recessed porches minimum of 4' with decorative treatment
- 3 Widely overhanging eaves supported by decorative brackets
- 4 Arches above doors, first-story windows, or porches
- 5 Symmetrical facade
- 6 Entry area accentuated by small classical columns or pilasters
- 7 Upper story windows are smaller and less elaborate than windows below
- 8 Quoin projections of accent material or color, ie. cultured stone and or contrasting color
- 9 Windows with decorative pediments
- 10 Italian Renaissance style balustrade
- 11 Barrel tile roof covering
- 12 Stucco
- 13 Pronounced moldings and details
- 14 At least one secondary gable or hip roof element



MODERN ITALIAN RENAISSANCE



The classic simplicity of the Italian Renaissance design is historically highlighted by a smooth stucco finish and enriched with ornamentation, giving a baroque appearance. This structure's formal balance is accentuated by pronounced moldings and details, including rusticated quoins and string course.

The first floor of a structure may have very tall thin windows. Straight or round-headed windows are sometimes grouped into threes or into small arcades.

Porches and arcaded loggias are often placed between the tower and the main building, or at the corners. Evident in this style are central one-bay porches and long porches.

Building Form –

- Facade commonly symmetrical
- The formal balance is accentuated by pronounced moldings and details

Roofs –

- Roof Form – Flat with parapet or hipped, low pitched gable roof
- Barrel Tile Roof Covering

Walls –

- Ashlar or other masonry-veneered walls
- Rustic or refined quoins
- A belt or string course may divide the ground or the first floor from the upper floors

Windows –

- First story windows are full length with arches or pediments above
- Small square windows indicate the top story and are less elaborate
- Bracketed window cornice

Entries –

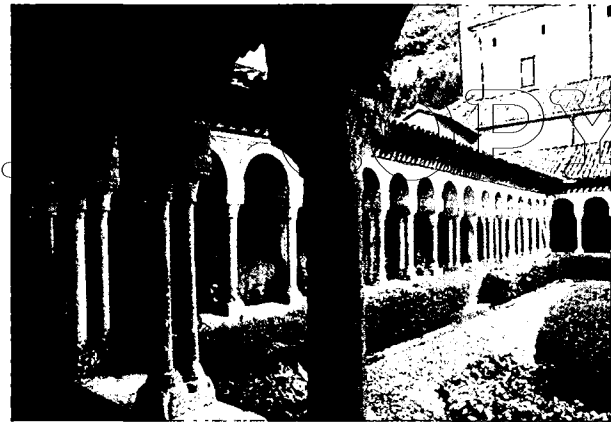
- A central one-bay porch or a long porch

Doors –

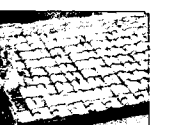
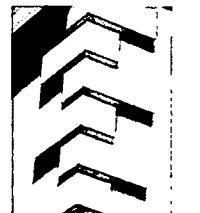
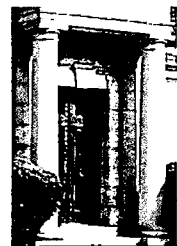
- If entry is not covered, the front door usually has a minimum recess or surround of 12"
- Classical door surrounds

Detail Elements –

- An arcade of arches in conjunction with a porch or courtyard
- Roof-line parapet or balustrades consistent with Renaissance style
- Renaissance style balustrades in conjunction with porches and balconies



HISTORIC ITALIAN RENAISSANCE



Color –

- Subtle body colors with contrasting trim and accent colors.

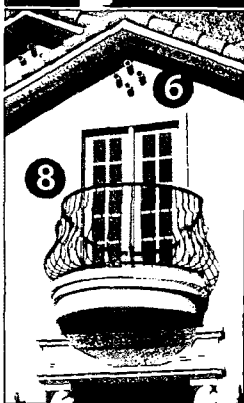
SPANISH ECLECTIC

Architectural Characteristics

- ① Low-pitched red barrel tile roof
- ② Asymmetrical facade
- ③ Wall surface usually smooth stucco, may include stone and or wood
- ④ Elaborated chimney tops, often with small tilted roofs
- ⑤ Towers, round or square
- ⑥ Stucco or tile decorative vents
- ⑦ Arches above doors, principal windows, or beneath porch roofs
- ⑧ Balconies, open or roofed with wood or iron railings
- ⑨ Decorative doors, minimum raised panels
- ⑩ Decorative iron sconces, door knockers, etc.
- ⑪ At least one secondary gable or hip roof element
- ⑫ Large focal window
- ⑬ Tall narrow windows



MODERN SPANISH ECLECTIC



The Spanish Eclectic style borrows its distinctive decorative details from the entirety of Spanish architecture including Moorish, Byzantine, Gothic, and Renaissance inspirations.

Historically, doors are dramatically carved, and are usually emphasized by adjacent spiral columns, pilasters, carved stonework, or patterned tiles. Doors leading to exterior patios, gardens and balconies are usually in pairs and glazed with multiple panes of rectangular glass. The door or principal window often features one or more prominent arches above it, or below it in the case of a porch roof.

There is often at least one large focal window, which is usually of triple-arched or parabolic shape, and may be filled with various stained-glass designs. Wood or iron window grilles are common, as are cantilevered balconies.

Roofs are low-pitched and red-tiled, with sometimes little or no eave overhang. Facades are normally asymmetrical and are stucco. Most Spanish Eclectic architecture has a cross-gabled roof with one prominent, front-facing gable.

Fountains, arcaded walkways, brick or tile vents, and round or square towers are common.

Building Form –

- Asymmetrical Facade – 1 and/or 2 story building forms
- Towers – Round or square with decorative detailing

Roofs –

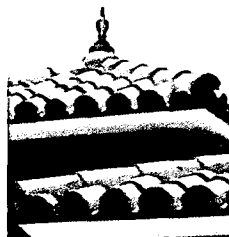
- Roof Form – Primarily gable with at least one intersecting gable or hip element
- Tile Roof Covering –
 - Straight Barrel Mission Tile
 - Tapered Mission Tile
 - Spanish Tile
 - American Spanish Tile

Walls –

- Primary Walls – Light lace or smoother with decorative detailing and may include stone or wood
- Trim, decorative Stucco Eaves, Etc. – Sand or smoother



MODERN SPANISH ECLECTIC



Windows –

- At least one principal window with a minimum recess or surround of 12"
- All windows on front, side and rear elevations have header, sill, or trim surrounds
- Generally, windows on front elevations have a tall, narrow appearance
- Grids or horizontal mullion patterns
- One or more prominent arches placed above windows
- Full length window/door with railing at balcony

Entries –

- Articulated through the use of a porch, tower element, courtyard, arch or other similar feature to accentuate the sense of arrival

Doors –

- If entry is not covered, the front door usually has a minimum recess or surround of 12"
- Decorative doors, minimum raised panels

Detail Elements –

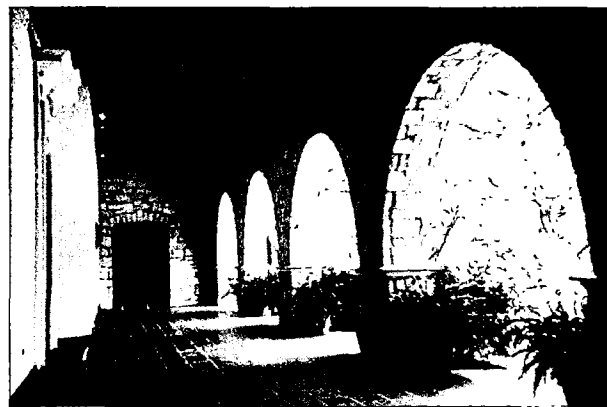
- Front Elevation – feature a fully rounded arch element in conjunction with the entry door, porch element, principal window, or garage
- Arches – An arcade of arches in conjunction with a porch or courtyard
- Shutters – plank
- Decorative Iron – used on any elevations and may include wrought iron railing or decorative iron grille-work. Railings have simple straight or curved vertical pickets
- Chimney Tops – Elaborate chimney tops often with small tile roof

Color –

- Subtle stucco body colors with contrasting trim and accent colors.



MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC

MISSION

Architectural Characteristics

- ① Red barrel tile roof
- ② Wall surface usually smooth stucco
- ③ Shaped Mission dormer or roof parapet
- ④ Widely overhanging eaves; usually open (not boxed)
- ⑤ Exposed rafters
- ⑥ Porch roofs supported by large square piers, commonly arched above
- ⑦ Quatrefoil window, round or clover shaped
- ⑧ Tile roof cantilevered from wall surface
- ⑨ Tower
- ⑩ Arcaded entry porch in one smooth plane
- ⑪ Prominent arches above windows
- ⑫ Decorative sconces
- ⑬ Decorative iron work
- ⑭ At least one secondary gable or hip roof element



MODERN MISSION

Simplicity of form is characteristic of the Mission style. Historically large buildings may contain towers, small balconies, balconets, and curvilinear gables.

Broad red-tiled rooves offer color and texture, with roof eaves often extending beyond the walls sporting exposed rafters.

Stucco and plastered walls accompany pier-supported round arches. The plain wall surfaces continue toward a parapet most times. Surface ornamentation is kept to a minimum with a simple string course outlining the arches, balconies and gables.

Building Form –

- Square and rectangular forms; symmetrical and asymmetrical
- Mission dormer or roof parapet
- Large square pillars and twisted columns

Roofs –

- Roof Form – Low pitched roof
- Overhang – Widely overhanging eaves; open (not boxed)
- Tile Roof Covering –

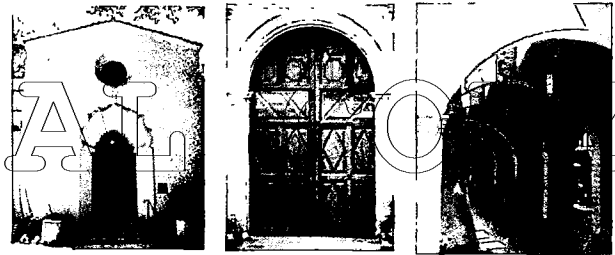
Straight Barrel Mission Tile	Tapered Mission Tile
American Spanish Tile	Spanish Tile

Walls –

- Massive Walls – Broad, unadorned surfaces
- Primary Walls – Light lace or smoother
- Trim, Stucco Eaves, Etc. – Sand or smoother

Windows –

- Limited Fenestration
- Quatrefoil
- At least one principal window with a minimum recess or surround of 12"
- All windows on front, side and rear elevations have header, sill, or trim surrounds
- Generally, windows on front elevations have a tall, narrow appearance
- Grids or horizontal mullion patterns appropriate
- One or more prominent arches placed above windows



Entries –

- Entry articulated through the use of a porch, courtyard, arch or other similar feature to accentuate the sense of arrival
- Entry porch that provides deep shaded area
- Arcade entry porch-pier, arch and wall surface are all in one smooth plane

Doors –

- If entry is not covered, the front door should have a minimum recess or surround of 12" detail elements
- Dormer and parapets – Plain or with coping; usually accented with Quatrefoil windows
- Decorative detail generally absent-pattern tiles, carved stonework, and wall surface ornamentation
- Decorative vents, stucco or tile

Color –

- Subtle stucco body colors with contrasting trim and accent colors

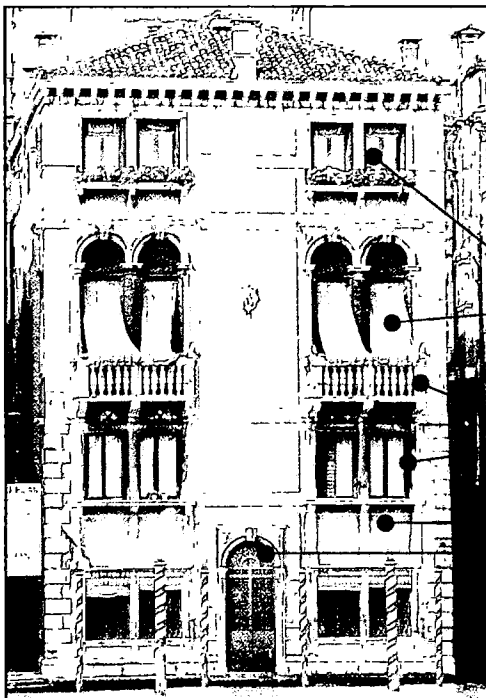
COLOR INSPIRATION

The color palette for Park Highlands is inspired by the earth tones of the surrounding landscape and influenced by colors found in Mediterranean architecture.

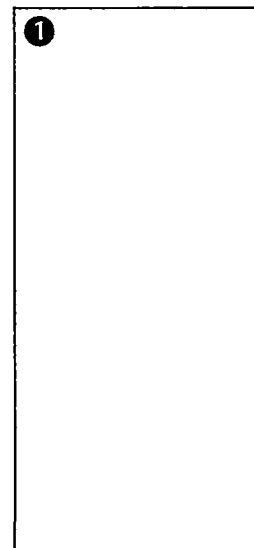
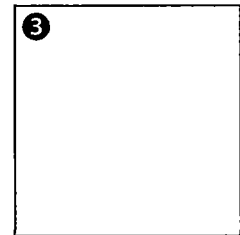
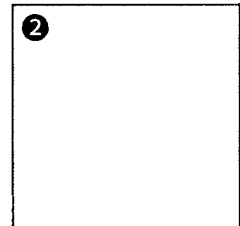
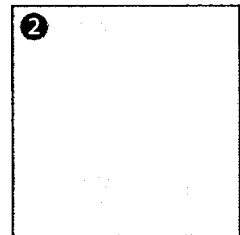
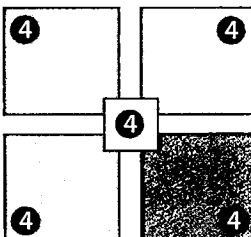
- ① Primary – Predominant Color
- ② Secondary – Awnings, Eaves
- ③ Accent 1 – Window Frames, Doors, Sills, Iron Work
- ④ Accent 2 – Tiles, Mosaics, Curtains, Planters
- ⑤ Roof Tile



MODERN SPANISH ECLECTIC



HISTORIC ITALIAN RENAISSANCE



Reference pages 64, 95, 130 and the Appendix for more additional color information and usage.

Master Development Framework

Developing Park Highlands as a vibrant, sustainable master plan requires implementing a hierarchical framework of streets, lighting, parks, Pathways, trails, and other public facilities. Public facilities in Park Highlands will include key neighborhood components such as schools, a Post Office, a police department area command center, a fire station and a library. For more detail on such amenities, see the Development Agreement. In addition, the master plan incorporates a wide range of densities and uses, which is critical in establishing a dynamic, pedestrian-oriented environment.

The following pages describe the fundamental framework and design approaches essential to realizing the vision of Park Highlands.



MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC



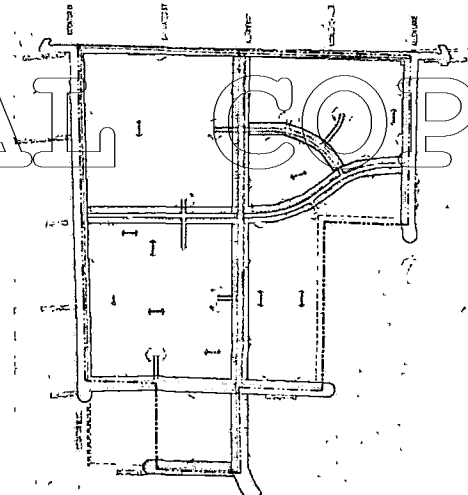
MODERN MISSION

CIRCULATION





STREET NETWORK

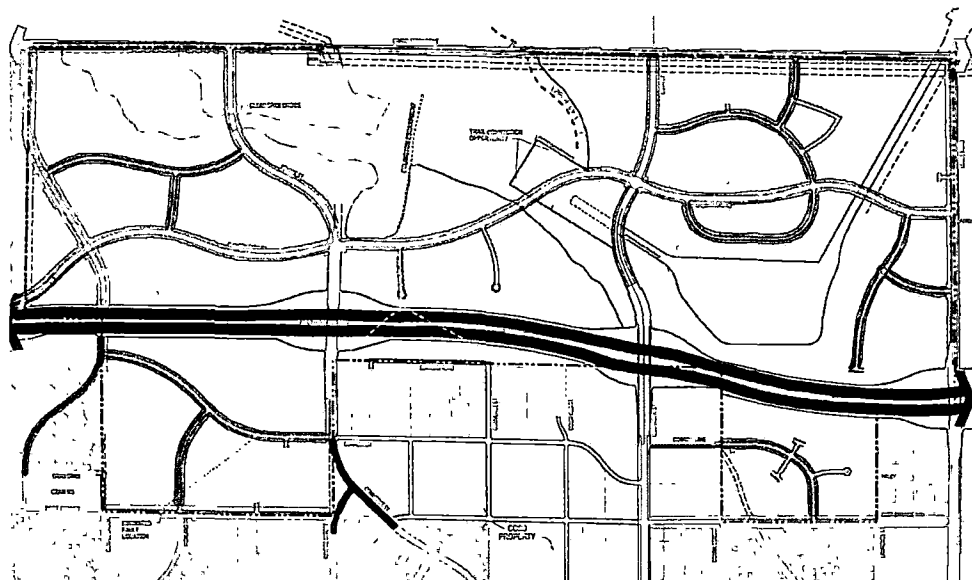
The streets of Park Highlands shall provide a strong sense of place and contribute to the social life of the community. Park Highlands' street network is designed not only to move traffic, but also extend and enrich this new community's network of pedestrian Pathways and bike lanes. In addition, streets within Park Highlands are designed as pedestrian-friendly urban places promoting day and evening activity. Walkways that are detached from the curb at all Arterial and Collector streets in Park Highlands reinforce the importance of the pedestrian experience. Refer to pages 27-31 for Arterial and Collector street condition diagrams.

The purpose of this section is to provide guidelines for the intended design hierarchy of streets, streetscapes and intersection enhancements responsive to the type and character of adjacent land use. This will reflect a community experience as a connective sense of place. More specifically, the plan defines various street types within the new community. For additional details, refer to the Development Standards.



WEST

-  Principal Arterial
-  Minor Arterial
-  Major Collector
-  Minor Collector



EAST



Arterial (Principal and Minor) –

The highest-capacity roadways in Park Highlands, Arterials shall be designed as safe, efficient, multi-modal corridors. These roadways should readily accommodate cars, buses, bicycles, and pedestrians. Each of these transportation modes should be seen as equally significant, and much emphasis should be placed on the creation of Arterials as pleasant, human-scale environments. More specifically, large canopied street trees, in alliance with streetscape elements such as pedestrian lights and landscaping, will line both sides of the street to create a comfortable, attractive transit environment for both vehicles and pedestrians. Refer to S01, S03, S04, S07, S08, S09, S10, S11 and S12 in the Development Standards for more information.

Collector (Major and Minor) –

Collectors in Park Highlands will be four- to six-lane streets with a minimum of two travel lanes in each direction, separated by a raised median unless a traffic study recommends otherwise. Sidewalks are typically detached from the back-of-curb when possible. The street may be accessed by commercial drives, Subdivision entrances or multi-family developments. The street may not be accessed by single-family residential driveways. Refer to S02 and S05 in the Development Standards for more information.

Village Streets –

With On-Street Parking

Village Streets in Park Highlands will host a broad spectrum of development conditions along their frontages, including row houses, shop houses, and residential buildings. Some (such as the ones mentioned in this section) will include on-street parking strips, and shall be seen as “front door” access ways where pedestrians and vehicles alike find ready access to a variety of destinations within Park Highlands. To engender traffic calming, these Village Streets should be designed to discourage through-street movement and to connect open spaces with each other. Refer to S14 in the Development Standards for more information.

Without On-Street Parking

In contrast to Village Streets with on-street parking, these streets should be seen as “back door” access ways that are designed to afford garage access to individual units, garbage pickup routes to the City, and utility / service employee passage. Sidewalks and landscaping treatments will be similar to the Village Streets with on-street parking. Refer to S14 in the Development Standards for more information.

Mews

Village Mews, in essence, are narrow alleyway spaces bordered by building facades on both sides. Found in the urban mixed-use core, the compact nature of these streets will generate a unique, engaging synergy between life in the buildings and social activity below. In general, Village Mews should be designed to utilize space in the most efficient manner found in Park Highlands, and to underscore the distinct vision of Park Highlands through use of interesting lighting elements, special paving, and compact landscape plantings. Refer to S15 in the Development Standards for more information.

Neighborhood Streets –

Neighborhood Streets are two-lane roads which encourage a variety of traffic including pedestrian, bicycle, and vehicular. Not only do they provide access to the homes and destinations in The Neighborhood, but they promote human interaction by providing community space. The design of the Neighborhood Street contributes to an overall sense of community while addressing issues of safety and comfort throughout The Neighborhood. Refer to S06 and S06A in the Development Standards for more information.

Alley –

Alleys provide access to parking and for delivery and servicing of business. For Neighborhood Alley diagram, refer to S06A in the Development Standards.

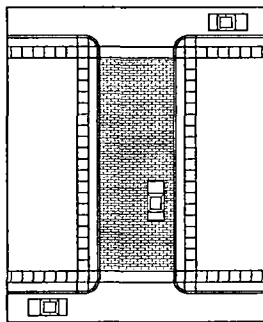
Private Street/Drive –

A Private Street/Drive is the principal access easement between a public street and a platted lot. Such private street/drive is not dedicated to the public and is not publicly maintained. Lot area to be exclusive of the private street / drive easements.

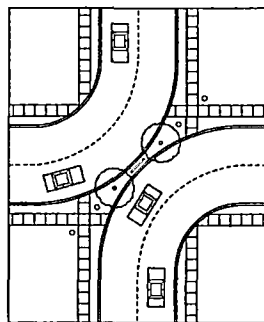
TRAFFIC CALMING

Traffic Calming is a holistic, integrated traffic planning approach. It is a combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users. Where appropriate, traffic calming measures shall be implemented to reduce traffic speed and volume. Some examples are as follows:

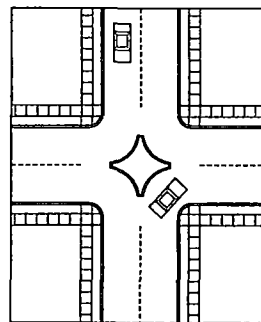
- Rumble Strips and Changes in Roadway Surface
- Diagonal Diverters, Star Diverters and Semi-Diverters
- Dead-end Streets and Cul-de-sacs
- Neck-downs, Chicanes, Chokers, and Protected Parking
- Traffic Circles and Roundabouts
- Speed Humps and Speed Tables (private streets only) when the above cannot be utilized due to physical or technical constraints and subject to the approval by the City Manager.



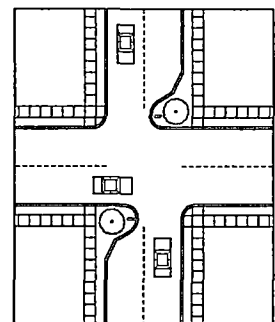
TEXTURED SURFACE CHANGE



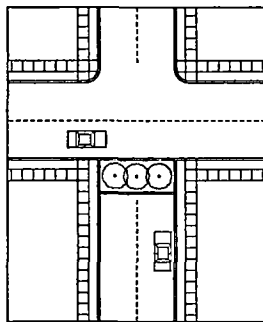
DIAGONAL DIVERTER



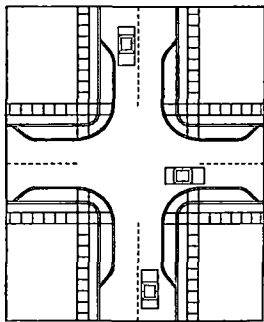
STAR DIVERTER



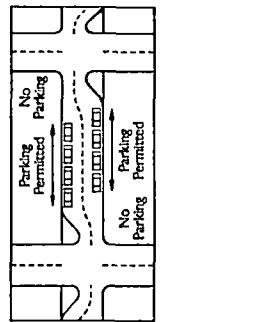
SEMI-DIVERTER



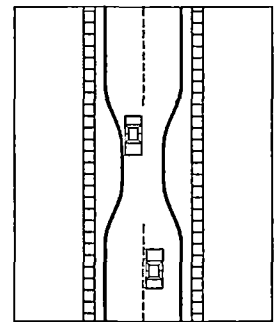
DEAD-END STREET



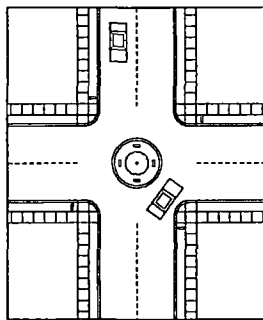
NECK-DOWNS



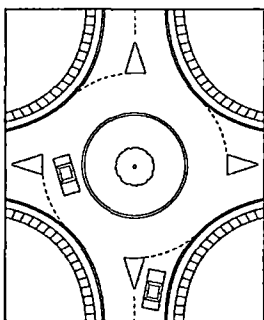
CHICANES



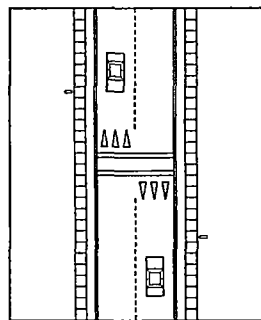
CHOKERS



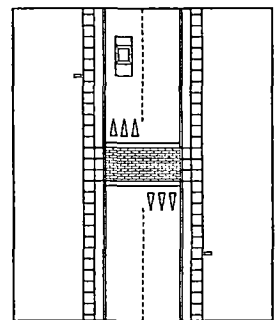
TRAFFIC CIRCLE



ROUNDABOUT



SPEED HUMP



SPEED TABLE

SOURCE: APPELYARD 1980

UNOFFICIAL COPY



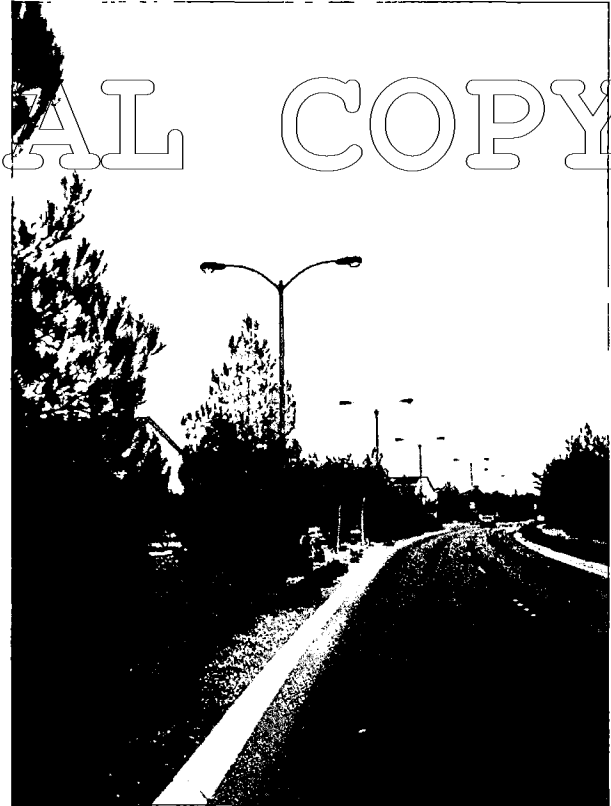
PATHWAYS, MEDIANS & TRAILS

Park Highlands has landscaped medians and either 14'-15', 20'-25' or 35' landscaped Pathways along the arterial/collector streets. The Pathway consists of an 8' concrete walkway on arterial streets and a 5' concrete walkway on collector streets. The purpose of the landscaped medians and Pathways is to soften the roadway and make a more enjoyable experience for the pedestrian. In addition, detached walks make for safe environments and connect pedestrians to the community.

All arterial and collector streets have these detached walks to which all neighborhoods can connect. Builders of specific parcels are required to provide pedestrian access to Pathways, Trails and parks, as specified in these Design Guidelines.

Refer to the Development Agreement and Development Standards for more specific information regarding the Pathways. The designs on the following pages illustrate the various conditions in Park Highlands.

Note: In areas that have a minimum 24' wide landscape section, Developer may encroach into such landscape section a maximum of 5' for flared intersections. In areas that have less than a 24' wide landscape section, no encroachment into such area shall be allowed for flared intersections.



MEDIAN EXAMPLE



PATHWAY EXAMPLE

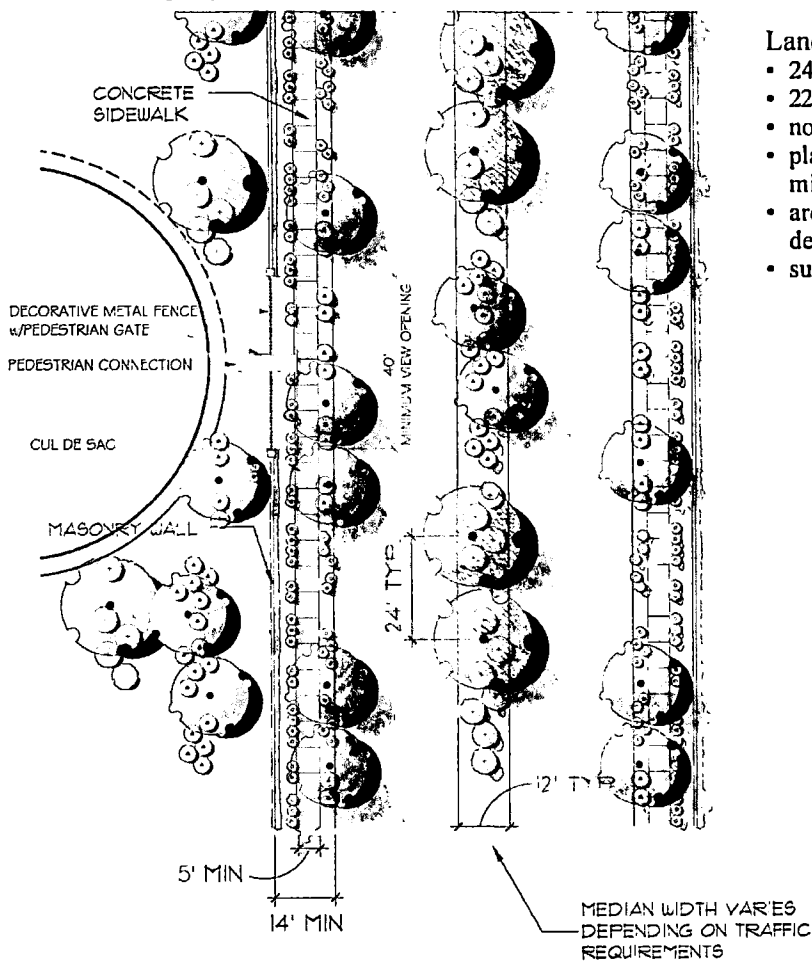


PEDESTRIAN CONNECTION EXAMPLE AT PATHWAY

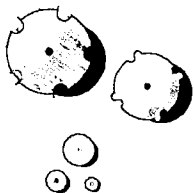
14'-15' PATHWAY CONDITION (OPTION 1);

14' CONDITION ONLY EXISTS WHERE BIKE LANE IS PROVIDED

The option below shows a pedestrian connection from an adjacent subdivision that may occasionally occur along any one of the Pathway conditions.



PLANT LEGEND



24" BOX STREET TREES

5 GAL. SHRUBS

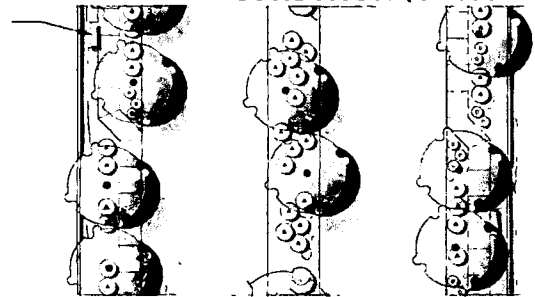
Landscaping within all pathways:

- 24" box trees planted 24' o.c.
- 276 plants for every 10,000 s.f.
- 80% of the required minimum shall be 5 gallon plants with remaining 20% 1 gallon plants on all arterial and collector streets
- such averages shall be calculated over a distance of 1,000 l.f.

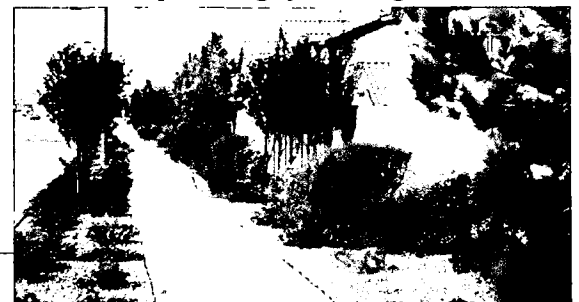
Landscaping within all median areas:

- 24" box trees planted 24' o.c.
- 220 5 gallon shrubs and 56 1 gallon shrubs planted per every 10,000 s.f.
- no turf areas
- planting areas of landscaped median area shall have a minimum width of 6'
- areas with less than 6' of width shall be enhanced with decorative (stamped and colored) concrete
- such averages shall be calculated over a distance of 1,000 l.f.

14'-15' PATHWAY CONDITION (OPTION 1A)



The above condition is only an option when utility or other conflicts do not allow for detached walks and only permitted for short intervals as required. In any situation this option is highly discouraged.



PATHWAY EXAMPLE

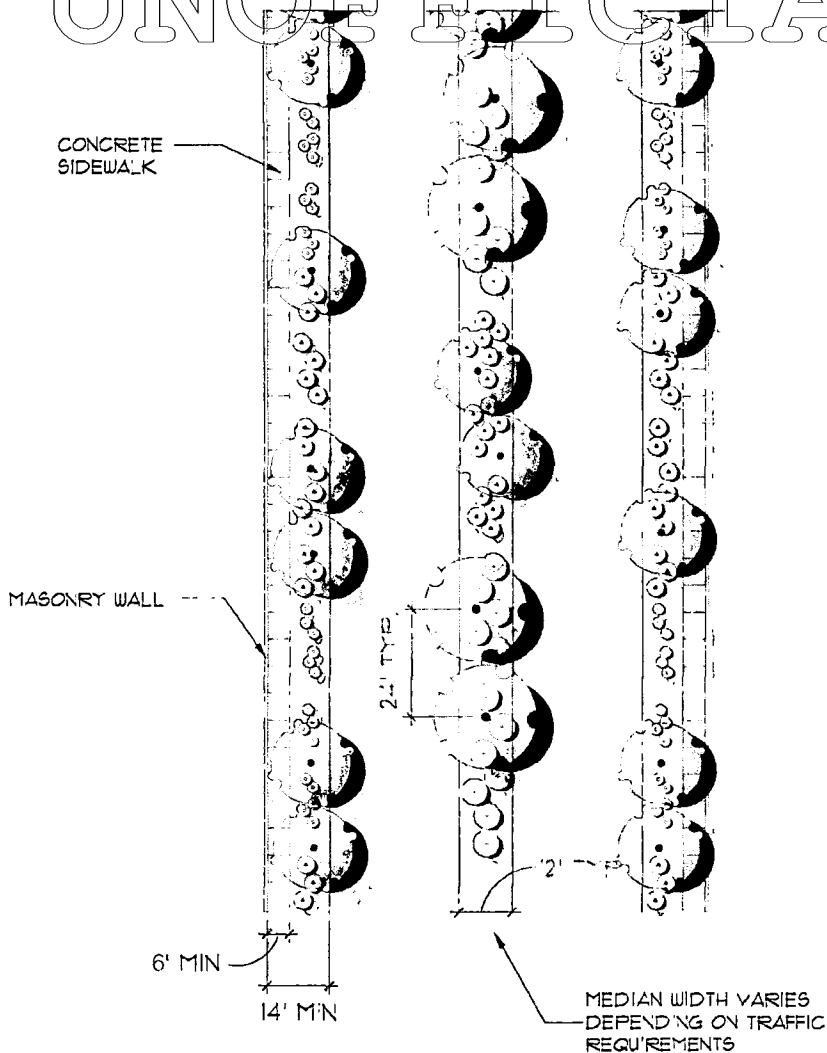
NOTE:
1) ALL PLANTING AREAS TO RECEIVE 2" THICK LAYER OF DECORATIVE ROCK
2) THIS DIAGRAM IS CONCEPTUAL IN NATURE AND IT IS FOR PLANTING PURPOSES ONLY. ACTUAL DIMENSIONS WILL VARY DEPENDING ON LOCATION.

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14'-15' PATHWAY CONDITION (OPTION 2);

14' CONDITION ONLY EXISTS WHERE BIKE
LANE IS PROVIDED



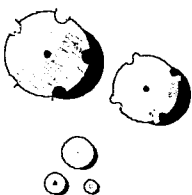
Landscaping within all pathways:

- 24" box trees planted 24' o.c.
- 276 plants for every 10,000 s.f.
- 80% of the required minimum shall be 5 gallon plants with remaining 20% 1 gallon plants on all arterial and collector streets
- such averages shall be calculated over a distance of 1,000 l.f.

Landscaping within all median areas:

- 24" box trees planted 24' o.c.
- 220 5 gallon shrubs and 56 1 gallon shrubs planted per every 10,000 s.f.
- no turf areas
- planting areas of landscaped median area shall have a minimum width of 6'
- areas with less than 6' of width shall be enhanced with decorative (stamped and colored) concrete
- such averages shall be calculated over a distance of 1,000 l.f.

PLANT LEGEND

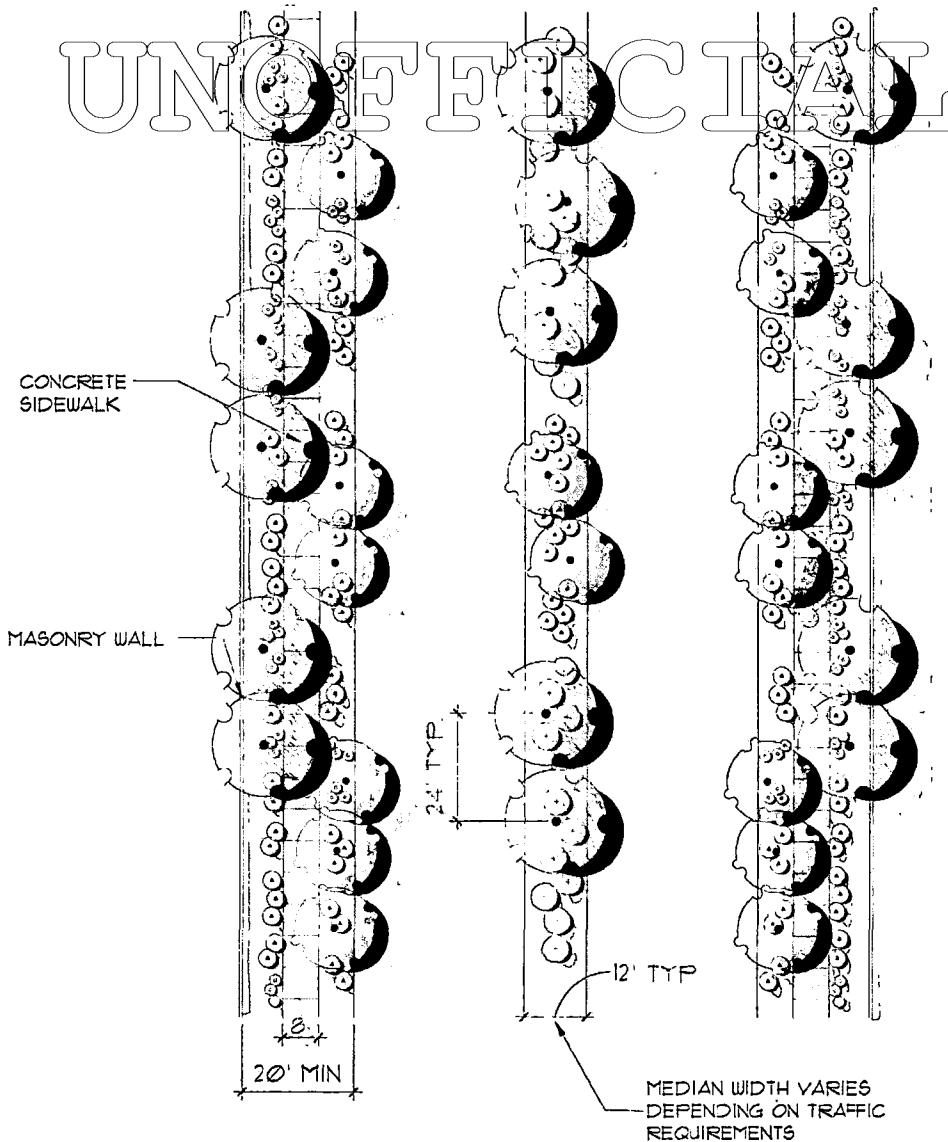


24" BOX STREET TREES

5 GAL. SHRUBS

NOTE:
1) ALL PLANTING AREAS TO RECEIVE 2" THICK LAYER OF DECORATIVE ROCK
2) THIS DIAGRAM IS CONCEPTUAL IN NATURE AND IT IS FOR PLANTING PURPOSES ONLY. ACTUAL DIMENSIONS WILL VARY DEPENDING ON LOCATION.

20'-25' PATHWAY CONDITION



Landscaping within all pathways:

- 24" box trees planted 24' o.c.
- 276 plants for every 10,000 s.f.
- 80% of the required minimum shall be 5 gallon plants with remaining 20% 1 gallon plants on all arterial and collector streets
- such averages shall be calculated over a distance of 1,000 l.f.

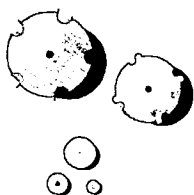
Landscaping within all median areas:

- 24" box trees planted 24' o.c.
- 220 5 gallon shrubs and 56 1 gallon shrubs planted per every 10,000 s.f.
- no turf areas
- planting areas of landscaped median area shall have a minimum width of 6'
- areas with less than 6' of width shall be enhanced with decorative (stamped and colored) concrete
- such averages shall be calculated over a distance of 1,000 l.f.



PATHWAY EXAMPLE

PLANT LEGEND



24" BOX STREET TREES

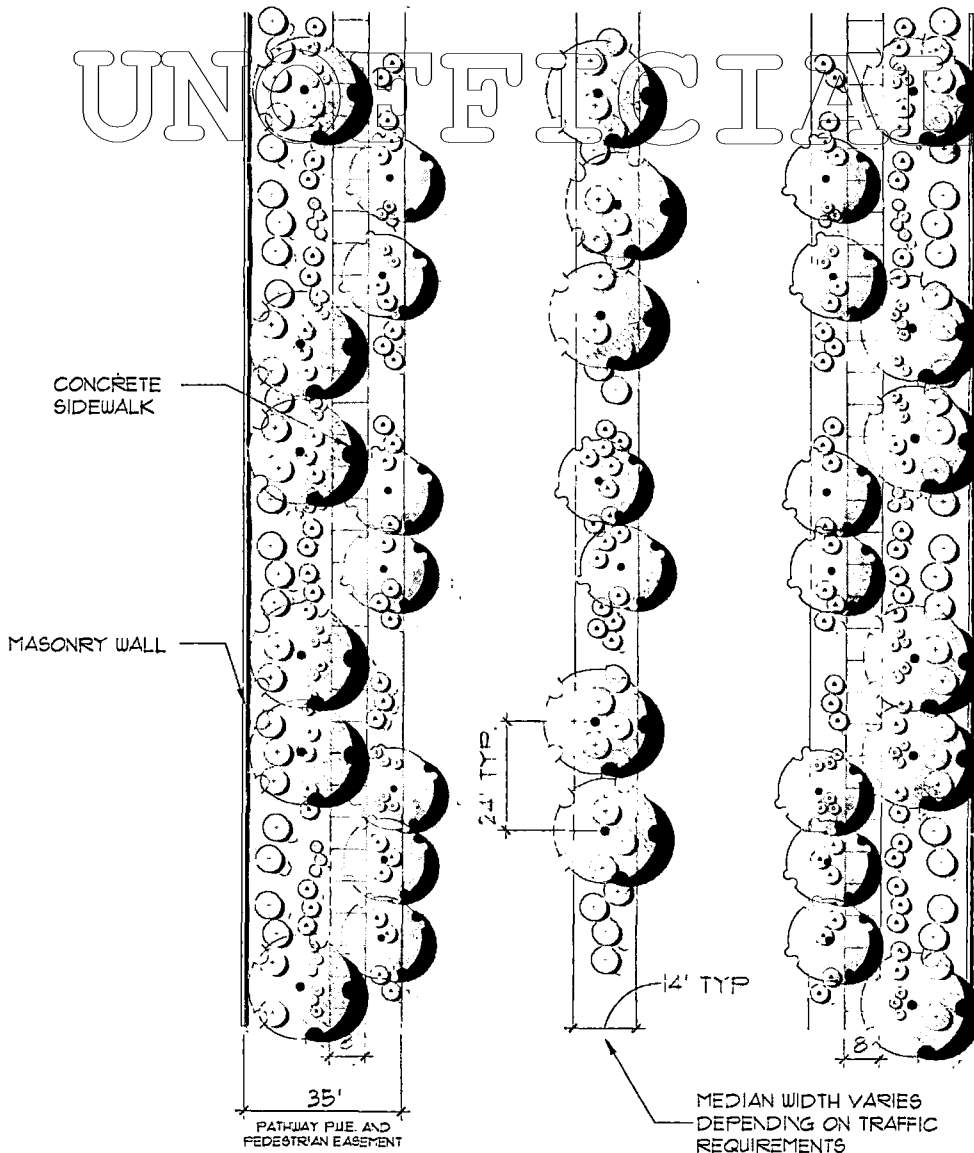
5 GAL. SHRUBS

NOTE:
1) ALL PLANTING AREAS TO RECEIVE 2" THICK LAYER OF DECORATIVE ROCK.
2) THIS DIAGRAM IS CONCEPTUAL IN NATURE AND IT IS FOR PLANTING PURPOSES ONLY. ACTUAL DIMENSIONS WILL VARY DEPENDING ON LOCATION.

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35' PATHWAY CONDITION



Landscaping within all pathways:

- 24" box trees planted 24' o.c.
- 276 plants for every 10,000 s.f.
- 80% of the required minimum shall be 5 gallon plants with remaining 20% 1 gallon plants on all arterial and collector streets
- such averages shall be calculated over a distance of 1,000 l.f.

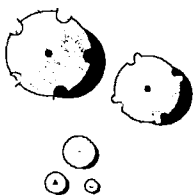
Landscaping within all median areas:

- 24" box trees planted 24' o.c.
- 220 5 gallon shrubs and 56 1 gallon shrubs planted per every 10,000 s.f.
- no turf areas
- planting areas of landscaped median area shall have a minimum width of 6'
- areas with less than 6' of width shall be enhanced with decorative (stamped and colored) concrete
- such averages shall be calculated over a distance of 1,000 l.f.



PATHWAY EXAMPLE

PLANT LEGEND



24" BOX STREET TREES

5 GAL. SHRUBS

NOTE:
1) ALL PLANTING AREAS TO RECEIVE 2" THICK LAYER OF DECORATIVE ROCK.
2) THIS DIAGRAM IS CONCEPTUAL IN NATURE AND IT IS FOR PLANTING PURPOSES ONLY. ACTUAL DIMENSIONS WILL VARY DEPENDING ON LOCATION.

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PATHWAYS, MEDIANS & TRAILS (CONTINUED)

In addition to the Pathways and to further promote the connectivity to various open space amenities planned for Park Highlands, Subdivisions shall provide sidewalk connections to the recreational trail system. For more specific information regarding Common Open Space requirements see appropriate section in this document. Refer to the Development Agreement and approved Land Plan for delineated location of parks. Both sides of the trail shall have view fencing. View fence can be full view fence or combination 4' maximum decorative block wall with view fence on top. Minimum overall height shall be 6' and maximum shall be 9', excluding retaining walls. Below is a typical section of the Trail. Utility Open Space areas will include a 50' wide trail section to meet the trail requirements as shown below. Where necessary, UOS areas, exclusive of the 50' wide trail, at a minimum, will be re-vegetated back to it's natural state.

TRAIL DIAGRAM

Landscaping within all Trails:

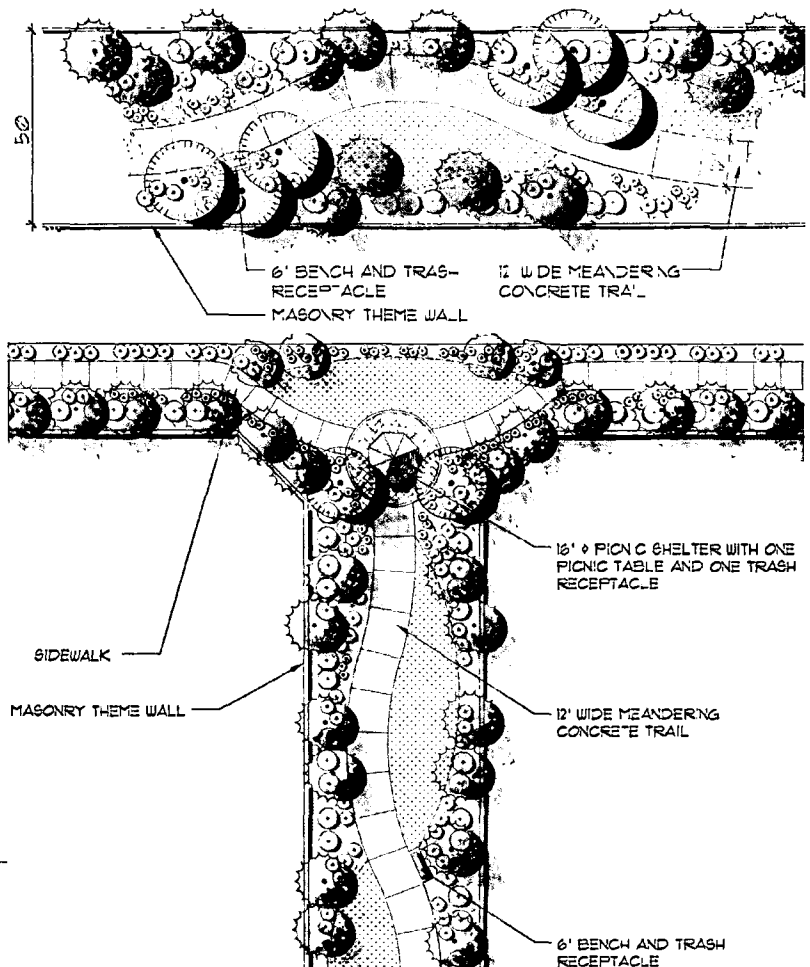
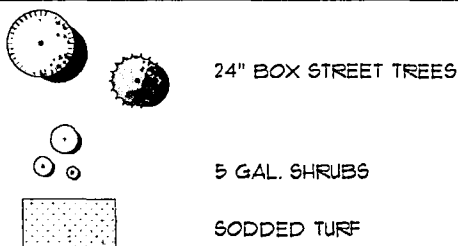
- 7 - 24" box trees
- 68 plants for every 10,000 s.f.
- 80% of the required plants shall be 5 gallon plants with remaining 20% 1 gallon plants

RECREATION NODE DIAGRAM

A minimum of 9 Recreation Nodes will be placed throughout the Park Highlands community, two of which are located in Trail 3.09 and two in Trail 3.05a. At a minimum, each Node shall contain the following amenities:

- One small play structure
- One picnic table
- One park bench
- One trash receptacle
- One shade structure
- Lighting
- 10% additional trees and shrubs
- Turf play area

PLANT LEGEND



NOTE:
1) ALL PLANTING AREAS TO RECEIVE 2" THICK LAYER OF DECORATIVE ROCK.
2) TURF AREA SHALL BE A MINIMUM OF 20% PER 10,000 SF OF LANDSCAPE AREA.
3) THIS DIAGRAM IS CONCEPTUAL IN NATURE AND IT IS FOR PLANTING PURPOSES ONLY. ACTUAL DIMENSIONS WILL VARY DEPENDING ON LOCATION.

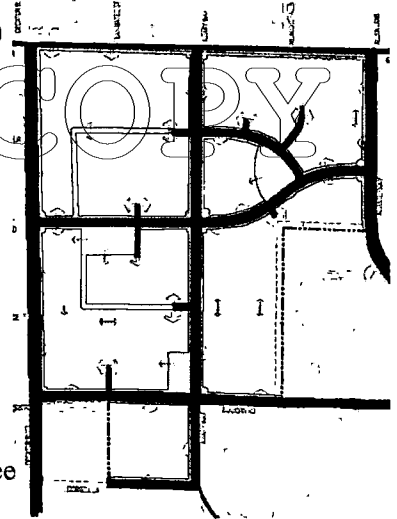
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Note: The use of view fencing is strongly encouraged throughout Park Highlands especially adjacent to Trails and Recreation Nodes.

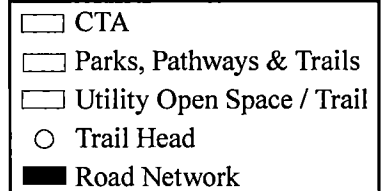


CTA, PUBLIC PARKS, PATHWAYS, TRAILS, UOS AND TRAIL HEADS

- The **CTA** (Conservation Transfer Area), also known as the “Preserve”, is approximately 300 acres. It will be left largely undeveloped and utilized as a significant natural amenity to the community. Housing two special plant species and paleontological resources, it will serve not only as a connector with trails to various parts of the community, but as a preserve and assist in public education. Access to the CTA will occur at the designated Trail Heads with the approved Land Plan and will comply with the requirements of the CTA Agreement. The developer has no obligation to build CTA trails, but will institute an educational program within the adjacent Trail Heads on the sensitivity of the preserve.
- **Public Parks** are larger destination parks that house amenities, including but not limited to, lighted sports fields and game courts and other specialized recreational facilities such as lighted picnic facilities, skate parks and playgrounds, dog parks, community gardens and spray parks. Special consideration has been given in locating the parks within the Master Planned Community, which range in size from 3.4 acres to 40 acres, to ensure equitable distribution throughout the entire community. Parks shall be required to be open on three sides, with either a street or view fence on each of these three sides.
- **Pathways** are linear areas located adjacent to arterial and collector streets, which consists of 5' concrete walkway on collector streets and 8' concrete walkway on arterial streets, landscaping on both sides of the walkway and Pathway amenities including but not limited to signage, benches, drinking fountains, dog stations and trash receptacles.
- **Trails** are the linear areas not adjacent to a street that may follow natural features such as washes, ridge lines, flood control facilities and utility rights of way. Trails consist of, but are not limited to, 12' concrete walkway, landscaping on both sides of the walkway and trail amenities such as signage, benches, recreational nodes, drinking fountains, dog stations and trash receptacles. The developer is to provide a study by a licensed professional engineer to demonstrate a safe at grade pedestrian crossing of Farm Road. The study must be approved by the City Manager. If not approved by the City Manager, a pedestrian tunnel (or bridge) will be built by the developer with a 50/50 cost sharing arrangement with CNLV.
- **UOS (Utility Open Space)** are areas designated for utility corridors that include open space / trail joint usage. Utility Open Space areas will include a 50' wide trail section to meet the trail requirements as shown below. Where necessary, UOS areas, exclusive of the 50' wide trail trail, at a minimum, will be re-vegetated back to it's natural state.
- **Trail Heads** are sites located at the start and end of trails and provide recreational amenities for public use. The Trail heads include parking areas, rest rooms, drinking fountains, picnic areas, recreational activities and directional and information signs.

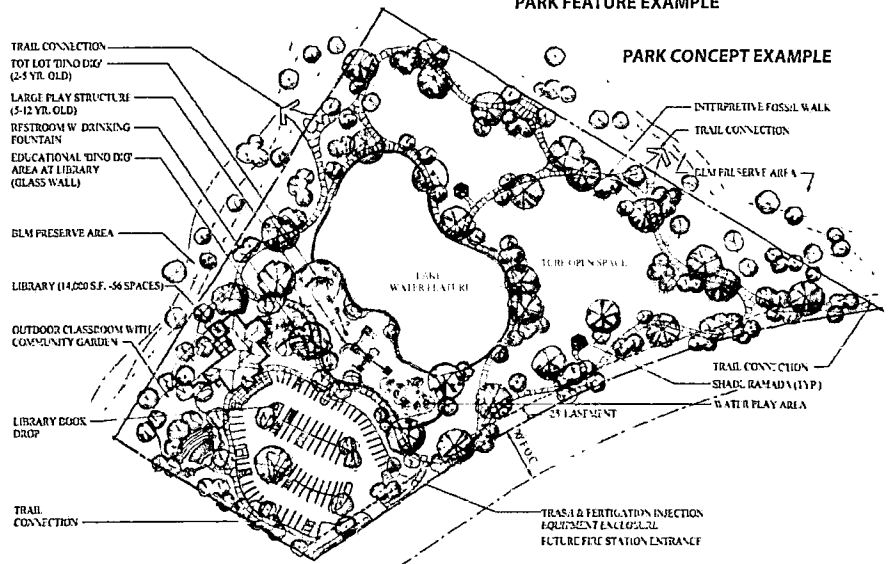
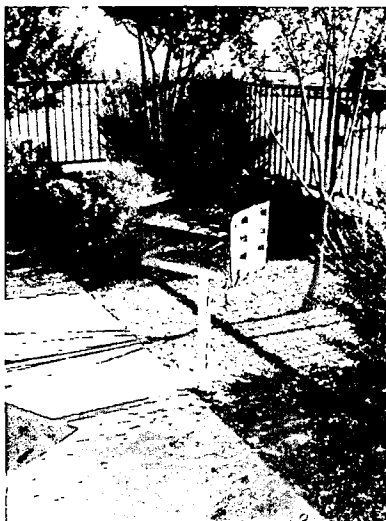
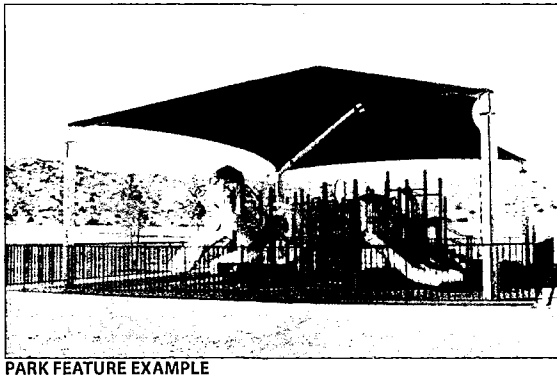
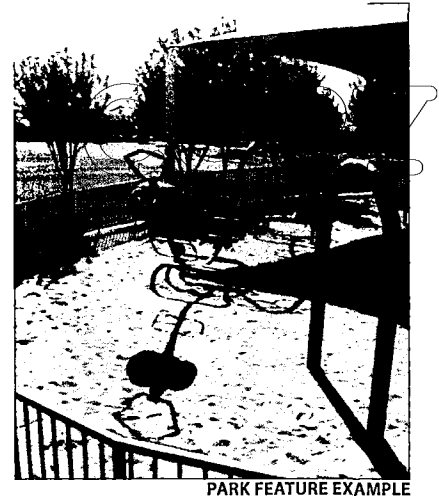
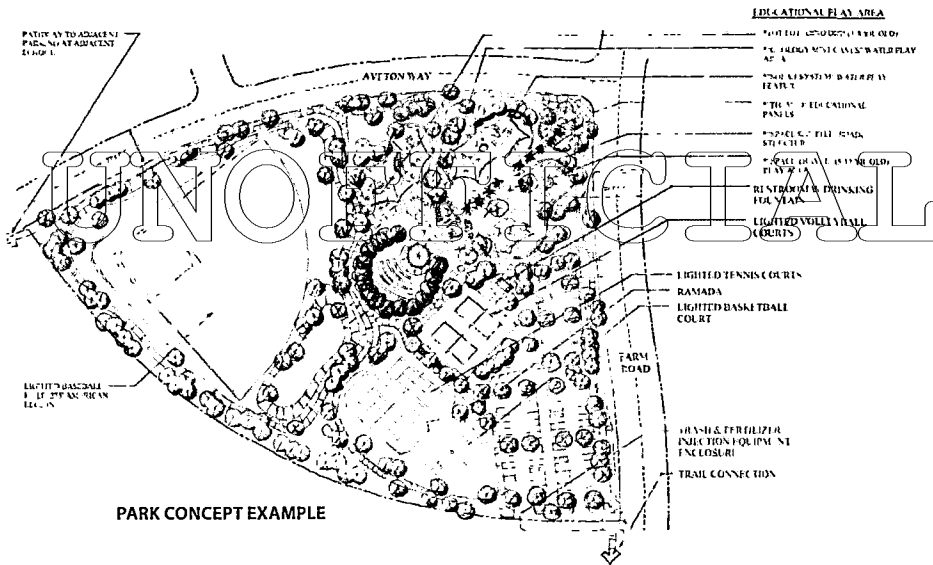


WEST



EAST

Master Development



COMMUNITY DESIGN

STREET TERMINI

In order to strengthen visual corridors, buildings in Park Highlands shall be massed and articulated to serve as terminuses to all primary streets. No surface parking or unarticulated building wall shall terminate any street corridor.

INTERSECTIONS

To reinforce an experiential transportation framework for both pedestrian and vehicular traffic in Park Highlands, special consideration should be given to design treatments at key intersections. Punctuation and accentuation at such crossroads offers Park Highlands traffic the chance to celebrate and engage in significant crossing nodes / points of entry, rather than simply pass through them. The design treatments of infrastructure elements in any development are decisive communicators of the overall development image, demonstrating success and thoughtful design vision to residents and patrons alike.

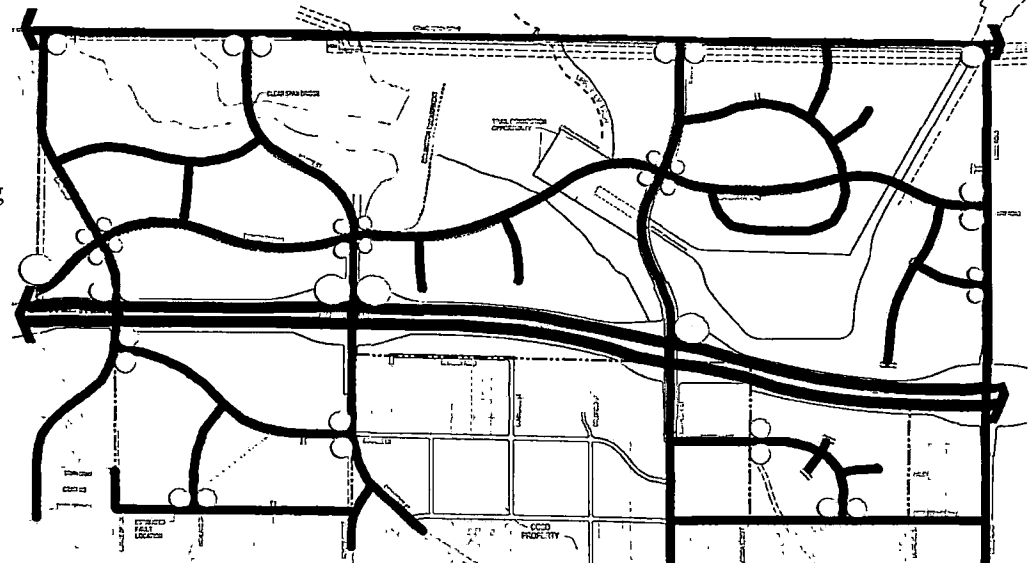
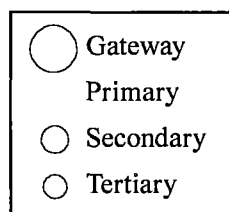
The following pages describe the treatments of each key intersections in Park Highlands. All elements of intersection design shall be reviewed and approved by the Architectural Review Committee (ARC) prior to submittal to the City of North Las Vegas.

INTERSECTION MONUMENTATION

Monumentation identifies places of significance within a community. In order to promote a comprehensive sense of place throughout Park Highlands, the four types of monumentation – Gateway, Primary, Secondary and Tertiary – shall relate to each other in style and form. In addition, they shall adhere to the Design Guidelines and vision of Park Highlands.

The following pages describe these minimum required monumentation points.

Enhancement diagrams on the following pages are shown on corners. See parcel diagrams on this page for actual corner utilization.

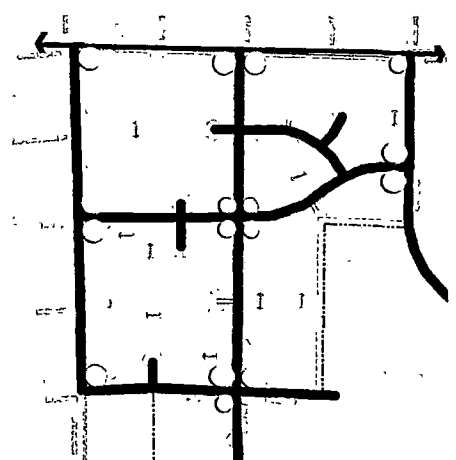


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WEST

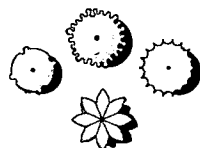


MODERN SPANISH ECLECTIC - STREET TERMINUS



Gateway intersections in Park Highlands are located at significant points of entry into the development. These intersections shall be viewed as first impressions and front doors of Park Highlands, and are designed to reflect a strong, inviting project image. Paving materials may consist of concrete unit pavers and/or stamped concrete. Integrally colored and/or stamped asphalt patterns are prohibited.

GATEWAY DIAGRAM



PALM TREE



5 GAL. SHRUBS

**Carter-Burgess**

Monuments at primary intersections are designed as the second tier in a family of monument components as described in the gateway intersection section. Placed outside of standard visibility triangles, these monuments shall be approximately 6'-0" in height, and are designed in form and materials to reflect and complement the vision of Park Highlands. Stone veneer on the entry monumentation is an extension of the previously identified architectural vision. Refer to the Appendix for stone color.

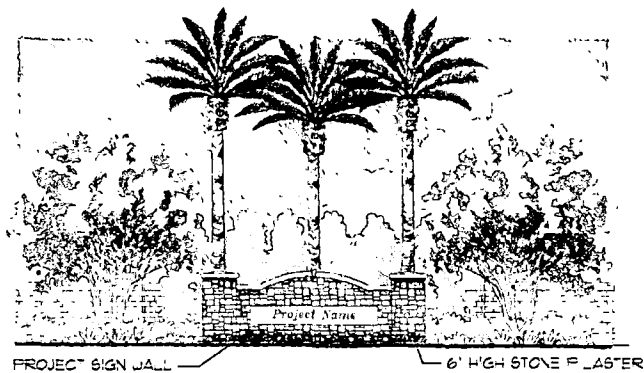
- 24" box street tree - 16
- palm tree - 0
- shrubs - will meet Aliante standards

5 GAL. SHRUBS

Secondary Intersections and Monumentation – (see graphic on page 35 for locations)

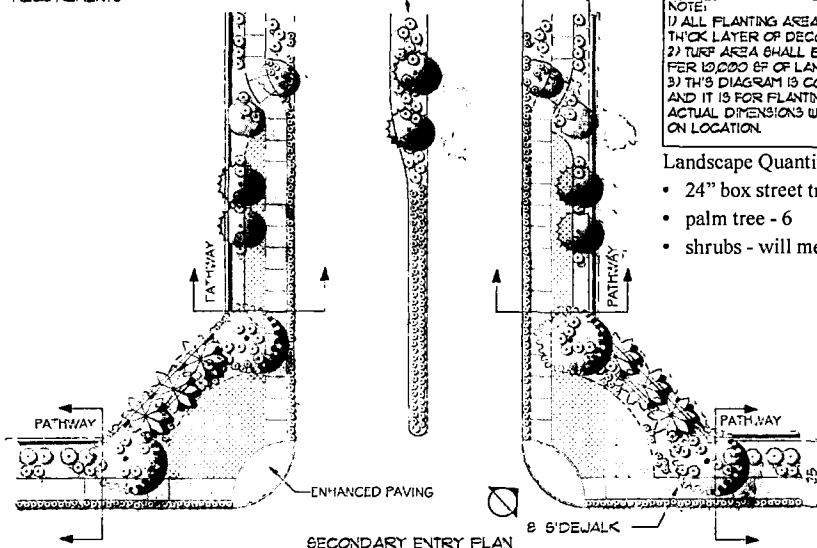
Though peripheral to gateways and primary intersections, secondary intersections should be seen as perceivable crossing experiences, which pedestrians will most commonly encounter. Paving materials may consist of concrete unit pavers and/or stamped concrete. Integrally colored and/or stamped asphalt patterns are prohibited. Stone veneer on the entry monumentation is an extension of the previously identified architectural vision. Refer to the Appendix for stone color.

SECONDARY DIAGRAM

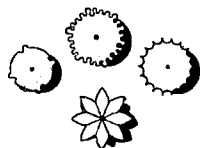


ENTRY MONUMENT ELEVATION

MEDIAN WIDTH VARIES
DEPENDING ON TRAFFIC
REQUIREMENTS



PLANT LEGEND



24" BOX STREET TREES

PALM TREE



SODDED TURF

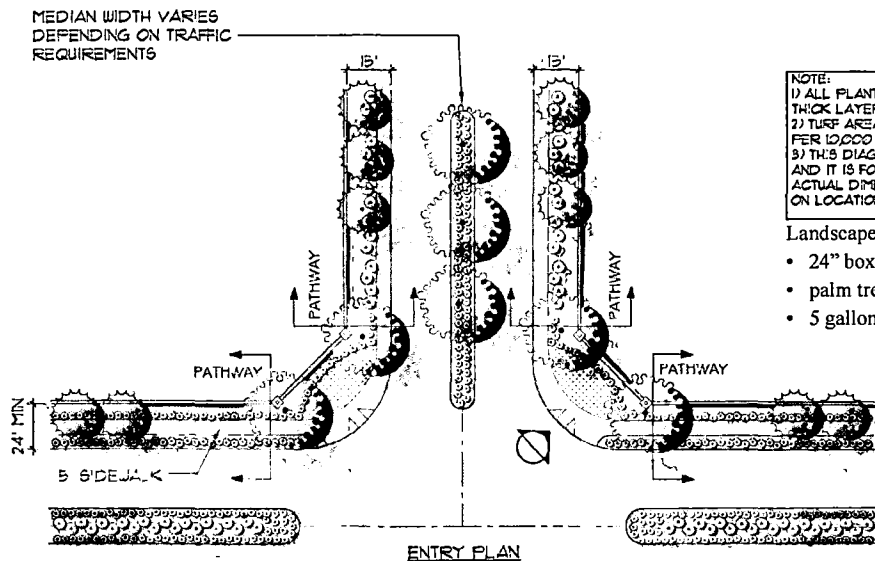
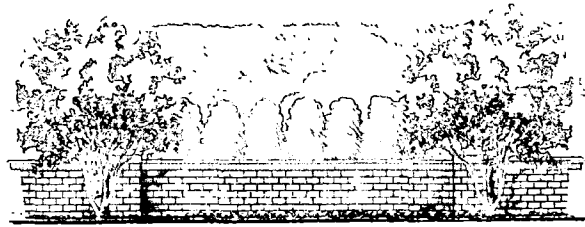
5 GAL. SHRUBS

Tertiary Intersections and Monumentation – (see graphic on page 35 for locations)

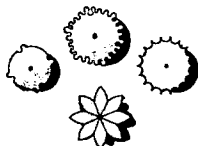
Paving materials may consist of concrete unit pavers and or stamped concrete. Integrally colored and or stamped asphalt patterns are prohibited. Stone veneer on the entry monumentation is an extension of the previously identified architectural vision. Refer to the Appendix for stone color.

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TERTIARY DIAGRAM



PLANT LEGEND



24" BOX STREET TREES

PALM TREE



SODDED TURF



5 GAL. SHRUBS

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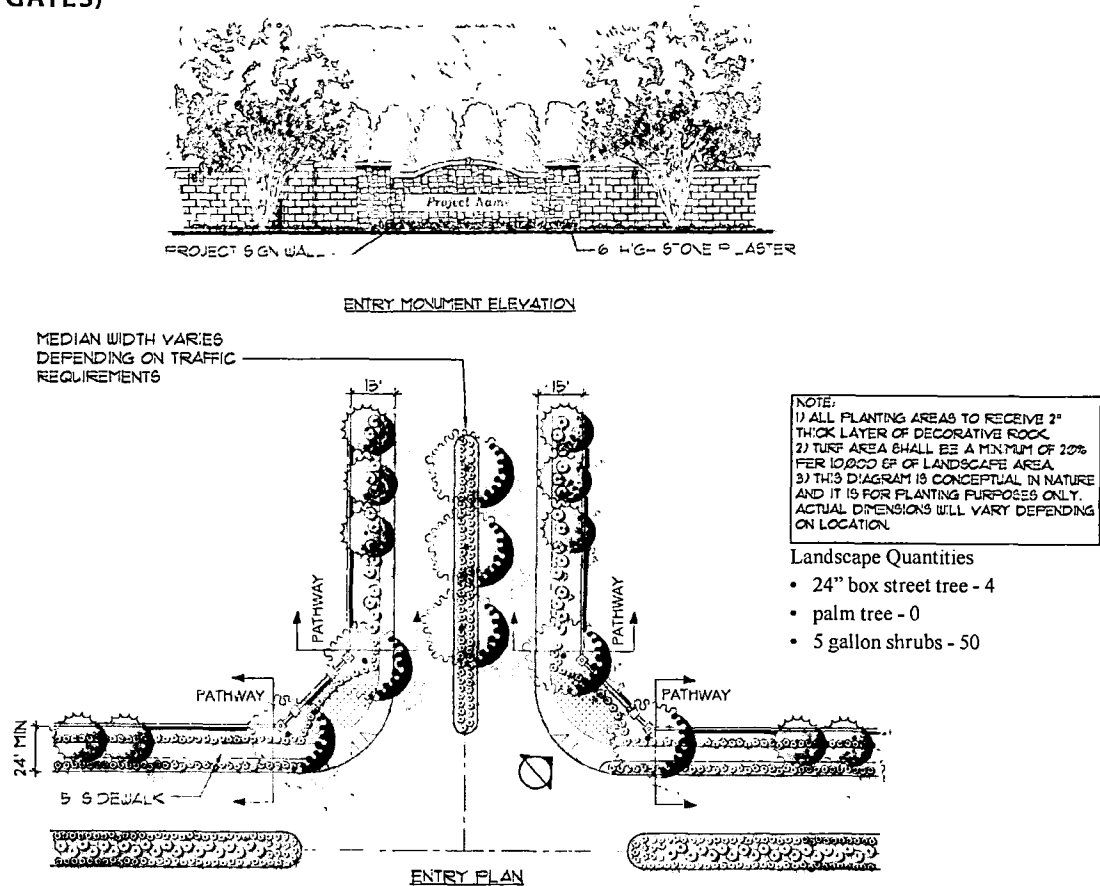
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Subdivision Entry Intersections and Monumentation –

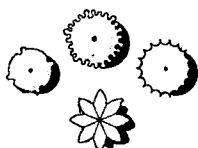
Viewed as subdivision entrances, these features will help define the individual subdivision. Paving materials may consist of concrete unit pavers and or stamped concrete. Integrally colored and or stamped asphalt patterns are prohibited. Stone Veneer on the entry monumentation is an extension of the previously identified architectural vision. Refer to the Appendix for stone color.

This monumentation may be used on intersections not listed on the intersection monumentation location diagram.

SUBDIVISION ENTRY DIAGRAM (WITHOUT GATES)

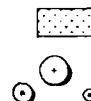


PLANT LEGEND



24" BOX STREET TREES

PALM TREE



SODDED TURF

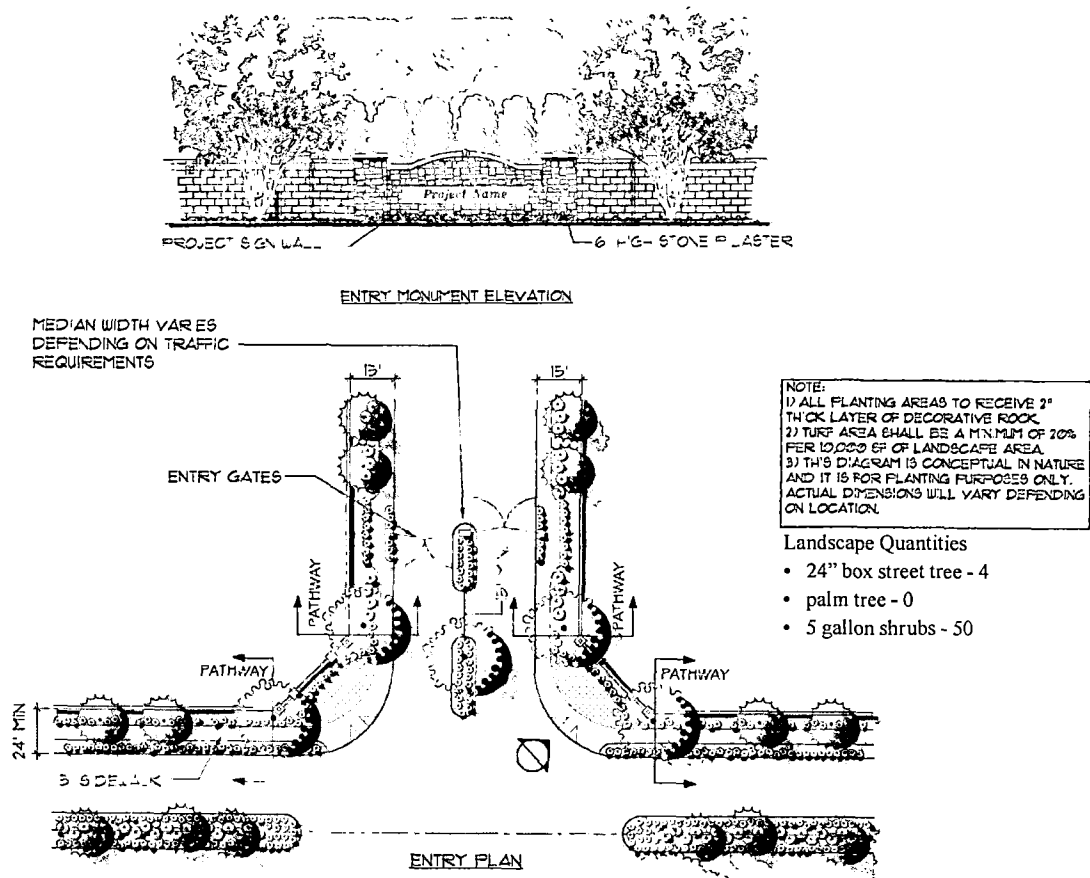
5 GAL. SHRUBS

Subdivision Entry Intersections and Monumentation –

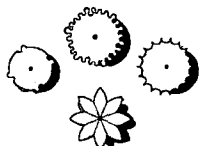
Viewed as subdivision entrances, these features will help define the individual subdivision. Paving materials may consist of concrete unit pavers and or stamped concrete. Integrally colored and or stamped asphalt patterns are prohibited. Stone veneer on the entry monumentation is an extension of the previously identified architectural vision. Refer to the Appendix for stone color.

This monumentation may be used on intersections not listed on the intersection monumentation location diagram. In no situation will arterial or collector streets be gated.

SUBDIVISION ENTRY DIAGRAM (WITH GATES)



PLANT LEGEND



24" BOX STREET TREES

PALM TREE



SODDED TURF

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LIGHTING

Lighting in Park Highlands shall be used as a tool to:

- 1) illuminate roadways, pedestrian spaces, and architecture while enhancing their safety component as well as aesthetic qualities; and, 2) serve as repetitive elements that reinforce the image of Park Highlands. Lighting elements shall blend attractively into the environment by day and perform effectively at night to promote a comfortable, visually continuous condition. Lighting shall be directed and controlled so not to disturb residences, and to respect "dark sky" principles of lighting design.

All light fixtures shall have incandescent, fluorescent, halogen, or metal halide light sources and shall be approved by the ARC. Reference the appendix for manufacturer information / images of the approved family of lighting fixture options for Park Highlands. A one time inventory of 1% of the estimated quantity of non-standard City maintained light standards shall be provided to the City.

Roadway Lighting –

Along major roadways in Park Highlands, illumination will be required at intervals designed to promote safety, visual continuity, and community identity. Refer to the appendix for product color/ specifications and to the City of North Las Vegas Blue Book Specifications for spacing along public roadway.

Village Lighting –

Pedestrian-scale illumination promotes visual continuity, safety, and night activity in any community. With that in mind applicants shall include pedestrian-scale lighting in the design of all streetscapes and public spaces in Park Highlands. Refer to the appendix for product specifications and City standards for additional lighting criteria.

Park and Trail Lighting –

Park and Trail lighting promotes safety, and night activity in parks and open space. Applicants shall include park and trail lighting in keeping with the design of all parks and open space within Park Highlands at pedestrian walks and activity areas as approved by the ARC and the City. Maintenance roads do not require lighting. Refer to appendix for product specifications and City standards for additional lighting criteria.

Architectural Lighting –

Exterior illumination, designed to highlight and accent architectural features of buildings, will be required on all building facades facing streets, sidewalks, parking areas, and other public spaces in Park Highlands. This may include pedestrian-scale lamps, bollards, landscape lighting, and/or step lighting that is complementary in design to the family of light elements described by these guidelines.

In general, lighting plans shall be designed to appropriately accent architecture / landscape elements, and shall not include ostentatious shows of light such as wall washes or multi-colored displays. By exception, festive light displays in retail or entertainment areas will be reviewed on an individual basis for approval by the ARC.

All exterior illumination must be approved by the ARC.



7 the Shops



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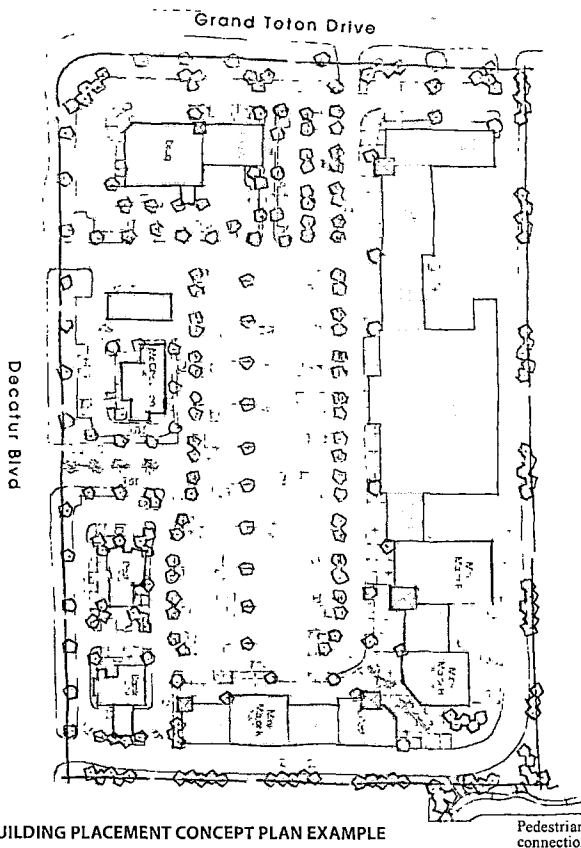


Introduction

The primary vision behind development in Park Highlands' Shops is that of an exciting shopping experience while holding true the architectural vision. See page 12 for permitted land uses.

The guidelines and criteria provided in this section shall apply to all retail, restaurant, and commercial development in The Shops. These guidelines and criteria shall also apply to office uses located within a retail/commercial development.

Linked by a public framework system consisting of the beltway, boulevards, parkways, parks, and amenities, The Shops of Park Highlands will promote a vibrant retail activity while accommodating flexible economic opportunities. Where adjacent to a Trail, commercial uses in Park Highlands are required to provide a pedestrian connection to the Trail.

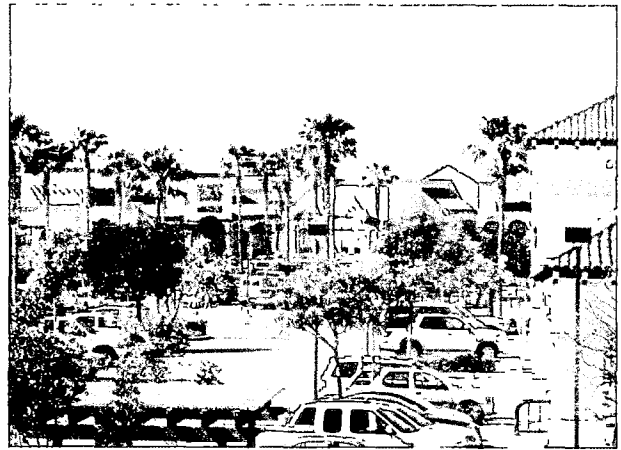


BUILDING PLACEMENT CONCEPT PLAN EXAMPLE

Pedestrian connection



MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC



MODERN MEDITERRANEAN

Site Design

BUILDING PLACEMENT AND ORIENTATION

Buildings should be sited to avoid or lessen the impact of development on sensitive areas such as slopes and drainage washes.

Building on corner lots shall be oriented to the corner and to the street fronts and should make a strong tie to the building lines of each street unless the applicant can demonstrate that to do so would be infeasible. Parking and curb cuts shall be located away from corners.

Building placement on sites shall interconnect walkways and parking drives between buildings on the site and those of adjacent development which encourages and provides for safe and efficient movement of pedestrians, bicycles and vehicles within the site and between the site and adjacent development.

In order to develop and maintain a strong street edge, buildings for stand alone projects or individual pad developments associated with a larger commercial center, shall be located at the front of the site at the minimum setback line with the exception of a single drive-thru lane or additional landscaping.



MODERN SPANISH ECLECTIC



MODERN MEDITERRANEAN



MODERN MEDITERRANEAN

BUILDING SETBACK

Minimum building setbacks have been defined to create an engaging pedestrian network and to strengthen visual corridors to shops features and civic spaces. They are as follows.

MINIMUM SETBACK, AND LOT WIDTH AND LOT AREA REQUIREMENTS

Refer to 17.24.200 – J of the Municipal Code for information regarding setback landscaping.

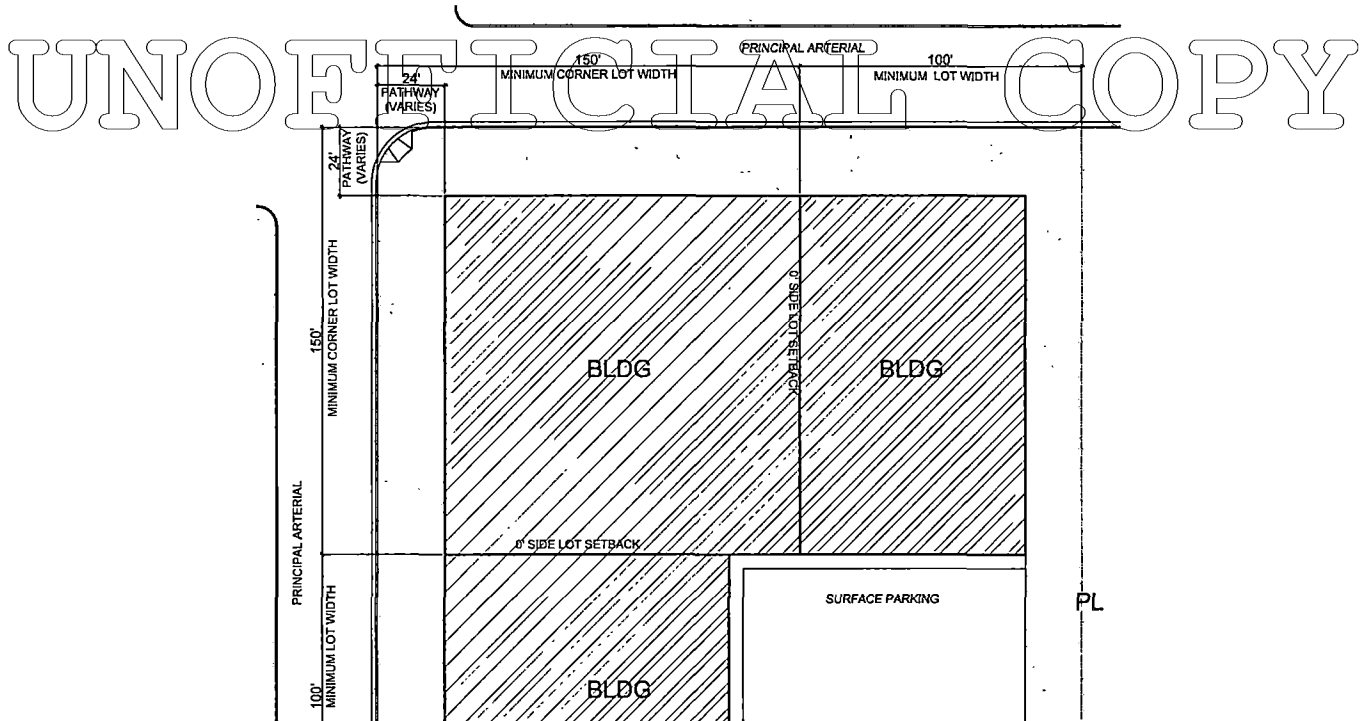
- All setbacks are measured from the lot line to the closest permanent portion of the building.
- Where the Pathway is 24' or greater, then the minimum building setback is 0' from back of the Pathway.

THE SHOPS MINIMUM SETBACKS CRITERIA TABLE	
CRITERIA	ZONING: C1 (MPC) AND C2 (MPC)
BUILDING*	
FRONT	20'
SIDE	0'
CORNER SIDE	20'
REAR	0'
ADJACENT VILLAGE OR NEIGHBORHOOD DISTRICT	30'
PARKING*	
FRONT	0'
INTERIOR SIDE	0'
CORNER SIDE	0'
ADJACENT VILLAGE OR NEIGHBORHOOD DISTRICT	5'
THE SHOPS LOT WIDTH AND LOT AREA CRITERIA TABLE	
MINIMUM LOT WIDTH	100' CORNER LOTS 150'**
MINIMUM LOT AREA	SHALL BE DETERMINED BY BUILDING AREA, PARKING REQUIREMENTS, AND REQUIRED SETBACKS

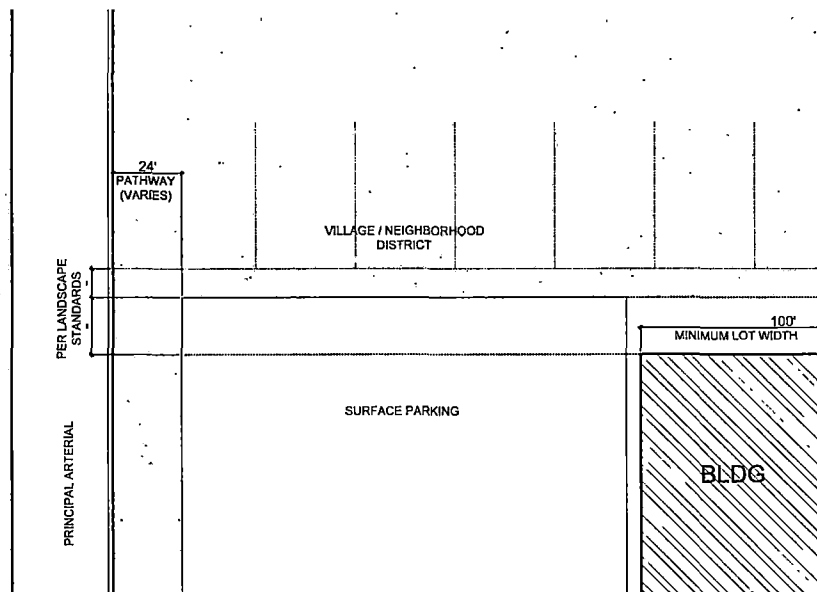
*Refer to pages 48-49 and city standards for landscape requirements.

** Per 17.20.100/17.20.110/17.20.120 G1 of the Municipal Code.

THE SHOPS SETBACK DIAGRAM



THE SHOPS SETBACK DIAGRAM



PARKING

The purpose of delineating parking requirements in the shops is to ensure that necessary accommodations afforded to vehicular traffic remain secondary to preserving liberal, safe pedestrian movement. All parking areas shall comply with design standards regarding setbacks, space requirements, ADA compliance, etc and shall be sufficient to meet all parking needs for employees, company vehicles, customers and visitors. The following guidelines reinforce these standards, and contribute to the establishment of a walkable, pedestrian-oriented community.

A number of varying parking configurations will be appropriate for development in Park Highlands' Shops (e.g. on-street, structured, below-grade, or surface parking). In general, all parking areas or parking structures should be designed to minimize any negative aesthetic impact on the community image of Park Highlands' Shops. The following are guidelines for parking design in The Shops.

MINIMUM PARKING REQUIREMENTS

Parking space count and size requirements shall be as per City of North Las Vegas standards 17.24.140. A parking analysis may be performed by a registered professional engineer justifying the need to provide less than the City standard. Administrative approval for the reduction of the Parking Requirements will be required.

GARAGE PARKING

Parking garages shall not be taller than the development they serve; shall have architectural detailing on all four sides unless structure is within a building wrap (i.e., not seen from the street or any public space).

Should the necessity arise to expose one façade of the garage to a street front, the façade shall comply with all architectural guidelines and restrictions as defined in this document, including building articulation and accent features. In such cases, the incorporation of decorative screen and or trellis elements is strongly encouraged to bring variation and interest to the façade.

To promote a secure, visually continuous streetscape environment, base level entryways / stairways should be located along the street edge, and should be easily distinguishable and well lit.

SURFACE PARKING (INCLUDING LANDSCAPING)

For parking refer to 17.24.130 and 17.24.140. For landscaping and other requirements refer to 17.24.200 of the Municipal Code. Landscaped islands shall be installed between the parking rows of every other double row of parking, and at the ends of every row. Parking landscaped diamonds (min. inside dimensions of 5' x 5', with minimum 1 tree) located every 3 parking spaces in every row of parking, are allowed in lieu of landscaped islands between the parking rows of every other double row of parking. An additional 6' wide minimum landscaped island shall be required within each parking row for every 15 parking spaces contained within the row. To produce a shade canopy within the parking area, shade trees shall be planted at intervals of 25' within the landscaped islands between the rows, and one tree shall be planted within each end of the additional island area. Trees shall be a minimum of 24" box size (minimum of two and one-half inch caliper measured at 6" above the top of the root ball) at time of planting. The islands shall be landscaped with approved plant materials to provide a minimum ground coverage of 60% (not including trees). The 60% coverage shall be reached within two years of the time a certificate of occupancy is issued by the City.



MODERN MISSION

7 The Shops



LANDSCAPING

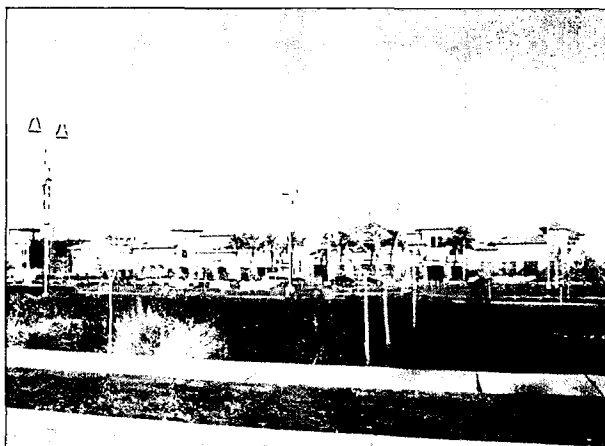
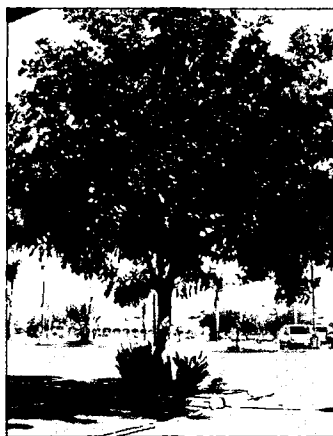
Landscape design in The Shops will enhance the character of Park Highlands' architectural vision, and create a cozy, urban atmosphere that promotes a comfortable pedestrian experience. Spaces and plantings shall be designed at a human-scale, and be harmonious to climate and the rest of the development in form and expression. Refer to 17.24.200 of the Municipal Code for additional information.

Parking lots shall be screened by buildings and/or landscaping. Any area of a parking lot which abuts a public street shall be screened by decorative walls or landscaped berms with a minimum height of 3' above the finished grade at the rear of the setback area. Decorative walls and berms for screening purposes shall not occur inside Pathways.

A low masonry wall, minimum 3', with wrought iron on top makes an attractive and effective screen for parking lots.

Features such as lowered parking areas, landscaped earthen berms and additional landscaping strips are effective methods of screening parking areas from the street and enhancing the pedestrian environment and the streetscape.

Perimeter landscaping shall be provided and shall include drought-resistant and water efficient plant materials consistent with the requirements of this title. Areas at least 25' in width from back of curb to perimeter walls, buildings, or parking lots (which may include sidewalks or Pathways) shall be maintained adjacent to all streets. The peripheral landscaping area shall be landscaped with approved plant materials to provide a minimum ground coverage of 60% (not including trees). The 60% coverage shall be reached within two years of the time a certificate of occupancy is issued by the City. Dense shrubs or vines shall be planted immediately adjacent to any solid wall to soften the effect of the wall and to deter graffiti.



STREETSCAPE

STREET FURNITURE

All property owners must install approved street furniture within the pedestrian zone of the shops. Street furniture shall be placed in logical relationship to primary pedestrian movement with higher concentrations at retail buildings and civic/public spaces.

Furniture locations and/or placement intervals shall be as follows, and is subject to approval by the ARC and the City:

Lighting –

Refer to 17.24.200 – H of the Municipal Code for information.

Benches –

Benches shall be installed on a one (1) per 150' average of shop frontage. Owners may place benches individually or in groupings, but near street lamps, street intersections and building entries as necessary. See the Appendix for product specifications.

Litter Receptacles –

Trash receptacles shall be installed one (1) per two (2) benches or group of benches. See the Appendix for product specifications.

Bicycle Racks –

Bicycle parking slots shall be provided at retail centers at a rate of one (1) slot for every forty (40) required parking spaces. See the Appendix for product specifications.

Pet Waste Stations –

Pet waste stations are to be located along The Shop streets approximately every 600' or at logical locations that conveniently serve pedestrian use.

Ash Urns –

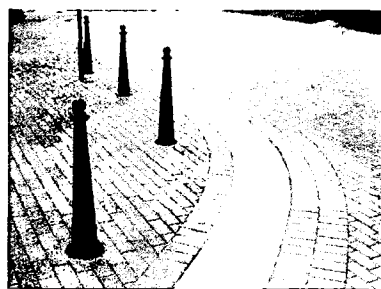
One (1) ash urn or combination ash/litter receptacle at major building entry points. See the Appendix for product specifications.

Bollards –

Post bollards and/or light bollards shall be installed as needed in drop-off and plaza areas. See the Appendix for product specifications.



MODERN SPANISH ECLECTIC



PAVING

Paving design in The Shops is intended to encourage safe, unhampered pedestrian circulation and to reinforce connections between public spaces. Refer to 17.24.200 of the Municipal Code for information.

SIGNAGE

A Master Sign Plan will be submitted for administrative City approval for commercial signage prior to issuing building permits. All signs must be approved by the ARC in writing prior to submittal to the City. Such approval will be limited to those signs which:

- Identify the name and business of the occupant, give directions, or offer the premises for sale or lease.
- Are not of unusual size or shape when compared to pedestrian scale or buildings on the premises.
- Do not project above the roof line of a building.
- Do not block or detract from adjacent property.
- Preserve the quality and atmosphere of the shops.
- Signs of a flashing or moving character and inappropriately colored will not be permitted.
- Fabric awning signage is permitted.
- Temporary sidewalk signs such as freestanding sandwich boards are allowed.

SIGN CLASSIFICATIONS

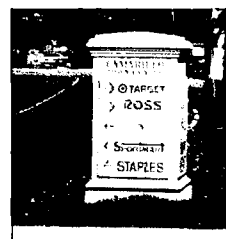
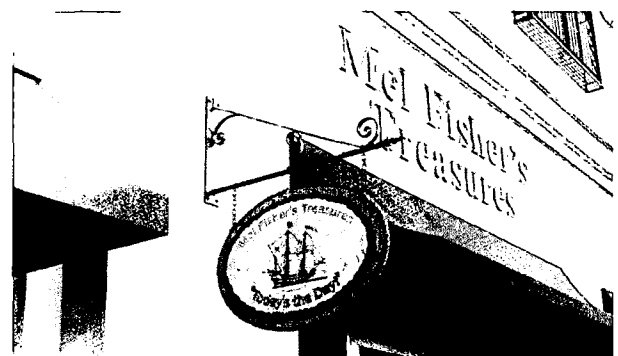
- Pylon sign
- Ladder sign
- Monument
- Internal directional sign
- Real estate sign
- Wall sign
- Window sign
- Marquee/special sign

GENERAL REGULATIONS

- Prohibited signs – all signs not listed above are prohibited unless approved by the ARC and the City.
- Materials – Refer to 17.24.110 and 17.24.200 – I of the Municipal Code.

LIGHTING OF SIGNS

Recommended lighting of signs shall be from the front of the sign, backlit or in the form of a spotlight as approved by the ARC.



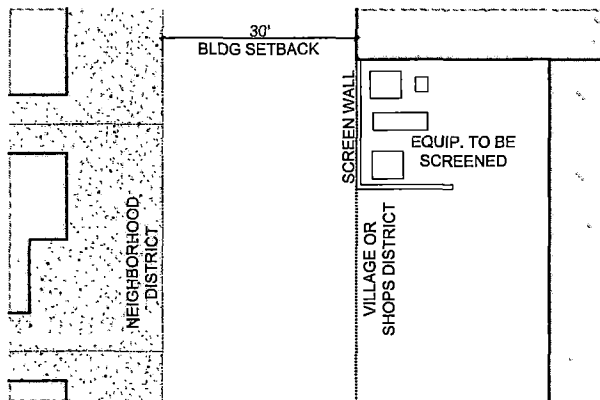
SCREENING & FENCING

For requirements, refer to 17.24.200 of Municipal Code.

SCREENING

Utilities / service areas in Park Highlands, while necessary, are not intended to be viewable from streets, neighboring properties or any public space. Materials and elements used in screening shall be complementary to the architecture and landscape design of the building they serve. The following guidelines function to conceal objectionable areas or activities from public view.

SCREEN WALL DIAGRAM



Utilities and Electrical Equipment –

Buildings adjacent to residential property or property that is designated as residential on the Land Use Plan shall provide a screening wall equal to a minimum of 1' higher than the equipment on all sides that face the residential property.

Exposed conduit and utility boxes shall be painted to match the color of the building or an accent color. Ladders on the exterior of buildings are not allowed. Natural metal finishes, such as copper, are an acceptable alternative to paint.

Refer to the Municipal Code for more specific screening requirements of all ground-mounted mechanical equipment.

Site Utilities and Exterior Equipment –

All above grade utilities and equipment are to be placed away from public view and neighboring properties. If possible, architectural niches or offsets should be designed to accommodate mechanical equipment.

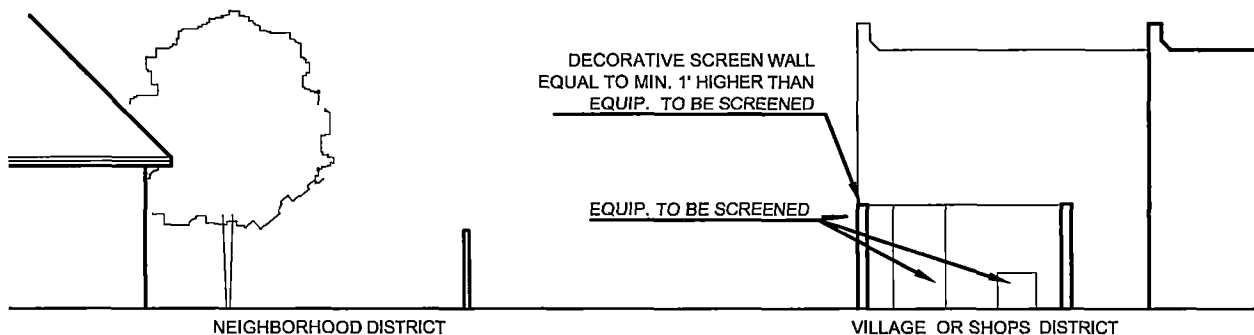
Delivery/Loading and Other Service Areas –

Refer to 17.24.090 and 17.24.200 of the Municipal Code.

Roof Mechanical Equipment –

Roof mounted mechanical equipment shall be screened from public street rights-of-way and pedestrian promenade by parapet walls or continuous partial roofs per the Municipal Code.

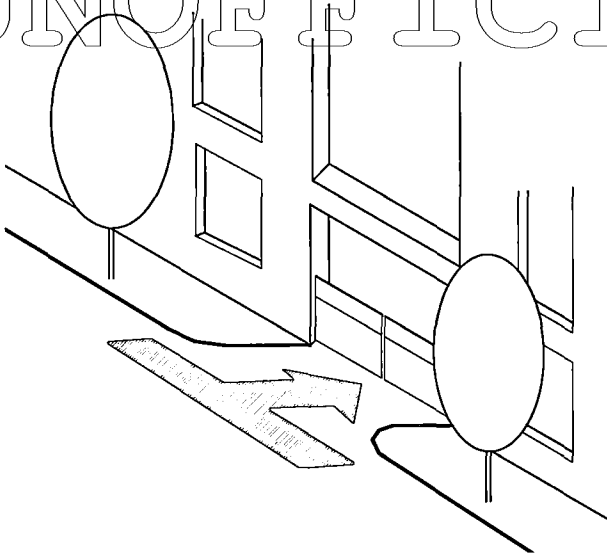
DECORATIVE SCREEN WALL DIAGRAM



Note: Decorative screen wall must be located outside setback area and must be consistent in appearance with adjacent structures.

Garbage Collection –

GARBAGE COLLECTION AREA IN BUILDING ENVELOPE DIAGRAM



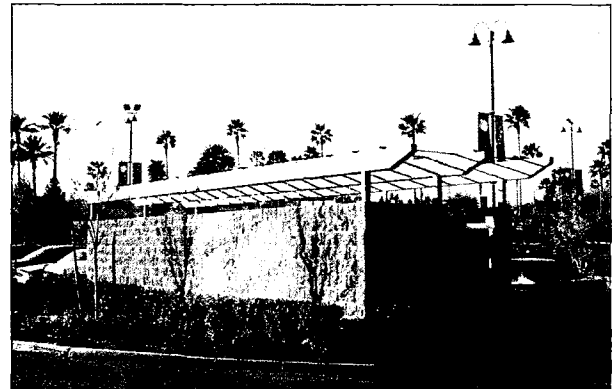
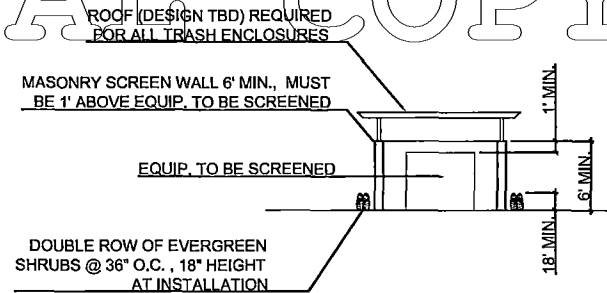
Garbage collection areas that are incorporated into the building shall be screened by a solid metal gate, and shall not face any primary street or public view.

Trash and recycling receptacles, which must be integrated into the building footprint, shall be screened and enclosed by a decorative wall 6' high, or 1' higher than the container it screens – whichever is greater, and will have a solid, metal gate to screen the opening.

Collection area enclosures not incorporated within the building envelope, shall contain decorative walls on three (3) sides with the service opening (fourth side) not directly facing any street. The fourth side will incorporate a solid metal gate to visually screen the dumpster or compactor.

Trash compactors shall be screened with an eight (8) foot decorative masonry wall of a color that is consistent with the color of the primary building. Enclosures shall be visually and aesthetically compatible with the overall project.

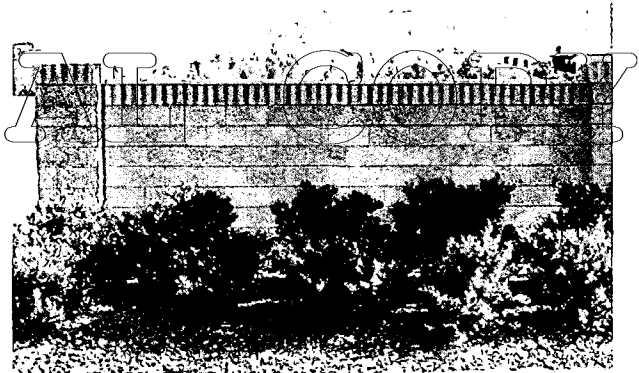
GARBAGE COLLECTION SCREEN WALL DIAGRAM



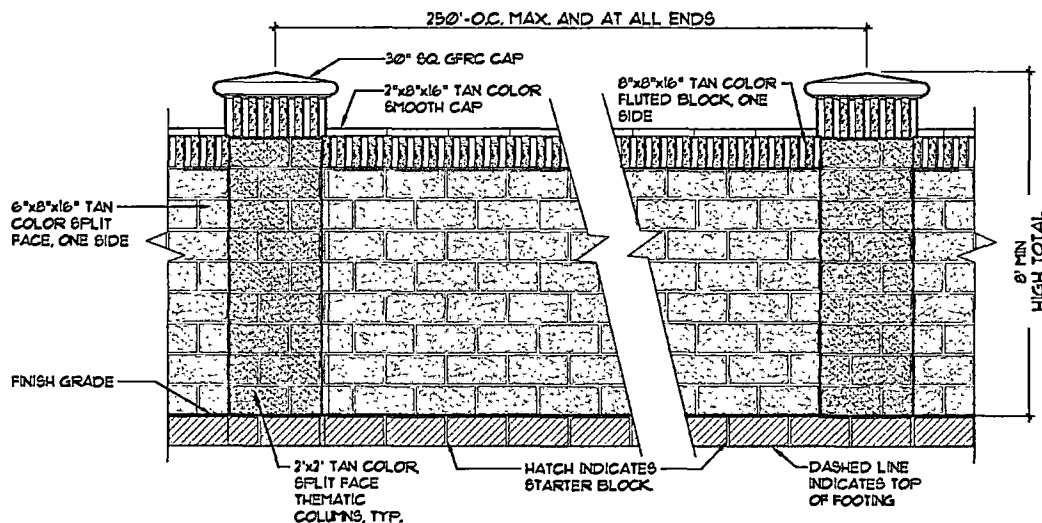
Roofs are required on all trash enclosures. Where visible from public view, a double row of evergreen shrubs (5-gallon, 18" height minimum size at installation) shall be planted in a triangular spacing pattern, 36" o.c., at the base of the screen wall. Enclosures shall be visually and aesthetically compatible with the overall project.

WALLS AND FENCING

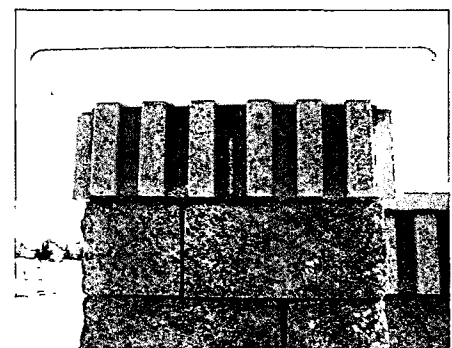
Walls and fencing in Park Highlands shall be designed as functional architectural accents – not fortifications that interfere with the promotion of a sense of community or a pedestrian-friendly spirit. No development in Park Highlands' Shops shall be fully surrounded by walls or fencing.



PERIMETER WALL DIAGRAM



Perimeter walls shall be required when The Shops lie adjacent to a residential area or when service areas are adjacent to Arterial and Collector Streets or Common Areas. Perimeter walls shall be eight feet, as measured from the highest adjacent finish grade to the top of the wall and match or complement the style or theme established by the Master Developer, for other wall requirements refer to the Municipal Code. The color and materials of perimeter walls shall be as shown in the Exhibit. Grey block is prohibited. View segments shall be incorporated into perimeter wall designs except adjacent to residential or where screening is necessary. All locations fronting Open Space areas or recreational features are appropriate locations for limited view wall segments. Curvilinear walls shall be permitted if their effect is consistent with the overall design character of the community.



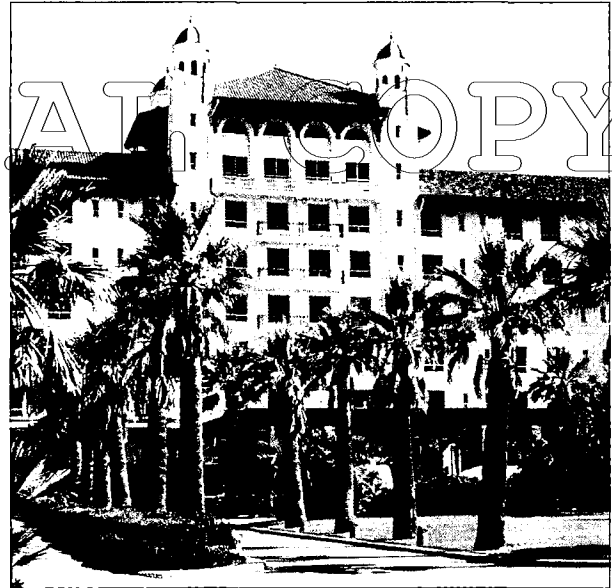
Building/Architectural Design

Structures in The Shops shall be designed to support the creation of a concentrated retail experience that is comfortably engaged by residents and consumers. The Shops should also create visual interest and showcase the architectural vision of Park Highlands. The following is in addition to 17.24.200 unless otherwise noted, including building orientation, relationships to streets and parking.

BUILDING PROGRAMMING

Sidewalk entries shall be located to accommodate ease of pedestrian movement along primary streets. Entries to retail space and public/civic space will meet this requirement. Deviations will be subject to review by the ARC prior to City submittal.

All buildings within a common retail development, as shown on a Concept Plan or Preliminary Site Plan, shall have similar architectural styles, materials, and colors.



HISTORIC MISSION



MODERN SPANISH ECLECTIC

BUILDING HEIGHT

OFFICE, RETAIL AND RESORT BUILDING

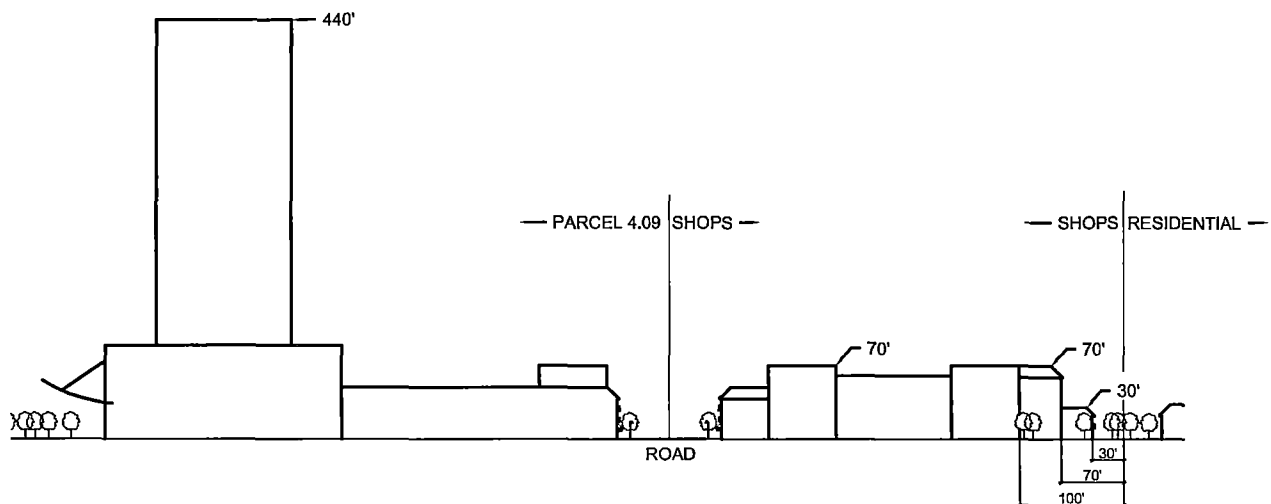
Heights in The Shops shall be 22' minimum to top of parapet or bottom of roof eave.

MAXIMUM BUILDING HEIGHT REQUIREMENTS

- Maximum building height measurements are as defined by the City of North Las Vegas.

THE SHOPS MAXIMUM BUILDING HEIGHT CRITERIA TABLE	
CRITERIA	ZONING: C1 (MPC) AND C2 (MPC)
MAIN STRUCTURE	70' TYPICAL PARCEL 4.09 OF LAND USE PLAN – 440' ADJACENT TO RESIDENTIAL – 70' WITH 1:1 SETBACK

SHOPS PARCEL / NEIGHBORHOOD HEIGHT DIAGRAM



BUILDING MASSING, SCALE & FORM

Box-like or single, monolithic forms that are not relieved by variations in massing of facades are not acceptable. The perceived height and bulk of buildings shall be reduced by dividing the building mass into smaller scale components. Buildings must incorporate jogs, offsets or other architectural features to reduce the visual length of long walls. Variety and/or variation of roof lines is required to reduce the apparent size of commercial buildings and provide visual interest. Building surfaces over two stories high or fifty (50) feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest.

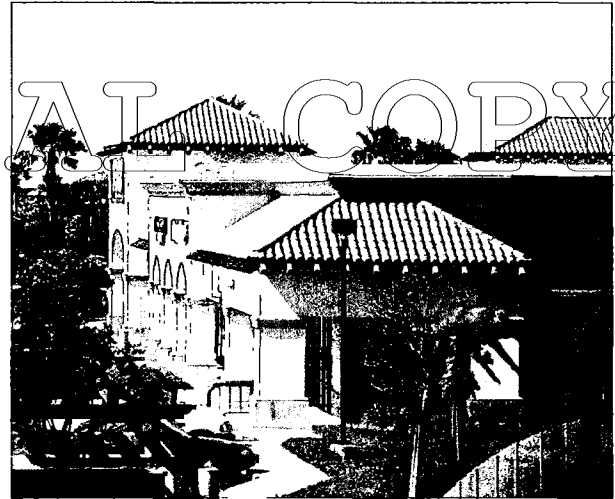
Perceived height and bulk can be reduced by dividing building mass into small scale components. A recessed courtyard is an effective way of dividing building mass into smaller parts.

Buildings shall be compatible with the scale of development allowed by the applicable land uses for the surrounding area as established at the time of application, and shall be sited and designed to provide a sensitive transition to nearby, less intensive, areas.

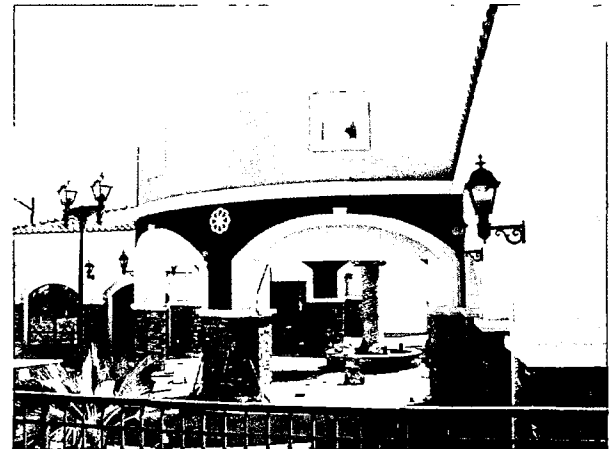
Projects on the edges of zoning districts shall be developed in a manner which minimizes the adverse impacts resulting from incongruous height, bulk and scale of large buildings. Alternatives to mitigate such impacts include, but are not limited to, careful siting and design, additional building setbacks or stepping back of upper floors, and the actual physical reduction of the height, bulk and scale of a project.

Stepping back upper floors is one method of reducing the negative impacts of incongruous height, bulk and scale of larger buildings.

If the parcel designated as RC 4.09 is developed with a casino, the aforementioned standards with respect to scale, massing and form may not be applicable as they could potentially impact the expression and creativity of the design. Therefore, while meeting the architectural character, the final design will occur through the City site plan review process.



MODERN MISSION



MODERN MEDITERRANEAN

BUILDING STYLE AND DESIGN DETAILS

BUILDING ARTICULATION

Building design throughout The Shops shall promote visual interest and diversity through use of architectural articulation. Refer to Exterior Finish Materials in this section for more detail.

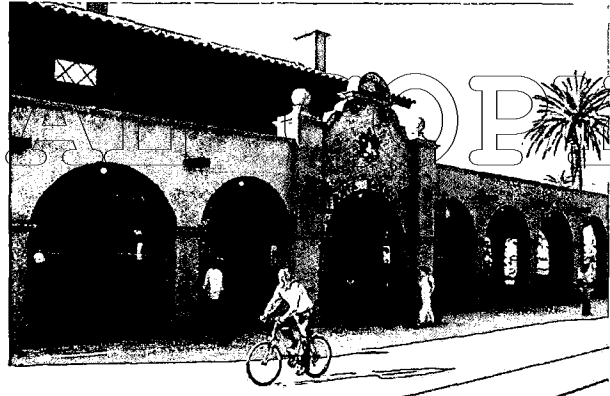
ARCHITECTURAL FEATURES

Appropriately scaled architectural features create visual interest/add diversity to building facades. These features shall be painted a color complementary to the primary building façade. Metal or wrought iron features shall also be painted a color complementary to the building façade, unless a decorative finish is intended (e.g., patina). A galvanized finish is not allowable on any architectural feature.

All buildings in Park Highlands shall adhere to one or a combination of the styles set forth in the architectural vision, in a modern context and comply with 17.24.200 of the Municipal Code.

Mandatory design elements are:

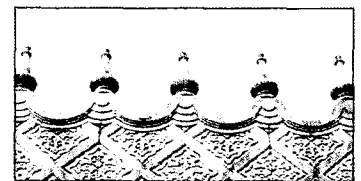
- Articulated ground floor levels or base
- Varied roof heights
- Architectural details and accent materials (such as tile work and moldings) integrated into the building facade



HISTORIC MISSION



HISTORIC ITALIAN RENAISSANCE



MODERN MISSION

7 The Shops



In addition, buildings under one hundred thousand square feet shall be designed to incorporate a minimum of five (5) architectural features from the list below. Buildings over one hundred thousand square feet must include a minimum of six (6) architectural features from the list below. The following is a non-comprehensive list of features:

- Peaked roof forms
- Roof line parapet or balustrades
- Towers
- Canopies, awnings, or porticos
- Chimneys
- Porches
- Stoops
- Balconies
- Outdoor patios
- Arcades
- Arches
- Eaves
- Recesses/projections
- Rustic or refined quoins
- Quartrefoil windows
- Shutters
- Pilasters
- Display windows/window boxes
- Trim surrounds
- Bracketed window cornices
- Window sills
- Decorative pipe vents
- Decorative door knockers
- Stone veneer
- Metal iron work
- Decorative iron sconces
- Articulated cornice line
- Integrated planters or wing walls that incorporate landscape and sitting areas
- Offsets, reveals or projecting ribs used to express architectural or structural bays; exposed rafters
- Other architectural features approved by the ARC and the City

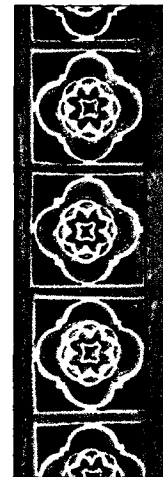
For more information regarding architectural features see architectural vision in the Master Development section of this document.



MODERN MISSION



MODERN MEDITERRANEAN

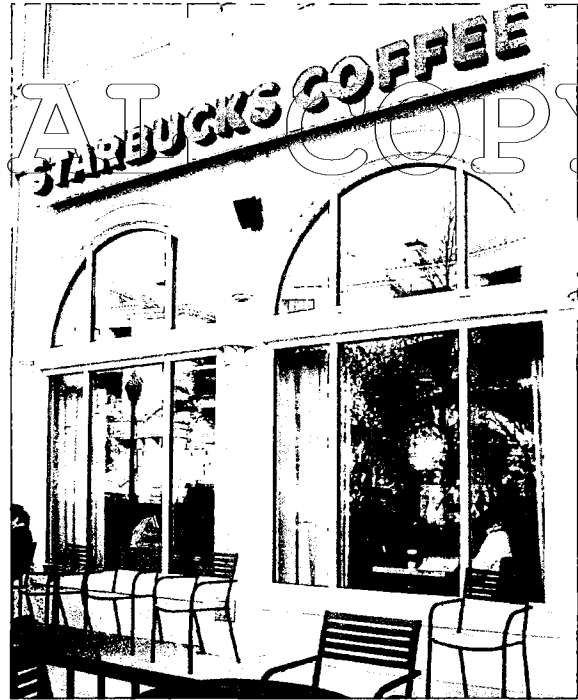


MODERN ITALIAN RENAISSANCE

DOORS, WINDOWS AND GLASS

Thoughtful design of the doors and windows incorporated into a building façade is pivotal to promoting a strong architectural presence from public view in a community. Doors and windows shall be designed to reinforce the architectural vision of Park Highlands. The following are standards:

- Major architectural elements such as feature windows and front doors shall be recessed a minimum 8". Secondary elements in public view shall be recessed a minimum 2". As long as minimums are met, ARC and the City of North Las Vegas have final approval.
- Stone, cast stone, tile, synthetic foam and stucco accents around doors and windows provided they are complementary to the architectural style of the building.
- Covered entries and recessed openings at doorways are encouraged.
- Integral mullions or decorative spacers are allowed in windows.
- Vinyl wrapped windows with or without pop-in mullions are encouraged.
- Window frame colors must blend with exterior material. Preferred colors are taupe, off-white/cream or brown.
- Window grids can't be a 'plant on'.
- Windows shall be of clear glass or a lightly tinted glass of bronze, gray or smoke color.
- Windows shall have a maximum exterior visible reflectivity of 18%. Pink and blue glass is not permitted.
- The use of window awnings, overhangs, and shutters is encouraged, and requires ARC approval prior to installation. Materials and colors shall be the same or complementary to the exterior of the building. Plastic awnings will not be allowed. Metal awnings will require approval prior to construction.



MODERN SPANISH ECLECTIC



MODERN MEDITERRANEAN



MODERN MEDITERRANEAN



MODERN ITALIAN RENAISSANCE

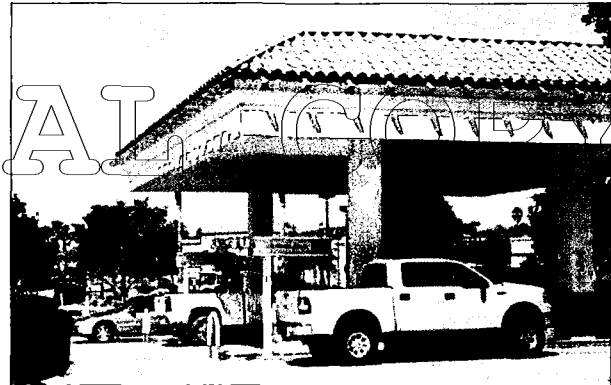
7 The Shops



GAS PUMPS AND CONVENIENCE STORES WITH GAS PUMPS

These are in addition to the City of North Las Vegas Title 17.24.020 – C4.

- Roofs of convenience store building and pump canopy shall be pitched.
- Canopy columns shall be enhanced with masonry that is complimentary to that used on the main building.
- The canopy band face shall be a color consistent with the main structure or an accent color and may not be backlit or used as signage.

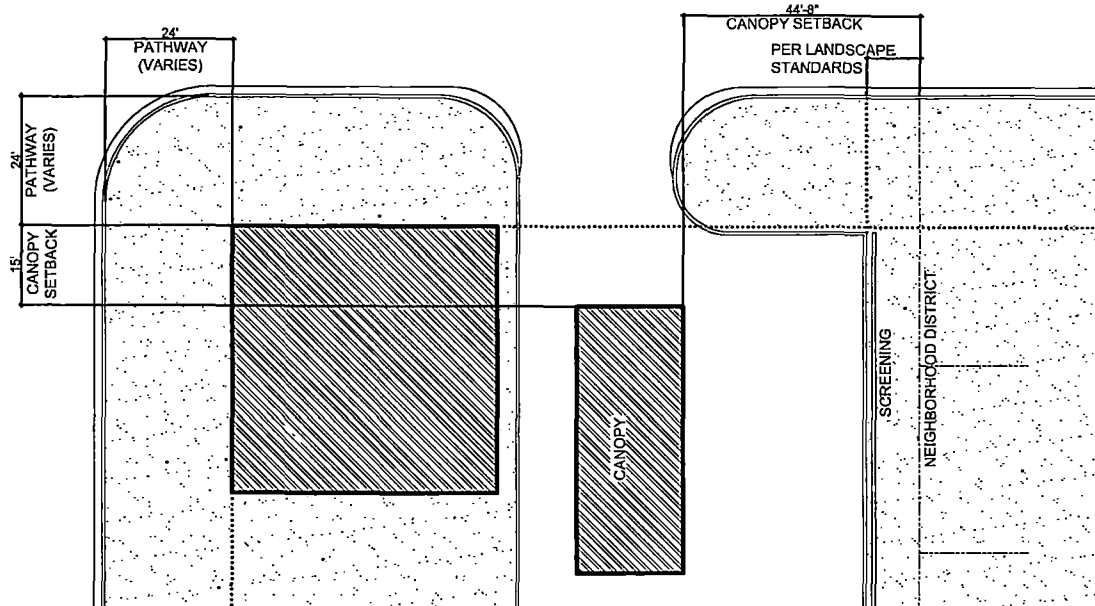


MODERN MISSION

BIG BOX

Refer to the Municipal Code.

CONVENIENCE STORE WITH GAS PUMP DIAGRAM – CONCEPTUAL



EXTERIOR FINISH MATERIALS

BUILDING ELEMENTS AND MATERIALS

In keeping with the project vision of the Park Highlands, materials and elements of buildings and structures will be stylized consistently with the architecture as defined in the Vision Statement. Although buildings may vary with style, the design should support a unified community image rather than be singular to a specific building. Elements and materials not described below will be evaluated individually by the ARC, provided they are consistent with the project vision, character and quality and approved by the City.

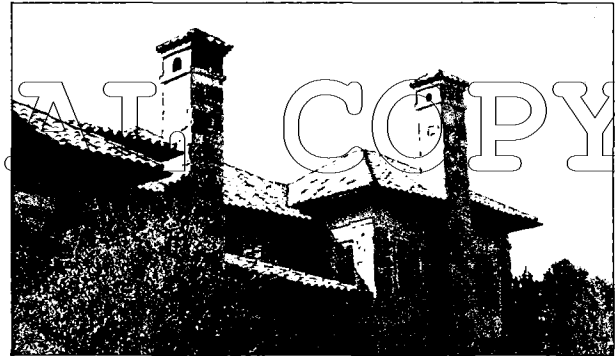
Primary exterior materials shall conform to the architectural vision and guidelines as stated in the Master Development section of this document. In addition to these requirements, EIFS material is allowed 4 ft above finished grade.

Secondary materials used on the façade of a building are those that comprise less than 10% of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, or other materials as approved by the ARC and the City of North Las Vegas.

Exterior materials not permitted include:

- Corrugated Fiberglass
- Plastic Laminate
- Neon
- Highly Reflective Metal
- Shiny Polished Metal
- Glass greater than 18% reflectivity

Refer to 17.24.200 of the Municipal Code for additional information.



HISTORIC MISSION



MODERN SPANISH ECLECTIC

EXTERIOR FINISH COLORS

Building and structure colors will be selected to support a common architectural vision and to promote a strong community image. Building materials having warm hues, such as earth tones and other warm natural colors, will be appropriate for structures in Park Highlands. Black is permitted for use as an accent color, but is not to be used as a primary building color. All proposed colors shall be submitted for approval to the ARC prior to submission to the City of North Las Vegas.

The following is a list of colors that are acceptable for expressed architectural features:

Masonry –

See Architectural Color Palette in the Appendix.

Stucco –

See Architectural Color Palette in the Appendix.

ROOF

Materials –

The following are permitted for use as primary sloped roof materials in the Park Highlands. All materials not listed below will be evaluated individually by the ARC, provided they are consistent with the project vision, character, and quality as described in the Architectural Vision Statement and approved by the City of North Las Vegas. See the Appendix for an approved list of roofing products.

- Concrete “S” Tile
- Clay “S” Tile
- Metal, standing seam roofing systems are allowable on architectural accents only.
- Rolled asphalt, dimensional shingles, wood shingles and flat concrete tile are prohibited roofing materials in all areas of development.

Colors–

Roof colors shall be selected to complement the building exterior finish, and shall be a hue, tone or approved blend of the following.

Primary Roof Structure

See Architectural Color Palette in the Appendix.

Accent Roofing

See Architectural Color Palette in the Appendix.

Form –

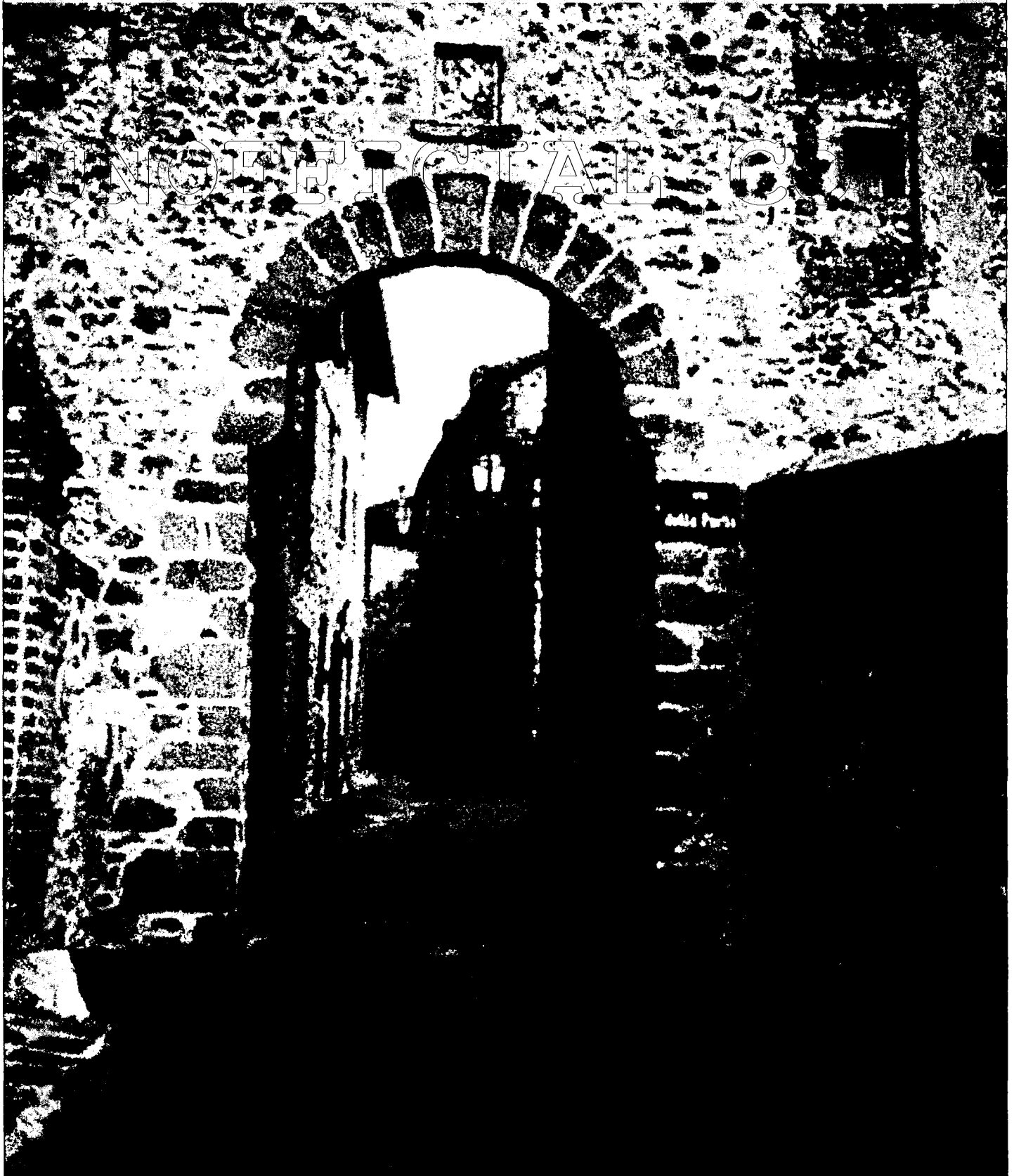
The following are standards for roof design in Park Highlands. All roof configurations shall exhibit some combination of the following:

- Flat roof systems shall include parapet walls or partial roofs for screening roof vents and roof mounted mechanical equipment.
- Pitched roof slopes shall be relatively low (3:12 min. to 6:12 max.). Accent towers and special architectural elements are allowed a maximum pitch of 6:12. Roof pitches over 6:12 must be approved by ARC.
- Pitched roofs shall create eaves for shadows and rain protection. Overhangs are encouraged to be constructed as substantial architectural accents, and protrude a minimum of 24” in The Shops.
- All protrusions will be measured from the primary building façade or incorporate an architectural parapet that enhances the architectural quality of the vision.
- Appropriately scaled roof articulation, including chimneys and dormers, are encouraged to add interest to the roof profile.



HISTORIC SPANISH ECLECTIC

7th Village

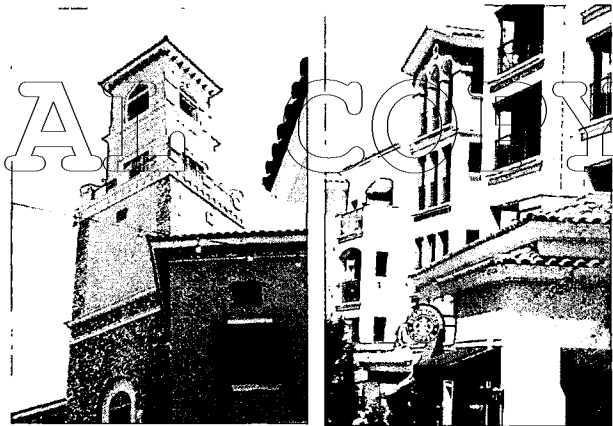


Introduction

The primary vision behind development in Park Highlands' Village is that of a compact, enjoyable community where people can live, work, and shop efficiently in a village setting. Bolstering development in the village is the idea of establishing a dense, pedestrian oriented streetfront animated by a diverse mixture of uses including residential, retail, office, restaurants, and the like. To reinforce the urban streetfront atmosphere, typical buildings in The Village are attached and relatively tall with shallow setbacks. Street trees bring human scale to the street and create strong lines alongside various kinds of decoratively and otherwise paved sidewalks and convenient curbside parking. Parking garages are also significantly utilized to contribute to the urban environment and maximize development potential / land value in Park Highlands. The Village in Park Highlands consists of High Density Residential (HDR), Very High Density Residential (VHDR), and Mixed Use (MU) which allows up to 50 DU/AC. See page 12 for permitted land uses. If it is determined that other than Village uses are applicable, the developer shall look to the other sections in this book for information that applies to the specific use being implemented.

Linked by a public framework system of boulevards, parkways, parks, and amenities The Village of Park Highlands will promote pedestrian activity while accommodating flexible economic opportunities.

Pages 66-98 of these Design Guidelines specifically address HDR and VHDR uses. For MU Guidelines and Standards refer to Exhibit 'A' and Exhibit 'B' located in the Appendix of this document.



MODERN SPANISH ECLECTIC



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Site Design

BUILDING PLACEMENT AND ORIENTATION

Within The Village, buildings should be oriented to the street with inviting and detailed elevations to strengthen the desired image for the area. Only active building elevations and public access shall face the street. The main entrance of each primary structure shall face the street frontage, except on corner lots where the main entrance may face either of the streets or be oriented to the corner. The placement and orientation of buildings along a frontage should create interesting and significant public spaces and help establish a design theme for the streetscape. Effective methods of building placement and orientation include:

- Providing a primary building entrance for ground floor uses along each building façade
- If a building has frontage on more than one public street, providing a single building entrance on the corner
- Using the area between the right-of-way and building to create a plaza court, planter area, bicycle parking, or other pedestrian amenity
- Avoiding excessive setbacks that create gaps or voids along the street's architectural edge
- Providing building frontages with pedestrian oriented architectural elements (e.g., arcades, awnings, porches, etc.) along the ground floor.

Loading, delivery service, and trash collection areas shall be designed and located to minimize their visibility, circulation conflicts, and adverse noise impacts. These areas shall not be located in required setback areas. Corner and mid-block pad buildings shall be oriented to the street and public sidewalk.



MODERN SPANISH ECLECTIC



MODERN MEDITERRANEAN

BUILDING SETBACK

Minimum and maximum building setbacks have been defined to create an engaging pedestrian network and to strengthen visual corridors to village features and civic spaces. All setbacks are measured from the lot line to the closest permanent portion of the building. Building setbacks are as follows:

MINIMUM SETBACK REQUIREMENTS

- When front entry garages are plotted adjacent to one another on adjoining lots on public streets, the front plane of one garage must be offset a minimum of 3' from the garage on the adjacent lot.
- Accessory structures that are provided as detached garages shall have a driveway setback that is up to 5' or greater than 20'.

MAXIMUM SETBACKS

- Front yard - 25'.
- Internal side yard - 40'.
- External side yard - 25'; or in the same plane as the adjoining building.
- Maximum building separation on the same lot - 80'.



MODERN ITALIAN RENAISSANCE



MODERN ITALIAN RENAISSANCE

THE VILLAGE MINIMUM SETBACKS CRITERIA TABLE

CRITERIA	ZONING: RZ-50 (MPC) 25.01 TO 50 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC (SINGLE FAMILY DETACHED)
FRONT –	16’*	16’*	**
SIDE –	5’	5’	**
CORNER SIDE –	16’*	16’*	**
REAR –	15’	15’	**

Note: Developer must show positive drainage on the civil improvement plans in all cases. Single Family requires Minor Modification.

*A setback of 0’ can be used if adjacent to a PUE/PAU. A berm or a wall used for screening, when adjacent to a street, shall be on private property.

**Use information found in The Neighborhood, Zoning:RZ-13 (MPC).

ENCROACHMENT REQUIREMENTS

- In no case shall such projections be closer than 3 feet to any property line and over 14' in length overall.
- The encroachment may be supported by a foundation but may not enclose space within a building.

THE VILLAGE ENCROACHMENT INTO SETBACKS CRITERIA TABLE

CRITERIA	ZONING: RZ-50 (MPC) 25.01 TO 50 DU/AC	ZONING: RZ-25(MPC) 13.01 TO 25 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC (SINGLE FAMILY DETACHED) *
	FRONT YARDS		CORNER SIDE
AIR COOLING SYSTEMS	0'		0'
ARCHITECTURAL EMBELLISHMENT	3'		3'
AWNINGS	5'		5'
BALCONY	5'		5'
BREEZEWAY	0'		0'
CANOPY	5'		5'
CHIMNEY	2'		2'
DECK	5'		5'
DECK, COVERED	0'		0'
EAVES	3'		3'
MEDIA NICHES	3'		3'
PATIO	5'		5'
PATIO, COVERED	0'		0'
PORCH	5'		5'
SOLAR EQUIPMENT	0'		0'
STEPS, OPEN	5'		5'

Notes: Single Family requires Minor Modification.

*Use information found in The Neighborhood, Zoning:RZ-13 (MPC).

LOT WIDTH AND LOT AREA REQUIREMENTS

- These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.
- May be calculated as average lot size per unit per structure.
- Other permitted uses – Minimum area and lot dimensions to be determined by building area, parking requirements and required setbacks.

THE VILLAGE LOT WIDTH AND LOT AREA CRITERIA TABLE			
CRITERIA	ZONING: RZ-50 (MPC) 25.01 TO 50 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC (SINGLE FAMILY DETACHED)
MINIMUM LOT WIDTH – MULTIFAMILY DWELLING	60'	60'	*
TOWNHOUSE CLUSTER & TWO FAMILY	42'	42'	
SINGLE FAMILY DWELLING	*	*	
MINIMUM LOT AREA – MULTIFAMILY DWELLING	1700 SQ. FT.	1700 SQ. FT.	*
TOWNHOUSE CLUSTER & TWO FAMILY	*	*	
SINGLE FAMILY DWELLING	*	*	

Notes: Single Family requires Minor Modification.

*Use information found in The Neighborhood, Zoning:RZ-13 (MPC).

SITE COVERAGE

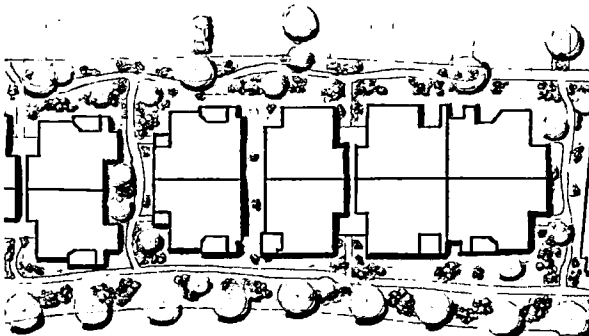
No maximum site coverage as long as design guidelines are followed.

7 The Village



ARCHITECTURAL LAYOUTS AND VISION - MODERN EXAMPLES

The following layouts are only for illustrative purposes to depict relationships, they are not meant to be exact in nature and the photos are only intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature. Below are T3.01-25 DU/AC examples.



MODERN MEDITERRANEAN



MODERN MEDITERRANEAN



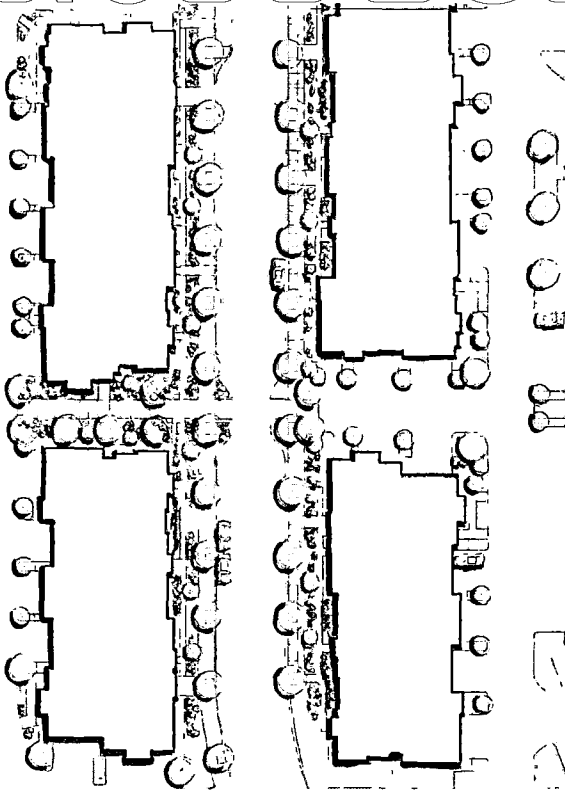
MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC

ARCHITECTURAL LAYOUTS AND VISION - MODERN EXAMPLES (CONT.)

The following layouts are only for illustrative purposes to depict relationships, they are not meant to be exact in nature and the photos are only intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature. Below are 25.01-50 DU/AC examples.



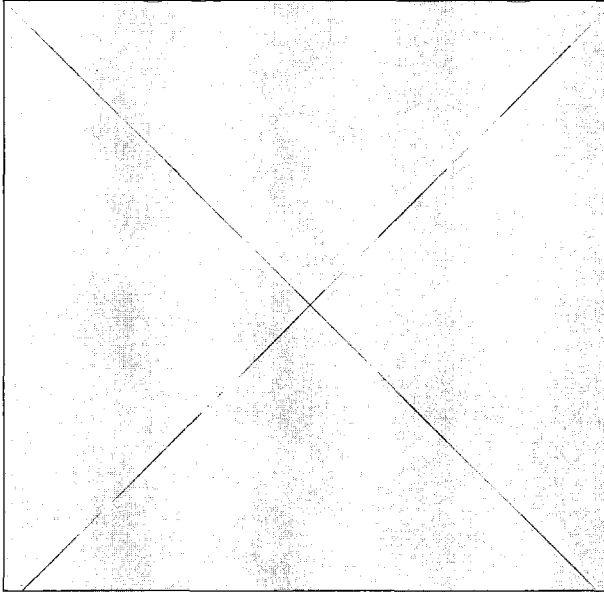
MODERN SPANISH ECLECTIC



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ARCHITECTURAL LAYOUTS AND VISION - MODERN EXAMPLES (CONT.)

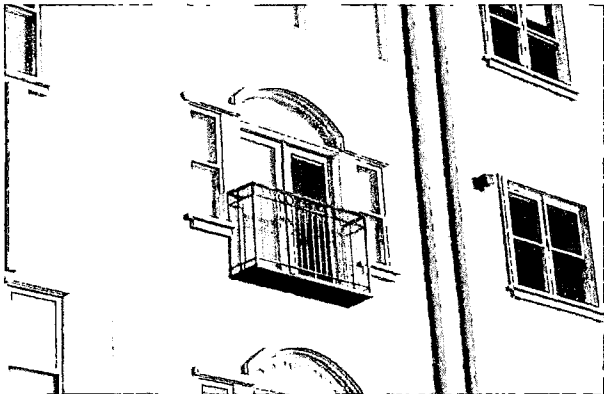
The following layouts are only for illustrative purposes to depict relationships, they are not meant to be exact in nature and the photos are only intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature. Below are 25.01-50 DU/AC examples.



MODERN MEDITERRANEAN



MODERN PARKING



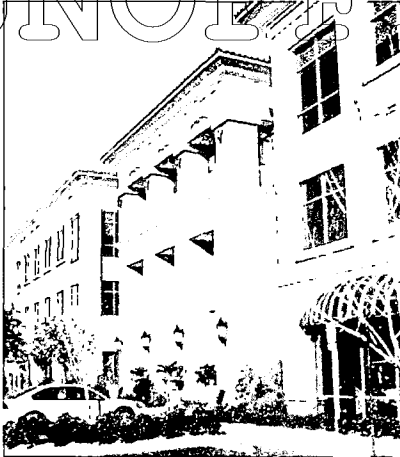
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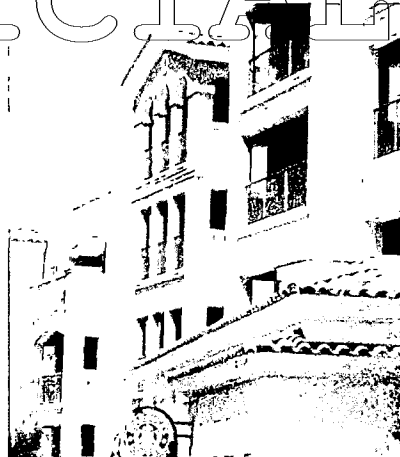
MODERN MEDITERRANEAN

ARCHITECTURAL VISION - MODERN EXAMPLES (CONT.)

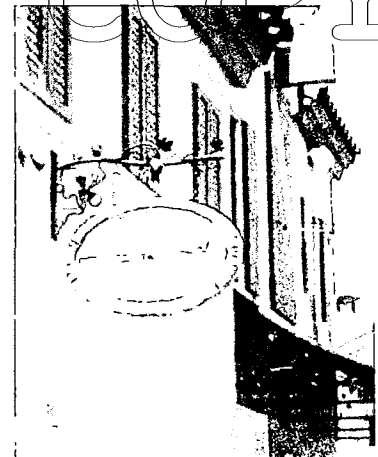
The following photos are only intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature. Below are Mixed Use examples.



MODERN ITALIAN RENAISSANCE



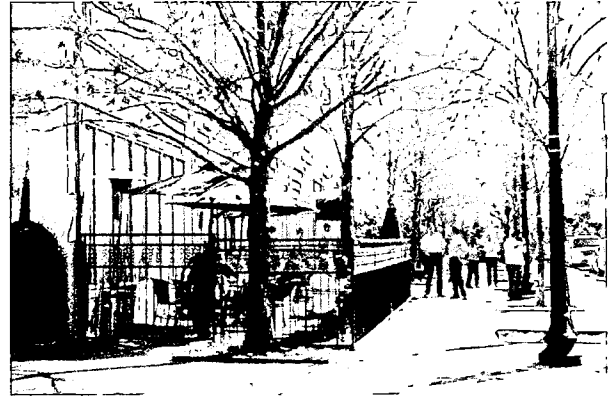
MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC



MODERN MISSION



MODERN ITALIAN RENAISSANCE



MODERN ITALIAN RENAISSANCE



MODERN MEDITERRANEAN



PARKING

The purpose of delineating parking requirements in The Village is to ensure that necessary accommodations afforded to vehicular traffic remain secondary to preserving liberal, safe pedestrian movement. All parking areas shall comply with design standards regarding setbacks, space requirements, ADA compliance, etc and shall be sufficient to meet all parking needs for employees, company vehicles, customers and visitors and shall comply with current zoning requirements. The following guidelines reinforce these standards, and contribute to the establishment of a walkable, pedestrian-oriented community.

A number of varying parking configurations will be appropriate for development in Park Highlands' Village (e.g. on-street, structured, below-grade, or surface parking). In general, all parking areas or parking structures should be designed to minimize any negative aesthetic impact on the community image of Park Highlands' Village. Actual parking space size requirements shall be as per City of North Las Vegas standards. On street parking shall count towards meeting the requirements. In addition to City standards, the following are guidelines for parking design in The Village.

GARAGE PARKING STRUCTURES

With the exception of on-street parking, Village parking will be preferred to be within a structure or below grade parking. Applicants are encouraged to design these structures to be fully encapsulated within or below buildings, in a manner that completely conceals them from public view and does not interrupt the continuity of the pedestrian environment. Parking garages shall be exempt from height restrictions, provided they are not taller than the development they serve; and, are not viewable from the street or any public space.

Should the necessity arise to expose one façade of the garage to a street front, the façade shall comply with all architectural guidelines and restrictions as defined in this document, including building articulation and accent features. In such cases, the incorporation of decorative screen and or trellis elements is strongly encouraged to bring variation and interest to the façade.

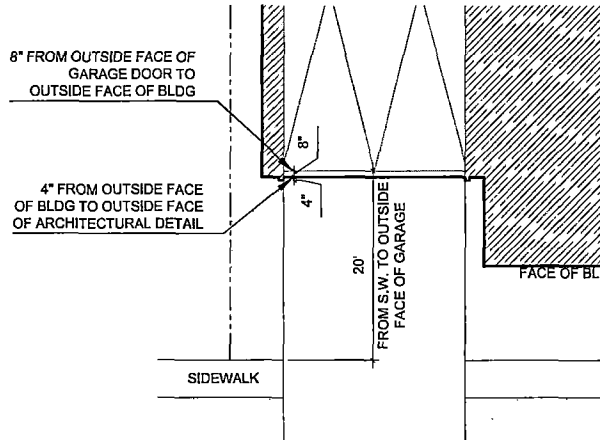
To promote a secure, visually continuous streetscape environment, base level entryways / stairways should be located along the street edge, and should be easily distinguishable and well lit.

SINGLE UNIT GARAGE PARKING

Garage Doors –

Pre-wiring for automatic garage door openers is required. Face of garage doors shall be recessed a minimum of 12" from the facade of the structure which may protrude into the setback, and be complimentary to the exterior color palette of the building. Garage doors void of detail are prohibited. All garage doors shall be submitted to the ARC for approval.

GARAGE DOOR DIAGRAM



SURFACE PARKING

Surface parking lots will include a minimum buffer of 6 feet (with a 3' pony wall option) between the parking and buildings they serve. These areas shall be adequately landscaped (see below), and will be evaluated for approval on a per case basis by the ARC.

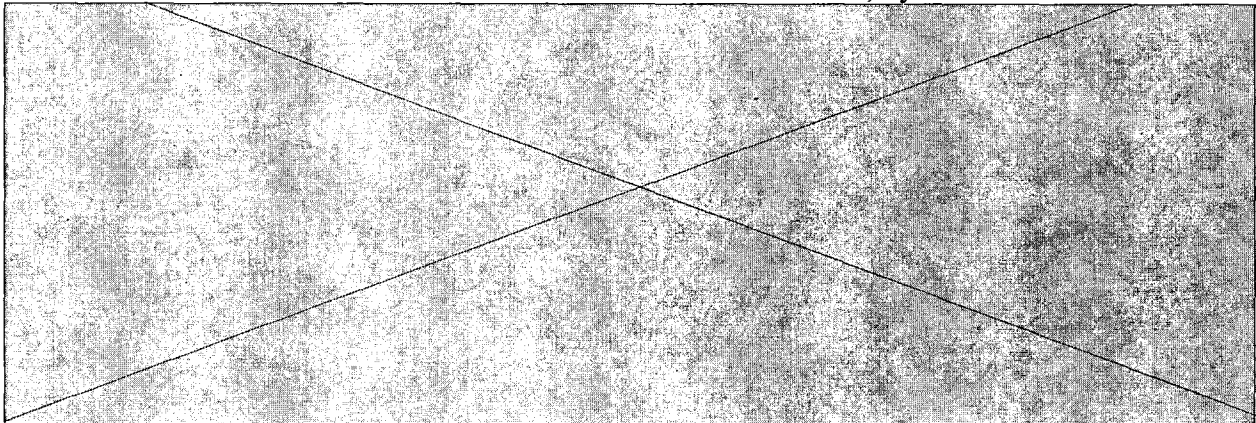
All surface parking areas adjacent to public rights-of-way shall have a 6 foot minimum landscape buffer consisting of a double row of evergreen shrubs reaching 3 feet at maturity. Shrubs shall be installed in a triangular spacing pattern, 36" o.c., and as 5-gallon, 18" height minimum size at installation. In addition, trees shall be incorporated into the required landscape buffer. These trees will be spaced to match street trees, and will be of the same species, size, and quality. In lieu of a double row of shrubs, either a 3' tall decorative wall or a 3' tall berm may be used, reference city standards.

In cases where sidewalks front parking areas, parking setbacks and landscape buffers will be adjusted to preserve a continuous sidewalk line, and to prevent interruption in pedestrian traffic.

Special paving areas are encouraged at crosswalks and building entrances to delineate pedestrian zones and accent large expanses of concrete.

Covered parking is allowed in The Village. Refer to 17.24.140 of the Municipal Code. It must match in character, style and materials to the

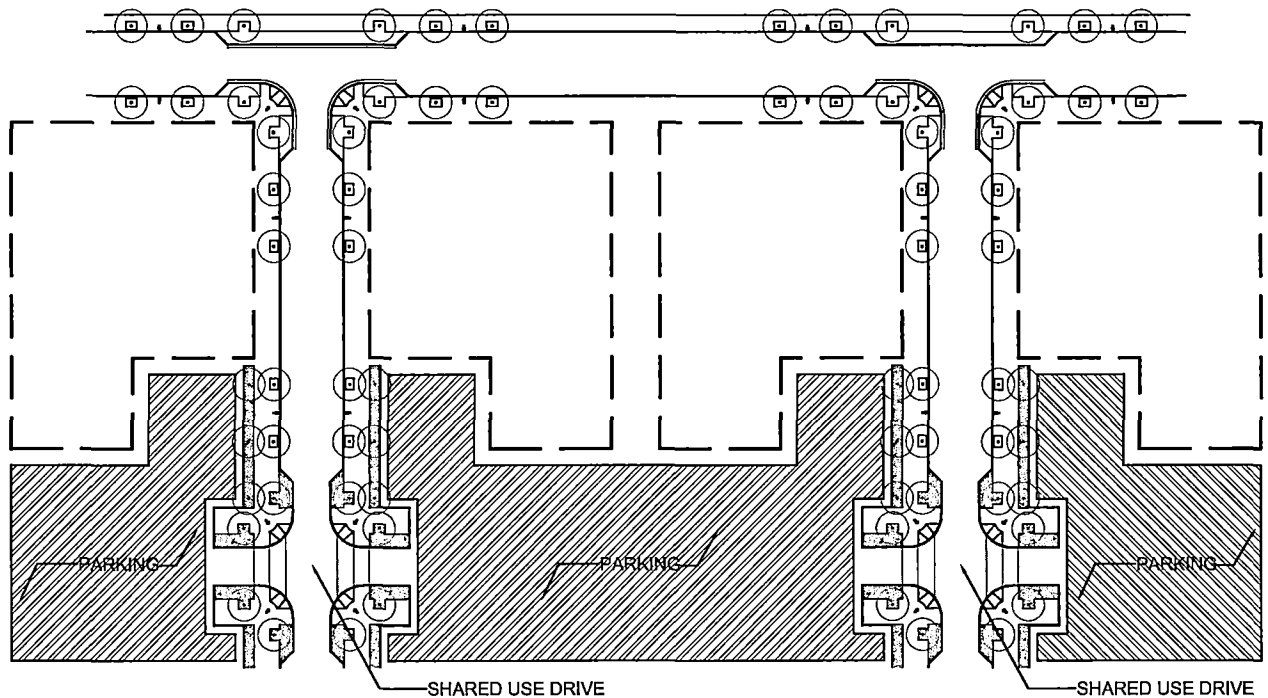
SURFACE PARKING IN THE VILLAGE



SHARED USE DRIVES

Adjoining properties shall share access drives into developments. All site plans shall be submitted for approval to the ARC prior to submission to the City of North Las Vegas for review and approval.

SHARED USE DRIVES DIAGRAM



MINIMUM PARKING REQUIREMENTS

Refer to 17.24.140 – E of the Municipal Code for additional information.

- On-street parking spaces will be counted toward total parking required. Parallel parking space minimum dimension is 22' in length.
- Guest parking spaces will be within 150' of units.
- Shared parking is encouraged.

THE VILLAGE MINIMUM PARKING CRITERIA TABLE

CRITERIA	ZONING: RZ-50 (MPC) 25.01 TO 50 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC (SINGLE FAMILY DETACHED)
RETAIL PARKING	REFER TO THE MUNICIPAL CODE		N/A
OFFICE PARKING	REFER TO THE MUNICIPAL CODE		N/A
RESIDENT PARKING	REFER TO THE MUNICIPAL CODE		**
VISITOR PARKING	REFER TO THE MUNICIPAL CODE		**

Note: Single Family requires Minor Modification. A parking analysis may be performed by a registered professional engineer (with expertise in traffic related issues) justifying the need to provide less than the City standard. Administrative approval for the reduction of the Parking Requirements will be required.

*Not used.

**Use information found in The Neighborhood, Zoning:RZ-13 (MPC).



ON-STREET PARKING EXAMPLE; MODERN SPANISH ECLECTIC

LANDSCAPING

LANDSCAPE AREAS OVERVIEW

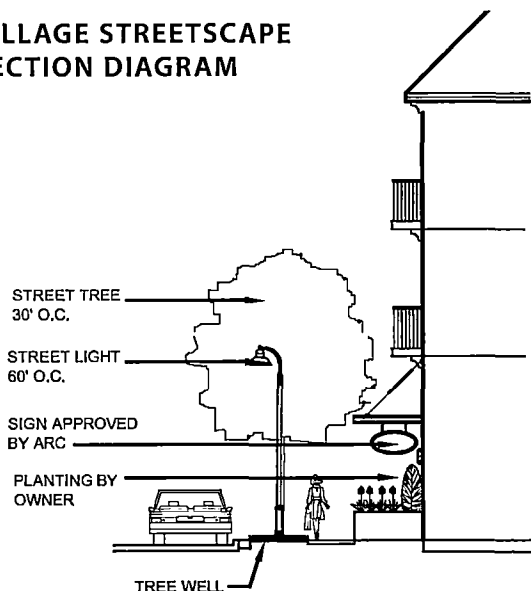
Landscape design in The Village will enhance the character of Park Highlands' architectural vision, and create a cozy, urban atmosphere that promotes a comfortable pedestrian experience. Spaces and plantings shall be designed at a human-scale, and be harmonious to climate and the rest of the development in form and expression.

Street Trees –

In The Village, street trees will be planted approximately 30' O.C. in tree wells having a minimum area of 24 square feet. Tree wells shall be planted with an evergreen groundcover and/or decorative rock with accent plantings. All trees will be required to have root barrier installed if located within 3' (5' recommended) of a wall, sidewalk, street, or public utility easement adjacent to a street. The root barrier shall be placed against and run parallel to above mentioned items for a total length of 5'. In highly trafficked pedestrian settings, tree grates are encouraged.

All tree plantings, whether in tree wells or grated, shall be drained properly to promote healthy and vigorous growth.

VILLAGE STREETSCAPE SECTION DIAGRAM



MODERN MEDITERRANEAN



LANDSCAPE EXAMPLE

Landscape areas around building –

Property owners shall provide landscaping for all structures erected in The Village. Landscape designs shall reinforce the urban street front character, and should introduce an interesting human-scale element to the base of buildings. The use of window boxes, planting pockets, and the like are encouraged.

Developers shall attempt to locate controllers, valve boxes, and other irrigation/electrical equipment requiring access out of public view from walks, drives, and buildings, as best as physically and practically possible. Where not feasible, developers shall screen aforementioned items with a landscape screen per Section 17.24.195 and 17.24.200 of the Municipal Code.

MINIMUM LANDSCAPE REQUIREMENTS

- Any fractional number of plants derived as a result of the below landscaping requirements shall be rounded up to the nearest whole number.

THE VILLAGE MINIMUM LANDSCAPE REQUIREMENTS CRITERIA TABLE

CRITERIA	ZONING: RZ-50 (MPC) 25.01 TO 50 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC (SINGLE FAMILY DETACHED)
TREE, FRONT YARD	REFER TO 17.24.195		*
15 GALLON PLANT OR SAPLING	REFER TO 17.24.195		*
5 GALLON PLANT	REFER TO 17.24.195		*
GROUND COVER	REFER TO 17.24.195		*

Notes: Single Family requires Minor Modification.

*Use information found in The Neighborhood, Zoning:RZ-13 (MPC).



MODERN MEDITERRANEAN

STREETSCAPE

STREET FURNITURE

All property owners, except single family detached, must install approved street furniture within pedestrian rights-of-way on public streets in The Village. Street furniture shall be placed in logical relationship to primary pedestrian movement with higher concentrations at retail buildings and civic/public spaces. See the Appendix for product specifications.

Furniture locations and/or placement intervals shall be as follows, and is subject to approval by the ARC and the City:

Lighting –

Placement is as shown on Village Streetscape Diagram, and shall conform to Title 17.24.195 – C8 of the Municipal Code.

Benches –

Owners may place benches individually or in groupings, but near street lamps, street intersections and building entries as necessary.

25.01 to 50 DU/AC – Benches shall be installed on a one (1) per 150' average or at block corners.

13.01-25 DU/AC – Benches shall be installed on a one (1) per 300' average or at block corners.

Litter Receptacles –

Trash receptacles shall be installed one (1) per two (2) benches or group of benches.

Bicycle Racks –

Bicycle racks shall be placed near building entrances.

Pet Waste Stations –

Pet waste stations are to be located along Village streets approximately every 600' or at logical locations that conveniently serve pedestrian use.

Ash Urns –

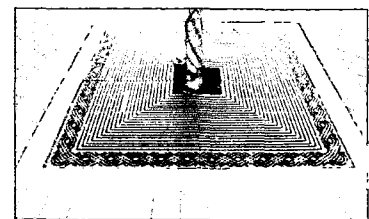
Ash urns are to be used as needed.

Bollards –

Post bollards and/or light bollards shall be installed as needed in drop-off and plaza areas.

Tree Grates –

In highly trafficked pedestrian settings, tree grates are encouraged.



PAVING

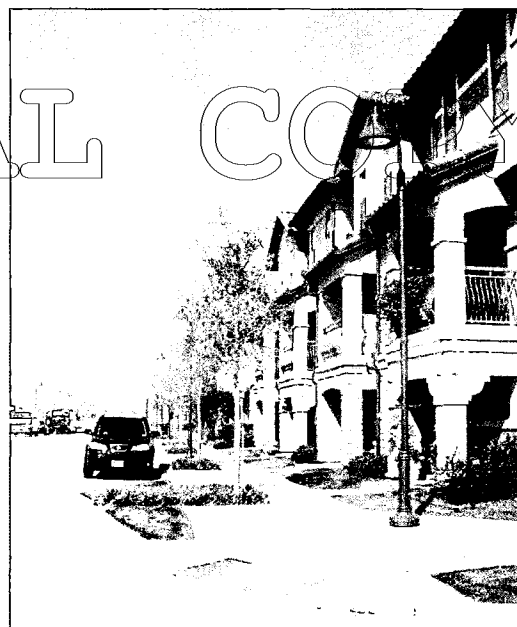
All development sites in The Village shall provide a pedestrian system designed to promote safe, reasonably direct, and convenient circulation of pedestrians and bicycles throughout the entire site and with adjacent land uses. All pedestrian walkways, trails, multi-use paths, and sidewalks shall be considered components of the pedestrian circulation system. The following are guidelines for sidewalk and crosswalk design. Reference diagram on next page.

Sidewalks –

- Pedestrian walkway paving or sidewalks will reinforce the land use infrastructure in Park Highlands' Village.
- Pedestrian walkways or sidewalks shall connect all primary building entrances to one another. They shall also connect all on-site common areas, parking areas, storage areas, open space, and recreational facilities.
- Pedestrian connections between subdivisions and from subdivision to external pathways is strongly encouraged. Pedestrian connections are required for parcels adjacent to schools, parks and trails. Additionally, a minimum of one connection shall be provided between a subdivision and any adjacent trail and/or Pathway.

Crosswalks –

- Where a pedestrian walkway crosses a street at a major intersection, the crosswalk shall be clearly delineated. Non-permanent applications such as painted or thermo-plastic striping are prohibited.



MODERN SPANISH ECLECTIC

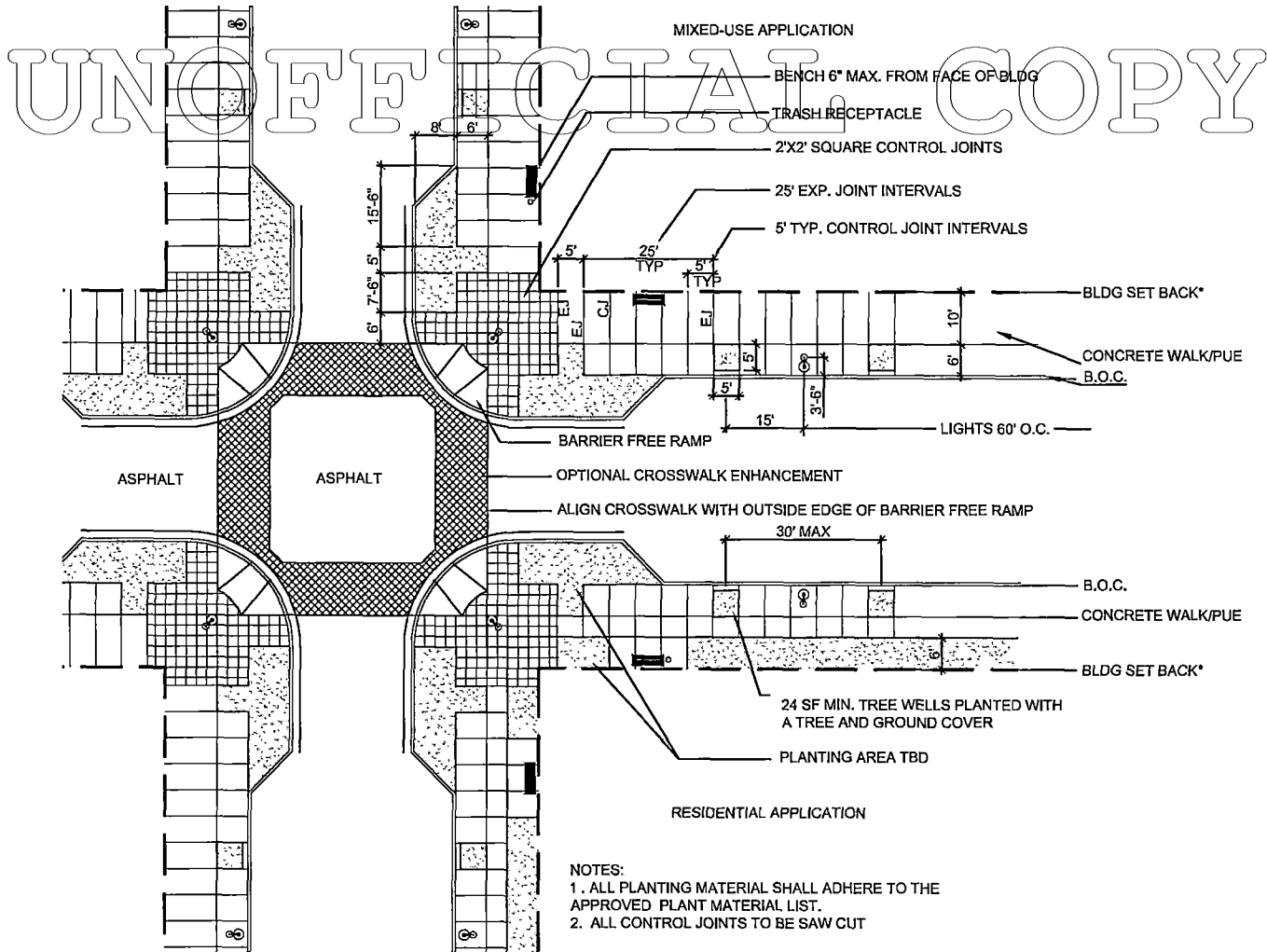


MODERN MEDITERRANEAN



MODERN MEDITERRANEAN

VILLAGE STREETScape DIAGRAM



Note: The above streetscape scene applies only to Land Use categories VHDR.

*Refer to pages 67-69 for more information regarding setbacks.

SIGNAGE

A Master Sign Plan will be submitted for administrative City approval prior to issuing building permits. Refer to 17.24.110 and 17.24.115 of the Municipal Code. All signs must be approved by the ARC in writing prior to submittal to the City for approval. Such approval will be limited to those signs which:

- Identify the name and business of the occupant, give directions, or offer the premises for sale or lease.
- Are not of unusual size or shape when compared to pedestrian scale or buildings on the premises.
- Are oriented perpendicular to primary pedestrian movement.
- Do not project above the roof line of a building.
- Do not block or detract from adjacent property.
- Preserve the quality and atmosphere of The Village.
- Signs of a flashing or moving character and inappropriately colored will not be permitted.
- Fabric awning signage is permitted.
- Temporary sidewalk signs such as freestanding sandwich boards are allowed.

SIGN CLASSIFICATIONS

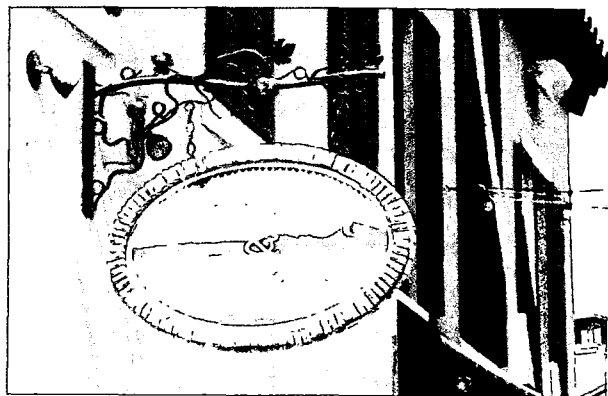
- Monument sign
- Ladder sign
- Internal directional sign
- Real estate sign
- Wall sign
- Window sign
- Marquee/special sign

GENERAL REGULATIONS

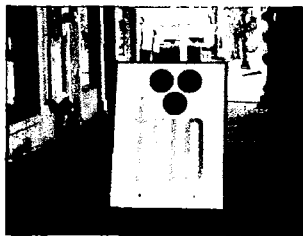
- Prohibited signs – all signs not listed above are prohibited unless approved by the ARC.
- Typeface – TBD
- Materials – TBD

LIGHTING OF SIGNS

Recommended lighting of signs shall be from the front of the sign, backlit or in the form of a spotlight as approved by the ARC.



MODERN SPANISH ECLECTIC



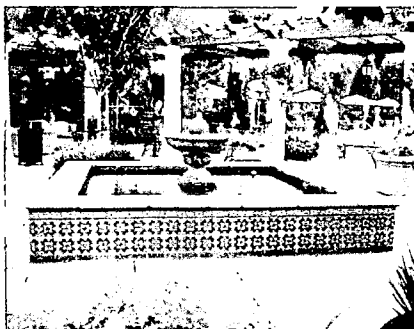
OPEN SPACE

- A minimum of 1 mini park is required per parcel. Mini park plans are to be reviewed in conjunction with the Parks Department prior to installation, subject to Design Guideline standards. Mini parks may include amenities such as pools, shade structures, benches, picnic tables, tot lots, sport courts, spring riders, water play structures, etc.
- Common open space to include foyers, atriums, rooftop areas, community rooms, balconies, etc. on densities greater than 25 DU/AC.
- Active open space includes areas such as mini parks that permit active and/or programmable events.
- Passive open space includes parkways, sidewalks and other similar landscape areas.

THE VILLAGE MINIMUM OPEN SPACE CRITERIA TABLE		
CRITERIA	13 AND GREATER DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC (SINGLE FAMILY DETACHED)
TOTAL COMMON ACTIVE PASSIVE	300 SQ. FT. PER UNIT MINIMUM 150 SQ. FT. PER UNIT MINIMUM 125 SQ. FT. PER UNIT	*
TOTAL PRIVATE MAY BE LOCATED IN FRONT, SIDE, OR REAR YARD	80 SQ. FT. PATIO FOR GROUND FLOOR UNITS (MINIMUM DIMENSION 5') AND 40 SQ. FT. BALCONY FOR UPPER FLOOR UNITS	*

Notes: Single Family requires Minor Modification.

*Use information found in The Neighborhood, Zoning:RZ-13 (MPC).



MODERN SPANISH ECLECTIC



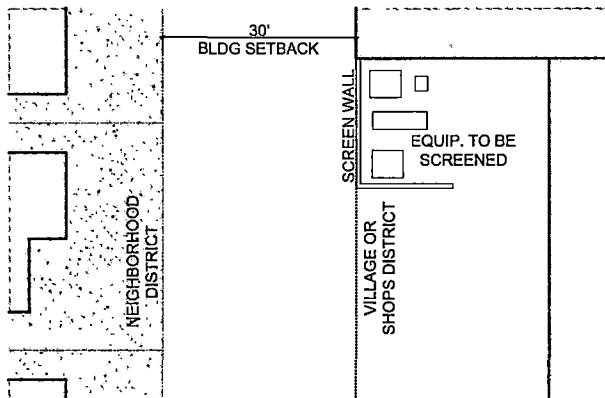
MODERN MEDITERRANEAN

SCREENING & FENCING

SCREENING

Utilities / service areas in Park Highlands, while necessary, are not intended to be viewable from streets, neighboring properties or any public space. Materials and elements used in screening shall be complementary to the architecture and landscape design of the building they serve. The following guidelines function to conceal objectionable areas or activities from public view.

SCREEN WALL DIAGRAM



Utilities and Electrical Equipment –

Buildings adjacent to residential property or property that is designated as residential on the Land Use Plan shall provide a screening wall equal to a minimum of 1' higher than the equipment on all sides that face the residential property.

Exposed conduit, utility boxes, and drain spouts shall be painted to match the color of the building or an accent color. Ladders on the exterior of buildings are not allowed. Natural metal finishes are an acceptable alternative to paint.

Refer to the Municipal Code for more specific screening requirements of all ground-mounted mechanical equipment.

Site Utilities and Exterior Equipment –

All above grade utilities and equipment are to be placed away from public view and neighboring properties. If possible, architectural niches or offsets should be designed to accommodate mechanical equipment.

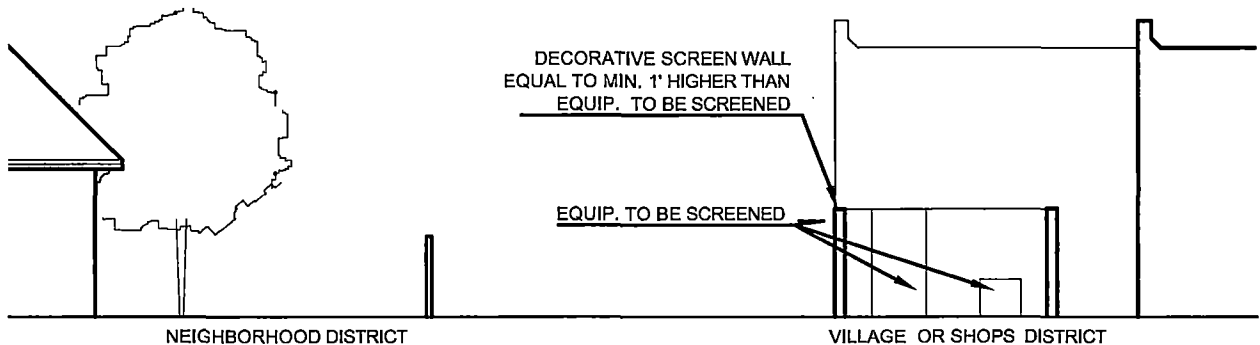
Delivery/Loading and Other Service Areas –

Refer to 17.24.090 and 17.24.200 of the Municipal Code..

Roof Mechanical Equipment –

Roof mounted mechanical equipment shall be screened from public street rights-of-way and pedestrian promenade by parapet walls or continuous partial roofs per the Municipal Code.

DECORATIVE SCREEN WALL DIAGRAM



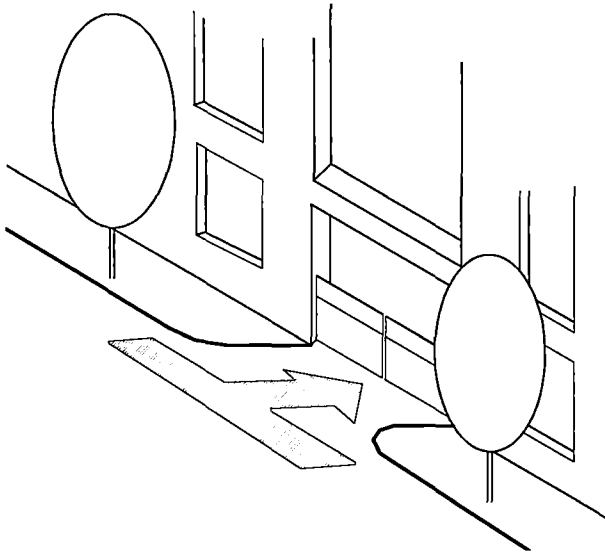
Note: Decorative screen wall must be located outside setback area and must be consistent in appearance with adjacent structures.

Garbage Collection –

Garbage collection areas in The Village are encouraged to be enclosed in the building footprint.

UNOFFICIAL COPY

GARBAGE COLLECTION AREA IN BUILDING ENVELOPE DIAGRAM

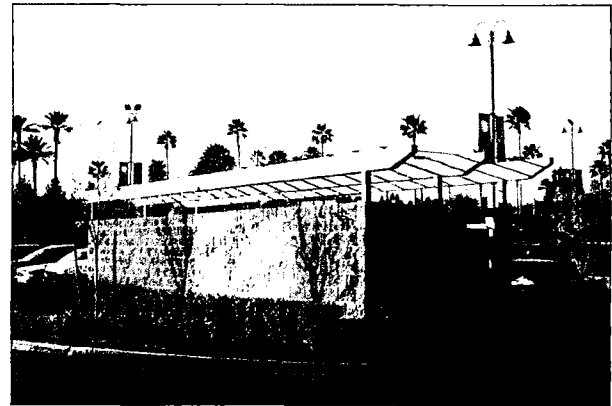
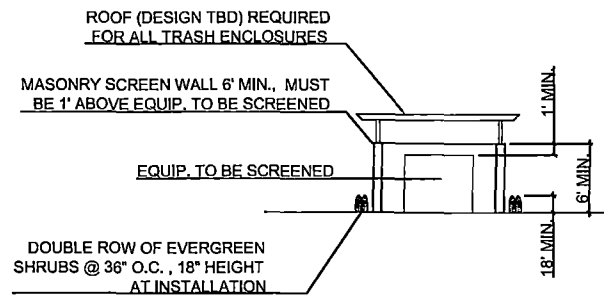


Garbage collection areas that are incorporated into the building shall be screened by a solid metal gate, and shall not face any primary street or civic space.

Trash and recycling receptacles, which must be integrated into the building footprint, shall be screened and enclosed by a decorative masonry wall 6' high, or 1' higher than the container it screens – whichever is greater, and will have a solid, metal gate to screen the opening.

Collection area enclosures not incorporated within the building envelope, shall contain permanent walls on three (3) sides with the service opening (fourth side) not directly facing any public right-of-way. The fourth side will incorporate a solid metal gate to visually screen the dumpster or compactor.

GARBAGE COLLECTION SCREEN WALL DIAGRAM



Trash compactors shall be screened with an eight (8) foot masonry wall of a color that is consistent with the color of the primary building. Enclosures shall be visually and aesthetically compatible with the overall project.

Roofs are required on all trash enclosures. Where visible from public view, a double row of evergreen shrubs (5-gallon, 18" height minimum size at installation) shall be planted in a triangular spacing pattern, 36" o.c., at the base of the screen wall. Enclosures shall be visually and aesthetically compatible with the overall project.

WALLS AND FENCING

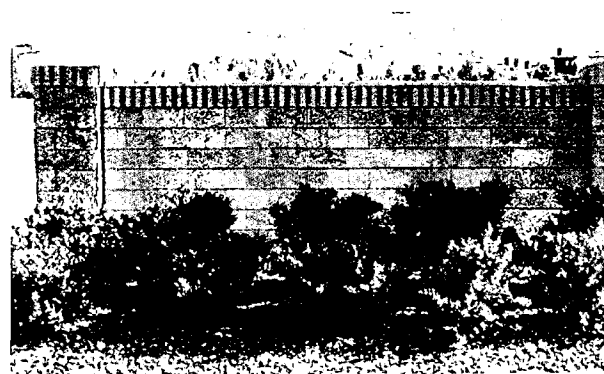
Walls and fencing in Park Highlands shall be designed as functional architectural accents – not fortifications that interfere with the promotion of a sense of community or a pedestrian-friendly spirit. Grey block is prohibited.

Perimeter Walls –

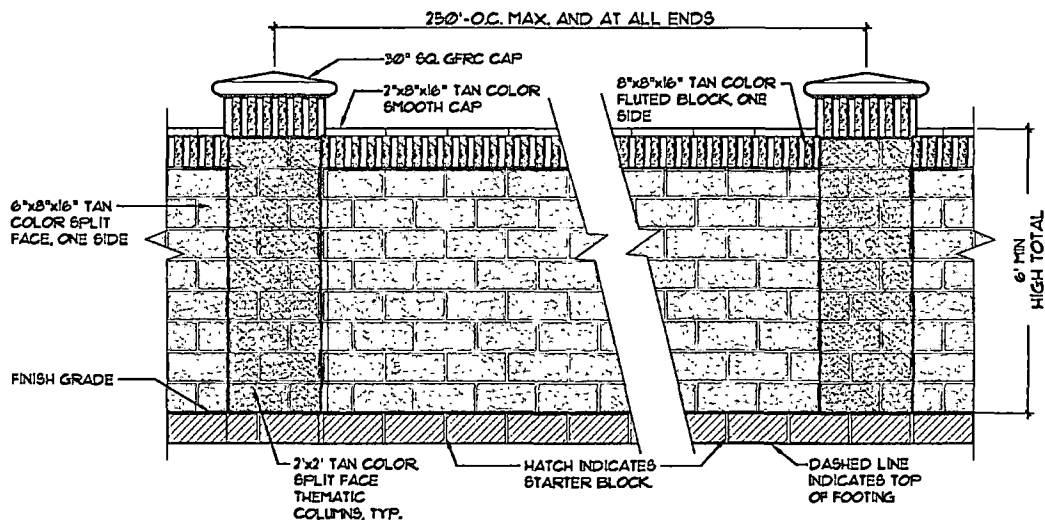
Perimeter walls may be built along the perimeter of each Subdivision where the Subdivision adjoins Arterial and Collector streets or Common Areas or when the front, side or rear Lot line is adjacent to any Street or Common Area, or when they define individual development parcels, or when the Subdivision lies adjacent to a Commercial Area. Perimeter walls shall be minimum six feet and maximum eight feet in height, or eight feet adjacent to commercial (exclusive of retaining walls), as measured from the highest adjacent finish grade to the top of the wall and match or complement the style or theme established by the Master Developer. For other wall requirements refer to the Municipal Code. The color and materials of perimeter walls shall be as shown in this Exhibit. View segments may be incorporated into perimeter wall designs where privacy or screening is not required. Certain locations fronting Open Space areas or recreational features may be appropriate locations for limited view

wall segments. Curvilinear walls shall be permitted if their effect is consistent with the overall design character of the community.

When a right-of-way or Common Space inside a Subdivision lies adjacent to an exterior Pathway, trail or park without developable Lots separating the two (see page 28 for an example), a decorative open-style view fence or gate may be installed in lieu of the perimeter wall to separate the two rights-of-way. Such decorative open-style view fence shall be a maximum of six (6) feet in height and shall match or complement the style or theme established for fences by the Master Developer. Pedestrian gates are encouraged at these locations. Additionally, a minimum of one connection shall be provided between a subdivision and any adjacent trail and/or Pathway.



PERIMETER WALL DIAGRAM



Interior Privacy Walls and Fences –

Privacy walls and view fences may be constructed along all Lot lines. Privacy walls and view fences along side and rear Lot lines shall be a minimum of six (6) feet in height as measured from the highest adjacent finish grade to the top of the wall on each lot or deeded parcel. At locations where privacy walls can be seen from outside of the subdivision, the privacy walls shall match or complement the perimeter walls located along the perimeter of the Subdivision and the design theme established for the architecture within the Subdivision. Stepped or arcaded walls are encouraged. No fence or wall that exceeds 36 inches in height shall be allowed in any front yard. A 30" minimum planting strip between any wall greater than 36" and any sidewalk or curb shall be provided.

Minimum six-inch thick walls are required to provide a massive look where ends of walls are exposed. View fences shall be constructed of wrought iron, painted aluminum, polymer or precast baluster rails. Gates shall be fabricated of wrought iron or painted aluminum. Coated walls may be accepted if approved by the ARC.

Privacy walls or view fences may be added to retaining walls adjacent to private property as long as the combination of the retaining wall and view fence does not exceed twelve (12) feet in height, with the retaining wall not exceeding 6'.

Courtyard Walls –

Courtyard walls may only be located within the front yard area. Front courtyard walls cannot exceed 36 inches in height and shall meet setback requirements. Courtyard walls shall be of the same material finish and color of the building and may include wrought iron. Use of gates is allowed so long as gate material and color complement the building, or any view fences located on the Lot or within the Subdivision.

Wall Alterations –

No structural alterations, changes, attachments or additions shall be allowed to walls constructed on any Lot. However, open decorative view fencing may be installed atop such walls subject to these Guidelines, and with approval of the ARC.

Building/Architectural Design

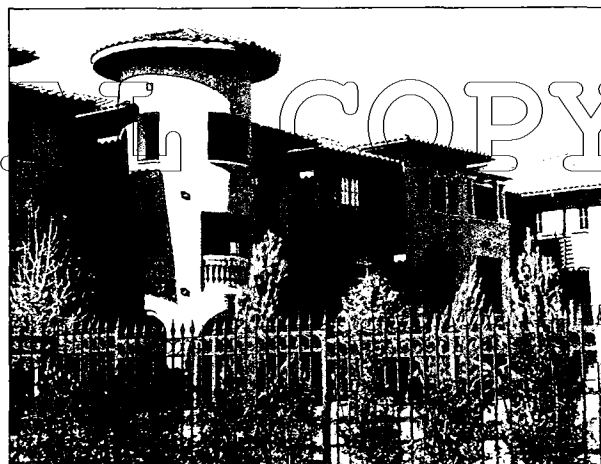
Structures in The Village shall be designed to support the creation of a concentrated, urban street front environment that is comfortably engaged by residents and consumers. Village buildings shall also create visual interest and showcase the architectural vision.

BUILDING PROGRAMMING

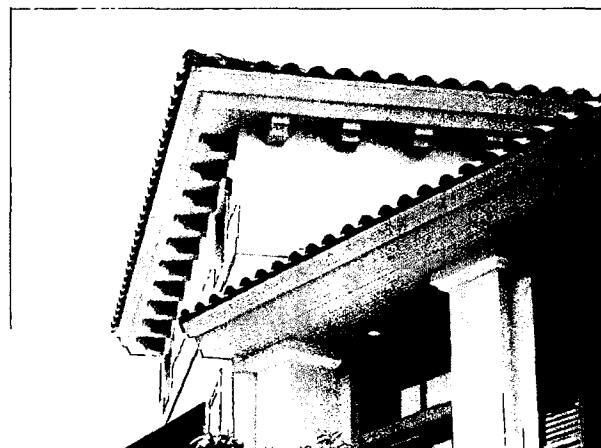
The following guidelines have been fashioned to create a community of buildings that are pedestrian-oriented and promote natural access to the street and civic spaces.

All buildings shall be oriented to front streets and civic/public spaces. These uses may include leasing offices, fitness centers, community centers, etc.

Sidewalk entries shall be located to accommodate ease of pedestrian movement along primary streets. Entries to retail space, public/civic space, and residential units will meet this requirement, except where buildings face parks, plazas, or other common areas unless otherwise approved.



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THE VILLAGE ARCHITECTURAL VARIETY CRITERIA TABLE			
CRITERIA	ZONING: RZ-50 (MPC) 25.01 TO 50 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC <small>(SINGLE FAMILY DETACHED)</small>
COLOR SCHEMES	DESIGN APPROVAL BY THE ARC AND PER THE DESIGN GUIDELINES		*
DISTRIBUTION	DESIGN APPROVAL BY THE ARC AND PER THE DESIGN GUIDELINES		*

Notes: Single Family requires Minor Modification.

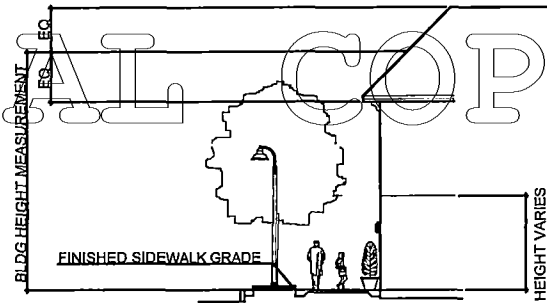
*Use information found in The Neighborhood, Zoning:RZ-13 (MPC).

BUILDING HEIGHT

MAXIMUM BUILDING HEIGHT REQUIREMENTS

- Measurement as defined by the City of North Las Vegas
- Not to exceed current building code.

BUILDING HEIGHT MEASUREMENT DIAGRAM



THE VILLAGE MAXIMUM BUILDING HEIGHT CRITERIA TABLE

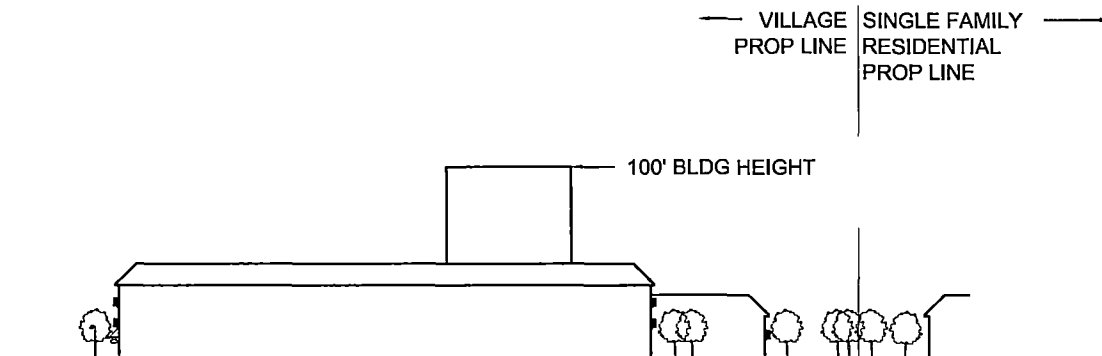
CRITERIA	ZONING: RZ-50 (MPC) 25.01 TO 50 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC	ZONING: RZ-25 (MPC) 13.01 TO 25 DU/AC <small>(SINGLE FAMILY DETACHED)</small>
MAIN STRUCTURE	100' TYPICAL ADJACENT TO RESIDENTIAL – 60' WITH 1:1 SETBACK	60' WITH 1:1 SETBACK FROM SINGLE FAMILY	*

Notes: Single Family requires Minor Modification. Required height setback from Single Family can include adjacent full Right of Way.

*Use information found in The Neighborhood, Zoning:RZ-13 (MPC).

Heights in The Village shall be two story minimum on residential.

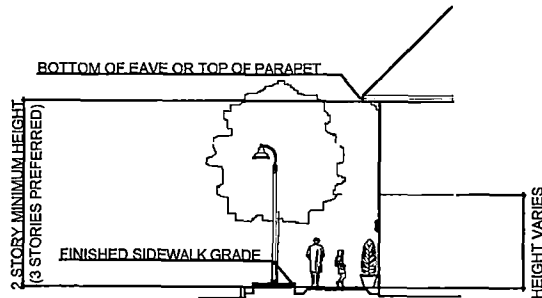
VILLAGE/NEIGHBORHOOD HEIGHT DIAGRAM



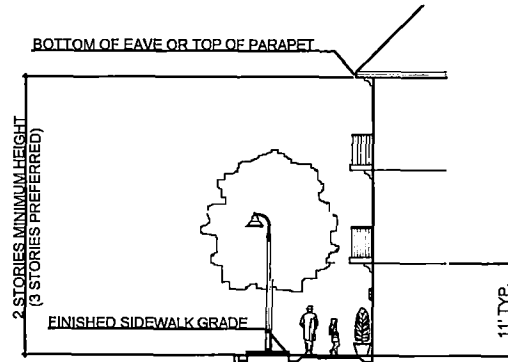
RESIDENTIAL BUILDING

In order to achieve The Village feel it is encouraged for buildings to be a minimum height of 2 stories for multi family buildings and 2 stories for single family homes (3 stories preferred).

THE VILLAGE BUILDING HEIGHT-
RESIDENTIAL/SINGLE-FAMILY DIAGRAM



THE VILLAGE BUILDING HEIGHT-
RESIDENTIAL/MULTI-FAMILY DIAGRAM



7 The Village



BUILDING MASSING, SCALE & FORM

Building design throughout The Village shall promote visual interest and diversity through the use of building massing changes. Box-like or single, monolithic forms that are not relieved by variations in massing of facades shall not be permitted.

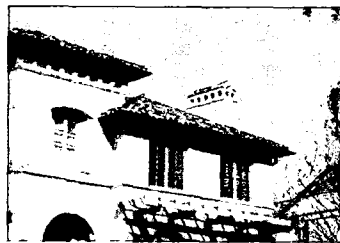
The perceived height and bulk of buildings shall be relieved by variations in massing and/or articulation of facades to reduce the visual length of long walls. Variation of roof lines may also be used to reduce the apparent size of mixed use buildings and provide visual interest. Building surfaces over two stories high or fifty (50) feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest.



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MODERN ITALIAN RENAISSANCE



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BUILDING STYLE AND DESIGN DETAILS

BUILDING ARTICULATION

Building design throughout The Village shall promote visual interest and diversity through use of architectural articulation. Refer to Exterior Finish Materials in this section for more detail.

ARCHITECTURAL FEATURES

Appropriately scaled architectural features create visual interest/add diversity to building facades. These features shall be painted a color complementary to the primary building façade. Metal or wrought iron features shall also be painted a color complementary to the building façade, unless a decorative finish is intended (e.g., patina). A galvanized finish is not allowable on any architectural feature.

All buildings in Park Highlands shall adhere to one or a combination of the styles set forth in the architectural vision, in a modern context.

Mandatory design elements are:

- Articulated ground floor levels or base
- Varied roof heights
- Architectural details and accent materials (such as tile work and moldings) integrated into the building facade

In addition, buildings in The Village shall be designed to incorporate a minimum of five (5) architectural features from the list below. The following is a non-comprehensive list of features:

- Peaked roof forms
- Roof line parapet or balustrades
- Towers
- Canopies, awnings, or porticos
- Chimneys
- Porches
- Stoops
- Arcades
- Arches
- Eaves
- Recesses/projections

- Rustic or refined quoins
- Quartrefoil windows
- Shutters
- French doors
- Pilasters
- Display windows/window boxes
- Trim surrounds
- Bracketed window cornices
- Window sills
- Decorative pipe vents
- Decorative door knockers
- Stone veneer
- Metal iron work
- Decorative iron sconces
- Articulated cornice line
- Integrated planters or wing walls that incorporate landscape and sitting areas
- Offsets, reveals or projecting ribs used to express architectural or structural bays; exposed rafters
- Other architectural features approved by the ARC and the City

For more information regarding architectural features see architectural vision in the Master Development section of this document.



MODERN SPANISH ECLECTIC



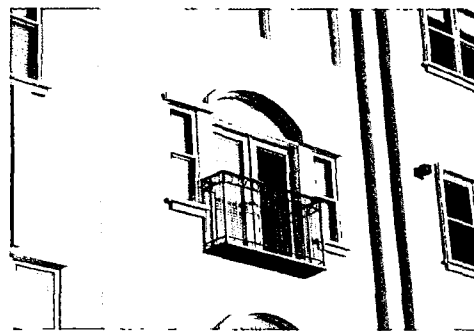
DOORS, WINDOWS AND GLASS

Thoughtful design of the doors and windows incorporated into a building façade is pivotal to promoting a strong architectural presence from public view in a community. Doors and windows shall be designed to reinforce the architectural vision of Park Highlands. The following are standards:

- Major architectural elements such as feature windows and front doors shall be recessed a minimum 8" from outermost point of building envelope. Secondary elements in public view shall be recessed a minimum 2". As long as minimums are met, ARC and the City have final approval.
- Stone, cast stone, tile, synthetic foam and stucco accents around doors and windows provided they are complementary to the architectural style of the building.
- Covered entries and recessed openings at doorways are encouraged.
- French doors on residential balconies.
- Sliding glass doors are permitted as long as doors facing public rights-of-way incorporate gridding.
- Integral mullions or decorative spacers are allowed in windows but must be approved by the ARC.
- Vinyl wrapped windows with or without pop-in mullions are encouraged.
- Window frame colors must blend with exterior material. Preferred colors are taupe, off-white/cream or brown.
- Window grids can't be 'plant on'.
- Windows shall be of clear glass or a lightly tinted glass of bronze, gray or smoke color.
- Windows shall have a maximum exterior visible reflectivity of 18%. Pink and blue glass is not permitted.
- The use of window awnings, overhangs, and shutters is encouraged, and requires ARC approval prior to installation. Materials and colors shall be the same or complementary to the exterior of the building. Plastic awnings will not be allowed. Metal awnings will require approval prior to construction.



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GUTTERS AND DOWNSPOUTS

If gutters and downspouts are used to control runoff from roof surfaces, they shall be incorporated into building design as refined elements, and when pragmatic, should be placed at corners of buildings. Downspouts in Park Highlands shall incorporate splash guards and be connected to a surface or storm drainage system.

All gutters and downspouts shall be aluminum and painted to accent building facades, or they shall be copper and remain unpainted. Alternative materials will be evaluated individually by the ARC provided they are consistent with the project vision, character, and quality. Commercial building downspouts are not allowed.



MODERN MEDITERRANEAN



MODERN MEDITERRANEAN

EXTERIOR FINISH MATERIALS

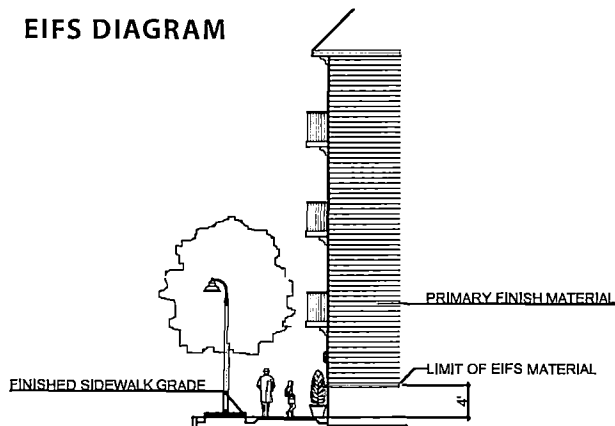
BUILDING ELEMENTS AND MATERIALS

In keeping with the project vision of Park Highlands, materials and elements of buildings and structures will be stylized consistently with the architecture as defined in the Vision Statement of the Master Development section of this document. Although buildings may vary with style, the design should support a unified community image rather than be singular to a specific building.

Facades of all buildings shall be masonry, stucco, or a balanced composite of these materials. EIFS material is allowed 4 ft above finished grade. Finish textures shall be compatible with the architecture of the building. Elements and materials not stated will be evaluated individually by the ARC, provided they are consistent with the project vision, character and quality and approved by the City.

The number of primary exterior materials shall be limited to two (not including architectural accent features, roofing materials and window glass). The dominant primary cladding material shall extend around the corner to a building massing break located not less than 10' from the building corner and then extending back a minimum of 2' from the terminating face. Wood siding, metal siding, and highly reflective, mirrored or unusually colored glass are not allowable. No more than 60% of any building exterior may be expressed as glass.

EIFS DIAGRAM



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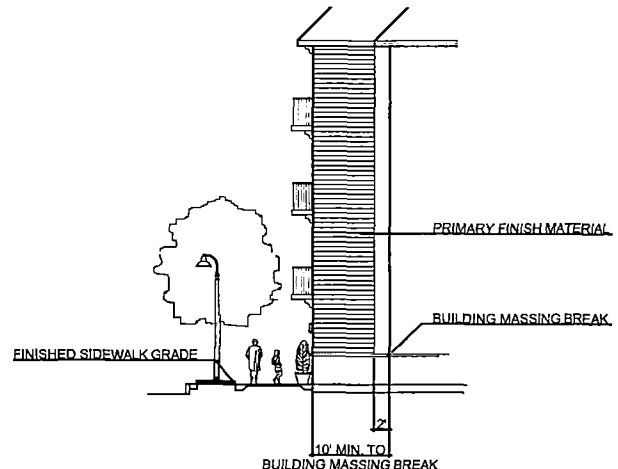


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MODERN SPANISH ECLECTIC

PRIMARY CLADDING DIAGRAM



Carter-Burgess

urbandesign

EXTERIOR FINISH COLORS

Building and structure colors will be selected to support a common architectural vision and to promote a strong community image. In general, building materials having warm hues, such as earth tones and other warm natural colors, will be appropriate for structures in Park Highlands. Black is permitted for use as an accent color, but is not to be used as a primary building color. All proposed colors shall be submitted for approval to the ARC prior to submission to the City of North Las Vegas.

The following is a list of colors that are acceptable for expressed architectural features:

Masonry –

See Architectural Color Palette in the Appendix.

Stucco –

See Architectural Color Palette in the Appendix.

ROOF

Materials –

The following are permitted for use as primary sloped roof materials in the Park Highlands. All materials not listed below will be evaluated individually by the ARC, provided they are consistent with the project vision, character, and quality as described in the Architectural Vision Statement and approved by the City of North Las Vegas. See the Appendix for an approved list of roofing products.

- Concrete “S” Tile
- Clay “S” Tile
- Metal, standing seam roofing systems are allowable on architectural accents only.
- Rolled asphalt, dimensional shingles, wood shingles and flat concrete tile are prohibited roofing materials in all areas of development.

Colors–

Roof colors shall be selected to complement the building exterior finish, and shall be a hue, tone or approved blend of the following.

Primary Roof Structure

See Architectural Color Palette in the Appendix.

Accent Roofing

See Architectural Color Palette in the Appendix.

Form –

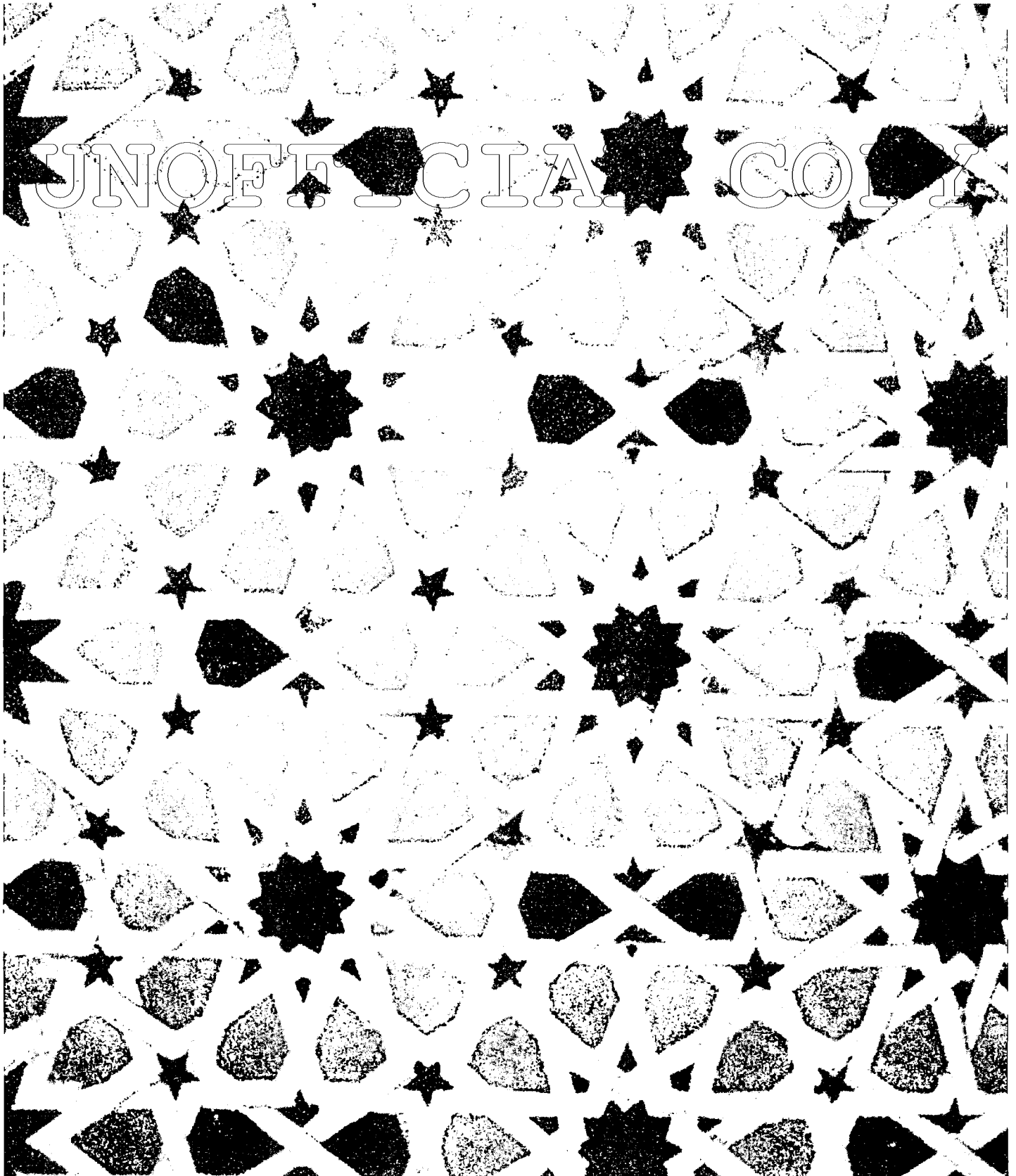
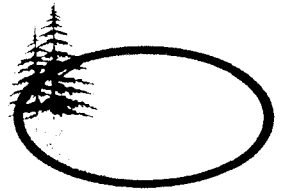
The following are standards for roof design in Park Highlands. In general, all roof configurations should exhibit some combination of the following:

- Flat roof systems shall include parapet walls or partial roofs for screening roof vents and roof mounted mechanical equipment.
- Pitched roof slopes shall be relatively low (3:12 min. to 6:12 max.). Accent towers and special architectural elements are allowed a maximum pitch of 6:12. Roof pitches over 6:12 must be approved by ARC.
- Pitched roofs shall create eaves for shadows and rain protection. Overhangs are encouraged to be constructed as substantial architectural accents, and protrude a minimum of 18” in The Village on attached product.
- All protrusions will be measured from the primary building façade or incorporate an architectural parapet that enhances the architectural quality of the vision.
- Appropriately scaled roof articulation, including chimneys and dormers, are encouraged to add interest to the roof profile.



HISTORIC SPANISH ECLECTIC

7





Introduction

Spurring development in The Neighborhood is the concept of creating a living district, within the urban context of Park Highlands, with characteristics that promote a pleasant visual experience and encourage residents to engage their environment. The Neighborhood of Park Highlands consists of single family lots, Medium-Low Density Residential (MLDR), Medium Density Residential (MDR), and Medium-High Density Residential (MHDR). The land use designation permits zoning districts up to the maximum density permitted by the land use category. Refer to the Development Agreement for lots adjacent to the conservation area. Refer to page 12 of this document for permitted land uses. If it is determined that other than Neighborhood uses are applicable, the developer shall look to the other sections in this book for information that applies to the specific use being implemented.

Tree-lined streets and pedestrian-oriented corridors provide ready access to open space amenities such as parks, Special-Use Recreational Facility, trail heads, trails and schools. Garage access is meant to be secondary, putting the frontage emphasis on architecture, pedestrian circulation, open space, and public space connections.

- ① 10.01 TO 13 DU/AC
- ② 6.01 TO 10 DU/AC
- ③ UP TO 6 DU/AC
- ④ UP TO 4 DU/AC



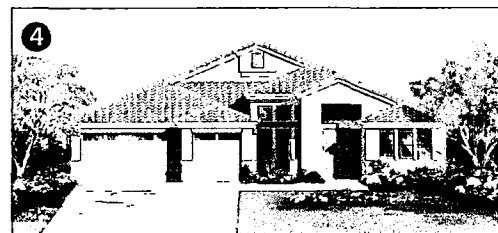
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Site Design

BUILDING PLACEMENT AND ORIENTATION

In The Neighborhood, all sites shall be designed to create smooth slope transitions adjacent to streets and open spaces through the use of various techniques such as smooth transition of grades at the property lines, blending of cut and fill slopes, and terracing of retaining walls.

Cut and fill slopes shall be rounded where they meet natural grade so that they blend with the natural slope. All slopes shall be designed and constructed in accordance with applicable City of North Las Vegas ordinances and as set forth in the approved site-specific geotechnical investigation report.

Where feasible, and when geotechnical conditions are favorable, natural features such as washes should be retained in their natural state to the greatest extent possible and integrated into the design of the site. The area around the channel or wash which is to be retained in its natural state, improved as a nonconcrete channel, or improved with a combination of natural materials and stamped concrete, may be counted toward the requirements for open space within the subdivision.

Developers are strongly encouraged to incorporate bicycle and pedestrian paths, and landscaping, along drainage channels and washes. If maintenance roads for a channel are required, consideration should be given to designing them to accommodate maintenance vehicles, bicyclists and pedestrians. The area of such paths along drainage channels and washes may be counted toward the open space requirements of the subdivision, provided such areas are amenitized per other sections of this document.

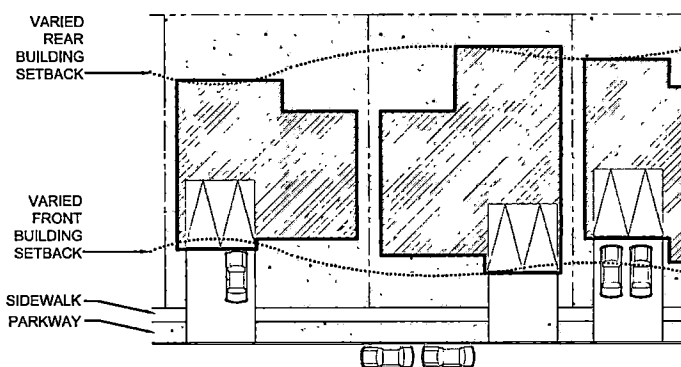
BUILDING SETBACK

Minimum building setbacks have been defined to strengthen visual corridors to neighborhood features and to create a logical pedestrian network connecting public spaces. They are as follows, except as otherwise noted or necessary to accommodate utility or open space easements:

MINIMUM SETBACK REQUIREMENTS

- All setbacks are measured from the lot line to the closest permanent portion of the building. Except when the private street is established as an easement over the property, the setback shall be measured from the back of sidewalk, or back of curb where there is no sidewalk.
- Side yard setback may be 0' provided that the remaining side yard is a minimum of 10' in width in parcels up to 6 units per acre (RZ-4 (MPC) and RZ-6 (MPC)) and a minimum of 7' in width in parcels 6.01 to 13 units per acre (RZ-10 (MPC) and RZ-13 (MPC)). A recorded maintenance easement must be granted by the property owner adjoining that side of the lot on which the side yard has been eliminated.
- For developments containing fifty (50) dwelling units or more and less than 6 dwelling units per acre, at least one model shall be designed in such a manner that the garage, when its main door is facing the street, is recessed from the front plane of the house by a minimum of two feet. For developments of greater than 6 dwelling units per acre, at least one model shall be designed in such a manner that the garage, when its main door is facing the street, is recessed from the front plane of the house by a minimum of two feet; excluding those garages setback 5 feet from the right-of-way.
- When front entry garages are plotted adjacent to one another on adjoining lots on public streets, the front plane of one house must be offset a minimum of 3' from the house on the adjacent lot. Exceptions will be made for curvilinear streets.
- Side loaded garages shall have a minimum of twelve (12) square feet of glass and an additional eight (8) square feet of architectural embellishment, in the garage wall facing the street and the rear wall of the garage.
- Accessory structures that are provided with front loaded as detached garages shall have a driveway setback that is up to 5' or greater than 20'.
- Minimum lot size for casita / accessory structures is 5000 sq. ft. or greater.
- For Neighborhood Street Sections refer to the Development Standards.
- Rear – When houses abut Arterial Roads, Collector Roads or Public Parks, no more than three adjacent dwellings may have the same rear setback; otherwise an additional offset of at least 5' is required.
- Varied setbacks are encouraged but not mandatory beyond the written requirements set forth in this document and by the City

VARIED SETBACK DIAGRAM





THE NEIGHBORHOOD MINIMUM SETBACKS CRITERIA TABLE				
CRITERIA	ZONING: RZ-13 (MPC) 10.01 TO 13 DU/AC	ZONING: RZ-10 (MPC) 6.01 TO 10 DU/AC	ZONING: RZ-6 (MPC) UP TO 6 DU/AC	ZONING: RZ-4 (MPC) UP TO 4 DU/AC
FRONT				
**STREET TYPE:				
1,1A	15'	15'	15'	10'/15'*
2	8'	10'	10'	NA
3	10'	10'	10'	NA
4	8'	10'	10'	NA
5	NA	NA	NA	20'***
PRIVATE DRIVE****	3'	3'	3'	NA
FRONT ENTRY GARAGE @ STREET TYPES 1, 1A, 3 *****	UP TO 5' OR 20' MEASURED TO FACE OF GARAGE DOOR		20' MEASURED TO FACE OF GARAGE DOOR FROM PROPERTY LINE	
FRONT ENTRY GARAGE @ STREET TYPES 2, 4, 5	20' MEASURED TO FACE OF GARAGE DOOR FROM PROPERTY LINE			
PRIVATE DRIVE GARAGE	UP TO 8' OR 20' MEASURED TO FACE OF GARAGE DOOR		20'	
SIDE LOADED GARAGE AND ACCESSORY STRUCTURES	SINGLE STORY – 10' FRONT TWO OR MORE STORIES – 15' FRONT			
SIDE	3.5'*****	3.5'*****	5'	5'
REAR*****	3.5'	3.5'	15'	20'
REAR PATIO COVERS	5'	5'	5'	10'
ACCESSORY STRUCTURES –				
SIDE	3'	3'	3'	3'
CORNER SIDE	10'	10'	10'	10'
REAR*****	3'	3'	3'	3'

Note: Multifamily developments in The Neighborhood shall have a 20' minimum building separation between principal structures (14' at Triplex product) and 10' for accessory structures.

*10' for single story elements / 15' for two or more story elements.

**Refer to Development Standards, Exhibit S06 and S06A, for Neighborhood Street Sections. Single Family detached units having a density greater than 10 DU/AC are required to use street types 2-4 along major spine streets.

***Can be reduced to 10' for no more than 50%.

****At Private Drive developer shall enhance pavement with something other than standard grey concrete. See diagram.

*****Assumes positive drainage can be achieved, per geotechnical report and shall be shown on the civil improvement plans.

*****Single Family residential developments that are immediately adjacent to the Preserve and parallel to and west of the Eglinton Escarpment (Parcels 1.02, 1.04, 2.02, 2.03, 2.05) shall have a minimum lot size of 7500 sf and have a minimum rear setback of 25' on two story structures and a minimum rear setback of 20' on single story structures.

*****Street type 3 shall have no more than 25% reduced garage setbacks.



MINIMUM ENCROACHMENT REQUIREMENTS

- The encroachment may be supported by a foundation, but may not enclose space within a building.

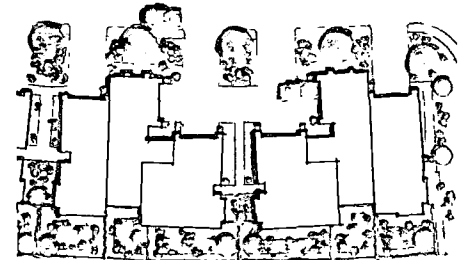
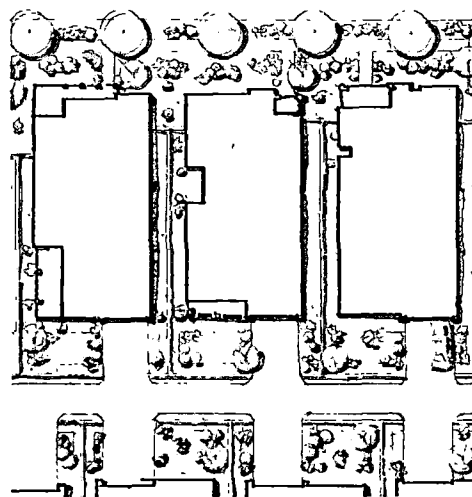
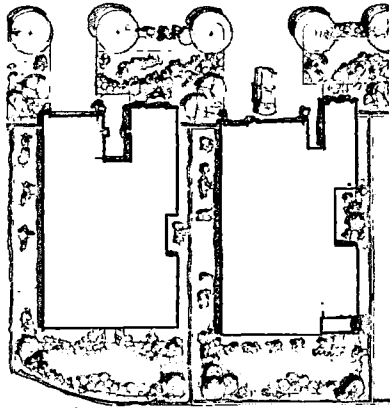
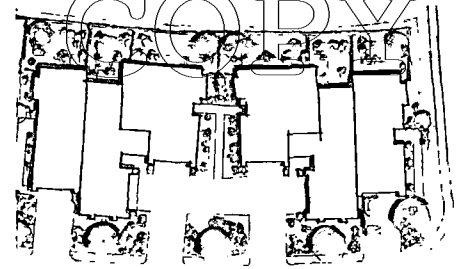
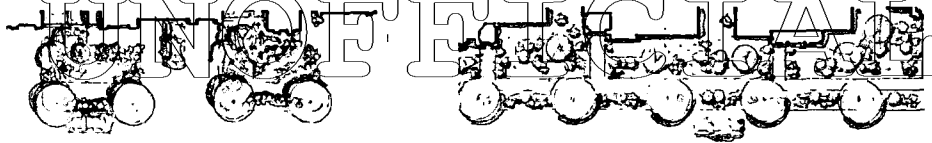
THE NEIGHBORHOOD ENCROACHMENT INTO SETBACKS CRITERIA TABLE				
CRITERIA	ZONING: RZ-13 (MPC) 10.01 TO 13 DU/AC	ZONING: RZ-10 (MPC) 6.01 TO 10 DU/AC	ZONING: RZ-6 (MPC) UP TO 6 DU/AC	ZONING: RZ-4 (MPC) UP TO 4 DU/AC
	FRONT YARD**	CORNER SIDE	REAR YARD	
AIR COOLING SYSTEMS	0'	5'	5'	
ARCHITECTURAL EMBELLISHMENT	2'	3'	3'	
AWNINGS	2'	3'	2'	
BALCONY	5'	2'	5'	
BREEZEWAY	0'	5'	5'	
CANOPY	0'	5'	5'	
CHIMNEY	2'	3'	5'	
COURTYARD	5'	5'	5'	
DECK	5'	5'	5'	
DECK, COVERED	0'	0'	5'	
EAVES	2'	2'	3'	
GARAGE, FRONT PLANE	0'	0'	0'	
MEDIA NICHES*	0'	3', 14' LENGTH MAX	5', 14' LENGTH MAX	
PATIO	5'	5'	10'	
PATIO, COVERED	0'	0'	10'	
PORCH	5'	0'	10'	
SOLAR EQUIPMENT	0'	5'	5'	

*In no case shall such projection be closer than 3 feet to any property line except in 0' lot line design.

**Front Yard Encroachments: For street type 3, on the side of the street without a sidewalk, there shall be a minimum 10' building setback (excluding garage) with a 6' landscape area back of curb. Courtyards, patios, etc would be permitted to encroach a maximum of 4' into the 10' building setback area. Refer to the setback table on page 103 for more information. See street type 3 diagram on page 106.

CONCEPTUAL LAYOUTS DEPICTING BUILDING TO STREET RELATIONSHIPS

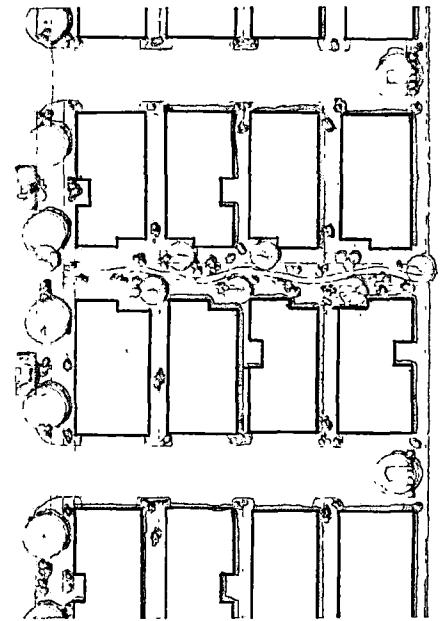
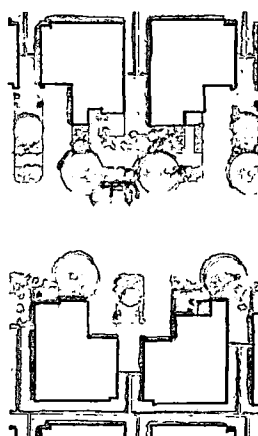
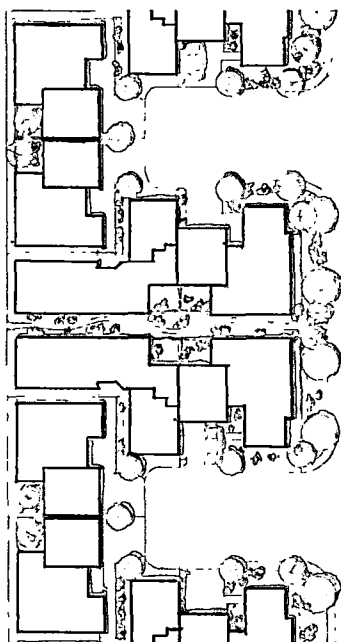
The following conceptual layouts are only for illustrative purposes and are not meant to be exact in nature. For specific requirements refer to the appropriate sections in this document.



UP TO 6 DU/AC PLAN EXAMPLE

UP TO 6 DU/AC WITH ALLEY PLAN EXAMPLE

6.01-10 DU/AC PLAN EXAMPLE

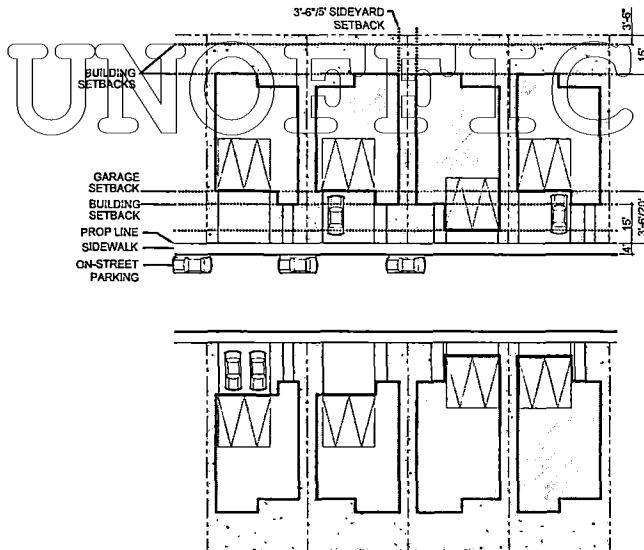


6.01-10 DU/AC PLAN EXAMPLE

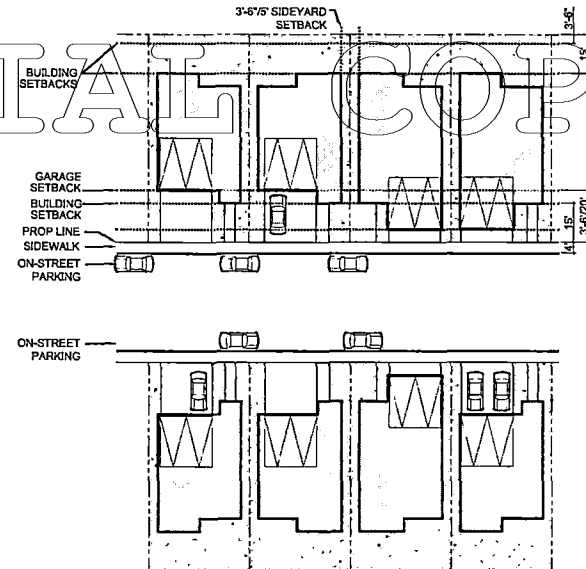
10.01-13 DU/AC PLAN EXAMPLE

10.01-13 DU/AC PLAN EXAMPLE

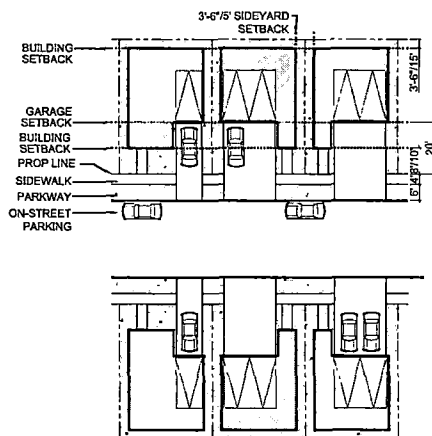
STREET TYPE 1 DIAGRAM



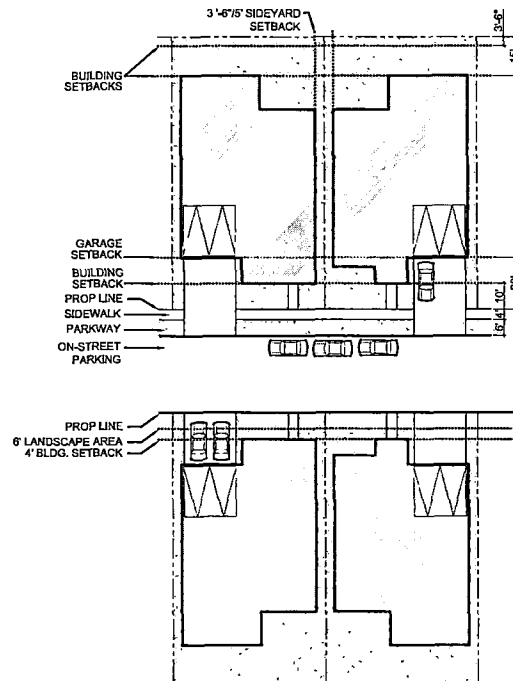
STREET TYPE 1A DIAGRAM



STREET TYPE 2 DIAGRAM



STREET TYPE 3 DIAGRAM



Note: Refer to Development Standards, Exhibit S06 and S06A, for Neighborhood Street Sections. Single Family detached units having a density greater than 10 DU/AC are required to use street types 2-4.

STREET TYPE 5 DIAGRAM

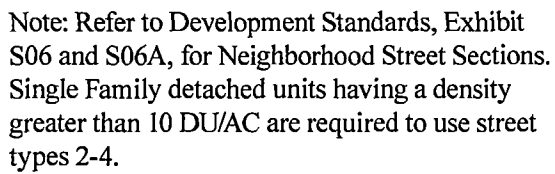
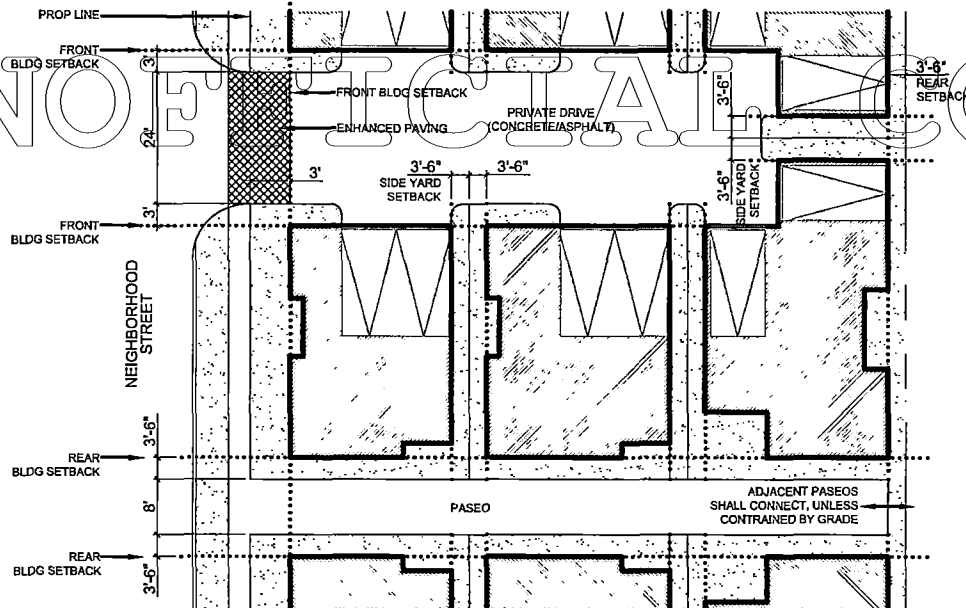


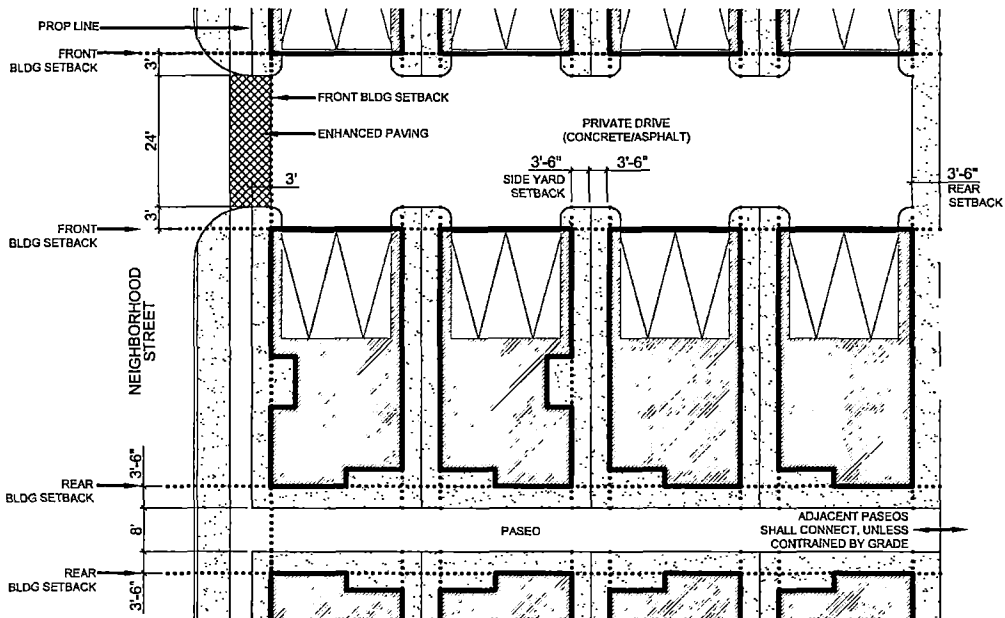
Diagram illustrating the required clearances for a car lift installation:

- 8" FROM OUTSIDE FACE OF GARAGE DOOR TO OUTSIDE FACE OF BLDG**: Clearance between the garage door and the building exterior.
- 4" FROM OUTSIDE FACE OF BLDG TO OUTSIDE FACE OF ARCHITECTURAL DETAIL**: Clearance between the building exterior and the architectural detail.
- 20" FROM S.W. TO OUTSIDE FACE OF GARAGE**: Clearance from the sidewalk to the outside face of the garage.
- PROP LINE**: Property line.
- FACE OF BLDG**: Building exterior face.
- SIDEWALK**: Sidewalk area.

PRIVATE DRIVE EXAMPLE 1 DIAGRAM

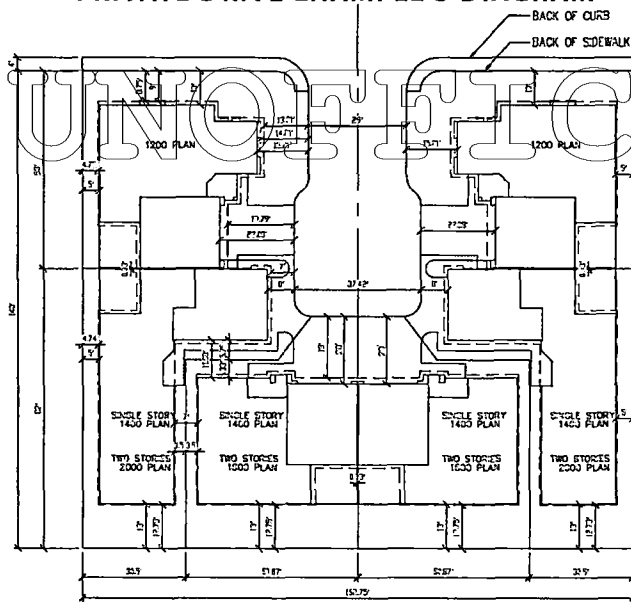


PRIVATE DRIVE EXAMPLE 2 DIAGRAM



Notes: Builder has option to attach units as long as Design Standards, City standards and building codes are met. Builder must provide a minimum of one tree or privacy hedge/shrub at end of Private Drives and at the area located between garages, a minimum of one shrub shall be placed. Drainage details required prior to civil plan approval.

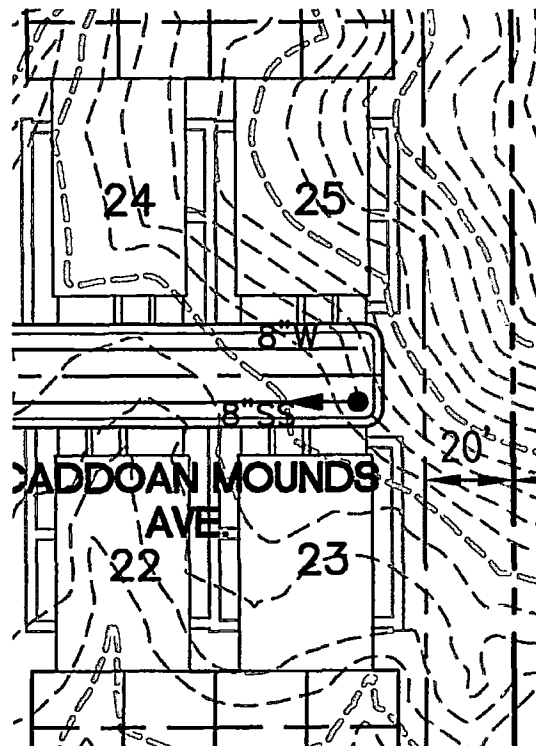
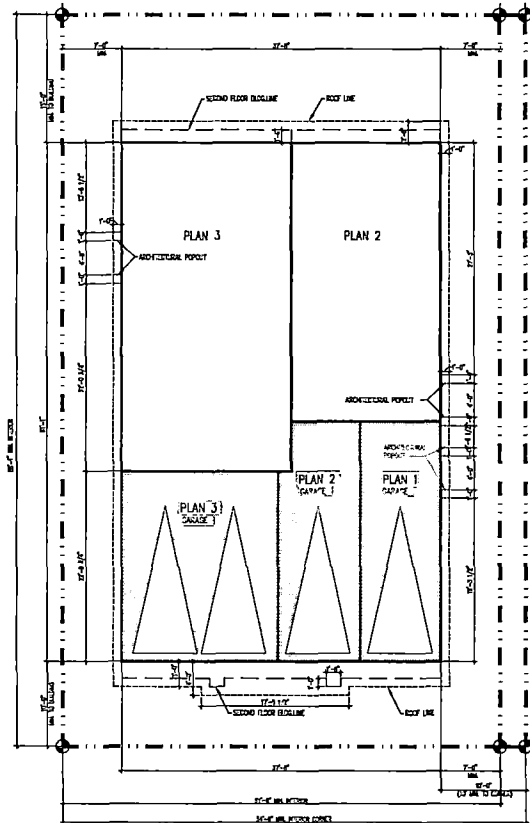
PRIVATE DRIVE EXAMPLE 3 DIAGRAM



UNOFFICIAL COPY

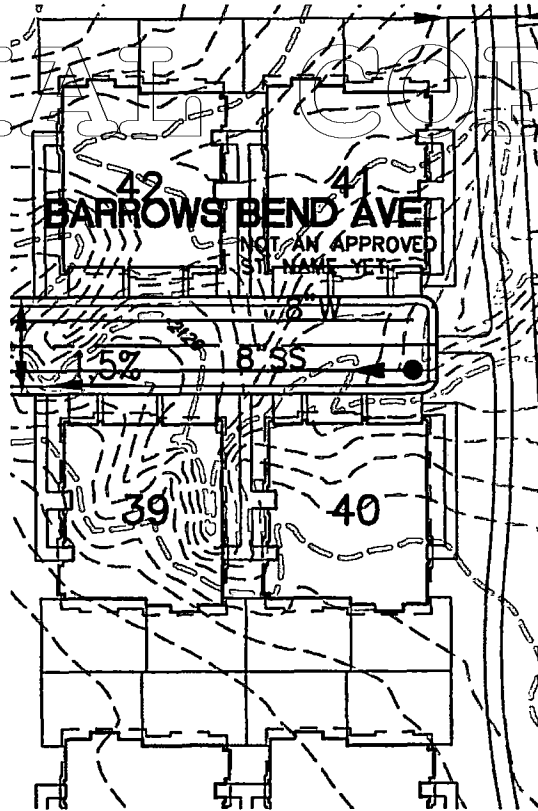
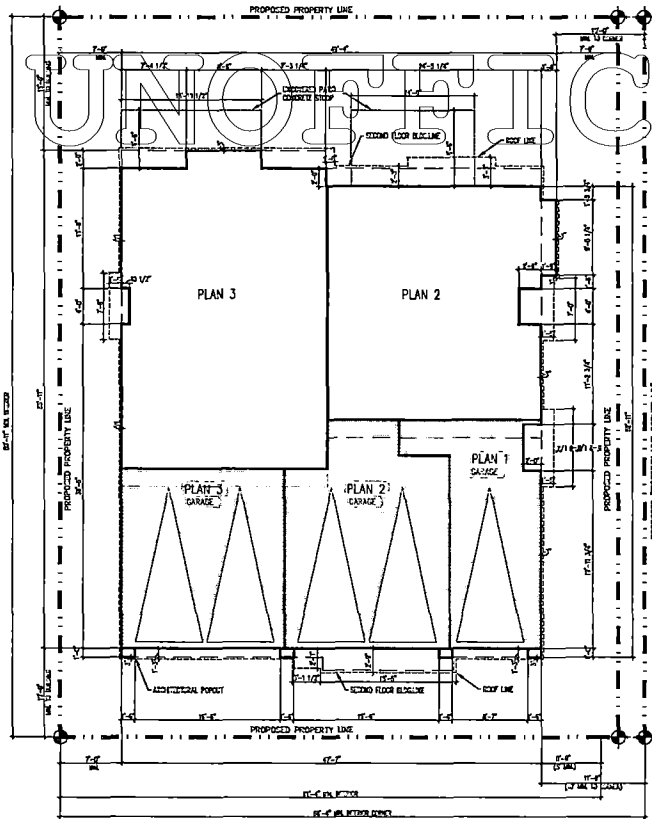
Note: Drainage details required
prior to civil plan approval.

PRIVATE DRIVE EXAMPLE 4 DIAGRAM AND CONTEXT



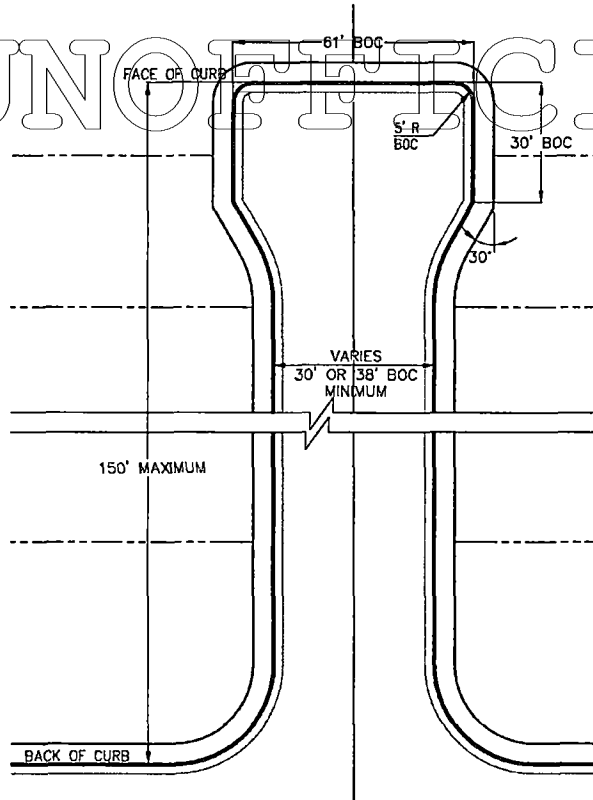
Note: Drainage details required
prior to civil plan approval.

PRIVATE DRIVE EXAMPLE 5 DIAGRAM AND CONTEXT

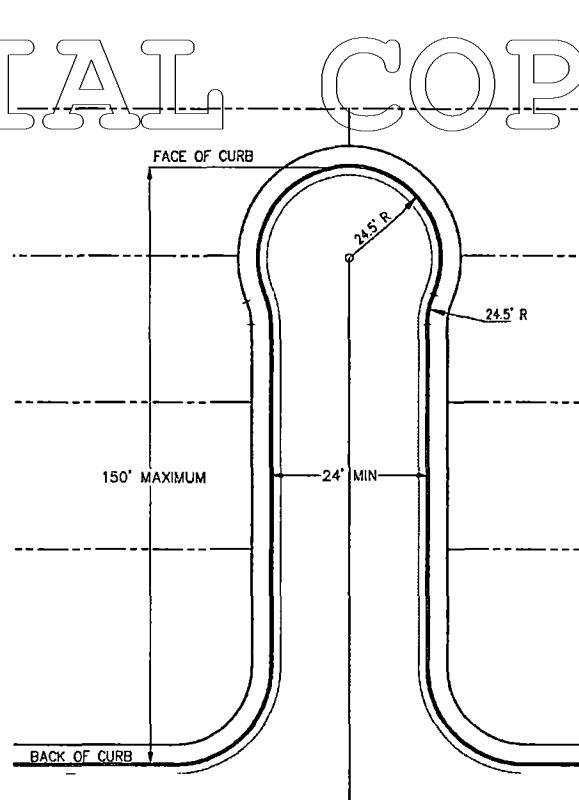


Note: Drainage details required prior to civil plan approval.

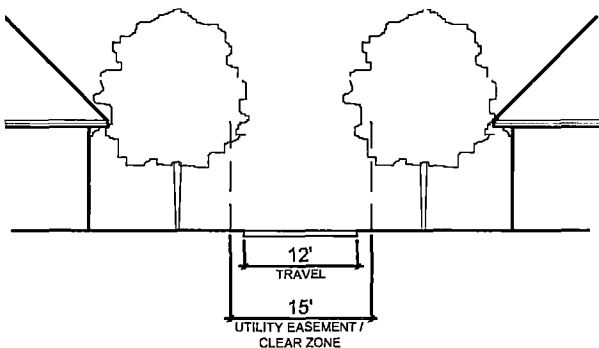
PRIVATE STREET EXAMPLE 1 DIAGRAM
'HAMMERHEAD'



PRIVATE/PUBLIC STREET EXAMPLE 2 DIAGRAM
'BADGER SAC'

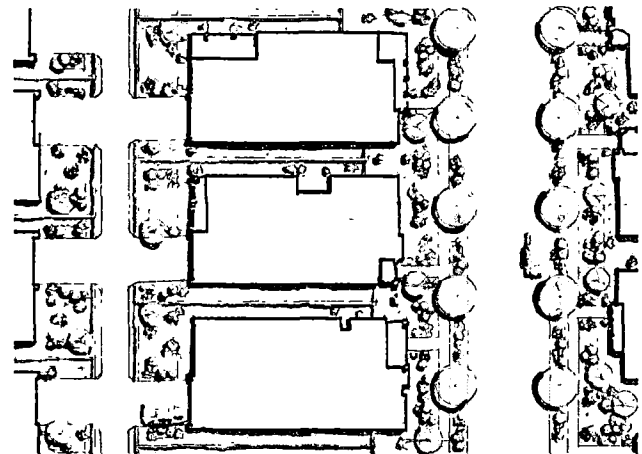


ALLEY DIAGRAM



Alley Notes:

- The 1.5' buffer adjacent to the 12' paved alley shall be kept clear of structures, above ground utilities, trees and similar obstructions such that a full 15' wide 'clear zone' is provided. Small shrubs and gravel mulch are permitted within the 1.5' buffer zone. If emergency access is to be provided via the alley, then the clear zone shall be a minimum of 20'.



UP TO 6 DU/AC WITH ALLEY PLAN EXAMPLE



LOT WIDTH AND LOT AREA REQUIREMENTS

RZ-13 (MPC) 10.01 TO 13 DU/AC –

- Dimensions – These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.
- Lot size – May be calculated as minimum lot size per unit. Minimum lot area shall be exclusive of streets and sidewalks.
- Setbacks less than 3' – For interior sideyards require conformance to additional UBC and Fire Code regulations.
- Driveway setbacks - Zero driveway setbacks are permitted at sideyards.
- Zero lot line development – May be permitted which may result in the creation of a two-family residential structure, however individual lots must be retained.
- Density – There shall not be more than one single-family dwelling unit on any one lot, except for multi-family.
- Other permitted uses – Minimum area and lot dimensions to be determined by building area, parking requirements and required setback.

RZ-10 (MPC) 6.01 TO 10 DU/AC –

- Dimensions – These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.
- Lot size – May be calculated as minimum lot size per unit. Minimum lot area shall be exclusive of streets and sidewalks.
- Setbacks less than 3' – For interior sideyards require conformance to additional UBC and Fire Code regulations.
- Driveway setbacks - Zero driveway setbacks are permitted at sideyards.
- Zero lot line development – May be permitted which may result in the creation of a two-family residential structure, however individual lots must be retained.
- Density – There shall not be more than one single-family dwelling unit on any one lot, except for multi-family.
- Other permitted uses – Minimum area and lot dimensions to be determined by building area, parking requirements and required setback.

RZ-6 (MPC) UP TO 6 DU/AC –

- Dimensions – These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.
- Lot size – May be calculated as minimum lot size per unit. Minimum lot area shall be exclusive of streets and sidewalks.
- Setbacks less than 3' – For interior sideyards require conformance to additional UBC and Fire Code regulations.
- Density – There shall not be more than one single-family dwelling unit on any one lot.
- Zero lot line development – May be permitted which may result in the creation of a two-family residential structure, however individual lots must be retained.
- Other permitted uses – Minimum area and lot dimensions to be determined by building area, parking requirements and required setback.

RZ-4 (MPC) UP TO 4 DU/AC –

- Dimensions – These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.
- Lot size – May be calculated as minimum lot size per unit. Minimum lot area shall be exclusive of streets and sidewalks.
- Lot Width – RZ-4 lot width may be reduced up to 10% but not for more than 10% of the lots.
- Minimum lot area for Single-family dwelling – May be calculated as an average lot size for lots within a given subdivision, provided no lot is less than 8,000 square feet in size and that not more than 10 % of the lots are less than 9,500 square feet in size. Minimum 10,000 square feet for custom/semi-custom lots designated in the Development Agreement.
- Setbacks less than 3' – For interior sideyards require conformance to additional UBC and Fire Code regulations.
- Density – There shall not be more than one single-family dwelling unit on any one lot.
- Other permitted uses – Minimum area and lot dimensions to be determined by building area, parking requirements and required setback.



THE NEIGHBORHOOD LOT WIDTH AND LOT AREA CRITERIA TABLE				
CRITERIA	ZONING: RZ-13 (MPC) 10.01 TO 13 DU/AC	ZONING: RZ-10 (MPC) 6.01 TO 10 DU/AC	ZONING: RZ-6 (MPC) UP TO 6 DU/AC	ZONING: RZ-4 (MPC) UP TO 4 DU/AC
MINIMUM LOT WIDTH –				
SINGLE FAMILY	30'	35'	40'	70'
TWO-FAMILY DWELLING	60'	60'	N/A	N/A
THREE-FAMILY DWELLING	60'	60'	N/A	N/A
FOUR-FAMILY DWELLING	60'	60'	N/A	N/A
TOWNHOUSE CLUSTER	60'	60'	N/A	N/A
MINIMUM LOT AREA –				
SINGLE *** FAMILY	1500 SQ. FT.	2000 SQ. FT.	4000 SQ. FT.	8,000 SQ. FT.*
TWO-FAMILY DWELLING	1500 SQ. FT.	2000 SQ. FT.	N/A	N/A
THREE-FAMILY DWELLING	1700 SQ. FT.	2000 SQ. FT.	N/A	N/A
FOUR-FAMILY ** DWELLING	1700 SQ. FT.	2000 SQ. FT.	N/A	N/A
TOWNHOUSE CLUSTER	1700 SQ. FT.	2000 SQ. FT.	N/A	N/A

Note: These dimensions apply per dwelling.

*Minimum 10,000 SQ. FT. for custom/semi custom lots designated in the Development Agreement.

**For each parking stall in or under the residence, or otherwise completely underground, subtract 400 square feet from the total minimum lot area per unit.

***Single Family residential developments that are immediately adjacent to the Preserve and parallel to and west of the Eglington Escarpment (Parcels 1.02, 1.04, 2.02, 2.03, 2.05) shall have a minimum lot size of 7500 square feet. For additional information regarding the Preserve and Escarpment areas, see the Conservation Transfer Agreement.



PARKING

MINIMUM PARKING REQUIREMENTS

THE NEIGHBORHOOD MINIMUM PARKING CRITERIA TABLE

CRITERIA	ZONING: RZ-13 (MPC) 10.01 TO 13 DU/AC	ZONING: RZ-10 (MPC) 6.01 TO 10 DU/AC	ZONING: RZ-6 (MPC) UP TO 6 DU/AC	ZONING: RZ-4 (MPC) UP TO 4 DU/AC
RESIDENT PARKING*	2 OFF-STREET SPACES PER UNIT			
GUEST PARKING**	1 PER 5 UNITS FOR SINGLE FAMILY AND 1 PER 4 UNITS FOR MULTI- FAMILY			

* Single car garage and tandem parking is allowed on 10.01 DU/AC and greater on 25% of the unit count per subdivision where that product is being used so long as all parking requirements are met.

**Guest parking can be achieved through on-street parking spaces. Parallel parking space minimum dimension is 22' in length.

A parking analysis may be performed by a registered professional engineer justifying the need to provide less than the City standard. Administrative approval for the reduction of the Parking Requirements will be required by the City Manager.

Single-Family Dwellings –

Off-street resident parking spaces shall be furnished within an enclosed garage or in the case of a single car garage, one space will be required in the driveway. Garages may be configured in a variety of ways, including:

- Standard Configuration –

A standard double car garage configuration shall have minimum interior dimensions of twenty by twenty feet (20' x 20') of unobstructed space to a height of six and one-half feet, except for two-foot protrusions into this space by utility systems and storage units.

A standard single car garage configuration shall have minimum interior dimensions of ten by twenty (10' x 20') and 220 square feet.

- Split Garages or Offset Garages – Split Garages or Offset Garages in which each individual space has a minimum inside clear dimension of ten by twenty feet (10' x 20') are allowed, as long as at least two such spaces are provided per residence, and the total garage square footage is a minimum of four hundred (400) square feet. Such spaces

shall have an unobstructed space to a height of six and one-half feet, except for two-foot protrusions into this space by utility systems.

- Exemptions to these requirements shall apply in the following instances:

- A garage need not be attached to a dwelling that is located on a lot of five thousand (5,000) square feet or more.

- A garage with access to an alley need not be attached to a dwelling.

Other Uses –

Except as otherwise required, off-street parking provided for other uses need not be furnished within an enclosed garage or other structure.

Conversion of Parking Structures –

No conversion of a parking structure to any other use shall be done until other provisions are made to comply with the required off-street parking provisions of this title unless a special use permit is approved by the City.

Garage Conversions –

Garage conversions are permitted in the RZ-4 (MPC) districts with prior approval for another garage.

GARAGE DOORS

The following apply to garage doors in The Neighborhood.

- Pre-wiring for automatic garage door openers is required
- Garage doors shall be recessed a minimum of 12" from the facade of the structure and be complimentary to the exterior color palette of the building
- Garages must have varying door patterns, deep recessed doors, varying colors and/or possibly two single doors instead of one. Alternative locations, such as semi or fully recessed garages or side-in corner garages as lot widths allow, are permitted
- The use of garage doors with fixed glass is encouraged
- Detached garages shall be architecturally compatible and consistent in materials, design and colors with main house
- No more than 2 identical garage door designs/color shall be adjacent to each other
- A minimum of 3 garage door designs shall be offered per subdivision
- Garage doors may be metal
- Garage doors void of detail are prohibited
- All garage doors shall be submitted to the ARC for approval

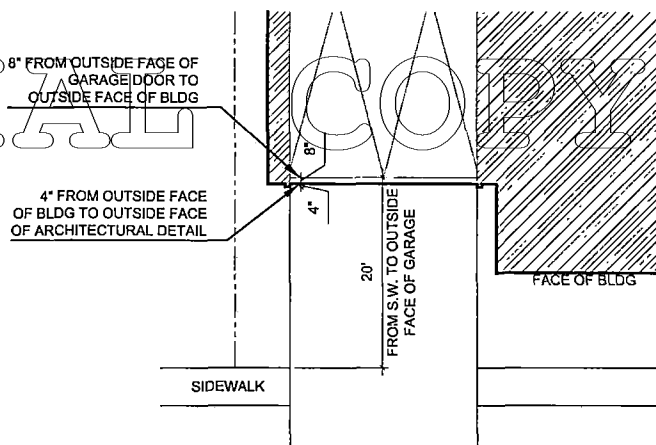
DRIVEWAYS

All driveway surfaces shall be constructed of concrete with a medium broom finish, stamped and colored concrete, exposed aggregate concrete, concrete pavers, or as approved by the ARC and the City. Asphalt paving or other bituminous material is not allowable.

STREET PARKING

As a convenience to homeowners in The Neighborhood, on-street parking will be allowed in designated areas. Boat trailers, recreational vehicles, or commercial vehicles expressing signage for advertisement are not permissible for on-street parking. See HOA.

GARAGE DOOR DIAGRAM



MODERN MISSION



MODERN SPANISH ECLECTIC





LANDSCAPING

OVERVIEW

Landscape design in The Neighborhood should enhance the character of Park Highlands' vision, and should create a comfortable atmosphere that promotes a pleasant pedestrian experience. Spaces and plantings shall be designed at a human-scale, and be harmonious to North Las Vegas and the rest of the development in form and expression. For Multi-Family in The Neighborhood, refer to the Municipal Code.

LANDSCAPE AREAS

Street Trees –

Street tree species selection will reinforce the street infrastructure in Park Highlands.

All trees will be required to have root barrier installed if located within 3' (5' recommended) of a wall, sidewalk, street, or public utility easement adjacent to a street. The root barrier shall be placed against and run parallel to above mentioned items for a minimum of 5' in length.

Private Drives -

Builder must provide a minimum of one tree or privacy hedge/shrub at the end of all private drives and at the area located between garages, a minimum of one shrub shall be placed.

Alley Buffer Zone -

The non-paved areas in the alley shall have ground cover consisting of 60% live material.

Common Open Space -

The non-paved areas shall have ground cover consisting of 60% live material. Location of trees to be mutually determined with the Parks Dept.

Paseo -

The non-paved areas shall have ground cover consisting of 60% live material and one 24" box tree for every two units and one tree at each end of the paseo. If the paseo connects with another paseo, then the tree shall be relocated accordingly.

Front Yards –

Front yard plantings shall be incorporated into thoughtful landscape planning by a registered landscape architect or a design build contractor and shall be comprised of a balanced combination of trees, shrubs, vines, groundcovers and seasonal color. The massing and composition of proposed planting areas should enhance the overall architecture of the home and should not detract or become obtrusive.

Refer to Landscape Criteria Table on the following page for minimum requirements. Landscape must be installed upon final building inspection by City. If an ARC approved landscape upgrade package is chosen, then the Applicant shall install landscape within 30 days of receiving the Certificate of Occupancy.

All applicants shall develop and submit front yard landscape options to the ARC for approval prior to submittal to the City. They shall include, in general:

- Hardscape structures and walks, where appropriate
- A planting plan, materials, species and size
- Landscape lighting where appropriate, but not mandatory
- Retaining walls and fencing, where appropriate
- An automatic, underground irrigation system
- Controllers and other irrigation/electrical equipment requiring access will be located out of public view from walks, drives, and buildings.
- Refer to City Title 17.24.100 for turf usage.
- Artificial/synthetic turf is allowed upon approval by ARC. See the Appendix for acceptable types.

Rear Yards –

Refer to City of North Las Vegas criteria and CC&Rs prior to submittal to ARC.

Planting Beds –

The following are general guidelines:

- Mass shrubs in tiers (i.e., smaller shrubs and groundcover in the front and larger shrubs in the rear of the bed).
- Balance the use of drought tolerant evergreen and deciduous plant material
- Group plants of like species together
- Vary heights, colors and textures of plants to provide visual interest
- Incorporate seasonal accent color where appropriate (e.g., near entrances)
- Large deco bark chips, in front yards are not prohibited

Plant Materials Guide –

Plant material in Park Highlands shall be chosen to complement its distinct vision, and is encouraged to render visual interest by incorporating a well-balanced variety of forms, textures and colors. Refer to the Appendix for an abridged list of approved plant materials.



MINIMUM FRONT YARD / PARKWAY LANDSCAPE REQUIREMENTS

- Any fractional number of plants derived as a result of the below landscaping requirements shall be rounded up to the nearest whole number.
- Reference: Plant material list.

THE NEIGHBORHOOD MINIMUM LANDSCAPE REQUIREMENTS CRITERIA TABLE

CRITERIA	ZONING: RZ-13 (MPC) 10.01 TO 13 DU/AC	ZONING: RZ-10 (MPC) 6.01 TO 10 DU/AC	ZONING: RZ-6 (MPC) UP TO 6 DU/AC	ZONING: RZ-4 (MPC) UP TO 4 DU/AC
TREE, FRONT YARD STREET TYPE 1, 1A	1 (24" BOX) TREE PER UNIT		2 TREES PER UNIT; 1 (24" BOX) AND 1 (15 GALLON)	
TREE, FRONT YARD / PARKWAY STREET TYPE 2-5	1 (24" BOX) PER 30 LINEAR FEET OF STREET FRONTAGE – PLANTED IN PARKWAY PLUS 1 (24" BOX) PER UNIT			
15 GALLON PLANT OR SAPLING	1 PER 1,000 SQ. FT. OF LOT AREA			1 PER 3,500 SQ. FT. OF LOT AREA
5 GALLON PLANT	1 PER 500 SQ. FT. OF LOT AREA			1 PER 2,000 SQ. FT. OF LOT AREA
GROUND COVER	IS REQUIRED IN ALL UNPAVED OPEN AREAS NOT DEVOTED TO OTHER LANDSCAPING AND CONSIST OF 60% LIVE MATERIAL OR ARTIFICIAL TURF AT 2 YEARS AFTER INSTALLATION			

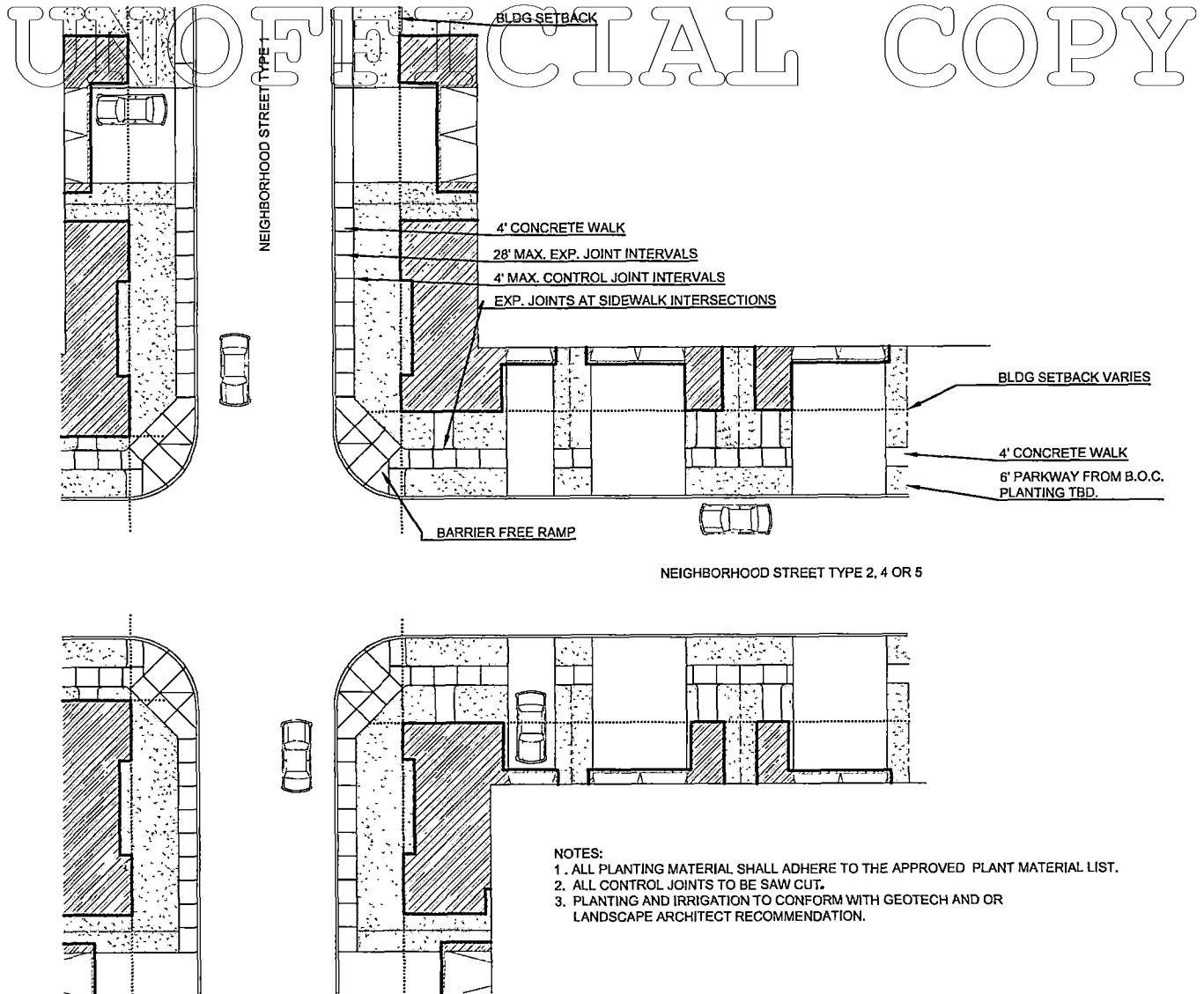
Notes: For multi-family developments, refer to the Municipal Code. Street furniture listed in the Appendix is encouraged but not required and if used, placement shall be approved by the City.



MODERN SPANISH ECLECTIC

STREETSCAPE

GENERIC NEIGHBORHOOD STREETSCAPE DIAGRAM



ACCESSORY STRUCTURES

Accessory structures should not only serve as functional elements but should enhance the aesthetic qualities and vision of Park Highlands. Accessory structures shall be constructed of material generally recognized as complementary to the residence and shall be similar to or generally recognized as complementary in color to the exterior color of the residence. Any utilities servicing accessory structures shall be installed underground. All accessory structures shall conform to the side and rear yard setbacks required. Approval by the ARC and compliance with the Municipal Code is required for the following:

- Patios / Decks – Patio covers, open patios and enclosed patios. Free standing patio covers may be permitted as well as extensions of the roof. Open patios must be an integral part of the landscape plan and must be located so activities do not create a nuisance for adjacent property Owners.
- Sheds and Permanently installed playhouses – These structures will be considered based on setbacks and primary building size, and can not extend above party wall or be a bright primary color, unless otherwise approved by the ARC.
- Gazebos and Greenhouses – Any gazebo or greenhouse must be an integral part of the landscape plan and must be located so activities do not create a nuisance for adjacent property Owners.
- Hot Tubs and Saunas
- Latticework – shall not extend above party wall.
- Recreational Equipment – 10' away from party wall and capable of being dismantled.
- Tree Houses – Tree houses are not permitted.
- Satellite Receivers – Satellite receivers shall be no larger than 40" in diameter. Receivers not larger than 18" in diameter are encouraged. Any transmission cable shall be underground. It is recommended that receivers be ground mounted in rear yards or side yards. Satellite receivers shall be screened from view of adjacent neighbors, open space and street.

- Rooftop Equipment – No rooftop mounted equipment/utilities allowed on any single family residential. Rooftop Equipment is permitted on multi-family units 3 stories or greater and shall be screened from public street rights-of-way by parapet walls or continuous partial roofs per the Municipal Code.
- Casitas – Only on 5000 sq. ft. lots and greater.



MODERN ITALIAN RENAISSANCE





SIGNAGE

The Master Developer shall have the right and privilege to develop and implement signage specifications and requirements applicable throughout Park Highlands, including traffic and street signage in private developments that will be privately maintained. A Master Sign Plan will be submitted for administrative City approval prior to issuing building permits. Refer to 17.24.110 and 17.24.115 of the Municipal Code. All signage in The Neighborhood is subject to evaluation by the ARC, and shall be submitted for approval prior to placement.

No signs shall be erected on the roof of any structure. No sign of any kind shall be displayed to the public view on any neighborhood lot except as described in the following.

SIGN CLASSIFICATIONS

- Internal directional sign
- Ladder sign (in median)
- Real estate sign – One sign of not more than five square feet advertising the property for sale or rent
- Yard or garage sale sign – 18” x 18”. Must be obtained from the HOA.

GENERAL REGULATIONS

Prohibited signs – all signs not listed above are prohibited unless approved by the ARC.

- Typeface – Refer to 17.24.110 of the Municipal Code.
- Materials – Refer to 17.24.110 of the Municipal Code.



OPEN SPACE

- A minimum of 1 mini park is required per parcel. Mini park plans are to be reviewed in conjunction with the Parks Department prior to installation, subject to Design Guideline standards. Mini parks may include amenities such as pools, shade structures, benches, picnic tables, tot lots, sport courts, spring riders, water play structures, etc.
- Active open space includes areas such as mini parks that permit active and/or programmable events.
- Passive open space includes parkways, and other similar landscape areas.

THE NEIGHBORHOOD MINIMUM OPEN SPACE CRITERIA TABLE		
CRITERIA	UP TO 8 DU/AC*	8 AND GREATER DU/AC
TOTAL COMMON	-	300 SQ. FT. PER UNIT
ACTIVE	MINIMUM 125 SQ. FT. PER UNIT	MINIMUM 150 SQ. FT. PER UNIT
PASSIVE	MINIMUM 125 SQ. FT. PER UNIT	MINIMUM 125 SQ. FT. PER UNIT

CRITERIA	SINGLE FAMILY	MULTI FAMILY
TOTAL PRIVATE	80 SQ. FT. PER UNIT WITH A MINIMUM DIMENSION OF 5'	80 SQ. FT. PATIO FOR GROUND FLOOR UNITS (MINIMUM DIMENSION 5') AND 40 SQ. FT. BALCONY FOR UPPER FLOOR UNITS

* Common Open Space is not required if 95% of the units have a rear yard of 600 sq. ft. or greater.





SCREENING & FENCING

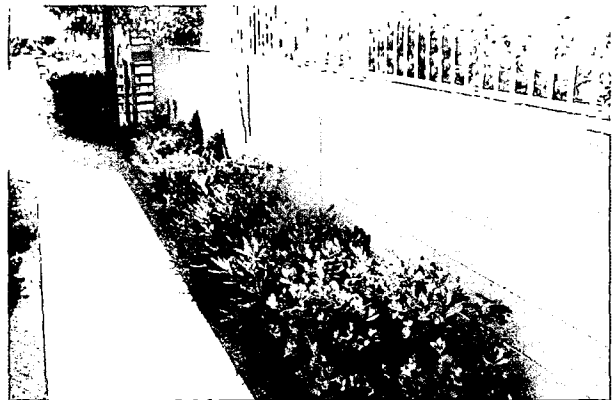
SCREENING

Utilitarian / service areas in Park Highlands, while necessary, are not intended to be viewable from streets, neighboring properties or any public space. Materials and elements used in screening shall be complementary to the architecture and landscape design of the building they serve.

Utilities and Electrical Equipment –

Exposed conduit, utility boxes, and drain spouts shall be painted to match the color of the building or an accent color. Ladders on the exterior of buildings are not allowed. Natural metal finishes are an acceptable alternative to paint.

Refer to the Municipal Code for more specific screening requirements of all ground-mounted mechanical equipment. If possible, architectural niches or offsets should be designed to accommodate mechanical equipment. Builder utilities to be located on builder lots unless otherwise approved by the ARC.



WALLS AND FENCING

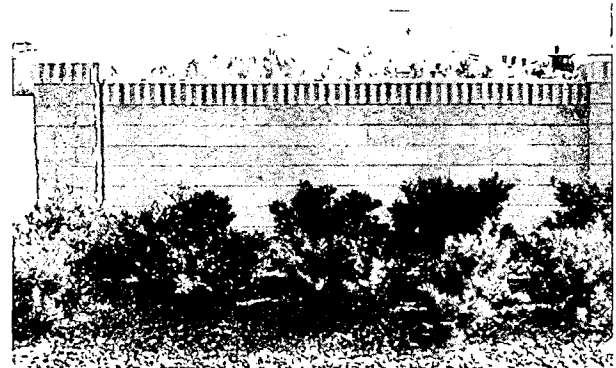
Walls and fencing in The Neighborhood are intended to perform as functional, unifying architectural elements rather than mismatched barriers that interfere with the promotion of a sense of community or a pedestrian-friendly spirit. Wood fencing / grey CMU block is prohibited and vinyl fencing is only allowed in 6.01 DU/AC and greater, and must comply with the Municipal Code.

Perimeter Walls –

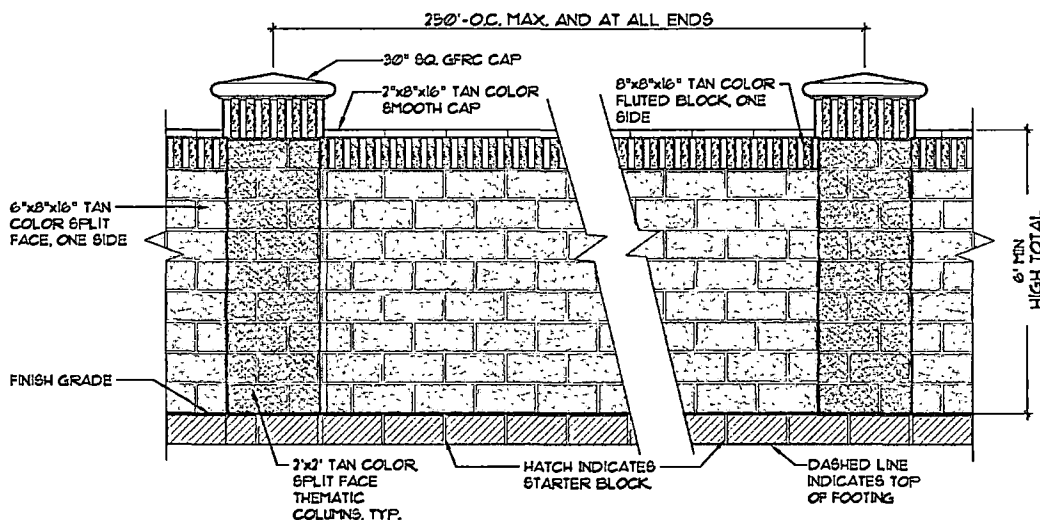
Perimeter walls, as shown below, shall be required along the perimeter of each Subdivision where the Subdivision adjoins Arterial and Collector streets or Common Areas or when the front, side or rear Lot line is adjacent to any Street or Common Area, or when they define individual development parcels, or when the Subdivision lies adjacent to a Commercial Area. Perimeter walls shall be minimum six feet and maximum eight feet in height, or eight feet adjacent to commercial (exclusive of retaining walls), as measured from the highest adjacent finish grade to the top of the wall and match or complement the style or theme established by the Master Developer. The color and materials of perimeter walls shall be as shown in this Exhibit. View segments may be incorporated into perimeter wall designs where privacy or screening is not required. Certain locations fronting Open Space

areas or recreational features may be appropriate locations for limited view wall segments. Curvilinear walls shall be permitted if their effect is consistent with the overall design character of the community.

When a right-of-way or Common Space inside a subdivision lies adjacent to an exterior Pathway, trail or park without developable Lots separating the two (see page 28 for an example), a decorative open-style view fence or gate may be installed in lieu of the perimeter wall to separate the two rights-of-way. Such decorative open-style view fence shall be a maximum of six (6) feet in height and shall match or complement the style or theme established for fences by the Master Developer. Pedestrian gates are required at these locations. Additionally, a minimum of one connection shall be provided between a subdivision and any adjacent trail and/or Pathway.



PERIMETER WALL DIAGRAM





Interior Privacy Walls and Fences –

Privacy walls and view fences may be constructed along all Lot lines. Privacy walls and view fences along side and rear Lot lines shall be a minimum of six (6) feet in height as measured from the highest adjacent finish grade to the top of the wall on each lot or deeded parcel. At locations where privacy walls can be seen from outside of the subdivision, the privacy walls shall match or complement the perimeter walls located along the perimeter of the Subdivision and the design theme established for the architecture within the Subdivision. Stepped or arcaded walls are encouraged. Use of gates is allowed so long as gate material and color complement the building, or any view fences located on the Lot or within the Subdivision. No fence or wall that exceeds 36 inches in height shall be allowed in any front yard.

Minimum six-inch thick walls are required to provide a massive look where ends of walls are exposed. View fences shall be constructed of wrought iron, painted aluminum, polymer or precast baluster rails. Gates shall be fabricated of wrought iron or painted aluminum. Coated walls may be accepted if approved by the ARC.

Privacy walls or view fences may be added to retaining walls adjacent to private property as long as the combination of the retaining wall and view fence does not exceed twelve (12) feet in height, with the retaining wall not exceeding 6'.

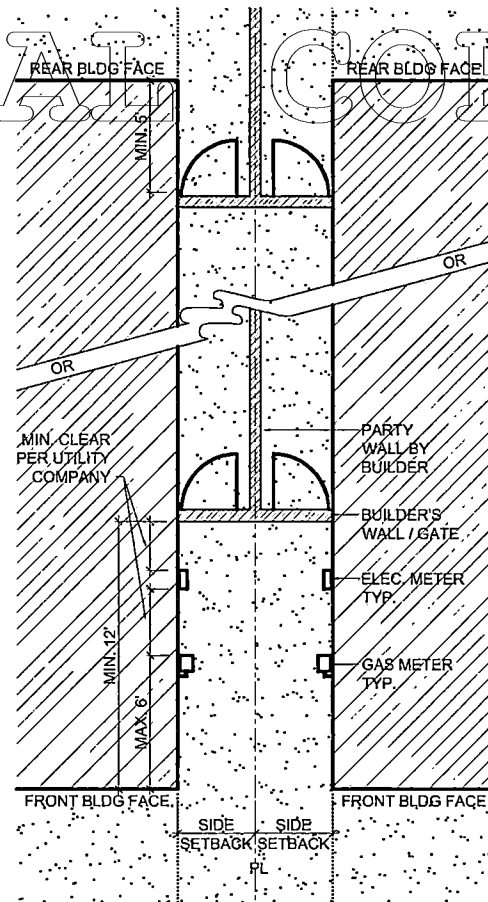
End Walls and Return Walls -

End and return walls shall be consistent with perimeter wall design including the top row of blocked being fluted. Wall and column caps are not required.

Courtyard Walls –

Courtyard walls may only be located within the front yard area. Front courtyard walls cannot exceed 36 inches in height and shall meet setback requirements. Courtyard walls shall be of the same material finish and color of the building and may include wrought iron. Combinations of wrought iron fence, gates and wall may be considered if

INTERIOR PRIVACY WALL - LAYOUT



complimentary to the buildings they serve - subject to approval of the ARC. Use of gates is allowed so long as gate material and color complement the building, or any view fences located on the Lot or within the Subdivision.

Wall Alterations –

No structural alterations, changes, attachments or additions shall be allowed to walls constructed on any Lot. However, open decorative view fencing may be installed atop such walls subject to these Guidelines, and with approval of the ARC.



Single Family Core –

Walls must be block.

Walls at Corner Lots –

The street-facing side shall be constructed to follow the building line and continue the elevation of the home.

Exhibits below describe how walls can be installed at corner lots. All walls on corner lots shall match the design, materials and colors of the interior walls of the Subdivision.

Parks –

Fences in neighborhood parks shall be constructed of metal or wrought iron. Heights and setback locations may vary according to designer's specifications, and shall be approved by the ARC prior to submittal to the City of North Las Vegas. Decorative block walls may be used adjacent to residences, however the park space must be visible from at least 3 sides. Roads, view fences or multi-family residential with second story units are considered to meet the visibility requirements.

Trails –

One side of the trail shall have view fencing. View fence can be full view fence or combination 3/5' maximum decorative block wall with view fence on top. Minimum overall height shall be 6' and maximum shall be 9', excluding retaining walls.

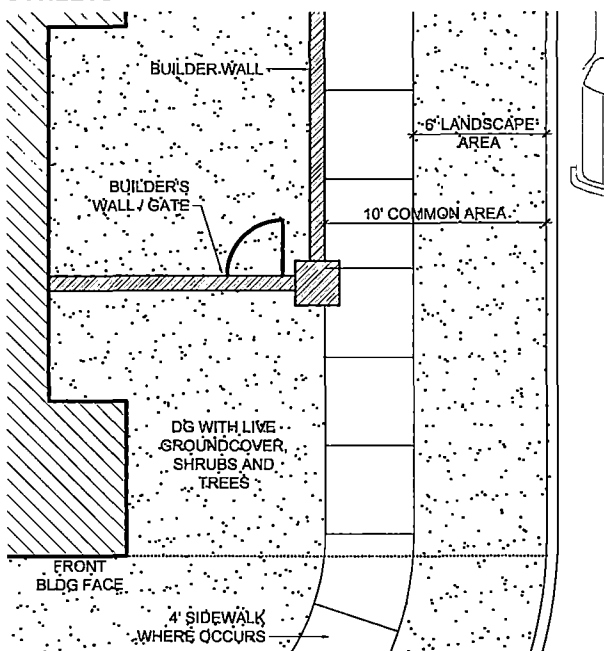
CTA–

Fencing adjacent to the CTA shall comply with the Conservation Agreement for the Management of Special Resources on the Bureau of Land Management Parcels.

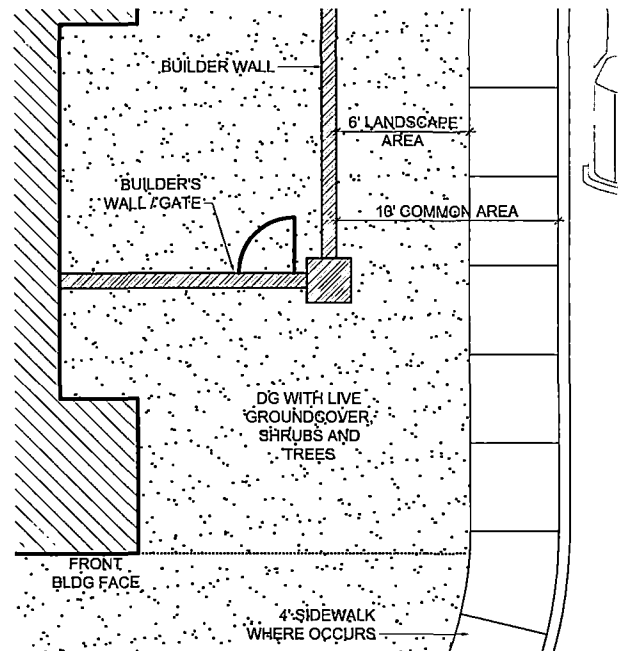
Gates and Fences –

All wall and fence gates facing streets in the neighborhood shall be metal or wrought iron.

WALL AT CORNER LOT ADJACENT TO LOCAL STREETS WITH DETACHED SIDEWALK



WALL AT CORNER LOT ADJACENT TO LOCAL STREETS WITH ATTACHED SIDEWALK





Building/Architectural Design

BUILDING PROGRAMMING

The following guidelines have been fashioned to create a community of buildings that are pedestrian oriented and promote natural access to the street and civic spaces:

- All buildings should be oriented to front streets and civic/public spaces.
- Sidewalk entries shall be located to accommodate ease of pedestrian movement along primary streets. Entries to public/civic space, and residential units will meet this requirement, except where buildings face parks, plazas, or other common areas.
- Each model must be offered with a porch or courtyard option.
- Any dwelling which is not placed on an at-grade slab foundation and is elevated above ground in any manner, shall include in its design a covered porch or other architectural feature on the front elevation which will effectively reduce the vertical affect of the raised structure. The minimum width of such porch or architectural feature shall be seventy-five (75) percent of the width of the front elevation.
- Each two-story or greater single family home shall have a balcony option.
- Each multifamily unit shall provide a balcony or patio as enumerated in the open space section of these design guidelines.

ARCHITECTURAL VARIETY

In order to maintain design variation along residential streets, the table below applies.

THE NEIGHBORHOOD ARCHITECTURAL VARIETY CRITERIA TABLE				
CRITERIA	ZONING: RZ-13 (MPC) 10.01 TO 13 DU/AC	ZONING: RZ-10 (MPC) 6.01 TO 10 DU/AC	ZONING: RZ-6 (MPC) UP TO 6 DU/AC	ZONING: RZ-4 (MPC) UP TO 4 DU/AC
3-159 HOMES	3 PLANS; 3 ELEVATIONS PER PLAN			
160-300 HOMES	4 PLANS; 3 ELEVATIONS PER PLAN			
301-500 HOMES	5 PLANS; 3 ELEVATIONS PER PLAN			
500+ HOMES	NUMBER OF PLANS TO BE DETERMINED BY THE ARC, MINIMUM SAME AS 301-500 HOME CATEGORY			
COLOR SCHEMES	NO HOME ON EITHER SIDE OR DIRECTLY ACROSS THE STREET FROM A DWELLING SHALL HAVE THE SAME COLOR SCHEME			
DISTRIBUTION	NO MORE THAN TWO IDENTICAL PLAN AND ELEVATION ARE PERMITTED SIDE BY SIDE. OPPOSITE HAND FOOTPRINTS WITH DIFFERENT ELEVATIONS AND COLOR SCHEMES ARE PERMITTED ON UP TO 2 ADJACENT DWELLINGS			

ALTERATIONS, ADDITIONS AND EXPANSIONS

Approval by the ARC is required for any alteration to, addition to, or expansion of a home. The architectural design and materials used in any and all alterations, exterior additions or renovations shall strictly conform to the original home's design with respect to style, detailing and materials used in the initial construction.



ARCHITECTURAL VISION - MODERN EXAMPLES

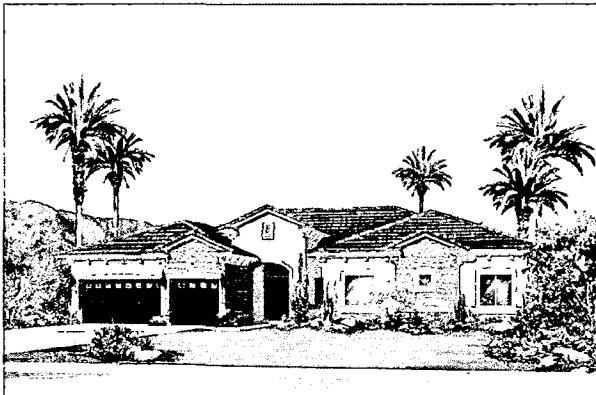
The following photos and renderings are conceptual in nature. They are intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature.



MODERN MEDITERRANEAN - UP TO 4 DU/AC EXAMPLE



MODERN MEDITERRANEAN - UP TO 4 DU/AC EXAMPLE



MODERN MEDITERRANEAN - UP TO 4 DU/AC EXAMPLE



MODERN MEDITERRANEAN - UP TO 4 DU/AC EXAMPLE



MODERN SPANISH ECLECTIC - UP TO 4 DU/AC EXAMPLE



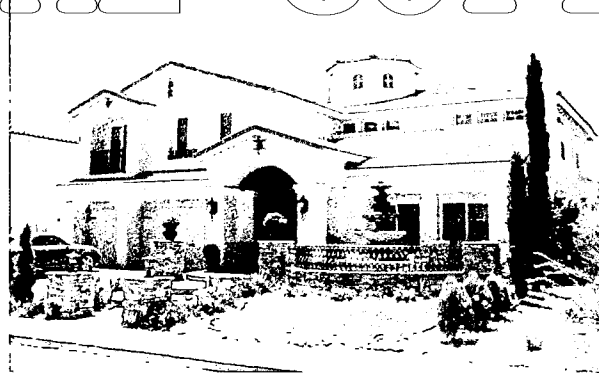
MODERN SPANISH ECLECTIC - UP TO 4 DU/AC EXAMPLE

ARCHITECTURAL VISION - MODERN EXAMPLES (CONT.)

The following photos and renderings are conceptual in nature. They are intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature.



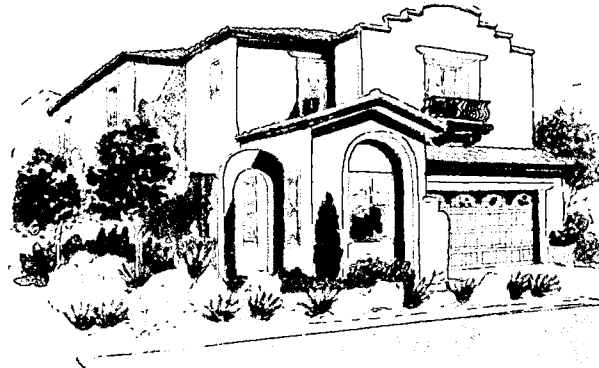
MODERN MISSION - UP TO 4 DU/AC EXAMPLE



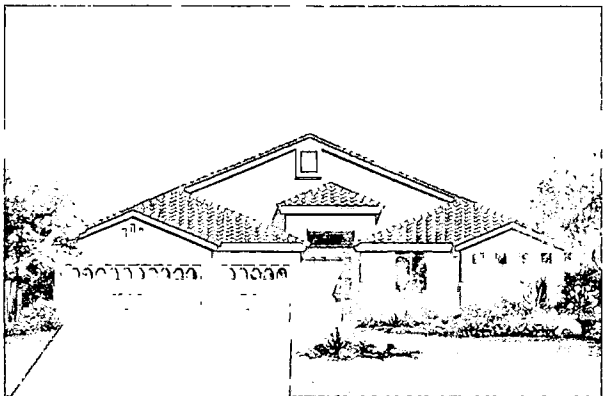
MODERN MEDITERRANEAN - UP TO 4 DU/AC EXAMPLE



MODERN SPANISH ECLECTIC - UP TO 6 DU/AC EXAMPLE



MODERN MISSION - UP TO 6 DU/AC EXAMPLE



MODERN MISSION - UP TO 6 DU/AC EXAMPLE



MODERN MEDITERRANEAN - UP TO 6 DU/AC EXAMPLE

ARCHITECTURAL VISION - MODERN EXAMPLES (CONT.)

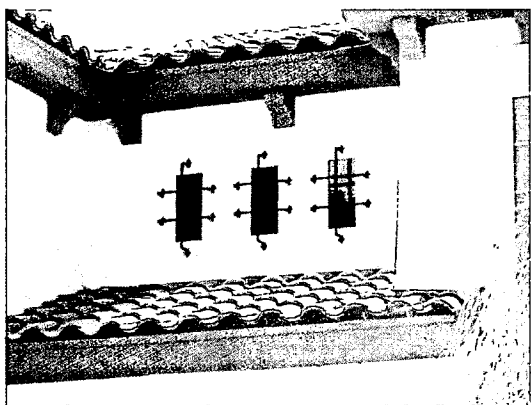
The following photos and renderings are conceptual in nature. They are intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature.



MODERN MEDITERRANEAN - UP TO 6 DU/AC EXAMPLE



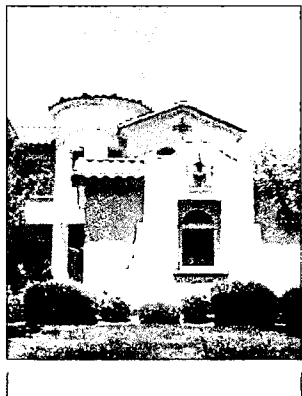
MODERN SPANISH ECLECTIC - UP TO 6 DU/AC EXAMPLE



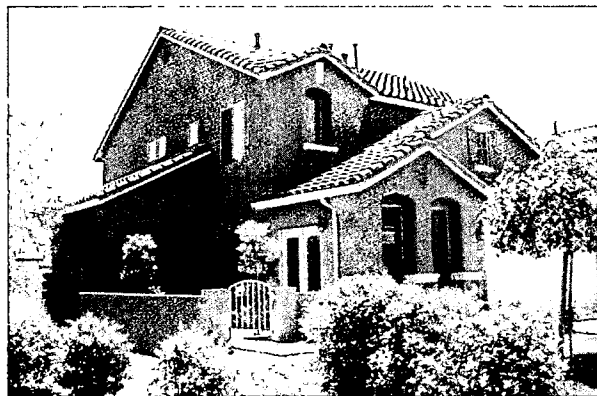
MODERN MISSION - UP TO 6 DU/AC EXAMPLE



MODERN SPANISH ECLECTIC - UP TO 6 DU/AC EXAMPLE



MODERN MISSION - UP TO 6 DU/AC EXAMPLE



MODERN MEDITERRANEAN - UP TO 6 DU/AC EXAMPLE

ARCHITECTURAL VISION - MODERN EXAMPLES (CONT.)

The following photos and renderings are conceptual in nature. They are intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature.



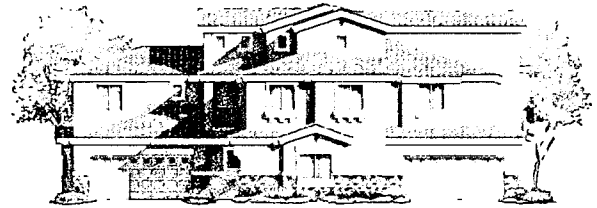
MODERN SPANISH ECLECTIC - UP TO 6 DU/AC ALLEY LOADED EXAMPLE



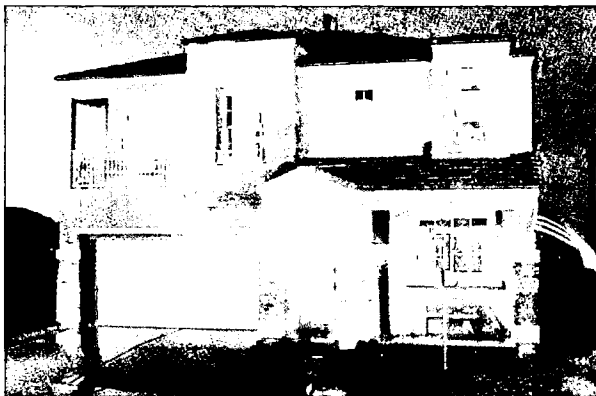
MODERN SPANISH ECLECTIC - UP TO 6 DU/AC ALLEY LOADED EXAMPLE



MODERN MEDITERRANEAN - 6.01-10 DU/AC EXAMPLES



MODERN MEDITERRANEAN - 6.01-10 DU/AC EXAMPLES



MODERN MEDITERRANEAN - 6.01-10 DU/AC EXAMPLE



MODERN MEDITERRANEAN - 6.01-10 DU/AC EXAMPLE

ARCHITECTURAL VISION - MODERN EXAMPLES (CONT.)

The following photos and renderings are conceptual in nature. They are intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature.



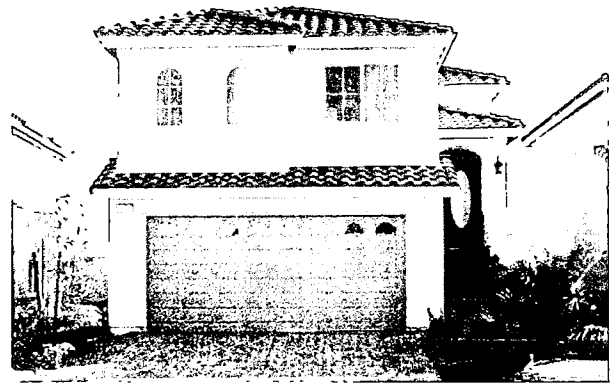
MODERN MEDITERRANEAN - 6.01-10 DU/AC EXAMPLE



MODERN MEDITERRANEAN - 6.01-10 DU/AC EXAMPLE



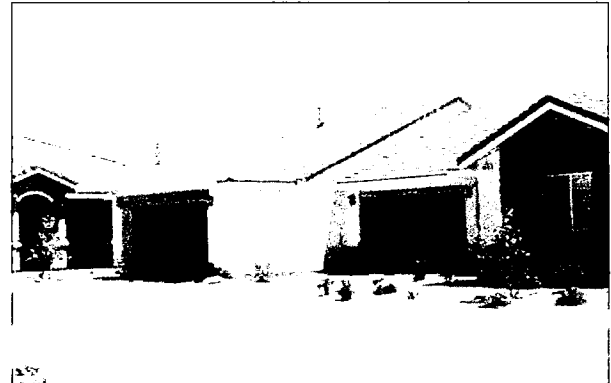
MODERN MISSION - 6.01-10 DU/AC EXAMPLE



MODERN MISSION - 6.01-10 DU/AC EXAMPLE



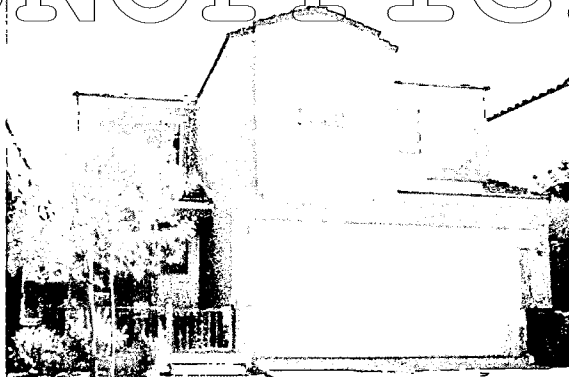
MODERN MEDITERRANEAN - 6.01-10 DU/AC EXAMPLE



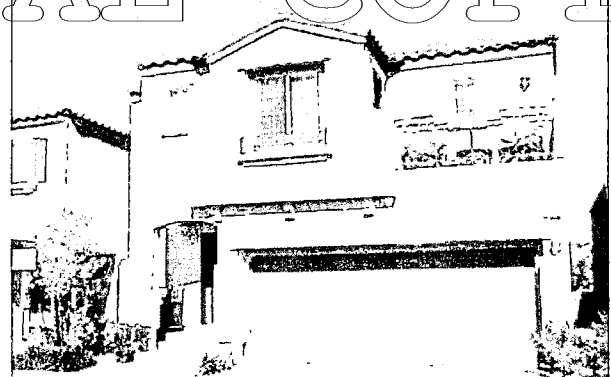
MODERN MISSION - 6.01-10 DU/AC EXAMPLE

ARCHITECTURAL VISION - MODERN EXAMPLES (CONT.)

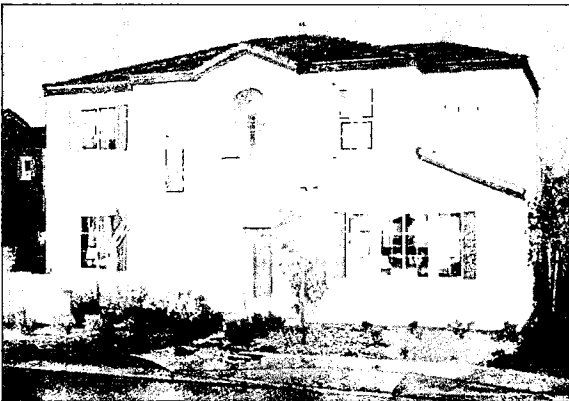
The following photos and renderings are conceptual in nature. They are intended to show architectural variety and be examples of the architectural direction/vision set forth in Park Highlands. However, the overall character of the vision will be similar in nature.



MODERN MEDITERRANEAN - 10.01-13 DU/AC EXAMPLE



MODERN SPANISH ECLECTIC - 10.01-13 DU/AC EXAMPLE



MODERN MEDITERRANEAN - 10.01-13 DU/AC EXAMPLE



MODERN ITALIAN RENAISSANCE - 10.01-13 DU/AC EXAMPLE



PASEO EXAMPLE AT 10.01-13 DU/AC

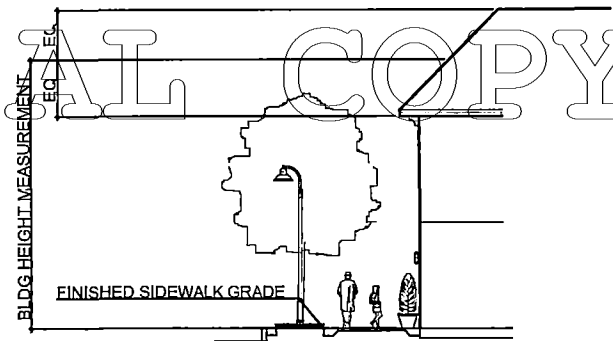
BUILDING HEIGHT

MAXIMUM BUILDING HEIGHT REQUIREMENTS

The following development standards replace the City of North Las Vegas Title 17.20.030 – F2, 17.20.040 – F2, 17.20.050 – F2 and 17.20.060 – G3.

- Measurement as defined by the City of North Las Vegas
- Not to exceed current building codes
- No limit to number of stories

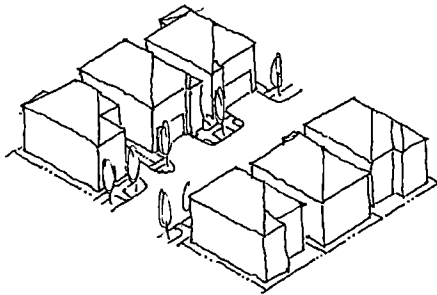
BUILDING HEIGHT MEASUREMENT DIAGRAM



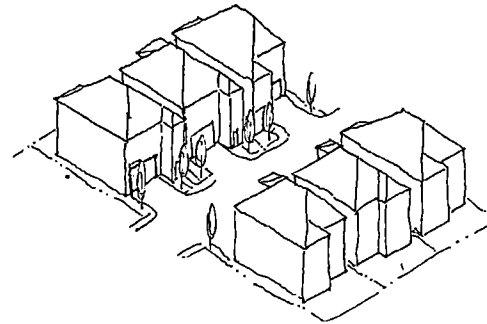
THE NEIGHBORHOOD MAXIMUM BUILDING HEIGHT CRITERIA TABLE

CRITERIA	ZONING: RZ-13 (MPC) 10.01 TO 13 DU/AC	ZONING: RZ-10 (MPC) 6.01 TO 10 DU/AC	ZONING: RZ-6 (MPC) UP TO 6 DU/AC	ZONING: RZ-4 (MPC) UP TO 4 DU/AC
MAIN STRUCTURE	35'	35'	35'	35'

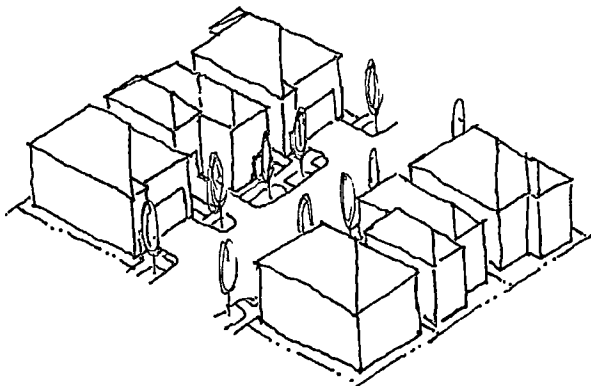
MHDR – 10.01 TO 13 DU/AC SKETCH



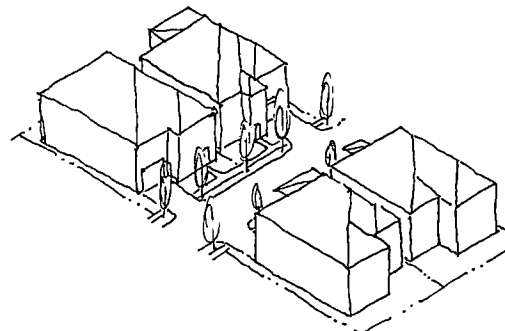
MLDR – 6 DU/AC SKETCH



MDR – 6.01 TO 10 DU/AC SKETCH



MLDR – 4 DU/AC SKETCH



BUILDING MASSING, SCALE & FORM

Building design in The Neighborhood should create interest and showcase the project's vision. To create variety and avoid visual monotony, the mass and form of each building shall be varied and designed to include thoughtfully fashioned door and window treatments, eaves, roof treatments, balconies, or other architectural details and attachments. The building mass should be broken down into smaller elements to provide visual interest and articulation to the neighborhood public street. This can be achieved through the following:

- Articulation of wall planes
- Staggered front building wall planes
- Projections and recesses providing shadow and depth
- Simple bold forms
- Combinations of one, two or three story forms

Notes:

Three story elements are not permitted at end lots on interior streets.

There will be no three story single family homes on the exterior perimeter row of lots at Parcels 2.3, 2.4, 4.1, 1.02, and 1.05.

Elevations in Park Highlands shall incorporate varied wall planes, enhanced architecture (such as balconies, 'juliet' balconies, etc a minimum 1' projection), or roof forms when the second and/or third story portion of the side and/or rear face collector or arterial streets, parks, trails or public open space. A minimum of two roof lines shall be provided for each model. If a combination of 2 and 3-story product exists within the subdivision, no more than three 3-story products in a row may occur.

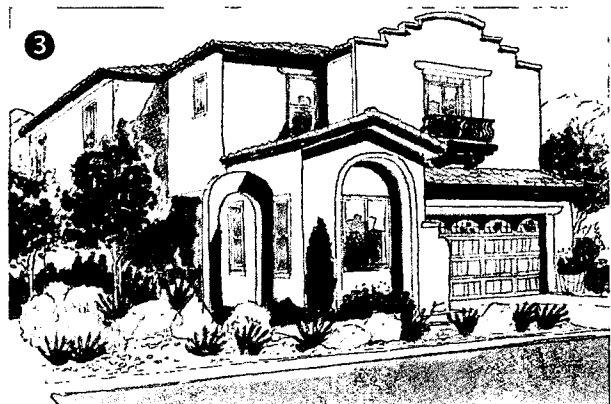
Two story houses shall be built in such a manner as to prevent 'flat faced structures' to the satisfaction of the City's staff. Builder shall have the right to appeal a decision of the City staff to the City Manager (in the same manner as a Minor Modification), and the right to appeal the City Manager's decision to the City Council (in the same manner as a Minor Modification is appealed). This may be waived for single family residential cluster developments with a density of 8 DU/AC or greater.



MODERN ITALIAN RENAISSANCE



MODERN SPANISH ECLECTIC



MODERN MISSION

- ① 10.01 TO 13 DU/AC
- ② 6.01 TO 10 DU/AC
- ③ UP TO 6 DU/AC

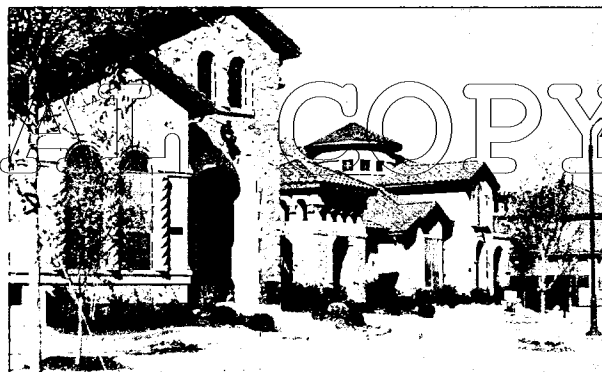
BUILDING STYLE AND DESIGN DETAILS

BUILDING ARTICULATION

In the interest of preventing visual monotony along the street, the use of articulated building facades is required. All sides of each dwelling shall have recessed windows, entrance doors, or pop-outs or other architectural detailing around windows, entrance doors, sliding glass doors and garage doors. Window treatments may also include additional trim, mullions, shutters or pot shelves. See the Master Development section for approved examples.

Guest houses/casitas shall be architecturally compatible and consistent in materials, design and colors with the main house. An accessory building containing a guest house/casita and/or a detached garage is allowed to be located in the rear yard of the principal dwelling. Additionally, a guest house/casita built at the front of the site shall have the following additional guidelines:

- The guest house/casita may not block fifty (50) percent or more of the facade of the principal structure.
- Access to the guest house /casita shall not be visible from the right-of-way additionally, access stairways shall be integrated into the design of the structure.
- The guest house/casita shall be located in relation to the principal dwelling to create an internal courtyard.



MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC



MODERN SPANISH ECLECTIC

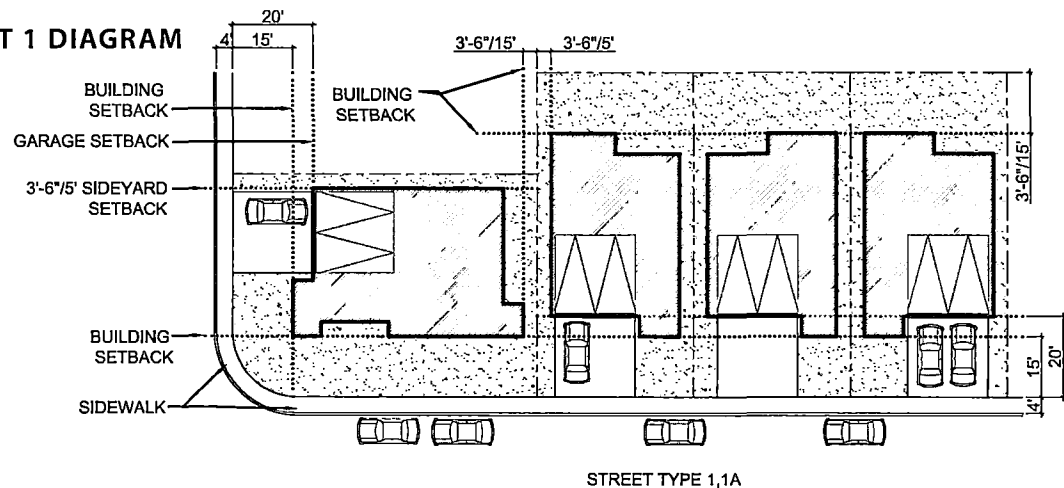
Corner Lots –

In order to promote a strong pedestrian condition, houses on corner lots may be oriented to face the street intersection or shall have two sides articulated at the intersection. Side yards enclosed by fencing will be allowable on corner lots, and side facades facing any street or public space shall be landscaped per approval of the ARC. See diagrams on page 125 for more detail.

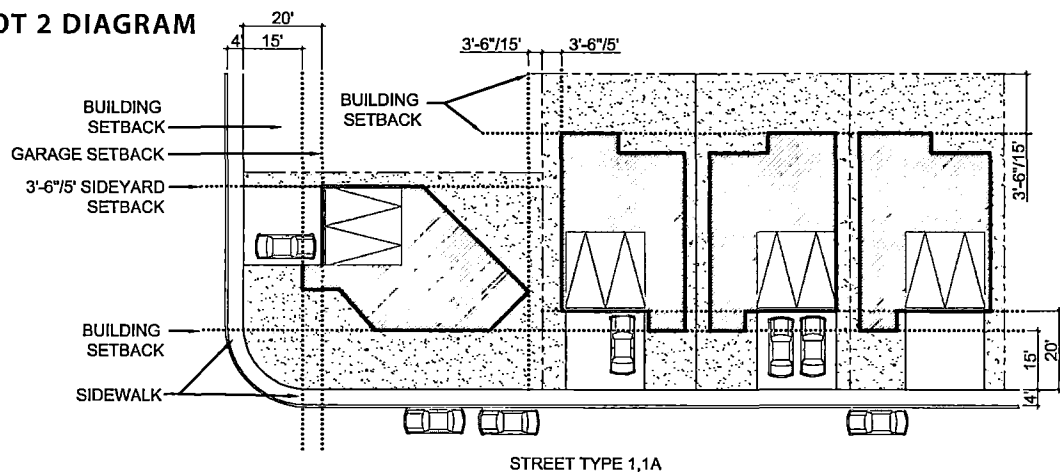


Note: Three story elements are not permitted at end lots on interior streets.

CORNER LOT 1 DIAGRAM



CORNER LOT 2 DIAGRAM

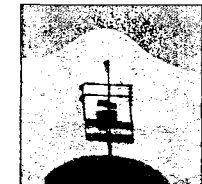
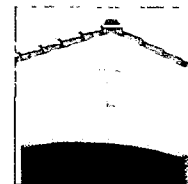
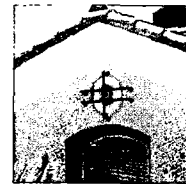
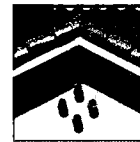
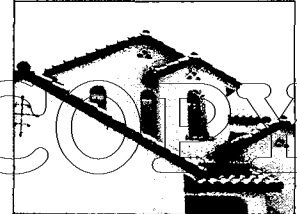
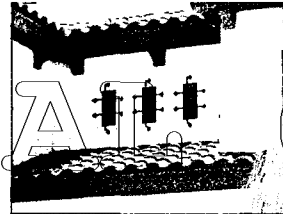




ARCHITECTURAL FEATURES

Appropriately scaled architectural features create visual interest/add diversity to building facades. These features shall be painted a color complementary to the primary building façade. Metal or wrought iron features shall also be painted a color complementary to the building façade, unless a decorative finish is intended (e.g., patina). A galvanized finish is not allowable on any architectural feature. In addition to the Building Massing, Form, Scale and Articulation requirements set forth in this document, all buildings in Park Highlands' Neighborhood shall have a minimum of 5 features. The following is a non-comprehensive list of features:

- Peaked roof forms
- Roof line parapet or balustrades
- Towers
- Canopies, awnings, or porticos
- Chimneys
- Porches
- Stoops
- Balconies
- Outdoor patios
- Arcades
- Arches
- Eaves
- Recesses/projections
- Rustic or refined quoins
- Quartrefoil windows
- Shutters
- French doors
- Pilasters
- Display windows/window boxes
- Trim surrounds
- Bracketed window cornices
- Window sills
- Decorative pipe vents
- Decorative door knockers
- Stone veneer
- Metal iron work
- Decorative iron sconces
- Articulated cornice line
- Integrated planters or wing walls that incorporate landscape and sitting areas



- Offsets, reveals or projecting ribs used to express architectural or structural bays; exposed rafters
- Other architectural features approved by the ARC and the City

For more information regarding architectural features see architectural vision in the Master Development section of this document.



DOORS, WINDOWS AND GLASS

Thoughtful design of the doors and windows incorporated into a building façade is pivotal to promoting a strong architectural presence from public view in a community. Doors and windows shall be designed to reinforce the architectural vision of Park Highlands. The following are standards:

- Major architectural elements such as feature windows and front doors shall be recessed a minimum 8" inclusive of any pop-outs. Secondary elements in public view shall be recessed a minimum 2". A plant-on trim can be used to achieve the same effect. Minimum trim surround shall be 2"x 4". As long as minimums are met, ARC and the City have final approval.
- Stone, cast stone, tile, synthetic foam and stucco accents around doors and windows provided they are complementary to the architectural style of the building.
- Covered entries and recessed openings at doorways are encouraged.
- French doors on residential balconies.
- Sliding glass doors are permitted as long as doors facing public rights-of-way incorporate gridding.
- Integral mullions or decorative spacers are allowed in windows but must be approved by the ARC.
- Vinyl wrapped windows with or without pop-in mullions are encouraged.
- Window frame colors must blend with exterior material. Preferred colors are taupe, off-white/cream or brown.
- Window grids can't be a 'plant on'.
- Windows shall be of clear glass or a lightly tinted glass of bronze, gray or smoke color.
- Windows shall have a maximum exterior visible reflectivity of 18%. Pink, blue, and gold glass is not permitted.
- The use of window awnings, overhangs, and shutters is encouraged, and requires ARC approval prior to installation. Materials and colors shall be the same or complementary to the exterior of the building. Plastic awnings will not be allowed. Metal awnings will require approval prior to construction.



GUTTERS AND DOWNSPOUTS

If gutters and downspouts are used to control runoff from roof surfaces, they shall be incorporated into building design as refined elements, and when pragmatic, should be placed at corners of buildings. Downspouts in Park Highlands shall incorporate splash guards and be connected to a surface or storm drainage system.

All gutters and downspouts shall be aluminum and painted to accent building facades, or they shall be copper and remain unpainted. Alternative materials will be evaluated individually by the ARC provided they are consistent with the project vision, character, and quality.

LIGHTING

Lighting in The Neighborhood should be used to gracefully illuminate architecture and pedestrian spaces, and serve as design elements that reinforce the architectural concept of Park Highlands. Lighting elements shall blend attractively into the environment by day and perform effectively at night to promote a soft, unobtrusive community ambience. All exterior illumination must be approved by the ARC prior to installation.

Architectural Accent Lighting –

Lighting plans shall be designed to delicately accent architectural elements, and shall include a minimum of one light, controlled by a photocell. Address to be independently illuminated by a photocell per City standards. Lighting fixtures shall be dark-colored to be less ostentatious, and shall be scaled to appropriately complement architecture.

Garish shows of light such as wall washes, multi-colored displays, or any colored accent deemed inappropriate by the ARC is not allowable. Glare or direct illumination from exterior lighting that creates a nuisance or detracts from the use or enjoyment of an adjacent property is also prohibited.

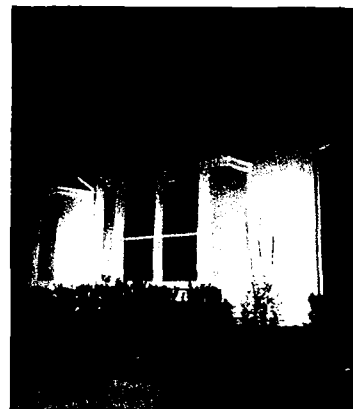
Pedestrian / Street Lighting –

Street and walkway illumination will be required at intervals designed to promote safety, night activity, and visual harmony in the neighborhood. All light fixtures shall have Metal Halide light sources, and shall be selected from a family of standards pre-approved by the ARC. Refer to City of North Las Vegas Blue Book Specifications for spacing of public roadway lighting. See the Appendix for approved product specifications.

The height of light fixtures should be in proportion to the building mass and in no instance shall light poles be more than 28' in height, or as approved by the ARC.



MODERN SPANISH ECLECTIC



EXTERIOR FINISH MATERIALS

BUILDING ELEMENTS AND MATERIALS

In keeping with the project vision of the Park Highlands, materials and elements of buildings and structures will be stylized consistently with the architecture as defined in the Vision Statement. Although buildings may vary with style, the design should support a unified community image rather than be singular to a specific building. Elements and materials not described below will be evaluated individually by the ARC, provided they are consistent with the project vision, character and quality and approved by the City.

Primary (65% and more) exterior materials shall conform to the general architectural vision and guidelines as stated in the Master Development section of this document. In addition, primary facades of all buildings shall be stucco and trim. The use of cultured stone and brick veneer are encouraged. Finish textures shall be compatible with the architectural style of the building. Wood, vinyl or metal siding of any kind is not allowable.

The number of primary exterior materials shall be limited to two (not including roofing materials, architectural accents or window glass), and shall transition around building corners. Reflective or unusually colored glass is not allowable as a structure finish.

EXTERIOR FINISH COLORS

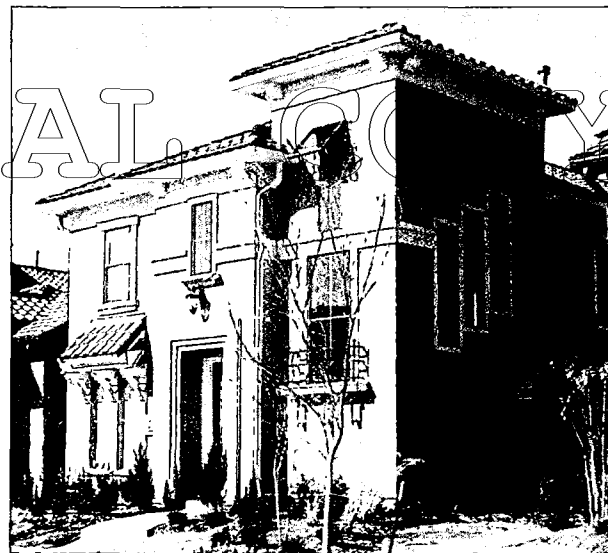
Building and structure colors will be selected to support a common architectural vision and to promote a strong community image. In general, building materials having warm hues, such as earth tones and other warm natural colors, will be appropriate for structures in Park Highlands. Black is permitted for use as an accent color, but is not to be used as a primary building color (65% and more). All proposed colors shall be submitted for approval to the ARC prior to submission to the City of North Las Vegas.

Masonry –

See Architectural Color Palette in the Appendix.

Stucco –

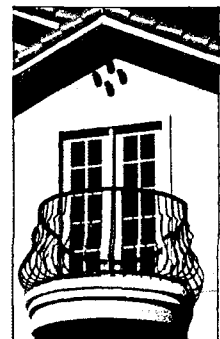
See Architectural Color Palette in the Appendix.



MODERN MISSION



MODERN MISSION





ROOF

Materials –

The following are permitted for use as primary sloped roof materials in the Park Highlands. All materials not listed below will be evaluated individually by the ARC, provided they are consistent with the project vision, character, and quality as described in the Architectural Vision Statement and approved by the City of North Las Vegas. See the Appendix for an approved list of roofing products.

- Concrete “S” Tile
- Clay “S” Tile
- Metal, standing seam roofing systems are allowable on architectural accents only.
- Rolled asphalt, dimensional shingles, wood shingles and flat concrete tile are prohibited roofing materials in all areas of development.

Colors–

Roof colors shall be selected to complement the building exterior finish, and shall be a hue, tone or approved blend of the following.

Primary Roof Structure

See Architectural Color Palette in the Appendix.

Accent Roofing

See Architectural Color Palette in the Appendix.



HISTORIC SPANISH ECLECTIC

Form –

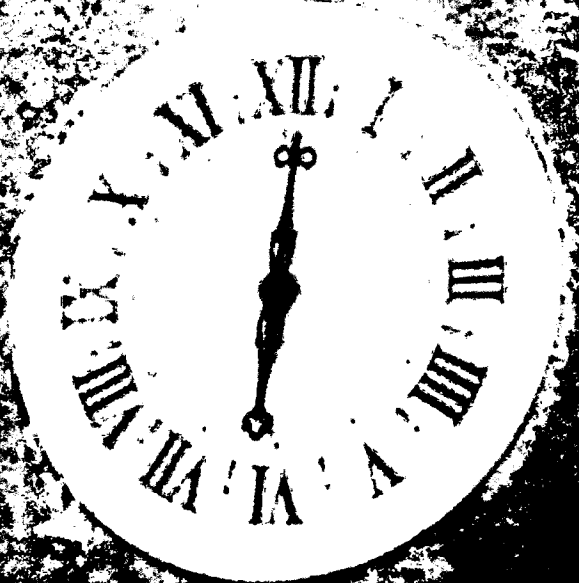
The following are standards for roof design in Park Highlands.

- Pitched roof slopes shall be relatively low (3:12 min. to 6:12 max.). Accent towers and special architectural elements are allowed a maximum pitch of 6:12. Roof pitches over 6:12 must be approved by ARC.
- All protrusions will be measured from the primary building façade or incorporate an architectural parapet that enhances the architectural quality of the vision.
- Overhanging eaves or a projecting cornice detail shall be incorporated into the design of dwellings as a means of reducing heat build up from the sun and adding protection to the side walls of the dwelling.
- For single family residential detached developments of 8 DU/AC or greater, a minimum 3” cornice detail may be substituted for the overhang provision.
- Appropriately scaled roof articulation, including chimneys and dormers, are encouraged to add interest to the roof profile.
- Any area of a roof which utilizes a flat roof design shall incorporate a parapet wall or cornice element on all sides of the area.

The Appendix



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Design Review Process

ELEMENTS REQUIRING REVIEW

Improvements requiring review will include but not be limited to, commercial and residential products including new construction, remodel, building additions, landscaping, signage, and amenities such as parks, open play areas, or community structures. The design review process only applies to lots for development purposes, not core infrastructure.

STEP ONE

ARCHITECTURAL REVIEW COMMITTEE

The ARC shall be established by the master developer and shall review all plans and accompanying information for any new construction or exterior remodel based on their adherence to standards set forth in this document. The ARC shall interpret these standards and provide guidance to applicants.

Before submitting to the City of North Las Vegas, qualified builders and designers shall submit all development plans for Park Highlands properties to the Architectural Review Committee (ARC) for written approval.

The Applicant and any consultants retained by the Applicant may arrange for a pre-Application interview with a member of the ARC prior to submitting the Application and prior to initiating any detailed design studies.

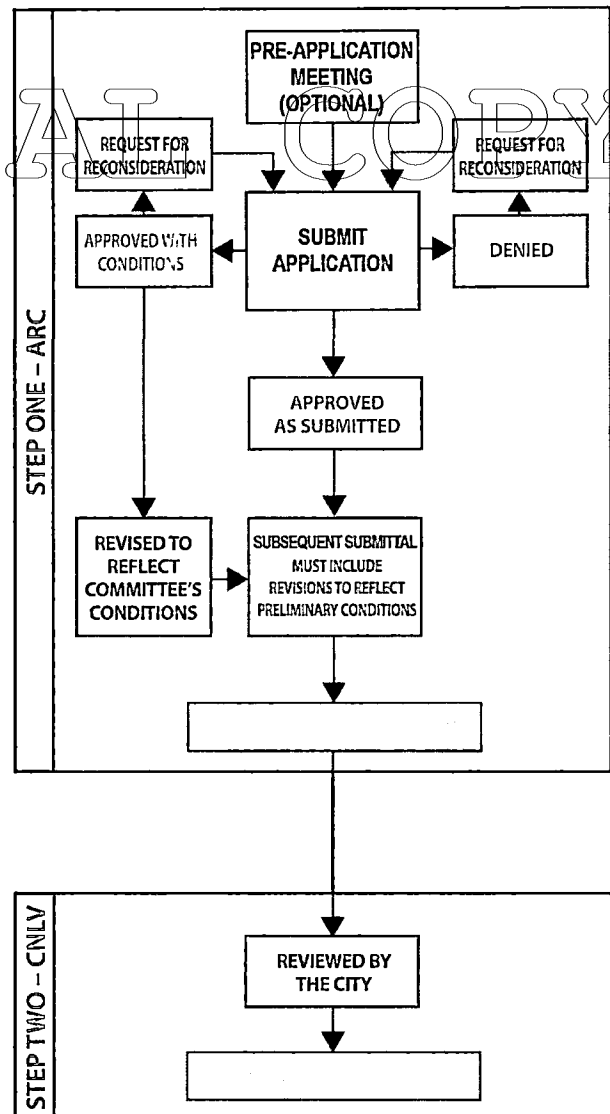
MASTER DEVELOPER:

November 2005 Land Investors, LLC / DRHI, Inc.
11411 Southern Highlands Parkway, Suite 300
Las Vegas, NV 89141
702.616.3800 / 702.616.3833 (f)

STEP TWO

CITY OF NORTH LAS VEGAS

After review and approval by ARC, plans must be reviewed and approved by the City of North Las Vegas (CNLV). No development will occur until plans are reviewed and approved by the CNLV, pursuant to city requirements. A letter of approval by the ARC is to be sent along with the Applicant's submittal to the City.





INTERNAL REVIEW REQUIREMENTS FOR ARC DESIGN REVIEW AND APPROVAL PROCESS

Each builder must satisfy the requirements as set forth in the Project Plan prior to submittal to the City and the commencement of any construction.

The Project Plan shall describe the following elements of the Project:

- A. Site Improvements
- B. Landscape Improvements
- C. Building Improvements
- D. Technical Studies

A. SITE IMPROVEMENTS –

The site improvements shall be described in the Concept Site Plan and Grading Plan.

A.1 Concept Site Plan – The Site Plan shall clearly illustrate as a minimum all of the following.

- (a) Name of proposed subdivision
- (b) A legend clarifying all markings and lines delineated on the plan
- (c) Date of preparation, scale and a north arrow
- (d) Names, addresses and phone numbers of recorded owners, subdivider and person who prepared the plan
- (e) Sufficient legal description of the land which identifies the location, including exterior subdivision boundary dimensions and acreage to the one-hundredth
- (f) Present zoning of proposed subdivision
- (g) Names of adjacent subdivisions, including lot and block numbers
- (h) Proposed subdivision in its entirety at a scale suitable to present all information clearly and legibly
- (i) Locations, names, widths, grades, radii and curb radii of all streets, proposed and existing
- (j) Locations of all pedestrian walkways
- (k) Locations of all perimeter walls, and common walls
- (l) Locations of all Common Elements
- (m) Widths, locations and document numbers

- (n) Widths, locations and purposes of all other rights-of-way and/or easements within or adjacent to the proposed subdivision
- (o) Locations, widths and directions of flow of all water courses and proposed storm water drainage facilities; drainage facts regarding the property contiguous or adjacent to at least 1,000 feet in all directions. Flood control problems must be noted
- (p) Locations of existing and proposed power and telephone facilities and gas mains
- (q) Locations and sizes of existing and proposed water mains
- (r) Locations and sizes of existing public sanitary sewers, showing flow directions
- (s) Topography for the entire subdivision with contour intervals not to exceed two (2) feet
- (t) Lot layout, number of lots, square footage and dimensions of each lot

Note: The Applicant has the option at this point to request that the ARC review the above stated portion (A.1) of the Project Plan for approval. Once the requirements of A.1 are approved, the ARC will submit in writing to the Applicant a letter of ARC approval of the A.1 requirements that the Applicant can use to include with the Tentative Map / Land Use Application to the City of North Las Vegas.

Prior to the Applicant submitting to the City of North Las Vegas for building permit(s), the Applicant must submit and gain approval from the ARC the remainder of the Project Plan as state below.

A.2 Grading Plan – The Grading Plan shall clearly illustrate all of the following.

- (a) Elevation of all building pads
- (b) Elevation and location of all drainage structures
- (c) Existing grading along perimeter of property (Master Development)
- (d) Tentative and final subdivision maps

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B. LANDSCAPE IMPROVEMENTS –

Developer shall submit to the ARC a Landscape Plan in color, which shall be in sufficient detail for the ARC to verify that the Landscaping improvements are in compliance with the Landscape Standards, set forth herein, together with specific detailed plans for all entry monumentation (monumentation must be appropriate for HOA maintenance), common areas, individual lot landscaping (front yards as a minimum), all proposed landscape lighting, and automatic irrigation systems. Landscaping shall adhere to Geotech and or Landscape Architect recommendations and design standards.

C. BUILDING IMPROVEMENTS –

The Building Improvements shall be described in the Architectural Concept Plan, the Plot Plan, and the Marketing Signage Plan.

C.1 Architectural Concept Plan – The architectural Concept Plan shall clearly illustrate all of the following.

- (a) Floor plans with dimensions
- (b) Colored front, sides and rear elevations of all proposed elevation styles
- (c) Roof plans with roof slopes and roof material
- (d) Exterior material and finish boards clearly identifying all exterior assemblies. Samples are to include actual manufacturer's color chips (no scanned colors will be accepted) for all paints (include L.R.V. #'s), manufacturer's brochure art specifying colors and styles for cultured stone and roofing tiles. Paint palettes must describe main body, trims and accents. All exterior door colors including garage doors along with window frame color and any painted metal must be identified.
- (e) Street scene elevation / rendering showing all proposed plans with at least one (1) elevation style per plan type to illustrate style variations.
- (f) All options to plans affecting Plot Plan and elevations.

C.2 Plot Plan – The Plot Plan shall illustrate typical lots for each type of structure. Plot plan to indicate building foot print with options affecting foot print, required set backs, lot drainage, driveway slope, finish floor elevation, driveway locations, walkway locations, ground mounted mechanical unit locations, and all wall locations.

C.3 Marketing Signage Plan – The Marketing Signage Plan shall illustrate the layout and details for all informational, directorial, temporary and construction signs as outlined in Section 17.24.110 of Title 17 document. Signage plan to include full dimensions of sign, supports (if applicable), typography and colors.

D. TECHNICAL STUDIES –

The appropriate design professionals shall certify all plans and ensure compliance with applicable Technical Studies.

PLAN SUBMITTALS

Provide two (2) sets of plans and specifications. Plans shall be a minimum of 24" x 36" to a maximum of 30" x 42" in size. Specifications shall be in booklet form 8-1/2" x 11". Exterior material and finish boards are to be mounted on white foam core boards. Boards shall be a minimum of 18" x 24" and a maximum of 24" x 36". Boards must include project name and Builder's name. All exterior assemblies must be clearly identified. Boards will not be returned to Builder.

PROJECT PLAN APPROVAL

The ARC may, in its discretion, disapprove any and all portions of the Project Plan submitted for its approval. The ARC's right of disapproval shall be limited to the conformity of the Project Plan with the Development Declaration and Development Agreement. The ARC as from time to time may amend and / or revise the Project Plan regarding matters that bear on the compatibility of the Park Highlands Master Development.

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The ARC may condition its approval of the Project Plan upon such changes therein as are consistent within the scope of its review. The ARC may require submission of additional plans or other information prior to approving or disapproving material submitted. The Project Plan review will not commence until the ARC is in receipt of all required information as noted above. When the ARC has reviewed and approved all of the plans, the Project Plan shall be deemed approved in its entirety. If Builder changes any of the plans after they have been approved by the ARC, the Builder shall not construct any improvement whatsoever pursuant to such changed plan, unless such changed plan has been submitted to the ARC and approved by the ARC in the same manner as provided herein for all of the plans. **ARC approval required prior to Park Highlands Submittal.** A letter will be provided.

Failure of the ARC to provide written comments within 30 calendar days from complete initial full submittal and subsequent submittals results in approval of the Project Plan.

If an Application, or any part thereof, has been denied or has been approved with conditions, the Applicant may request a meeting with the ARC to review and reconsider the disputed issues. Within 10 calendar days after such a meeting, the ARC will advise the Applicant of its final decision in writing. Should the ARC not respond within 10 calendar days the request shall be deemed denied.

The ARC has the authority, in its sole discretion, to deviate from the requirements contained in these Design Guidelines in extenuating circumstances that would create an unreasonable hardship or burden for the Applicant. If it is determined the above conditions exist, an appeal shall be filed with the ARC. However, before approving any deviation, consistency with the objectives and general intent of the plan shall be demonstrated. This situation would only apply where the requested deviation is less than the Design Guideline requirements, yet greater than the CNLV Title 17 requirements.

ARC INTERNAL FEES

(Does not include CNLV fees.)

BUILDERS

Initial submittal for steps A-D – \$0.00
Subsequent submittals (if necessary) – \$2500.00

HOMEOWNERS

Refer to HOA fee schedule.

CNLV FEES

Refer to City of North Las Vegas (CNLV) for review fees.

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EXTERNAL REVIEW INFORMATION

The following information is provided as a courtesy to users of these guidelines as they begin the design and permitting process. This is an abridged listing and may not contain all governmental agencies that may assert jurisdiction over the site or construction activities that occur on it.

THE CITY OF NORTH LAS VEGAS

2200 Civic Center Drive
North Las Vegas, NV 89030
www.cityofnorthlasvegas.com
Building & Safety
702.633.1577
Parks & Recreation
702.633.1171
Planning & Zoning
702.633.1515
Public Works
702.633.1200
Utilities (Water & Sewer)
702.633.1277

POWER

Nevada Power Company
6226 West Sahara Avenue
Las Vegas, NV 89146
702.367.5000
www.nevadapower.com

GAS

Southwest Gas
4300 W. Tropicana Ave.
North Las Vegas, NV 89103
702.365.1555
www.swgas.com

GARBAGE

Republic Services
770 E. Sahara Avenue
Las Vegas, NV 89102
702.735.5151

PHONE

Sprint Telephone
330 S. Valley View Boulevard
Las Vegas, NV 89107
702.244.7400
www.sprint.com

CABLE

Cox Communications
121 S. Martin Luther King Boulevard
Las Vegas, NV 89106
702.383.4000
www.cox.com/LasVegas

BUSINESS LICENSE

Business License Division, City of North Las Vegas
2200 Civic Center Drive
North Las Vegas, NV 89030
702.633.1521
www.ci.north-las-vegas.nv.us/Departments/Finance/BusinessLicense.cfm

WATER CONSERVATION

Southern Nevada Water Authority
1001 S. Valley View Boulevard
Las Vegas, NV 89153
702.258.3930
www.snwa.com

FIRE DEPARTMENT

2626 E. Carey Avenue
North Las Vegas, NV 89030
702.633.1102



Approved Plant Materials List

UNOFFICIAL

EVERGREEN DROUGHT-TOLERANT TREES

Botanical Name Common Name

Acacia sp.	Acacia
Acer macrophyllum	Big Leaf Maple
Arbutus unedo	Strawberry Tree
Eriobotrya deflexa	Bronze Loquat
Eriobotrya japonica	Loquat
Eucalyptus spathulata	Narrow-leafed Gimlet
Foresteria neomexicana	New Mexico Privet
Pinus eldarica	Mondel Pine
Pinus halepensis	Aleppo Pine
Pinus nigra	Austrian Black Pine
Prunus caroliniana	Carolina Laurel Cherry
Rhus lancea	Sumac
Quercus ilex	Holly Oak
Quercus suber	Cork Oak

DECIDUOUS DROUGHT-TOLERANT TREES

Botanical Name Common Name

Albizia julibrissin	Silk Tree
Celtis pallida	Desert Hackberry
Cercidium floridum	Blue Palo Verde
Cercidium microphyllum	Little Leaf Palo Verde
Cercidium hybrid	Desert Museum
Cercis occidentalis	Western Redbud
Chilopsis linearis	Desert Willow
Chitalpa tashkentensis	Chitalpa Tree
Crataegus sp.	Hawthorn
Fraxinus velutina	"Rio Grande" Fan Tex Ash
Gleditsia triacanthos	Honey Locust
Malus sp.	Crabapple
Palm Trees	
Parkinsonia aculeata	Mexican Palo Verde
Pistacia chinensis	Chinese Pistache
Prosopis chilensis	Mesquite
Prosopis glandulosa	Mesquite
Prunus besseyi	Western Sand Cherry
Prunus cerasifera	Cherry Plum

Punica granatum

Quercus coccinea

Quercus douglasii

Quercus palustris

Quercus phellos

Sophora japonica

Tilia cordata

Tilia euchlora

Ulmus parviflora

Vitex agnus-casta

ORNAMENTAL

Botanical Name

Pomegranate

Scarlet Oak

Blue Oak

Pin Oak

Willow Oak

Japanese Pagoda Tree

Little-leaf Linden

Crimean Linden

Olea "Swan Hill"

Chaste tree

Common Name

Arctomecon californica

Asparagus sp.

Caesalpinia gillesii

Dasyllirion wheeleri

Elaeocarpus decipiens

Ipomopsis aggregata

Lagerstroemia indica

Psilostrophe cooperi

Stanleya pinnata

Tecoma stans

Las Vegas Bearpoppy

Asparagus

Paradise Bush

Desert Spoon

Japanese Blueberry

Skyrocket

Crape Myrtle

Paper Flower

Princes Plume

Yellow Trumpet Flower



Approved Plant Materials List

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COPY

EVERGREEN HEDGES AND SCREENS

Botanical Name	Common Name
Abelia sp.	Abelia
Artemisia caucasicus	Sage – Silver Spreader
Artemisia schmidtiana	Sage – Angel's Hair
Atriplex canescens	Four-wing Saltbush
Atriplex confertifolia	Salt Cedar
Atriplex hymenelytra	Desert Holly
Berberis buxifolia	Magellan Barberry
Buxus	Boxwood
Caesalpinia pulcherrima	Red Bird of Paradise
Calliandra californica	Baha Fairy Duster
Calocedrus decurens	Incense Cedar
Cassia artemisioides	Feathery Cassia
Cercocarpus betuloides	Mountain Mahogany
Cercocarpus ledifolius	Desert Mahogany
Cupressua glabra	Smooth Arizona Cypress
Encelia farinosa	Brittle Bush
Ephedra nevadensis	Mormon Tea
Eremophila sp.	Emu Bushes
Euonymus europaea compacta	European Spindle Tree
Euonymus fortunei	Winter Creeper
Euonymus japonica	Evergreen Euonymus
Euonymus kiautschovica	Spreading Euonymus
Franseria dumosa	Desert Ragweed
Hesperaloe parviflora	Red Yucca
Heteromeles arbutifolia	California Holly
Ilex sp.	Holly
Ilex vomitoria 'nana'	Dwarf Yaupon Holly
Kochia scoparia	Summer Cypress
Lantana camara	Lantana
Larrea tridentata	Creosote Bush
Lepidium fremontii	Desert Alyssum
Leucophyllum frutescens	Texas Ranger
Ligustrum japonica "texanum"	Waxleaf Privet
Lycium andersonii	Anderson Lycium
Lycium pallidum	Wolfberry
Mahonia aquifolium	Oregon Grape
Mahonia repens	Creeping Mahonia
Menodora spinescens	Spiny Desert Olive
Myrtus communis	Twisted Myrtle

Nandina domestica

Penstemon eatoni

Photinia fraseri

Pittosporum tobira

Platycladus orientalis

Raphiolepis sp.

Rhamnus alaternus

Rhamnus crocea illicifolia

Ribes sp.

Rosmarinus sp.

Salvia greggii

Salvia clevelandii

Simmondsia chinensis

Sphaeralcea ambigua

Suaeda torreyana ramosissima

Vauquelinia californica

Viburnum tinus

Xylosma sp.

Zauschneria californica

Heavenly Bamboo

Beard Tongue

Photina

Tobira

Oriental Arborvitae

India Hawthorn

Italian Buckthorn

Redberry

Currant Gooseberry

Rosemary

Red Chihuahuan Sage

Cleveland Sage

Jojoba

Globe Mallow

Inkweed

Arizona Rosewood

Laurustinus

Xylosma

Hummingbird Trumpet Bush



Approved Plant Materials List

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DECIDUOUS HEDGES AND SCREENS

Botanical Name	Common Name
<i>Atriplex lentiformis</i>	Quail Bush
<i>Berberis</i> sp.	Barberry
<i>Caragana arborescens</i>	Siberian Peashrub
<i>Chaenomeles</i> sp.	Flowering Quince
<i>Cotoneaster acutifolius</i>	Peking Cotoneaster
<i>Crataegus monogyna</i>	Hawthorn
<i>Dietes bicolor</i>	African Iris
<i>Elaeagnus angustifolia</i>	Russian Olive
<i>Fouquieria splendens</i>	Ocotillo
<i>Hemerocallis</i> sp.	Day Lilly
<i>Muhlenbergia capallaris</i>	Pink Mulhy
<i>Pennisetum setaceum rubrum</i>	Red Fountain Grass
<i>Rhamnus frangula</i>	Aibler Buckthorn
<i>Rosa eglandaria</i>	Sweet Briar
<i>Rosa floribunda</i>	Rose
<i>Rosa hugonis</i>	Father's Hugo Rose
<i>Rosa pauli</i>	Rose
<i>Rosa rugosa</i>	Ramanus Rose
<i>Rosa simplicity</i>	Rose simplicity
<i>Rosa soulieana</i>	Rose
<i>Salix purpurea</i>	Purple Osier
<i>Weigela</i> sp.	Weigela

Hippocrepis comosa

<i>Hymenoxys acaulis</i>
<i>Hypericum calycinum</i>
<i>Hypericum coris</i>
<i>Juniper</i> (prostrate)
<i>Lantana</i>
<i>Lantana montevidensis</i>
<i>Myoporum parvifolium</i>
<i>Nandina</i> (dwarf)
<i>Phylla nodiflora</i>
<i>Pyracantha</i> sp.
<i>Rosmarinus Lockwoodii</i>
<i>Rosmarinus officinalis</i>
<i>Ruscus hypoglossum</i>
<i>Sagina subulata</i>
<i>Teucrium chamaedrys</i>
<i>Verbena</i> sp.
<i>Zoysia tenuifolia</i> "Emerald"

Horseshoe Vetch

<i>Angelita Daisy</i>
<i>Creeping St. Johnswart</i>
<i>St. Johnswart</i>
<i>Juniper</i>
<i>New Gold Lantana</i>
<i>Lantana</i>
<i>Trailing Myoporum</i>
<i>Dwarf Bamboo</i>
<i>Lippia</i>
<i>Pyracantha</i>
<i>Rosemary</i>
<i>Rosemary</i>
<i>Butcher's Broom</i>
<i>Irish Moss</i>
<i>Germander</i>
<i>Verbena</i>
<i>Emerald Zoysia</i>

GROUND COVER PLANTS

Botanical Name	Common Name
<i>Abelia grandiflora</i>	"Edward Goucher" Abelia
<i>Acacia redolens</i>	Prostrate Acacia
<i>Arctotheca calendula</i>	Cape Weed
<i>Arctostaphylos uva-ursi</i>	Bearberry
<i>Baccharis "Starn Thompson"</i>	Hybrid Broom
<i>Chamaemelum nobile</i>	Chamomile
<i>Chrysanthemum mexicanum</i>	Damianita Daisy
<i>Convolvulus cneorum</i>	Bush Morning Glory
<i>Dalea capitata</i>	Sierra Gold
<i>Eriogonum umbellatum</i>	Sulfer Flower
<i>Gazania uniflora</i>	Gazania
<i>Genista hispanica</i>	Spanish Broom

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Approved Plant Materials List

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PERENNIAL FORBS, ETC.

Botanical Name	Common Name
<i>Achillea tomentosa</i>	Wooly Yarrow
<i>Aegopodium podagraria</i>	Bishop's Weed
<i>Ajuga reptans</i>	Carpet Bugle
<i>Anemone pulsatilla</i>	European Pasque Flower
<i>Arabis</i> sp.	Rockcress
<i>Artemisia frigida</i>	Fringed Wormwood
<i>Brunnera macrophylla</i>	Brumera
<i>Campanula</i> sp.	Bellflower
<i>Cerastium tomentosa</i>	Snow-in-summer
<i>Coronilla varia</i>	Crown Vetch
<i>Cymbalaria murallis</i>	Kenilworth Ivy
<i>Enceliopsis nudicaulis</i>	Nakedstem Sunray
<i>Epimedium</i> sp.	Bishop's Cap
<i>Euryops pectinatus</i> 'virdis'	Bush Daisy
<i>Festuca ovina glauca</i>	Blue Fescue
<i>Gazania</i> sp.	Gazania
<i>Helianthemum nummularium</i>	Sunrose
<i>Iberis sempervirens</i>	Evergreen Candytuft
<i>Liriope spicata</i>	Creeping Lily Turf
<i>Myosotis sylvatica</i>	Forget-me-not
<i>Nepeta faassenii</i>	Catmint
<i>Oenothera</i> sp.	Primrose
<i>Ophiopogon japonicus</i>	Mondo Grass
<i>Potentilla cinerea</i>	Cinquefoil
<i>Potentilla tabernaemontani</i>	Spring Cinquefoil
<i>Santolina chamaecyparissus</i>	Lavendar Cotton
<i>Saponaria ocymoides</i>	Soapwort
<i>Thymus vulgaris</i>	Common Thyme
<i>Viola odorata</i>	Sweet Violet

VINES

Botanical Name	Common Name
<i>Berberis repens</i>	Creeping Barberry
<i>Campsis grandiflora</i>	Chinese Trumpet Creeper
<i>Euonymus fortunei</i>	Winter Creeper
<i>Fatsyhedera lizei</i>	Tree Ivy
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Gelsemium sempervirens</i>	Carolina Yellow Jasmine
<i>Hardenbergia comptoniana</i>	Lilac Vine
<i>Hedera canariensis</i>	Algerian Ivy
<i>Lonicera japonica</i>	Japanese Honeysuckle
<i>Parthenocissus quinquefolia</i>	Virginia Creeper
<i>Rosa banksiae</i>	Lady Banks' Rose
<i>Trachelopermum jasminoides</i>	Star Jasmine
<i>Vinca periwinkle</i>	Periwinkle Vine

ROCK GARDEN PLANTS

Botanical Name	Common Name
<i>Agave americana</i>	Century Plant
<i>Agave deserti</i>	Desert Agave
<i>Andromeda polifolia</i>	Bog Rosemary
<i>Berberis stenophylla</i>	Rosemary Barberry
<i>Echinocactus grusonii</i>	Golden Barrel Cactus
<i>Ferocactus</i>	barrel cactus
<i>Halimolobos sahucci</i>	Cistrose
<i>Helianthemum nummularium</i>	Sunrose
<i>Hypericum coris</i>	St. Johnswort
<i>Juniper</i> sp.	Juniper
<i>Opuntia</i> sp.	Cactus Pear
<i>Penstemon rupicola</i>	Beard Tongue
<i>Potentilla cinerea</i>	Cinquefoil
<i>Spiraea bullata</i>	Spiraea
<i>Teucrium chamaedrys</i>	Germander
<i>Yucca</i> sp.	Yucca



Approved Plant Materials List

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BULBS

Botanical Name

Common Name

Allium sp.	Oriental Allium
Crocus sp.	Crocus
Cyclamen sp.	Cyclamen
Dahlia sp.	Dahlia
Fritillaria sp.	Fritillary
Galanthus elwesii	Giant Snowdrop
Iris reticulata	Violet-Scented Iris
Muscari sp.	Grape Hyacinth
Tulbaghia violacea	Wild Garlic
Zephyranthes sp.	Zephyr Flower

7he Appendix



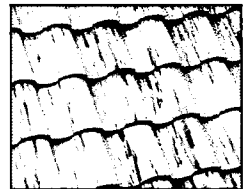
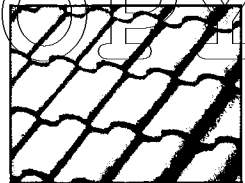
Community Product Standards

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ROOF MATERIALS -

Manufacturer	MonierLifetile / Eagle Roofing Products
Type	Concrete Tile
Product	Barcelona / Capistrano
Color	See Architectural Color Palette in this Appendix
Notes	All selected blends are to be approved by the ARC and the City of North Las Vegas *Or approved equal



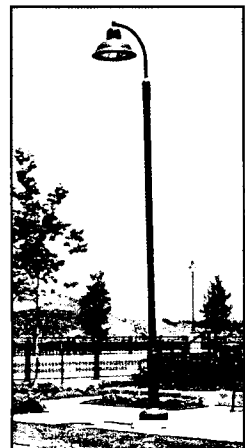
ROADWAY LIGHTING (GENERAL) -

Manufacturer	Pole: Ameron Centrecon series 2B2 Top mount caps: Ameron Ball Arm: SAP Pipe Arm Luminaire: GE M-100 to 400
Type	Street Lighting
Product / Catalog #	Pole: 2B2-26 (26' pole, 8' arm)
Light Source	TBD
Color	Pole: To match perimeter walls Arm and Luminaire: Dark Bronze
Representative	Pacific Lighting Corporation - 702.252.0404



VILLAGE LIGHTING: TYPE 1 -

Manufacturer	Architectural Area Lighting
Type	Street/Site Lighting
Product / Catalog #	Universe Collection / UCM-BEL-H2-FTG-SLA24-DB64R16-125-02A-2140-DBZ
Post	16' - 4" O.D. x .125" Alum. Tube
Light Source	Metal Halide, 175 Watt
Color	Dark Bronze (DBZ)
Representative	Hossley Lighting Associates Dave Comer, LC 972.484.7901
Notes	*Or approved equal 16' height measured from paving to bottom of luminaire.





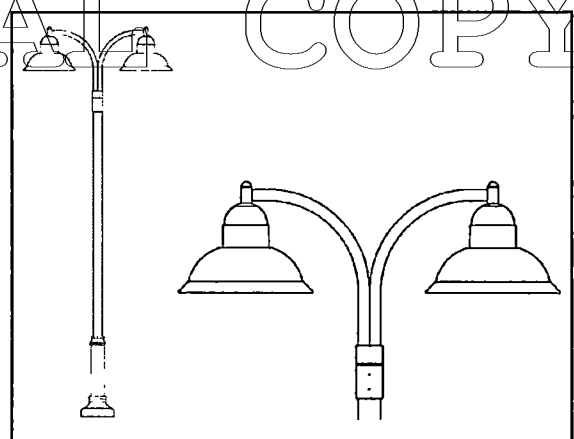
Community Product Standards

UNOFFICIAL COPY

VILLAGE LIGHTING: TYPE 2 -

Manufacturer Architectural Area Lighting
 Type Street/Site Lighting
 Product / Catalog # Universe Collection /
 2-UCM-BEL-H2-FTG-SLA24-
 DB64R16-125-02A-2141-DBZ
 Post 16' - 4" O.D. x .125" Alum. Tube
 Light Source Metal Halide, 175 Watt
 Color Dark Bronze (DBZ)
 Representative Hossley Lighting Associates
 Dave Comer, LC
 972.484.7901

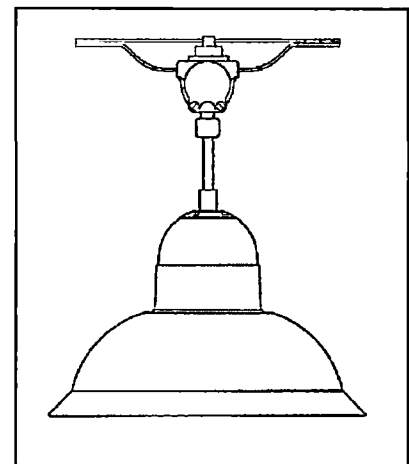
Notes *Or approved equal
 16' height measured from paving
 to bottom of luminaire.



VILLAGE LIGHTING: TYPE 3 -

Manufacturer Architectural Area Lighting
 Type Street/Site Cable Lighting
 Product / Catalog # Universe Collection /
 UCM-BEL-H5-FTG-02A-2218
 Mounting Supports / posts to be specified
 Light Source Metal Halide, 100 Watt
 Color Dark Bronze (DBZ)
 Representative Hossley Lighting Associates
 Dave Comer, LC
 972.484.7901

Notes 3/16" O.D. cable support, AL
 flexible fixture hanger
 *Or approved equal





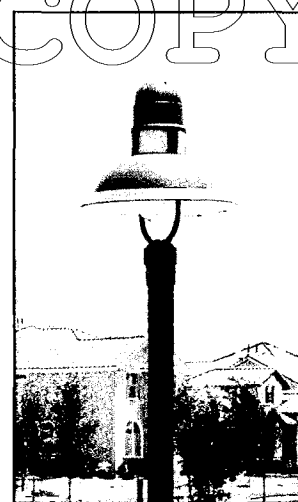
Community Product Standards

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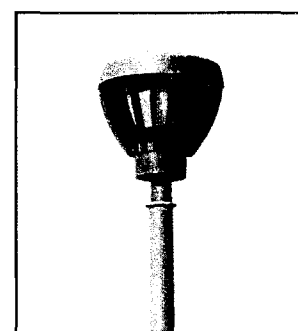
COPY

PARKS AND TRAILS LIGHTING -

Manufacturer Architectural Area Lighting
 Type Site Lighting
 Product / Catalog # Universe Collection /
 UCM-WND-BEL-OAL-PM-
 DB64R16-125-02A-2139-DBZ
 Post 16' - 4" O.D. x .125" Alum. Tube
 Light Source Metal Halide, 100 Watt or as needed
 Color Dark Bronze (DBZ)
 Representative Hossley Lighting Associates
 Dave Comer, LC
 972.484.7901
 Notes *Or approved equal
 16' height measured from paving to
 bottom of luminaire.

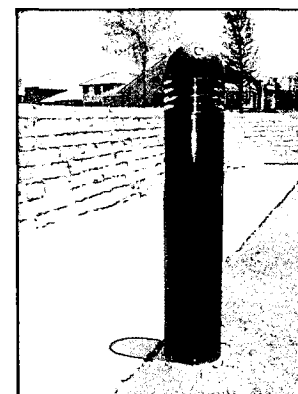


Manufacturer US Architectural Lighting
 Type Site Lighting
 Product / Catalog # Vandalume
 Post 11'-16' - 4" O.D. Alum. Tube
 Light Source Metal Halide, 100 Watt or as needed
 Color Dark Bronze
 Representative 661.233.2000
 Notes *Or approved equal
 Height measured from paving to
 bottom of luminaire.



LIGHT BOLLARDS -

Manufacturer Kim Lighting
 Type Metal Light Bollard
 Product VRB1
 Light Source Metal Halide, 100 Watt or as needed
 Color Dark Bronze
 Representative Hossley Lighting Associates
 Dave Comer, LC
 972.484.7901
 Notes *Or approved equal.



7he Appendix



Community Product Standards

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BOLLARDS -

Manufacturer

Kim Lighting

Type

Concrete Bollard

Product

VRBC

Color

TBD

Representative

Hossley Lighting Associates

Dave Comer, LC

972.484.7901

Notes

Or approved equal.



PRECAST CONCRETE RESTROOMS -

Manufacturer

CXT

Type

TBD

Product

TBD

Color

TBD

Representative

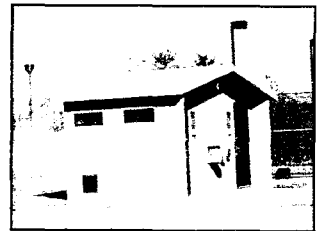
LBFoster

800.696.5766

Notes

November 2005 Land Investors, LLC / DRHI, INC and City of North Las Vegas mutually approved design.

HOA maintained parks will not be required to provide any facilities aside from the restrooms.



BLOCK WALL -

Manufacturer

TBD

Type

TBD

Product

TBD

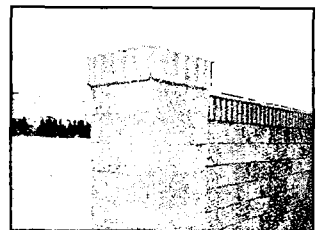
Color

TBD

Representative

Notes

Or approved equal



TREE GRATES -

Manufacturer

Urban Accessories

Type

5' x 5', Cast Iron Tree Grate

Product

Chinook

Color

Dark Bronze, Powder Coat Finish

Representative

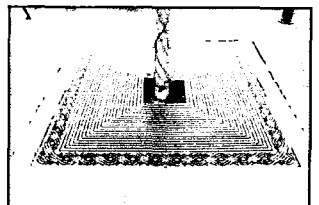
Expressive Industries

Suzanne Dyer

800.448.0429

Notes

Or approved equal



urbandesign Carter-Burgess



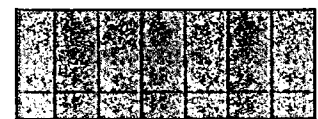
Community Product Standards

UNOFFICIAL

PEDESTRIAN PAVING: TYPE P1 –

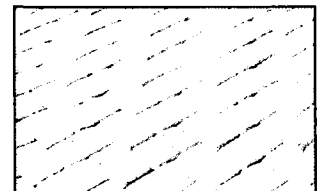
Manufacturer	Pavestone Company
Type	Concrete Paver – 6cm
Product	Holland Stone
Pattern	Header and/or Soldier Course
Color	Charcoal
Representative	Joey Guedea - 817.481.5802
Notes	See approved sample for color. Or approved equal

COPY



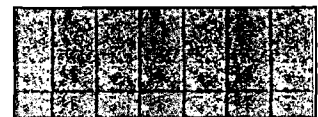
PEDESTRIAN PAVING: TYPE P2 –

Manufacturer	Pavestone Company
Type	Concrete Paver – 6cm
Product	Plaza Stone
Pattern	Plaza I Muster ‘K’
Color	Winter’s Blend
Representative	Joey Guedea - 817.481.5802
Notes	See approved sample for color. Or approved equal



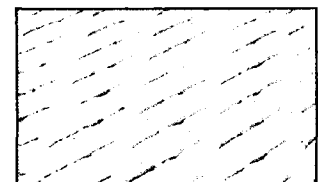
CROSSWALK PAVING: TYPE P1 –

Manufacturer	Pavestone Company
Type	Concrete Paver – 8cm
Product	Holland Stone
Pattern	Header and/or Soldier Course
Color	Charcoal
Representative	Joey Guedea - 817.481.5802
Notes	See approved sample for color. Or approved equal



CROSSWALK PAVING: TYPE P2 –

Manufacturer	Pavestone Company
Type	Concrete Paver – 8cm
Product	Plaza Stone
Pattern	Plaza I Muster ‘K’
Color	Winter’s Blend
Representative	Joey Guedea - 817.481.5802
Notes	See approved sample for color. Or approved equal





Community Product Standards

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BENCHES –

Manufacturer
Type
Product
Color
Local Representative

Landscape Forms
Seating Bench, Backed
Scarborough, 72", Horiz. Strap
Stormcloud, Powder Coated
Diane Collier
214.343.1145
Surface mounted.

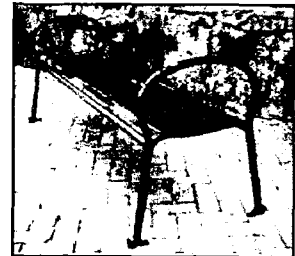
Notes



Manufacturer
Type
Product
Color
Representative

Landscape Forms
Seating Bench, Backless
Scarborough, 72", Horiz. Strap
Stormcloud, Powder Coat
Diane Collier
214.343.1145
Surface mounted.
Or approved equal

Notes



LITTER RECEPTACLES –

Manufacturer
Type
Product

Landscape Forms
Litter Receptacle
Scarborough, Side Opening,
Vertical Strap
Stormcloud, Powder Coat
Diane Collier
214.343.1145
Surface mounted.
Or approved equal

Color
Representative

Notes



BICYCLE RACKS –

Manufacturer
Type
Product
Color
Representative

Landscape Forms
Bicycle Rack
Pi Rack
Stormcloud, Powder Coat
Diane Collier
214.343.1145
Embedded mounting.
Or approved equal

Notes





Community Product Standards

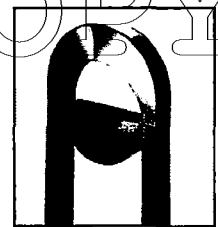
UNOFFICIAL

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ASH URNS -

Manufacturer
Type
Product
Color
Representative

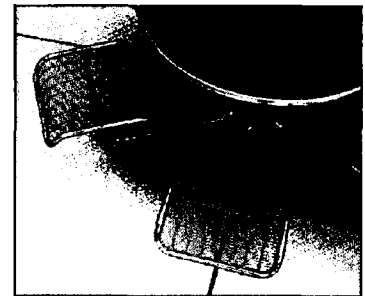
Landscape Forms
Ash Urn
Napoleon
Stormcloud, Powder Coat
Diane Collier
214.343.1145
Notes
Embedded mounting.
Or approved equal



PICNIC TABLES -

Manufacturer
Type
Product

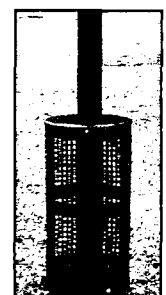
Landscape Forms
Outdoor Tables
Carousel, 42" Dia., 4 metal grid
seats w/backs, Catena table top
w/ out umbrella hole.
Stormcloud, Powder Coat
Diane Collier
214.343.1145
Notes
Freestanding w/ glides.
Or approved equal



PET WASTE STATION -

Manufacturer
Type
Product / Catalog #

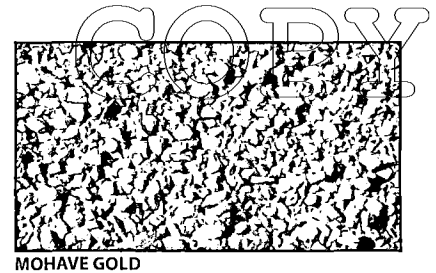
Baggit
Pet Waste Station
10 Gallon, Closed Wastebasket /
2003-10A
Dark Bronze
RWE Distributing
Roger Everett
800.926.0033
Notes
Embedded mounting.
Or approved equal





Community Product Standards

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ROCK MULCH -
Manufacturer

Kalamazoo

Type
Color

Mineral Rock
Decomposed Granite
Mohave Gold in public
TBD in front yards and shall be
consistent from lot to lot in a parcel.
All color to be approved by the ARC.
Min. 1" screened in common areas or
as approved by the ARC.
Min. 3/4" screened in front yards or
as approved by the ARC.

Size

Representative
Notes

TBD
Decomposed granite must conform
to Clark County Technical Guide-
Line 25.17.03. In no case can rock
mulch be less than 1/2" screened.
Or approved equal

ARTIFICIAL SYNTHETIC TURF -

Manufacturer
Product
Color

Crystal Turf Products
Artificial Synthetic Turf
Par Rye
Par Rye Plus
Par Fescue
Par 3, Michael Snowden
702.806.6436
Or approved equal

Representative

Notes





Architectural Color Palette

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CONCRETE ROOF TILE COLORS- MONIER LIFETILE

Barcelona

1BCCS3940 Cliffside
 1BCCS6676 Desert Sunset
 1BCCS3601 Desert Driftwood
 1BCCS6464 California Mission Blend
 1BCCS6160 Autumn Blend
 1BCCS6142 Rio Grande Blend
 1BCCS0026 Sandstorm
 1BCCS9039 Toast
 1BCCS1132 Charcoal Brown Blend
 1BCCS4598 Forest Green
 Boosted Barcelona Caps
 1BECS4690 Gulfstream
 1BECS3940 Cliffside
 1BECS6169 Casa Grande Blend
 1BECS6464 California Mission Blend
 1BECS0141 Buckskin
 1BECS1132 Charcoal Brown Blend

CONCRETE ROOF TILE COLORS-EAGLE ROOFING PRODUCTS

Capistrano

3520 Weathered Terracotta Flashed
 3522 Terracotta Flashed
 3549 Santa Paula
 3555 Alhambra
 3560 Caliente
 3576 Topanga
 3578 Ramona
 3581 Canyon Brown
 3598 Ocotillo
 3602 Concord Blend
 3604 Carlsbad Blend
 3605 San Benito Blend
 3606 Vallejo Range
 3615 Weathered Terracotta Range
 3626 Rancho Cordova Blend
 3634 Kings Canyon Blend
 3645 Sunrise Blend
 3646 Sunset Blend
 3680 Los Padres Blend
 3687 Gray Brown Range
 3697 Charcoal Range
 3773 Walnut Creek Blend

STUCCO FIELD COLORS- ICI/DULUX

364, 366, 367, 415, 327, 371, 365, 461, 593, 519, 521, 598, 602, 523, 421, 422, 524, 607, 423, 468, 527, 611, 530, 614, 533, 427, 535, 537, 485, 700, 627, 539, 541, 479, 547, 548, 380, 374, 372, 369, 336, 334, 328, 365, 378, 371, 367, 364, 381, 333, 327, 323, 645, 547, 530, 519, 548, 539, 533, 524, 521, 627, 611, 602, 593, 796, 791, 689, 428, 376, 211, 208, 429, 427, 423, 324, 485, 479, 421, 366, 483, 548, 422, 415, 541, 535, 527, 537, 468, 523, 461, 700, 614, 607, 598, 471, 467, 418, 460

TRIM COLORS- ICI/DULUX

564, 563, 556, 549, 542, 723, 649, 564, 731, 816, 664, 655, 769, 341, 438, 427, 365, 436, 560, 551, 472, 423, 420, 416, 672, 485, 665, 554, 544, 673, 561, 547, 614



Architectural Color Palette

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FAUX STONE COLORS:

Clone Stone:

- Ledgestone- Greyhawk, Canyon Grey, Troon, Hualapi, Meseta, Khalsa, Caramel, Chateau, Suede
- Schist- Aurora, Southwest, Mummy Mountain, Fog, Bitterroot, Blush, Bucks Blend, Rye Brown, Southern, Mist
- Cobblestone- Red Mountain, Hillstone, Deer Valley, Ranch Blend
- Limestone- Verde Basin, Suede, Southern, Bucks, Caliche, D.M.E., Southern Highlands, Umber
- Fieldstone- Bucks, Oatmeal, Earth, Ranch Blend, Mist
- Cottage Stone- Arista, Dry Gulch, Canyon Moss

*Combinations may be presented to the ARC for consideration.

Eldorado Stone:

- Cliffstone- Lantana, Ponderosa, Mesquite, Manzanita
- Limestone- York, Castillo, San Marino, Savannah, Shilo
- Fieldledge- Veneto, Andante, Umbria, Meseta
- Hillstone- Lucera, Bergamo, Verona
- Rustic Ledge- Saratoga, Saddleback, Clearwater
- Mountain Ledge- Durango, Bitterroot, Mesa Verde, Sierra, Yukon
- Stacked Stone- Nantucket, Sante Fe, Alderwood, Chapel Hill

*Combinations may be presented to the ARC for consideration.

CULTURED STONE:

Classic Series:

- Cobblefield- Chardonnay, San Francisco, Cypress, Brown
- Country Ledgestone- Bucks County, Walnut, Mojave, Shale
- Limestone- Buckeye, Suede, Cedar, Bucks County, Lake Erie, Chardonnay, Kentucky
- Old Country Fieldstone- Piedmont, Chardonnay, Riviera, Tudor, Romana
- Country Ledgestone- Red Rock, Honey, Eucalyptus, Chardonnay, Caramel, Aspen

Designer Series:

- Dressed Fieldstone- Aspen, Villa di Lago, Chardonnay, Brandywine, Bucks County
- Drystack Ledgestone- Caramel, Chardonnay, Mist, Cedar, Suede
- Southern Ledgestone- Chardonnay, Rustic Southern, Walnut, Fog, Fawn, Bucks County, Gray

Architectural Series:

- Pro-Fit Ledgestone- Mojave, Platinum, Autumn, Gray, Shale
- Pro-Fit Alpine Ledgestone- Chardonnay, Harvest, Pheasant

*Combinations may be presented to the Committee for consideration.

CULTURED BRICK:

- Used Brick- Chicago, Old, California Drift, Vintage, Antique Red, Horton Bay, High Desert, Bucks County, Chardonnay, San Francisco
- Block Colors- Cinderlite

General Note: The ARC may update and modify this palette as needed.

Exhibit 'A'

Mixed Use District (MU MPC)) Standards

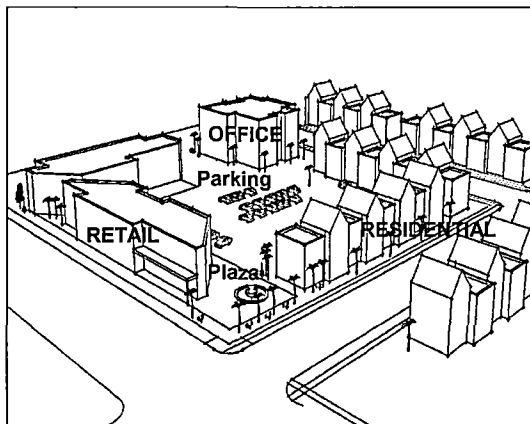
A. Purpose

The Mixed Use District (MU (MPC)) is intended to:

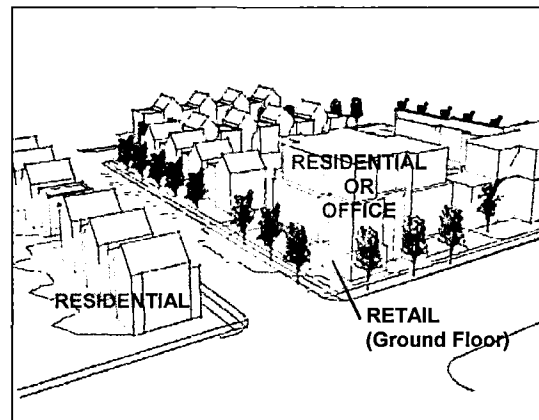
1. Allow the mixing of residential and non-residential uses on the same site and/or within the same building to create economic and social vitality within new and existing neighborhoods;
2. Decrease automobile dependency by encouraging alternative forms of transportation, such as walking, bicycling, and transit;
3. Create vibrant, safe, pedestrian-friendly neighborhoods with a focus on convenience, interconnectivity, and accessibility for the benefit of residents, workers, and visitors;
4. Promote excellence and innovation in architecture, urban design and site planning; and
5. Enhance quality of life in the City of North Las Vegas by increasing choices available in terms of housing, transportation, and access to recreation, shopping, and employment.

B. Applicability and Location

1. The City of North Las Vegas encourages new development and redevelopment projects that contain a mix of complementary and connected uses (such as retail, offices, and residential), with a variety of densities, and active public spaces. The design of mixed use areas must emphasize pedestrian comfort and safety and connectivity.
2. Mixed use projects may be integrated in a vertical or horizontal manner and may cover a small or large land area. Vertical mixed use projects incorporate different land uses within the same building (e.g., residential and/or office above retail uses). Horizontal mixed use projects incorporate different land uses within adjacent buildings on the same site. Both types of mixed use projects are encouraged.



Horizontal Mixed Use



Vertical Mixed Use

3. The Mixed Use Development District (MUD) may be generally applied within any of the following Comprehensive Plan land use designations:

Residential Designations:

Medium Density Residential
Medium High Density Residential
High Density Residential
Very High Density Residential

Commercial Designations:

Mixed Use
Neighborhood Commercial
Community Commercial
Regional Commercial

4. Within the above land use designations, proposed mixed use projects shall also comply with at least one of the following locational criteria:

- a. The development contributes to the revitalization or redevelopment of specific site(s) and/or neighborhood(s) within a designated redevelopment area.
- b. The development constitutes infill development on vacant or underutilized parcels.
- c. The development site is located within 1/4-mile of an existing or future bus rapid transit (BRT) or light rail transit (LRT) stop.
- d. The development site is located within a master-planned community and has been designated for mixed use development within the master development agreement.
- e. The development creates a self-supporting neighborhood node or center in an area that is otherwise exclusively residential or commercial in character.
- f. The development is located adjacent to and directly accessible from an existing or planned segment of the Regional Trail system or other City-planned trail facilities.
- g. The development is located within 1/4-mile of Cheyenne Avenue between I-15 and Decatur Blvd. and features employment-based uses (light industrial, office, supportive commercial, professional services, etc.) as a primary component.

C. Mixed Use Sub-districts

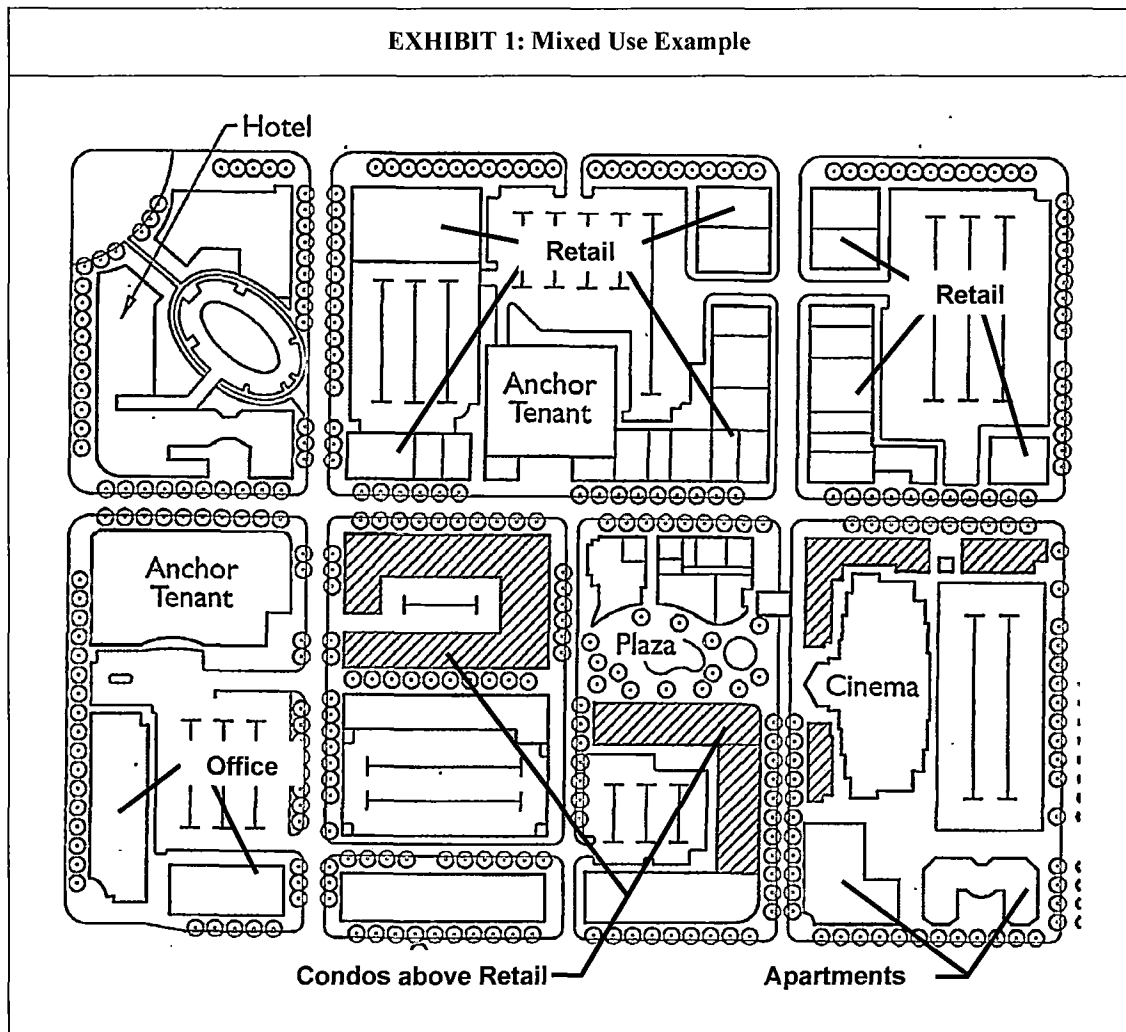
The Mixed Use District (MU (MPC)) is further divided into three distinct sub-districts: *Neighborhood Center Mixed Use (MX-1)*, *Community Center Mixed Use (MX-2)*, and *Regional Center Mixed Use (MX-3)*. Each sub-district corresponds to a particular size and intensity of development, and development standards and design criteria are provided herein to achieve a desired urban form in each sub-district. The appropriate sub-district for any given site shall be determined by the scale and intended character of the proposed project.

1. Neighborhood Center Mixed Use (MX-1). Neighborhood Centers shall be oriented to pedestrians, with a strong emphasis on connectivity both internally and to surrounding areas. Neighborhood Centers shall range from 1 to 10 acres in size and provide a low to moderately concentrated mix of low-rise to mid-rise (up to 5 stories or 60 feet) residential, commercial, employment, and recreational uses. Buildings shall be oriented to the street, and streetscapes shall include pedestrian-friendly amenities such as wider sidewalks, enhanced landscaping, pedestrian-scale lighting, and street furnishings. Where applicable, these developments shall also provide direct access to transit stops.

2. Community Center Mixed Use (MX-2). Community Centers shall provide a mix of complementary retail, commercial, and/or office uses serving a larger market area as well as a variety of medium and higher density residential development. Commercial Centers shall be developed on sites ranging from 10 to 40 acres in size and provide a highly concentrated mix of low-rise to high-rise (up to 10 stories or 120 feet) residential, commercial, office, and recreational uses. Where applicable, the commercial component should include restaurants, general retail, and other uses that promote both daytime and nighttime activity. Community Centers must be accessible from major transportation corridors or mass transit routes.

3. Regional Center Mixed Use (MX-3). Regional Centers shall be planned and built as major retail centers of the City and/or regional destinations featuring large-scale development that can only be supported by large populations. Regional Centers are ideal locations for major retail development, hotels, restaurants, conference centers, arts/cultural centers, sports facilities, and other entertainment venues. Where applicable, Regional Centers shall provide direct access to mass transit, and parking shall be provided in parking structures.

EXHIBIT 1: Mixed Use Example



D. Development Standards

TABLE 1: Development Standards			
Development Standard	Neighborhood Center	Community Center	Regional Center
1. Residential Density ¹			
a. maximum	18 du/acre	50 du/acre	50 du/acre
b. maximum within ¼-mile of a planned or existing Bus Rapid Transit (BRT) or Light Rail Transit (LRT) facility.	25 du/acre	50 du/acre	50 du/acre
2. Building Height ²			
a. minimum	2 stories or 35 feet	2 stories or 35 feet	2 stories or 35 feet
b. maximum	5 stories or 60 feet	10 stories or 120 feet	no maximum
3. Perimeter Setbacks ³			
a. Buildings (minimum)	20 feet	16 feet	20 feet
b. Streets and drive aisles (minimum)	10 feet	10 feet	10 feet
4. Building Setbacks ⁴			
a. within Pedestrian Priority Areas			
1) Front			
- minimum	15 feet	15 feet	15 feet
- maximum	25 feet	25 feet	25 feet
2) Side/Corner/Rear			
- minimum	0 feet	0 feet	0 feet
- maximum	10 feet	10 feet	10 feet
b. outside of Pedestrian Priority Areas	n/a	established at the time of MUD approval	established at the time of MUD approval
5. Open Space ⁵			
a. Residential (minimum)	See Table 3	See Table 3	See Table 3
- minimum	one public gathering space	one public gathering space	one public gathering space
b. Commercial ⁶ (minimum)			
¹ Additional density criteria may be added when the Comprehensive Plan is updated. ² Single story buildings permitted in the MX-1 and MX-2 sub-districts with approval of a special use permit. ³ Perimeter setbacks shall be measured from the property line. Perimeter setbacks may be reduced to zero when adjacent parcels contain existing mixed use development. ⁴ Building setbacks shall be measured from the back of curb. See Section 17.24.220 for additional requirements for structures exceeding 35 ft. in height. ⁵ See Section 17.24.220 for additional open space requirements. ⁶ Size and location(s) of commercial open space to be determined at the Pre-Submittal Conference.			

E. Permitted Land Uses (unless otherwise permitted in the Development Agreement)

TABLE 2: PERMITTED LAND USES			
<i>P = permitted, N = not permitted, S =Special Use with conditions Special Use Permits to be considered concurrent with application for re-zoning to MUD.</i>			
	Neighborhood Center	Community Center	Regional Center
1. RESIDENTIAL USES			
a. Household Living	P	P	P
b. Group Living	S	S	S
2. COMMERCIAL USES			
a. Retail Sales and Service	P	P	P
b. Restaurants (refer Development Agreement)			
- with drive-through	N	S	S
- without drive-through	P	P	P
- with alcohol sales (Supper Club, beer/wine)	S	S	S
c. Tavern/Restaurant (refer to Development Agreement.	S	S	S
d. Office and Clinics	P	P	P
e. Lodging	S	S	S
f. Vehicle Sales and Service			
- enclosed in building	S	S	S
- not enclosed in building	N	S	S
g. Fuel Sales	N	S	S
h. Commercial Parking Lots (fee parking)	N	P	P
i. Commercial Storage, including mini-storage (refer to Development Agreement)	S	S	S
- enclosed in building or on an upper story	N	S	S
- not enclosed in building			
j. Commercial Entertainment			
- enclosed in building (e.g., theater)	S	P	P
- not enclosed in building (e.g., amusement)	N	S	P
k. Wholesale			
- greater than 25,000 square feet GLA	N	S	P
- less than 25,000 square feet GLA	P	P	P
1. Other commercial uses may be permitted if deemed consistent and compatible with the development.			
3. CIVIC USES			
a. Government - point of service (e.g., library)	P	P	P
b. Parks and Open Space	P	P	P
c. Schools			
- preschool and daycare	S	S	S
- elementary, secondary schools	S	S	S
- colleges and vocational schools	S	S	S
d. Clubs and Religious Institutions	P	P	P

4. Industrial Uses			
a. Manufacturing and Production			
- greater than 10,000 sq. ft.	N	N	P
- less than 10,000 sq. ft. or with retail outlet	P	P	P
b. Warehouse	N	S	P
c. Transportation, Freight and Distribution	N	S	P
d. Industrial Service (e.g., cleaning, repair)	N	S	P
e. Processing of Raw Materials	N	N	S
f. Any use involving Hazardous Materials	N	N	N

F. General Requirements

1. Mix of Uses.

- a. All mixed use development shall include a minimum of two different land use types, which may include commercial, residential, office, and/or employment uses. Administrative approval is permitted if no one land use occupies more than seventy-five (75) percent of a site. If a project does not meet this criteria, then the appropriate mix shall be considered by the City on a case-by-case basis, with primary consideration given to variables such as location, site design, site feasibility, market analysis, and compatibility with adjacent development. Consideration of this action will proceed directly to the City council for review.
- b. Mixed use development may include vertical mixed use (i.e., any combination of compatible uses in a single structure) or horizontal mixed use (i.e., any combination of compatible uses arranged side-by-side on a single site).
- c. To create and maintain active and interesting pedestrian areas, commercial buildings located within horizontal mixed use development should include a minimum of two individual retail uses per block length. Each retail use shall have a separate entrance. For the purpose of this section, "block length" means the pedestrian area between two streets and/or drive aisles.
- d. Mixed use buildings with residential uses planned for the second story and higher shall have retail, commercial or office uses on the ground floor. Lobby areas serving upper story residential uses may also be located on the ground floor, provided that such lobby areas occupy no more than fifty (50) percent of the available floor space. All non-residential ground floor uses shall be compatible with residential uses.

2. **Ownership.** All mixed use development shall be under unified control at the time of application and shall be planned and scheduled to be developed as a whole (however, the non-residential components of the projects should develop when supported by the necessary residential rooftops).

3. Phasing of Development.

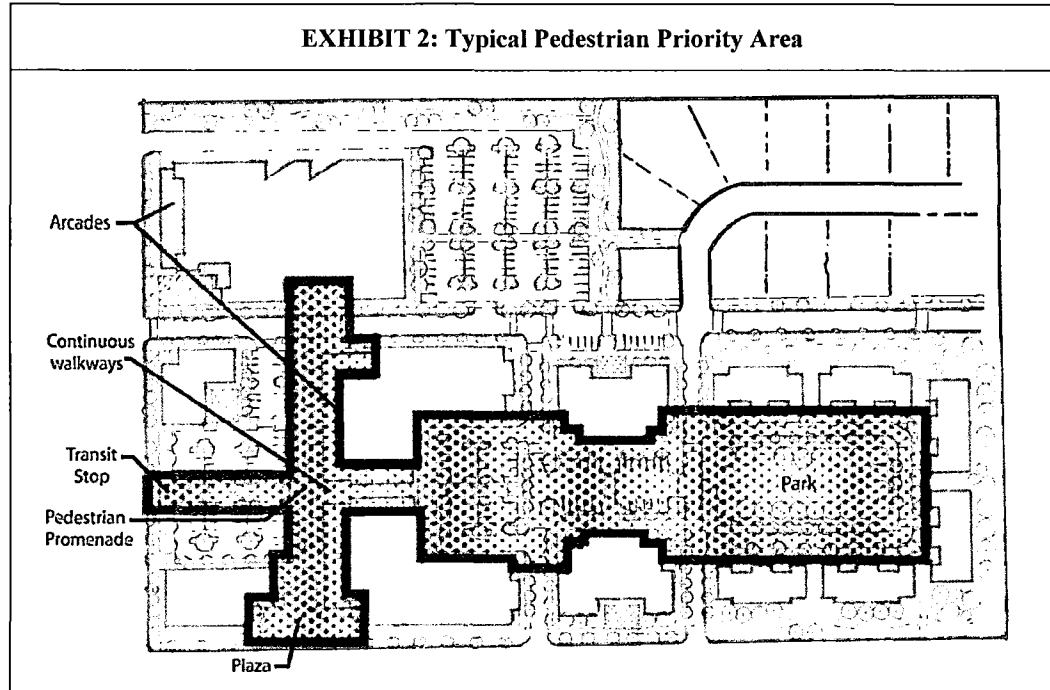
- a. Any mixed use development proposed to be constructed in phases shall include the full details relating thereto, including a time schedule for the completion of each phase.

- b. For all mixed use projects, no “on sale” establishment shall be occupied prior to completion of at least fifty percent (50%) of the commercial component.
- c. For all mixed use projects, required open space shall be completed according to a phasing plan approved with the mixed use development.

4. Site Design. The Mixed Use Design Guidelines set forth in Section 17.24.220 shall be used to evaluate the overall design and functional integration of all major components of mixed use development, including building locations, street layout, parking, transit access, pedestrian areas, etc. To the greatest extent practicable, buildings and uses shall be clustered on the site to promote walkability and linked trips.

5. Pedestrian Priority Areas. Pedestrian priority areas are areas within a mixed use development where primary design consideration shall be given to pedestrians rather than vehicles. All pedestrian priority areas shall meet or exceed the Design Guidelines contained in Section 17.24.220.

- a. All mixed use development shall include at least one pedestrian priority area. Additional pedestrian priority areas may be required based on site design variables such as the number and location(s) of residential and non-residential components.
- b. For horizontal mixed use projects, pedestrian priority area(s) shall be located between all residential and non-residential areas or uses and shall be designed to integrate the different types of land uses to the greatest extent practicable.



- c. For vertical mixed use projects, the entire site shall be considered a pedestrian priority area and all streetscapes shall be designed for walkability. All vertical mixed use buildings shall have primary entrances opening onto a street or public square.

- d. Pedestrian priority areas shall provide multiple, direct pedestrian connections to perimeter sidewalks, preferably in conjunction with a pocket park or other public area.
 - e. Crosswalks may be included within Pedestrian Priority areas, provided that such crossings are designed and constructed in compliance with Section 17.24.220.C4.
6. **Open Space.** Recreation and leisure space shall be provided within each mixed use development. The primary objective is to provide useable public spaces and gathering spaces oriented toward the pedestrian user as a key component of the development.

- a. The minimum open space requirement shall be met through a combination of private open space, common open space, and neighborhood nodes. Private open space means those areas designed for personal use and direct accessibility from individual dwelling units (e.g., enclosed patios, balconies, etc.). Common open space means those areas designed for use and accessibility by all residents and/or the general public (e.g., parks, trails, plazas, etc.) and may include neighborhood nodes. Neighborhood nodes are small gathering spaces or mini-parks located within individual neighborhoods.

TABLE 3: MINIMUM OPEN SPACE REQUIREMENTS

Type of Open Space	DENSITY		
	Up to 25 units / acre	25 to 50 units / acre	50 or more units / acre
Common Open Space¹ (We would like to utilize agreed to DG open space)	300 square feet / unit	250 square feet / unit	200 square feet /unit
Private Open Space² (required on 75% of units)	40 square feet / unit	40 square feet / unit	Encouraged but not required ³
Neighborhood Node⁴ (Mini Park)	1 node / 100 units or any portion thereof Minimum 1 node	1 node / 120 units or any portion thereof Minimum 1 node	1 node / units or any portion thereof Minimum 2 nodes

¹ All common open space shall meet or exceed the minimum design guidelines as established in the NLV Community Design Guidelines. .

² Private open space such as patios and balconies shall have a minimum dimension of five (5) feet.

³ Small "Juliet" balconies are encouraged for units on lower floors fronting streets and/or open space, or any unit without private open space.

⁴ The intent of requiring Neighborhood Nodes is to achieve a particular type of common open space, such as parks, plazas, desert gardens, or similar types of community gathering space. Each neighborhood node shall have a minimum area of 10,000 square feet and a minimum dimension of 75 feet. When more than one neighborhood node is required, the additional node(s) may be combined with the first one or designed as a separate "satellite" node.

- b. At least fifty percent (50%) of the required open space shall be designed for the primary use of residents living within the residential component of the mixed use development. Health clubs, libraries, swimming pools, multi-purpose rooms, etc. reserved for the exclusive use of residents may be counted toward this requirement.
- c. The commercial component of each mixed use development shall provide a minimum of one major plaza, pedestrian promenade, or similar gathering place accessible to the public. The required major plaza, pedestrian promenade, or similar gathering space shall have a minimum dimension of twenty (20) feet and shall be incorporated into the site plan as an

integral part of a designated Pedestrian Priority Area.

- d. Where applicable, a useable open space or public gathering place accessible to the community (e.g., a pocket park, oasis, or an expanded waiting area) shall be located adjacent to all planned or existing transit stops.
- e. Where applicable, outdoor seating areas used by restaurants may be counted toward the total open space requirement.

f. All sidewalks and landscape areas located within designated Pedestrian Priority Areas may be counted toward the total open space requirement, provided that such areas are designed in full compliance with applicable Mixed Use Design Guidelines.

g. The developer(s) and/or property owner(s) of a mixed use development shall establish an arrangement to assure the City of a continued standard of maintenance and responsibility of the common open space and recreational facilities. The management and maintenance plan shall be submitted to the Department of Parks and Recreation for review and approval prior to the occupancy of any buildings within the development.

h. As part of the pre-submittal conference, the Parks and Recreation Department and the developer(s) shall establish a list of amenities to be located within all common open space areas and neighborhood nodes. The amenities list shall be subject to final approval by the Director of Parks and Recreation/City Manager.

7. Landscaping. The General Landscaping Requirements and Preferred Plant Materials established in Section 17.24.100 shall apply generally to all mixed use development. Landscaping and/or fencing shall be provided according to a plan approved by the City and may be considered on a case-by-case basis, based on variables such as location, site design, and compatibility with adjacent development. The Landscaping Plan shall include a detailed planting list with sizes at both planting time and maturity. The use of turf shall be limited to public gathering spaces such as parks, neighborhood nodes, or residential backyards etc.

8. Streets, Utilities, and Public Services. All mixed use development shall comply with the specifications and standards for streets, utilities, and services established by city code. The Public Works Department may allow modifications to the specifications and standards, however, in cases where the developer proposes to improve upon those specifications and standards in a manner that is beneficial to the City or the residents of the mixed use development. All mixed use development shall be served by public water and sewer systems, and all utilities shall be installed underground.

9. Parking. The parking requirements established in Section 17.24.140 and Section 17.24.200 shall apply to all mixed use development except as provided herein unless otherwise approved in the Design Guidelines.

a. The total number of parking spaces required for a mixed use project may be reduced by five (5) percent.

b. A reduction of parking standards up to twenty (20) percent may be granted based upon justification shown within a parking impact study. Reduced parking requirements may be justified by estimated peak usage for the site, existing pedestrian/bicycle accessibility from adjacent neighborhoods, availability of transit service, availability of on-street parking, etc. The parking impact study shall be subject to review and modification by the City of North Las Vegas traffic engineer/City Manager.

- c. The total number of parking spaces provided within any mixed use development shall not exceed 120% of the parking requirements established in Section 17.24.140. Parking in excess of 120% of the parking requirements should be located within structures.
- d. Under no circumstances shall the total parking reduction for any mixed use development exceed twenty (20) percent. Separate parking calculations shall be made for residential and non-residential uses for the horizontal mixed use projects.
- e. Mixed Use Development located within 1/4-mile of a planned or existing bus rapid transit (BRT) or light rail transit (LRT) stop *may be eligible* for a maximum parking reduction of up to 20%. Where transit service is planned but not yet available, the mixed use development shall provide adequate interim parking in areas that may be subsequently re-developed with buildings when transit service becomes available. All such areas shall be identified during the pre-development conference.
- f. Parking for non-residential uses may be used to fulfill the guest parking requirements for residential uses. Such shared parking shall be conveniently distributed throughout the site, and a minimum of one (1) space for every 500 square feet of gross leasable area of ground floor non-residential floor area shall be maintained.
- g. Tandem parking may be permitted within multi-level parking structures, provided that each set of tandem parking spaces is assigned to a specific residential unit and not shared between different units or uses.
10. "On Sale" Establishments. The following development standards shall apply to all general "on sale" establishments located within a mixed use project (unless otherwise approved within the Development Agreement):
- a. Approval of a site specific special use permit is required for each "on sale" establishment. Application(s) for special use permit(s) may be considered concurrently with the application for mixed use zoning.
- b. All "on sale" establishments located within a mixed use project shall comply with the floor area requirements found in Title 5 and Title 17.
- c. One (1) "on sale" establishment may be allowed for every 50,000 square feet of commercial floor area (gross) located within the same mixed use project.
- d. Mixed use projects containing less than 50,000 square feet of commercial floor area (gross) may be allowed a minimum of one (1) "On Sale" establishment, provided that such establishment complies with the requirements of this section. Office uses and live/work units may count toward the commercial floor area requirement, provided that such uses are located adjacent to commercial areas.
- e. In order to promote family-friendly dining opportunities, the ratio of tavern/restaurants to supper clubs within any mixed use development shall not exceed two to one (2:1).
- f. The following proximity distance separation requirements shall apply to all general "on sale" establishments, including saloons, tavern/restaurants, and nonprofit clubs, but excluding supper clubs, located within a mixed use project:

- i. The proposed “on sale” establishment must be a distance of two thousand five hundred (2,500) feet or greater from all existing or approved saloon, tavern/restaurant or nonprofit clubs located off-site of the mixed use project, unless a waiver of this requirement is granted by the City Council. Such separation requirement shall be measured utilizing the shortest direct line distance between the primary public entrance of the proposed “on sale” establishment and the primary public entrance of all other existing and approved saloon(s), tavern/restaurant(s), or nonprofit club(s).

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In granting a waiver from the above described separation requirement, the City Council shall make a determination that the proposed “on sale” establishment is in harmony with the general purpose and intent of the mixed use development district and that granting the waiver will not be injurious to the surrounding neighborhood or detrimental to the general public welfare.

- ii. The proposed “on sale” establishment must be a distance of one thousand five hundred (1,500) feet or greater from all existing or approved churches, schools, city-owned parks, and child care facilities. Such distance shall be measured utilizing the shortest direct line distance between the primary public entrance of the proposed “on sale” establishment and the nearest property line of property whereupon there is located a church, school, city-owned park or child care facility. “Property whereupon there is located a church, school, city-owned park or child care facility” is defined as that parcel, lot, or property upon which the church, school, city-owned park or child care facility is located, together with any other parcels, lots or properties that are primarily utilized by the church, school, city-owned park or child care facility.
 - iii. The proposed saloon, tavern/restaurant or nonprofit club must be a distance of than five hundred (500) feet or greater from any developed residential district. For the purposes of this section, “developed residential district” means a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.
- g. The proximity distance separation requirements outlined in sub-section (f) above shall not apply to “on sale” establishments located within the boundaries of an approved mixed use project.
 - h. The proximity distance separation requirements outlined in sub-section (f) above shall not apply to “on sale” establishments located within two or more mixed use projects located immediately adjacent to one another but approved separately.

G. Additional Building and Performance Standards

Mixed Use Development shall conform to all conditions and standards agreed upon by the applicant and the City at the time of approval. Development of any parcel of land within the Mixed Use Development District (MUD) shall also be subject to all applicable requirements of EXHIBIT ‘B’, the Design Guidelines for Mixed Use Development.

Exhibit 'B'

Mixed Use District (MU (MPC)) Design Guidelines

A. Purpose

In addition to the general purposes listed in EXHIBIT 'A', the specific purposes of the mixed use design guidelines are to promote walkability, connectivity, the creation of active neighborhood centers, excellence in site design and planning, and to ensure the compatibility of buildings and uses within all Mixed Use Districts (MU (MPC)).

B. Applicability

Given the desire for flexibility and innovation in designing mixed use developments and the different characteristics of each development site, the design guidelines set forth herein shall be used by the City to evaluate the overall design excellence and functional integration of the mixed use projects on a case-by-case basis. All new buildings and structures located within a Mixed Use District (MU (MPC)) shall comply with the applicable provisions herein unless an equal or better standard is proposed by the developer and approved by the City. In addition, no existing building or structure located within a Mixed Use District (MU (MPC)) shall be moved or substantially enlarged, and no previously developed site shall be substantially enlarged, unless in compliance with all applicable provisions herein.

C. Site Design

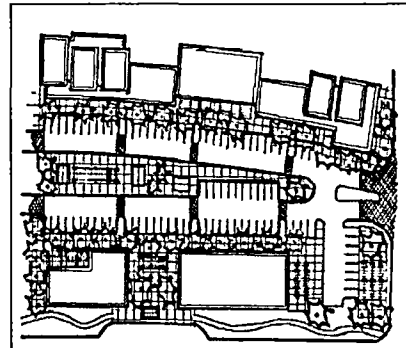
1. Compatibility with Surrounding Development

Mixed use development shall be designed to complement and enhance surrounding residential and non-residential neighborhoods. The developer shall implement buffering and/or screening measures (e.g., landscaping, setbacks, etc.) designed to ensure compatibility between mixed use projects and abutting properties or streets. The buffer areas and/or screening shall be designed to accommodate convenient, reasonably direct pedestrian connections between mixed use projects and surrounding neighborhoods.

2. Compact Development

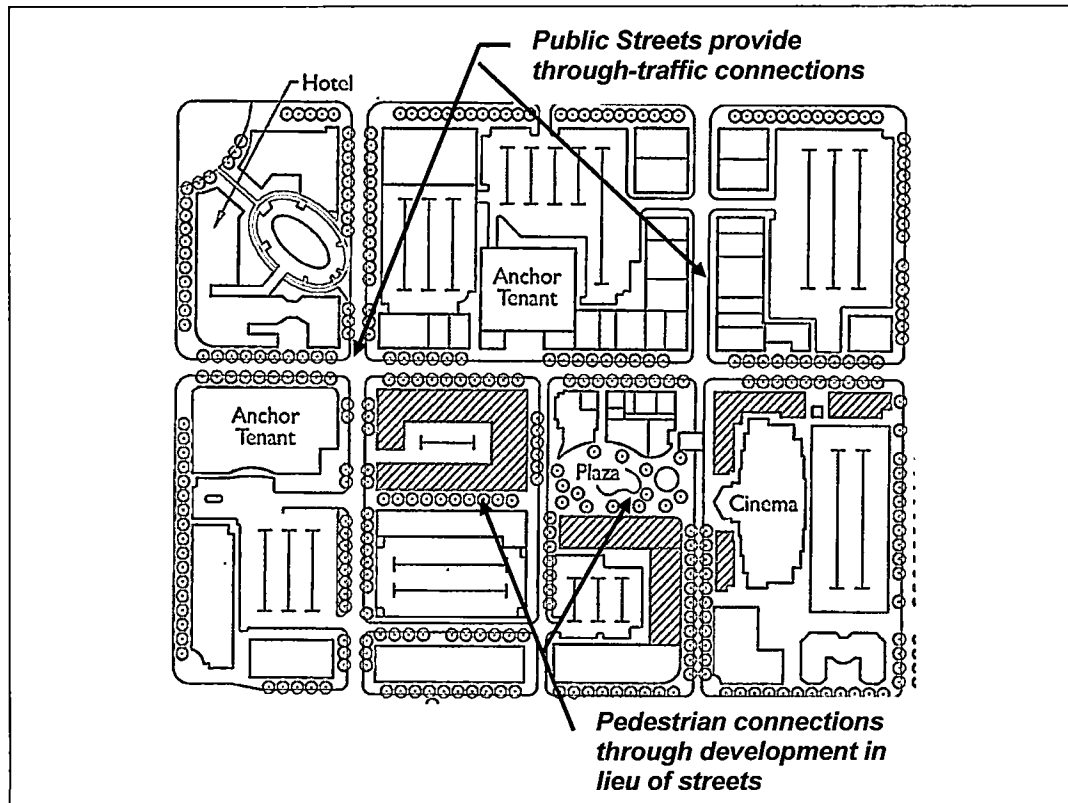
Buildings and uses that comprise a mixed use project shall be clustered to promote linked trips. The term "linked trips" means that a person can park their vehicle in one location and then safely and conveniently walk between multiple destinations on a single site or to more than one site within close proximity.

"Clustered" buildings are attached, oriented on adjacent street corners, or located close together such that pedestrians may walk between several primary building entrances without crossing a street or drive aisle.



3. Street Grid and Blocks

- a. The preferred development pattern for mixed use is a traditional grid pattern delineated by intersecting streets, drive aisles, and/or landscaped pedestrian corridors. Each block within the grid shall generally maintain a maximum block length of 400 feet and a maximum block perimeter of 1,600 lineal feet. The number of intersections shall be minimized along arterial streets and is subject to approval of the City of North Las Vegas traffic engineer/City Manager.
- b. Along arterial streets and/or where adequate circulation for vehicles is provided and additional street connections are deemed unnecessary, the preferred grid pattern for mixed use development shall be maintained by incorporating landscaped pedestrian corridors into the site plan at appropriate locations in lieu of full street improvements.
- c. Landscaped pedestrian corridors used in lieu of street connections shall have minimum widths of thirty (30) feet and include meandering sidewalks with a minimum width of ten (10) feet. Landscaping shall include trees planted twenty-five (25) feet on center and other plant materials to achieve sixty (60) percent ground coverage within two years of planting. Appropriate pedestrian amenities, including benches, lighting, and shade structures shall also be provided.

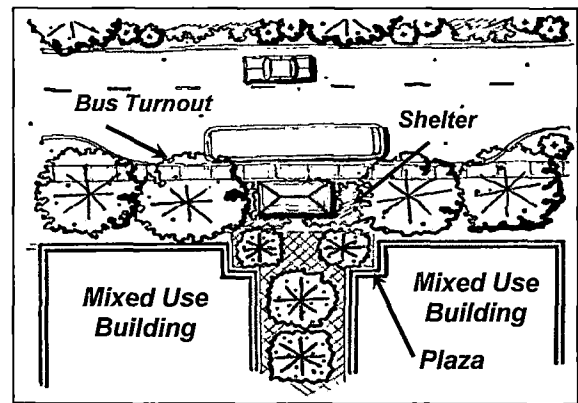


- d. Where required by the City of North Las Vegas traffic engineer/City Manager, the block grid used within mixed use development shall align with planned and existing streets existing streets surrounding the site.

4. Vehicle Circulation and Parking

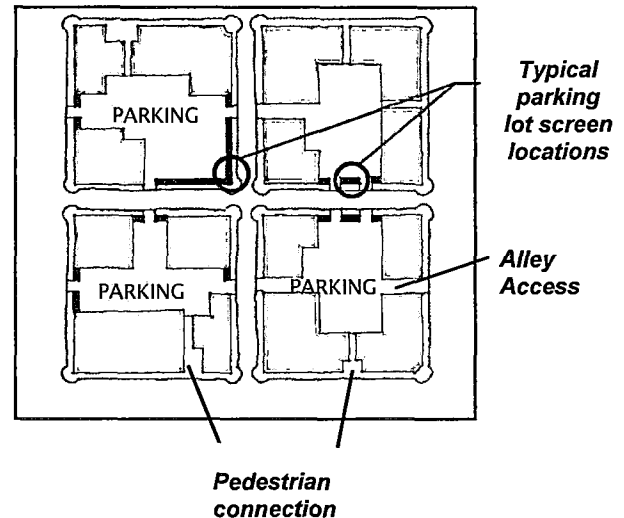
- a. The on-site circulation system shall promote efficient movement of vehicles in a clear and well-defined manner that minimizes conflicts with pedestrian and bicycles.
- b. On-street parking is encouraged along internal streets and driveways within mixed use development where it provides an additional buffer between moving traffic and pedestrian areas. Parallel or angled parking may be used to create a Main Street environment along primary streets and driveways within mixed use development.
- c. Transit stops, bus turnouts and shelters shall be provided where deemed necessary by the applicable traffic studies and the approved Parent Tentative Map and/or the City of North Las Vegas Traffic Engineer/City Manager.

Transit Stops shall be designed as integral elements, even focal points, of mixed use development by co-locating them with pedestrian-oriented amenities, such as pocket parks, courtyards, plazas, etc.



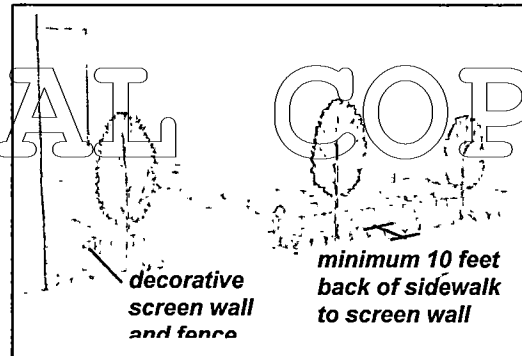
- d. Surface parking should be located to the rear or side of buildings, and away from the street frontage. Alley access to centralized parking lots is strongly encouraged. Large parking fields adjacent to streets are discouraged.
- e. Surface parking lots are prohibited at external street corners and shall be screened by buildings and/or landscaping at internal street corners, except as approved by the Planning Commission and City Council.

Surface parking lots screened by buildings and/or landscaping encourage pedestrian safety and comfort along mixed use street frontages.



- f. Any area of a surface parking lot that abuts a public street shall be set back from the sidewalk a minimum of ten (10) feet and screened by landscaping and/or a decorative masonry wall with a minimum height of three (3) feet above the finished grade at the rear of the setback area. Landscaping shall include trees planted a maximum of twenty-five feet on center and other plantings to achieve sixty (60) percent ground coverage within two years of planting.

When used to screen surface parking lots, masonry walls may be combined with a decorative fence for a combined maximum height of six (6) feet.



- g. Large surface parking areas shall be divided into smaller sub-areas that perpetuate the traditional grid pattern preferred for mixed use development. Each parking sub-area shall be limited in size to no more than 80 vehicles. Landscape islands are an effective tool to create sub-areas.
- h. The perimeters of all parking sub-areas shall be delineated using landscaped pedestrian plazas, landscaped islands, and/or landscaped pedestrian walkways with “street-like” features and a minimum width of ten (10) feet. “Street-like” features shall mean a raised sidewalk at least four (4) feet in width, landscape strips or tree wells with a minimum width of six (6) feet, a minimum six (6) inch curb, accessible curb ramps, and pedestrian-oriented lighting and amenities. Landscaping shall include trees planted a maximum of twenty-five feet on center and other plantings to achieve sixty (60) percent ground coverage within two years of planting.
- i. To produce a shade canopy within areas of surface parking, shade trees or palms of an approved variety (Section 17.24.100) shall be planted at intervals of twenty-five (25) feet on center within the landscaped islands between parking rows. Landscape diamonds may be used in lieu of landscape islands, provided the total number of trees is the same.
- j. Landscape islands with a minimum width of ten (10) feet shall be installed between the parking rows of every other double row of parking. The landscape islands shall include a sidewalk with a minimum width of four (4) feet and a landscape strip with a minimum width of six (6) feet. Landscaping shall include trees planted a maximum of twenty-five feet on center and other plantings to achieve sixty (60) percent ground coverage within two years of planting.
- k. Landscape islands with a minimum width of six (6) feet shall be installed for every 12 parking spaces contained in a parking row, and at the ends of all parking rows.

1. Parking structures that abut a public sidewalk shall be designed to mitigate negative impacts on pedestrians. Mitigation measures may include additional setbacks with enhanced landscaping and pedestrian amenities. Where feasible, Aliner® buildings should be incorporated into the design of parking structures to accommodate commercial uses on the ground level adjacent to the sidewalk.

“Liner” buildings may be incorporated into the design of parking structures to “line” the sidewalk with active, pedestrian-friendly environments at ground level. “Liner” buildings may be occupied by commercial, office, or residential uses. Direct access from parking floors to residential units is encouraged.



Liner Buildings along sidewalks

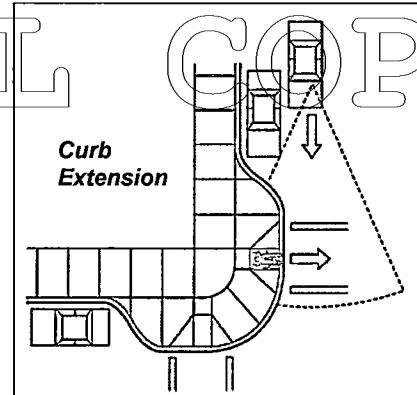
5. Pedestrian Access and Circulation

- a. All mixed use development sites shall provide a pedestrian system designed to promote safe, reasonably direct, and convenient circulation of pedestrians and bicycles throughout the entire site and with adjacent land uses. All pedestrian walkways, trails, multi-use paths, and sidewalks shall be considered components of the pedestrian circulation system.
- b. All internal walkways and trails shall have a minimum width of six (6) feet and shall be comprised of concrete or brick/masonry pavers. Sidewalks located within pedestrian priority areas shall have a minimum width of nine (9) feet.
- c. All multi-use paths (used by bicycles and pedestrians) shall have a minimum width of eight (8) feet and shall be comprised of concrete or asphalt.
- d. Pedestrian walkways or sidewalks shall connect all primary building entrances. Pedestrian walkways shall also connect all on-site common areas, parking areas, storage areas, open space, and recreational facilities.
- e. Where a pedestrian walkway directly abuts a driveway or street, the walkway shall be raised a minimum of six (6) inches and curbed along the edge of the driveway or street. Alternatively, a walkway abutting a driveway at the same grade may be permitted if the walkway is protected from vehicles by a row of decorative metal or concrete bollards with adequate minimum spacing to protect pedestrians.
- f. Where a pedestrian walkway crosses a parking area, driveway, or street, the crosswalk shall be clearly delineated using decorative pavers and/or colored stamped concrete. Non-permanent applications such as painted or thermo-plastic striping are prohibited.

- g. In conjunction with on-street parking, curb extensions shall be installed on the corners of all intersections adjacent to mixed use development to promote pedestrian safety and comfort. Decorative pavers and/or colored stamped concrete and landscaping shall be incorporated into all curb extensions to delineate pedestrian pathways and to enhance pedestrian safety and comfort.

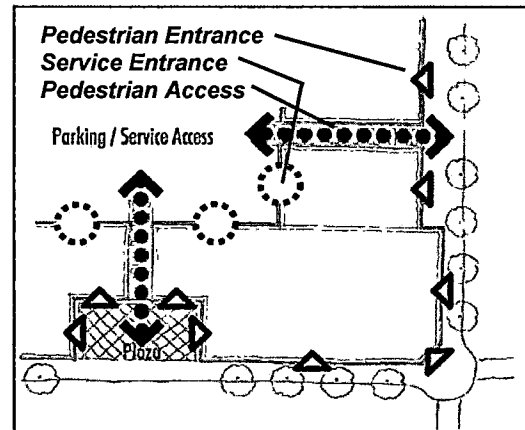
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To enhance pedestrian safety and comfort, on-street parking and curb extensions shall be required on all streets except arterial streets.



- h. Pedestrian walkways should avoid passing through service areas of the site (e.g., delivery areas, trash collection areas, etc.).

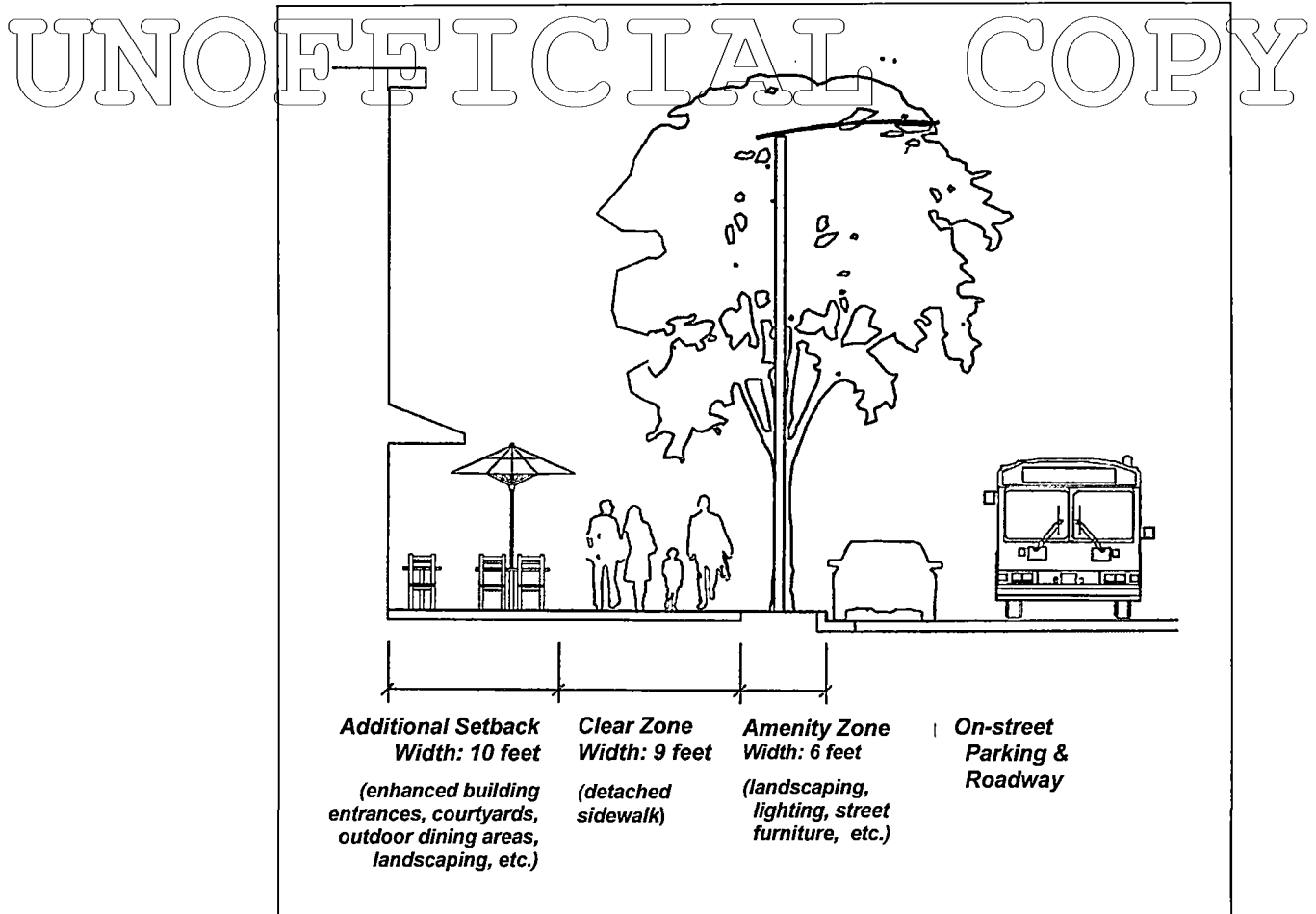
Where feasible, pedestrian access from rear parking lots to the main entrances of primary structures may be facilitated by a pedestrian access way or a combination pedestrian access way and plaza.



- i. Adequate bicycle parking facilities, as determined by the City of North Las Vegas Traffic Engineer/City Manager, shall be provided for each mixed use development.

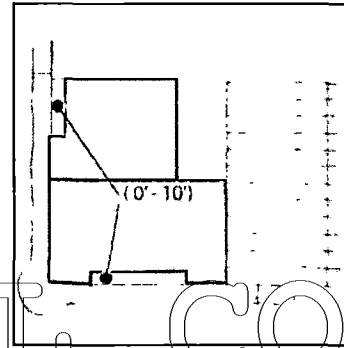
6. Pedestrian Priority Areas

- a. Within pedestrian priority areas, the minimum building setback shall be fifteen (15) feet as measured from the back of curb. The minimum building setback area shall include a minimum nine (9)-foot wide detached sidewalk and a minimum six (6)-foot wide amenity zone adjacent to all streets and drive aisles. The amenity zone shall include trees and landscaping and may include public signs, public art, street lighting, street furniture, and other pedestrian-oriented amenities, as appropriate.



- b. The fifteen (15)-foot minimum building setback may be expanded up to an additional ten (10) feet to provide enhanced building entrances, outdoor dining areas, courtyards, pedestrian arcades, and/or landscaping, etc. The additional ten (10) feet of setback area shall be limited to a maximum of 50 percent of each building frontage.

An additional setback of up to ten (10) feet may be applied to a maximum of 50 percent of each building frontage. The additional setback area should be used for active pedestrian amenities such as arcades, outdoor dining areas, pocket parks, etc.



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- c. Where feasible, on-street parking shall be provided along streets and drive aisles within Pedestrian Priority Areas as an additional buffer between moving traffic and the pedestrian realm. Parallel or angled parking is preferred in order to create a pedestrian-friendly AMain Street® environment for pedestrian priority areas.
- d. The amenity zone may include bus shelters, shade structures, bicycle racks, directional signs and public information kiosks, benches or other street furniture, pedestrian scale lighting (12' maximum height for street lights), drinking water fountains, public art, and other amenities consistent with the intended purpose of a Pedestrian Priority Area. A minimum of four such features shall be provided for every 400 linear feet of street frontage. The use of decorative pavers and/or enhanced concrete within amenity areas is encouraged.
- e. Shade trees of an approved variety (see Section 17.24.100) shall be planted and maintained within the six (6)-foot amenity zone adjacent to all streets within pedestrian priority areas. All trees shall be a minimum of 24" box size (minimum of 1 2" caliper measured at 4 2" above the root ball) at the time of planting and shall be planted at minimum intervals of thirty (30) feet on center. Palm trees shall be a minimum of fifteen (15) feet in height, as measured from ground to base of fronds, at time of planting.
- f. Landscaping and other required elements and amenities within Pedestrian Priority Areas shall be provided by the property owner and/or developer and maintained by the property owner and/or lessee. Design features such as decorative tree grates, seat walls, raised planter boxes and/or decorative pots are strongly encouraged within pedestrian priority areas in order to protect plants from being trampled.

7. Open Space

- a. The minimum open space requirement may include all fully developed Pedestrian Priority Areas, landscaped trails, parks, plazas, desert gardens, oases, promenades, courtyards, atriums, pools, tennis courts, ball fields, clubhouses, or libraries provided within the development for public use. Other public uses not included on this list may be approved as part of the mixed use development based size, location, accessibility, and quality of design.
- b. All required open space shall be useable for leisure and/or recreation. Parking areas, driveways, service areas, steep slopes, and required landscape setbacks shall not be counted toward the minimum open space requirement.

- c. The design and layout of required plazas and other public gathering spaces should contribute to the overall sense of place and help attract pedestrian users to the development. Required plazas and other public gathering spaces shall be designed as integral parts of the pedestrian circulation system for each site. Water features and shade structures are strongly encouraged.
- d. Where feasible, restaurants should front onto plazas and use the public area of the plaza for outdoor seating and/or dining.

e. Street corners shall be developed with building entrances, public plazas, small parks, or other similar features that create visual interest and pedestrian activity.

f. Private open space shall be directly accessible from the individual dwelling that it is intended to serve and shall not be used to accommodate air conditioning equipment.

g. Common open space shall have a minimum area of four hundred (400) square feet and a minimum width of twenty (20) feet.

h. No more than twenty (20) percent of the total open space requirement may be counted within structures and no more than twenty (20) percent may be provided on rooftops.

i. To increase pedestrian comfort and interest, sidewalks and pedestrian plazas that abut blank walls shall be located at least six (6) feet from the wall to provide planting beds for landscaping and trees. If planting beds are determined to be impractical because of soils conditions, above ground planters may be used, provided that they are designed and constructed to prevent drainage onto any sidewalk.

8. Landscaping

a. All required landscaping shall provide a minimum ground coverage of 60 percent, excluding trees, within two years of planting.

b. Street trees of an approved variety (see Section 17.24.100) shall be planted along all public streets and within public street medians, unless otherwise agreed upon during

the pre-submittal conference. All trees shall be a minimum of 24" box size (minimum of 1 2" caliper measured at 4 2" above the root ball) at the time of planting and shall be planted at minimum intervals of twenty-five (25) feet on center. Palm trees shall be a minimum of (fifteen) 15 feet in height, as measured from ground to base of fronds, at time of planting.

c. Non-vegetative ground covers, including but not limited to, rocks and small stones, crushed rock, cinders, and bark shall cover no more than 20% of the landscaped ground surface. Areas covered by such non-vegetative ground covers shall be broken up as much as possible by live plant materials.

d. Where mixed use development abuts a lower density residential neighborhood or open space, a transitional landscape buffer with a minimum width of twenty (20) feet shall be planted and maintained with 24" box trees (12" caliper measured at 42" above the root ball at the time of planting) at a maximum spacing of twenty (20) feet on center.

- e. Perimeter landscaping shall include drought-resistant plant materials compatible with adjacent neighborhoods. The width of perimeter landscape areas, which may include sidewalks, should be consistent with adjacent neighborhoods, but the minimum width in all cases shall be fifteen (15) feet.

9. Lighting

- a. Lighting shall be provided within mixed use development to create adequate visibility and safety at night. All lighting shall be integrated with landscaping.

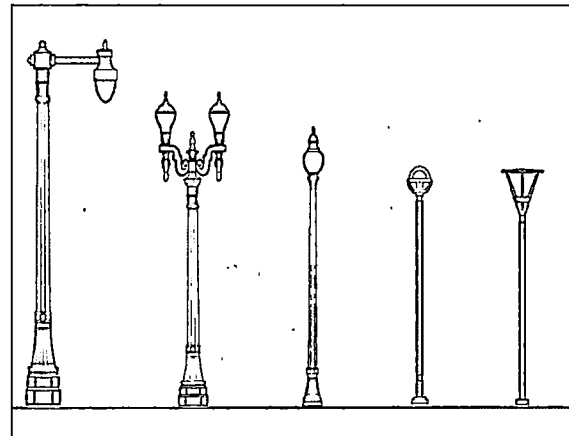
- b. Exterior lighting shall be of low intensity and shielded so that light will not spill out onto surrounding properties or project above the horizontal plane.

- c. A detailed photometric lighting plan prepared by a licensed electrical engineer shall be submitted at the time of building permit application. The lighting plan shall include types and styles of lighting fixtures, height and location of lighting fixtures, glare mitigation, etc.

- d. Mixed use developments located adjacent to one another or within the same general area or district shall use complementary lighting fixtures along streets, sidewalks, and pathways. Lighting fixtures within all pedestrian-oriented areas shall be compatible with the architectural character of the development and shall be scaled to the pedestrian with heights generally no more than twelve (12) feet.

- e. In non-pedestrian areas, light poles shall not exceed twenty-five (25) feet in height. Public street lighting maintained by the City of North Las Vegas shall comply with all Title 16 requirements.

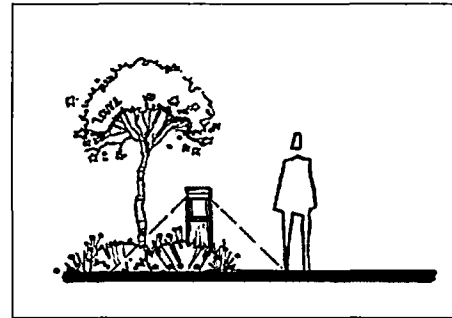
Lighting fixtures along sidewalks, pathways, and other pedestrian-oriented areas shall be scaled to the pedestrian.



- f. Warm lighting colors are encouraged. Florescent and/or mercury vapor lamps are prohibited for exterior lighting.
- g. Within parking lots, a minimum foot candle of 1.0 at the perimeter of light sources and between light sources, and 5.0 under light fixtures is recommended. Light shall not exceed 0.5 foot candles at any property line.

- h. Wall mounted lights shall be directed downward. Soffit mounted light fixtures should be recessed in the soffit or otherwise fully shielded from view from any property line. Ground mounted or other upward directional lighting will be permitted only where some form of shielding or light baffling is provided to create a soft, uniform light quality and minimize light spillage beyond the wall or sign being illuminated.
- i. Along walkways, low level lighting (i.e., below eye level) that directs light downward onto the ground surface is encouraged. The design of the fixtures shall be compatible with the overall design of the development, and shatterproof lamp coverings shall be used. The fixtures shall be placed to minimize glare and shall be located as to not present hazards for pedestrians or vehicles.

Lighting fixtures should be integrated into the landscaping and compatible in design with the architectural character of the proposed development.

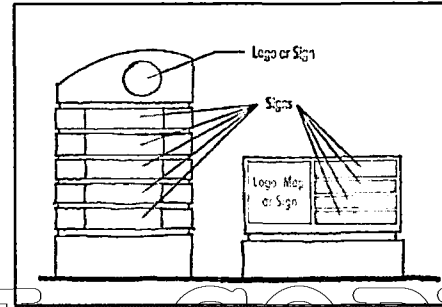


10. Signage

In addition to the requirements found in the Master Sign Plan, the following criteria shall be used in the design and placement of signs within mixed use developments:

- a. All signs shall be designed as an integral element of the building's architecture. Wall and blade signs should not interfere with architectural details or disrupt the rhythm of windows.
- b. Signage should make a positive contribution to the overall visual character of the streetscape. Signs should be appropriately sized with the scale of the building, and materials and colors used in the construction of all signs must be compatible with the overall character and design of the site.
- c. Within Pedestrian Priority Areas, the height, size, and placement of all signs must be scaled and oriented to the pedestrian.
- d. All freestanding signs shall be monument-type with a maximum height of eight (8) feet. The structural bases of freestanding signs shall be integrated into the landscaping of the site and screened with landscaping materials.

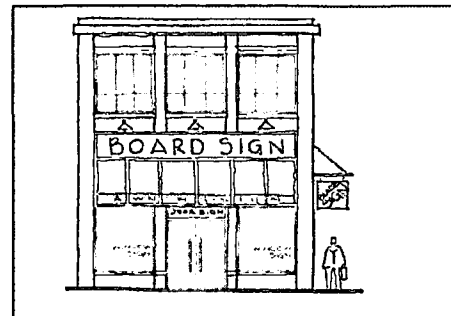
Monument signs should be carefully designed and integrated into the design scheme of the site and should be located at major intersections and/or at neighborhood entry points.



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- e. Exterior wall and building signs for single story buildings shall be installed in the area above the first floor windows and below the roof.
- f. Exterior wall and building signs for multi-story buildings shall be installed in the area above the first floor windows and the bottom of the second floor window line.

The placement, size, and design of all wall and building signage shall enhance the overall appearance of mixed use development.



11. Fences and Walls

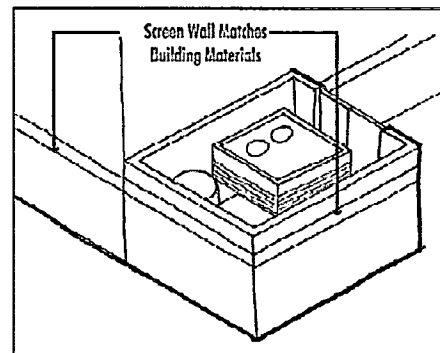
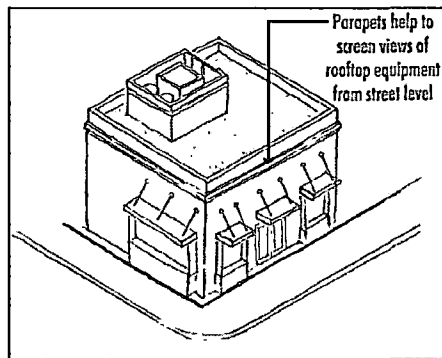
- a. Perimeter walls, berms, or fences, if used, shall be installed to a height of not less than 3'6" nor greater than ten (10) feet (except as permitted elsewhere in this code or the approved Design Guidelines). All perimeter walls shall be sealed by an approved method to prevent the leaching or transmission of mineral deposits through the wall.
- b. Where retaining walls are used, they shall not exceed six (6) feet in height and shall be decorative. If more than one retaining wall is needed due to topographic conditions, a maximum overall height of twelve (12) feet may be allowed, provided that a minimum planting area of five (5) feet is provided between the walls. Linear planting areas between the walls shall be landscaped with live plant materials to achieve sixty (60) percent ground coverage within 2 years of planting.
- c. All perimeter walls, exposed retaining walls, return walls and common area walls shall be decorative and shall be installed by the developer. All exposed sides of all retaining walls shall match the design of any applicable screen wall.

d. The following materials shall not be used for walls within mixed use development:

- 1) Chainlink or open wire fencing (except as temporary construction fencing)
- 2) Razor wire or barbed wire
- 3) Corrugated metal
- 4) Plastic or vinyl
- 5) Smooth-face, untextured or unfinished concrete or block (CMU)

12. Screening

- a. Service and loading zones shall be located to the rear, side, or to an internal location where visibility from public streets and views from neighboring buildings and properties are minimized. These areas shall be screened by the use of decorative walls and/or dense landscaping that will serve as both a visual and a noise barrier.
- b. Rooftops should be designed in a way that acknowledges their visibility from other buildings and the street. Service equipment shall be screened from both the street and neighboring buildings using parapets or similar architectural features.



- c. On sites with large grade differentials, where reasonable height parapet or screen walls are insufficient to provide screening, views from above shall be screened to the greatest extent practicable through the use of alternative methods such as painting the equipment to blend with roof materials.
- d. The following specific uses and equipment shall be screened:
- 1) Trash and refuse collection areas,
 - 2) Mechanical equipment (air conditioners, propane tanks, storage tanks, etc.),
 - 3) Electrical equipment (transformers, valves, vents, utility meters, etc.),
 - 4) Satellite dishes,
 - 5) Solar collectors, and
 - 6) Grouped mailboxes.
- e. To the greatest extent practicable, mechanical and electrical equipment, ladders and roof access equipment, drainage spouts, and ventilation equipment, etc., shall be incorporated into the architectural form and layout of proposed building(s) to reduce the need for screening.

- f. Mechanical and electrical equipment, solar collectors, satellite dishes, and any other communications equipment, excluding communications towers and antennas, shall be screened from view of public streets and neighboring properties at street level within 100 feet of the property boundary.
- g. Communication towers and antennas shall be designed and installed to blend with the architecture and design of the building on which they are mounted.
- h. Screen walls for outdoor storage areas shall be solid and similar in design and materials to the main buildings or match other screen walls on the site.
- i. With the exception of solar panel equipment, no mechanical equipment shall be mounted on or attached to any sloped roof.
- j. When mounted on sloped roofs, solar panel equipment, with the exception of solar collection cells, shall match the roof in color and appearance. Panels shall be mounted directly to the roof plane and be integral to the roof design. Roof mounted hot water storage systems shall not be visible from neighboring properties or the public right of way.
- k. Refuse collection areas and dumpsters shall be located away from all street fronts, primary driveways, and pedestrian walkways within mixed use development. Refuse collection areas and dumpsters shall be enclosed by masonry walls finished in the same manner as the main structures within the development. All such enclosures shall have solid metal gates and a roof or other type of approved screening device that covers the top of the enclosure.

D. Architectural Design

1. Building Orientation

- a. Within mixed use development, buildings should be oriented to the street with inviting and detailed elevations to strengthen the desired image for the area. Only active building elevations and public access shall face the street.
- b. The main entrance of each primary structure shall face the street frontage or pedestrian priority area. Except on corner lots where the main entrance may face either of the streets, be oriented to the corner, or pedestrian priority area.
- c. The placement and orientation of buildings along a frontage should create interesting and significant public spaces and help establish a design theme for the streetscape.
- d. Where feasible, buildings should be designed and located to create a Main Street environment by fronting along the street or internal circulation routes.
- e. Commercial and mixed use buildings should be sited and designed to attract and captivate the pedestrian user. Effective methods of building placement and orientation include
 - 1) Orienting the front doors of all businesses to streets or pedestrian features;
 - 2) Providing a primary building entrance for ground floor uses along each building façade;
 - 3) If a building has frontage on more than one public street, providing a single building entrance on the corner;

- 4) Using the area between the right-of-way and building to create a plaza court, planter area, bicycle parking, or other pedestrian amenity;
- 5) Avoiding excessive setbacks that create gaps or voids along the street=s architectural edge;
- 6) Providing building frontages with pedestrian-oriented architectural elements (e.g., arcades, awnings, porches, etc.) along the ground floor.

f. Corner and mid-block pad buildings shall be oriented to the street and public sidewalk and shall meet the following requirements:

- 1) Drive-through windows, driveways, and parking areas shall be designed such that buildings are not isolated from the connecting walkways.
- 2) Service windows and stacking lanes for drive-through businesses shall be oriented away from public streets and shall not dominate the public street frontage.

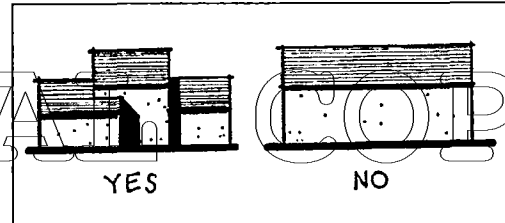
g. Loading, delivery service, and trash collection areas shall be designed and located to minimize their visibility, circulation conflicts, and adverse noise impacts. These areas shall not be located in required setback areas.

2. Massing, Scale, and Building Form

- a. Building design throughout mixed use projects shall promote visual interest and diversity through the use of building articulation and massing changes. The following architectural elements should be incorporated into mixed use buildings: varied roof heights, recessed windows and/or entrances, canopies, awnings, porticos, arcades, arches, outdoor patios, display windows, tile work and/or moldings, articulated cornice lines, integrated planter boxes or wing walls that incorporate landscaping and sitting areas, offsets or reveals used to express architectural or structural bays, and/or accent materials such as stone veneer, iron work, etc.
- b. Appropriately scaled accent features shall be used to add visual interest and diversity to building façades. Accent features may include balconies, decorative tile, awnings, canopies, window boxes, eaves, porches, plant shelves, stoops, chimneys, shutters, planters, pilasters, etc.
- c. The following architectural features are also encouraged for mixed use buildings:
 - 1) Building design with a visually distinct Abase,” Amiddle,” and Acap;”
 - 2) Upper-story elements (balconies, windows, terraces) that overlook the street;
 - 3) Reasonably direct access to the second story to encourage multi-level commercial or office use; and
 - 4) Separate entrances for residential uses.

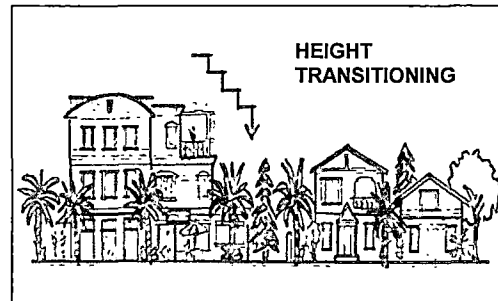
- d. The perceived height and bulk of buildings shall be relieved by variations in massing and/or articulation of facades to reduce the visual length of long walls. Variation of roof lines may also be used to reduce the apparent size of mixed use buildings and provide visual interest. Building surfaces over two stories high or fifty (50) feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest.

Perceived height and bulk shall be reduced by dividing building mass into smaller scale components.



- e. Mixed use development shall incorporate building height transitions from the maximum building height to a lower height to achieve compatibility with existing or planned development on adjacent properties. Compatibility refers to the characteristics of different land uses that allow them to be harmoniously located near or adjacent to each other with minimal impacts.

Building height transitions shall be used to ensure compatibility between multi-story mixed use buildings and lower intensity development on adjacent parcels.



- f. Additional building façade setbacks are required for buildings over six stories or seventy-five (75) feet in height. Building façade setbacks with a minimum width of twenty (20) feet shall occur from the 4th to 6th story along arterial streets (100 feet in width), 3rd to 6th story along collectors (80 feet in width), and 2nd to 6th story along 60-foot streets.

3. Exterior Materials and Finishes

- a. All exterior materials and finishes used within a mixed use development should support a unified theme or image. In general, buildings are encouraged to be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds.

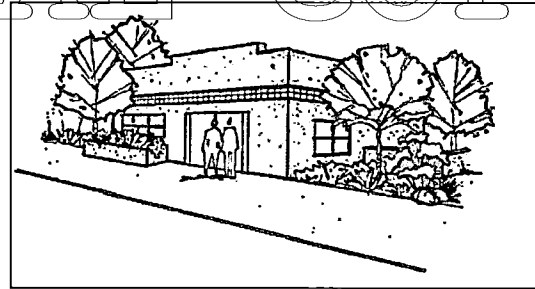
Black and bright colors shall not be used except as trim or accent colors. Fluorescent colors shall not be used.

- b. Concrete or clay tile shall be used on all sloped roofs. Architectural metal roofing may be used as an accent but shall not be used as the primary material for large expanses of roof. Asphalt, fiberglass and wood shingles and shakes are prohibited.

- c. Stone, stucco, colored or exposed aggregate, textured finish concrete, decorative block, and/or brick shall be used for all building exteriors. Simulated materials and building systems that provide an appearance similar to the preferred materials may also be acceptable.
- d. Highly reflective, shiny or mirror-like materials, unplastered or exposed standard concrete, and/or standard concrete masonry units shall not be used except as accents.
- e. All sides of a building shall be coherently designed and treated. A consistent level of detailing and finish is required for all sides of a building, unless the building, or portion thereof, is not visible from public view.

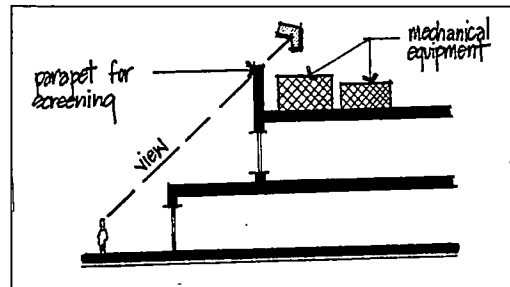
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Carrying the same level of detail and finish around all sides of a building provides for a more consistent design, and higher quality of development.



- f. Any building design that utilizes a flat roof shall incorporate a parapet wall and/or cornice element on all sides of the roof.

Parapet walls provide an effective screening device for roof-mounted mechanical equipment.



4. Building Facade

- a. For visual interest, all mixed use buildings shall incorporate patterns, changes in color, materials, and/or relief such as beltlines, pilasters, pop outs, etc.

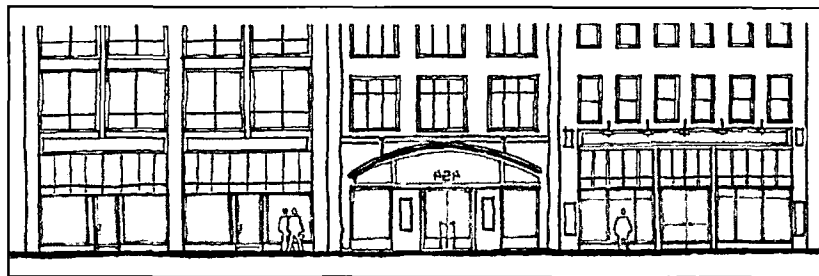
Windows that are recessed in shadow provide for a more interesting façade and help to reduce solar gain and reflection of glare.



- b. Within pedestrian priority areas, at least 50 percent of the total ground floor building frontage facing a primary sidewalk shall incorporate the following elements: windows with clear glass, recessed or projecting entries, residential stoops, outdoor dining areas, or other gathering spaces. The total ground floor frontage shall be calculated by multiplying the length of the building frontage along the front sidewalk and the average first floor height.
- c. Street level building facades shall incorporate single and double height windows and general access entrances to create visual interest and encourage window shopping.

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- d. Primary entries shall be clearly visible from the street and accentuated from the overall building facade by
 - 1) Differentiated roof, awning, or portico;
 - 2) Trim details to accentuate the opening;
 - 3) Project or recess entries from the surrounding building facade;
 - 4) Detailed doors and doorways with transoms, sidelights, trim details, and/or framing;
 - 5) Windows within doorways equivalent in size to 50 percent of door surface area; and
 - 6) Decorative nighttime lighting.
- e. Secondary entrances shall have minor architectural detailing that adds visual interest to that portion of the façade.
- f. Doors at storefronts with windows should match the materials, design, and character of the display window framing. Doors may be flanked by columns, distinctive lighting fixtures, or other details. Storefront, transom, display windows, and doors should encompass 50 percent minimum of the front of a building wall area.
- g. All windows should be detailed with architectural elements such as projecting sills, pop-outs, lintels, etc. Large glazed areas should be divided into smaller parts by using mullions to express individual windows or groupings of windows. False fronts or windows are prohibited



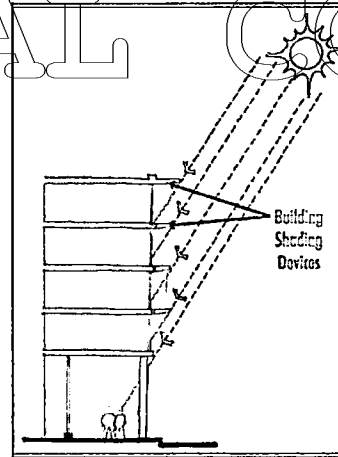
All windows on a building should be related in design. In general, storefront windows on the ground floor should be larger in size and encompass a larger portion of the facade surface area. Above the pedestrian level, windows and large areas of glass should be recessed in shadow or otherwise contrast with the building façade.

5. Shading Devices

- a. Given the climate in North Las Vegas, shading devices such as roof overhangs, arcades, awnings, porches, screens, shutters, and trellises shall be incorporated into the architectural design of mixed use buildings in order to protect windows, walls, and doors from solar heat gain. Designers should address the different exposures of a building so that shading devices produce a cooling benefit and energy conservation.

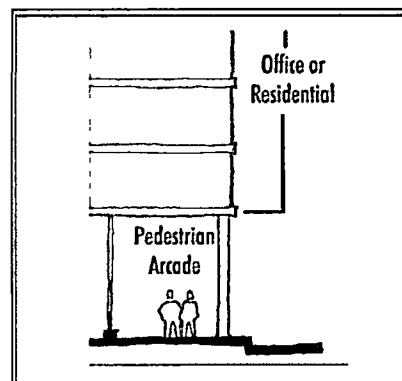
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Shading devices should play a major role in providing architectural character to mixed use developments and should be employed in a thoughtful and calculated manner rather than simply used to achieve a desired Alook@ for a building.

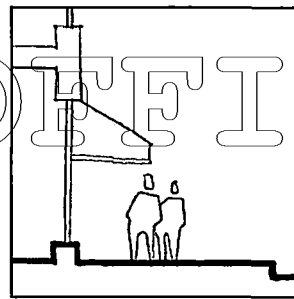


- b. Arcades may be used to enhance building facades and provide additional building space over the sidewalk up to the sixth (6th) story. Arcades shall have a consistent depth with those of neighboring buildings with a minimum depth of eight (8) feet.

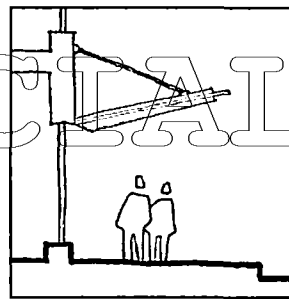
Arcades should be integral to the building design and consistent in form and material with the building characteristics.



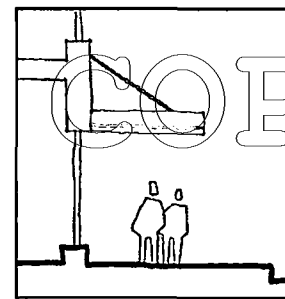
- c. Awnings or canopies are encouraged on all commercial and mixed use building frontages (where other shading devices are not used) and should be designed to provide consistent and continuous pedestrian protection from the elements. Awnings and canopies shall have a consistent depth with those of neighboring buildings with a minimum depth of six (6) feet. Awnings and canopies shall provide a vertical clearance of eight (8) feet and may encroach the right-of-way above the sidewalk.



TEXTILE



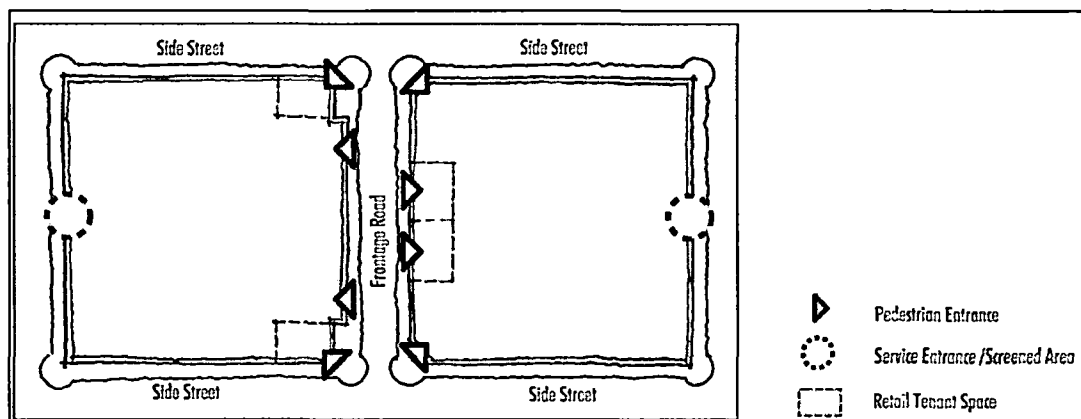
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METAL

6. Big Box Retail

Freestanding Big box buildings are discouraged within mixed use development. Where used, large format buildings should be designed to fit into the preferred block sizes and the compact pedestrian-oriented development pattern. The preferred design would integrate large format retail buildings into the site by wrapping them with storefront buildings. Alternatively, large format buildings should feature activated storefront windows along sidewalks, inviting pedestrian entrances oriented to public sidewalks, and canopies or arcades over entrances and windows. (Ord. 2298 § 1, 2006)



As part of a mixed used development, large format retail buildings should be designed to fit within small block sizes and include activated storefront windows along sidewalks, smaller scale storefront tenant spaces oriented to the sidewalk, and inviting pedestrian entrances, etc. Parking may be structured or located on an adjacent block.



Master Planned
Community

Park Highlands

Development Standards

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Prepared by:

Carter-Burgess

Date:

July 25, 2007

Park Highlands Development Standards

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1. Introduction

1.1 Purpose

The Developer of the North Las Vegas 2,675 acre BLM auction parcel is committed to working with the City of North Las Vegas to develop a high-quality community that will benefit both the current and future residents of North Las Vegas. As a result, the following Development Standards for Park Highlands will help provide a framework for the development of the Community. The Development Standards will be supplemented by the Design Guidelines, which is the primary document to establish the theme, goals, concept, minimum standard of quality, vision, and design requirements for the streets, parks and open spaces, site planning, architecture, landscaping, and signage.

The purpose of these standards is to provide additional minimum requirements for development within the Property. The property development shall conform to the standards established in the City of North Las Vegas (City) Municipal Code, the Uniform Standard Drawings for Public Works Construction, Clark County Area Nevada, the Uniform Standard Specifications for Public Works Construction Off-Site Improvements, Clark County Area Nevada, Uniform Design and Construction Standards for Potable Water Systems (UDACS), Design and Construction Standards for Wastewater Collection Systems, the most current adopted building codes and amendments, the most current adopted fire codes and amendments, and other local codes, ordinances, and controlling agency standards that are applicable with deviations and additional restrictions as noted herein.

Adoption of the Master Development Plan by the City includes adoption of the Development Standards established herein. These Development Standards, Design Guidelines, City codes, and City standards shall be the design criteria to be used in the site development review process. In the event of a conflict between these Development Standards and the City standards, these Development Standards shall govern. If either the City or the Developer request modification to this document, the modifications shall be adopted only by mutual consent.

1.2 Project Location

The Park Highlands Master Development Plan encompasses approximately 2,675 acres located near the northernmost region of the City of North Las Vegas, and flanking the Aliante development. See Figure V01. The East Parcel (±2,074 acres) is generally bounded by Grand Teton Drive on the north, Deer Springs Way on the south, Losee Road on the east and Clayton Street on the west. The West Parcel (±601 acres) is generally bounded by Grand Teton Drive on the north, Dorrell Lane on the south, Aliante Parkway on the east and

Decatur Boulevard on the west. The East and West Parcels will be connected via Grand Teton Drive as well as Elkhorn Road, which continues as Farm Road within the East Parcel.

1.3 Project Goals

The goals of the project include the following:

- Create a community with a diverse mix of housing products and a balance of residential, commercial, and public/semi-public uses, while providing necessary infrastructure to support these uses.
- Create a community that is consistent with the existing and planned land uses within the City of North Las Vegas.
- Create a community that is sensitive to the Preservation area, and includes thoughtfully planned recreational amenities throughout the community, connected by a system of trails and pathways.
- Create themed architecture, landscaping, and signage that are consistent with the Design Guidelines and which emphasize the point of arrival in the community.
- Promote a balance between desert authenticity and visual richness in the landscape planting of arterial and collector streets.
- Promote family-centered living, neighborly interaction, and a pedestrian-oriented community.
- Create a community that will be an asset to the current and future residents of the City of North Las Vegas, by thoughtful placement of commercial, office, employment center, and public uses to encourage community interaction and create a pleasant pedestrian setting.

1.4 Park Highlands Master Development Plan Concept

The Park Highlands Development shall reflect the objectives set forth in the Master Plan Community District (MPC) per Title 17.20.220, as adopted by the City of North Las Vegas.

The Park Highlands Master Development Plan will offer a range of single, cluster and multi-family residential uses, as well as commercial uses. This Master Development Plan with accompanying Land Use Plans (Figures L01 & L02) establishes a comprehensive set of land uses, site development standards, and design guidelines for the Park Highlands project. The Master Development Plan also contains sites designated for parks, schools and other public and quasi-public facility uses.

1.5 Development Phasing

Development of the Park Highlands Master Planned Community will commence at locations where the provision of infrastructure is most immediate and progress in a logical manner from there. See Figure D01.

Due to differences in land use and dependence on market conditions, individual areas are expected to develop at different rates. It is possible more than one area may be under development at any given time, or that development may not occur in the exact order as shown on Figure D01. Therefore, each individual phase will be required to extend all necessary utilities to that phase in order to provide adequate service. Additionally, street improvements will be required adjacent to each individual phase as constructed. Temporary access roads and/or widened paving, if required, must be constructed to each phase as needed in order to satisfy City of North Las Vegas requirements, unless otherwise approved by the Director of Public Works.

The Property will be developed in accordance with the Development Agreement. Development will generally occur in phases that respond to residential product sales. Streets, water lines, sewer lines, dry utilities, street lights, and other infrastructure will be constructed in time to serve the parcels they adjoin, serve, or provide access. Construction schedules for City facilities and schools will be determined by the relevant authorities, as these services are demanded, or by the conditions of the Development Agreement. The Developer shall have complete discretion as to the time of commencement, construction, phasing and completion of any and all development of the Property, or as required by the Development Agreement. The Developer shall provide the infrastructure necessary to support such development prior to occupancy, or as required by the Development Agreement.

The phasing for parks shall be in accordance with the Master Park Agreement and the Development Agreement.

2. Master Site Conditions and Infrastructure

2.1 Topography

The topography of the area generally falls from northwest to southeast. The westerly 601 acres is relatively flat and surrounded by development on all sides. The easterly 2,074 acres is similar, however, there exist steeper slopes adjacent to historic washes. Figures C01 and C02 depict the general site conditions.

2.2 Faults, Fissures and Subsidence

There have been two faults mapped on the site according to Las Vegas Valley 1998 Subsidence Report by C. M. dePolo and J. W. Bell, Nevada Bureau of Mines and Geology, NBMG Open-File Report 01-4, 2001 (2001 NBMG Report). These fault locations were field verified by Fault Tracing Using Refraction Seismic Methods with Physical Verification North Las Vegas 2,600 Acres by Geolines, LLC, January 2, 2006, as noted in Fault Studies North Las Vegas 2,600 Acres, North Las Vegas, Nevada, January 11, 2006, by Owen Geotechnical Inc. The Land Use plan limits development at the mapped fault to open space or commercial use. The following conditions shall apply to development within the Property where faults and/or fissures are encountered on the site:

1. No portion of a building foundation system shall be located on a fault/scarp or on the surface expression of a ground fissure except as provided for herein.
2. If the site has been identified by the 2001 MBMG Report as having a fault and or fissure zone, the site must be examined by a geotechnical engineer to determine the precise location of the fault or fissures.
3. If the geotechnical engineer is unable to locate the fault or fissures identified in the 2001 MBMG Report, the location as mapped in 2001 MBMG Report shall be used.
4. All faults and fissures shown in 2001 MBMG Report or encountered shall be mapped on the Civil Improvement Plans, Tentative Map and Final Map.
5. Residential development shall be designed such that faults and fissures are located within non-structural areas including, but not limited to, rear yards, Open Space, Programmable Parks, Trails, or rights-of-way.
6. Commercial development should also be designed such that faults and fissures are not located within structural areas; however, in lieu of designing around geotechnical

features, the Developer may sign an indemnification agreement with the City that will allow a commercial structure to be situated over the feature. This option is not available for residential structures. The indemnification agreement shall clearly state that the landowner and successive landowners will indemnify, defend and hold harmless, the City and its officials, agents and employees from and against any and all claims or demands, cost losses, expenses and liabilities of any kind pertaining to the construction of a structure over a fault or fissure. The agreement shall be recorded in the official records of Clark County, Nevada.

7. The design professional having the appropriate registration to serve in such a capacity, shall place and acknowledge by signature, the following note on the cover sheet of the improvement drawings and specifications.

ATTEST:

I, _____, am the Principal Design Professional for the project depicted on these drawings and have executed the responsibilities thereof.

Signature: _____
[STAMP]

8. The geotechnical engineer shall provide a statement, in the form of a Geotechnical Compliance Letter to the City, indicating that the civil improvement plans comply with the recommendations included in the geotechnical study. This Geotechnical Compliance Letter shall be submitted to the City with the civil improvement plans.

2.3 Utilities

Summary

Major existing utilities within the West Parcel include the following:

- 72-inch Southern Nevada Water Authority water line in Aviary Way and Grand Teton Drive
- 36-inch City of North Las Vegas water line in Aviary Way
- 230 KV Nevada Power Company overhead transmission lines along the Grand Teton Drive alignment
- 42" and 30" City of North Las Vegas water lines in Grand Teton
- 24" water line and 15" sewer line in Aliante Parkway

Major existing utilities within the East Parcel include the following:

- 21-inch City of North Las Vegas sewer line in Clayton Street south of Elkhorn/Farm Rd
- 15-inch City of North Las Vegas sewer line in Elkhorn Farm Road west of Clayton Street
- 72-inch Southern Nevada Water Authority water line in Grand Teton Drive

- 230 KV and 500 KV Nevada Power Company overhead transmission lines along the Grand Teton Drive alignment

2.3.1 Water

Water service will be provided by the City of North Las Vegas (CNLV) water utility. For detailed information, refer to the Master Water Analysis, dated May '06 for the West Parcel and June '06 for the East Parcel. The developer will design and construct new facilities determined by the master study and in accordance with the Development Agreement. All facilities will conform to *Uniform Design and Construction Standards for Potable Water Systems*.

2.3.2 Sewer

Sewer service will be provided by the City of North Las Vegas (CNLV). For detailed information, refer to the Master Sewer Analysis, dated May '06 for the West Parcel and dated June '06 for the East Parcel. The developer will design and construct new facilities determined by the master study and in accordance with the Development Agreement. All facilities will conform to *Design and Construction Standards for Wastewater Collections Systems*.

2.3.3 Drainage

None of the proposed development site is within a FEMA flood plain. The majority of the developable portions of the site have no flood zones. However, the channels that convey flow to the detention basin as well as the outfall of the detention basin are within a flood zone titled Zone AE. An additional flood zone is located near the Cram Middle School and contains flows from Aliante. [An AE flood zone is a flood zone where the base flood elevation (water surface during the 100-year flood event) has been established by an approved FIS study (NFIP, National Flood Insurance Program).] Development within the flood zone will require a conditional letter of map revision CLOMR and after construction will require a letter of map revision LOMR. The purpose of the CLOMR/LOMR is to address any changes that the development will have on the flood plain.

Summary of existing drainage facilities:

- Natural channel (LVUP0446)
- Channel/berm system (LVRW0000)
- Clark County Regional Flood Control District's (CCRFCD) North Las Vegas Detention Basin (LVUP0045, 0046)
- Emergency flow spillway (LVUP0403) with the capacity of conveying 114,660 cfs.
- Four 84" reinforced concrete outfall pipes (LVUP0404) and outfall concrete channel (LVUP0400)

- Beltway facilities (EKEA0124-0000), consisting of the crossings required to convey the flow under the beltway, and portions of the drainage channel parallel to the I-215 beltway

For detailed information regarding proposed drainage facilities, refer to the Master Drainage Study. The developer will design and construct new facilities determined by the master study and in accordance with the Development Agreement.

2.3.4 Traffic

For detailed information regarding proposed roadways, refer to the Master Traffic Study, dated March 2006 for the West Parcel, and April 2006 for the East Parcel. The developer will design and construct new facilities determined by the master study and in accordance with the Development Agreement.

3. Development

The following section addresses issues related to the development of the site, including grading activities, application processing, subdivision of lands, and treatment of drainage.

3.1 Grading

The following shall apply:

1. Grading Permits are required for all grading activities.
2. The Developer shall be responsible for coordinating On-Property improvements with existing Off-Property improvements and conditions.
3. Rock fill may be allowed in accordance with the recommendations of the Developer's geotechnical engineer as approved by the City.
4. Blasting activities shall be performed by a licensed blasting contractor. The blasting contractor is required to obtain a blasting permit from the North Las Vegas Fire Department.
5. In connection with Developer's or any Builder's proposed development of the Property, multiple temporary crushing operations may be necessary to process on-site materials. Crushing and batch plant operations shall be in accordance with the Development Agreement.

3.2 Processing Applications

A zoning application may be submitted along with a property description concurrently with use permits and a tentative map. The City will concurrently review the zoning application and associated use permits and tentative map.

Improvement plans may be submitted to the City concurrently with the associated technical drainage and traffic studies and prior to approval of the associated tentative map. The City will concurrently review the technical drainage and traffic studies and the associated improvement plans. If the Developer submits these plans and studies for concurrent reviews, he shall accept the risk for all revisions required to the improvement plans as a result of the concurrent review, which may include significant changes to the design plans. The City will not approve the improvement plans prior to approval of the drainage and traffic studies.

The City will concurrently review the improvement plans and the final map associated with the improvement plans. If the Developer submits for concurrent reviews, he shall accept the

risk for all revisions required to the final map as a result of the concurrent review, which may include significant changes. The City may approve the final map once the improvement plans are approved, with the exception of master/parent maps, which do not require improvement plans or posting of any bonds.

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3.3 Mapping

Parcel Specific Tentative Maps may be submitted to the City for review and approval after approval of the Property Master Tentative Maps and concurrent with submission of a Zone Change. The Parcel Specific Final Maps may be submitted to the City for approval after approval of each of the Parcel Specific Tentative Maps per N.R.S. 278.360.

The portion of land identified by the Property Master Tentative Map (Note: Maps cannot create remnant parcels.) that is not included in an individual Parcel Specific Tentative and Final Maps does not require additional mapping except under the following conditions:

1. The Parcel Specific Tentative Map shall not leave a remaining area that is surrounded by lands identified by earlier approved Parcel Specific Tentative and Final Maps or previously dedicated public uses.
2. The last Parcel Specific Tentative and Final Map shall include all remaining portions of the Master Tentative Map, so as to avoid creation of remnant parcels.

All applicable N.R.S. Statutes and Nevada Administrative Codes pertaining to subdivision of lands will be adhered to while mapping this project.

3.4 Drainage

The following shall apply to all property within the development:

1. Contouring individual residential lots may not result in major changes to the designed drainage patterns of the lot.
2. Drainage may not be altered to create any condition that could lead to Off-Property soil erosion on adjoining lots or open spaces.
3. Easements for drainage purposes shall run along lot lines. If such easements serve as connections to Trails and Pathways or other public uses, then they shall be landscaped consistent with the adjoining landscaping and shall contain a concrete path, and shall be lighted if the adjoining path is lighted. If such easements are not used as such connections, then they shall be treated consistently with the adjoining use but are not required to have paths or lighting.

4. The Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual shall be used for the design and construction of all storm water management and flood control facilities.
5. Where Trails and Pathways are used as part of the flood control system, they may be designed and constructed as dual-use facilities, with recreation as the primary function and flood control as the ancillary function as approved by the City
6. CC&Rs will clearly specify that maintenance of residential lot drainage is the responsibility of the homeowner.
7. Maintenance of all nuisance drainage on private streets and in private common areas shall be the responsibility of the HOA.

4. Property Circulation and Access

4.1 General

The intent of the property circulation and access of the Property is described in the Design Guidelines and the Master Transportation Study. The street sections shall be constructed in accordance with the Master Transportation Study, The Master Tentative Map and the included Figures of these Development Standards.

4.2 Street and Driveway Design

In addition to the requirements of the City's Zoning Ordinance – Section 17.24.130 (Property Access Standards) the minimum road base requirements for arterials and collectors shall be 6" asphaltic concrete over 18" type II aggregate base; and for residential streets, 3" asphaltic concrete over 12" type II for design and bonding. Actual count data or default count data shall be used to design sections, and in no case shall residential streets be less than 2" asphaltic concrete over 10" type II aggregate base.

All public and private streets, drives and driveways shall be paved with concrete or asphalt, except for residential driveways, which may not utilize asphalt. Brick, paving stone, or natural stone may be used to accent all or portions of such streets, drives and driveways.

4.3 Traffic Signals

Traffic signal locations, timing of installation, and Developer cost participation shall be as specified in the approved Master Transportation Study, as well as any approved updates, addenda or Traffic Impact Analyses.

4.4 Recreational Circulation

Recreational circulation systems and sidewalks shall be in accordance with the Design Guidelines and Development Agreement. Figures T01 and T02 show plan views of the trails and pathways network that connect the community, and Figure T03 depicts the typical neighborhood trail corridor. Figures P01 through P15 reveal the street sections with related pathways.

4.5 View Cul-De-Sacs

Where cul-de-sacs end adjacent to Trails or Pathways, including along Arterial and Collector Streets, concrete sidewalk connection shall be made between each of the sidewalks. (See Figure M03.) The connection may be gated if a view fence has been used to connect the theme walls on opposing sides of the cul-de-sac, or left open and enhanced with landscaping that is compatible with the character of the adjacent Trail or Pathway.

4.6 Emergency Access Connections to Recreational Trails

Emergency Access Connections (EAC) to recreational trails shall be provided at a maximum spacing of 2,640 feet along the trail or as approved by the Fire Chief. The EAC shall have an all weather surface and be of a width and construction as required to accommodate the turning radii and weight of fire Department apparatus. Gates at the EAC shall have a clear opening width as required to accommodate the turning radii and width of Fire Department apparatus. Gates (approved by the Fire Marshall) can be manual and locked with Knox padlock accessible from both sides or commercial weatherproof padlock with Knox box accessible from both sides. Where EACs serve other purposes, the most restrictive requirements shall govern.

4.7 Maintenance Access

Where required, maintenance or utility access to the 12' paved surface within the trail corridor shall consist of 12-foot wide H-20 load-bearing surface to allow vehicular access to utility access points. This path may be blocked from non-maintenance vehicles by removable bollards that allow free travel for pedestrian circulation. (Note: bollard designs shall be approved by the City; however, bollards cannot be used where emergency access is required.)

5. Land Use and Zoning

5.1 Purpose

In general, the land use categories are designed to be compatible with those allowed under current City of North Las Vegas Comprehensive Plan and Zoning Districts.

The Master Development Plan establishes a comprehensive set of land uses, site development standards, Design Guidelines, as well as residential design standards for the Park Highlands project.

Upon approval of the Park Highlands Master Development Plan, requests for land uses shall conform to the land uses shown on Figures L01 and L02.

Planned Land uses for the approximately 2,675 acres comprising the Park Highlands Master Development Plan are shown within the boundary on said Figures. Projects within this area will be developed in conformance with the land uses shown on Figures L01 and L02. Specifics of the land uses are discussed herein, and within the Design Guidelines.

5.2 Existing Land Uses and Existing Zoning

The present land use designations are a mix of Open Space, Low Density Residential (LDR), Medium Density Residential (MDR), Medium High Density Residential (MDHR), Office Commercial, and Community Commercial uses as delineated in the 1999 Land Use Master Plan (Figure 5).

The present zoning is Open Land (OL).

5.3 Proposed Zones

The community will be developed as a series of three specified areas: The Shops, The Village, and The Neighborhood, characterized by differing densities and uses and organized to create a single, clearly recognizable community master plan. The range of uses include civic functions such as a post office, police station, fire station, places of worship, schools, parks, and utility zones. These civic uses will be located throughout the three areas.

The Shops for Park Highlands. The primary vision behind development in The Shops is that of an exciting shopping experience while holding true the architectural vision. The Shops in PARK HIGHLANDS consist of neighborhood commercial (NC), regional

commercial (RC), and regional commercial with resort overlay (RCRO). These categories are generally consistent with the land uses presently adopted within the City of North Las Vegas. The regulations and Design Guidelines provided for this category shall apply to all retail, restaurant, and commercial development in The Shops areas. These regulations shall also apply to office uses located within a retail/commercial development. Linked by a public framework system of the beltway, boulevards, parkways, parks, and amenities, The Shops for PARK HIGHLANDS will promote a vibrant retail activity while accommodating flexible economic opportunities.

The Village for Park Highlands. The primary vision behind development in The Village is that of a compact, enjoyable community where people can live, work, and shop efficiently in a village setting. Bolstering development in the village is the idea of establishing a dense, pedestrian-oriented street front animated by a diverse mixture of uses including residential, retail, office, restaurants, and the like. To reinforce the urban street front atmosphere, buildings in the village are attached and relatively tall with shallow setbacks. Street trees bring human scale to the street and create strong lines alongside decoratively paved sidewalks and convenient curbside parking. Parking garages may also be used to contribute to the urban environment and maximize development potential and land value. The Village consists of high density residential (HDR – up to 25 DU/AC), very high density residential (VHDR – up to 50 DU/AC), and mixed use (MU). Linked by a public framework system of boulevards, parkways, parks, and amenities, The Village for Park Highlands will promote pedestrian activity while accommodating flexible economic opportunities.

The Neighborhood for Park Highlands. Spurring development in The Neighborhood is the concept of creating a living district within the urban context of Park Highlands, with characteristics that promote a pleasant visual experience and encourage residents to engage their environment. The Neighborhood for PARK HIGHLANDS consists of medium-low density residential (MLDR – up to 6 DU/AC, including any Custom and Semi-Custom homes), medium density residential (MDR – up to 10 DU/AC), and medium-high density residential (MHDR – up to 13 DU/AC). Tree-lined streets and pedestrian-oriented corridors provide ready access to open space amenities such as neighborhood parks, Special Use Recreational Facility (SURF), trail heads, trails, and schools.

5.4 Land Use Categories

The land uses planned for Park Highlands are shown in Table 1 below.

Table 5.1 – Park Highlands Planned Land Use

LAND USE	MAXIMUM DU/AC
Medium-Low Density Residential (MLDR)	6
Medium Density Residential (MDR)	10
Medium-High Density Residential (MHDR)	13
High Density Residential (HDR)	25
Very High Residential (VHDR)	50
Mixed Use (MU)	50
Neighborhood Commercial (NC)	-
Regional Commercial (RC)	-
Regional Commercial with Resort Overlay (RCRO)**	50
Public Facility	-
Schools	-
Parks	-
Utility Open Space (Grand Teton Trail Corridor)	-

** Note: There currently is no RO (Resort Overlay) classification

Table 5.2 – Land Use

PROJECT AREA	PERMITTED LAND USES
The Shops	NC, RC, RCRO, MU (<i>see Note 1</i>)
The Village	HDR, VHDR and MU
The Neighborhood	MLDR, MDR, MHDR

Overall Gross Residential Density: 5.89 du/ac (15,750 maximum total units on 2,675 acres, excluding the Preserve area), or 5.29 du/ac (15,750 units on 2,976.3 acres, including the Preserve area).

Note 1: Residential Uses may be allowed in The Shops subject the minor modification process outlined in the Development Agreement.

5.5 Zoning

Land uses shall meet all of the requirements specified by the Development Agreement and the City's Zoning Ordinance (Title 17) together with any deviations provided for within the Design Guidelines and these Development Standards.

All residential zoning districts permitted within a residential or mixed use land use category will allow densities up to the maximum permitted by the category, including any lower density. However, single family detached homes will not be allowed in zone districts RZ-25 and RZ-50 unless allowed through the minor modification process outlined in the Development Agreement.

All residential districts allow churches and schools as principally permitted uses. Refer to the Design Guidelines for design and parking details.

There are six proposed residential zoning districts, two commercial districts, one mixed use district, and one public/semi-public district. These districts are described below.

5.5.1 Residential Zone up to 4 du/ac (RZ4-MPC)

- A. Purpose. The purpose of the RZ4-MPC district is to provide for the development of single-family detached dwellings and directly related complementary uses at a low density. Lot size will generally be 8,000 – 12,000 square feet and greater. This district is intended to be residential in character with a minimum of disturbance due to traffic or overcrowding.
- B. Principally Permitted Uses or unless otherwise approved by the Development Agreement:
 - Single Family dwelling;
 - Single-family Custom and Semi-Custom Lots (minimum lot size 10,000 square feet per the Development Agreement);
 - Home-finding/sales information center building, to be removed when community construction is complete;
 - Churches, subject to the Design Guidelines for The Shops;
 - Public parks;
 - Schools.
- C. Permitted Accessory Uses Subject to Section 17.20.040.D and amended to include the following, unless otherwise approved by the Development Agreement:
 - Temporary Contractor's Storage Yard;
 - Temporary modular building incidental to construction work, for one year, with one additional year through an administrative extension;

- Temporary modular building for use as a sales office, for one year, with one additional year through an administrative extension;
- Casita.

D. Density. There shall be no more than one single-family dwelling unit on any one lot.

E. Property in Floodplains. Any property located in this district and any F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

F. For all building and performance standards, refer to The Neighborhood Criteria Tables, found in the Design Guidelines.

5.5.2 Residential Zone up to 6 du/ac (RZ6-MPC)

A. Purpose. The purpose of the RZ6-MPC district is to provide for the development of single-family detached dwellings and directly related complementary uses at a moderately low density, and with a minimum lot size of 4,000 square feet. The district is intended to be residential in character with a minimum of disturbance due to traffic or overcrowding.

B. Principally Permitted Uses or unless otherwise approved by the Development Agreement:

- Single-family dwelling;
- Churches, subject to the Design Guidelines for The Shops;
- Home-finding/sales information center building, to be removed when community construction is complete;
- Public parks;
- Schools;
- Electrical power transmission poles and lines, if they are within the utility corridors and within the voltage limits identified in Figure 43 of the utilities element of the 1999 comprehensive plan. If the poles and lines are not within such utility corridors, they shall be subject to subsection C of this section.

C. Permitted Accessory Uses Subject to Section 17.20.040.D and amended to include the following, unless otherwise approved by the Development Agreement:

- Temporary Contractor's Storage Yard;
- Temporary modular building incidental to construction work, for one year, with one additional year through an administrative extension;
- Temporary modular building for use as a sales office, for up to 2 years;
- Casita, on lots 5,000 square feet or larger.

D. Density. There shall not be more than one single-family dwelling unit on any one lot.

E. Property in Floodplains. Any property located in this district and an F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

F. For all building and performance standards, refer to The Neighborhood Criteria Tables found in the Design Guidelines.

5.5.3 Residential Zone up to 10 du/ac (RZ10-MPC)

A. Purpose. The purpose of the RZ10-MPC district is to provide for the development of single-family detached and single-family attached dwellings and directly related complementary uses at a density of up to 10 units per acre. The district is intended to be residential in character with a minimum of disturbance due to traffic or overcrowding.

B. Principally Permitted Uses or unless otherwise approved by the Development Agreement:

- Single-family dwelling;
- Two-family dwelling;
- Three-family dwelling;
- Home-finding/sales information center building, to be removed when community construction is complete;
- Churches, subject to the Design Guidelines for The Shops;
- Public parks;
- Schools;
- Electrical power transmission poles and lines, if they are within the utility corridors and within the voltage limits identified in Figure 43 of the utilities element of the 1999 comprehensive plan. If the poles and lines are not within such utility corridors, they shall be subject to subsection C of this section.

C. Permitted Accessory Uses Subject to Section 17.20.040.D and amended to include the following, unless otherwise approved by the Development Agreement:

- Temporary Contractor's Storage Yard;
- Temporary modular building incidental to construction work, for one year, with one additional year through an administrative extension;
- Temporary modular building for use as a sales office, for one year, with one additional year through an administrative extension;
- Casita, only on single family detached lots that are 5,000 square feet or larger.

D. Property in Floodplains. Any property located in this district and an F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

- E. For all building and performance standards, refer to The Neighborhood Criteria Tables, found in the Design Guidelines.

5.5.4 Residential Zone up to 13 du/ac (RZ13-MPC)

- A. Purpose. The purpose of the RZ13-MPC-residential district is to provide for medium-high density housing and directly related complementary uses at a density of up to 13 du/ac. The district is designed to allow economical use of land while creating an attractive, functional and safe residential environment.
- B. Principally Permitted Uses or unless otherwise approved by the Development Agreement:
- Single family dwelling;
 - Two-family dwelling;
 - Three-family dwelling;
 - Four-family dwelling;
 - Townhouse cluster;
 - Home-finding/sales information center building, to be removed when community construction is complete
 - Churches, subject to the Design Guidelines for The Shops;
 - Schools;
 - Public parks;
 - Electrical power transmission poles and lines, if they are within the utility corridors and within the voltage limits identified in Figure 43 of the utilities element of the 1999 comprehensive plan. If the poles and lines are not within such utility corridors, they shall be subject to subsection C of this section.
- C. Permitted Accessory Uses subject to section 17.20.060.C and D, and amended to include the following, unless otherwise approved by the Development Agreement:
- Temporary Contractor's Storage Yard;
 - Temporary modular building incidental to construction work, for one year, with one additional year through an administrative extension;
 - Temporary modular building for use as a sales office, for one year, with one additional year through an administrative extension.
- E. For all Building and Performance Standards, refer to the Neighborhood Criteria Tables, found in the Design Guidelines.
- F. For apartment buildings, parking of motor vehicles shall not be allowed within the required front or corner side setbacks unless such parking is screened from public view by a three and one-half-foot earth berm or masonry wall or its equivalent as determined by the city.

G. Multifamily Accessory Buildings.

- Accessory buildings shall observe the same setback requirements established for the multiple-residence building except that accessory buildings located within the rear yard of the multiple-residence building may be located to within three feet of the rear or interior side property line. The city council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten (10) feet.
- Exteriors of accessory buildings shall have an exterior finish compatible with the main structure. Compatibility shall be determined by the city based on type and use of building materials.
- Property in Floodplains. Any property located in this district and any F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

5.5.5 Residential Zone up to 25 du/ac (RZ25-MPC)

A. Purpose. The purpose of the RZ25-MPC district is to provide for high-density housing and directly related complementary uses up to 25 du/ac. The district is designed to allow highly economical use of land while creating an attractive, functional and safe residential environment. Note: Single family detached homes may be permitted in this zoning district if allowed through the minor modification process outlined in the Development Agreement.

B. Principally Permitted Uses or unless otherwise approved by the Development Agreement:

- Two-family dwelling;
- Three-family dwelling;
- Multiple-family dwelling;
- Townhouse cluster with two or more units, but not to exceed one hundred sixty (160) feet in length;
- Home-finding/sales information center building, to be removed when community construction is complete;
- Churches, subject to the Design Guidelines for The Shops;
- Public parks;
- Schools;
- Electrical power transmission poles and lines, if they are within the utility corridors and within the voltage limits identified in Figure 43 of the utilities element of the 1999 comprehensive plan. If the poles and lines are not within such utility corridors, they shall be subject to subsection C of this section.

C. Special Uses Subject to Section 17.20.070.C or unless otherwise approved by the Development Agreement:

- Child care facility: child care center;
- Convalescent home;
- Golf courses;
- Public, quasi-public uses or buildings;
- Public utility buildings, structures and equipment.

D. Permitted Accessory Uses subject to section 17.20.070.D and amended to include the following, unless otherwise approved by the Development Agreement:

- Temporary Contractor's Storage Yard;
- Temporary modular building incidental to construction work, for one year, with one additional year through an administrative extension;
- Temporary modular building for use as a sales office, for one year, with one additional year through an administrative extension.

E. For all Building and Performance Standards, refer to the Village Criteria Tables found in the Design Guidelines.

F. For apartment buildings, parking of motor vehicles shall not be allowed within the required front or corner side setbacks.

G. Accessory Buildings.

- Accessory buildings shall observe the same setback requirements established for the multiple-residence building except that accessory buildings located within the rear yard of the multiple-residence building may be located to within three feet of the rear or interior side property line. The city council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten (10) feet.
- Exteriors of accessory buildings shall have an exterior finish compatible to the main structure. Compatibility shall be determined by the city based on type and use of building materials.

H. Property in Floodplains. Any property located in this district and any F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

5.5.6 Residential Zone up to 50 du/ac (RZ50-MPC):

- A. Purpose. The purpose of the RZ50-MPC district is to provide for very high density housing and directly related complementary uses up to 50 du/ac. The district is designed to allow highly economical use of land while creating an attractive, functional

and safe residential environment. Note: Single family detached homes may be permitted in this zoning district if allowed through the minor modification process outlined in the Development Agreement.

B. Principally Permitted Uses or unless otherwise approved by the Development Agreement:

- Two-family dwelling;
- Multiple-family dwelling;
- Townhouse cluster with two or more units, but not to exceed one hundred sixty (160) feet in length;
- Home-finding/sales information center building, to be removed when community construction is complete;
- Churches, subject to the Design Guidelines for The Shops;
- Public parks;
- Schools;
- Electrical power transmission poles and lines, if they are within the utility corridors and within the voltage limits identified in Figure 43 of the utilities element of the 1999 comprehensive plan. If the poles and lines are not within such utility corridors, they shall be subject to subsection C of this section.

C. Special Uses Subject to Section 17.20.080.C or unless otherwise approved by the Development Agreement

- Child care facility: child care center;
- Convalescent home;
- Golf courses;
- Public, quasi-public uses or buildings;
- Public utility buildings, structures and equipment.

D. Permitted Accessory Uses subject to section 17.20.080.D and amended to include the following, unless otherwise approved by the Development Agreement:

- Temporary Contractor's Storage Yard;
- Temporary modular building incidental to construction work, for one year, with one additional year through an administrative extension;
- Temporary modular building for use as a sales office, up to 2 years.

E. For all Building and Performance Standards, refer to the Village Criteria Tables found in the Design Guidelines.

F. Accessory Buildings.

- Accessory buildings shall observe the same setback requirements established for the multiple-residence building except that accessory buildings located within the rear yard of the multiple-residence building may be located to within three feet of the

rear or interior side property line. The city council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten (10) feet.

- Exteriors of accessory buildings shall have an exterior finish compatible to the main structure. Compatibility shall be determined by the city based on type and use of building materials.

G. Property in Floodplains. Any property located in this district and any F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

5.5.7 Neighborhood Commercial Zone (C-1-MPC):

Land Use Categories: Neighborhood Commercial, Regional Commercial (RC), and RC with Resort Overlay.

- A. Purpose. The purpose of the C-1-MPC district is to provide for the development of retail and service areas that will serve as major community cores or allow goods and services on a neighborhood market scale that are compatible with the residential character of the surrounding neighborhood. Note: Single family detached homes may be permitted in this zoning district if allowed through the minor modification process outlined in the Development Agreement.
- B. Principally Permitted Uses, or unless otherwise approved by the Development Agreement, and
- Uses listed in 17.20.100.B;
 - Churches;
 - Schools;
 - Home-finding/sales information center building, to be removed when community construction is complete.
- C. Special Uses Subject to Section 17.20.100.C or unless otherwise approved by the Development Agreement.
- D. Permitted Accessory Uses subject to 17.20.100.D.
- E. If a requested use is not listed above, the development director shall have the discretion to allow the request as a permitted use, special use, or accessory use, if the development director determines that the requested use meets the purpose and intent of the district, and is similar to other uses allowed in the district. The applicant may appeal any unfavorable decision to the planning commission.

F. For all Building and Performance Standards, refer to The Shops Criteria Tables found in the Design Guidelines.

G. Property in Floodplains. Any property located in this district and any F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

5.5.8 General Commercial Zone (C-2-MPC):

Land Use Categories: Neighborhood Commercial, Regional Commercial (RC), and RC with Resort Overlay.

A. Purpose. The purpose of the C-2-MPC district is to provide for the development of retail and service areas that will serve as major community cores or allow goods and services on a neighborhood market scale that are compatible with the residential character of the surrounding neighborhood. Note: Single family detached homes may be permitted in this zoning district if allowed through the minor modification process outlined in the Development Agreement.

B. Principally Permitted Uses, or unless otherwise approved by the Development Agreement, and

- Uses listed in 17.20.100.B;
- Churches;
- Schools;
- Home-finding/sales information center building, to be removed when community construction is complete.

C. Special Uses Subject to Section 17.20.110.C or unless otherwise approved by the Development Agreement.

D. Permitted Accessory Uses subject to 17.20.110.D.

H. If a requested use is not listed above, the development director shall have the discretion to allow the request as a permitted use, special use, or accessory use, if the development director determines that the requested use meets the purpose and intent of the district, and is similar to other uses allowed in the district. The applicant may appeal any unfavorable decision to the planning commission.

E. For all Building and Performance Standards, refer to The Shops Criteria Tables found in the Design Guidelines.

F. Property in Floodplains. Any property located in this district and any F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

5.5.9 *Public/Semi Public (PSP-MPC):*

Purpose. The purpose of the PSP district is to provide an area for public and semi-public uses. Refer to 17.20.085.

5.5.10 *Mixed Use Zone (MUZ-MPC):*

Land Use Category: Mixed Use.

- A. Purpose. Refer to Exhibits A and B in the Design Guidelines.
- B. Principally Permitted Uses or unless otherwise approved by the Development Agreement.
 - Those uses authorized in the accompanying Mixed Use Ordinance.
 - Home-finding/sales information center building, to be removed when community construction is complete.
 - Electrical power transmission poles and lines, if they are within the utility corridors and within the voltage limits identified in Figure 43 of the utilities element of the 1999 comprehensive plan. If the poles and lines are not within such utility corridors, they shall be subject to subsection C of this section;
- C. Special Uses Subject to Exhibit A in the Design Guidelines, unless otherwise approved by the Development Agreement.
- D. Permitted Accessory Uses: permitted uses subject to Exhibit A in the Design Guidelines, unless otherwise approved by the Development Agreement and amended to include the following:
 - Temporary Contractor's Storage Yard
- E. For all Building and Performance Standards, refer to Exhibit A and Exhibit B in the Design Guidelines.
- F. Property in Floodplains. Any property located in this district and any F-1 or F-2 overlay district must comply with the regulations of the applicable overlay district.

6. Development Deviations

6.1 Rough Grading

6.1.1 Prior to Approval

Rough Grading may occur before approval of the Civil Improvement Plans, if approved by the Director of Public Works and under the following conditions:

1. The Developer must have an approved Rough Grading Plan. A Geotechnical Report is required for approval of the Rough Grading Plans.
2. The Developer must submit and obtain approval for a dust mitigation plan and obtain a dust control permit from the Clark County Department of Air Quality Management.
3. The Developer must provide a letter of justification to rough grade prior to approval of the civil improvement plans.
4. A technical drainage study must be approved prior to any grading operations.
5. A Rough Grading Permit may be issued upon City's approval of the Conditional Letter of Map Revision (CLOMR) application and proof of submittal of CLOMR application to FEMA.
6. The Developer must provide the City with a development schedule for the project.
7. Sites where no continuing development will occur for more than 30 days after completion of rough grading must post with the City a cash deposit of \$2,000 per acre for the purpose of maintaining dust control measures in the event they are not maintained by the Developer, or to restore incomplete grading which has adversely impacted drainage. If, after two requests from the City, the Developer does not correct any dust, grading or drainage control problems, the City will use this deposit to take corrective measures. Any funds remaining from this deposit will be fully refunded when construction begins. If the permit expires before improvement plans are approved, the cash deposit will be forfeited. The permit may be renewed after six months subject to review of compliance with the mitigation plan and a continuing benefit to the community.

6.1.2 Conditions of Rough Grading

Rough grading shall occur subject to Development Agreement Section 2.20 k – The Processing of Applications.

6.2 Wall Permits

The Developer may obtain wall and fence permits from the City upon the City's approval of the civil improvement plans and prior to obtaining the project address(es) or approval and recordation of a final map. City agrees to issue these permits "at-risk" to the Developer. Developer will be liable for changes that may be required upon approval of the final map. At the developer's option, Developer shall remove, locate, revise and/or reconstruct any walls found to be in error either horizontally or vertically, or submit revised civil improvement plans and a revised final map showing the as-built location provided that the as-built location does not conflict with the Applicable Development Rules as defined in the Development Agreement.

6.3 Flood Zones

For structures within FEMA-regulated Special Flood Hazard Areas (SFHA) Zone A, permits may be issued as follows:

- A Rough Grading Permit may be issued upon city's approval of the Conditional Letter of Map Revision (CLOMR) application and proof of submittal of CLOMR application to FEMA.
- Wall Permit may be issued upon City's approval of the CLOMR application and proof of submittal of CLOMR application to FEMA.
- Building Permit may be issued upon favorable CLOMR from FEMA.
- Certificates of Occupancy may be issued upon receipt of the LOMR (Letter of Map Revision) from FEMA provided that all other occupancy requirements have been satisfied.

6.4 Streetlights

Decorative concrete light poles shall be utilized on all streets (except for residential streets within neighborhoods), in lieu of the City's standard galvanized light pole. The Developer shall submit a concrete light pole standard to the City for review and approval.

Streetlight spacing shall be as required by current City standards unless the Developer provides a lighting analysis, stamped by a licensed electrical engineer, which demonstrates an alternate spacing plan that provides equivalent illumination. The lighting analysis must be reviewed and approved by the North Las Vegas Traffic Engineer prior to approval of the civil improvement plans and associated Bond & Fee Estimate. Streetlights should be placed on lot lines whenever possible.

6.5 Secondary Access

Secondary access is required for groups of dwelling units of 25 or more.

Secondary Emergency Accesses shall be constructed when directed by the North Las Vegas Fire Chief. Such access shall be a minimum of 20 feet in width and shall be capable of sustaining an H-20 loading. The Developer shall be responsible for obtaining and complying with the conditions of the dust permit, as issued by Clark County. The Developer shall be the permittee and operator of all roads on the dust permit

6.6 Temporary Access Roads

Temporary access roads shall be designed in accordance with City of North Las Vegas standards. Temporary access roads may also serve as temporary Emergency Access.

6.7 Improvement Standards

The Property will be developed in accordance with the City's Subdivision Ordinance (Title 16) with the following deviations:

- Sidewalks shall be required as prescribed in the Design Guidelines.
- Street sections as presented in Figures S01 through S15.
- 30-inch Modified Roll Curb as presented in Figure M01.
- Non-Standard Knuckle as per Clark County Uniform Standard Drawing No. 211.1.
- 8-inch "L" Curb and Gutter as presented in Figure M02.
- Modified Cul-de-Sac and Badger Sac as presented in Figure M03.
- Modified Hammerhead as presented in Figure M03A.
- Offset Cul-de-Sac as presented in Figure M04.
- Modified Drop Inlet as presented in Figure M07.
- Where driveway approaches are constructed in "L" curb, the driveway approach shall be no more than 18 inches wider than either side of the driveway. In no case shall the width of the driveway approach be less than the width of the driveway.
- NDOT standards may be included.
- Contouring individual residential lots may not result in major changes to the designed drainage patterns of the lot.
- Developer has the right to use modified street name signs subject to the approval by the City Manager.
- Decorative concrete street light poles as described in Section 6.4 of this document.

Graded slopes shall not exceed 3:1 (horizontal:vertical). Escarpments at lot lines interior to the parcel (building pads) shall not exceed 2:1 (horizontal:vertical). Lots shall be graded to drain water to the street at a minimum slope of 1 percent.

Where detention basins are used as part of the flood control system, they may be designed and constructed as dual-use facilities, with recreation as the primary function and flood control as the ancillary function.

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6.8 Models

Building Permits may be issued prior to recordation of a Final Map subject to the following:

1. Number of models for each development (prior to the recordation of a subdivision map):
 - A. Single-family units: 6 model home units or, for an overall single-family detached development (area within an approved tentative map).
 - B. Multi-family units: 8 model home units.
2. Time Limit. Models must be converted to a residential use when the last home in the development has been sold. The time limit does not apply to models located within apartment complexes or manufactured home parks, provided the residential character of the model is maintained, and all manufactured homes are properly installed.
3. Models constructed prior to the recording of a subdivision map.
 - A. A Final Map must be submitted for the location where the residences will be located and off-site improvement bonds have been posted for the model home complex.
 - B. Paved access and adequate access controls must be provided to all structures, prior to issuance of a Certificate of Occupancy for the models.
 - C. A permanent water supply is required.
 - D. The final map must record within 1 year from the date permits are issued for the uses.
 - E. The final map may not be revised after the permits for the models or units have been issued, except with City approval.
 - F. The models or lots within the proposed subdivision may not be sold separately until the final subdivision map has been recorded.
 - G. The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by Design Guidelines and Development Standards.
 - H. The issuance of a permit for construction will not be construed as a commitment by the City to record the final map or to approve any zoning matter.
 - I. Block walls and retaining walls are permitted on the proposed lot lines.

4. Fencing may occur and off-site improvements may be temporarily waived for a public street with the following conditions:
 - A. Road closure must be approved by the City Traffic Engineer/City Manager.
 - B. Bonding for full off-site improvements must be posted;
 - C. Upon sale of models, street must be improved to City of North Las Vegas standards.

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6.9 Water Lines

The Developer shall provide a summary (list of quantities) table that identifies the minimum required water infrastructure improvements necessary to satisfy the City's requirements for occupation of structures located within each specific Subdivision, commercial parcel, and community facility. The summary table shall identify the pipe size (oversized pipe), pipe size (Developer pipe), and required appurtenances. The summary table shall be submitted with each set of Subdivision, commercial, and community facility improvement plans and other items required for a complete submittal.

6.10 Sanitary Sewers

The Developer shall provide a summary (list of quantities) table that identifies the minimum required sewer infrastructure improvements necessary to satisfy the City's requirements for occupation of structures located within each specific Subdivision, commercial parcel, and community facility. The summary table shall identify the pipe size (oversized pipe), pipe size (Developer pipe), and required appurtenances. The summary table shall be submitted with each set of Subdivision, commercial, and community facility improvement plans and other items required for a complete submittal.

6.11 Streets

The Developer shall provide a summary table that identifies the minimum required street infrastructure improvements necessary to satisfy the City's requirements for occupation of structures located within each specific Subdivision, commercial parcel, and community facility. The summary table shall identify the specific location and configuration of the street. The summary table shall be submitted with each set of Subdivision, commercial, and community facility improvement plans.

6.12 Proposed Surface Drainage Patterns

The Developer shall provide a summary table that identifies the minimum required drainage infrastructure improvements necessary to satisfy the City's requirements for occupation of structures located within each specific Subdivision, commercial parcel, and community facility. The summary table shall identify the specific location and configuration of the drainage improvements. The summary table shall be submitted with each set of Subdivision, commercial, and community facility improvement plans.

Pursuant to the approved Master Drainage Study for the Property, historical drainage patterns will be preserved, including discharge locations and flow rates from the Property.

Residential lots shall use Type A drainage. Cluster homes typically will be drained as shown in Figures M08 and M09.

Open Space utilized for Recreational Trail corridors may be used for drainage purposes, provided that the drainage features, including channel configuration, channel lining materials, channel size and appurtenances do not significantly overwhelm the trail and park features or significantly limit the use of the trails for recreational purposes.

Nuisance water drains shall be installed within the drainage portion of the Recreational Trails if they are to be used for drainage purposes.

List of Figures

V01 – Vicinity
Z01 – Zoning for MPC (Master Planned Community)
C01 – Site Conditions – West Parcel
C02 – Site Conditions – East Parcel
L01 – Land Use Concept – West Parcel
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D01 – Development Phasing

Street Sections

S01 – Decatur Boulevard and Aliante Parkway
S02 – Clayton Street, Deer Springs Way, Dorrell Lane (east of Clayton), Farm Road (Decatur to Aliante); and Aviary Way,
S03 – Elkhorn-Farm (Farm from Clayton to Losee) and Revere Street
S04 – North 5th Street
S05 – Minor Collector; Elkhorn Road (Revere to Commerce) and Gentle Brook; Dorrell Lane (West of Aviary), and Collette Street
S06 – Neighborhood Streets Type 1, Type 1A, Type 2/5, and Type 3
S06A – Neighborhood Streets, Type 4, 12' Alley Section and Plan
S07 – Losee Road North of Farm, and Losee Road South of Farm
S08 – Grand Teton Drive – Decatur to Aviary, and Aviary to Aliante
S09 – Grand Teton Drive – Aliante to Clayton
S10 – Grand Teton Drive – Clayton to Revere Street Transition
S11 – Grand Teton Drive – Revere to Commerce Street Transition
S12 – Grand Teton Drive – Commerce Street (East boundary of CTA) to Losee Road
S13 – Retail Slip Road @ Mixed Use, High and Very High Density along Arterials
S14 – Village Street @ Mixed Use, High and Very High Density, With and Without On-street Parking
S15 – Village Mews @ Mixed Use, High and Very High Density

Pathway Sections

P01 – Decatur Boulevard and Aliante Parkway
P02 – Clayton Street, Deer Springs Way, Dorrell Lane (east of Clayton), Farm Road (Decatur to Aliante); and Aviary Way
P03 – Elkhorn-Farm (Farm from Clayton to Losee) and Revere Street
P04 – North 5th Street
P05 – Minor Collector; Elkhorn Road (Revere to Commerce) and Gentle Brook; Dorrell Lane (West of Aviary), and Collette Street
P06 – Neighborhood Streets Type 1, Type 1A, Type 2/5, and Type 3
P06A – Neighborhood Street Type 4
P07 – Losee Road North of Farm, and Losee Road South of Farm

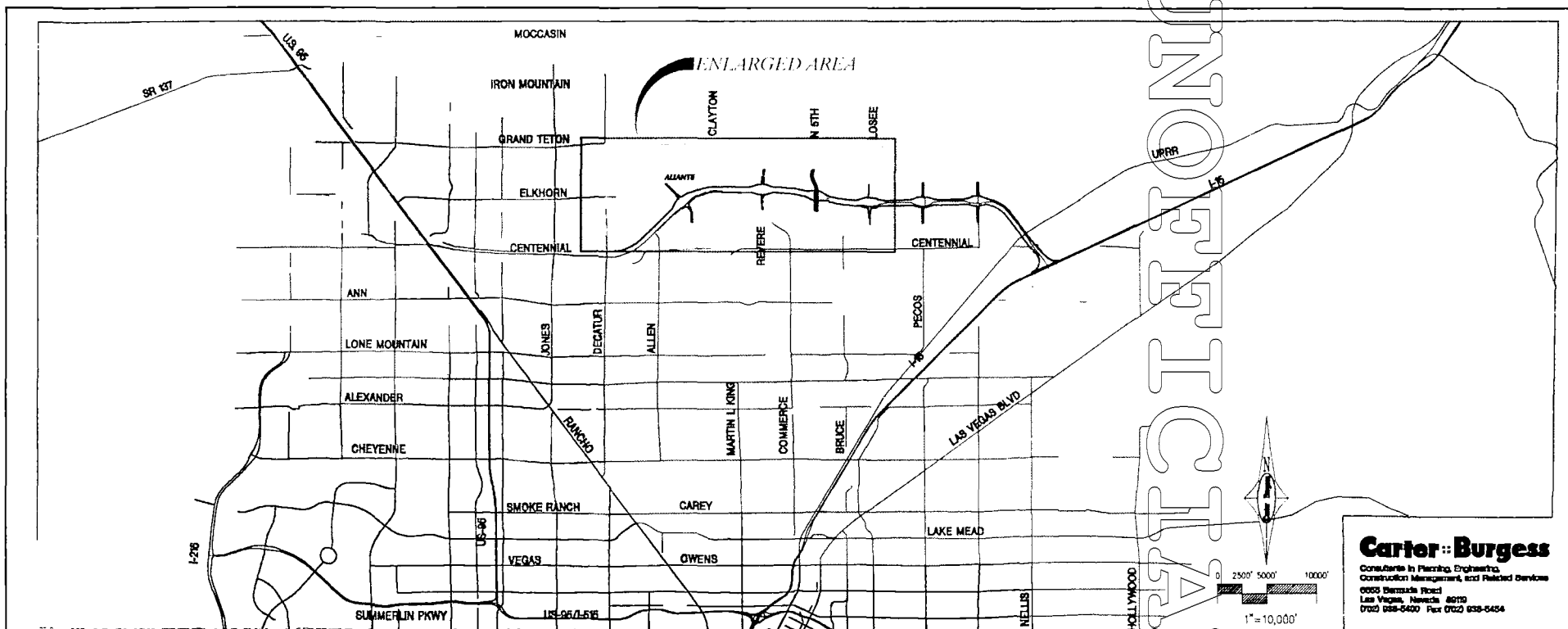
- P08 – Grand Teton Drive – Decatur to Aviary, and Aviary to Aliante
P09 – Grand Teton Drive – Aliante to Clayton
P10 – Grand Teton Drive – Clayton to Revere Street Transition
P11 – Grand Teton Drive – Revere to Commerce Street Transition
P12 – Grand Teton Drive – Commerce Street (East boundary of CTA) to Losee Road
P13 – Retail Slip Road @ Mixed Use, High and Very High Density along Arterials
P14 – Village Street @ Mixed Use, High and Very High Density, With and Without On-street Parking
P15 – Village Mews @ Mixed Use, High and Very High Density

Trails and Pathways

- T01 – Trails and Pathways – West Parcel
T02 – Trails and Pathways – East Parcel
T03 – Typical Neighborhood Trail

Miscellaneous Figures

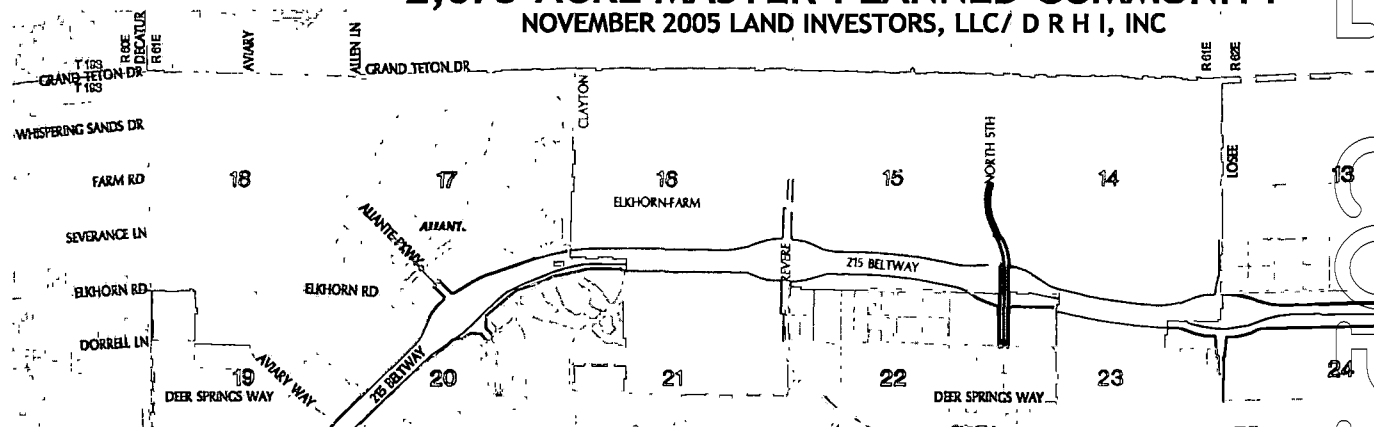
- M01 – Modified Roll Curb
M02 – 8" Roll Curb and Gutter
M03 – Cul-de-Sac and "Badger" Sac
M03A – Hammerhead (Private Streets)
M04 – Offset Cul-de-Sac
M05 – Subdivision Entry
M06 – Gated Subdivision Entry
M07 – Drop Inlet
M08 – Drainage – Small Alley Homes
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M10 – Landscape Buffer at Flared Intersection



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2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC



- | | |
|--------------------------|--------------------------------|
| SITE BOUNDARY | ALLANTE |
| CITY OF LAS VEGAS | CITY OF NORTH LAS VEGAS |
| CLARK COUNTY | NELLIS AFB |

VICINITY

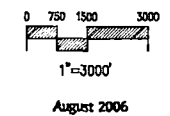
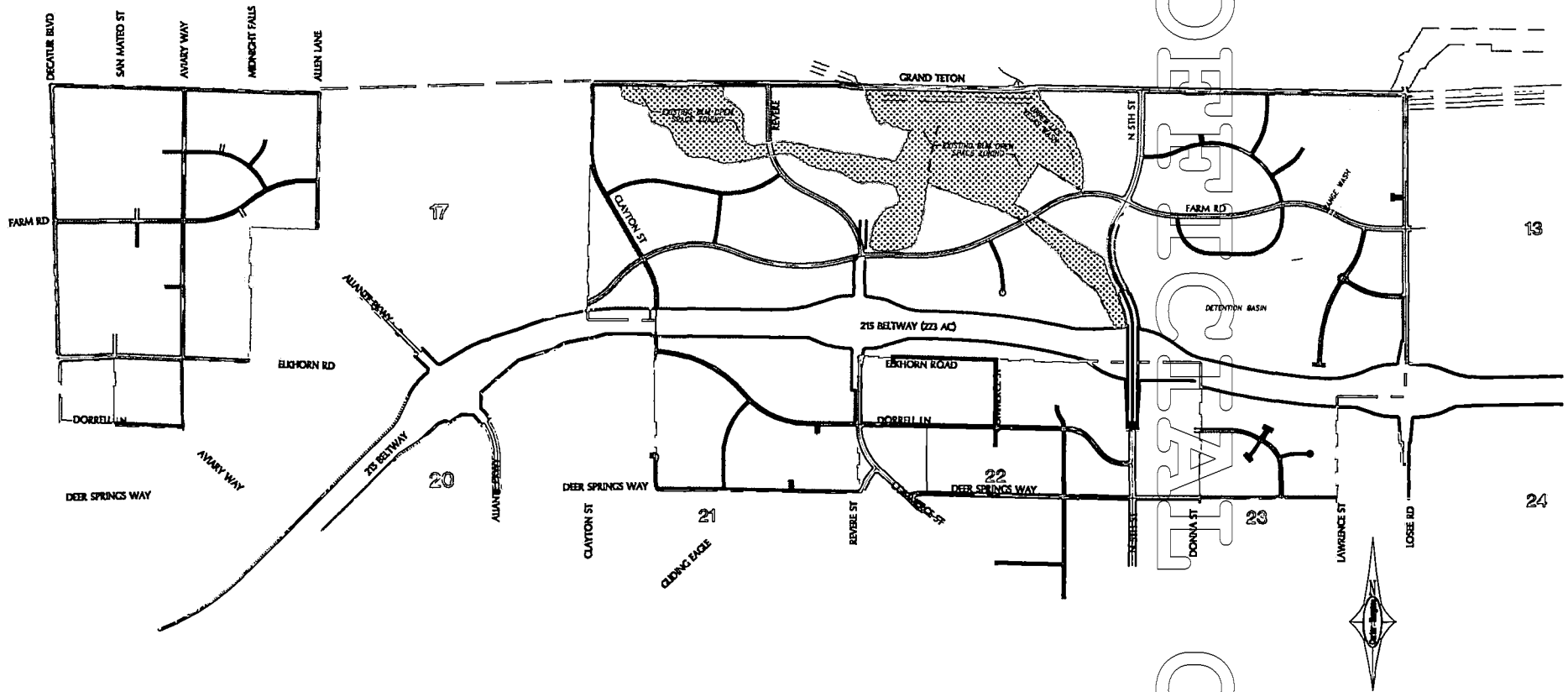


FIGURE
V01

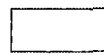


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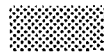
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PROJECT BOUNDARY



MPC ZONING



BLM OPEN SPACE ZONING

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ZONING FOR MASTER PLANNED COMMUNITY

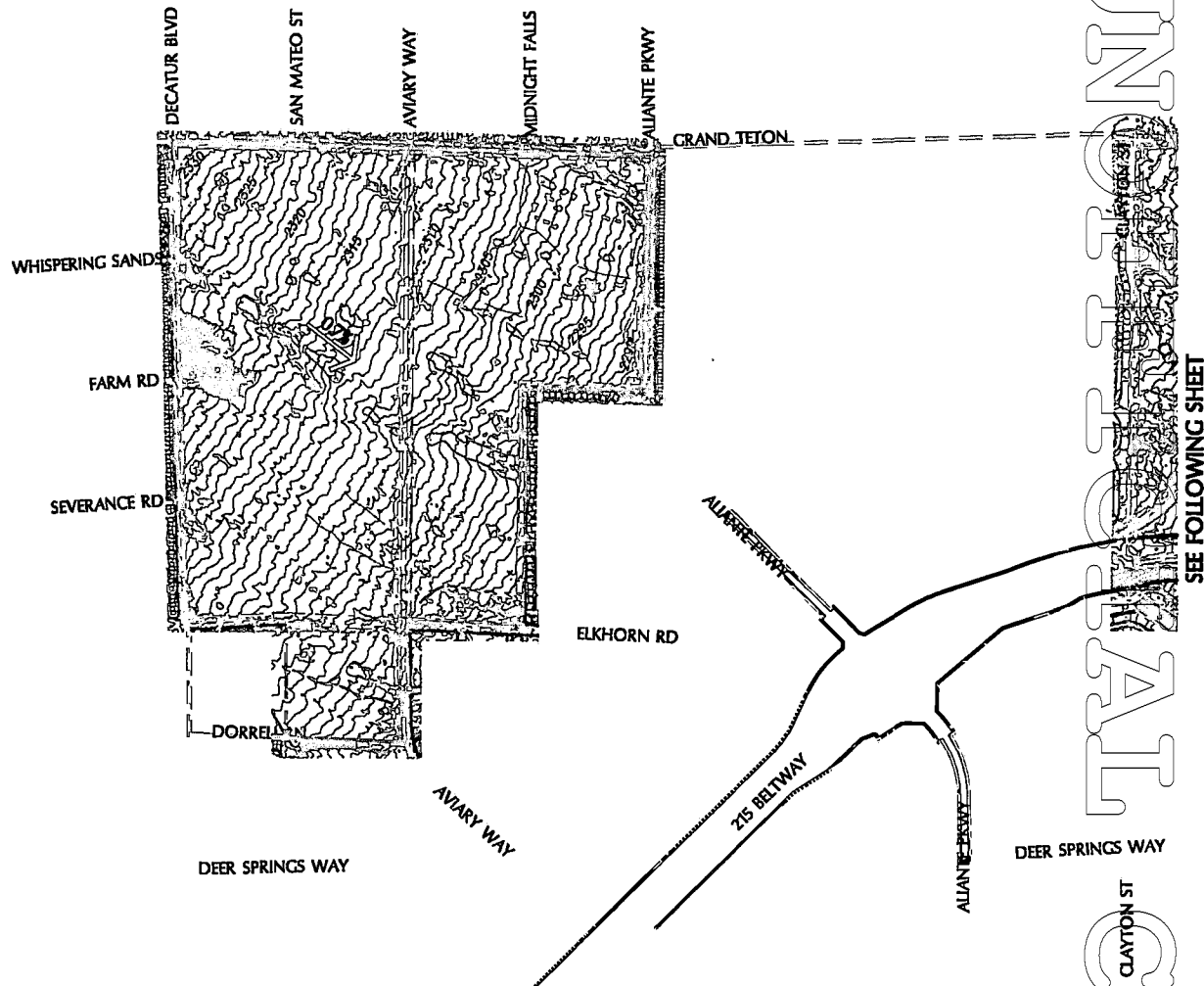


1"=2000'

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FIGURE

Z01



2,675-ACRE MASTER-PLANNED COMMUNITY

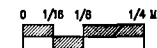
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- 5' CONTOUR
- 1' CONTOUR
- EXISTING VEGETATION (BRUSH)
- GENERAL SLOPE TREND

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SITE CONDITIONS WEST PARCEL

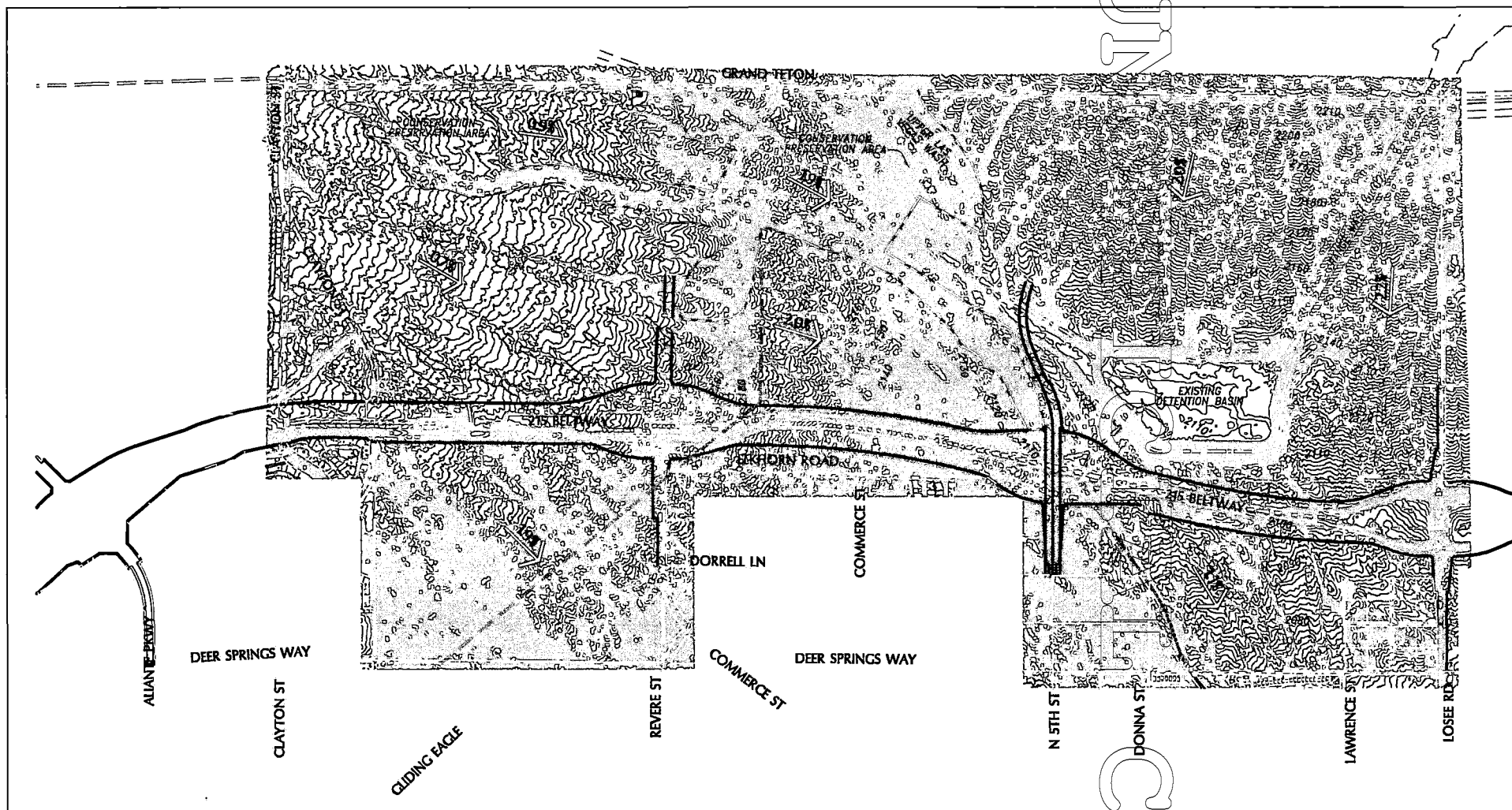


1"=1320'

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FIGURE

C01



2,675-ACRE MASTER-PLANNED COMMUNITY

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FAULT LINE

10' CONTOUR

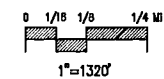
2' CONTOUR

GENERAL SLOPE TREND

EXISTING VEGETATION (BRUSH)

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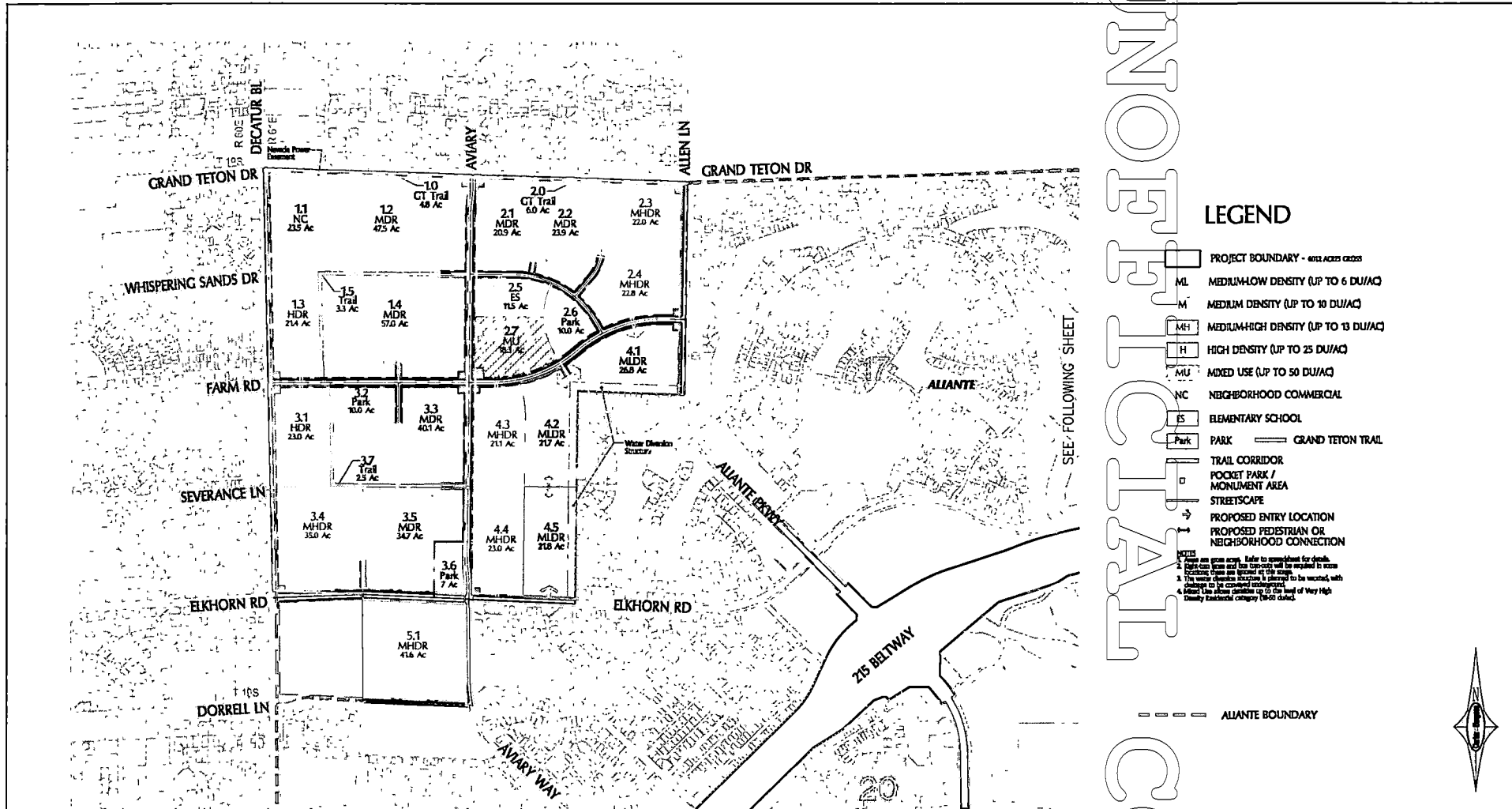
SITE CONDITIONS EAST PARCEL



August 2006

FIGURE

C02



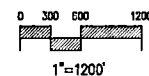
2,675-ACRE MASTER-PLANNED COMMUNITY

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(702) 535-8400 Fax (702) 535-8454

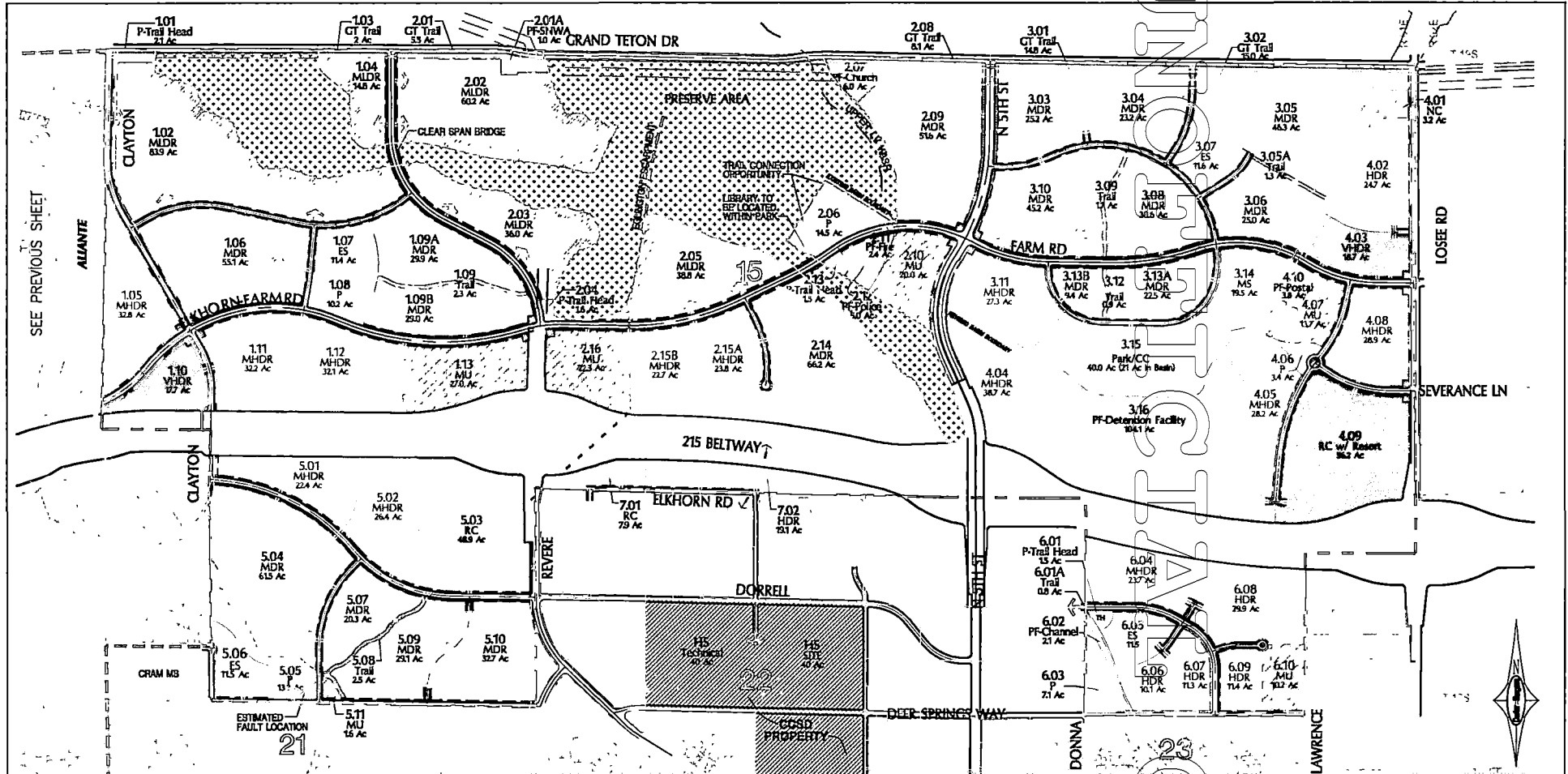
LAND USE CONCEPT WEST PARCEL



March 31, 2006

FIGURE

L01



2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

LEGEND

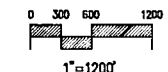
	BLM AUCTION BOUNDARY		SF LOTS W/ VIEW FENCE, MINIMUM SIZE		MLU MIXED USE (UP TO 50 DU/AC)		P: PARKS (NEIGHBORHOOD, COMMUNITY, SLURP, TRAILHEAD)		TRAIL, CONCEPTUAL
	DETENTION BASIN		MDR: MEDIUM-LOW DENSITY (UP TO 6 DU/AC)		NC NEIGHBORHOOD COMMERCIAL		GRAND TETON TRAIL CORRIDOR		EGINTON ESCARPMENT
	PRESERVE AREA		MDR: MEDIUM DENSITY (UP TO 10 DU/AC)		RC REGIONAL COMMERCIAL		TRAIL CORRIDOR		FAULT
	PRESERVE BOUNDARY		MHDR: MEDIUM-HIGH DENSITY (UP TO 15 DU/AC)		REGIONAL COMMERCIAL W/ RESORT OVERLAY		STREETSCAPE BUFFER (PATHWAYS, INCLUDES SIDEWALK)		ESTIMATED FAULT LOCATION
	PRESERVE BOUNDARY W/ RESTRICTIONS		HDR: HIGH DENSITY (UP TO 25 DU/AC)		PF: PUBLIC FACILITY (E.G. POST OFFICE, POLICE, FIRE, CHURCH, UTILITIES)		MONUMENT AREA		FAULT LOCATION PROVIDED BY OWNER GEOTECHNICAL, INC.
			VHDR: HIGH DENSITY (UP TO 50 DU/AC)		SCHOOL: ES - ELEMENTARY MS - MIDDLE		PROPOSED ENTRY		ALLANTE BOUNDARY
							PROPOSED NEIGHBORHOOD OR PEDESTRIAN CONNECTION		

NOTE: AREAS ARE GROSS ACRES

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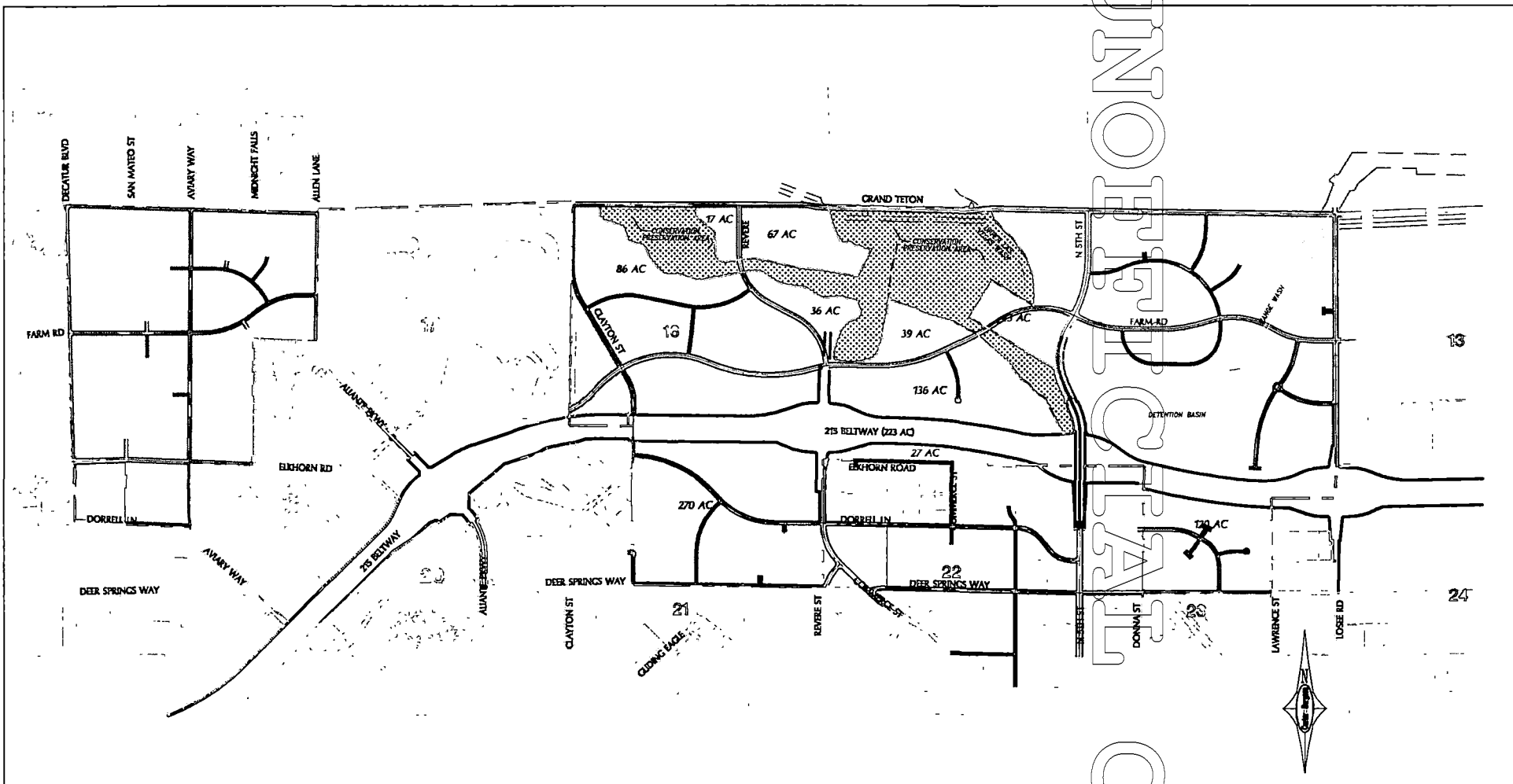
Consultants in Planning, Engineering,
Construction Management, and Related Services
8000 Bermuda Road, Suite 200
Las Vegas, Nevada 89129
702.255-5400 Fax: 702.255-5404

LAND USE CONCEPT EAST PARCEL



March 31, 2006
(Revised May 3, 2006)

FIGURE
L02



2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, LLC



PROJECT BOUNDARY
2675 AC (INCL BELTWAY)

601 AC

PHASE 1

553 AC

PHASE 3

288 AC

PHASE 5

281 AC

PHASE 2

295 AC

PHASE 4

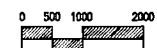
434 AC

PHASE 6

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Construction Management and Related Services
6823 Derricks Road
Las Vegas, Nevada 89119
(702) 838-8400 Fax (702) 838-8404

DEVELOPMENT PHASING

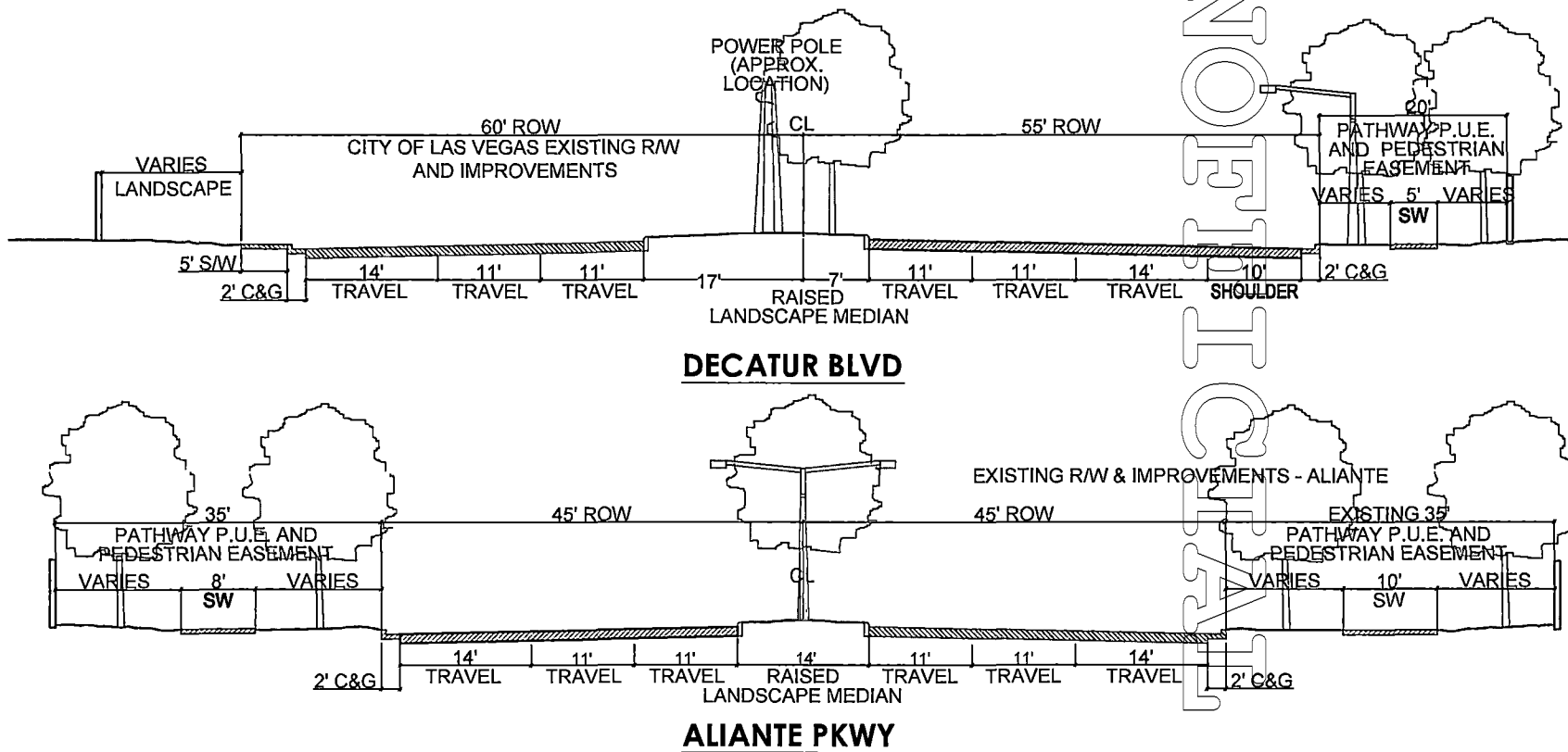


1"=2000'

August 2006

FIGURE

D01



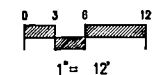
2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter Burgess

Consultants in Planning, Engineering,
Construction Management, and Related Services
9555 Sierra Road
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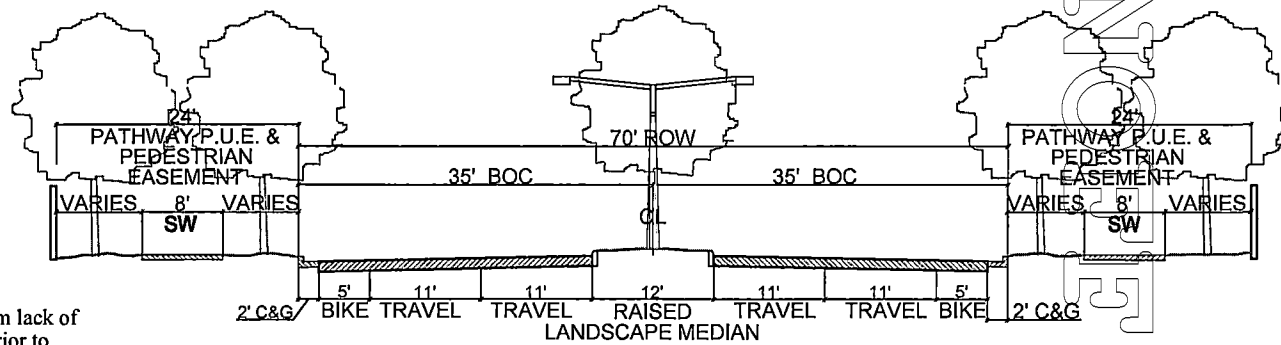
STREET SECTIONS ARTERIALS



October 2006

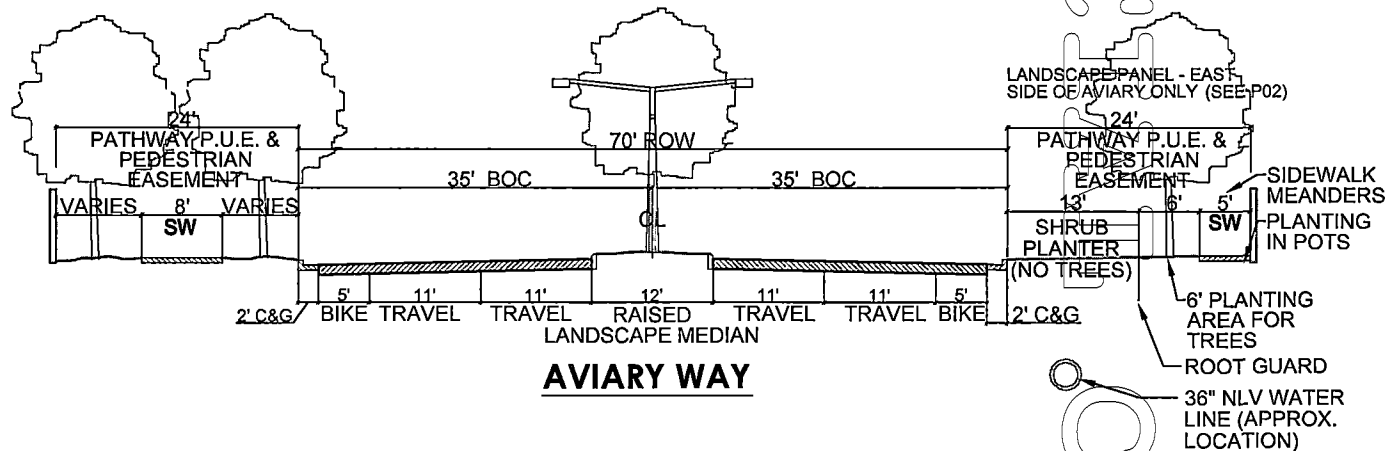
FIGURE
S01

NOTE: Traffic issues resulting from lack of Clayton Bridge shall be resolved prior to issuance of permits for infrastructure on the west end of the East Parcel. Traffic issues will be considered resolved when a minimum Level of Service of "D" is attained.



**CLAYTON ST, DEER SPRINGS WAY*, FARM RD (DECATUR TO ALIANTE),
DORRELL LN (EAST OF CLAYTON), & SEVERANCE LN**

*NOTE: DEER SPRINGS IS A HALF STREET

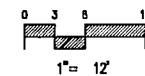


2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

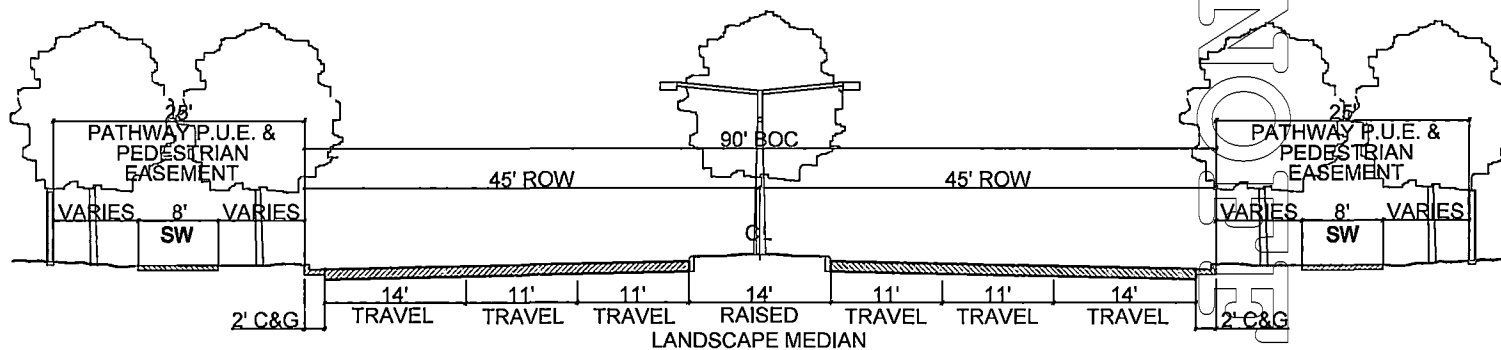
Carter :: Burgess
Consultants in Planning, Engineering,
Construction Management, and Related Services
8955 Bermuda Road
Las Vegas, Nevada 89119
702 638-6400 Fax 702 638-6454

**STREET SECTIONS
COLLECTORS**

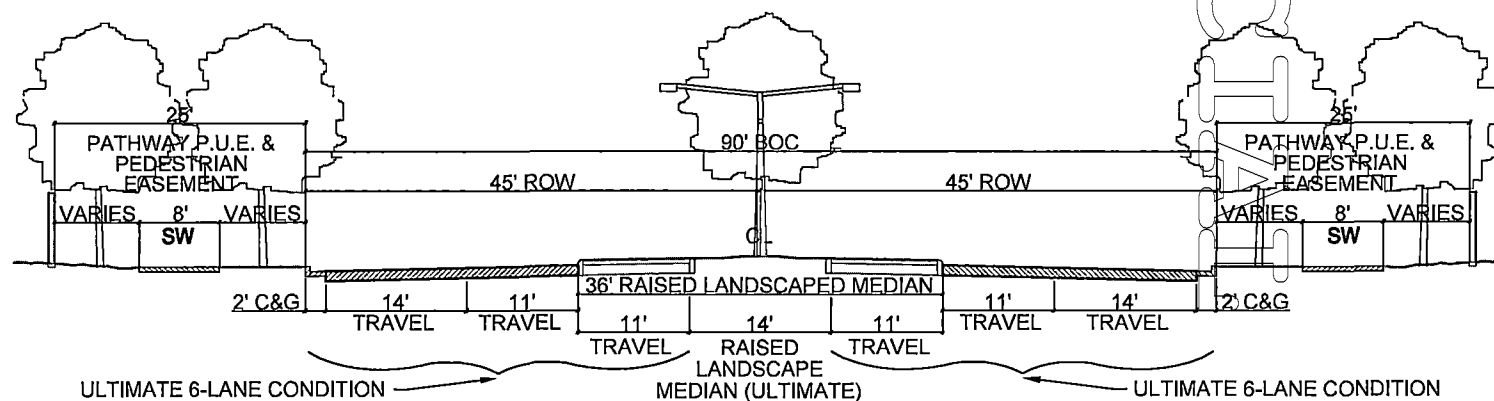


November 2006

FIGURE
S02



ELKHORN RD (WEST PARCEL), ELKHORN RD (WEST BOUNDARY OF EAST PARCEL TO CLAYTON), FARM RD (CLAYTON TO LOSEE)

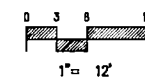


2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter Burgess
 Consultants in Planning, Engineering,
 Construction Management, and Related Services
 4950 Serrano Road
 Las Vegas, Nevada 89109
 (702) 838-5400 Fax (702) 838-5454

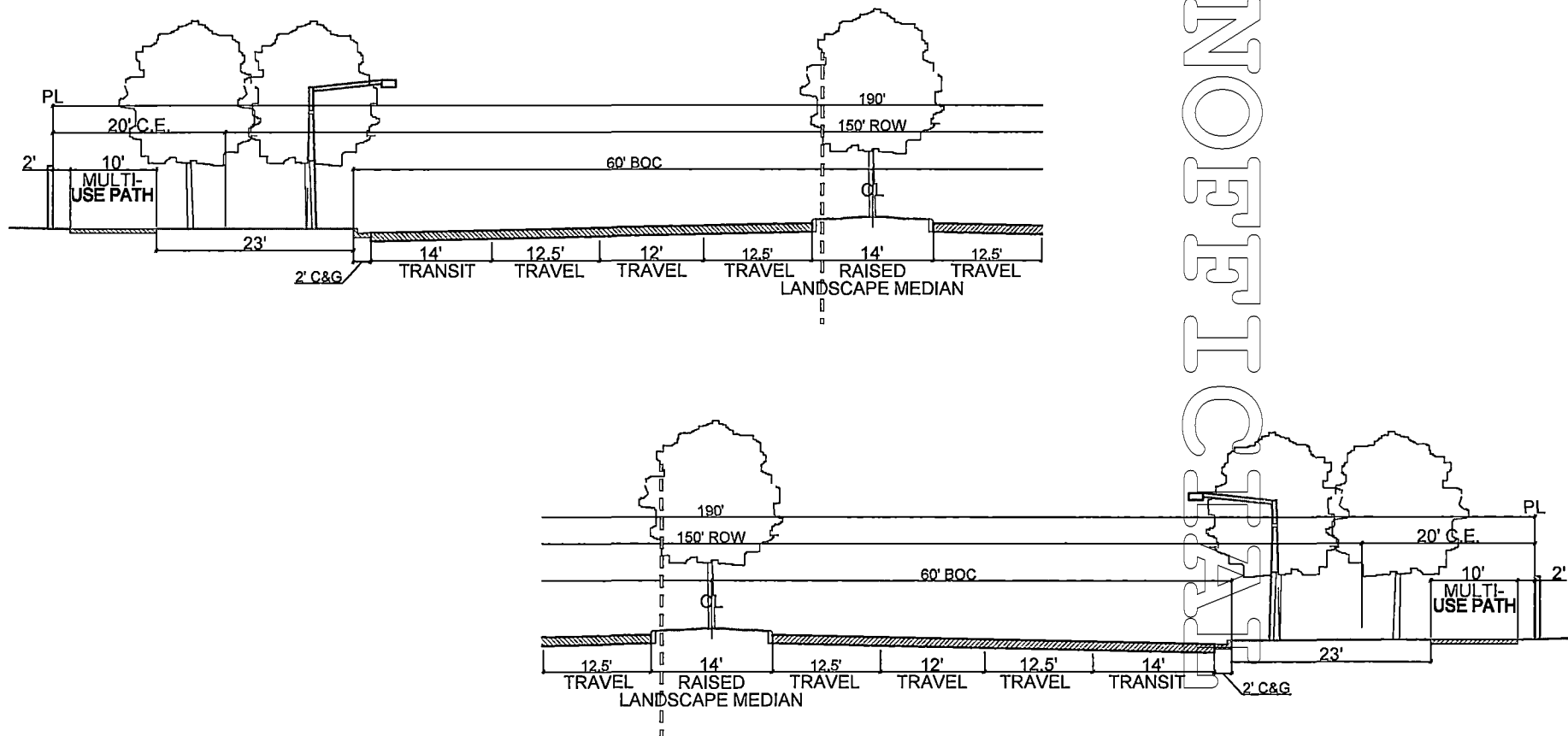
STREET SECTIONS MINOR ARTERIALS



October 2006

FIGURE

S03



NORTH 5TH STREET

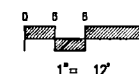
2,675-ACRE MASTER-PLANNED COMMUNITY

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Consultants in Planning, Engineering,
Construction Management, and Related Services
6650 Bermuda Road
Las Vegas, Nevada 89118
702 638-6400 Fax 702 638-6454

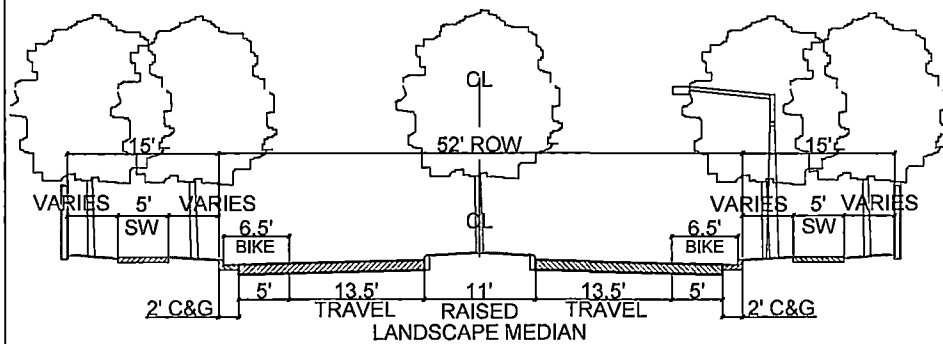
STREET SECTION PRIMARY ARTERIAL



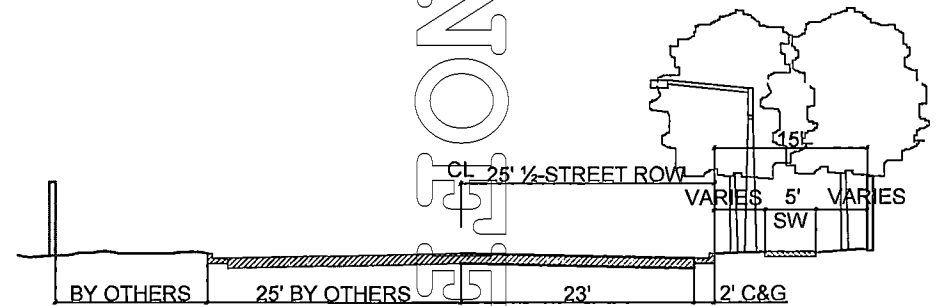
October 2006

FIGURE

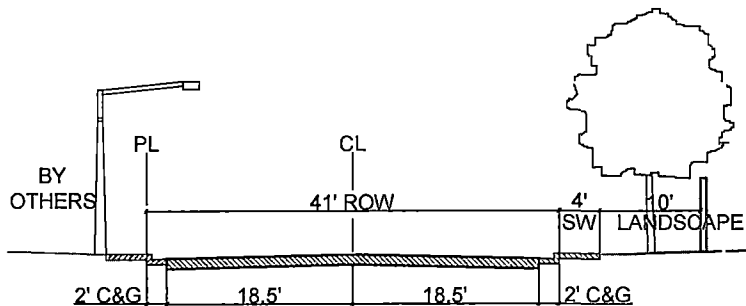
S04



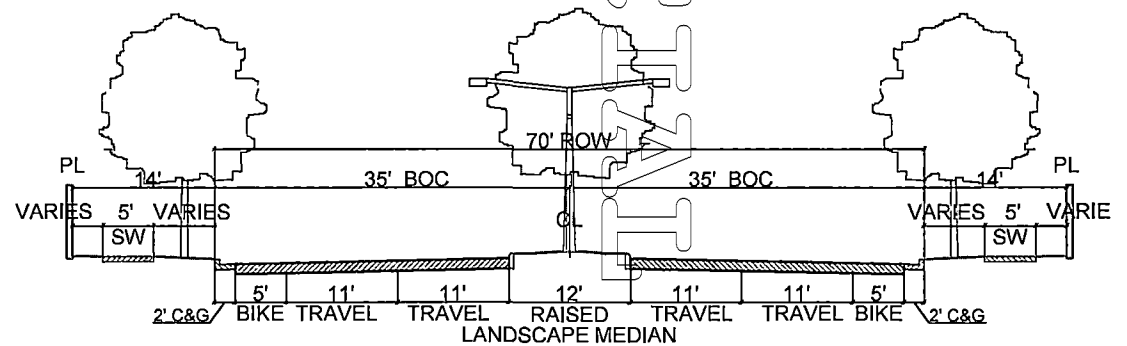
MINOR COLLECTOR



**ELKHORN RD (REVERE TO COMMERCE)
AND GENTLE BROOK**



**DORRELL LN
WEST OF AVIARY**



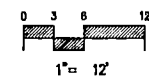
COLLETTE ST

2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

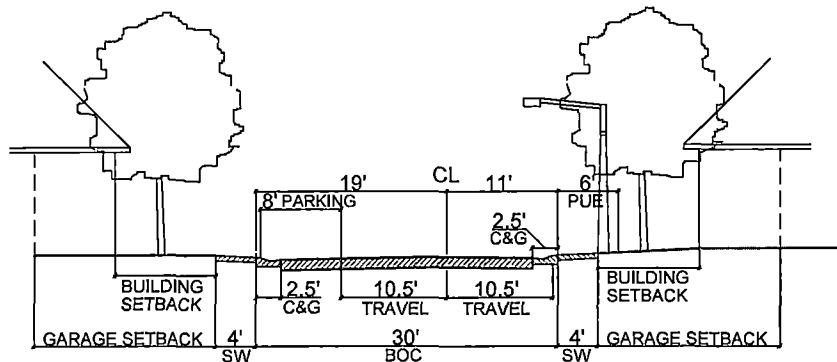
Carter Burgess
Consultants in Planning, Engineering,
Construction Management, and Related Services
6655 Sennetts Road
Las Vegas, Nevada 89120
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STREET SECTIONS MINOR COLLECTOR

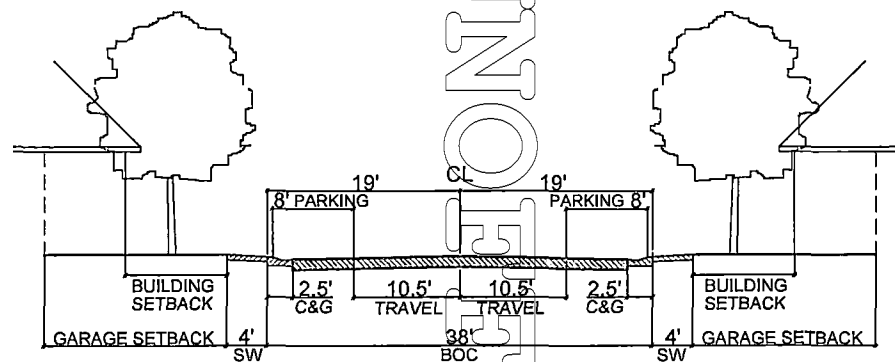


October 2006

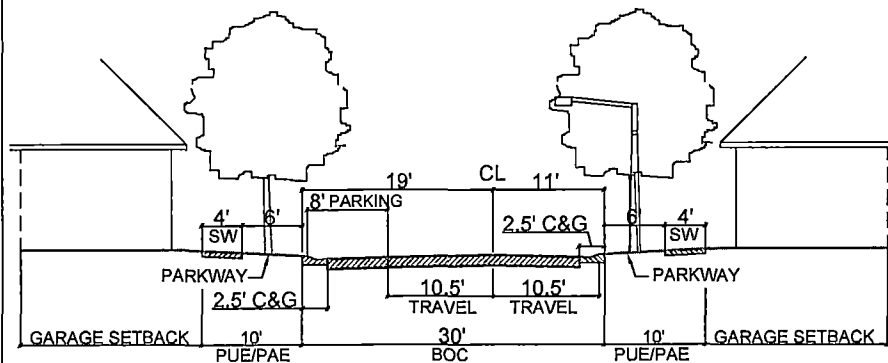
FIGURE
S05



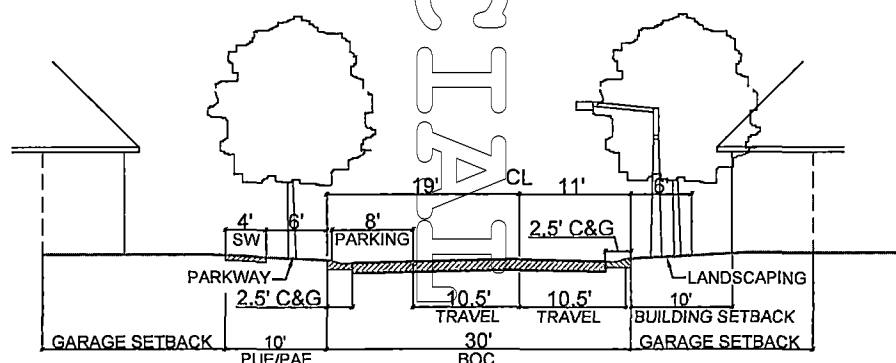
TYPE 1
WITHOUT PARKWAY,
PARKING ONE SIDE OF STREET



TYPE 1A
WITHOUT PARKWAY,
PARKING BOTH SIDES OF STREET



TYPE 2/5
WITH PARKWAY,
PARKING ONE SIDE OF STREET



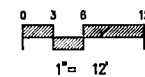
TYPE 3
WITH PARKWAY AND PARKING,
ONE SIDE OF STREET

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8825 Bermuda Road
Las Vegas, Nevada 89119
702/ 838-6400 Fax 702/ 838-6454

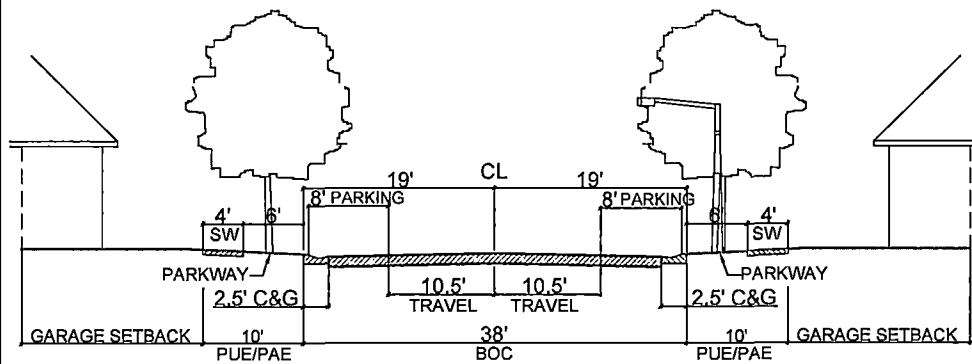
STREET SECTIONS NEIGHBORHOOD STREETS



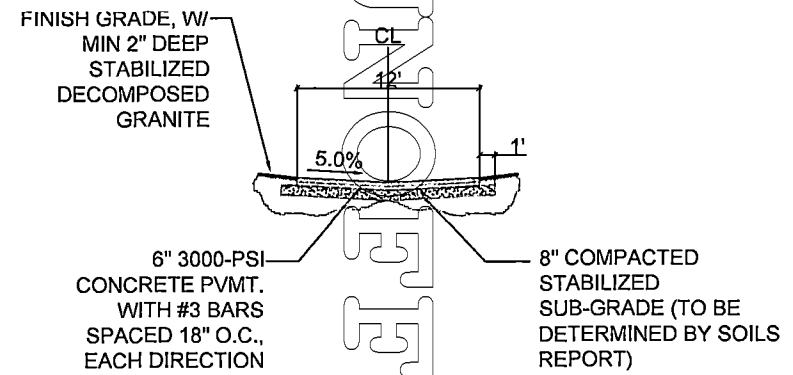
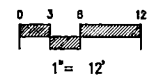
December 2006

FIGURE

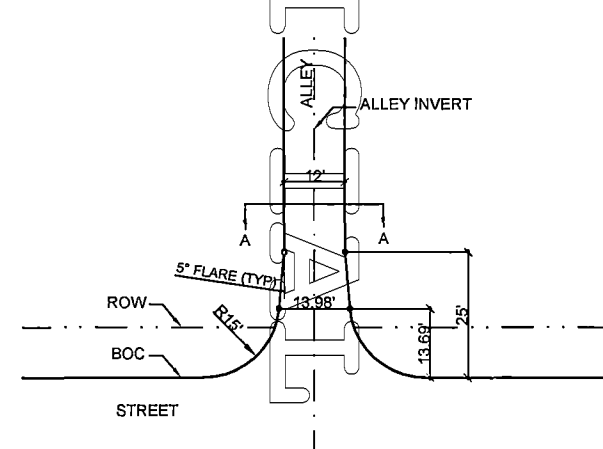
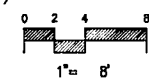
S06



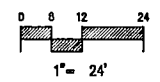
TYPE 4
WITH PARKWAY,
PARKING BOTH SIDES OF STREET
NEIGHBORHOOD STREET



ALLEY SECTION A



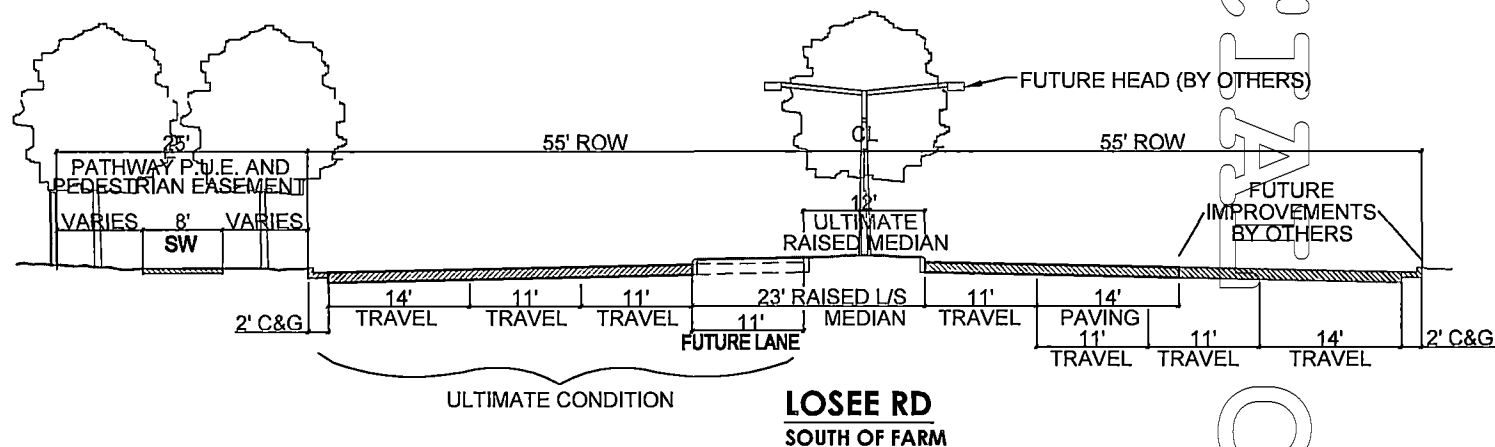
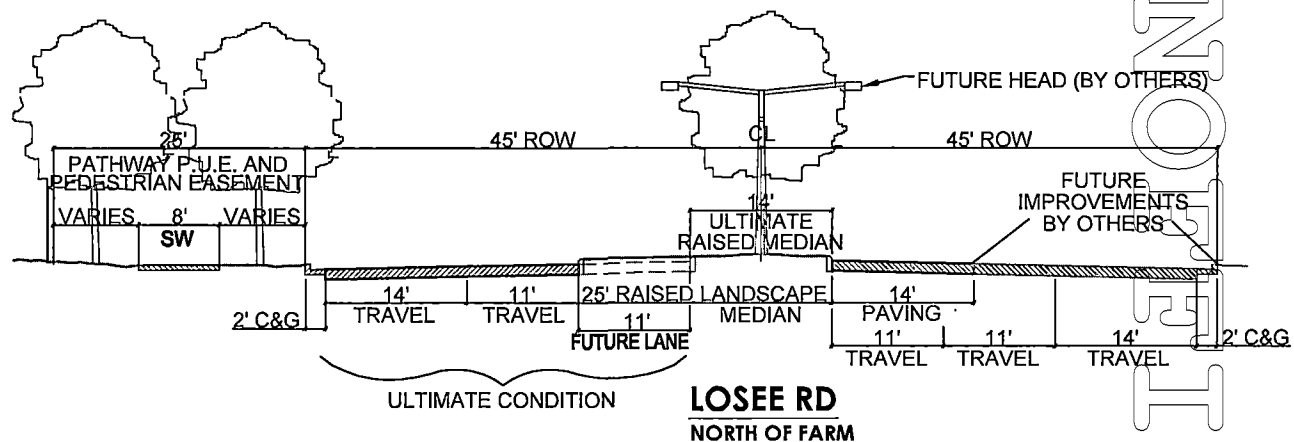
PLAN
TYPICAL 12' ALLEY - STREET INTERSECTION



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STREET SECTIONS NEIGHBORHOOD STREETS	
SCALE AS NOTED	FIGURE
October 2006	S06A

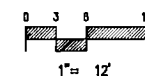


2,675-ACRE MASTER-PLANNED COMMUNITY

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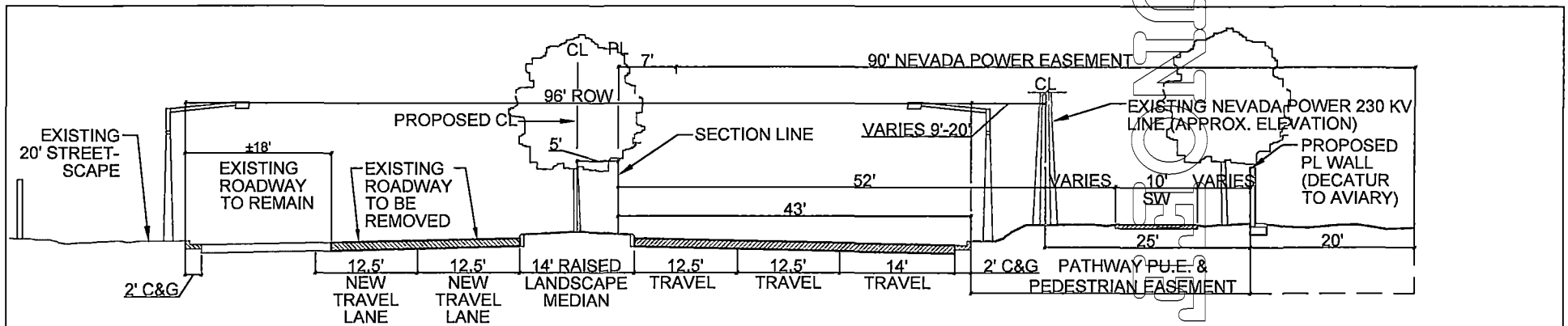
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 Construction Management, and Related Services
 8805 Sierra Road
 Las Vegas, Nevada 89123
 (702) 838-5400 Fax (702) 838-5454

STREET SECTIONS MINOR ARTERIAL

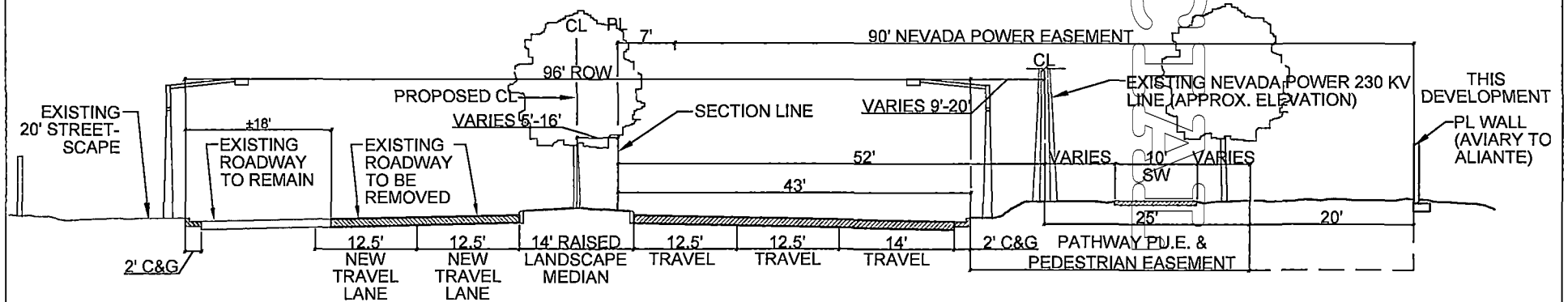


October 2006

FIGURE
S07



GRAND TETON DRIVE - DECATUR TO AVIARY



GRAND TETON DRIVE - AVIARY TO ALIANTE

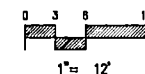
NOTE: Subject to approval of the Master Traffic Study.

2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

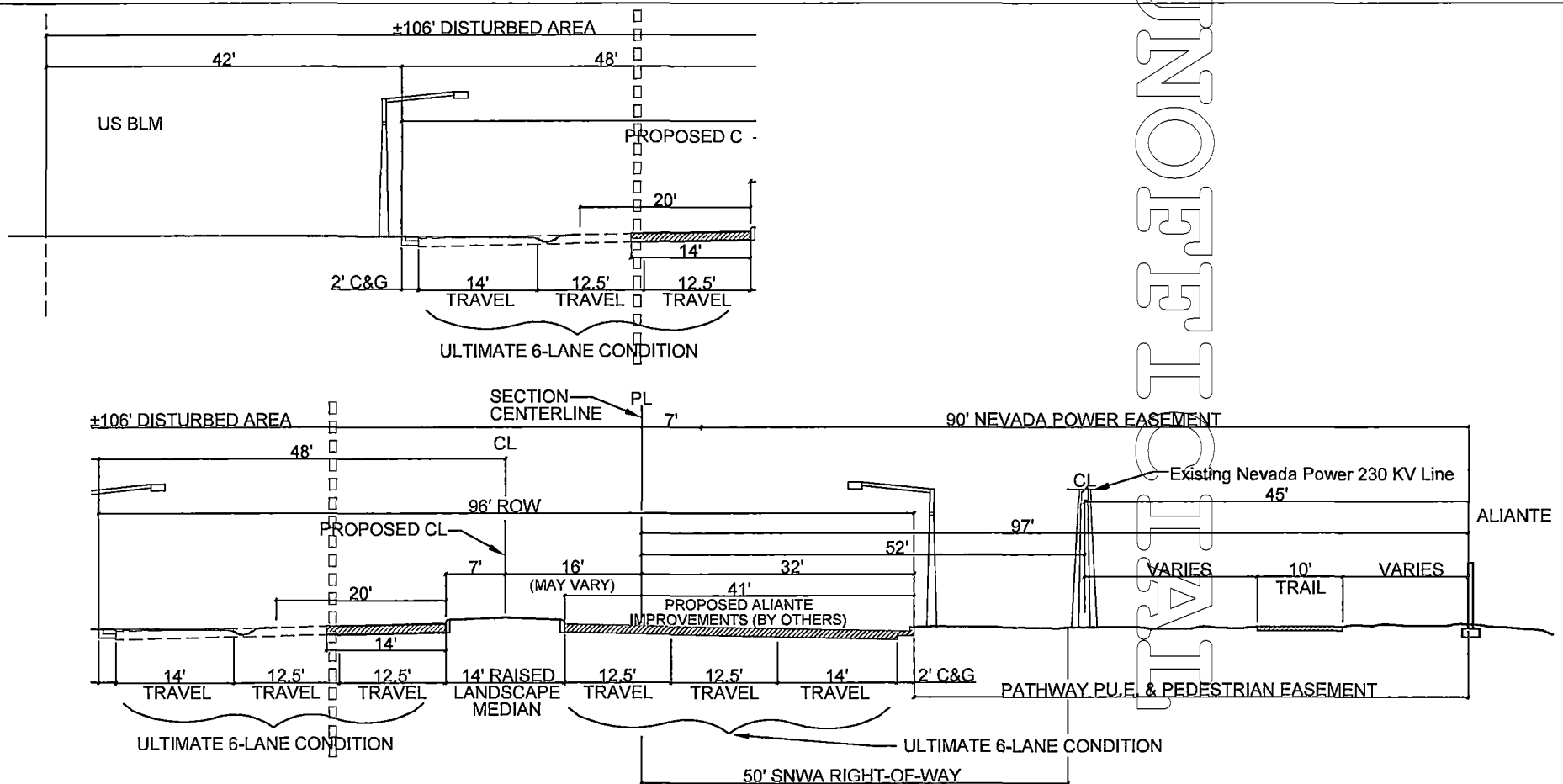
Carter :: Burgess
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 Construction Management, and Related Services
 6655 Bermuda Road
 Las Vegas, Nevada 89118
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STREET SECTIONS MINOR ARTERIAL



November 2006

FIGURE
S08



GRAND TETON DRIVE - ALIANTE TO CLAYTON
NORTH HALF-STREET

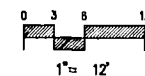
NOTE: Subject to approval of the Master Traffic Study.

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NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter :: Burgess
Consultants in Planning, Engineering,
Construction Management, and Related Services
8955 Bermuda Road
Las Vegas, Nevada 89119
702 838-6400 Fax 702 838-6454

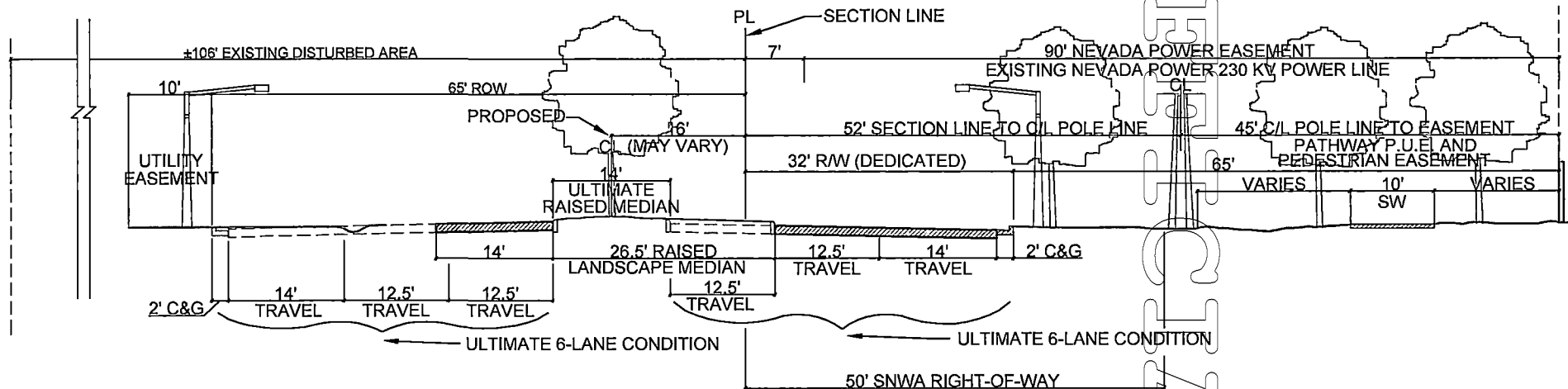
**STREET SECTIONS
MINOR ARTERIAL**



November 2005

FIGURE

S09



GRAND TETON DRIVE
CLAYTON STREET TO REVERE STREET TRANSITION

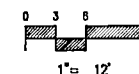
NOTE: Subject to approval of the Master Traffic Study.

2,675-ACRE MASTER-PLANNED COMMUNITY

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Carter Burgess
Consultants in Planning, Engineering,
Construction Management, and Related Services
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Las Vegas, Nevada 89123
702 838-5400 Fax 702 838-5454

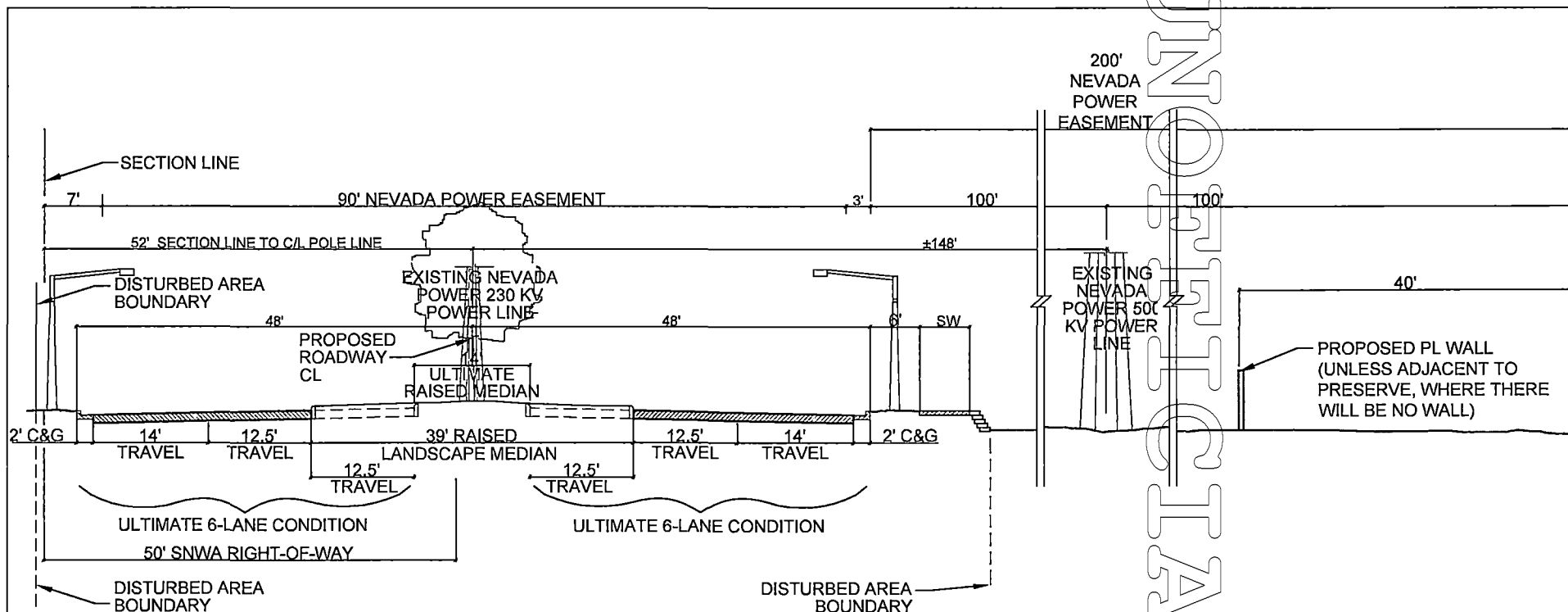
**STREET SECTIONS
MINOR ARTERIAL**



November 2006

FIGURE

S10



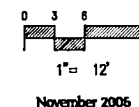
GRAND TETON DRIVE
REVERE STREET TO COMMERCE STREET TRANSITION

NOTE: Subject to approval of the Master Traffic Study.

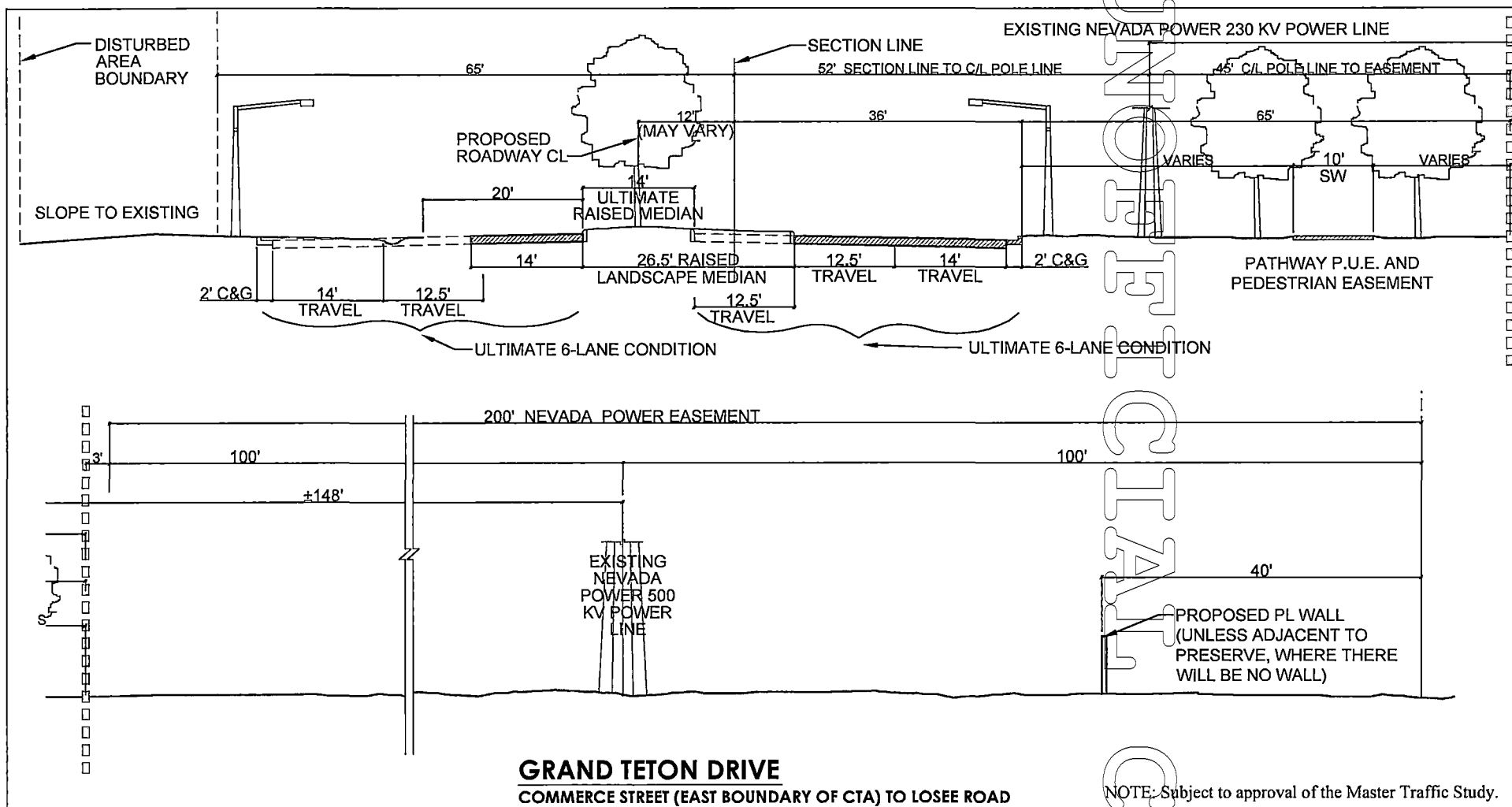
2,675-ACRE MASTER-PLANNED COMMUNITY
NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter Burgess
Consultants in Planning, Engineering,
Construction Management, and Related Services.
9800 Bermuda Road
Las Vegas, Nevada 89129
702 538-6400 Fax 702 538-0454

**STREET SECTIONS
MINOR ARTERIAL**



**FIGURE
S11**



NOTE: Subject to approval of the Master Traffic Study.

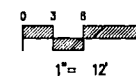
2,675-ACRE MASTER-PLANNED COMMUNITY

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Carter Burgess

Consultants in Planning, Engineering,
Construction Management, and Related Services
8855 Bermuda Road
Las Vegas, Nevada 89119
702 938-6400 Fax 702 938-6454

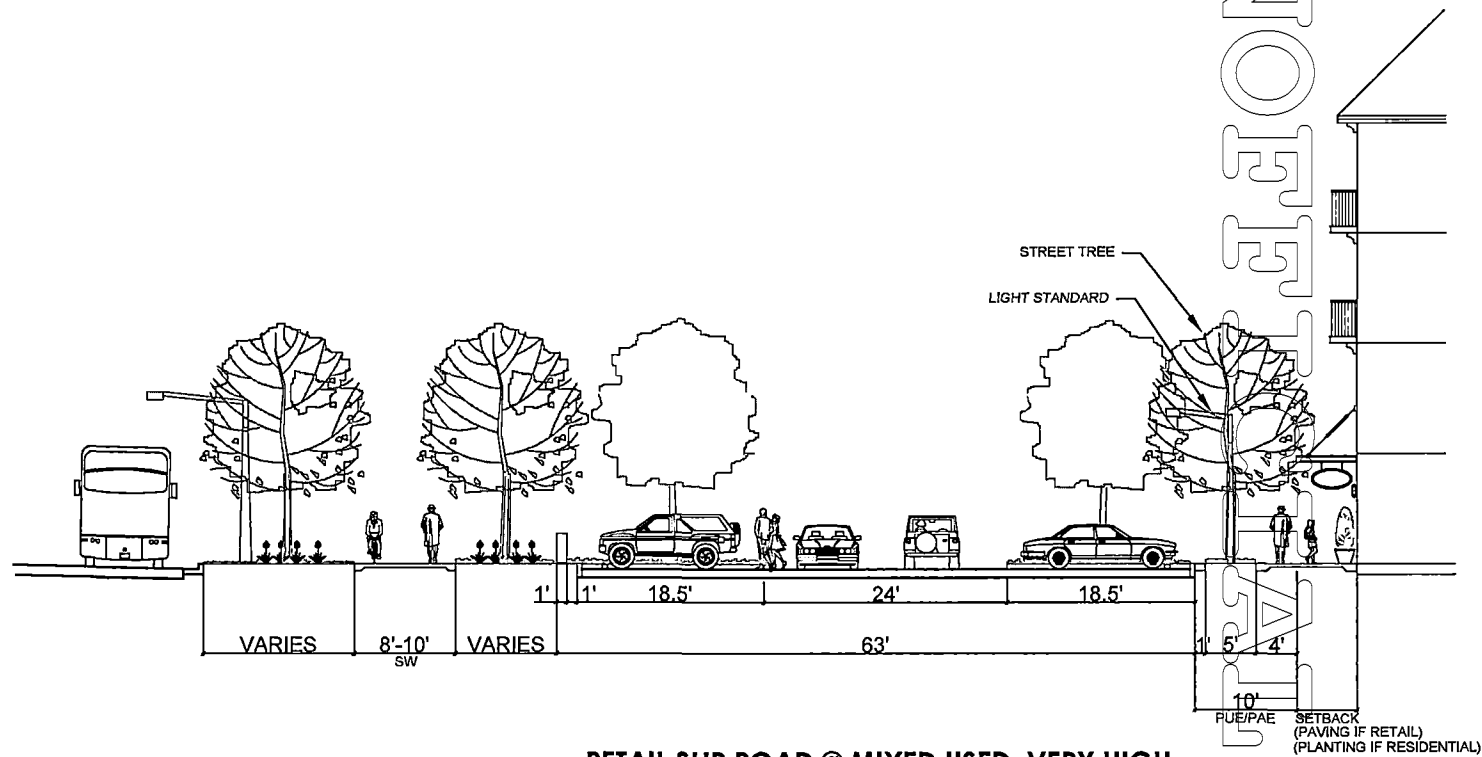
STREET SECTIONS MINOR ARTERIAL



November 2006

FIGURE

S12



**RETAIL SLIP ROAD @ MIXED USED, VERY HIGH
& HIGH DENSITY ALONG ARTERIALS**

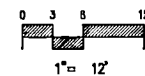
2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter Burgess

Consultants in Planning, Engineering,
Construction Management, and Related Services
8855 Westside Road
Las Vegas, Nevada 89139
702 838-5400 Fax 702 838-5454

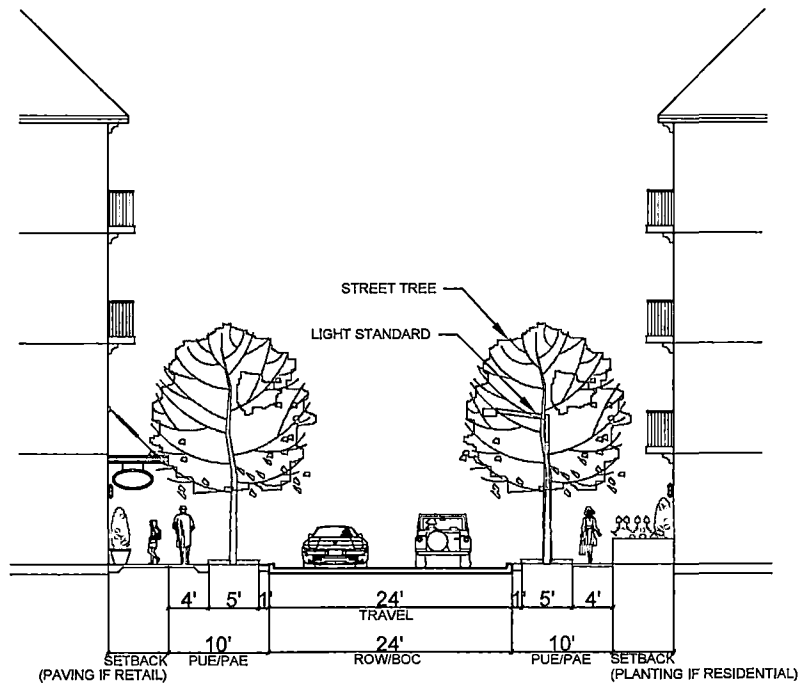
STREET SECTIONS RETAIL SLIP ROAD



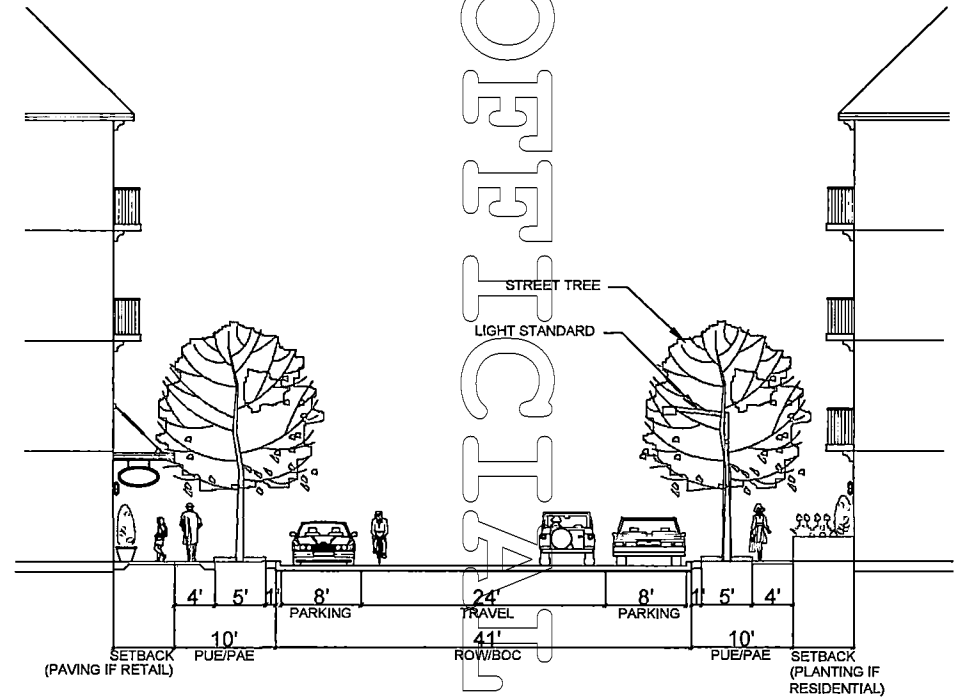
October 2006

FIGURE

S13



VILLAGE STREET WITHOUT ON-STREET PARKING
@ MIXED USE, VERY HIGH & HIGH DENSITY



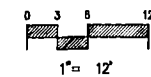
VILLAGE STREET WITH ON-STREET PARKING
@ MIXED USE, VERY HIGH & HIGH DENSITY

2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

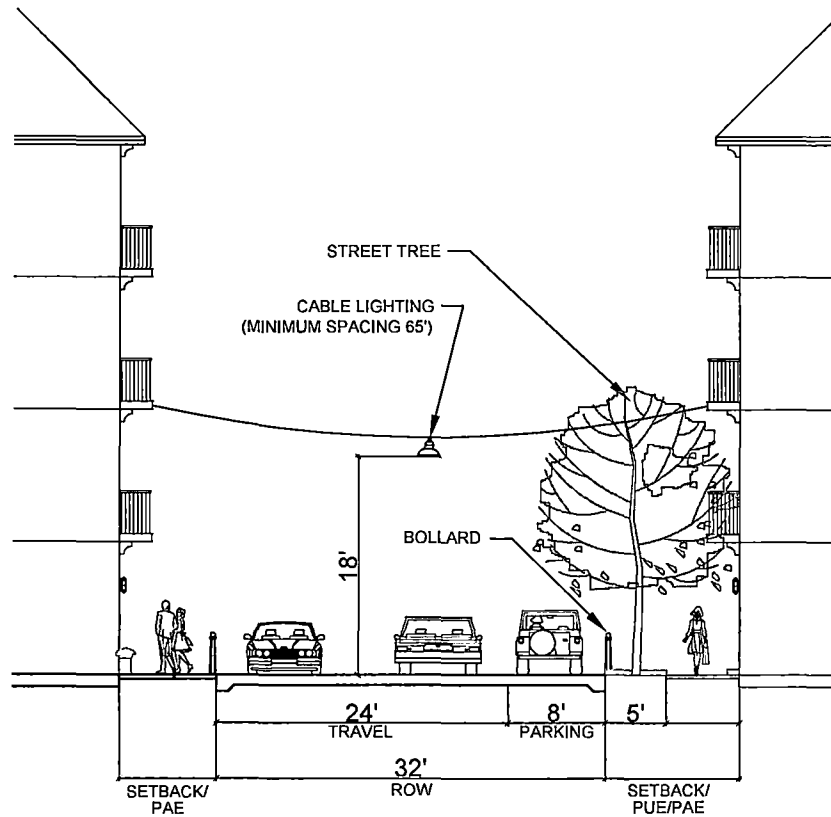
Carter Burgess
 Consultants in Planning, Engineering,
 Construction Management and Related Services
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 Las Vegas, Nevada 89129
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STREET SECTIONS VILLAGE STREETS



October 2006

FIGURE
S14



**VILLAGE MEWS @ MIXED USE,
VERY HIGH & HIGH DENSITY**

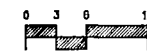
2,675-ACRE MASTER-PLANNED COMMUNITY

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Carter :: Burgess

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6050 Bermuda Road
Las Vegas, Nevada 89119
(702) 838-5400 Fax (702) 838-5454

**STREET SECTIONS
VILLAGE MEWS**

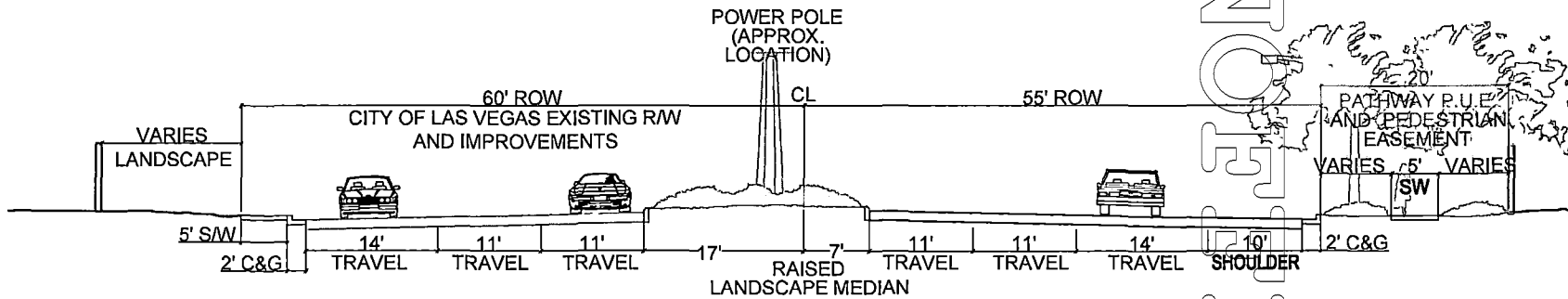


1" = 12'

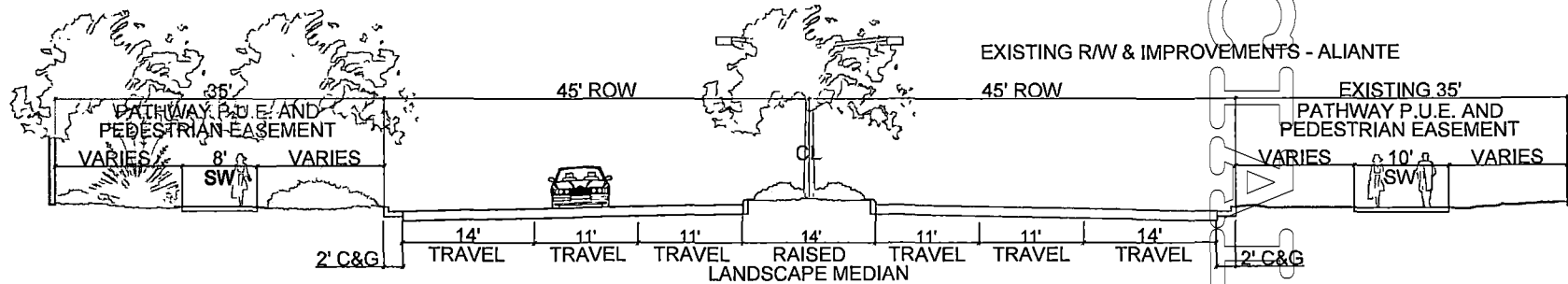
March 2007

FIGURE

S15



DECATUR BLVD



ALIANTE PKWY

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

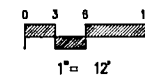
2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter Burgess

Consultants in Planning, Engineering,
Construction Management, and Related Services
8825 Bermuda Road
Las Vegas, Nevada 89160
702 838-6400 Fax 702 838-6454

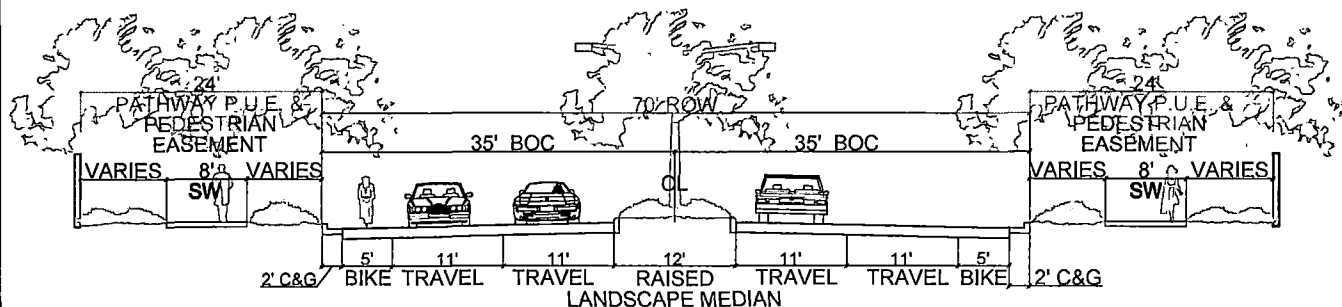
PATHWAYS



August 2006

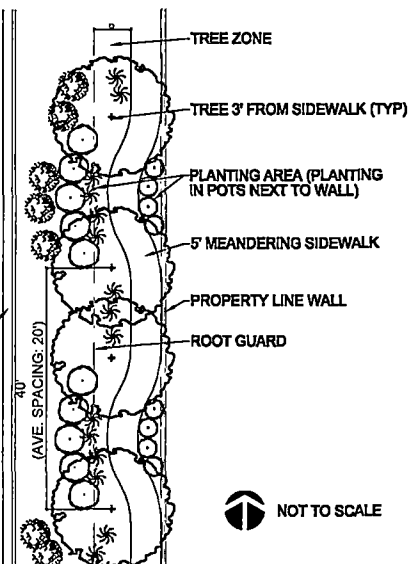
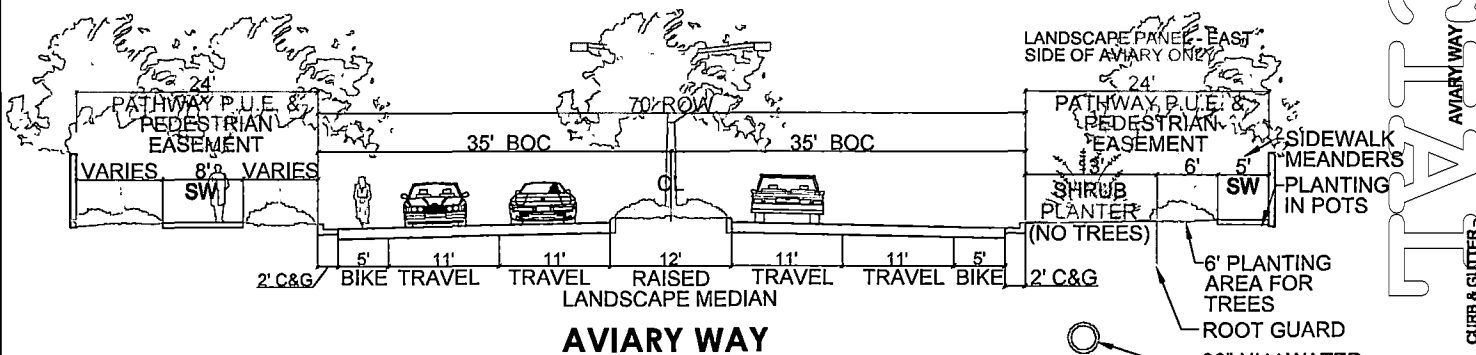
FIGURE

P01



**CLAYTON ST, DEER SPRINGS WAY*, FARM RD (DECATUR TO ALIANTE),
DORRELL LN (EAST OF CLAYTON), & SEVERANCE LN**

*NOTE: DEER SPRINGS IS A HALF STREET



NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

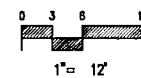
2,675-ACRE MASTER-PLANNED COMMUNITY

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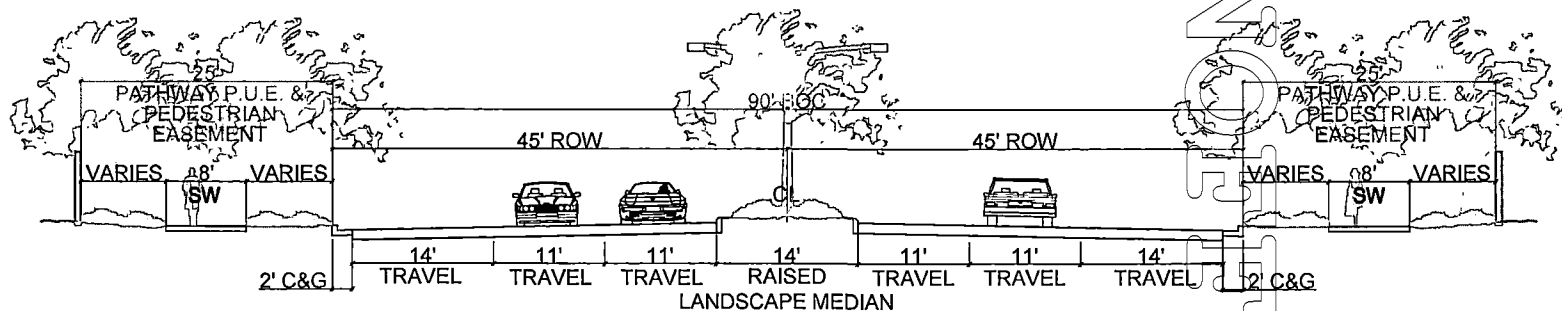
PATHWAYS



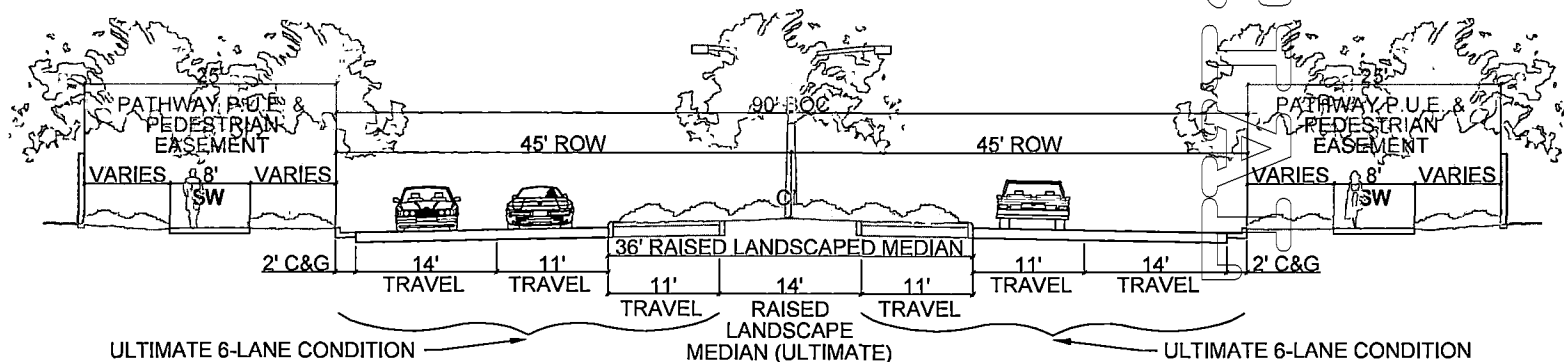
August 2006

FIGURE

P02



ELKHORN RD (WEST PARCEL), ELKHORN RD (WEST BOUNDARY OF EAST PARCEL TO CLAYTON), FARM RD (CLAYTON TO LOSEE)



REVERSE

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

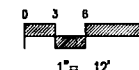
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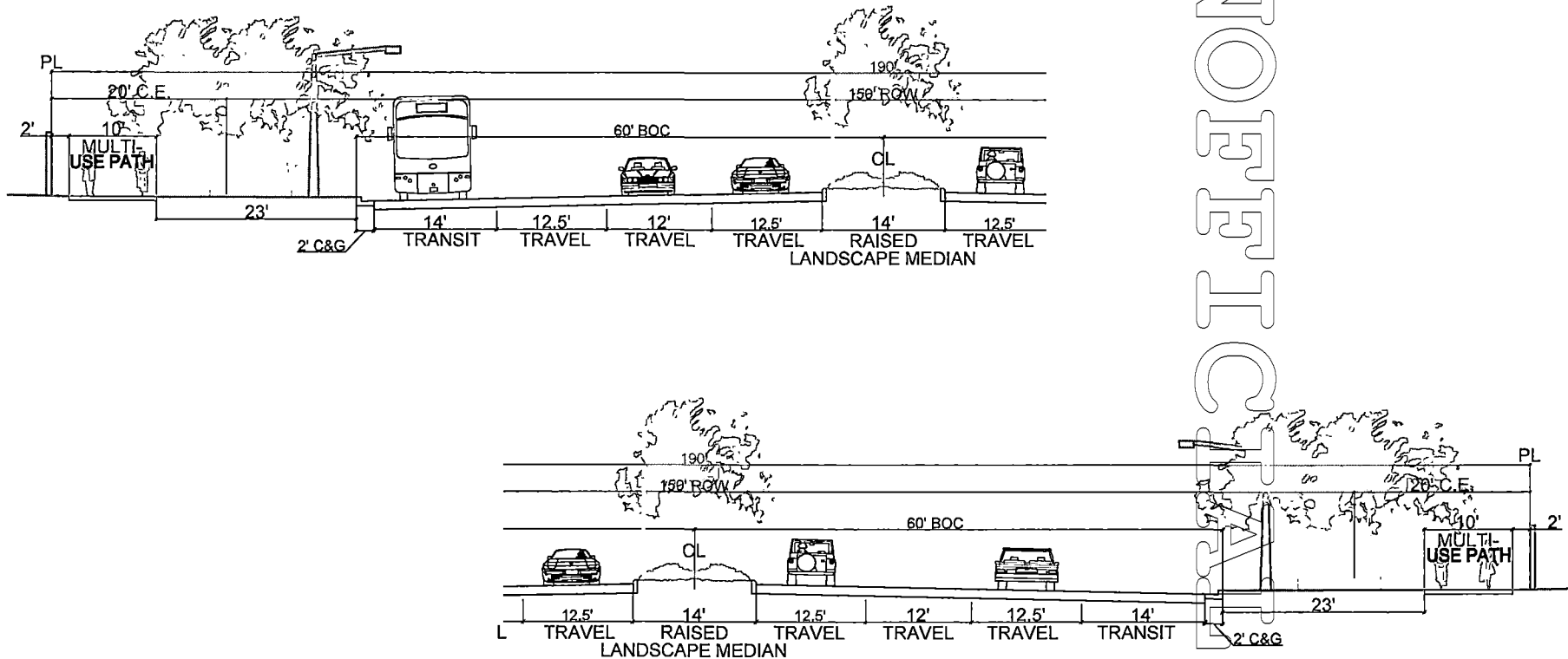
PATHWAYS



August 2006

FIGURE

P03



NORTH 5TH STREET

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

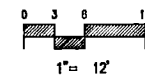
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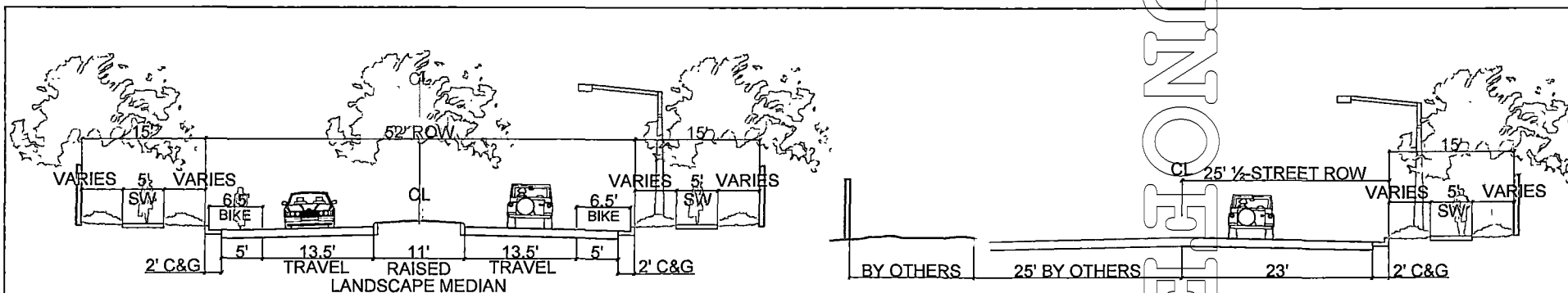
PATHWAYS



August 2006

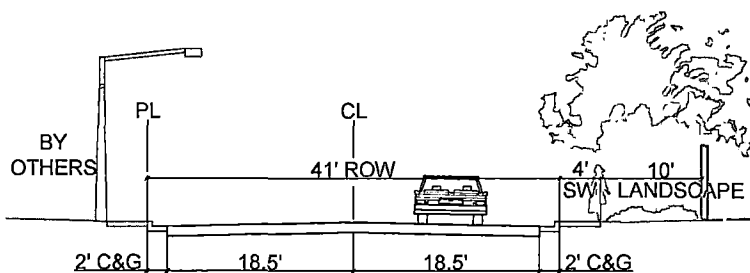
FIGURE

P04

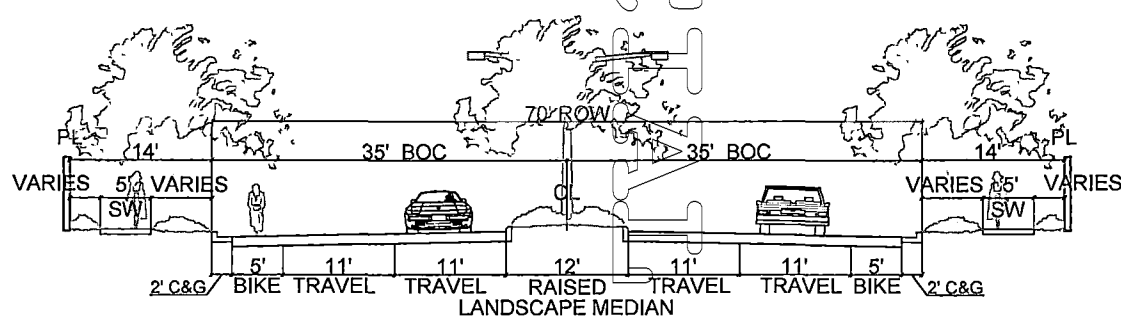


MINOR COLLECTOR

**ELKHORN RD (REVERSE TO COMMERCE)
AND GENTLE BROOK**



**DORRELL LN
WEST OF AVIARY**



COLLETTE ST

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

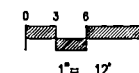
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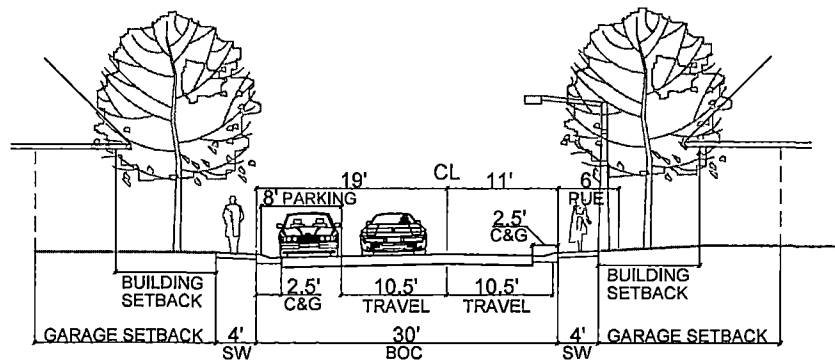
PATHWAYS



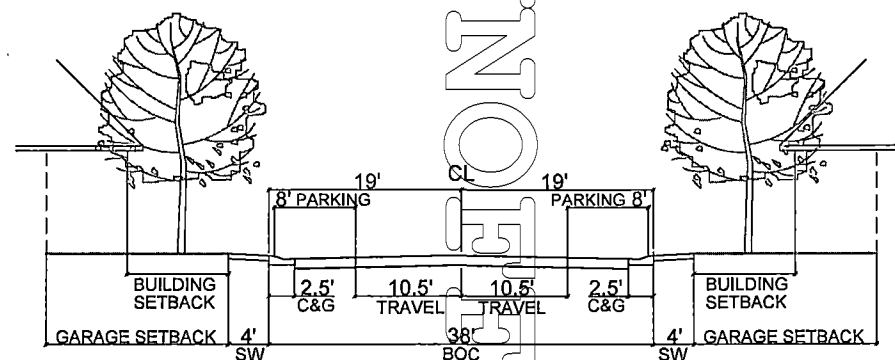
August 2006

FIGURE

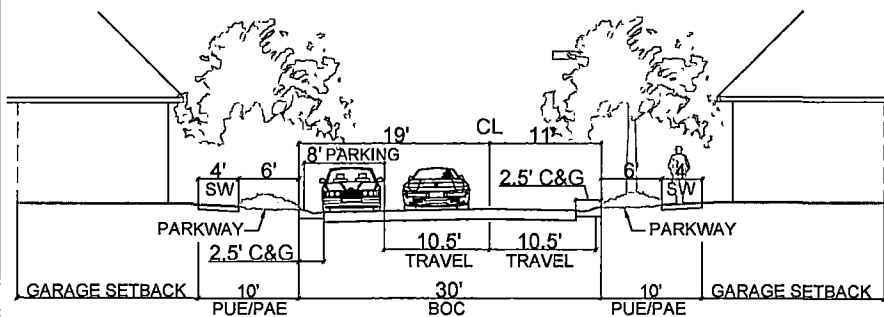
P05



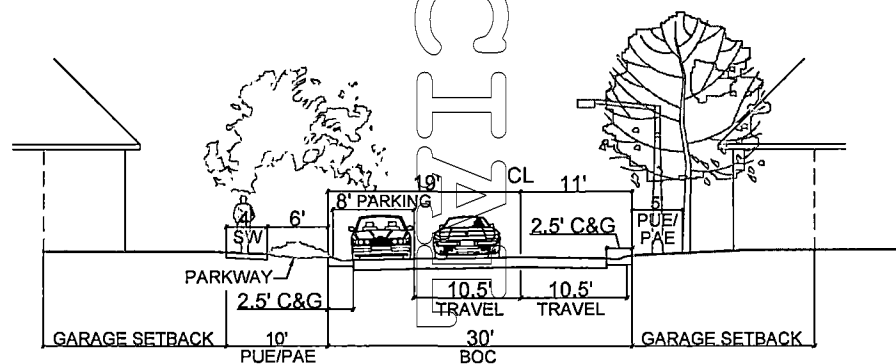
TYPE 1
WITHOUT PARKWAY,
PARKING ONE SIDE OF STREET



TYPE 1A
WITHOUT PARKWAY,
PARKING BOTH SIDES OF STREET



TYPE 2/5
WITH PARKWAY,
PARKING ONE SIDE OF STREET



TYPE 3
WITH PARKWAY AND PARKING,
ONE SIDE OF STREET

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

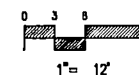
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Construction Management, and Related Services
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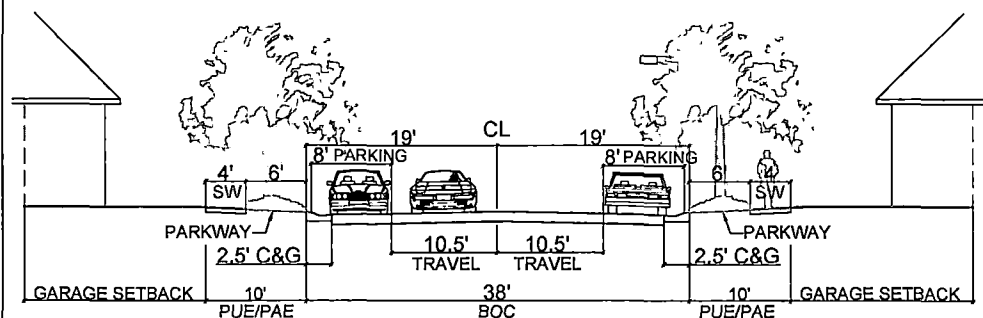
PATHWAYS



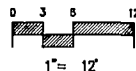
October 2006

FIGURE

P06



TYPE 4
 WITH PARKWAY,
 PARKING BOTH SIDES OF STREET
NEIGHBORHOOD STREET



NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

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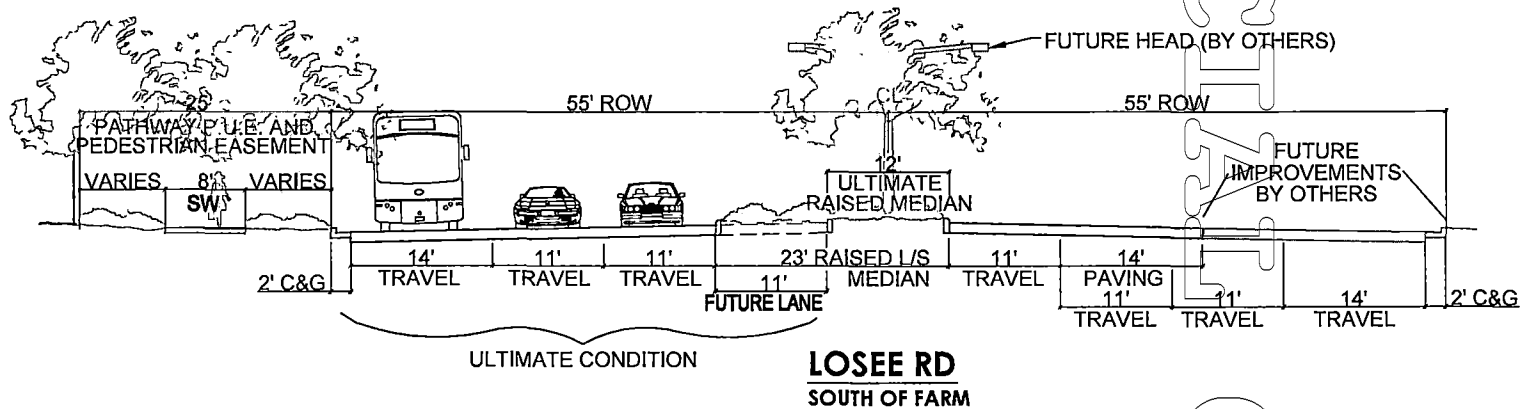
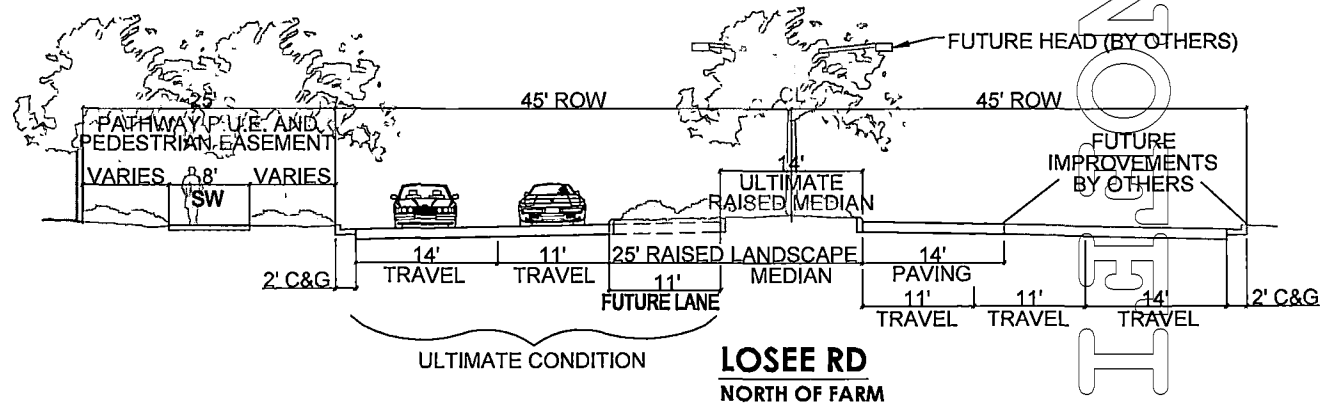
PATHWAYS

SCALE AS NOTED

October 2006

FIGURE

P06A



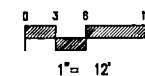
NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

2,675-ACRE MASTER-PLANNED COMMUNITY

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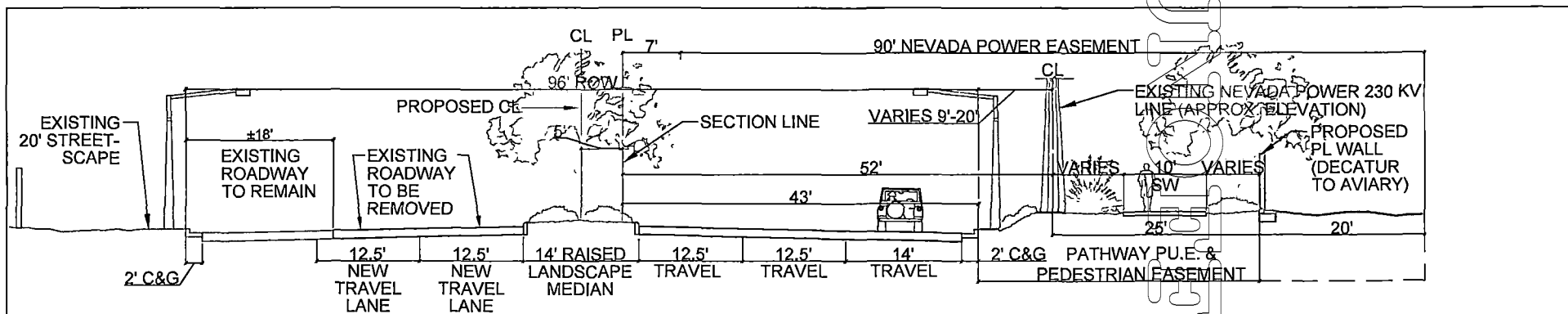
Carter :: Burgess
Consultants in Planning, Engineering,
Construction Management, and Related Services
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Las Vegas, Nevada 89129
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PATHWAYS

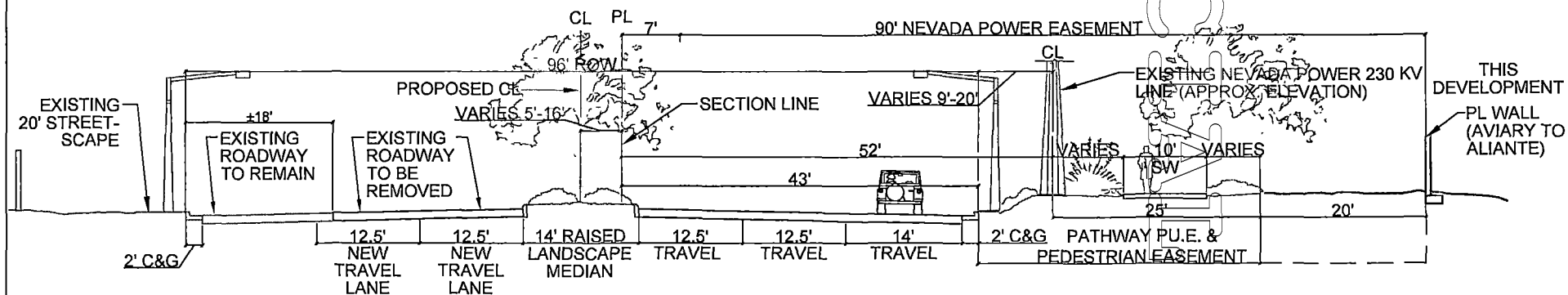


October 2006

FIGURE
P07



GRAND TETON DRIVE - DECATUR TO AVIARY



GRAND TETON DRIVE - AVIARY TO ALIANTE

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

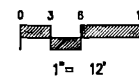
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Construction Management, and Related Services
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Las Vegas, Nevada 89119
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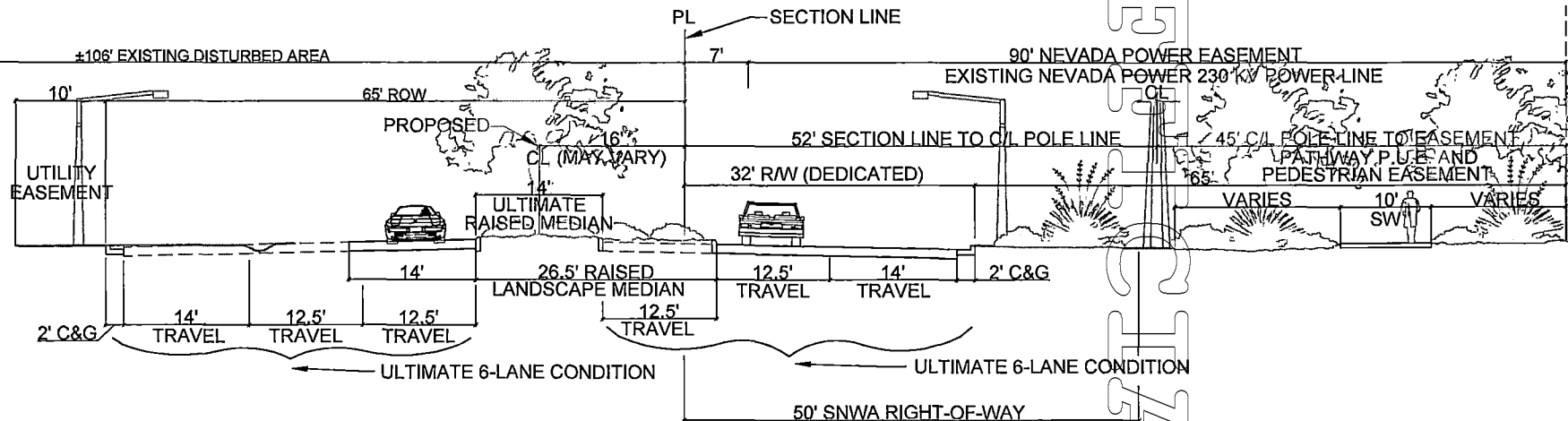
PATHWAYS



August 2006

FIGURE

P08



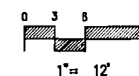
GRAND TETON DRIVE CLAYTON STREET TO REVERE STREET TRANSITION

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

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Las Vegas, Nevada 89119
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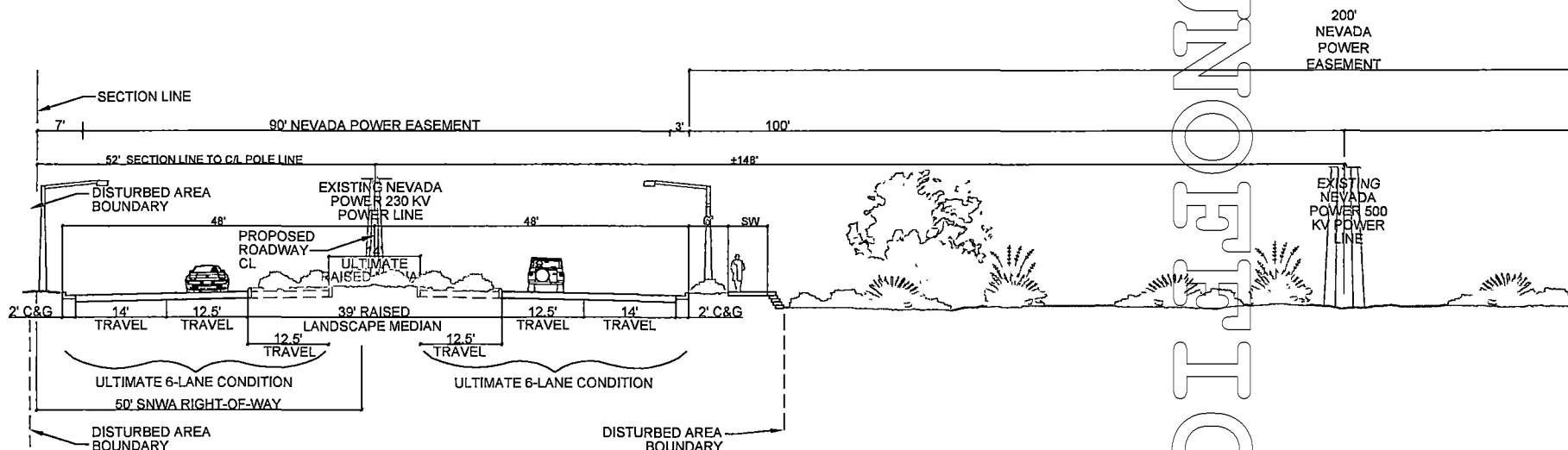
PATHWAYS



October 2006

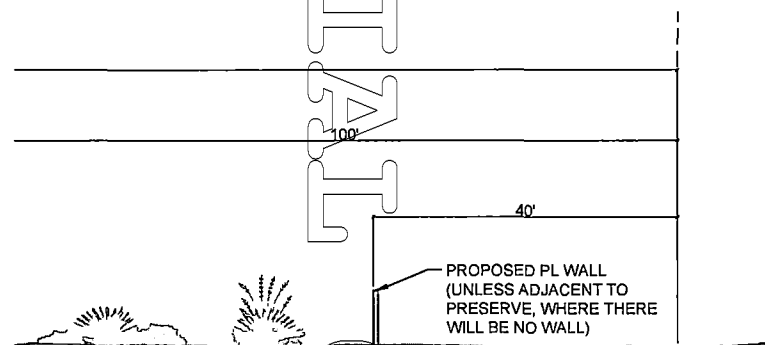
FIGURE

P10



GRAND TETON DRIVE
REVERE STREET TO COMMERCE STREET TRANSITION

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.



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PATHWAYS

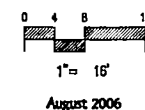
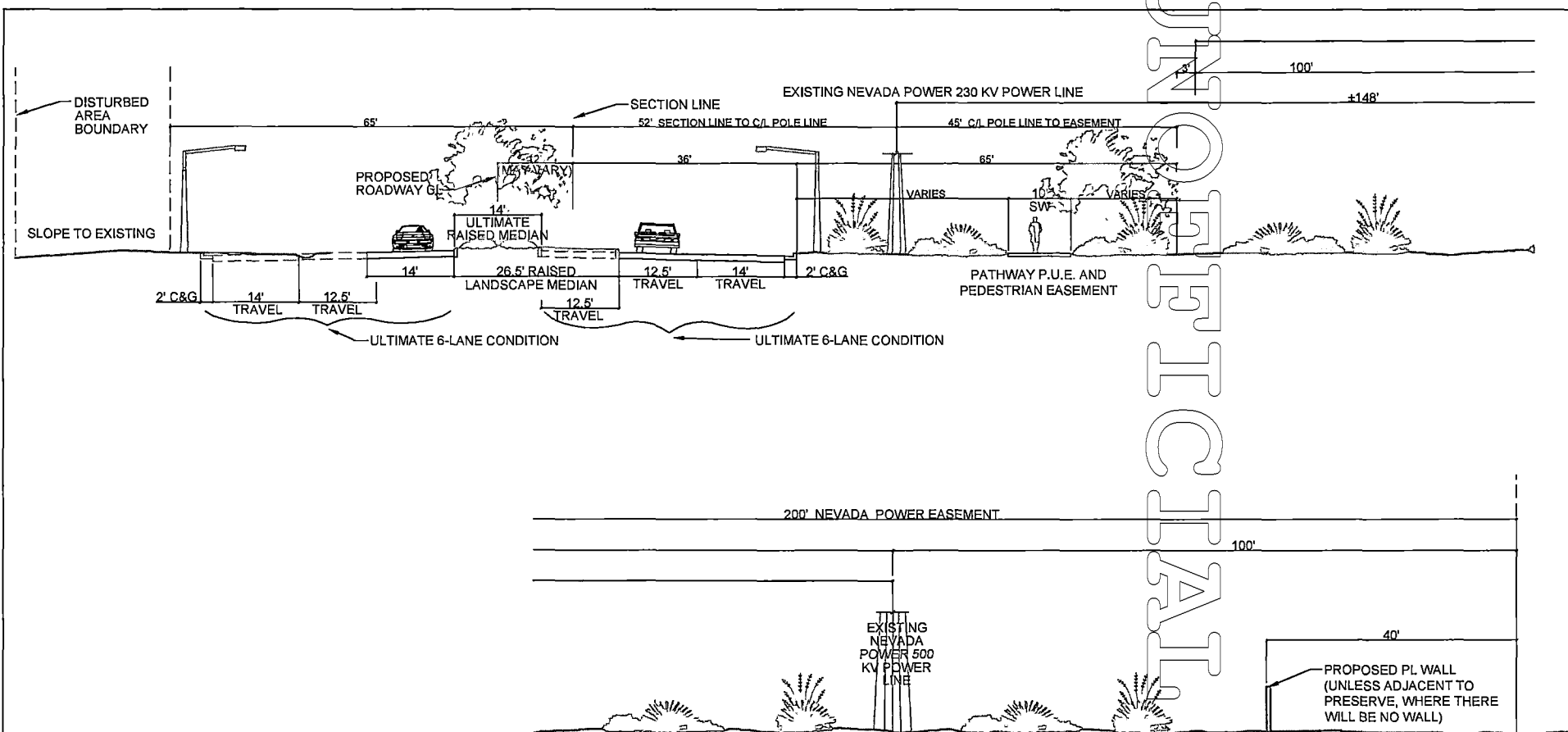


FIGURE
P11



NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

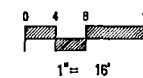
GRAND TETON DRIVE
 COMMERCE STREET (EAST BOUNDARY OF CTA) TO LOSEE ROAD

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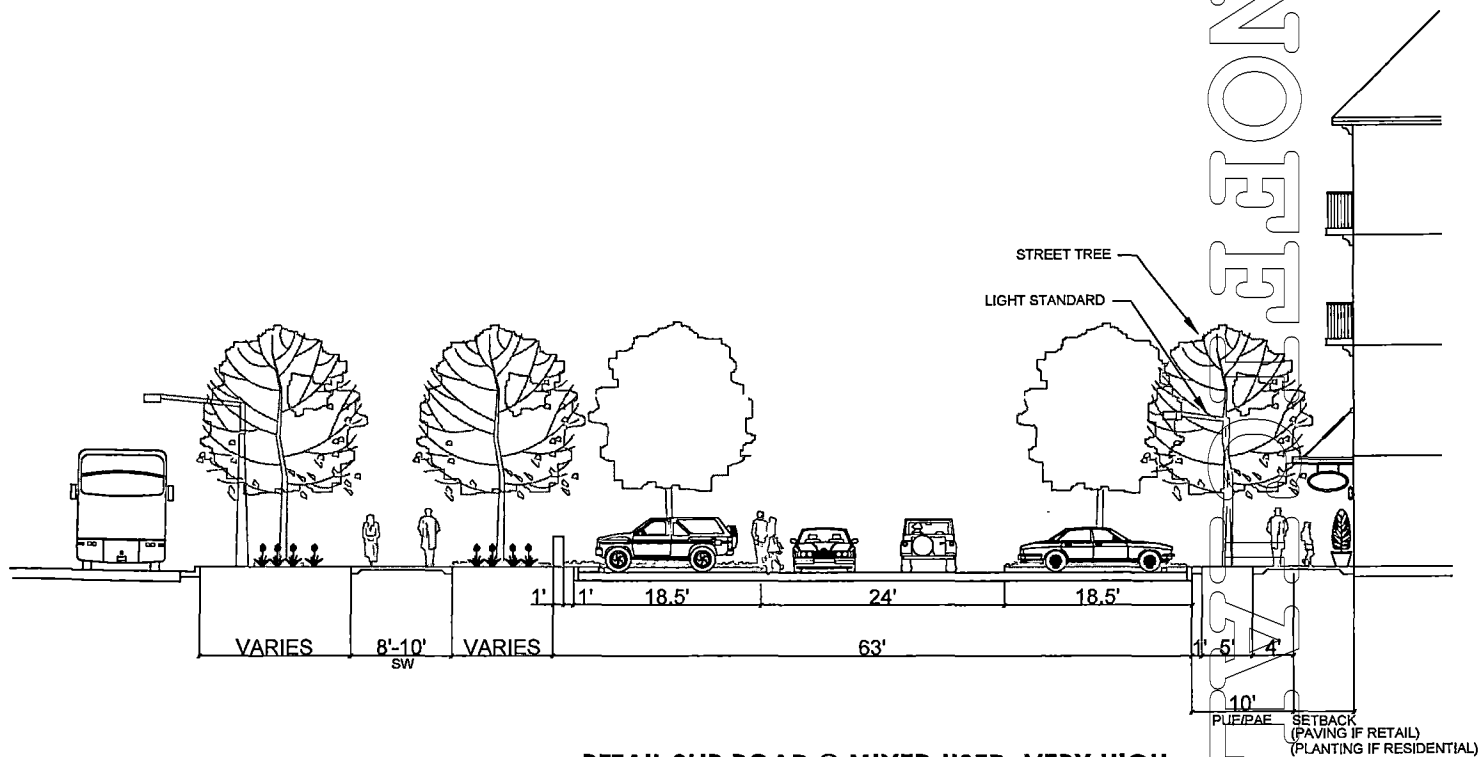
PATHWAYS



October 2006

FIGURE

P12



**RETAIL SLIP ROAD @ MIXED USED, VERY HIGH
& HIGH DENSITY ALONG ARTERIALS**

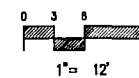
NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

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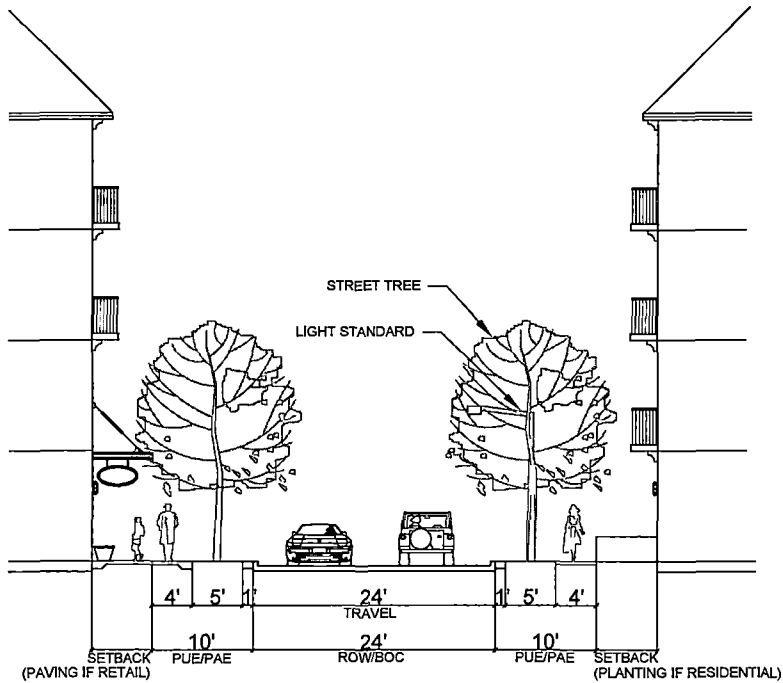
STREETSCAPE



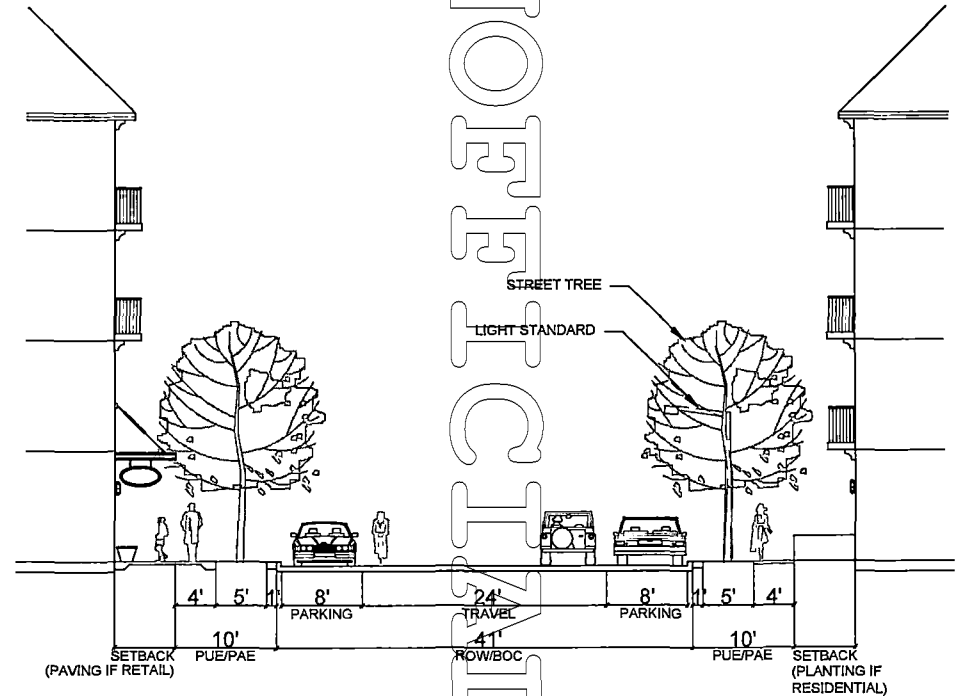
August 2006

FIGURE

P13



VILLAGE STREET WITHOUT ON-STREET PARKING
@ MIXED USE, VERY HIGH & HIGH DENSITY



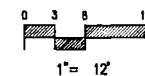
VILLAGE STREET WITH ON-STREET PARKING
@ MIXED USE, VERY HIGH & HIGH DENSITY

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

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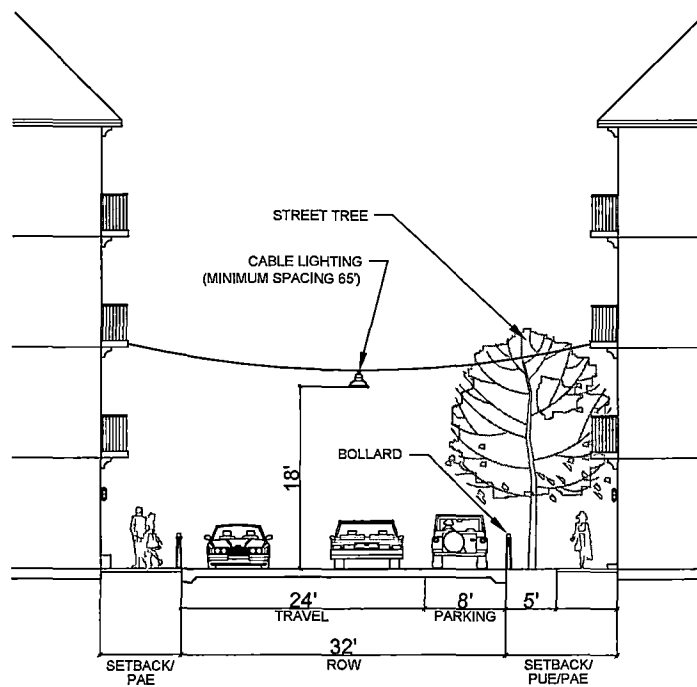
STREETScape



August 2006

FIGURE

P14



VILLAGE MEWS @ MIXED USE,
VERY HIGH & HIGH DENSITY

NOTE: Vertical clearance of 13'-6" is required above roadway surface to accommodate emergency vehicles. Plant material is shown for illustration purposes only.

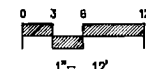
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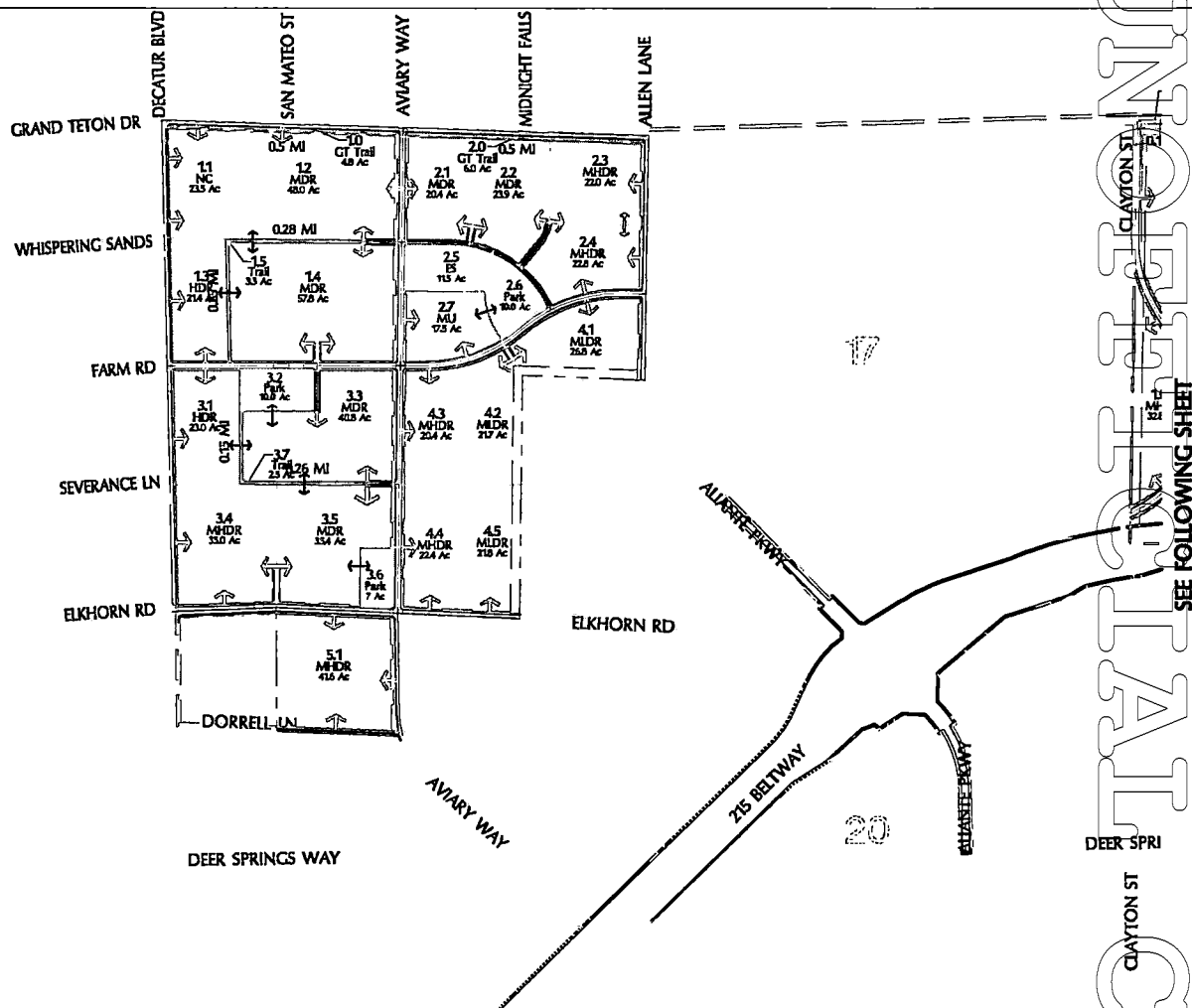
STREETSCAPE



March 2007

FIGURE

P15



- LEGEND**
- PARCEL BOUNDARY
 - PARK
 - TRAIL CORRIDOR
 - TRAIL CONNECTION (CONCEPTUAL)

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PATHWAYS: 39,850 LF (7.5 MI)

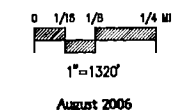
TRAILS: 10,085 LF (1.9 MI)

- TRAIL
- PATHWAY, 5' CONCRETE WALK
- PATHWAY, 8' CONCRETE WALK

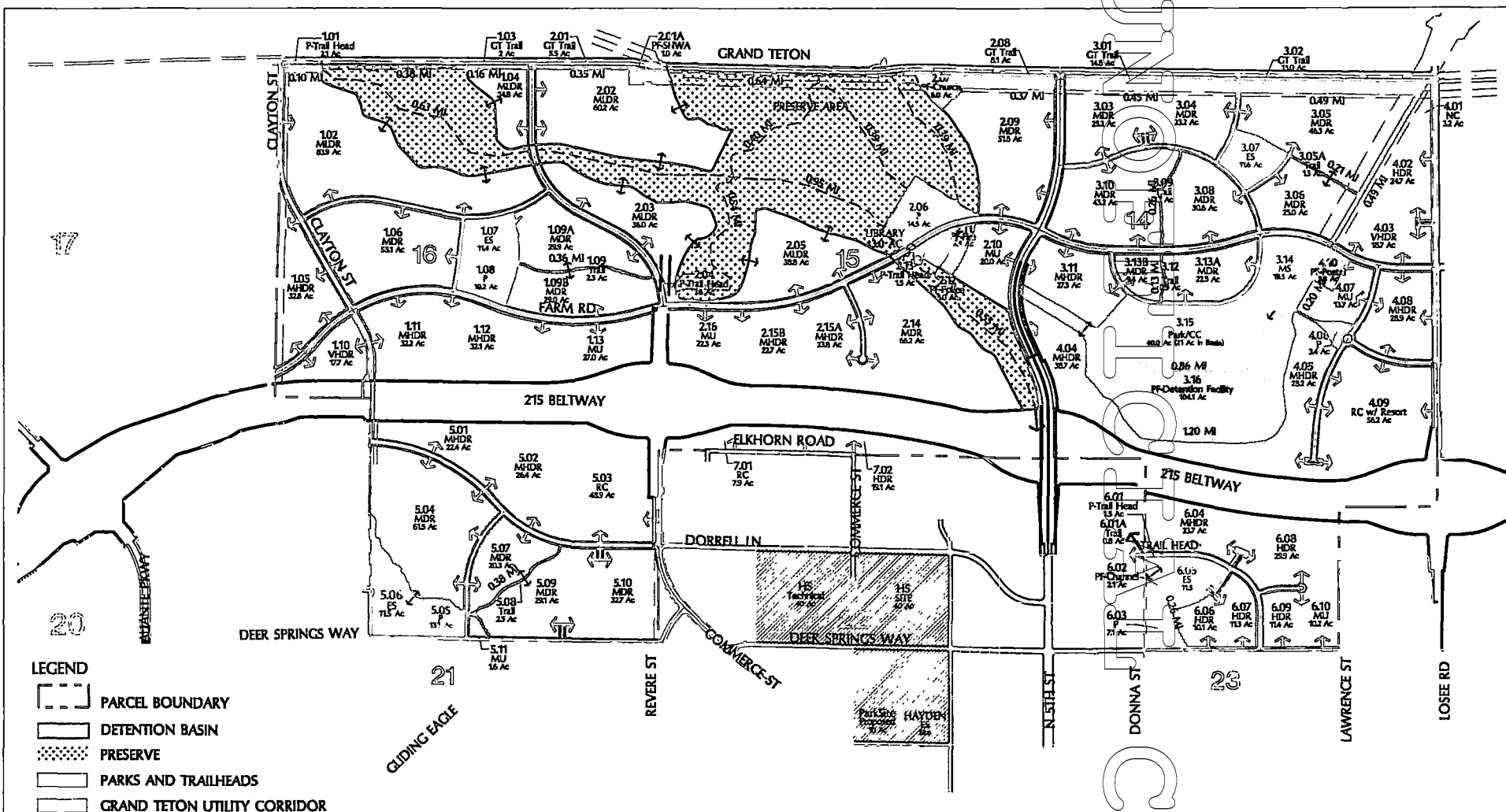
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TRAILS & PATHWAYS WEST PARCEL



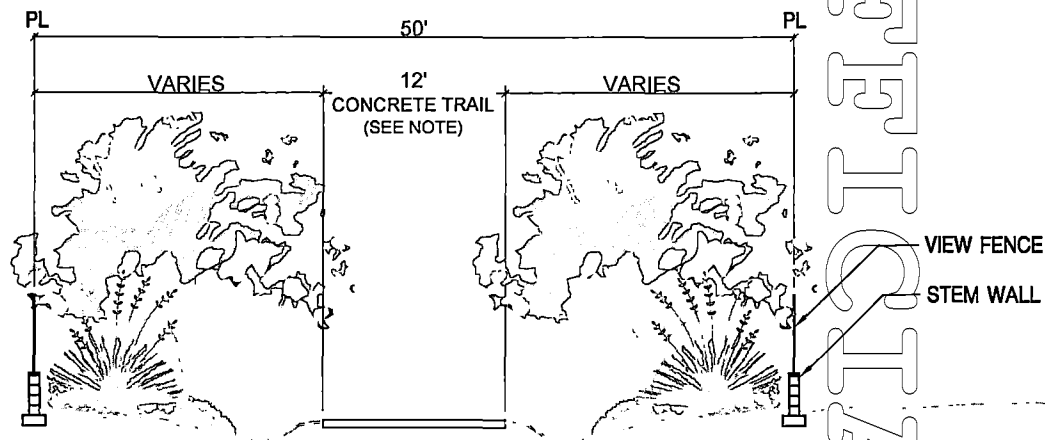
**FIGURE
T01**



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NOTE: Trails depicted within the conservation preservation
area are for illustration purposes. These trails cannot be built
by developer; however, trailheads are intended to provide
connection points with any such future trails.



NOTE: TRAIL CONCRETE PAVING SHALL BE DESIGNED AND BUILT TO MEET THE FOLLOWING CONDITIONS:

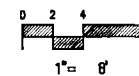
- (1) THE TRAIL SHALL BE ABLE TO SUPPORT THE WEIGHT OF A 16,000-LB EMERGENCY RESPONSE VEHICLE.
- (2) THE TRAIL SHALL HAVE MINIMUM TURNING RADII OF 38' INSIDE AND 50' OUTSIDE.

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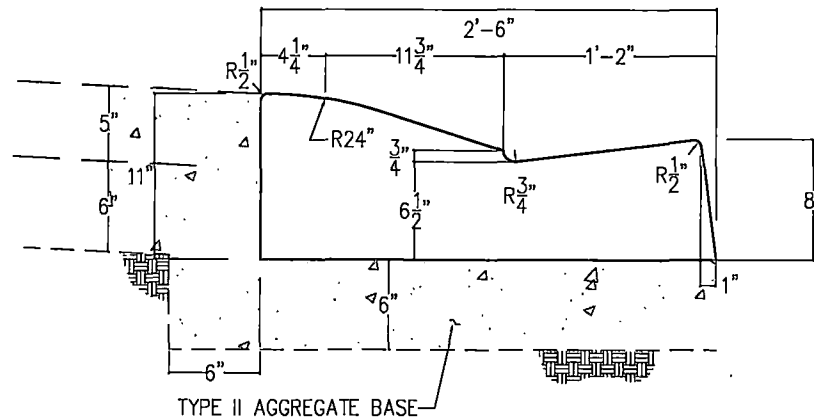
TYPICAL NEIGHBORHOOD TRAIL



July 2007

FIGURE

T03



1. USE OF ROLL CURB MAY BE RESTRICTED BY SURFACE DRAINAGE CONSIDERATIONS.
2. SIDEWALK CONSTRUCTED CONTIGUOUS TO ROLL CURB SHALL BE 5 INCHES THICK (MIN.)
3. ALL CURB FLOW LINES SHALL BE WATER TESTED. ANY CURB THAT DOES NOT FLOW SHALL BE REMOVED AND REPLACED AS DIRECTED BY THE CITY OF NORTH LAS VEGAS AT THE SOLE EXPENSE OF THE CONTRACTOR.
4. CONSTRUCT 1/2" EXPANSION JOINT AT ALL COLD JOINTS, AT BEGINNING AND END OF CURB RETURNS, AND AT 300 FT. MAX. INTERVALS FOR EXTRUDED CURB AT 30 FT. MAX. INTERVALS FOR FORMED CURB. WEAKENED PLANE JOINTS SHALL BE FORMED AT THE REMAINING 15 FT. INTERVALS. SEE STD. DWG. NO. 234 FOR JOINT DETAILS.
5. LONGITUDINAL GRADE SHALL BE NO LESS THAN 0.5%.

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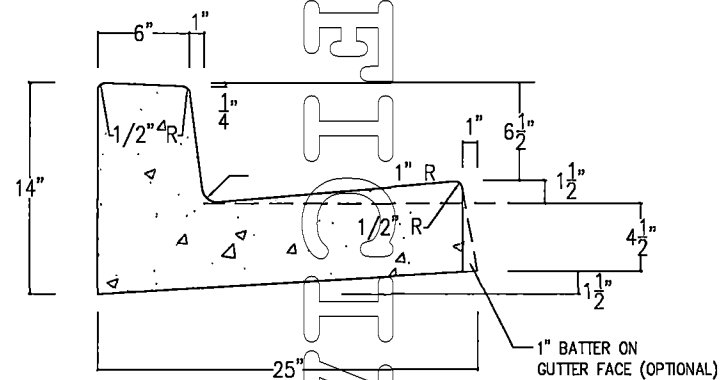
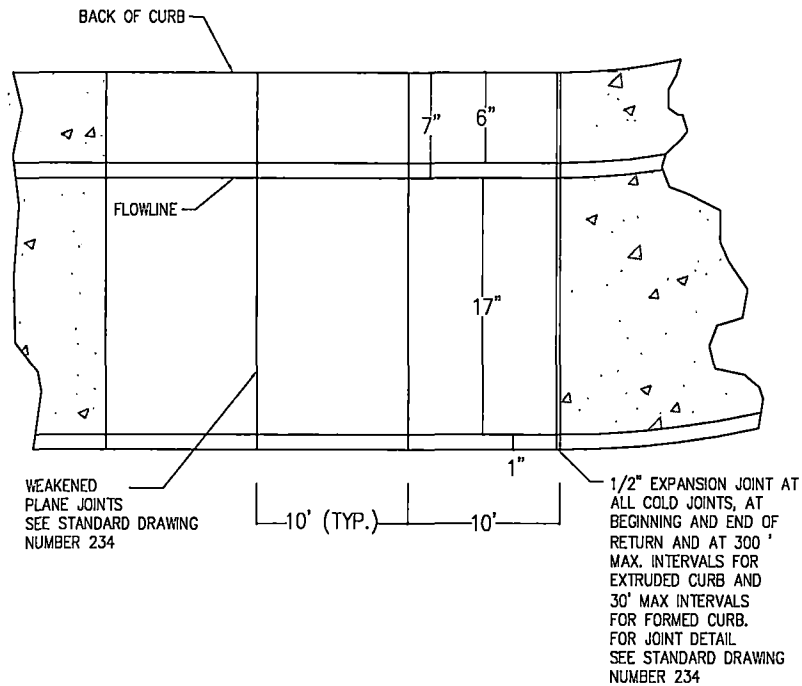
MODIFIED ROLL CURB

NOT TO SCALE

August 2006

FIGURE

M01



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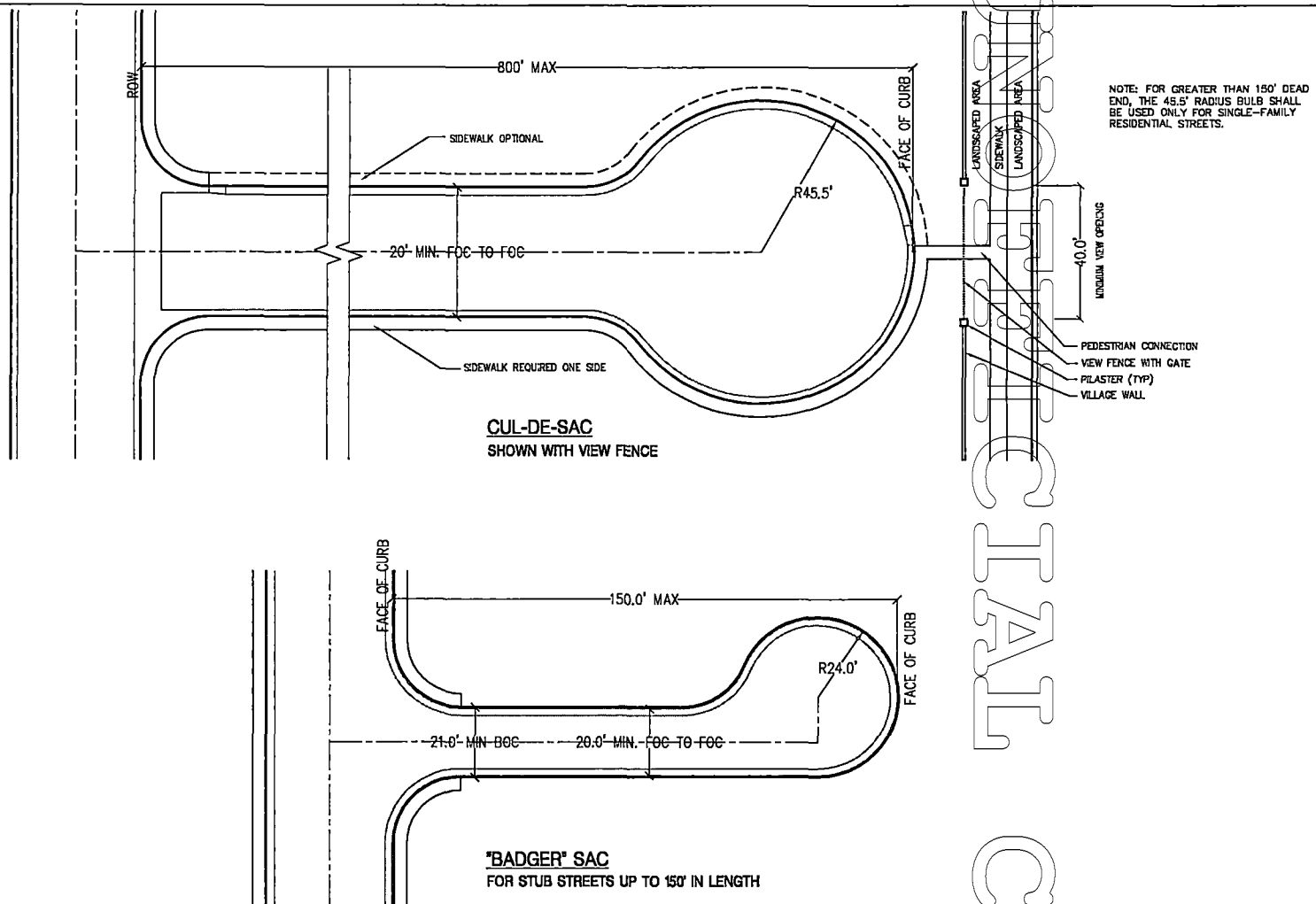
8" L-CURB AND GUTTER

NOT TO SCALE

August 2006

FIGURE

M02



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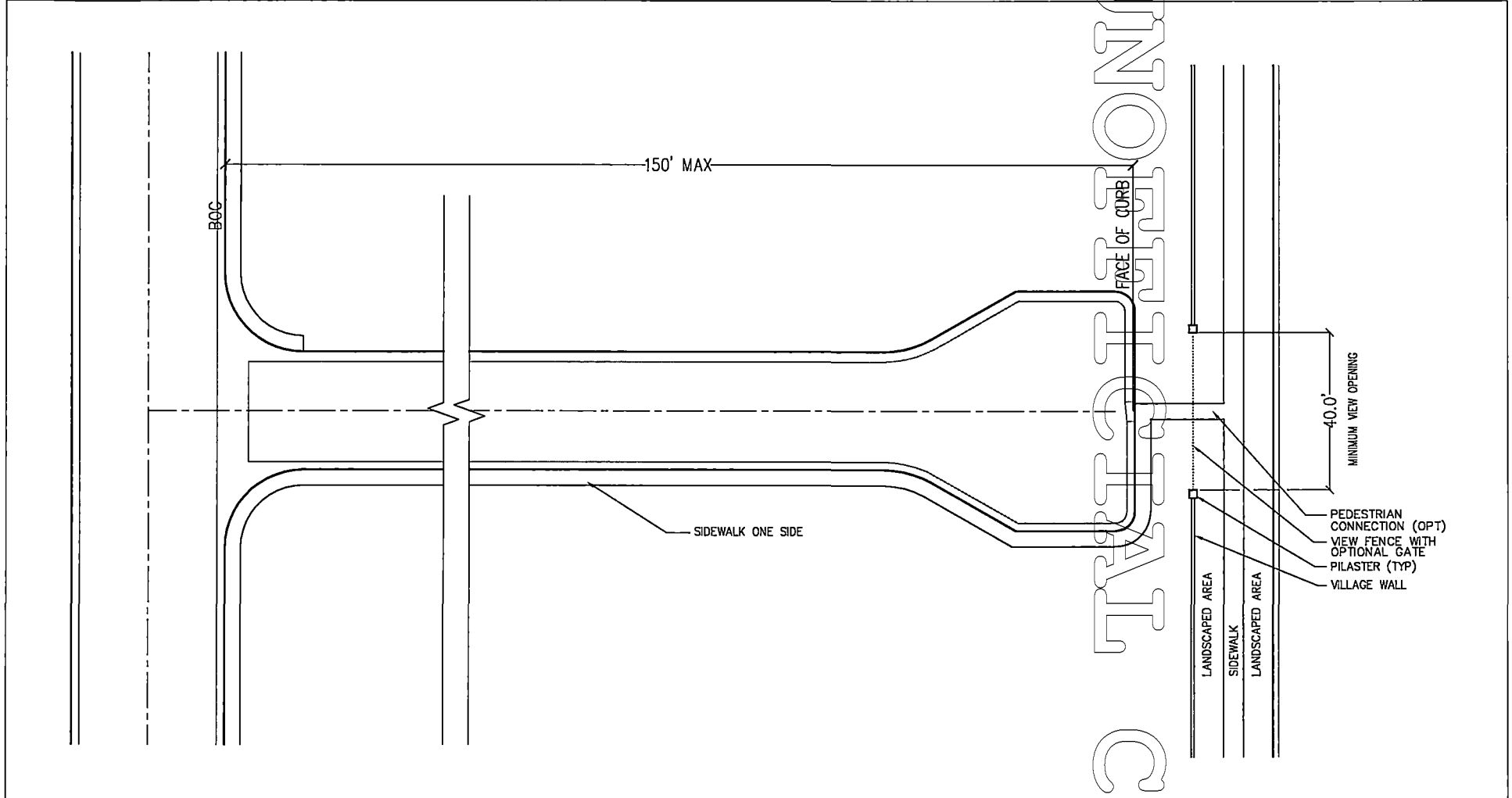
**CUL-DE-SAC &
"BADGER" SAC**

NOT TO SCALE

November 2006

FIGURE

M03



2,675-ACRE MASTER-PLANNED COMMUNITY **NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC**

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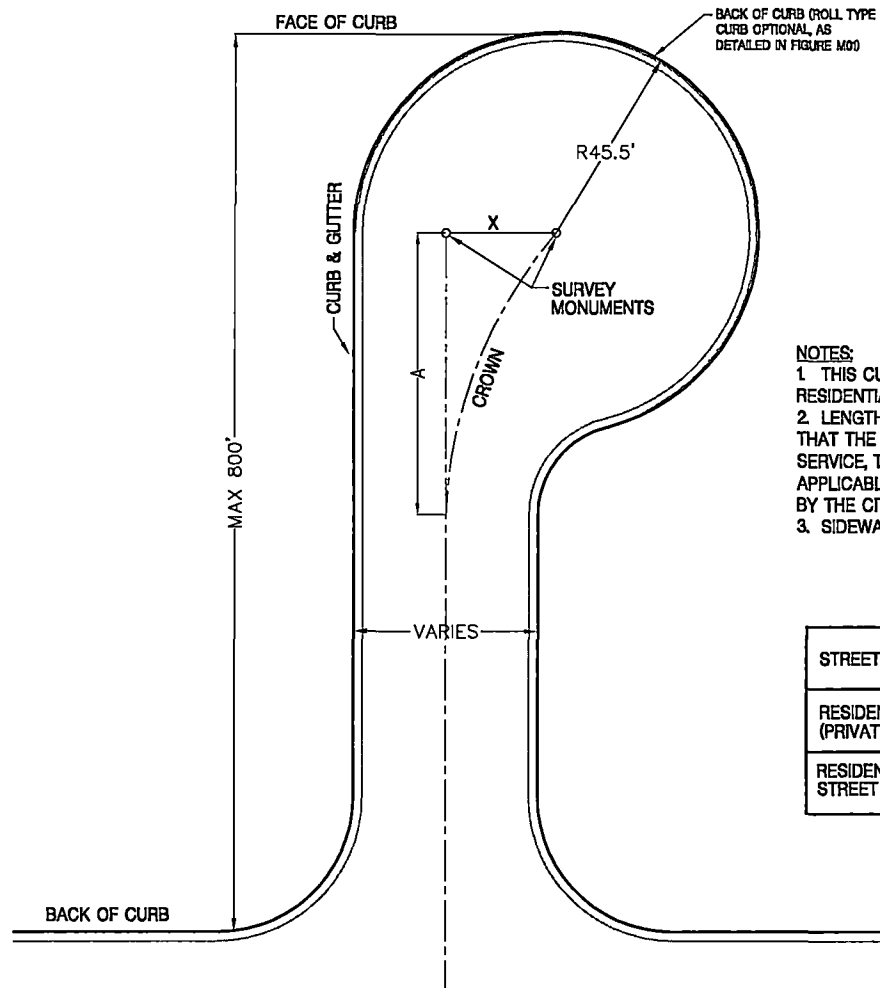
**HAMMERHEAD
 (PRIVATE STREETS)**

NOT TO SCALE

November 2006

FIGURE

M03A



NOTE: FOR GREATER THAN 150' DEAD END, THE 45.5' RADIUS BULB SHALL BE USED ONLY FOR SINGLE-FAMILY RESIDENTIAL STREETS.

NOTES:

1. THIS CUL-DE-SAC TO BE USED ON SINGLE-FAMILY RESIDENTIAL STREETS ONLY.
2. LENGTH OF CUL-DE-SAC SHALL BE SET PROVIDED THAT THE FUNCTIONAL OPERATION RELATIVE TO WATER SERVICE, TRAFFIC MOVEMENT, EMERGENCY ACCESS (IF APPLICABLE) AND DRAINAGE IS SUFFICIENT AS APPROVED BY THE CITY ENGINEER.
3. SIDEWALK REQUIRED ON ONE SIDE ONLY.

STREET TYPE	W	X	R	A
RESIDENTIAL (PRIVATE)	30'	30.5' MIN.	45.5' MIN.	65.3' MIN.
RESIDENTIAL STREET	38'	26.5' MIN.	45.5' MIN.	64.3' MIN.

2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter Burgess

Consultants in Planning, Engineering,
Construction Management, and Related Services
6860 Bermuda Road
Las Vegas, Nevada 89119
(702) 838-6400 Fax (702) 838-5454

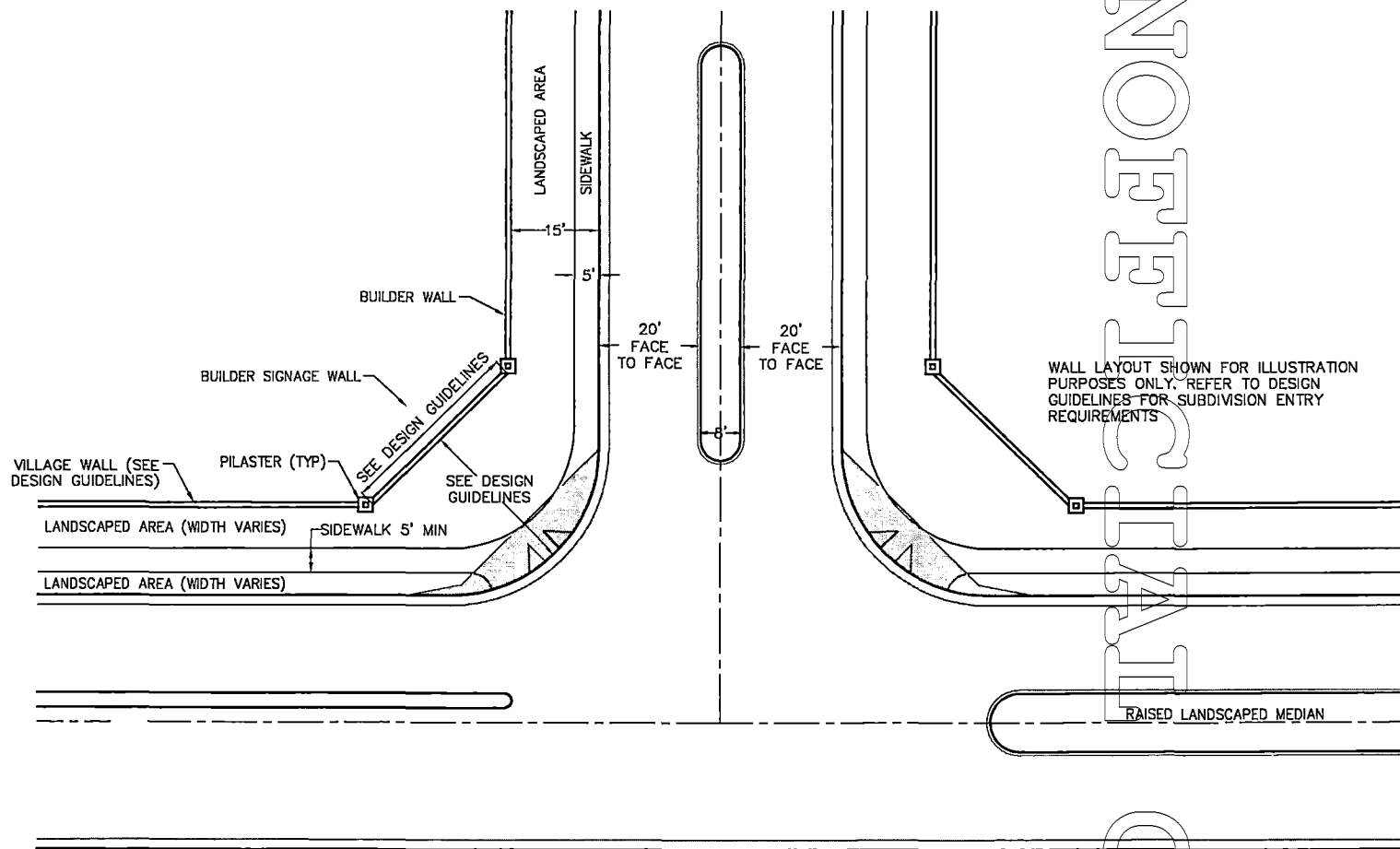
OFFSET CUL-DE-SAC

NOT TO SCALE

August 2006

FIGURE

M04



2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

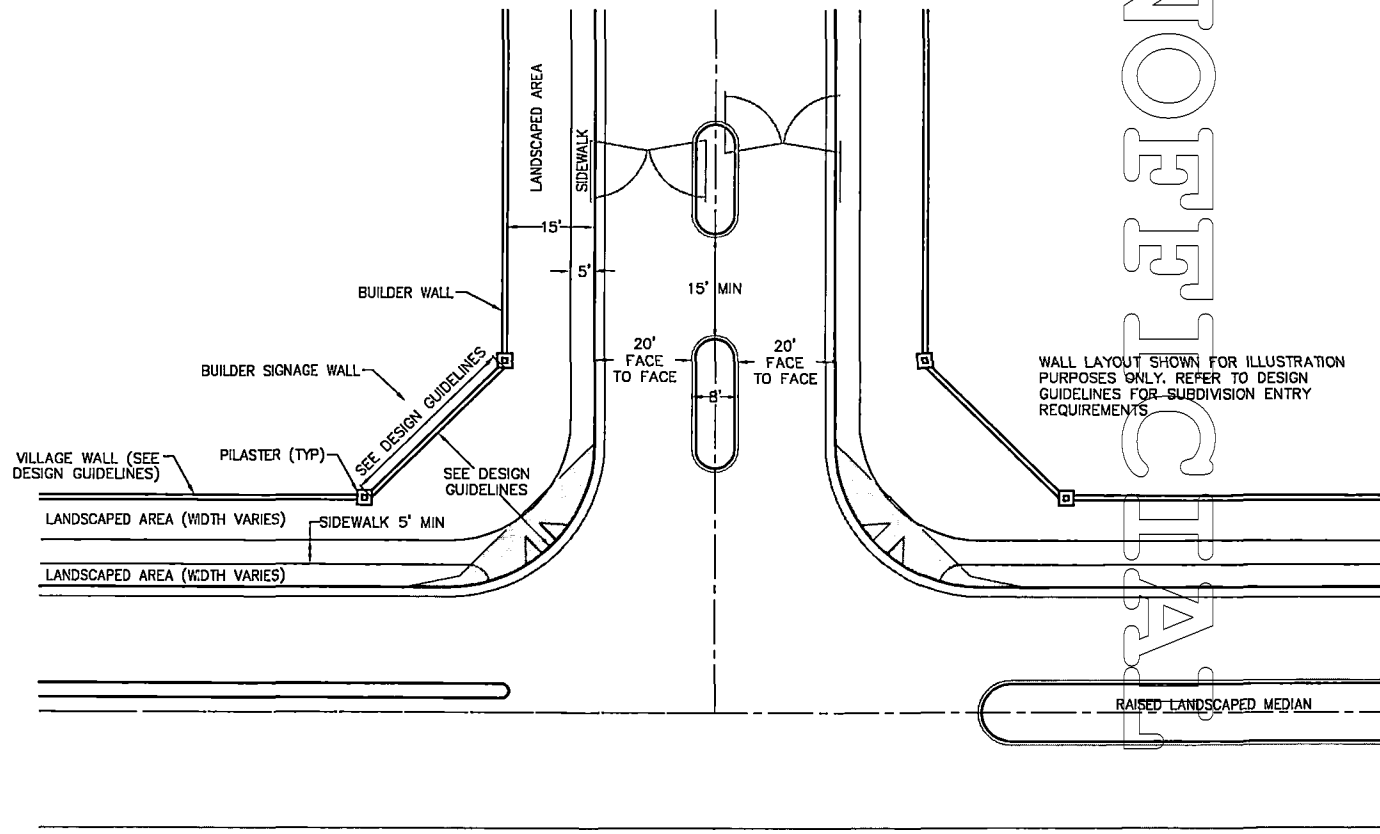
Carter Burgess
 Consultants in Planning, Engineering,
 Construction Management, and Related Services
 8855 Sherrills Road
 Las Vegas, Nevada 89119
 (702) 528-5400 Fax (702) 528-5454

SUBDIVISION ENTRY

NOT TO SCALE

August 2006

FIGURE
M05



2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter :: Burgess
 Consultants in Planning, Engineering,
 Construction Management, and Related Services
 5555 Dismal Road
 Las Vegas, Nevada 89129
 (702) 938-5400 Fax (702) 938-5454

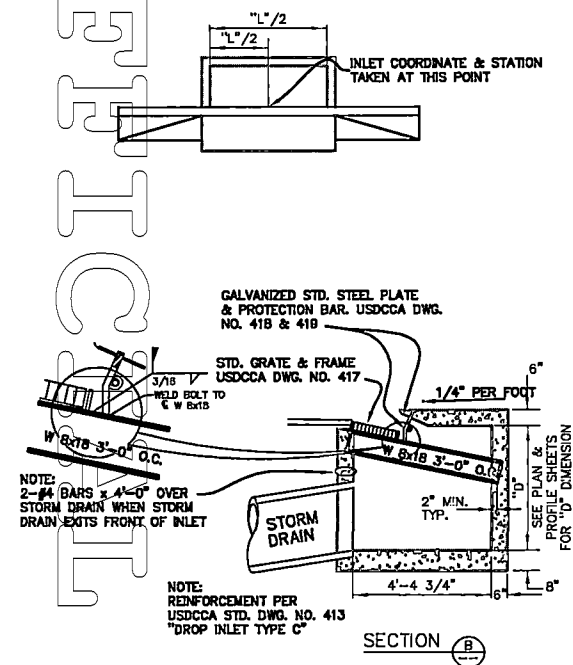
**GATED
SUBDIVISION ENTRY**

NOT TO SCALE

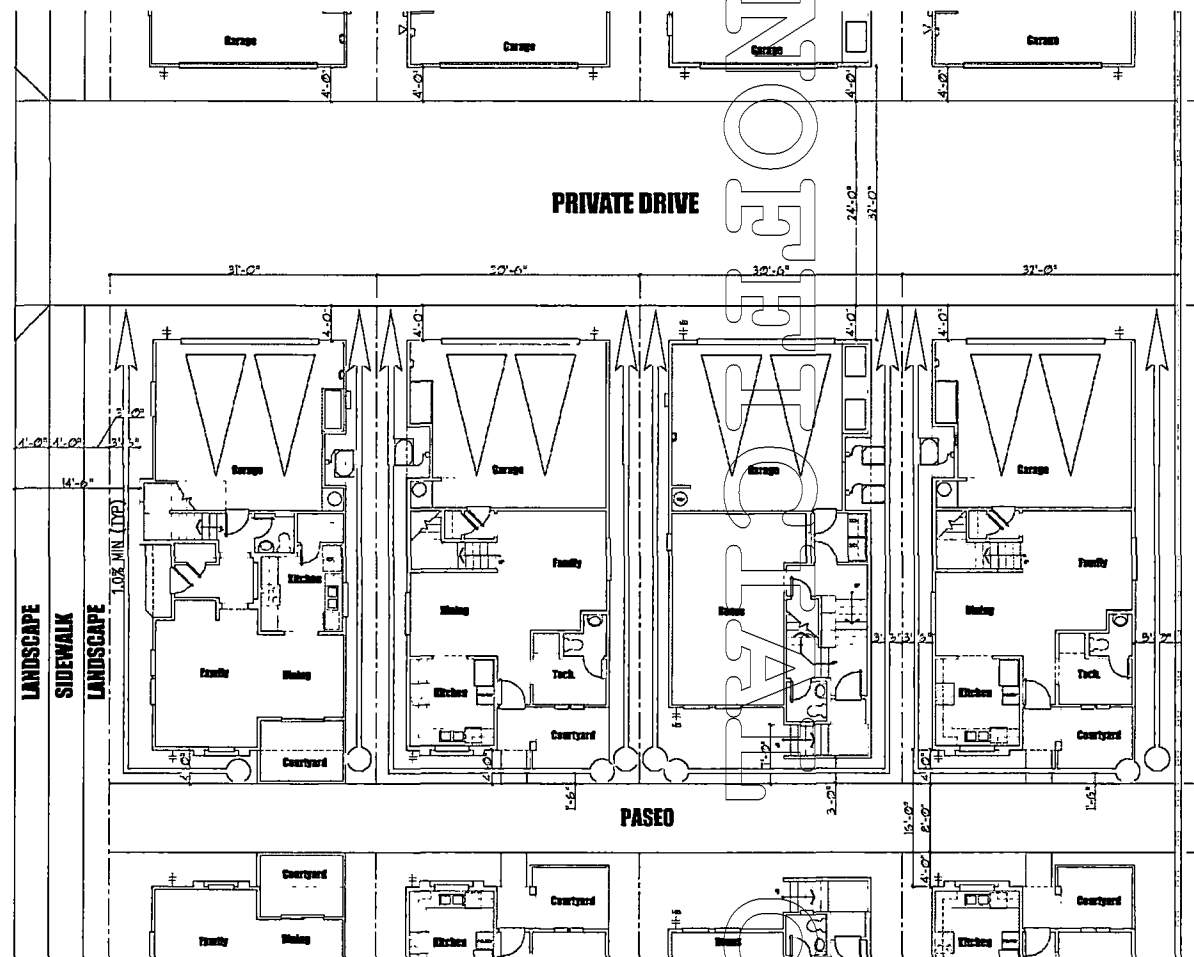
August 2006

FIGURE

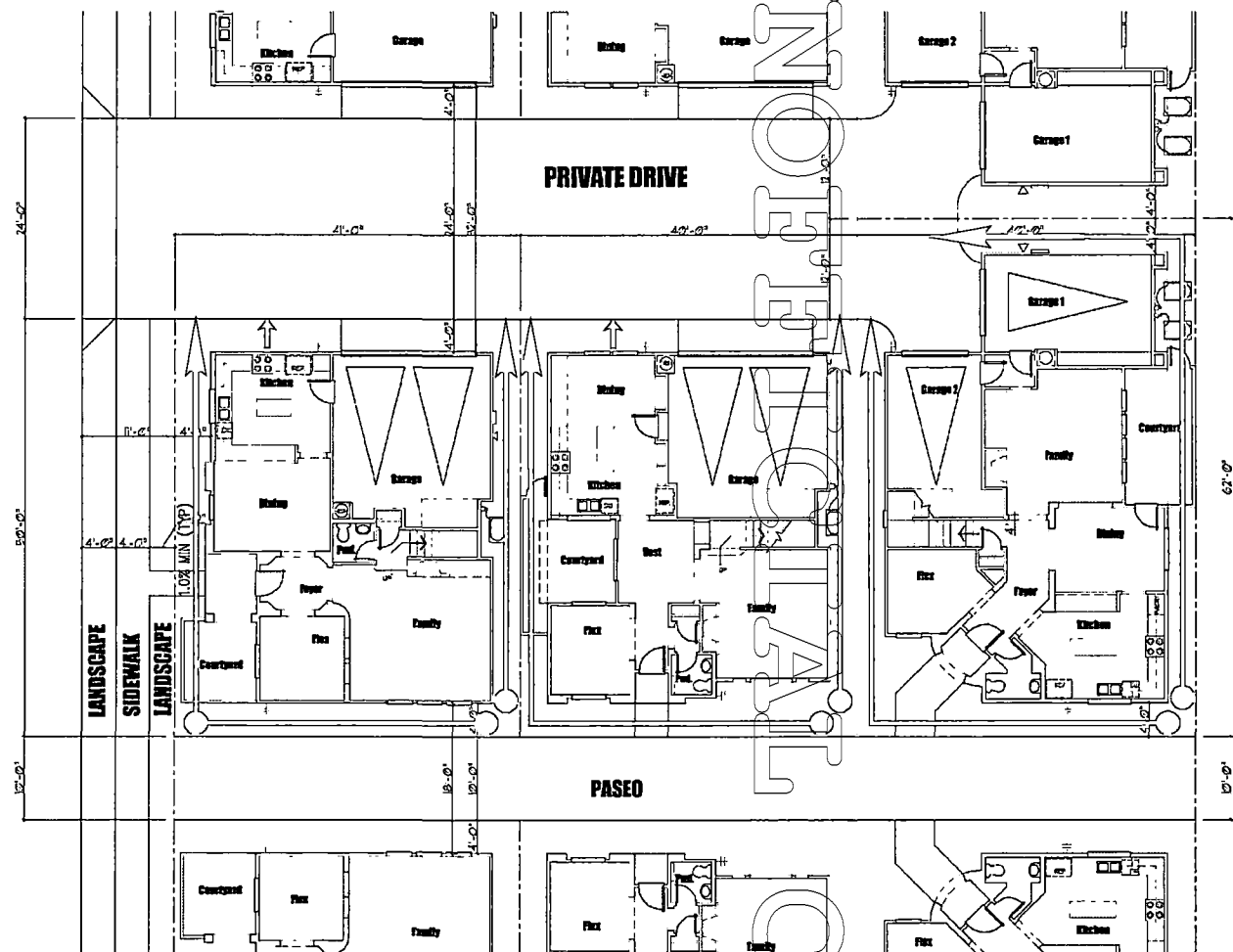
M06



M07



M08



NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter : Burgess

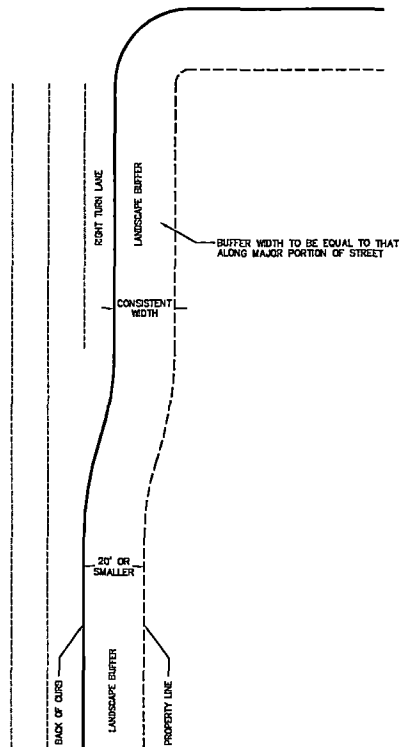
Consultants in Planning, Engineering,
Construction Management, and Related Services
8635 Bermuda Road
Las Vegas, Nevada 89119
(702) 838-5400 Fax (702) 838-5454

NOT TO SCALE

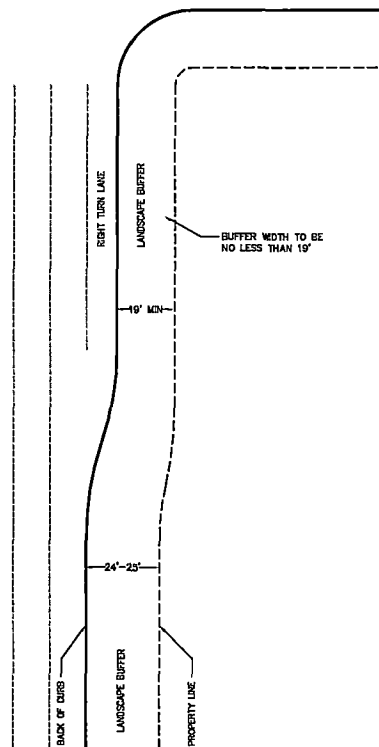
November 2006

FIGURE

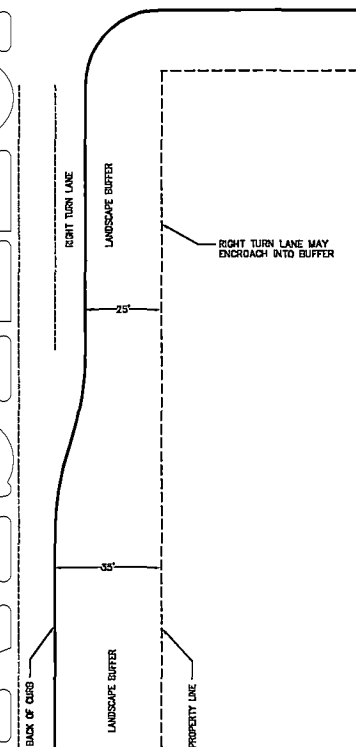
M09



TYPE 1
LANDSCAPE BUFFER 20' WIDE OR SMALLER
 FOR BUFFER WIDTHS OF 14', 15', AND 20'



TYPE 2
LANDSCAPE BUFFER 24' - 25' WIDE
 FOR BUFFER WIDTHS OF 24' AND 25'



TYPE 3
LANDSCAPE BUFFER 35' WIDE

2,675-ACRE MASTER-PLANNED COMMUNITY

NOVEMBER 2005 LAND INVESTORS, LLC/ D R H I, INC

Carter :: Burgess
 Consultants in Planning, Engineering,
 Construction Management, and Related Services
 6905 Derricks Road
 Las Vegas, Nevada 89119
 (702) 836-8400 Fax (702) 836-8434

LANDSCAPE BUFFER AT FLARED INTERSECTION

NOT TO SCALE

November 2006

FIGURE

M10

EXHIBIT B
Land Use Plan

A copy is on file with the City of North Las Vegas Clerk.

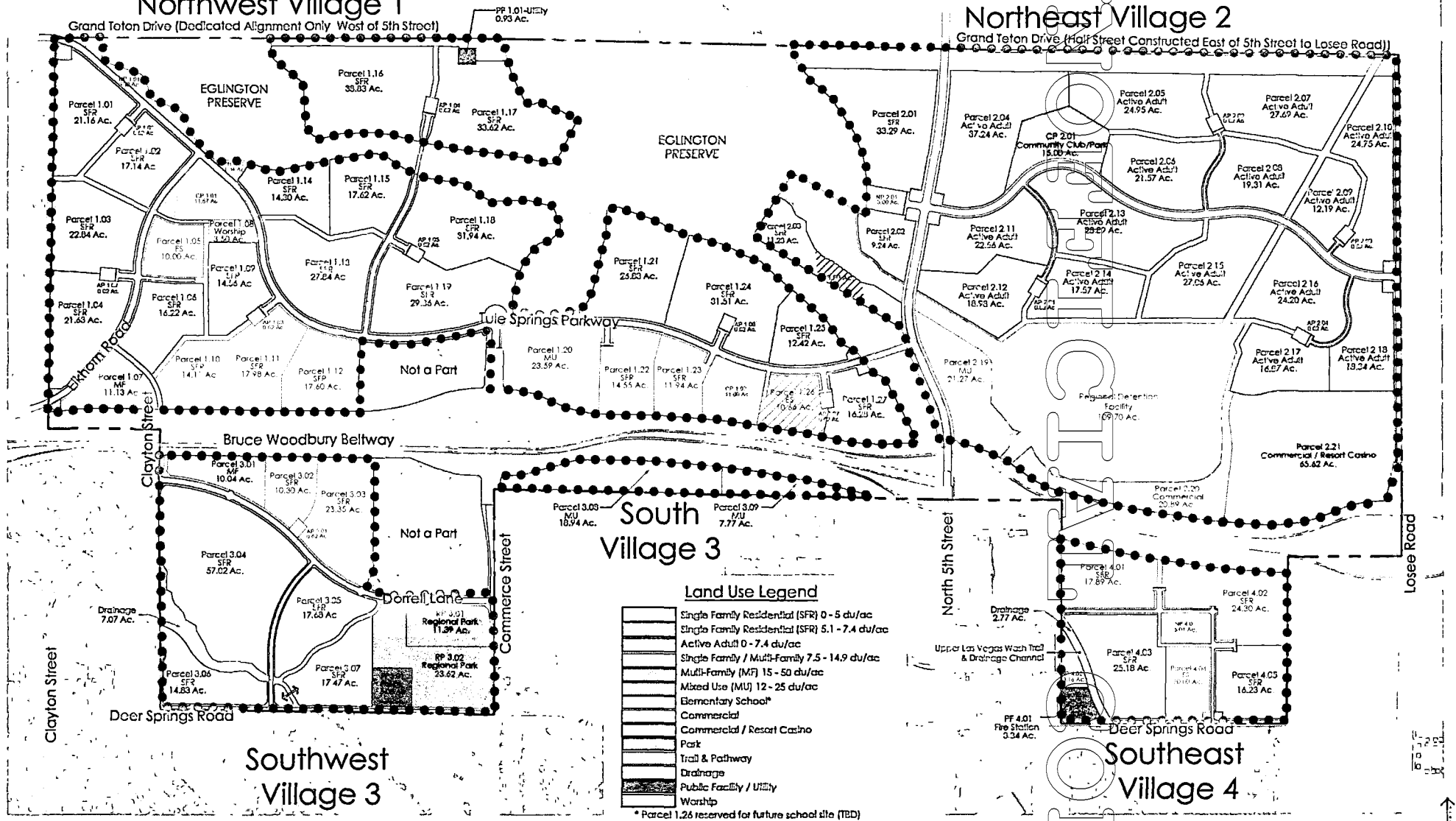
UNOFFICIAL COPY

Northwest Village 1

Grand Teton Drive (Dedicated Alignment Only West of 5th Street)

Northeast Village 2

Grand Teton Drive (Half Street Constructed East of 5th Street to Losee Road))



* Parcel 1.26 reserved for future school site (TED)

Conceptual Land Use Plan for The Villages at Tule Springs

March 17, 2015
GREY | PICKETT
landscape architecture | community design

CRESCENT BAY HOLDINGS
71442 Station Dr Suite 410 Stockton, AZ 85201
Phone: 971.236.6660 www.crescentbayholdings.com

EXHIBIT B1
Land Use Summary

A copy is on file with the City of North Las Vegas Clerk.

UNOFFICIAL COPY

The Villages at Tule Springs

Land Use Summary

Monday, March 17, 2015

Active Adult: 2,000 Units

Market Rate: 6,683 Units

Village	Parcel	Acres	Use	Density per Acre	Total Units
1	1.01	21.16	RES	5.00	106
	1.02	17.14	RES	6.00	103
	1.03	22.84	RES	5.00	114
	1.04	21.63	RES	5.00	108
	1.06	16.22	RES	7.00	114
	1.07	11.13	MF	45.00	501
	1.09	14.56	RES	6.00	87
	1.10	14.11	RES	8.00	113
	1.11	17.98	RES	8.00	144
	1.12	17.60	RES	8.00	141
	1.13	27.84	RES	6.00	167
	1.14	14.30	RES	5.00	72
	1.15	17.62	RES	5.00	88
	1.16	38.83	RES	4.00	155
	1.17	33.62	RES	4.00	134
	1.18	31.94	RES	5.00	160
	1.19	29.36	RES	6.00	176
	1.20	23.59	MU	22.00	519
	1.21	26.83	RES	5.00	134
	1.22	14.55	RES	9.00	131
	1.23	11.94	RES	8.00	96
	1.24	31.51	RES	5.00	158
	1.25	12.42	RES	5.00	62
	1.26	10.66	RES/ES	7.00	75
	1.27	16.28	RES	6.00	98
	Sub-Total	515.66			3,756
2	2.01	33.29	RES	5.00	166
	2.02	9.24	RES	5.00	46
	2.03	11.28	RES	5.00	56
	2.04	37.24	RES (AA)	5.97	222
	2.05	24.95	RES (AA)	5.97	149
	2.06	21.57	RES (AA)	5.97	129
	2.07	27.69	RES (AA)	5.95	165
	2.08	19.31	RES (AA)	5.95	115
	2.09	12.19	RES (AA)	5.95	73
	2.10	24.75	RES (AA)	5.95	147
	2.11	22.56	RES (AA)	5.68	128
	2.12	18.98	RES (AA)	5.68	108
	2.13	28.89	RES (AA)	5.68	164
	2.14	17.57	RES (AA)	5.68	100
	2.15	27.06	RES (AA)	5.78	156
	2.16	24.20	RES (AA)	5.78	140
	2.17	16.87	RES (AA)	5.78	98
	2.18	18.34	RES (AA)	5.78	106
	2.19	21.27	MU	22.00	468
	2.20	20.89	COM	0.00	0
	2.21	65.62	COM/RESORT CASINO	0.00	0
	Sub-Total	503.76			2,736
3	3.01	10.04	MF	45.00	452
	3.02	10.30	RES	8.00	82
	3.03	23.35	RES	8.00	187
	3.04	57.02	RES	6.66	380
	3.05	17.68	RES	6.00	106
	3.06	14.83	RES	7.00	104
	3.07	17.47	RES	6.00	105
	3.08	18.94	MU	10.03	190
	3.09	7.77	MU	0.00	0
	Sub-Total	177.40			1,606
4	4.01	17.89	RES	8.00	143
	4.02	24.30	RES	8.00	194
	4.03	25.18	RES	6.00	151
	4.05	16.23	RES	6.00	97
	Sub-Total	83.60			585
Total:		1,280.42			8,683

EXHIBIT C1-C4
Legal Descriptions of Owner Parcels

UNOFFICIAL COPY

PARK HIGHLANDS COMMUNITY ASSOCIATION

LOT C-5.03A, C-5.04A, C-5.04B, C-5.04C, AND 5.04D OF PARENT FINAL MAP OF
PROJECT "O" EAST PARCEL, RECORDED ON JULY 24, 2008 IN BOOK 140 OF
PLATS, PAGE 60 IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER.

UNOFFICIAL COPY

STANDARD PACIFIC LAS VEGAS INC

LOT 1, 2, 3, AND 4 AS SHOWN BY MAP THEREOF IN BOOK 115 OF PLATS, PAGE
64 ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY,
NEVADA.

UNOFFICIAL COPY

HIGHLANDS PARK HOLDINGS LLC

LOT 1 OF PARCEL MAPS AS SHOWN BY MAP THEREOF ON FILE IN BOOK
116 OF PARCEL MAPS, PAGE 54, IN THE OFFICE OF THE COUNTY RECORDER
OF CLARK COUNTY, NEVADA.

UNOFFICIAL COPY

KBSSOR PARK HIGHLANDS LLC

LOT C-1.01, 1.02, C-1.02A, C-1.03, 1.06, C-1.06A, 1.07, C-1.07A, 1.08, C-1.09, 1.09A, 1.09B, C-1.09C, C-1.09D, 1.10, C-1.10A, 1.11, C-1.11A, 1.12, C-1.12A, C-2.01, 2.01A, 2.03, C-2.03A, 2.04, 2.05, C-2.05A, 2.06, 2.07, C-2.08, 2.10, C-2.10A, C-2.10B, 2.11, C-2.11A, 2.12, C-2.12A, 2.13, 2.15A, 2.15B, C-2.15C, C-2.15D, 2.16, C-2.16A, C-3.01, C-3.02, 3.04, C-3.04A, 3.05, C-3.05B, 3.06, C-3.06A, 3.07, C-3.07A, 3.08, C-3.08A, C-3.09, 3.11, C-3.11A, C-3.12, 3.13A, C-3.13B, C-3.13C, C-3.13D, 3.14, C-3.14A, 3.15, 3.16, 4.01, C-4.01A, 4.02, C-4.02A, 4.04, C-4.04A, C-4.04B, 4.05, C-4.05A, 4.06, 4.08, C-4.08A, 4.09B, 4.10, C-4.10A, 5.01, C-5.01A, 5.02, C-5.02A, 5.05, 5.06, C-5.06A, 5.07, C-5.07A, C-5.08, C-5.09A, C-5.09B, C-5.09C, C-5.10A, C-5.10B, C-5.10C, 5.11, C-5.11A, 6.01, C-6.01A, 6.02, 6.03, 6.04, C-6.04A, 6.05, C-6.05A, 6.06, C-6.06A, 6.07, C-6.07A, 6.08, C-6.08A, C-6.08B, 6.09, C-6.09A, 6.10, C-6.10A, C-6.10B, 7.01, C-7.01A, 7.02, C-7.02A OF PARENT FINAL MAP OF PROJECT "O" EAST PARCEL, A COMMON INTEREST COMMUNITY, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 140 OF PLATS, PAGE 60 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

LOTS 1, 2, AND 3 AS SHOWN BY MAP, RECORDED ON JULY 29, 2008 IN BOOK 115 OF PARCEL MAPS, PAGE 63 IN THE OFFICE OF THE CLARK COUNTY RECORDER OF CLARK COUNTY, NEVADA.

LOTS 2, 3, AND 4 AS SHOWN BY MAP, RECORDED ON JULY 29, 2008 IN BOOK 115 OF PARCEL MAPS, PAGE 65 IN THE OFFICE OF THE CLARK COUNTY RECORDER OF CLARK COUNTY, NEVADA.

LOTS 2 AS SHOWN BY MAP, RECORDED ON FEBRUARY 24, 2009 IN BOOK 116 OF PARCEL MAPS, PAGE 54 IN THE OFFICE OF THE CLARK COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCELS 1.04, 1.05, 2.02, 2.09, 2.14, 3.03, 3.10, AND 4.03 OF PARENT FINAL MAP OF PROJECT "O" EAST PARCEL AS SHOWN BY MAP THEREOF ON FILE IN BOOK 140 OF PLATS, PAGE 60 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, AND AMENDED BY CERTAIN CERTIFICATES OF AMENDMENT RECORDED SEPTEMBER 23, 2008 IN BOOK 20080923 AS INSTRUMENT NO. 01675, RECORDED OCTOBER 10, 2008 IN BOOK 20081010 AS INSTRUMENT NO. 02907 AND RECORDED OCTOBER 10, 2008 IN BOOK 20081010 AS INSTRUMENT NO. 02908, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

COMMON LOTS C1.04A, C-105A, C2.02A, C-2.09A, C-2.14A, C-3.03A, C-3.05A, C-3.10A, AND C-4.03A OF PARENT FINAL MAP OF PROJECT "O" EAST PARCEL, A COMMON INTEREST COMMUNITY, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 140 OF PLATS, PAGE 60 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, AS AMENDED BY THAT CERTAIN CERTIFICATES OF AMENDMENT RECORDED SEPTEMBER 23, 2008 IN BOOK 20080923 AS INSTRUMENT NO. 01675, RECORDED OCTOBER 10, 2008 IN BOOK 20081010 AS INSTRUMENT NO. 02907 AND RECORDED OCTOBER 10, 2008 IN BOOK 20081010 AS INSTRUMENT NO. 02908, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

EXHIBIT D
Legal Description of the Property.

UNOFFICIAL COPY

EAST OVERALL

ALL OF PARENT FINAL MAP OF PROJECT "O" EAST PARCEL, A COMMON
INTEREST COMMUNITY, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 140 OF
PLATS, PAGE 60 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK
COUNTY, NEVADA EXCEPT FOR LOT 1.13; CA C-1.13A; AND LOT 5.03.

UNOFFICIAL COPY

EXHIBIT D1-D4
Legal Descriptions of Villages

UNOFFICIAL COPY

WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS THE VILLAGES AT TULE SPRINGS VILLAGE 1. THIS DESCRIPTION IS PROVIDED AS A CONVENIENCE AND IS NOT INTENDED TO BE USED TO TRANSFER TITLE PRIOR TO FULL COMPLIANCE WITH THE PROVISIONS OF N.R.S. CHAPTER 278.

UNOFFICIAL COPY

DESCRIPTION

THOSE PORTIONS OF SECTIONS 15 AND 16, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 16, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA;

THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 16, SOUTH 89°49'16" EAST, 559.20 FEET;

THENCE DEPARTING SAID NORTHERLY LINE, SOUTH 00°21'11" WEST, 234.17 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 60.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 64°10'14", AN ARC LENGTH OF 67.20 FEET;

THENCE SOUTH 63°49'03" EAST, 30.36 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 650.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 07°56'02", AN ARC LENGTH OF 90.01 FEET;

THENCE SOUTH 71°45'05" EAST, 310.56 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 100.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 51°38'16", AN ARC LENGTH OF 90.12 FEET;

THENCE SOUTH 20°06'49" EAST, 125.30 FEET;

THENCE SOUTH 14°39'28" EAST, 113.20 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 50.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 55°03'26", AN ARC LENGTH OF 48.05 FEET;

THENCE SOUTH 69°42'54" EAST, 119.51 FEET;

THENCE SOUTH 72°57'54" EAST, 153.49 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 112.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 23°26'39", AN ARC LENGTH OF 45.83 FEET;

THENCE SOUTH 49°31'16" EAST, 67.07 FEET;

THENCE SOUTH 22°06'06" EAST, 245.53 FEET;

THENCE FROM A POINT TO WHICH A RADIAL LINE BEARS SOUTH 67°53'55" WEST, CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 183.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 21°51'49", AN ARC LENGTH OF 69.83 FEET;

THENCE SOUTH 43°57'53" EAST, 203.90 FEET;

THENCE SOUTH 41°42'49" EAST, 136.55 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 91.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 49°29'12", AN ARC LENGTH OF 78.60 FEET;

THENCE NORTH 88°47'58" EAST, 250.50 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 174.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 20°52'37", AN ARC LENGTH OF 63.40 FEET;

THENCE SOUTH 70°19'25" EAST, 186.85 FEET;

THENCE SOUTH 69°03'00" EAST, 63.08 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 330.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 28°50'08", AN ARC LENGTH OF 166.08 FEET;

THENCE NORTH 82°06'53" EAST, 148.03 FEET;

THENCE NORTH 79°21'10" EAST, 327.03 FEET;

THENCE NORTH 78°05'43" EAST, 211.20 FEET;

THENCE NORTH 80°49'52" EAST, 321.23 FEET;

THENCE NORTH 84°17'14" EAST, 133.94 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 233.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 15°05'37", AN ARC LENGTH OF 61.38 FEET;

THENCE SOUTH 80°37'09" EAST, 47.98 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 133.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 26°11'55", AN ARC LENGTH OF 60.81 FEET;

THENCE SOUTH 54°25'14" EAST, 146.71 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 1125.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 30°08'43", AN ARC LENGTH OF 591.90 FEET;

THENCE SOUTH 84°33'57" EAST, 211.53 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 110.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 30°51'06", AN ARC LENGTH OF 59.23 FEET;

THENCE SOUTH 53°42'51" EAST, 176.21 FEET;

THENCE SOUTH 58°48'42" EAST, 136.18 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 182.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 33°17'21", AN ARC LENGTH OF 105.74 FEET;

THENCE NORTH 87°53'57" EAST, 347.21 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 189.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 17°25'27", AN ARC LENGTH OF 57.48 FEET;

THENCE SOUTH 74°40'36" EAST, 85.42 FEET;

THENCE SOUTH 77°01'27" EAST, 134.81 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 124.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 55°53'27", AN ARC LENGTH OF 120.96 FEET;

THENCE SOUTH 21°08'00" EAST, 146.63 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 131.00 FEET, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 70°37'24", AN ARC LENGTH OF 161.47 FEET;

THENCE SOUTH 49°29'24" WEST, 61.65 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 177.00 FEET, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 29°47'40", AN ARC LENGTH OF 92.04 FEET;

THENCE SOUTH 79°17'04" WEST, 40.08 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 140.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 41°27'18", AN ARC LENGTH OF 101.29 FEET;

THENCE SOUTH 37°49'46" WEST, 127.11 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 372.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 14°36'49", AN ARC LENGTH OF 94.88 FEET;

THENCE SOUTH 23°12'57" WEST, 159.69 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 936.00 FEET, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 22°36'39", AN ARC LENGTH OF 369.38 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 89°23'42" WEST;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 100.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 70°56'29", AN ARC LENGTH OF 123.82 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 19°39'49" WEST;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 380.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 14°21'45", AN ARC LENGTH OF 95.26 FEET;

THENCE SOUTH 84°41'56" EAST, 217.18 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 311.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 13°30'59", AN ARC LENGTH OF 73.37 FEET;

THENCE NORTH 81°47'05" EAST, 77.65 FEET;

THENCE NORTH 76°16'44" EAST, 233.05 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 232.00 FEET, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 54°34'18", AN ARC LENGTH OF 220.97 FEET;

THENCE NORTH 21°42'26" EAST, 96.54 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 896.00 FEET, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 09°23'31", AN ARC LENGTH OF 146.87 FEET;

THENCE NORTH 12°18'55" EAST, 133.67 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 352.00 FEET, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 04°26'14", AN ARC LENGTH OF 27.26 FEET;

THENCE NORTH 07°52'42" EAST, 205.69 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 250.00 FEET, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 20°06'14", AN ARC LENGTH OF 87.72 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 62°01'05" WEST;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 190.00 FEET, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 25°20'23", AN ARC LENGTH OF 84.03 FEET;

THENCE NORTH 02°38'32" EAST, 290.60 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 25.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 76°15'56", AN ARC LENGTH OF 33.28 FEET;

THENCE NORTH 78°54'28" EAST, 95.95 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 70.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 37°23'00", AN ARC LENGTH OF 45.67 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 26°17'28" EAST;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 1100.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 08°21'19", AN ARC LENGTH OF 160.41 FEET;

THENCE SOUTH 72°03'51" EAST, 114.59 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 1789.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 11°26'39", AN ARC LENGTH OF 357.33 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 29°22'48" EAST;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 608.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 13°51'48", AN ARC LENGTH OF 147.11 FEET;

THENCE SOUTH 74°29'00" EAST, 497.60 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 300.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 12°45'13", AN ARC LENGTH OF 66.78 FEET;

THENCE SOUTH 61°43'47" EAST, 240.10 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 400.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 08°25'24", AN ARC LENGTH OF 58.81 FEET;

THENCE SOUTH 70°09'11" EAST, 148.20 FEET;

THENCE SOUTH 46°19'12" EAST, 260.00 FEET;

THENCE SOUTH 48°57'40" EAST, 296.00 FEET;

THENCE SOUTH 47°32'27" EAST, 419.96 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 422.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 12°52'13", AN ARC LENGTH OF 94.79 FEET;

THENCE SOUTH 34°40'14" EAST, 179.96 FEET;

THENCE SOUTH 31°55'24" EAST, 111.70 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 100.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 30°30'57", AN ARC LENGTH OF 53.26 FEET;

THENCE SOUTH 62°26'21" EAST, 147.40 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 112.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 25°32'05", AN ARC LENGTH OF 49.91 FEET;

THENCE SOUTH 36°54'16" EAST, 192.69 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 237.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 27°52'49", AN ARC LENGTH OF 115.32 FEET;

THENCE SOUTH 64°47'05" EAST, 77.11 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 120.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 37°56'56", AN ARC LENGTH OF 79.48 FEET;

THENCE SOUTH 26°50'09" EAST, 833.73 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE CLARK COUNTY BELTWAY;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES:

- 1) SOUTH 87°49'47" WEST, 442.22 FEET;
- 2) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 1880.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 15°07'01", AN ARC LENGTH OF 496.02 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 12°56'48" WEST;
- 3) THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 12,225.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 12°17'32", AN ARC LENGTH OF 2622.75 FEET
- 4) THENCE NORTH 89°20'44" WEST, 193.77 FEET;
- 5) THENCE FROM A POINT TO WHICH A RADIAL LINE BEARS SOUTH 00°39'15" WEST, CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 1,300.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 24°04'33", AN ARC LENGTH OF 546.27 FEET;
- 6) THENCE NORTH 65°16'11" WEST, 173.92 FEET;
- 7) THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 1120.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 19°04'32", AN ARC LENGTH OF 372.88 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 84°20'43" WEST, 197.85 FEET;

THENCE NORTH 89°11'51" WEST, 159.12 FEET;

THENCE NORTH 01°47'30" EAST, 627.49 FEET;

THENCE NORTH 88°12'30" WEST, 27.00 FEET;

THENCE NORTH 52°54'55" WEST, 30.00 FEET;

THENCE NORTH 17°19'36" WEST, 27.00 FEET;

THENCE FROM A POINT TO WHICH A RADIAL LINE BEARS SOUTH 17°19'36" EAST, CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 3270.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 25°34'44", AN ARC LENGTH OF 1459.85 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 08°15'08" WEST;

THENCE SOUTH 01°19'57" WEST, 835.20 FEET TO A POINT ON THE AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF THE CLARK COUNTY BELTWAY;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- 1) THENCE FROM A POINT TO WHICH A RADIAL LINE BEARS SOUTH 00°05'01" WEST, CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 2392.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 00°34'15", AN ARC LENGTH OF 23.83 FEET;

THENCE NORTH 89°20'44" WEST, 2939.36 FEET;

THENCE FROM A POINT TO WHICH A RADIAL LINE BEARS NORTH 00°39'15" EAST, CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 5225.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 08°01'58", AN ARC LENGTH OF 732.54 FEET TO A POINT ON THE WESTERLY LINE OF THE AFOREMENTIONED SECTION 16, TO WHICH A RADIAL LINE BEARS NORTH 07°22'43" WEST;

THENCE ALONG SAID WESTERLY LINE, NORTH 01°06'47" EAST, 1815.31 FEET;

THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 01°06'32" EAST, 2663.84 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 557.87 ACRES, MORE OR LESS.

PARCEL 2

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF THE AFOREMENTIONED SECTION 16, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA;

THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 16, SOUTH 89°49'41" EAST, 1347.45 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°49'47" EAST, 1263.84 FEET;

THENCE DEPARTING SAID NORTHERLY LINE, SOUTH 16°16'19" EAST, 453.44 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 297.00 FEET, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 08°55'26", AN ARC LENGTH OF 46.26 FEET;

THENCE SOUTH 25°11'45" EAST, 284.29 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 94.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 84°19'49", AN ARC LENGTH OF 138.35 FEET;

THENCE NORTH 70°28'26" EAST, 27.99 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 115.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 60°50'09", AN ARC LENGTH OF 122.11 FEET;

THENCE SOUTH 48°41'25" EAST, 36.30 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 141.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 37°03'52", AN ARC LENGTH OF 91.21 FEET;

THENCE SOUTH 85°45'17" EAST, 28.36 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 145.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 31°26'57", AN ARC LENGTH OF 79.59 FEET;

THENCE SOUTH 54°18'20" EAST, 28.82 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 125.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 40°08'10", AN ARC LENGTH OF 87.56 FEET;

THENCE NORTH 85°33'30" EAST, 41.45 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 112.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 18°26'58", AN ARC LENGTH OF 36.06 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 14°00'29" EAST;

THENCE SOUTH 26°04'38" WEST, 601.28 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 65.00 FEET, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 78°02'56", AN ARC LENGTH OF 88.54 FEET;

THENCE NORTH 75°52'26" WEST, 75.73 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 4610.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 07°56'03", AN ARC LENGTH OF 638.38 FEET;

THENCE NORTH 83°48'29" WEST, 459.35 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 1160.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 07°15'34", AN ARC LENGTH OF 146.97 FEET;

THENCE NORTH 76°32'55" WEST, 588.39 FEET;

THENCE NORTH 80°09'36" WEST, 167.96 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 250.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 12°18'52", AN ARC LENGTH OF 53.73 FEET;

THENCE SOUTH 87°31'32" WEST, 303.27 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 890.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 17°05'41", AN ARC LENGTH OF 265.54 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 19°34'09" WEST;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 168.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 63°04'14", AN ARC LENGTH OF 184.93 FEET;

THENCE NORTH 46°29'55" WEST, 79.66 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 86.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 44°17'55", AN ARC LENGTH OF 66.49 FEET;

THENCE NORTH 02°12'00" WEST, 445.35 FEET;

THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 130.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 49°21'41", AN ARC LENGTH OF 112.00 FEET;

THENCE NORTH 51°33'41" WEST, 279.12 FEET;

THENCE NORTH 47°13'23" WEST, 104.27 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 137.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 46°28'10", AN ARC LENGTH OF 111.11 FEET;

THENCE NORTH 00°45'13" WEST, 160.78 FEET TO A POINT ON THE AFOREMENTIONED NORTHERLY LINE OF SAID SECTION 16;

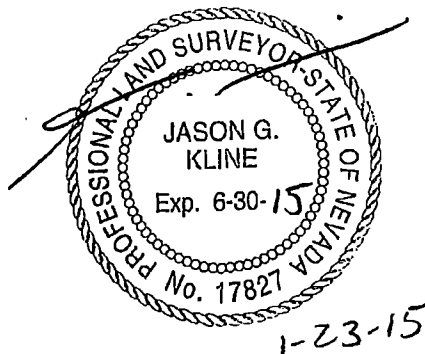
THENCE ALONG SAID NORTHERLY LINE, SOUTH 89°49'16" EAST, 130.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 83.43 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 01°06'32" EAST, BEING THE BEARING OF THE WEST LINE OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

JASON G. KLINE, PLS
NEVADA LICENSE NO. 17827



WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS THE VILLAGES AT TULE SPRINGS VILLAGE 2. THIS DESCRIPTION IS PROVIDED AS A CONVENIENCE AND IS NOT INTENDED TO BE USED TO TRANSFER TITLE PRIOR TO FULL COMPLIANCE WITH THE PROVISIONS OF N.R.S. CHAPTER 278.

DESCRIPTION

THAT PORTION OF SECTIONS 14, 15 AND 23, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 14, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA;

THENCE ALONG THE EASTERLY LINE OF SAID SECTION 14, SOUTH 00°14'54" EAST, 2658.90 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, SOUTH 00°13'37" EAST, 1992.81 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE CLARK COUNTY BELTWAY;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING SIXTEEN (16) COURSES:

- 1) SOUTH 89°46'23" WEST, 55.00 FEET;
- 2) THENCE SOUTH 00°13'37" EAST, 224.48 FEET;
- 3) THENCE NORTH 89°43'03" WEST, 38.28 FEET;
- 4) THENCE SOUTH 10°09'16" WEST, 249.98 FEET;
- 5) THENCE SOUTH 12°47'26" WEST, 102.32 FEET;
- 6) THENCE SOUTH 04°55'35" WEST, 65.47 FEET;
- 7) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 50.00 FEET, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF

85°27'05", AN ARC LENGTH OF 74.57 FEET TO A POINT OF REVERSE CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 00°22'40" WEST;

8) THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 1320.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 22°09'05", AN ARC LENGTH OF 510.33 FEET;

9) THENCE SOUTH 68°13'35" WEST, 188.43 FEET;

10) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 1700.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 25°43'21", AN ARC LENGTH OF 763.20 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 03°56'56" WEST;

11) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 11,775.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 09°19'01", AN ARC LENGTH OF 1914.75 FEET;

12) THENCE NORTH 76°44'03" WEST, 489.69 FEET;

13) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 1080.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 21°47'33", AN ARC LENGTH OF 410.78 FEET;

14) THENCE NORTH 54°56'30" WEST, 316.78 FEET;

15) THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 1320.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 23°54'02", AN ARC LENGTH OF 550.63 FEET;

16) THENCE NORTH 78°50'32" WEST, 263.86 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, SOUTH 86°21'13" WEST, 83.41 FEET;

THENCE FROM A POINT TO WHICH A RADIAL LINE BEARS NORTH 89°00'28" EAST, CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 1175.00 FEET, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 22°56'34", AN ARC LENGTH OF 470.50 FEET;

THENCE NORTH 23°56'06" WEST, 125.00 FEET;

THENCE NORTH 66°03'54" EAST, 25.00 FEET;

THENCE NORTH 23°56'06" WEST, 450.00 FEET;

THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 1400.00 FEET, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 16°02'34", AN ARC

LENGTH OF 392.00 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 82°06'27" WEST;

THENCE NORTH 58°08'32" WEST, 2077.29 FEET;

THENCE NORTH 31°51'28" EAST, 900.00 FEET;

THENCE SOUTH 58°08'32" EAST, 1015.42 FEET;

THENCE NORTH 05°08'26" EAST, 207.22 FEET;

THENCE NORTH 01°39'23" WEST, 242.68 FEET;

THENCE NORTH 07°33'10" WEST, 224.49 FEET;

THENCE NORTH 20°16'18" WEST, 344.60 FEET;

THENCE NORTH 33°51'28" WEST, 477.03 FEET;

THENCE NORTH 44°38'44" WEST, 106.62 FEET;

THENCE NORTH 48°45'25" WEST, 199.39 FEET;

THENCE NORTH 39°25'10" WEST, 279.57 FEET;

THENCE NORTH 21°26'50" WEST, 244.44 FEET TO A POINT ON THE NORTHERLY LINE OF THE AFOREMENTIONED SECTION 15;

THENCE ALONG SAID NORTHERLY LINE, SOUTH 88°41'54" EAST, 694.83 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 88°42'35" EAST, 1342.49 FEET TO THE NORTHWEST CORNER OF THE AFOREMENTIONED SECTION 14;

THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 14, THE FOLLOWING FOUR (4) COURSES:

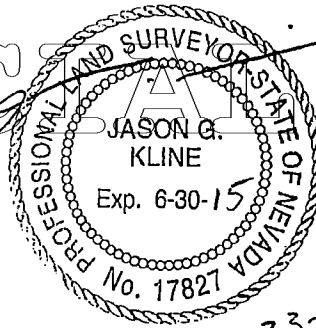
- 1) SOUTH 89°05'10" EAST, 1291.18 FEET;
- 2) THENCE SOUTH 89°05'28" EAST, 1291.29 FEET;
- 3) THENCE SOUTH 89°05'52" EAST, 1291.23 FEET;
- 4) THENCE SOUTH 89°04'52" EAST, 1291.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 778.44 ACRES, MORE OR LESS.

BASIS OF BEARINGS

SOUTH 00°14'54" EAST, BEING THE BEARING OF THE EAST LINE OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 14, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

JASON G. KLINE, PLS
NEVADA LICENSE NO. 17827



1-23-15

WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS THE VILLAGES AT TULE SPRINGS VILLAGE 3. THIS DESCRIPTION IS PROVIDED AS A CONVENIENCE AND IS NOT INTENDED TO BE USED TO TRANSFER TITLE PRIOR TO FULL COMPLIANCE WITH THE PROVISIONS OF N.R.S. CHAPTER 278.

DESCRIPTION

THOSE PORTIONS OF SECTIONS 15, 16 AND 21, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 21, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA;

THENCE ALONG THE SOUTHERLY LINE OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 21, NORTH 89°06'21" WEST, 2647.93 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 6 OF SAID SECTION 21;

THENCE ALONG THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 6, NORTH 89°06'09" WEST, 1324.62 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 6;

THENCE ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 6, NORTH 00°26'41" WEST, 1334.65 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 3 OF SAID SECTION 21;

THENCE ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 3, NORTH 00°26'40" WEST, 1334.62 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 14 OF SAID SECTION 16;

THENCE ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 14, NORTH 01°16'53" EAST, 349.86 FEET TO A POINT ON THE WESTERLY PROLONGATION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CLARK COUNTY BELTWAY;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 89°20'44" EAST, 2565.22 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 00°35'17" WEST, 1296.96 FEET;

THENCE SOUTH 17°45'45" WEST, 265.57 FEET;

THENCE FROM A POINT TO WHICH A RADIAL LINE BEARS SOUTH 19°16'25" WEST, CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 1541.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 18°29'48", AN ARC LENGTH OF 497.47 FEET;

THENCE SOUTH 89°13'23" EAST, 1026.91 FEET TO A POINT ON THE EASTERLY LINE OF SAID SECTION 21;

THENCE ALONG SAID EASTERLY LINE, SOUTH 00°00'34" WEST, 59.01 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, SOUTH 00°00'51" WEST, 1342.77 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 223.22 ACRES, MORE OR LESS.

PARCEL 2

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 15, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA;

THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 15, NORTH 88°37'41" WEST, 2608.64 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CLARK COUNTY BELTWAY;

THENCE ALONG THE SOUTHERLY LINE OF THE CLARK COUNTY BELTWAY, THE FOLLOWING EIGHT (8) COURSES:

- 1) NORTH 03°34'58" EAST, 108.66 FEET;
- 2) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 50.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 87°04'18", AN ARC LENGTH OF 75.98 FEET;
- 3) THENCE SOUTH 89°20'44" EAST, 30.78 FEET;
- 4) THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 1120.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 20°46'51", AN ARC LENGTH OF 406.22 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 20°07'35" EAST;
- 5) THENCE NORTH 74°32'29" EAST, 440.08 FEET;

6) THENCE SOUTH 89°20'44" EAST, 491.35 FEET;

7) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 11,675.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 14°45'15", AN ARC LENGTH OF 3006.42 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 15°24'31" EAST;

8) THENCE SOUTH 52°37'12" EAST, 35.43 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 15;

THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION 15, NORTH 88°37'55" WEST, 449.96 FEET;

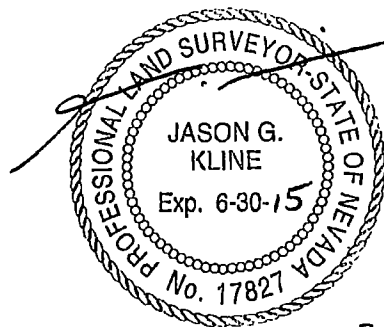
THENCE CONTINUING ALONG SAID SOUTHERLY LINE, NORTH 88°37'24" WEST, 1341.22 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 26.71 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 89°06'21" WEST, BEING THE BEARING OF THE SOUTH LINE OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

JASON G. KLINE, PLS
NEVADA LICENSE NO. 17827



1-23-15

WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS THE VILLAGES AT TULE SPRINGS VILLAGE 4. THIS DESCRIPTION IS PROVIDED AS A CONVENIENCE AND IS NOT INTENDED TO BE USED TO TRANSFER TITLE PRIOR TO FULL COMPLIANCE WITH THE PROVISIONS OF N.R.S. CHAPTER 278.

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DESCRIPTION

THAT PORTION OF THE NORTH HALF (N1/2) OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 23, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA;

THENCE ALONG THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 4, NORTH 89°56'46" WEST, 1333.65 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4;

THENCE ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 4, NORTH 00°11'50" EAST, 1335.48 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 3 OF SAID SECTION 23;

THENCE ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 3, NORTH 00°11'10" EAST, 857.57 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CLARK COUNTY BELTWAY;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

- 1) FROM A POINT TO WHICH A RADIAL LINE BEARS NORTH 10°27'16" EAST, CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 1780.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 02°48'40", AN ARC LENGTH OF 87.34 FEET;
- 2) THENCE SOUTH 76°44'03" EAST, 286.48 FEET;
- 3) THENCE CURVING TO THE LEFT ALONG AN ARC HAVING A RADIUS OF 12,325.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF

10°51'15", AN ARC LENGTH OF 2334.88 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 02°24'41" WEST;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 00°26'21" WEST, 462.57 FEET;

THENCE SOUTH 00°26'35" WEST, 1331.51 FEET TO A POINT ON THE SOUTHERLY LINE OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 23;

THENCE ALONG THE SOUTHERLY LINE OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 23, NORTH 89°56'27" WEST, 1333.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 119.42 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 89°56'46" EAST, BEING THE BEARING OF THE SOUTH LINE OF GOVERNMENT LOT 4 OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN BOOK 140, PAGE 60 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

JASON G. KLINE, PLS
NEVADA LICENSE NO. 17827

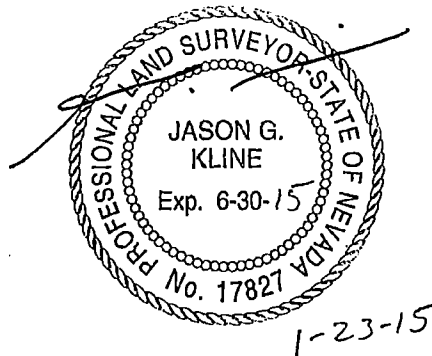


EXHIBIT E
Titles 16 and 17.
(as of the Effective Date)

A copy is on file with the City of North Las Vegas Clerk.

UNOFFICIAL COPY

Title 16

DEVELOPMENT CODE

Chapters:

- 16.04 Definitions
- 16.08 General Provisions and Enforcement
- 16.12 Preliminary and Tentative Maps
- 16.16 Final Maps
- 16.20 Design Standards
- 16.24 Improvements
- 16.28 Minor Subdivisions

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Chapter 16.04

DEFINITIONS

Sections:

16.04.010	General.
16.04.020	Alley.
16.04.025	Amended map.
16.04.030	As-built drawings.
16.04.040	Block.
16.04.045	Building official.
16.04.050	City council.
16.04.070	City engineer.
16.04.075	City surveyor.
16.04.077	City traffic engineer.
16.04.080	Cul-de-sac.
16.04.083	Curvilinear street.
16.04.085	Dedication.
16.04.090	Design.
16.04.095	Developer.
16.04.100	Development.
16.04.103	Director of planning and zoning.
16.04.105	Director of public works.
16.04.107	Easement.
16.04.108	Fees.
16.04.110	Final map.
16.04.114	Improvements.
16.04.115	Land Development Guide.
16.04.116	Lot.
16.04.118	Mergers and resubdivisions of lands.
16.04.120	Owner.
16.04.125	Parcel map.
16.04.126	Planning commission.
16.04.127	Private street.
16.04.130	Restrictive covenant.
16.04.140	Reversion to acreage.
16.04.150	Roadway.
16.04.160	Service road (frontage road).
16.04.165	Standard drawings.
16.04.170	Street or street right-of-way.
16.04.180	Subdivider.
16.04.190	Subdivision.
16.04.210	Tentative map.

16.04.010 General.

The words and terms used in this title shall be defined as follows in this chapter unless it is plainly evident from the context that a different meaning is intended. All words used in the singular shall include the plural and the plural the singular. Each gender shall include the others; any tense shall include the other tenses. The word "shall" is mandatory and the word "may" is permissive. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.020 Alley.

"Alley" means a permanent public thoroughfare providing a secondary means of access to abutting properties. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.025 Amended map.

"Amended map" means any map prepared and recorded for purposes to correct an error or omission in, or to amend any recorded subdivision plat, record of survey, parcel map, map of division into large parcels or reversionary map if the correction or amendment changes or purports to change the physical location of any survey monument, property line or boundary line. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.030 As-built drawings.

"As-built drawings" means drawings or plans on mylar which show and delineate any and all changes from the approved plans which occurred during the construction and installation of the development improvements. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.040 Block.

"Block" means a tract of land within a subdivision entirely bounded by streets, highways or other public rights-of-way, except alleys, and the exterior boundary or boundaries of the subdivision. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.045 Building official.

"Building official" means the officer or other designated authority charged with the administration and enforcement of Title 15 of this code, or a regularly authorized deputy. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.050 City council.

"City council" means the governing body of the city of North Las Vegas. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.070 City engineer.

"City engineer" means a professional engineer, duly licensed in the state of Nevada, who holds the appointive position of city engineer. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.075 City surveyor.

"City surveyor" means a professional land surveyor, duly licensed in the state of Nevada, who holds the position of city surveyor. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.077 City traffic engineer.

"City traffic engineer" means a professional engineer, duly licensed in the state of Nevada, who holds the position of city traffic engineer. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.080 Cul-de-sac.

"Cul-de-sac" means a local street, with only one outlet, which provides for an adequate turning area for vehicular traffic at its terminus, in accordance with city standard drawings. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.083 Curvilinear street.

"Curvilinear street" means a street in excess of five hundred (500) feet in length which has at least twenty-five (25) feet of lateral deviation from a straight course. For every five hundred (500) feet of additional street length, there is at least twenty-five (25) feet of lateral deviation per five hundred (500) foot street segment. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.085 Dedication.

"Dedication" means the offering or granting of land in fee or by easements, or as required by the city, for the use of the public. The acceptance of an offer of dedication shall remain open until it is accepted by the city pursuant to NRS 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.090 Design.

"Design" means the alignment, grades and width of streets; location and widths of easements and rights-of-way and alleys; width, depth and arrangement of lots; utility systems arrangements; the suitability of land for subdivision and the relationship of land uses as well as the layout. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.095 Developer.

"Developer" means the individual or entity which causes land to be improved upon. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.100 Development.

"Development" means the act of building structures, modifying the existing terrain, installing improvements, subdividing land or other actions needed to make a particular site suitable for commercial, industrial or residential purposes, in accordance with all applicable statutes and codes. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.103 Director of planning and zoning.

"Director of planning and zoning" means the person who holds the appointive office of director of planning and zoning. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.105 Director of public works.

"Director of public works" means the person who holds the appointive office of director of public works. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.107 Easement.

"Easement" means a grant by a property owner for the use of a designated part of their land by the general public, utility or certain persons for a specific purpose. Easements granted to the public, which are accepted by the city, shall be used by, or on behalf of, the public. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.108 Fees.

"Fees" means any payment required for the land development process. The fees may include, but are not limited to fees for plan check, inspection, land disturbance mitigation, formal revision to plans and administrative fees to process off-site improvement agreements, planning commission agenda placement, bond reductions, maps and research. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.110 Final map.

"Final map" means a map prepared in accordance with the provisions of NRS 278 and the provisions of this title, which map is to be placed on record in the office of the county recorder as the approved subdivision. The term shall include a map prepared to amend or revert to acreage a previously recorded map. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.114 Improvements.

"Improvements" means public or private facilities that may include, but are not limited to, fire hydrants, sidewalks, curbs, gutters, pavement, gravel, aggregate base, streetlights, street name signs, traffic signals and signs, pavement markings, other applicable traffic control devices, survey monuments, sewers, utilities, flood

control and drainage facilities, overpasses and underpasses for vehicular and pedestrian uses to be installed on land for rights-of-way or easements as are necessary for local drainage, local traffic and the general use of property owners in the subdivision. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.115 Land Development Guide.

"Land Development Guide" means a document, available to the general public, that outlines land development processes and provides the various requirements, guidelines, checklists, and other pertinent information, to assist developers, engineers, surveyors, citizens, and other city customers. This document is located on the city's website: www.cityofnorthlasvegas.com. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.116 Lot.

"Lot" means a distinct part or parcel of land which has been divided to transfer ownership or to build. The term does not include a parcel of land used or intended solely for use as a location for a water well as provided by NRS 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.118 Mergers and resubdivisions of lands.

"Mergers and resubdivisions of lands" means that any owner of two or more contiguous lots or parcels, desiring to merge and resubdivide said lands without reverting to acreage may do so by complying with all applicable requirements for the subdivision of land. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.120 Owner.

"Owner" means any individual, firm, association, syndicate, partnership, corporation or other entity in whom is vested the ownership, dominion or title, in the land sought to be subdivided, to commence and maintain proceedings to subdivide the same under this title. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.125 Parcel map.

"Parcel map" means a minor subdivision prepared and recorded for the purpose of dividing land into four or fewer parcels as provided in NRS 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.126 Planning commission.

"Planning commission" means the board of planning commission of the city of North Las Vegas, Nevada. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.127 Private street.

"Private street" shall mean a street designated for use by specified property owners, fully maintained by the property owners, and not dedicated for the general use of the public. Private streets may be subject to public utility easements. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.130 Restrictive covenant.

"Restrictive covenant" means a private agreement that restricts the use and occupancy of the real estate that is part of a conveyance and is binding on all subsequent purchasers. The covenants may include, but not be limited to, control of the lot size, setbacks, placements of buildings, number, location, size and timing of improvements, architecture, landscape maintenance, and land use approval conditions. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.140 Reversion to acreage.

"Reversion to acreage" means the combining of contiguous lots, blocks and/or vacated streets or easements of a previously recorded legal subdivision, or whole portions thereof to acreage parcels, pursuant to the provisions of NRS 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.150 Roadway.

"Roadway" means that portion of a street right-of-way intended to accommodate vehicular traffic. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.160 Service road (frontage road).

"Service road" means a street adjacent to a freeway or arterial, and separated therefrom, that provides the primary means of vehicular and pedestrian access to abutting properties. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.165 Standard drawings.

"Standard drawings" means Clark County Area Uniform Standard Drawings, as approved by the Regional Transportation Commission of Southern Nevada, as amended from time to time, and as adopted by the North Las Vegas city council and other standard drawings of the city, as accepted by the director of public works, or his designee. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.170 Street or street right-of-way.

A. "Street" or "street right-of-way" means the total area to be used as a highway, thoroughfare, parkway, road, avenue, drive, lane, boulevard, place, or however designated, but not including alleys or drive-ways.

B. The terms streets and the widths of streets shall be in accordance with the master plan of streets and highways and shown on the standard drawings of the city, whichever is most restrictive.

C. "Residential roadway" means a street that provides access to residential areas only.

D. "Minor collector" means a street that collects residential traffic and/or may service commercial facilities.

E. "Major collector" means a street that serves as a destination roadway and/or may service commercial/light industrial facilities.

F. "Minor arterial" means a street that serves as a destination roadway and/or may service commercial/light industrial facilities.

G. "Major arterial" means a street that serves as a destination roadway and/or may service commercial/light industrial facilities. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.190 Subdivision.

"Subdivision" means the division of any land or portion thereof, shown on the last preceding tax roll as a unit or contiguous units, which is divided into lots and/or parcels of land as set forth by the laws of the state of Nevada, and provided that the lots created are not reduced below the minimum sizes required by this title or any other applicable regulation or ordinance. Included herein shall be all land divided for residential, commercial or industrial use. (Ord. 2246 §§ 1, 2 (part), 2006)

16.04.210 Tentative map.

"Tentative map" means a map made to show the design of a proposed subdivision and the existing conditions in and around the proposed subdivision as provided by NRS 278. (Ord. 2246 §§ 1, 2 (part), 2006)

Chapter 16.08

GENERAL PROVISIONS AND ENFORCEMENT

Sections:

16.08.010	Authority.
16.08.020	Applicability.
16.08.030	Purpose.
16.08.040	Submission of tentative map to planning commission.
16.08.050	Conformance to precise plans and zoning code.
16.08.060	Conformance to master plan.
16.08.070	Sale prior to recording.
16.08.090	Powers and duties of planning commission.
16.08.095	Powers and duties of the director planning and zoning.
16.08.100	Powers and duties of the city engineer.
16.08.103	Powers and duties of the city surveyor.
16.08.110	Interpretation, purpose and conflict.
16.08.120	Suspension of provisions or requirements.
16.08.130	Compliance with conditions.
16.08.140	Appeals to planning commission.
16.08.150	Appeals to city council.
16.08.160	Violation—Penalty.

16.08.010 Authority.

This title is adopted pursuant to NRS 278 and to any other authority provided by law or as such statutes may be amended. The provisions of this title are in addition to the regulations of NRS 278 and are supplemental thereto. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.020 Applicability.

The provisions of this title shall apply to all subdivision and development of land within the city of North Las Vegas. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.030 Purpose.

In accordance with the provisions of Chapter 278 and any other applicable chapters of the Nevada Revised Statutes, this title shall have as its purpose the following standards and principles:

- A. To provide for the future growth and orderly development of the city of North Las Vegas;
- B. To preserve, promote and protect the convenience, health, safety and general welfare of its people;
- C. To provide for the construction and installation of adequate improvements and facilities designed to meet the demands and purpose for which they are to be used;
- D. To provide for adequate public services;
- E. To provide for uniformity of constructed improvements, including street widths and property accesses;
- F. To minimize traffic congestion and safety hazards;
- G. To provide for a permanently wholesome community environment;
- H. To promote orderly and legal property division by requiring that subdivided land be properly monumented and recorded; and
- I. To prevent the subdivision of lands which are subject to flash flooding or otherwise unsuitable for subdivision.

16.08.040 Submission of tentative map to planning commission.

Wherever a subdivision of land, for residential purposes, consisting of more than four lots, or any subdivision of land for commercial or industrial purposes as herein defined, is laid out within or partially within the said incorporated territory, the developer or his agent shall submit a tentative map thereof to the planning commission. The maps and all procedures relating thereto shall, in all aspects, be in full compliance with the provisions of NRS 278 any amendments thereto and the regulations hereinafter contained in this title. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.050 Conformance to precise plans and zoning code.

Any and all subdivision of land shall conform to Title 17 of this code, provided however, that where this title imposes higher standards or is more restrictive, the requirements of this title shall prevail. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.060 Conformance to master plans.

The subdivision of land or dedication for streets, highways, flood channels, parks or other public use shall conform with the city's master plan documents, including, without limitation, the land use master plan and master plan of streets and highways. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.070 Sale prior to recording.

It is unlawful for any individual, firm, association, syndicate, copartnership, corporation, trust or any other legal entity, as principal, agent, or otherwise, to sell, offer for sale, or cause to permit to be sold or offered for sale, any portion of any subdivision (subdivision being defined as set forth in this title) of land except for land contained within a commercial or industrial subdivision in the city, as set forth in NRS 278, prior to the recording of the final subdivision map in the office of the county recorder. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.090 Powers and duties of planning commission.

The planning commission shall have all the powers and duties with respect to the filing of tentative maps, making investigations and reports on design and improvements, and making final decisions on tentative maps and establishing procedures related to the processing thereof which are specified by law and this title. The planning commission does not have the authority to make decisions contrary to generally known and accepted engineering practices and life-safety standards or in conflict with adopted ordinances. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.095 Powers and duties of the director of planning and zoning.

The director of planning and zoning or, in his absence, any person designated as acting director, of the city of North Las Vegas has the responsibility and authority to administratively approve final subdivision maps for conformance to the approved tentative map. The director of planning and zoning does not have the authority to make decisions contrary to generally known and accepted engineering practices and life-safety standards or in conflict with adopted ordinances and standards. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.100 Powers and duties of the city engineer.

The city engineer of the city of North Las Vegas as conferred by the director of public works or, by his designation, the city surveyor, or, in their absence, any person designated as acting city engineer, has the authority to administratively approve final subdivision maps, parcel maps, boundary line adjustment maps and revisionary maps without further action by the planning commission or the city council of the City of North Las Vegas. The city engineer does not have the authority to make decisions contrary to generally known and accepted engineering practices and life-safety standards or in conflict with adopted ordinances and standards, subject only to the right of appeal, as set forth in NRS 278 and as amended from time to time and as outlined in this code. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.103 Powers and duties of the city surveyor.

The city surveyor, or his designee, has the responsibility and authority to review and approve final subdivision maps, parcel maps, boundary line adjustment maps and reversionary maps for technical correctness. When designated by the director of public works, or his designee, the city surveyor has the authority to administratively approve final subdivision maps, parcel maps, boundary line adjustment maps and reversionary maps without further action by the planning commission or the city council of the City of North Las Vegas, as outlined by 16.08.100. The director of planning and zoning, or his designee, has the authority to waive the requirements of a survey for a parcel map. Before waiving the requirement of a survey for a parcel map, a determination must be made by the director of planning and zoning, or his designee, that a survey is not required, subject only to the right of appeal, as set forth in NRS 278 and as amended from time to time and as outlined in this code. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.110 Interpretation, purpose and conflict.

The provisions of this title shall be interpreted and applied liberally so as to promote public safety, health, convenience, comfort, prosperity, and general welfare. It is not intended by this title to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, where this title imposes a greater restriction upon the use of premises or requires larger space than is imposed or required by other ordinances, rules, or regulations, or by easements, covenants or agreements, the provisions of this title shall govern. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.120 Suspension of provisions or requirements.

A. A suspension of any requirement of this title may be granted by the city council in any particular case upon the recommendation of the planning commission, or the city manager. Application for such suspension must show that there are special circumstances or conditions affecting the property in question and that a suspension will not be materially detrimental to the public welfare, contrary to generally known and accepted engineering practices or materially injurious to property within the area.

B. For development within an area designated by the city council as a "Ranch Estates Preservation Area," the director of public works, or his designee, may set aside the provisions of this title and shall, if such provisions are set aside, specify the public improvements and construction to be required of the proposed development. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.130 Compliance with conditions.

When exceptions to this title are authorized, the city council shall require such evidence or guarantees as it deems necessary to ensure compliance with the approved conditions. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.140 Appeals to planning commission.

A. General. Where it is alleged by an applicant that there is an error in any order, requirements, decision or refusal made by an administrative official or agency based on or made in the enforcement of this title or of any ordinance adopted pursuant thereto, or any other requirement of a city department not covered by a particular code, an appeal may be made as prescribed in the following section.

B. Appeals to the Planning Commission. Said appeal shall be made to the planning commission in the following manner:

1. Application. The applicant shall state in a letter to the commission the specific requirement that is to be appealed and the circumstances why the requirement is imposing an undue hardship upon the proposed development. Said letter shall be filed with the department of planning and zoning. Upon receipt of said letter, the department of planning and zoning shall set a date at which such appeal will be heard by the planning commission.

2. Hearing. All requests for an appeal shall be submitted to the planning commission for a hearing

not less than twenty-one (21) calendar days nor more than forty-five (45) calendar days following the filing of the applicant's letter of appeal. The applicant must be present at the meeting at which his appeal will be heard.

3. Decision.

a. Time. A decision of the planning commission shall be made not later than thirty (30) days following receipt of the letter of appeal unless an extension of time is agreed upon by the applicant and the planning commission.

b. Form of Decision. The planning commission in granting an appeal, may establish conditions under which a condition, requirement or safeguard that the commission may consider necessary to the public health, safety and welfare. The planning commission may require guarantees to insure compliance with the conditions prescribed in any appeal granted. In the event of a denial by the commission, the motion shall set forth the reasons for such denial.

4. Filing Fee. To partially defray the cost of making maps, noticing public hearings and other incidental administrative and investigative expenses involved in any application, a nonrefundable fee shall be charged. This fee shall be due and payable at the time of filing of the application. No application shall be accepted for processing unless such fee is paid.

C. Final Action of the Planning Commission. A decision of approval or denial by the planning commission shall be made by motion. This motion shall be final on the eighth day following said decision unless an appeal is made to the city council as prescribed in this title. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.150 Appeals to the city council.

1. Filing. Unless otherwise provided herein, an appeal from the decision of the planning commission as provided in this section may be taken to the city council by the appellant, the city manager or his designee, any property owner as shown on the latest tax rolls of the Clark County assessor's office within a radius of three hundred (300) feet of the exterior boundary of the lot or parcel of land described in the application, or any other person who may establish that his property rights are or may be affected by the decision. Such appeal shall be in writing and shall be filed with the city clerk on forms provided. The appeal shall specify wherein there was error in the decision of the planning commission. Additionally, any person filing an appeal from a decision of the planning commission on the basis that his property rights are or may be affected by said decision shall include an affidavit stating the nature and location of his property interest and the manner in which this property interest will be affected by the decision being appealed. To partially defray the cost of making maps, noticing public hearings and other incidental administrative and investigative expenses involved in any application, a nonrefundable fee shall be charged. This fee shall be due and payable at the time of the filing of the application. No application shall be accepted for processing unless such fee is paid.

2. Automatic Stay. If an appeal is filed within the time specified, it automatically stays proceeding in the matter until determination is made by the city council.

3. Hearing. Upon the filing of the appeal, the city clerk shall set the matter for city council consideration at a hearing. Notice by mail shall be given to all persons who appeared in person or through a representative at the planning commission hearing. A hearing de novo shall be conducted by the city council.

4. Decision. A decision by the city council shall be made not later than thirty (30) calendar days following the public hearing at which the appeal is first considered unless continued without objection of the appellant. Planning commission action shall prevail if the city council fails to make a decision within the prescribed time or agreed upon extension of time.

5. Council Limitations. Upon consideration of such appeal, the city council may, by motion, affirm, reverse, or modify in whole or in part any determination of the planning commission subject to the same limitations as are placed upon the planning commission by this title.

6. A motion to reverse a commission decision shall contain a finding of facts showing why the commission decision was in error. (Ord. 2246 §§ 1, 2 (part), 2006)

16.08.140 Violation—Penalty.

It is unlawful for any person to violate any provision, or to fail to comply with any of the requirements of this title. Any person violating any provision of this title or failing to comply with any of its requirements, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding one-thousand dollars (\$1,000.00) or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each person shall be deemed guilty of a separate offense for each day during any portion of which any violation of any of the provisions of this title is committed, continued or permitted by such person, and he shall be punishable therefor as herein provided. (Ord. 2246 §§ 1, 2 (part), 2006)

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Chapter 16.12

PRELIMINARY AND TENTATIVE MAPS

Sections:

- 16.12.010 Preliminary map.
- 16.12.020 Tentative map—Preparation.
- 16.12.030 Tentative map requirements.
- 16.12.040 Tentative map—Filing.
- 16.12.050 Tentative map—Distribution.
- 16.12.055 Land not required or suitable for public use, tentative map.
- 16.12.060 Planning commission action.
- 16.12.070 Time extension.
- 16.12.080 Revised tentative map.
- 16.12.090 Withdrawal of tentative maps.
- 16.12.110 Notification of final action.
- 16.12.120 Appeal of approval or denial of tentative map.

16.12.010 Preliminary map.

“Preliminary map” means a map made for the purpose of showing the design of a proposed subdivision and need not be based upon an accurate or detailed final survey of the property. Prior to the filing of the tentative map, the developer is encouraged to file for a task force meeting by submitting a preliminary map(s) to the city planning and zoning department staff for review and distribution to other departments, as deemed appropriate. After the review of the preliminary map, city staff will provide advice and assistance so that changes of design, street alignment, widths, lot arrangement and size, layout and the effects of city plans and ordinances can be incorporated into the proposed subdivision. The preliminary map shall contain topography not to exceed five foot contour intervals; a layout of adjacent streets, lot layout, location of bike and pedestrian trails; a street design including widths and proposed sidewalks; the number of dwelling units per acre and square footage of the lots; and proposed park and open spaces. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.020 Tentative map—Preparation.

After the developer has considered the availability and/or cost of electric power, telephone, sewerage, a potable water supply accessibility, and such other improvements as may be required by the city and has reached preliminary conclusions and has decided to continue, he shall cause a tentative map to be prepared by a professional person or persons competent to compile the necessary data in full compliance with this title and in accordance with NRS 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.030 Tentative map requirements.

The tentative map shall contain the following information:

- A. The name or title of the proposed subdivision;
- B. Name and address of record owner(s) and developer(s);
- C. Name and address of the firm and/or individual in responsible charge of the technical correctness of the map. If that person is a design professional in the state of Nevada, the plans shall be sealed in accordance with the Nevada Administrative Code of the appropriate discipline;
- D. Present and required zoning of the proposed subdivision;
- E. Sufficient legal description of the land which identifies the location, including assessor’s parcel number(s), exterior subdivision boundary dimensions and approximate acreage;
- F. Vicinity map showing project location, including north arrow;
- G. The date of preparation, the map scale and north arrow;

H. A legend shall be shown clarifying all abbreviations, markings and lines delineated on the map. The lettering must be so placed as to be read from the bottom or right-hand side of the sheet and the north arrow directed away from the reader;

I. Topography for the entire subdivision, obtained by actual survey, with contour intervals not to exceed two feet on-site and extending one hundred (100) feet beyond the tract boundary. All topography is to be based upon an approved NAVD 88 benchmark, and said benchmark is to be identified thereon;

J. Locations, names, present widths and improvements of all existing streets and rights-of-way adjacent to or within three hundred (300) feet of the subdivision tract boundary;

K. Adjacent property information, including but not limited to, property lines, subdivision name(s), phase and unit, assessor's parcel numbers, locations of existing structures and facilities, and other existing conditions;

L. The proposed subdivision in its entirety, including lot numbers and approximate dimensions of each lot, shown at a suitable scale so that all information required thereon is clear and legible;

M. The location, names, approximate grades and right-of-way widths of all proposed streets within the proposed subdivision;

N. Cross sections of all proposed streets, including pavement widths, sidewalk widths and locations, block wall locations;

O. The width, purpose and location of all existing and proposed easements for drainage, sewage, public utilities and other purposes;

P. Approximate radii of all curves;

Q. The location and outline, to scale, of each existing building or other structure within the proposed subdivision, noting whether or not such building or structure is to be removed or remain in the development of the subdivision and other existing physical features which would influence the layout or design;

R. The location, size and direction of flow of all existing and proposed water courses, stormwater drainage facilities, culverts, drain pipes and natural drainage channels within three hundred (300) feet of the subdivision tract boundary;

S. The location and size of existing and proposed water mains;

T. The location and size of existing available public sanitary sewers and the location and size of proposed sewers showing direction of flow;

U. Proposed sites to be reserved or dedicated for public parks, schools, playgrounds and/or other public uses;

V. Proposed cross-section and locations of all perimeter walls and landscape areas;

W. A statement regarding restrictive covenants which the developer intends to enforce;

X. The location and description of all existing power, telephone, telecommunications, cable, gas, and other public utility facilities;

Y. The location and width of bicycle/trail paths and routes as shown on the master plan or adopted specific plans;

Z. The location of all existing and proposed bus stops and/or turnouts; and

AA. All known geologic hazards shall be shown. Geological hazards such as fault lines and/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 acceptance of the civil improvement plans. The footprint of proposed residential structures shall be plotted on all lots impacted by faults and/or fissures. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.040 Tentative map—Filing.

A. At least forty-five (45) working days prior to the date of the meeting of the planning commission at which approval is requested, the developer shall submit to the director of planning and zoning, or his designee, twenty-one (21) copies of the tentative map accompanied by three copies of a preliminary title report, not more than thirty (30) days old at the time of submittal, from a title company authorized to do business in the state of

Nevada; showing the names of those parties who are required to sign the subdivision map; listing all encumbrances on the property to be subdivided and including one copy of each listed document which created an encumbrance or easement on the property to be subdivided.

B. The tentative map shall be accepted for filing if it is in full compliance as to form, information and statements required to be furnished therewith in accordance with the terms of this title and NRS 278, and if the prescribed filing fees have been paid. The time of filing of the tentative map shall be when the map is accepted by the director of planning and zoning, or designee. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.050 Tentative map—Distribution.

A. The director of planning and zoning, or designee, shall refer four copies of the tentative map, two copies of the preliminary title report and the owner's statement to the director of public works, or his designee, and one copy of the tentative map to the utilities department, fire chief, director of parks and recreation and/or such other departments or agencies deemed advisable. Each department or agency to whom the tentative map is referred shall submit to the director of planning and zoning, or his designee, its recommendations regarding said map within fifteen (15) working days of receipt of the tentative map from the department of planning and zoning.

B. The director of planning and zoning, or designee, shall analyze the recommendations submitted by the other departments and agency heads, coordinate these recommendations and submit final recommendations to the planning commission. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.055 Land not required or suitable for public use; tentative map.

Wherever a tentative map proposes the dedication of land to public use and the planning commission finds that such land is not required or suitable for public use, the commission may refuse to approve said tentative map. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.060 Planning commission action.

The planning commission shall review all reports and recommendations within forty-five (45) days after the filing of the tentative map, and shall approve, conditionally approve or disapprove the tentative map. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.070 Time extension.

As provided for in NRS 278, the time limit for acting and reporting on a tentative map may be extended upon mutual consent of the developer or designated representative and the planning commission. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.080 Revised tentative map.

Any revised tentative map, or portion thereof, filed as a condition of approval or otherwise, shall comply with the requirements in effect at the time such revised map is considered by the planning commission. The approval or conditional approval by the planning commission of a revised tentative map shall nullify all previous designs thereof. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.090 Withdrawal of tentative maps.

Any developer of property upon which a tentative map has been filed may withdraw such map at any time prior to the action by the planning commission. Notice of such request shall be made in writing by the developer and filed with the director of planning and zoning, or his designee. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.110 Notification of final action.

Following the approval, conditional approval or disapproval of the tentative map by the planning commission, or if appealed, by the city council, the director of planning and zoning, or his designee shall notify the

developer, the director of public works, or his designee, and other agencies and departments as deemed advisable, of the final action. (Ord. 2246 §§ 1, 2 (part), 2006)

16.12.120 Appeal of approval or denial of tentative map.

An appeal of the approval or denial of a tentative map by the planning commission may be taken to the city council as provided in section 16.08.150. However, such an appeal may only be filed by the applicant or any city department. (Ord. 2246 §§ 1, 2 (part), 2006)

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Chapter 16.16

FINAL MAPS

Sections:

16.16.010	Preparation.
16.16.030	Form of final map.
16.16.035	Mixed use subdivisions.
16.16.040	Title sheet.
16.16.050	Information required.
16.16.060	Survey requirements.
16.16.070	Submittal to the public works department.
16.16.090	Final map approval and recordation.
16.16.100	Pledge of surety.
16.16.120	Agreement with city—Off-site improvements account.
16.16.130	Default.
16.16.140	City may waive surety.
16.16.150	Recordation of certificates before recordation of map, plan.

16.16.010 Preparation.

The requirements for the preparation, presentation and recordation of final maps shall be in accordance with this title and NRS Chapter 278. Failure to record a final map within two years from the date of final approval of the tentative map by the planning commission, or if appealed by the city council, shall terminate all proceedings and a new tentative map shall be required, as provided by NRS 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.030 Form of final map.

The requirements of a final map to be approved for recording shall be in accordance with NRS Chapter 278 and additional requirements set forth within this title.

A. Scale and Legend. The subdivision map shall show a scale which must be large enough to show all details clearly. The legend shall be shown clarifying and identifying all markings and lines delineated upon the map. The legend must be placed on each map sheet or a note directing the reader to the legend must be placed on each map sheet. The final map must have a sufficient number of sheets to accomplish this end. Unless specifically authorized by the city surveyor, or his designee, the scale of the final map shall not exceed one hundred (100) feet to the inch.

B. Placement of North Arrow, Text Orientation and Minimum Text Size. The lettering must be so placed as to be read from the bottom or right-hand side of the sheet and the north arrow shall be directed away from the reader. The minimum text size placed upon the sheet shall be 0.1 inches in height and shall be suitable for reproduction purposes.

C. Size of Sheets — Margins. The size of each sheet of the final map shall be as required by the NRS 278 and the Clark County recorder's office.

D. Numbering Sheets. Each sheet shall be numbered, the relation of one sheet to another sheet clearly shown and the total number of sheets shall be set forth on each sheet.

E. The final map must show all surveyed and mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including the bearings and distances of straight lines, central angle, radii and arc length for all curves and such information as may be necessary to determine the location of the centers of curves.

F. Information on Each Sheet. The subdivision name and number, scale and north arrow shall be shown on each sheet.

G. Each Lot Must be Numbered or Lettered. Each street must be named and each block may be numbered or lettered.

H. The exterior boundary of the land included within the subdivision must be indicated by graphic border. The exterior boundary must be clearly and completely annotated and include sufficient ties to the sectional analysis as to be easily traceable.

I. The final map must show sufficient sectional analysis information to determine the definite location of the subdivision, particularly its relation to surrounding surveys.

J. The final map must show the area of each lot and the total area of the land in the subdivision in the following manner:

1. In acres, calculated to the nearest one-hundredth of an acre, if the area is two acres or more; or
2. In square feet, if the area is less than two acres;
3. In metric, if required by Nevada Department of Transportation.

K. The final map must also satisfy any additional survey and map requirements, including the delineation of Nevada state plane coordinates established pursuant to NRS Chapter 327, for any corner of the subdivision or any point prescribed by this chapter.

L. **Recorders Block.** A blank space three inches wide by three inches in height shall be reserved at the lower right hand corner of the first sheet of the final map for the placement of recording information by the Clark County Recorder. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.035 Mixed use subdivisions.

A. The sheet title of all final maps intended for mixed use that have an approved tentative map for that purpose shall include the appropriate designation of: "A Mixed Use Subdivision", "A Commercial / Residential Mixed Use Subdivision", "A Common Interest Mixed Use Community" or "A Mixed Use Condominium Community".

B. **Subsequent Division of Mixed Use Units.**

1. All subsequent division of spaces clearly defined as commercial lots or units within the subdivision shall be governed by the applicable sections of the NRS and this code.

2. All subsequent division of residential lots or units and all other areas not clearly defined as commercial lots or units within the subdivision shall be governed by the applicable sections of the NRS and this code.

C. The initial mapping of any multi-story mixed use subdivision building shall include all the spaces within that building and shall not exclude any portion of the building because of designation of use. It is the responsibility of the declaration and other project governing documents to define the rights, restrictions and other relationships between the units of the mixed use subdivision. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.040 Title sheet.

The title sheet shall be page number one and shall contain the following information:

A. Title, comprising the subdivision name and number.

B. Below the title shall be a subtitle consisting of a general description of all the property being subdivided, identified to the one-sixteenth section level if the subdivision is forty (40) acres or less, and to the quarter-section level if the subdivision is greater than forty (40) acres, followed by the words "City of North Las Vegas, Clark County, Nevada."

C. **Certificates on Final Map.** The title sheet of the final map shall contain all the certificates required, and be of the form specified by this title and NRS Chapter 278 and its amendments, and shall contain the name and title printed below the signatures of the signing officials:

1. **Dedication and Ownership Certificate.** The dedication and ownership certificate shall offer for dedication all easements, alleys, streets, highways, parks or other public places shown and set forth on the plat and as required by NRS Chapter 278, it shall be signed by each person who is an owner of the land, and shall be substantially as set forth in the Land Development Guide, as amended from time to time.

2. **Acknowledgment Certificate.** A certificate, when made for an acknowledgment by an individual, corporation, partnership or other entity, shall be in the form as outlined in NRS Chapter 240 and its amend-

ments.

3. Surveyor's Certificate. On every such map or plat there shall be a certificate, signed and sealed by a professional land surveyor, making the survey shown on such map or plat, certifying that he made the survey, or that someone under his direct supervision did so, and that the work shown, including the setting of stakes, monuments and marks set and all stakes, monuments and marks found, together with the date, are true and complete as shown, which certificate shall be as outlined in NRS Chapter 278 and its amendment.

4. City Certificates. Each map or plat shall bear the certificates of the city, as outlined in NRS Chapter 278 and as set forth in the Land Development Guide, as amended from time to time.

5. Certificates of Certain Governmental Entities. Each map or plat shall bear a certificate as required by NRS Chapter 278 and shall be as shown in the Land Development Guide, as amended from time to time. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.050 Information required.

The final map shall clearly and legibly show information in conformity to NRS Chapter 278 and the following survey data, including:

A. Ties to the city of North Las Vegas Geodetic Control Network. This network is based upon the Nevada State Coordinate System, if such network exists within one-half mile of the final map at the time of the approval of the final map. The city of North Las Vegas Geodetic Control network shall be considered existing when it is recorded pursuant to NRS Chapters 278, 327 and 625. The final map must show ties to a minimum of two monuments, as delineated on said Geodetic Control Network, or as may be required by the city surveyor or designee.

B. A basis of bearing shall be taken from the Nevada State Coordinate System, if applicable, or a recorded bearing as recorded in the Clark County recorder's office, if applicable.

C. The basis of bearings shall be shown graphically on the map sheets in addition to the narrative describing the same.

D. All monuments, stakes and other evidences found, set, re-set or replaced, describing their character, kind, size and location.

E. All lot corners of adjoining subdivisions or tracts, together with recording data of adjoining subdivisions or tracts.

F. Corners of all adjoining property identified by lot and block number, subdivision or tract name, place of record or by section, township and range, or other proper designations.

G. The centerlines of all streets in and adjoining the subdivision, indicating all permanent monuments found or placed. If any points were reset by ties, the fact shall be so stated.

H. All information, data and monuments necessary to locate and relocate any and all exterior boundary lines, lot or block lines.

I. All lots and parcels shall have all dimensions, boundaries and courses clearly shown and defined. This includes lots and parcels intended for sale, reserved for private purposes, or offered for dedication for any purpose.

J. The locations, names, total width on each side of the centerline of all public streets, private streets, private drives, alleys and other rights-of-way within the subdivision.

K. The location and width of all easements, public and private, to which the lots are subject. Each easement shall be clearly labeled and identified as to nature and purpose. If easements are already of record, their recorded references shall be given. Distances and bearings on lines of lots which are cut by easements must be so shown that the map will clearly indicate the actual length of the lot line.

L. The location and width of utility rights-of-way located upon private property within the subdivision.

M. Any limitations of rights of access to and from streets and lots and other parcels.

N. The drawing should agree with the written description, but it should not require reference to the written description in order for it to be entirely self-explanatory. Also, the written description must be sufficient

to delineate the parcel boundary without reference to the drawing.

- O. All common areas must be designated and dimensioned. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.060 Survey requirements.

A. Survey Required. A complete and accurate survey of the land to be subdivided shall be made by a professional land surveyor in accordance with the standard practices and principles of land surveying.

B. Error Limit for Traverse. The traverse of the exterior boundaries of the subdivision and of each block must close within a limit of error of one foot to ten thousand (10,000) feet.

C. Tying in Monuments, Lines. All centerlines of streets, property lines, monuments, alleys and easements within, or adjacent to, the subdivision shall be tied into the survey.

D. Monuments

1. Monuments shall be set in accordance with the recorded subdivision maps so that the survey, or any part thereof, may be readily retraced. Such monuments shall be set at:

- a. All angle points in subdivision boundary;
- b. All angle points of tangency and points of curvature in subdivision boundary;
- c. All street centerline intersections;
- d. All angle points of tangency and points of curvature in street centerlines;
- e. All intersections of street centerlines with subdivision boundary;
- f. All section corners, quarter corners and sixteenth corners;
- g. All lot corners must be set with a Type III monument. In those instances where off-site improvements exist (i.e., rear property wall and front curb) that make it impractical to set a Type III monument, a nail and tag identifying the surveyor may be set in the wall at the back property corner and a sawcut may be made in the top of the front curb at the prolongation of the side property line.

2. All monuments shall conform to city specifications and standard drawings. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.070 Submittal to the public works department.

A. After approval of the tentative map by the planning commission or the city council, the following must be submitted to the department of public works:

1. Final map (five copies);
2. Application form;
3. Map checking fee; and
4. Other required documents, as outlined within the Land Development Guide.

B. The public works department shall route the final map to other city departments, the city of Las Vegas fire alarm office, the U.S. Post Office or any other agency which is required to review the final map. The planning and zoning department shall also review the final map for conformance to the tentative map and applicable city codes and ordinances.

C. After the director of planning and zoning, or his designee is satisfied that the final map is in conformance, the department of public works shall be notified accordingly.

D. The department of public works shall review the final map for conformance with technical requirements set forth in NRS Chapter 278, applicable sections of this title and the planning and zoning ordinance. Concurrently, the developer or his engineer shall provide submittals, as outlined in the Land Development Guide, to the department of public works. Submittals shall include:

1. Civil improvement plans;
2. Payment of improvement plan checking fees;
3. A drainage study approval letter;
4. A soils (geotechnical) report;
5. A geotechnical certification of plans letter;
6. A completed special inspection quality assurance agreement;

7. A completed bond and fee estimate for off-site improvements;
 8. A traffic study approval letter; and
 9. A traffic control improvement cost participation agreement, if required;
- E. After the director of public works, or his designee, is satisfied with the civil improvement plan submittals, he shall notify the developer or his engineer to submit the following:
1. An off-site improvements agreement (two original copies) signed by the owner or developer;
 2. A cash-in-lieu of bond agreement separate account, a performance, subdivision or off-site improvement bond, a cash deposit or an unconditional and irrevocable letter of credit, signed by the owner or developer, as surety that the off-site improvements will be constructed as approved;
 3. A Clark County desert conservation program land disturbance/mitigation fee form;
 4. Payment of inspection fees;
 5. The acceptable original civil improvement plans on mylar;
 6. A subdivision guarantee from the title company stating there are no hidden liens against the property and no undisclosed owners;
 7. The original final map with all outside agency approvals; and
 8. A signed traffic control improvement cost participation agreement or cash payment in lieu of such an agreement. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.090 Final map approval and recordation.

- A. The department of public works shall present the final map to the director of planning and zoning, or his designee, for approval of conformance to the tentative map.
- B. The department of public works shall cause agenda items to be prepared for planning commission approval of the off-site improvements agreement and bond or other surety.
- C. After the final map is in its final form, the department of public works shall obtain all required signatures of city officials on the final map.
- D. The city of North Las Vegas shall cause the final map to be recorded in the office of the Clark County recorder upon payment of the recording fee by the developer, as specified in NRS Chapter 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.100 Pledge of surety.

After the improvement plans are in their final form, the director of public works, or his designee, will approve an amount of surety of one hundred (100) percent construction costs, plus ten (10) percent for contingencies, based on costs shown on the city's bond and fee estimate, and as may be modified by the director of public works, or his designee, to be filed with the city clerk and accepted by the planning commission, guaranteeing that the proposed improvements will be completed within eighteen (18) months, or within such time period as the planning commission may determine to be required for such construction.

The surety shall be in the form of a cash deposit with the city of North Las Vegas; a performance, subdivision or off-site improvement bond, a cash deposit separate account with a bank that does business in the state of Nevada; or an unconditional and irrevocable letter of credit drawn on a bank that does business in the state of Nevada or is otherwise approved by the city finance director. Bond providers must be authorized to do business in the state of Nevada as listed by the Department of the Treasury, Department Circular 570, and aa A.M. Best Company rating minimum of "A-." (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.120 Agreement with city—Off-site improvements account.

The city may enter into a "cash-in-lieu of bond agreement, separate account" with the developer as provided for in this title. This agreement shall provide for the establishment of a separate account by the developer with a financial institution that does business in the state of Nevada, and is acceptable to and approved by the city. In this separate account shall be deposited a sum equal to the amount that would otherwise have been required by the performance bond as security for the faithful performance of all the terms and conditions of the

off-site improvements agreement. This agreement will include the name of the financial institution, account number, dollar amount and name of contact. This agreement will further provide that the funds on deposit in this account for this purpose may be withdrawn only upon draft, or request for withdrawal, signed jointly by the director of public works, or his designee, and an authorized representative, or, jointly by two representatives as authorized by the director of public works, or his designee. The agreement will further provide for progress payments to be made to the developer, at the discretion of the director of public works, or his designee, based upon a percentage of the work completed; however, there shall, at all times, be a ten (10) percent retention on said funds until all of the off-site improvements called for have been completed and accepted by the director of public works, or his designee. The agreement shall further include such additional terms and conditions as the planning commission may deem necessary to ensure the completion of the off-site improvements. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.130 Default.

If the construction or installation of any improvements or facilities for which a bond, cash, cash-in-lieu of bond agreement, separate account, or an unconditional and irrevocable letter of credit is accepted, posted or deposited, or not completed by the time substantial completion of the buildings or structures which such improvements or facilities are designed to serve, or within two years of the date of approval of the final map, whichever is sooner, or if such construction is not in accordance with the applicable standards and specifications prescribed by law, and in the case of a bond, the obligors on the bond shall be liable for the expense incurred thereby, or in the case of a cash deposit or in-lieu of bond agreement, the city may use as much of said funds as is necessary to design, administer and effectuate the construction of such improvements or facilities. If any portion of a cash deposit, in-lieu of bond agreement funds is not required or used by the city, such excess funds shall be repaid to the person making the deposit or released upon acceptance or approval of the improvements or facilities herein required. In the case of a one hundred (100) percent performance, surety or completion bond the surety company shall be liable for the expense incurred thereby. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.140 City may waive surety.

The planning commission may waive the requirements of a surety, as provided in Section 16.16.100, to the extent that the improvements are provided for by special improvement assessment district pursuant to the city charter of the city, and provided further that the special improvement assessment district shall have proceeded at least to the point where the city council has determined to proceed with the improvement district as provided for in said charter. Waiver shall be by motion of the planning commission setting forth the extent of the waiver, and making reference to the special improvement assessment district providing for the improvements for which the sure is waived. (Ord. 2246 §§ 1, 2 (part), 2006)

16.16.150 Recordation of certificates before recordation of map, plan.

As authorized by NRS Chapter 278, at the time any final map is presented to the county recorder for recording the following certificates must appear on the map or be presented to be recorded on a separate document immediately before the map or plan:

A. A report from a title company, no more than thirty (30) days old, authorized to do business in the state of Nevada showing the names of the parties who may be required to sign the map or plan, including each owner of record of the land to be divided and each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust, and guaranteeing that the names of the parties contained therein are the only parties who are required to sign the map or plan. Further, the title company must certify that all of the owners of record and holders of record of a security interest mentioned above have properly signed the final map as required pursuant to NRS Chapter 278. Written consent of each holder of a security interest is required pursuant to NRS Chapter 278.

B. A certificate from a title company authorized to do business in the state of Nevada, no more than thirty (30) days old, showing that there are no liens against the subdivision or any part thereof for delinquent

state, county, municipal, federal or local taxes or assessments collected as taxes or special assessments, together with a list of any lien or mortgage holders of record. (Ord. 2246 §§ 1, 2 (part), 2006)

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Chapter 16.20

DESIGN STANDARDS

Sections:

16.20.010	Applicability.
16.20.020	Lots.
16.20.030	Block.
16.20.040	Streets to conform to master plan.
16.20.050	Street pattern.
16.20.060	Street names.
16.20.070	Grades, curves and sight distances.
16.20.080	Public water and sanitary sewer.
16.20.090	Drainage and stormwater.
16.20.100	Street lighting and electric service.
16.20.110	Utility easements.
16.20.120	Reservation of community facilities sites.
16.20.130	Premature clearing of lands.
16.20.150	Minimum lot width, depth and area.
16.20.160	Street right-of-way widths.
16.20.170	Street construction.

16.20.010 Applicability.

The standards and principles, as set forth in this chapter, shall apply to all subdivision and development of land within the city of North Las Vegas. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.020 Lots.

All land divisions shall result in the creation of lots which are capable of being developed or built upon in accordance with Title 17.

A. The minimum area and dimensions of all lots shall conform to the requirements of the zoning code for the district in which the subdivision is located.

B. The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved.

C. All lots, parks or public ground created shall have ingress and egress to a public or private street meeting the minimum requirements of this title and any adopted street standards of the city for right-of-way widths, paving widths, and improved in accordance with the standards for public improvements as set forth in this title and any adopted street and improvements of the city.

D. Double-frontage lots shall be avoided wherever possible.

E. No remnants of land shall be left in the subdivision which do not conform to lot requirements or are not required for a public or private utility.

F. All lots shall have adequate drainage.

G. All lots shall be denied vehicular access to arterials, except industrial and commercial lots abutting on an arterials.

H. Lots shall not be divided by a city boundary or another lot, street, alley or any other thoroughfare or property.

I. All single-family residential lots shall abut public or private streets. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.030 Block.

A. Length. Blocks shall not exceed six hundred (600) feet between intersections except where topographical or other conditions require longer blocks. Wherever blocks are longer than six hundred sixty (660) feet, pedestrian crosswalks of not less than ten (10) feet in width shall be required where deemed essential for circulation and access to schools, playgrounds, shopping centers and other community facilities.

B. Widths. Block widths shall be planned to provide two rows of lots, except where lots are planned to back upon a major street, drainage channel, shopping center, etc.; provided, however, that this shall not prevent the inclusion within any subdivision plan of blocks of greater width or irregular outline, which blocks shall be indented by cul-de-sacs, looped access roads, etc., to provide access to the central areas thereof, and said areas may contain public or joint use areas such as parks and playgrounds.

C. Commercial or Industrial Blocks. Commercial or industrial blocks shall be of such length and width as suitable for their prospective use, including adequate provisions for off-street parking, deliveries and loading. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.040 Streets to conform to master plan.

The streets in subdivisions shall conform in width and general alignment with that shown or indicated in the applicable portions of the master plan of streets and highways, as adopted, amended, or as shown on precise plans that have been adopted. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.050 Street pattern.

The street pattern shall be related to a plan for the most advantageous development of the subdivision as well as adjoining areas and the entire neighborhood or district and shall conform to the natural contour of the land. However, in order to discourage through traffic and high traffic speeds and to increase the salability and stability of the subdivision by preventing monotonous development and local residential and residential collector streets shall be curvilinear rather than straight, whenever possible. Pedestrian-friendly local street patterns that discourage high traffic speeds are preferred to monotonous development and long blocks. Traffic calming measures may be required by the city, as approved by the city traffic engineer, or his designee. Straight local streets shall not be longer than five hundred (500) feet unless landscaped traffic circles, subject to public works approval, are provided at five hundred (500) foot intervals.

A. Proposed streets shall be a continuation of and in alignment with existing or recorded streets to which they are to connect. At intersections, the centerlines of streets which are not in alignment shall be offset at least two hundred (200) feet, as measured from centerline to centerline, or as required by the director of public works, or his designee, or his designee.

B. Proposed streets planned to extend beyond the subdivision boundaries shall be extended to the boundary lines of the land to be divided.

C. In the interest of traffic safety, "T" intersections shall be provided in lieu of four-way intersections wherever the subdivision design will allow or indicate such an option.

D. Local street intersections with arterial streets shall be limited in number and their location shall be designed to provide for minimum interference with traffic movement on the arterial streets.

E. The means of street access to the proposed subdivisions shall be subject to review and approval by the traffic engineer, or his designee, as to the number and location of such access streets.

F. The maximum length of a cul-de-sac shall be five hundred (500) feet, unless otherwise approved by the director of public works, or his designee, or his designee, and shall terminate in a circle or other turning pattern which provides for an adequate turning area for vehicular traffic at its terminus, in accordance with the standard drawings.

G. All valley gutters that are constructed on a phase line shall have a cross-pan that extends to the opposite spandrel.

H. Whenever a subdivision has within its boundaries or abuts upon an undedicated and/or unimproved street, the developer shall provide as part of the subdivision, the necessary improvement and/or dedica-

tion, as required by the director of public works, or his designee, for the portion of the street contained within and/or adjacent to the subdivision boundaries.

I. A street lying along a boundary of a subdivision may be dedicated to one-half the required width if, in the opinion of the director of public works, or his designee, it is practical to require the dedication of the other half when the adjoining property is developed. Such a portion of a street shall be distinctly designated upon the final plat as being the said portion of a street and not of full width.

J. Whenever an existing subdivision or dedication has provided a dedicated half-street on an adjoining property, the other half shall be dedicated on the proposed plat to make the street of the full width.

K. Whenever an existing subdivision has provided lots abutting the exterior boundaries, any proposed subdivision should be designed so as to eliminate the formation of double-frontage lots in either subdivision.

L. Street intersections shall be as nearly at right angles as practicable, unless topography or other considerations make it a practical impossibility. No such intersection however shall be less than seventy (70) degrees. The lot corners at street intersections shall be rounded as specified in the standard drawings or as required by the director of public works, or his designee.

M. Every subdivision shall have access to a street dedicated to the city for public use and such street shall be improved in accordance with city standards.

N. Except where the planning commission finds that they are impractical or unnecessary, alleys may be provided in connection with business or multiple-family areas, and shall not be less than twenty (20) feet in width.

O. Stub streets and hammerhead cul-de-sacs are not permitted.

P. Terminal streets, not to exceed one hundred fifty (150) feet in length, as measured from the face-of-curb of the intersecting street to the face-of-curb of the terminal street, and with a maximum of four fronting lots, shall terminate in a cul-de-sac with a minimum back-of-curb radius of twenty-four (24) feet. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.060 Street names.

Street names shall conform to the city adopted street naming and address assignment standards as amended from time to time. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.070 Grades, curves and sight distances.

Grades, curves and sight distances shall be subject to the approval of the director of public works, or his designee, and shall be designed to permit safe travel and shall afford safe, unobstructed sight distance. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.080 Public water and sanitary sewer.

Every portion of a subdivision shall be supplied with adequate water and sanitary sewerage facilities. The requirements and arrangement for these shall be given and approved by the utilities department. Said systems and facilities shall be offered for dedication to the public and the appropriate agencies. As-built drawings and profiles of sewer system facilities, drafted on mylar per city standards, shall be submitted to the department of public works upon completion of construction (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.090 Drainage and stormwater.

A. Stormwater Drainage. Stormwater drainage shall be provided as required by the director of public works, or his designee, in accordance with the requirements of the city and/or the Clark County Regional Flood Control District.

B. General Requirements. Drainage and drainage structures shall be designed and constructed to locally adopted standards to meet local neighborhood needs and for protecting lots and streets within the subdivision from flood hazards, taking into consideration the drainage patterns of adjacent properties. Where neces-

sary, means shall be provided for disposing of surface water and stormwater beyond the limits of the subdivision. Where the subdivision is traversed by natural watercourse, the developer may be required to dedicate rights-of-way or easements as shall be required for structures or channel changes, or both, to dispose of such surface waters and stormwaters and shall improve or agree to improve such rights-of-way or easements as a precedent to acceptance thereof and approval of the final map. In the case of the Clark County Regional Flood Control District master-planned facilities, the developer shall, at a minimum, dedicate the right-of-way for such facilities to the city. Where conditions warrant, a drainage study shall be required by the director of public works, or his designee, or the Clark County Regional Flood Control District. Drainage studies shall be prepared in accordance with the Clark County Regional Flood Control District's Hydrologic Criteria and Drainage Design Manual.

Where it is determined that replacement of a natural drainage channel or watercourse by a storm drain is unnecessary or impractical, a right-of-way for such a drainage channel shall be dedicated to a width and alignment as required by the department of public works.

The developer shall provide the necessary means to assure complete drainage within and adjacent to his property utilizing public drainage facilities, natural watercourses, or other facilities. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.100 Street lighting and electric service.

The electrical distribution systems shall meet the requirements of the city and shall be sufficient to serve the proposed development with streetlights and power to every lot.

A. The developer shall furnish statements from the electric utility company supplying the development that the company will furnish electric power to any lot within the development upon the demand of any lot purchaser at no cost to the purchaser to bring the service to the lot.

B. Street light standards shall be located in accordance with the requirements of the city and the standard drawings.

C. The maximum distance between light standards shall conform to the requirements of the city and the standard drawings.

D. Each sheet of street lighting plans submitted to the director of public works, or his designee, shall show the location of each street light standard by centerline stationing; mast arm length; type of light/wattage and gauge of pole; number of streetlights; type of wiring; location of point at which street lighting circuit is to be connected to existing streetlight circuits and/or new power circuit; and circuit load calculations.

E. Street lighting materials, candlepower, illumination and installation shall conform to recommended practice for street and highway lighting as established by the Illuminating Engineers' Society and/or the city.

F. All electrical improvements shall be constructed or installed in accordance to the requirements herein and meet the applicable requirements of the following authorities, as required by the city traffic engineer, or his designee:

1. National Electrical Code;
2. American Standards Association;
3. National Electric Light Association;
4. National Electric Safety Code;
5. Underwriters Laboratories, Inc.;
6. Insulated Power Cable Engineers' Association;
7. Illuminating Engineers' Society;
8. Clark County Uniform Standard Drawings and Specifications;
9. Photo electric controls shall be installed to govern operations of all streetlights. (Ord. 2246 §§ 1,

2 (part), 2006)

16.20.110 Utility easements.

Uniform and continuous easements shall be provided at all lot lines adjacent to public rights-of-way for

utilities service. This easement shall be not less than five feet in width. Also a three-foot easement shall be provided along all side lot lines for ingress and egress to maintain lot services. Any additional easements to be dedicated for utilities and/or public uses shall be as required by the director of public works, or his designee. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.120 Reservation of community facility sites.

Where the master plan or other plans for community facilities have been developed for sites located wholly or partly in a subdivision, or where any public facility should be located within the subdivision in order to serve the development and adjacent lands, the developer shall reserve a site appropriate in area and location for such public facility. The developer shall reserve these community facilities sites for dedication to the public agency involved. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.130 Premature clearing of lands.

No lands shall be cleared of vegetation, graded or the natural ground surface thereof otherwise disturbed so as to create a dust nuisance unless and until a grading permit has been duly issued by the department of public works after complete conformity with the requirements for such permit as set forth in the currently adopted standards for the proposed land use construction or development as authorized by this chapter.

The developer must secure a dust control permit, prior to clearing the site, from the Clark County Department of Air Quality and Environmental Management. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.150 Minimum lot width, depth and area.

Minimum lot width, depths and areas, exclusive of required streets, shall be as required in the zoning ordinance for the respective zoning district in which the subdivision is located. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.160 Street right-of-way widths.

Minimum right-of-way width for streets, public or private, shall be in compliance with the master plan of streets and highways and the latest edition of the standard drawings, or as otherwise required by the director of public works, or his designee. (Ord. 2246 §§ 1, 2 (part), 2006)

16.20.170 Street construction.

All streets, alleys, driveways, curbs, sidewalks, etc., whether public or private, shall be constructed in conformance with the latest edition of the standard drawings, or as required by the director of public works, or his designee. (Ord. 2246 §§ 1, 2 (part), 2006)

Chapter 16.24

IMPROVEMENTS

Sections:

16.24.010	General requirements.
16.24.020	Adopted city standards.
16.24.030	Improvement plans.
16.24.040	Plans approved by director of public works.
16.24.045	Department of public works release of building permits.
16.24.050	Service connections to each lot.
16.24.060	Entry and inspection.
16.24.070	As-built drawings and monument ties.
16.24.080	Plot and grading plans.
16.24.090	Public sites.
16.24.100	Dedication and improvements.
16.24.120	Completion of public improvements.
16.24.140	Compliance with other laws.

16.24.010 General requirements.

The developer shall provide all improvements, or agree in writing to provide all improvements required by this title, prior to acceptance and approval of the requisite civil improvement plans by the city. Such improvements shall include, but not be limited to, the following:

- A. Grading, curbs, gutters, berms, paving, drainage and drainage structures necessary for the proper use and drainage of streets, highways and other rights-of-way within, bordering or necessary to serve the development;
- B. Site grading and drainage, taking into consideration the drainage patterns adjacent to improved or unimproved properties;
- C. Street name signs, traffic control signs, and pavement markings;
- D. Sidewalks on all streets, as required;
- E. Fire hydrants in proper location and in sufficient numbers to provide adequate fire protection, as required;
- F. A water system with mains of sufficient size and having a sufficient number of outlets to furnish adequate water supply for all lots and proposed occupancies in the subdivision, and to provide adequate fire protection, as required;
- G. Sanitary sewer facilities and connections for each lot, as required;
- H. Street lighting and traffic signal facilities, as required;
- I. Landscaping, fencing and other improvements, as required;
- J. Dry utility systems (i.e., electrical power, gas, cable TV, telephone, etc.), as required;
- K. Conduit for fiber optic cable on all arterial streets, as required;
- L. Bicycle path and/or bicycle route improvements, as required;
- M. The establishment or re-establishment of survey monuments, as required by this title and NRS chapters 278, 329 and 625. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.020 Adopted city standards.

All improvements shall be in accordance with the city standards and specifications. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.030 Improvement plans.

The developer shall submit the original mylars and sets of prints, as may be required of the plans, profiles, cross-sections, horizontal control plan and specifications for improvements to the director of public works, or his designee, for checking and acceptance. The plans, profiles, cross-sections, horizontal control plan and specifications for improvements shall be in accordance with city standards and specifications. The original mylars shall be signed as accepted by the director of public works, or his designee, only if the plans, profiles, cross-sections, horizontal control plan and specifications for improvements meet the requirements of this title, city standards and specifications, and any and all special requirements that have been required by the director of planning and zoning, or his designee. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.040 Plans accepted by director of public works.

No improvements shall commence until improvement plans and specifications have been accepted by the director of public works, or his designee. Improvements shall be installed in accordance with city standards and specifications to permanent line and grade to the satisfaction of the director of public works, or his designee. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.045 Department of public works release of building permits.

A. The department of public works shall not release its hold on building permits prior to the acceptance of the associated civil improvement plans by the director of public works, or his designee, or

B. The department of public works may release its hold on building permits after the building official and/or director of public works, or his designee, has determined that civil improvement plans are not required and that the work described in an application for a building permit and the plans, specifications and other data filed therewith conform to the requirements of Title 15 and the technical codes and other pertinent laws and other ordinances, and that all associated fees have been paid. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.050 Service connections to each lot.

A. Provision for service connections from utility lines and sanitary sewers shall be made available for each lot in such a manner as will eliminate the necessity of disturbing the street pavement, gutters, culverts, curbs and sidewalks when service connections are made.

B. Lots with individual septic tanks and water facilities shall comply with the requirements of the State Department of Public Health and the Nevada Division of Water Resources. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.060 Entry and inspection.

A. The director of public works, or his designee, shall have the right to enter upon the sites of improvements, public or private, for inspection and data collection purposes, and shall be furnished with samples of materials as may be required for the making of tests to determine the acceptability of such materials.

B. The developer shall notify the director of public works, or his designee, of the date and time that work on any improvements, as defined in this title, are expected to begin. Notifications are to be given not less than twenty-four (24) hours in advance of the time that the work is anticipated to start and if, thereafter, conditions develop to delay the start of the work, the developer shall notify the director of public works, or his designee, of the delay not less than two hours before work is scheduled to begin.

C. The developer shall notify the utilities department of the date and hour work on any of the following items is expected to begin, notifications to be given not less than twenty-four (24) hours in advance of the time the work is anticipated to start, and if thereafter conditions develop to delay the start of the work, the developer shall notify the utilities department of the delay not less than two hours before work is scheduled to begin.

1. Laying of sanitary sewer lines;
2. Backfilling of sanitary sewer lines;
3. Laying of water lines; and
4. Backfilling of water lines. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.070 As-built drawings and monument ties.

A. Upon completion and before acceptance of the subdivision improvements by the city, the developer shall be required to present to the utilities department a reproducible set of "as-built" improvement drawings.

B. Upon completion of all required survey monumentation and before acceptance of the subdivision improvements, a licensed professional land surveyor responsible for the survey monuments within the development shall present a set of monument ties to the city surveyor's office, as prescribed by the Land Development Guide. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.080 Plot and grading plans.

A. **Officers Requiring Copies.** Whenever the developer plans to develop the area as a whole and to construct the structures thereon, he shall submit a plot and grading plan to each of the following officers:

1. The director of public works, or his designee;
2. The building official; and
3. The director of planning and development.

B. **Plot and Grading Plan Information.** The plot and grading plan shall contain information, as required by the director of each affected department, including, but not limited to, the following:

1. Footprint of new structure;
2. Property lines with dimensions;
3. Street names;
4. Minimum setback lines as recorded on the final plat;
5. Building setback lines dimensions, tied perpendicular to all property lines or radial to any curved property line;
6. Finished floor and pad elevations;
7. Lot grading and drainage information;
8. Driveway locations and slopes;
9. Top-of-curb elevations at property lines and radius tangent points;
10. Fire hydrant locations;
11. Street light locations;
12. North arrow and drawing scale;
13. Subdivision name;
14. Lot and block numbers;
15. Engineer's seal and signature;
16. Adjacent lot information;
17. Retaining walls and scarp locations;
18. Benchmark and datum;
19. Utility lateral locations;
20. Limits of structural pads; and
21. Ground equipment, doorway stoops and patio slab locations. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.090 Public sites.

A. **Historic or Scenic Sites.** The planning commission shall encourage the preservation of and/or may require the dedication or reservation of suitable areas for historic purposes.

B. **Parks, Playgrounds and School Sites.** The developer shall give due consideration to the allocation of areas suitably located and of adequate size for schools, playgrounds, playfields and parks for local or neighborhood use to be dedicated, reserved for common use by all the property owners within the subdivision by restrictive covenant, and/or reserved for acquisition by the city within a period of five years. To this end, the planning commission may recommend the dedication and/or reservation of sites for public purposes when deemed essential to the development of the area or neighborhood. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.100 Dedication and improvements.

The developer shall improve or agree to improve all land dedicated or to be dedicated for streets, highways, public ways, flood channels and easements as a precedent to acceptance of such dedications(s) and approval of the final map. Such improvements shall include all grading, surfacing, sidewalks, curbs, gutters, electric power and streetlights, traffic control devices, survey monumentation, culverts, telephone service lines, bridges, storm water facilities, sewer mains and house laterals, water services, water mains, fire hydrants, parkway areas, subsurface drainage, and/or such other improvements as recommended by the planning commission as conditions of approval of the final map, necessary for the general use of the lot owners and local traffic and drainage needs. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.120 Completion of public improvements.

All public improvements required by all applicable laws and regulations shall be completely installed and constructed to the satisfaction of the director of public works, or his designee, within the time set forth in this title, or as required by the director of public works, or his designee, unless the director of public works, or his designee, shall grant an extension of time for completion and if the bonds, cash guarantees, or other surety are renewed to cover the extension of time. (Ord. 2246 §§ 1, 2 (part), 2006)

16.24.140 Compliance with other laws.

No tentative map, final map, parcel map, boundary line adjustment map, or other maps for land division purposes, shall be approved if it violates or will result in the violation of any applicable zoning regulation or any other applicable law or regulation. (Ord. 2246 §§ 1, 2 (part), 2006)

Chapter 16.28

MINOR SUBDIVISIONS

Sections:

- 16.28.010 Preparation.
- 16.28.020 Submittal to the department of public works.
- 16.28.040 Application—Action.
- 16.28.050 Application—Additional documents required.
- 16.28.060 Parcel map—Survey required.
- 16.28.070 Parcel map—Survey not required.
- 16.28.110 Approval conditions.
- 16.28.120 Road surfacing and width.
- 16.28.130 Improvements—Surety bond.
- 16.28.140 Improvements—Acceptance.
- 16.28.160 Recording required.
- 16.28.170 Requirements before start of construction.
- 16.28.180 Building permits and certificates of occupancy.

16.28.010 Preparation.

The requirements for the preparation, presentation and recordation of parcel maps shall be in accordance with this title and NRS 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.020 Submittal to the department of public works.

A. The developer of the property that is proposed to be divided shall submit to the department of public works the parcel map application form, five copies of the parcel map, map checking fee and other required documents. After approval of the technical studies deemed necessary by the director of public works, or his designee, off-site improvement drawings and other required documents shall be submitted to the department of public works.

B. The department of public works shall route the parcel map to other city departments and agencies required to review the parcel map.

C. The department of public works shall review the parcel map for conformance with technical requirements set forth in NRS Chapter 278, applicable sections of this title and the municipal code. Concurrently, the developer shall provide those submittal items listed in section 16.16.070(D) of this title, as outlined in the Land Development Guide, or as otherwise required by the director of public works, or his designee, for the project.

D. After the director of public works, or his designee, is satisfied with the civil improvement plan submittals, he shall notify the developer or his consulting engineer to submit those submittal items listed in section 16.16.070(E) of this title, as outlined in the Land Development Guide, or as otherwise required by the director of public works, or his designee, for the project. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.040 Application—Action.

The completed application for approval of a parcel map must be submitted on a form provided by the department of public works and must contain all of the requested information. The parcel map shall be prepared by a professional land surveyor in conformance with NRS Chapter 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.050 Application—Additional documents required.

The following documents shall be submitted with the parcel map and accompanying application within the time frame established by the Land Development Guide:

A. One copy of a report from a title company authorized to do business in the state of Nevada, no more than thirty (30) days old, showing the names of the parties who may be required to sign the map or plan, including each owner of record of the land to be divided and each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust, and guaranteeing that the names of the parties contained therein are the only parties who are required to sign the map or plan. Further, the title company must certify that all of the owners of record and holders of record of a security interest mentioned above have properly signed the final map as required pursuant to NRS Chapter 278;

B. One copy of the recorded deed reflecting the current ownership and description of the property;

C. A certificate of tax payment by the Clark County treasurer's office;

D. A certificate from a title company authorized to do business in the state of Nevada, no more than thirty (30) days old, showing that there are no liens against the subdivision or any part thereof for delinquent state, county, municipal, federal or local taxes or assessments collected as taxes or special assessments, together with a list of any lien or mortgage holders of record; and

E. Written consent of each holder of a security interest pursuant to NRS Chapter 278, A holder of record of a security interest may consent by signing:

1. The parcel map; or

2. A separate document that is recorded with the parcel map and declares his consent to the division of land, if the map contains a notation that a separate document has been recorded to this effect. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.060 Parcel map—Survey required.

Except as otherwise provided in this title, each parcel map shall:

A. Be based on a survey made for that purpose;

B. Be in the form and contain the information required by NRS Chapter 278 and those applicable items in section 16.16.030 of this title;

C. Show the location and width of the existing and proposed rights-of-way, including those proposed on the applicable master plan, that will serve as access for the parcels, up to a minimum of three hundred thirty (330) feet from the boundary of the proposed land division, and the access street or streets connecting the proposed land division properties to the existing dedicated street system;

D. Show any easements for public utilities, irrigation or drainage, which exist or which are proposed, and any normally continuously flowing watercourses;

E. Indicate any existing road or easement which the owner does not intend to dedicate;

F. Show the dimensions of the property in feet to the nearest one-hundredth of a foot;

G. Show all proposed and existing structures and other physical features that have bearing on the proposed division to scale and with setbacks clearly defined;

H. Include a certificate(s) of approval, as outlined in the Land Development Guide and as required by NRS Chapter 278. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.070 Parcel map—Survey not required.

If a survey is not required in connection with a parcel map, the parcel map shall:

A. Comply with the requirements of Section 16.28.060 of this chapter, except subsections A thereof; and any additional requirements of the Land Development Guide;

B. Include a certificate by a professional land surveyor, licensed in Nevada, which shall include a statement in conformance with NRS Chapter 278 to the effect that the map was prepared from existing information;

C. Include a certificate by the city surveyor waiving the requirement of a survey pursuant to this title and NRS 278;

D. Location and width of the existing and proposed right-of-way that is to serve as access for the parcels, up to a minimum of three hundred thirty (330) feet from the boundary of the proposed division, and the

access street or streets connecting the development to the existing dedicated thoroughfare system; and

E. The developer must satisfy the director of public works, or his designee, that all street and drainage dedications, street improvements and other requirements for the development of the property have been completed. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.110 Approval conditions.

Approval of a parcel map may be conditioned upon such street grading, street paving, and other street improvements and drainage provisions as the director of public works, or his designee, deems reasonably necessary for all-weather parcel access and drainage. In any case, the improvements shall be to standards not less than those commensurate with the surrounding area. Approval may also be conditioned upon such parcel design as may be reasonably necessary for off-site access, street alignment, street surfacing and width, water quality, water supply, and sewerage consistent with the existing or proposed use of any land situated within six hundred sixty (660) feet of the proposed parcels which are zoned for similar use. The minimum lot sizes shall be in accordance with the city's zoning district regulations. In addition to and independent of the zoning requirements:

A. Where both individual sewage disposal and individual water installations are contemplated, the minimum lot size requirement shall be one acre (43,560 square feet) and the lot must be more than one thousand (1,000) feet from an existing sewer line.

B. When public water supply (including off-site community wells) and individual sewage disposal are contemplated, the minimum lot size requirements shall be fifteen thousand (15,000) square feet and the lot must be more than one thousand (1,000) feet from an existing water line. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.120 Road surfacing and width.

Prior to approval of any parcel map, the minimum improvements shall include a paved, dedicated access, per the standard drawings, to the nearest existing pavement, or an agreement and surety posted for the requisite off-site improvements. It is the responsibility of the subdivider to secure the necessary right-of-way if it is not presently dedicated. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.130 Improvements—Surety bond.

The person who proposes to divide the land under a parcel map may be required to:

A. Enter into an off-site improvements agreement with the city to make, install, and complete all of the improvements required to be installed and constructed in connection with the proposed parcel map including without limitation streets, private drives, drainage and utility easements, survey monuments and the removal of all rubbish, trash, debris, surplus material, and equipment from the area that is subject to such off-site improvements agreement and the adjacent properties;

B. Payment to the department of public works a sum sufficient to cover the plan checking and inspection fee charges for all such off-site improvements;

C. File with the director of public works, or his designee, complete plans covering the proposed locations and improvements of streets, private drives, drainage and utility easements, and such other plans as may be necessary in order to comply with the provisions of this chapter, together with a bond and fee estimate of such improvements, all of which shall conform to the standard specifications. The department of public works shall review and revise as appropriate the estimate of the cost of such improvements and shall require a surety to secure the faithful performance of all of the terms, conditions, and covenants of such person's part to be performed pursuant to such off-site improvements agreement. The surety may be in the form of:

1. A bond issued by a city approved surety company listed with A.M. Best Company with a minimum rating of A-, the company must be licensed to conduct business in the state of Nevada and be listed in the Department Circular 570 of the Department of the Treasury. The bond shall name the city as the sole obligee for the amount total identified on the off-site improvement bond and fee estimate form.

In the event of default by the principal of the bond, the city may make a claim and collect the proceed of the bond for the amount required to administer, coordinate, complete design, construct, repair, etc., the im-

provements covered by the bond.

The release of the bond shall be granted by the planning commission upon successful completion of the improvements and submission/approval of all required engineering reports and as-built drawings.

2. A cash agreement with the city for the total amount listed in the off-site improvement bond and fee estimate form. The cash agreement shall be a legal document signed by the principal, listing the city as the sole obligee of the cash for the amount total identified on the off-site improvement bond and fee estimate form. The cash shall be deposited in the city controlled account or credited to an account of an approved financial institution.

In the event of default by the principal, the city make a claim and or collect the cash for the amount required to administer, coordinate, complete design, construct, repair, etc., the improvements covered by the cash agreement.

The release of the cash shall be granted by the planning commission upon successful completion of the improvements and submission/approval of all required engineering reports and as-built drawings.

3. An unconditional and irrevocable letter of credit from a financial institution licensed to do business in the state of Nevada. The letter of credit shall name the city as the sole obligee for the amount total identified on the off-site improvement bond and fee estimate form.

In the event of default by the principal, the city may make a claim and or collect the proceeds of the letter of credit for the amount required to administer, coordinate, complete design, construct, repair, etc., the improvements covered by the cash agreement.

The release of the letter of credit shall be granted by the planning commission upon successful completion of the improvements and submission/approval of the required engineering reports and as-built drawings. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.140 Improvements—Acceptance.

All off-site improvements in a parcel map must be completed to the satisfaction of the department of public works, the planning commission, and/or the city council. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.160 Recording required.

It is unlawful for any person to divide land for the purpose of sale in any manner which constitutes a land division or to sell or otherwise transfer land within a land division prior to the recording of a parcel map in the office of the county recorder of Clark County. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.170 Requirements before start of construction.

No building permit shall be issued for the development of parcels of land within a parcel map until the parcel has been recorded in the office of the county recorder of Clark County and until all required public streets and easements, including access from public streets to the parcels on the parcel map, have been dedicated and provision has been made for the required improvements, and until all conditions of the approved traffic study are met. (Ord. 2246 §§ 1, 2 (part), 2006)

16.28.180 Building permits and certificates of occupancy.

No building permit or certificate-of-occupancy shall be issued or granted for the erection, construction, reconstruction, moving, conversion, alteration, addition of or to any building or structure, within the are encompassed by a recorded parcel map, before acceptance of all off-site improvements by the city unless the agreement and surety posted with respect such parcel map are in force and effect. (Ord. 2246 §§ 1, 2 (part), 2006)

Title 17 - ZONING ORDINANCE

Chapters:

FOOTNOTE(S):

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Editor's note—Ord. No. 2591, § 1, adopted June 15, 2011, effective October 1, 2011, repealed former Title 17 and enacted provisions designated as a new Title 17 to read as herein set out. Prior to inclusion of said ordinance, Title 17 pertained to similar subject matter. See also the Code Comparative Table.

Chapter 17.04 - GENERAL PROVISIONS

Sections:

17.04.010 - Purpose.

It is the intent and purpose of this Code to protect the public health, safety, and general welfare of the community and the people of North Las Vegas through the establishment of minimum regulations governing development and use of land. This Code shall divide the City into districts and establish regulations in regard to location, erection, construction, reconstruction, alteration, and use of structures and land. Such regulations are established to:

- A. Implement the North Las Vegas Comprehensive Master Plan;
- B. Conserve the value of buildings and land;
- C. Promote a balanced supply of commercial, industrial, institutional, and transportation land uses that is compatible with adjacent land uses and has good access to transportation networks;
- D. Ensure the provision of adequate open space for light, air, and fire safety;
- E. Preserve the character and quality of residential neighborhoods;
- F. Preserve and protect existing trees and vegetation, floodplains, stream corridors, scenic views, water quality, wildlife habitat, gateways, and corridors, and other areas of scenic and environmental significance from adverse impacts of land development;
- G. Promote orderly development and redevelopment;
- H. Prevent congestion in the public rights-of-way;
- I. Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population;
- J. Provide for compatibility of different land uses;
- K. Provide for administration of this Code;
- L. Provide for amendments;
- M. Prescribe penalties for violation of such regulations; and
- N. Define powers and duties of the City staff, the Planning Commission, and the City Council in relation to this Code.

(Ord. 1164 § 3 (part), 1996; prior code § 19.1.030)

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.020 - Citation and title.

This Code shall be known as and may be cited as the North Las Vegas Zoning Ordinance, except that when cited in this document, it shall be referred to as "this Code."

(Ord. 1164 § 3 (part), 1996; prior code § 19.1.010)

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.030 - Statutory authority.

The ordinance codified in this Code is adopted as the City of North Las Vegas's Zoning Ordinance relating to comprehensive planning and zoning, pursuant to provisions of Nevada law, including, without limiting the generality of the foregoing, NRS 278.010 through 278A.590, Statutes of 1986, State of Nevada.

(Ord. 1164 § 3 (part), 1996: prior code § 19.1.020)

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.040 - Applicability and jurisdiction.

A. **General Applicability.** The provisions of this Code shall apply to all land, buildings, structures, and uses of land, buildings, and structures located within the City of North Las Vegas, unless an exemption is provided by the terms of this Code. The provisions of this Code are the minimum requirements adopted for the promotion of the public health, safety, and welfare.

B. **Compliance Required.**

1. No building or structure shall be erected, converted, enlarged, reconstructed, or altered for use, nor shall any land, building, or structure be used or changed, except in accordance with all of the applicable regulations established by this Code.
2. No lot of record that did not exist on the effective date of this Code shall be created, by subdivision or otherwise, that does not conform to the applicable requirements of this Code.
3. No permit or approval may be issued under this Code unless all structures and uses of land and structures to be authorized by the permit or approval conform to this Code, regulations promulgated under this Code, and the terms and conditions of other applicable permits and approvals issued under this Code. A permit or approval issued in violation of this Code is void.

C. **Application to Governmental Agencies.** To the extent allowed by law, the provisions of this Code shall apply to all land, buildings, structures, and uses owned by government agencies. Where the provisions of this Code do not legally control such land, buildings, structures, and uses owned by government agencies, such agencies are encouraged to meet the provisions of this Code.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.050 - Relationship to the North Las Vegas Comprehensive Master Plan.

The enforcement of, amendments to, and the administration of this Code shall be accomplished in accordance with the recommendations contained in the North Las Vegas Comprehensive Master Plan, as developed and amended on a regular basis by the Planning Commission and City Council for the City.

(Ord. 1164 § 3 (part), 1996: prior code § 19.1.040)

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.060 - Relationship to other laws; conflicting provisions.

- A. **Conflict With Any Other Municipal Regulation.** In the case of a conflict between any part of this Code, with any other ordinance of the City, the more restrictive provision shall apply. In the case of conflict between one part of this Code and any other part of this Code, the more restrictive provision shall apply, except that provisions of overlay zone districts shall prevail over other provisions of this Code regardless of whether they are less or more restrictive.
- B. **Conflict With Other Public Laws, Ordinances, Regulations, or Permits.** This Code is intended to complement other local, state, and federal regulations that affect land use. This Code is not intended to revoke or repeal any other public law, ordinance, regulation, or permit. However, where conditions, standards, or requirements imposed by any provision of this Code are either more restrictive or less restrictive than comparable standards imposed by any other public law, ordinance, or regulation, the provisions that are more restrictive or that impose higher standards or requirements, as determined by the Director, shall govern.

(Ord. 1164 § 3 (part), 1996: prior code § 19.1.060)

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.070 - Relationship to third-party private agreements.

This Code is not intended to revoke or repeal any easement, covenant, or other private agreement. However, where the regulations of this Code are more restrictive or impose higher standards or requirements than such easement, covenant, or other private agreement, then the requirements of this Code shall govern. Nothing in this Code shall modify or repeal any private covenant or deed restriction, but such covenant or restriction shall not excuse any failure to comply with this Code. In no case shall the City be obligated to enforce the provisions of any easements, covenants, or agreements between private parties.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.080 - Transitional regulations.

A. **Violations Continue.** Any violation occurring under the previous Zoning Ordinance will continue to be a violation under this Code and be subject to penalties and enforcement pursuant to Section 17.28 Enforcement, Violations, and Penalties, unless the use, development, construction, or other activity complies with the provisions of this Code. Any violation issued prior to the adoption date of this Code shall be subject to the fines and penalties of the previous ordinance unless the violation is not addressed and is reissued at which time the violation shall be subject to the fines and penalties of this Code.

B. **Nonconformities Under Prior Ordinance.** Any nonconformity under the previous Zoning Ordinance will also be a legal nonconformity under this Code, as long as the situation that resulted in the nonconforming status under the previous ordinance continues to exist. If a nonconformity under the previous ordinance becomes conforming because of the adoption of this title, then the situation will no longer be a nonconformity.

C. **Approved Projects.**

1. **Validity.** Except for Planned Unit Developments approved prior to the effective date of this Code, permits and approvals that are valid on the effective date of this Code shall remain valid until their expiration date. Projects with valid approvals or permits may be carried out in accordance with the development standards in effect at the time of approval, provided that the permit or approval is valid and has not lapsed.
2. **Changes.** No provision of this Code shall require any change in the plans, construction, or designated use of any structure for which a building permit has been issued prior to the effective date.
3. **Extensions.** The decision-making body that granted the original approval may renew or extend the time of a previous approval if the required standards or criteria for approval remain valid. Any extension granted shall not exceed the time specified for the extension of the specific permit approval in this Code.
4. **Re-Application.** Any re-application for an expired project approval shall meet the standards in effect at the time of re-application.

D. **Planned Unit Developments Approved Prior to the Effective Date.** Any Planned Unit Development or Mixed Use Development approved prior to the effective date of the adoption of this entire Code (October 1, 2011) shall remain valid until otherwise reclassified or amended as appropriate.

E. **Applications in Progress.**

1. **Completed Applications.** Complete applications for planning permits and other approvals pursuant to this Zoning Ordinance, submitted before the effective date and pending approval at the time of adoption of this Code on the effective date may, at the applicant's option, be reviewed wholly under the terms of the previous Zoning Ordinance. If approved, these projects may be carried out in accordance with the development standards in effect at the time of application. Any re-application for an expired permit shall meet the standards in effect at the time of re-application. The applicant's decision shall result in all of the previous Zoning Ordinance or all of this Code governing approval and development of the project; the applicant may not choose to have some parts of the previous ordinance and other parts of the current Code apply to the project.
2. **No Applications Submitted.** Projects for which no application has been submitted and accepted as complete prior to the effective date shall be subject to all requirements and standards of this Code.
3. **Expiration.** Regardless of whether or not any completed application has been received prior to the adoption of this Code, any permit or approval issued following the adoption of this Code shall be subject to any provisions for the lapsing of that type of permit or approval contained in this title.

F.

Conditional Use Permits Deemed Approved. If (a) a use of land or structure was listed as a permitted use in a specific zone district under the previous Zoning Ordinance, and (b) that use of land or structures was established on property in that zone district prior to the adoption of this Code, and (c) the same use of land or property is now listed as a conditional use in the same zone district in Section 17.20.020 of this Code, then the established use shall be deemed to have received a conditional use permit and shall be a legal, conforming use of land. Upon request by the property owner, and submission that the use was established prior to approval of this Code, the planning and zoning department shall provide written confirmation of the legal, conforming status of the use.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.090 - Classification of annexed territory.

In the event that territory is annexed into the City, it shall be classified with the same zoning classification that was in effect on said property prior to annexation or the nearest comparable classification.

(Ord. 1164 § 3 (part), 1996: prior code § 19.1.080)

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.04.100 - Severability.

It is declared to be the intention of the City that the provisions of this Code are separable in accordance with the following:

- A. If any court of competent jurisdiction shall adjudge any provision of this title to be invalid, such judgment shall not affect any other provisions of this Code not specifically included in the judgment.
- B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this title to a particular property, building, or other structure, such judgment shall not affect the application of that provision to any other property, building, or structure not specifically included in the judgment.

(Ord. 1164 § 3 (part), 1996: prior code § 19.1.050)

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

Chapter 17.08 - REVIEW AND DECISION-MAKING BODIES

Sections:

17.08.010 - Summary table of decision-making and review bodies.

Table 17.12-1, Table of Procedures, in the following chapter, summarizes the role of relevant review bodies for each major development review procedure. Provisions specific to each type of land development application are found in Section 17.12.070, Specific Review Procedures.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.08.020 - City Council.

The City Council shall have the review and decision-making responsibilities listed in Table 17.12-1, to be carried out in accordance with the terms of this Code. All other duties and Council procedures shall be pursuant to Chapter 2.04 of the North Las Vegas Municipal Code ("Municipal Code").

- A. **Decision-Making Authority.** The City Council shall have the authority to review and make a final decision on those matters shown in Table 17.12-1.
- B. **Appeals.** The City Council shall hear and decide on appeals from the Planning Commission as set forth in Section 17.12.040.G.3, Appeals.
- C. **Adoption of Fee Schedule.** The City Council shall adopt and amend from time-to-time a fee schedule setting forth an assessment of fees to defray the cost of processing land development applications under Chapter 17.12, Review Procedures. The fee schedule should be located in the administrative manual.
- D. **General Powers and Duties.** In addition, the City Council shall have the following powers and duties, to be carried out in accordance with the terms of this Code.
 - 1. Adopt policies, plans, design guidelines, and ordinances to implement the municipal function of planning

for the economic, social, and land use needs of the community;

2. Promulgate regulations to implement, interpret, or make specific the provisions of this Code;
3. Take any other action not delegated to the Planning Commission, the Director, or City staff as the City Council may deem desirable and necessary to implement the provisions of this Code; and
4. The City Council shall have responsibility for final determination of conflicting regulations between this Code and other provisions of the Municipal Code and City regulations.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.08.030 - Planning Commission.

A. **General Duties of the Planning Commission.** In addition to the duties of the Planning Commission as set forth in Section 2.16.040 of the Municipal Code, it shall be the duty of the Planning Commission to:

1. Submit and recommend to the City Council a zoning map dividing the City into districts of such number, shape, and area as may be determined best suited to carry out the purposes of this Code and the provisions of Nevada Revised Statutes and, within such districts, it shall recommend such regulations and restrictions concerning the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land as it shall deem to be in the best interests of the City and its inhabitants;
2. Make recommendations to the City Council on matters regarding the interpretation, enforcement, and administration of the North Las Vegas subdivision ordinance, Title 16 of the Municipal Code;
3. Act as the capital improvements advisory committee in accordance with the provisions of Nevada Revised Statutes Chapter 278B and to take actions as required by Nevada Revised Statutes Chapter 278B.

B. **Review Authority.** The Planning Commission shall have the authority to review and make recommendations to the appropriate decision-making authority for the following applications:

1. Zoning Text Amendments;
2. Zoning Map Amendments (Rezoning);
3. Comprehensive Master Plan Amendments;
4. Planned Unit Developments (PUD), Preliminary;
5. Planned Community Districts;
6. Mixed-Use Developments, Preliminary and Final;
7. Special Use Permits listed in Section 17.12.070.J.2.A; and
8. Waivers.

C. **Decision-Making Authority.** Except within a designated redevelopment area of the City, the Planning Commission shall have the authority to review and make a final decision on the following:

1. Residential Design Incentive System (RDIS);
2. Planned Unit Development (PUD)/Development Plan (FDP), Final;
3. Site Plans, Major;
4. Conditional Use Permits, when referred pursuant to Section 17.12.070.I;
5. Special Use Permits, Other, as identified in Section 17.12.070.J.2.B; and
6. Variances.

D. **Appeals.** The Planning Commission shall hear and decide on appeals from the Community Development Director (Director) as set forth in Section 17.12.040.G.2, Appeals.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.08.040 - Community Development Director.

A. **Establishment of the Position of Community Development Director.** The staff position of Community Development Director (Director), as set forth in Section 2.16.030 of the Municipal Code, is established for the general and specific administration of this Code. The Director shall perform such duties as set forth in this Code under the direction of the City Manager.

B. **General Duties of the Community Development Director.** In addition to the duties set forth in Section 2.16.030 of the Municipal Code, it shall be the responsibility of the Director to perform the following duties:

1. Receive, process, record and administer all requests for approvals and permits, as governed by this Code;
 2. Advise and recommend to the Planning Commission and the City Council regarding requests for approvals and permits as required by this Code.
- C. **Review Authority.** The Director shall have the authority to review and make recommendations to the appropriate decision-making authority for the following:
1. Zoning Text Amendments;
 2. Zoning Map Amendments (Rezoning);
 3. Comprehensive Master Plan Amendments;
 4. Planned Unit Developments (PUD), Preliminary;
 5. Planned Community Districts;
 6. Mixed-Use Developments, Preliminary and Final;
 7. Residential Design Incentive System (RDIS);
 8. Site Plans, Major;
 9. Conditional Use Permits, when referred pursuant to Section 17.12.070.I;
 10. Special Use Permits, Listed or Other;
 11. Variances; and
 12. Waivers.
- D. **Decision-Making Authority.** The Director shall have the authority to review and make a final decision on the following:
1. Mixed-Use Developments, Conceptual;
 2. Site Plans, Minor;
 3. Conditional Use Permits, when not referred pursuant to Section 17.12.070.I; and
 4. Administrative Variances.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.08.050 - Other departments.

Various City departments may act in an advisory or support capacity as set forth in Chapter 17.12, Review and Approval Procedures. The Director shall coordinate all necessary review by these divisions. Such departments and individuals may include:

- A. City Manager;
- B. City Attorney;
- C. Director of Public Works;
- D. Director of Parks and Recreation;
- E. City Clerk;
- F. Building Official;
- G. Fire Chief;
- H. Police Chief; and
- I. Director of Utilities.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

Chapter 17.12 - REVIEW AND APPROVAL PROCEDURES

Sections:

17.12.010 - Purpose and intent.

This chapter establishes the rules, procedures, and criteria by which the City of North Las Vegas will review proposed land development activities for compliance with the provisions of this Code.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.12.020 - Summary and organization.

- A. **Description of Procedures.** This chapter describes the procedures for review and approval of all applications for development activity in the City. Common procedures that are applicable to all or most types of development applications are set forth in Section 17.12.040, Common Procedures and Requirements, Section 17.12.070, Specific Review Procedures, sets forth additional provisions that are unique to each type of application such as review standards.
- B. **Summary Table.** Table 17.12-1, Table of Procedures, summarizes the review and decision-making responsibilities for the administration of the procedures described in this chapter. The table is a summary tool and does not describe all possible types of decisions made under this Code. Other duties and responsibilities are described in this chapter.
- C. **Director Referral.** The Director may also refer applications to other boards, Commissions, government agencies, and non-governmental agencies not referenced in this chapter.
- D. **Timeframes.** All timeframes not required for compliance with NRS are advisory only, and the failure of the City to comply with such timetables shall not require either an approval or denial of any application, shall not affect the processing of the application in any way, and shall not create any cause of action against the City or any of its officials involved in the implementation of this zoning ordinance.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.12.030 - Table of procedures.

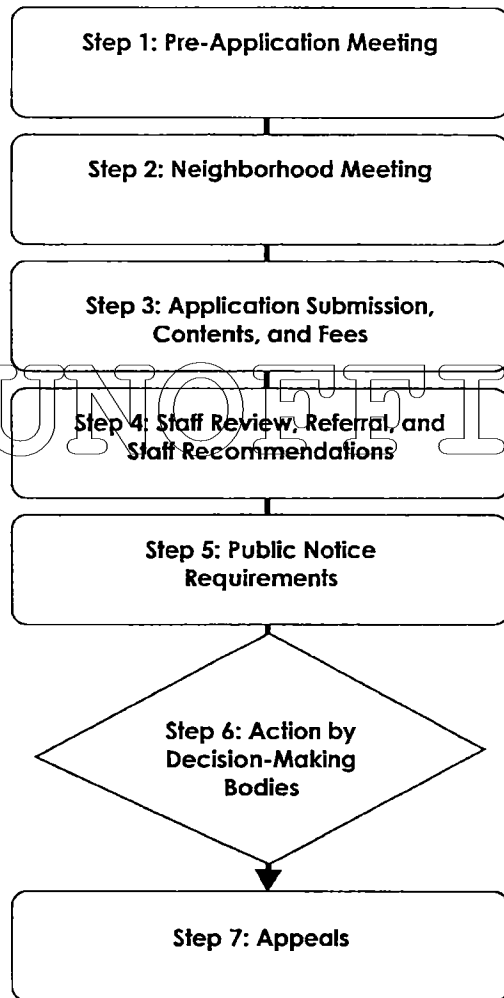
Table 17.12-1 summarizes which common procedural steps apply to a specific type of land development application as well as the role of relevant review bodies. Provisions specific to each type of land development application are found in Section 17.12.070.

TABLE 17.12-1: TABLE OF PROCEDURES D = Decision (Responsible for Final Decision) R = Review (Responsible for Review) A = Appeal (Authority to Hear/Decide Appeals) ✓ = Redevelopment Agency approval required within Redevelopment Agency						
Procedure	Initial Requirements		Decision-Making Bodies			Public
	Pre-Application Meeting	Neighborhood Meeting	Director	Planning Commission	City Council	
Zoning Text Amendments	✓		R	R	D	
Zoning Map Amendments (Rezoning)	✓	✓	R	R	D	
Amendment to Master Plan (AMP)	✓	✓	R	R	D	
Preliminary	✓	✓	R	R	D	

Planned Unit Developments	Final (FDP)			R	D	
Planned Community Districts		✓	✓	R	R	D
Mixed-Use Developments	Conceptual	✓	✓	D		
	Preliminary			R	R	D
	Final			R	R	D
Residential Design Incentive System		✓	✓	R	D	A
Site Plans	Major	✓		R	D	A
	Minor			D	A	
Conditional Uses	Simple			D	A	
	Further Review			R	D	A
Special Use Permits	Listed	✓	✓	R	R	D
	Other			R	D	A
Variances	Variances			R	D	A
	Administrative Variances			D	A	
<u>Title 17</u> Waivers				R	R	D

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

Figure 17.12-1 Common Review Procedures



This section describes the procedural steps, requirements, and review criteria that are common to all or some land development applications. These provisions shall apply to all applications for land development submitted pursuant to this section, unless otherwise expressly exempted or alternative procedures are specified in this section or Section 17.12.070.

This Code is supplemented by, and should be read in conjunction with, the City of North Las Vegas Land Development Application Manual. The application manual is a citizen's guide to the Land Development Code and includes samples of application forms, detailed submittal requirements for different types of development approvals, required text for plat notes, and other information designed to simplify use of this Code.

Step 1: Pre-Application Meeting.

Purpose. The purpose of the pre-application meeting is to provide an opportunity for the applicant and the City to discuss the development proposal in order to:

- Determine the required application(s) and the timing of multiple application submittals (i.e., whether they may be processed concurrently or must be processed sequentially);
- Provide the applicant with application materials and inform the applicant of submittal requirements, including any requirements supplemental to those listed in the application manual for the type of application;
- Provide the applicant with an estimated time frame for the review process;
- Based on a conceptual plan of the proposal (if required), discuss generally compliance with the Code's zoning, use, density, development, and design standards, and attempt to identify potentially significant issues regarding compliance;

Discuss the need for any neighborhood meetings and public notice requirements; and
Refer the applicant to other departments or agencies to discuss potential significant issues prior to application submittal.

2. **Applicability.**

a. **Pre-Application Meeting Required.** A pre-application meeting is required prior to certain types of applications, as listed in Table 17.12-1. Applications for these types of approvals shall not be accepted until after the pre-application meeting is completed. The meeting should take place prior to any substantial investment, such as a land acquisition for a proposed development, site and engineering design, or the preparation of other data.

b. **Optional for All Other Applications.** A pre-application meeting is optional prior to submission of any other application under this Code not listed as requiring a pre-application meeting above.

3. **Record of Pre-Application Conference.** At the City's option, a summary of topics discussed at the pre-application conference may be documented by staff during the meeting and given to the applicant at the close of the pre-application conference.

4. **Submittal Requirements for Pre-Application Conferences.** All documents required for the pre-application conference shall be submitted at least 14 days prior to the initial meeting with City staff. With the request for a pre-application conference, the applicant shall provide to the Director a description of the character, location, and magnitude of the proposed development and any other available supporting materials, such as maps, drawings, or models. It is the applicant's responsibility to provide sufficiently detailed plans and descriptions of the proposal for staff to conduct an informed evaluation of the proposed project.

B. **Step 2: Neighborhood Meeting.**

1. **Purpose and Intent.** The purpose of the neighborhood meeting is for applicants to educate residents, occupants, and owners of nearby lands about the proposed development and application, receive comments, address concerns about the development proposal, and resolve conflicts and outstanding issues, where possible. Applicants shall be responsible for scheduling and conducting neighborhood meetings consistent with the purposes described in this section.

2. **Applicability.** A neighborhood meeting is required prior to certain types of applications, as listed in Table 17.12-1. The Director may require a neighborhood meeting if the Director determines the application may have significant adverse neighborhood impacts, including but not limited to traffic, noise, visual, or environmental impacts, or where substantial objections have been raised by neighbors on previous projects in the City or the current proposed project.

3. **Procedure.** If a neighborhood meeting is held by the applicant, it shall comply with the following procedures:

a. **Time and Place.** The official neighborhood meeting shall be held at a place that is convenient and generally accessible to neighbors that reside in proximity to the land subject to the application. The neighborhood meeting shall be held no later than seven days prior to the application submittal.

b. **Notification.** The applicant shall be responsible for providing notice of the neighborhood meeting in accordance with the NRS requirements for notice for the type of application or approval being requested in the application. For example, a neighborhood meeting concerning a proposed zone map amendment would require the applicant to provide notices as required for a public hearing on a zone map amendment.

c. **Conduct of Meetings.** At the official neighborhood meeting, the applicant shall explain the development proposal and application, answer any questions, and respond to concerns neighbors have about the application and proposed ways to resolve conflicts.

d. **Staff Attendance.** The applicant shall be responsible for scheduling the meeting, coordinating the meeting, and for retaining an independent facilitator if needed. Attendance at the neighborhood meeting by City planning staff is not required.

e. **Written Summary of Neighborhood Meeting.** The applicant shall provide the Director a written summary or transcript of the official neighborhood meeting with the application materials, and that summary shall be made available for public inspection. The written summary shall include a sign-in sheet,

a summary of the issues related to the development proposal discussed, comments by those in attendance about the development proposal, and any other information the applicant deems appropriate.

- f. **Failure to Hold Meeting.** Failure to hold a required public meeting shall result in the application being deemed incomplete, and the application shall not be accepted until the neighborhood meeting is held. An applicant may appeal this decision to the decision-making body reviewing the application who may determine that because of the small size or lack of significant planning issues or apparent controversy adequate public input can be achieved through the remainder of the review process.

C. Step 3: Application Submission, Contents, and Fees.

1. **Form of Application.** Application submittal requirements, contents, and fees shall be established by the City and maintained in the City of North Las Vegas Land Development Application Manual that shall be made available in the offices of the Community Development Department and on the City's website.
2. **City of North Las Vegas Land Development Application Manual.** The Director shall compile the requirements for application contents forms, fees, submission materials, and review schedule in an application manual, which shall be made available to the public. The Director may amend and update the application manual from time-to-time, except that the Director may not amend application fees. Application fees shall be adopted by City Council, but after approval may be included in the application manual for the convenience of users.
3. **Authority To File Applications.** The record owner, a purchaser under a sale or option to purchase, the duly authorized agent of the record owner, or any person having legal authority to take actions with respect to the approval sought may file an application under this Code. In addition, the City Council, Planning Commission, or Director may file an application under this Code.
4. **Applications.** All applications required by this section shall be submitted to the Community Development Department, unless otherwise specified.
5. **Simultaneous Processing of Applications.**
 - a. At the election of the applicant, and with the concurrence of the Director, applications for different types of development approvals may be processed simultaneously to expedite total review and processing time for a project. For example, an application for PUD preliminary development plan approval and tentative map approval may be submitted together for simultaneous review. Another example would be simultaneous processing of an application for a special use permit with an application for site plan approval.
 - b. Whenever two or more forms of development approval are being processed simultaneously and this Code provides different time frames for review or decision-making for the different forms of approval, all related applications and approvals shall be completed within the longest time frame applicable to any of the simultaneous procedures, or as required by NRS.
6. **Contact Person Designation.**
 - a. The applicant shall designate one person on the application as the primary contact person who will be responsible for all notification, including meeting dates, deadlines, and requirements. The City will communicate with the contact person in any matter regarding the application. It is the contact person's responsibility to inform the owners or applicant of such information.
 - b. The applicant shall notify the Director in writing if there is to be a change in the contact person. The Director will continue to communicate with the designated contact person until the notice of change has been received.
7. **Application Contents and Fees.**
 - a. **Application Contents—General.** The Director is authorized to establish submittal requirements within the application manual for all land use development applications required by this section and to update and amend such requirements as necessary to ensure effective and efficient City review. Applicants shall refer to the application manual for submittal requirements for each type of land use development

application. The applicant shall provide any additional information, documents, or other material relevant to the application that the Director reasonably believes is necessary in order for the City to evaluate, analyze, and understand the subject matter of the application.

- b. **Submittal Waivers Pursuant to Pre-Application Meetings.** At or following a pre-application meeting, the Director may waive certain submittal requirements set forth in the application manual, except for fees, in order to reduce the burden on the applicant and to tailor the requirements to the information necessary to review a particular application. The Director may waive such requirements where he finds that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development or subdivision clearly justify such waiver. This discretion may only be exercised if a pre-application meeting is held.

c. **Fees.** Non-refundable fees are required at the time of the filing of any development application and are payable to the City in accordance with the fee schedules adopted by City Council. The City may require, in addition to the fees above, that the applicant pay all or a portion of the reasonable fees charged by private consultants retained by the City for the purposes of reviewing the application and advising City officials and agencies with respect thereto.

- (i) **Authorization and Payment Required.** The City Council shall adopt and amend from time-to-time a fee schedule setting forth an assessment of fees to defray the cost of processing land development applications under this section. The fee schedule, as amended, can be found in the application manual. At the time of submittal, all applications shall include payment of the processing fee, as well as any review fees charged by agencies for which the City has agreed to collect.
- (ii) **No Required Fees for City-Initiated Applications.** No fee shall be required for land development applications initiated by the City on its own initiative, rather than by a private party.

D. Step 4: Staff Review, Referral, and Staff Recommendation.

1. **Complete Application Required for Processing.** The City shall accept an application for further processing only if the application is submitted in the required form, including all submittal information and all items or exhibits specified by the Director during a pre-application meeting, and is accompanied by the applicable processing fee. If an application satisfies these prerequisites for formal submittal, the City will deem the application "provisionally complete" and subject to further completeness review as described in this section, and shall accept the application and fee for staff review, referral, and recommendation according to this subsection.
2. **Staff Review of Application.** Upon submission of an application, the Director, along with any consultants the City retains to review the proposed application and advise City officials and agencies, shall review the application and accompanying documentation for legal sufficiency, consistency with related prior approvals, completeness (in terms of quality of submittals to enable detailed City review), compliance with technical plan and report requirements, conformance with the provisions contained in applicable sections of this Code, consistency with the adopted Comprehensive Master Plan for the City, and applicable specific plans and relevant City policies. Staff shall complete its review within ten calendar days from the date the City accepts the application and application fee. However, failure to complete such review within the specified time shall not be deemed to constitute approval.
3. **Determination of Complete or Incomplete Application.**
 - a. If the Director determines that the application is complete, the application shall then be processed according to the remainder of this section, including referrals to outside agencies and scheduling for public hearing, as applicable.
 - b. If the Director determines that the application is incomplete during this review, the applicant shall be notified and given the opportunity to submit the missing or corrected materials within ten days. If the applicant does not submit the necessary materials within this ten-day period, the application shall be returned to the applicant along with all supporting materials and a written description of the application's specific deficiencies. All paid fees will be refunded to the applicant less a fee of one hundred dollars (\$100.00) for staff administrative time to conduct review of the application up until this point.

c.

Failure of the Director to make a completeness determination within the required ten-day time frame shall not be deemed a finding that the application is complete. Nor shall failure of the Director to make a determination be construed as a bar to subsequent City or referral agency requests for plan revisions or additional or supplemental submittal materials and shall not be prejudicial to the City's subsequent review of and final action upon the application.

- d. No further City action is required on an application returned to the applicant as incomplete. The applicant may reinitiate review of the proposed development only upon submittal of a new application and the payment of all fees in place and applicable at the time of re-submittal.

4. Referral of Complete Application to Outside Agencies and Departments.

- a. Staff may distribute the complete application to other City departments and agencies and to any other appropriate governmental or quasi-governmental agencies and bodies to solicit comments and ensure that the proposal complies with all applicable standards, requirements, and review criteria. The applicant shall be responsible for submitting any additional information or revised plans required by staff or the referral agencies, sufficient copies of the application to enable department and agency review, and for covering reasonable costs, such as postage and scheduled review fees, associated with distribution of the application to reviewing bodies.
- b. As applicable, the review and decision-making bodies shall consider the services and facilities provided by the referral agencies as a factor in approval of the complete application. The criteria for evaluating sufficiency of the services that must be satisfied for the approval of the application shall be provided to the review and decision-making bodies as a part of any referral response.
- c. Referral agencies may comment in writing within fifteen (15) days of receiving a complete application. At the discretion of the City, the failure of any agency to respond within fifteen (15) days may be considered "no comment" on the application by that agency. As applicable, referring agencies will provide the review and decision-making bodies with a summary of any capacity evaluation study. The summary will include an explanation of the agency's assumptions regarding available capacity.

5. Subsequent Requests for Information. Staff and referral agencies shall use best efforts to identify all major issues and to request additional information, data, or reports from the applicant, during the first referral and review period described in subsection 4. above. This provision shall not be interpreted to preclude staff or referral agencies from requesting revisions or corrections to previously submitted materials if such materials are subsequently found to be inaccurate, incomplete, or if subsequent plan revisions do not comply with this section.

6. Subsequent Meeting with Applicant. During preparation of the staff report, staff may schedule a response meeting with the applicant to discuss the staff report and specific referral comments. In addition to planning staff, the Director or project planner may request the attendance of other City staff, key referral agencies, and other interested parties to address any concerns directly with the applicant.

7. Submission of Revised Application, Scheduling, and Final Staff Report/Recommendation.

- a. The applicant is encouraged to work with the various departments and agencies to resolve any concerns raised, to revise plans, and to assemble the appropriate documentation for issues.
- b. Unless the Director agrees to an extension of time, the applicant shall submit the revised application and related materials to the Director no later than one hundred eighty (180) days after receipt of the preliminary report. If the applicant does not submit a revised application within this time frame, the application shall be considered automatically withdrawn, and the City shall treat submittals after expiration of the time period as a new application for purposes of review, scheduling, and payment of application fees.

8. Scheduling for Review and/or Decision. At the close of the time frame for receipt of referral comments on the applicant's revised application and plans, the Director shall schedule the application for consideration on the next regular meeting agenda, or as soon thereafter as meeting agendas allow, before the applicable review or decision-making body. The Director shall notify the applicant of the scheduled dates. As applicable, public notice of a required public hearing shall be given according to the requirements stated in Section 17.12.040.E and any specific additional notice requirements as contained in Section 17.12.070

9. **Applicant Request for Additional Revisions and Staff Review.** At the applicant's option, in-lieu of proceeding to review by the appropriate review or decision-making body at the scheduled meeting or hearing, the applicant may submit additional application and plan revisions to further respond to referral and Director comments. Each additional round of revision and Director review requested by the applicant shall follow the process of review, referral, and Director written response described in this chapter.
 10. **Preparation of Staff Report and Recommendation.** After scheduling the application for review and decision-making authority action, the Director shall prepare a written staff report. The report shall include discussion of the relevant issues pertaining to the compliance of the application with the standards of this Code. The staff report shall incorporate the relevant responses and comments from reviewing departments and agencies. The staff report shall conclude with a recommendation for action. Conditions for approval may be recommended to eliminate any areas of noncompliance or to mitigate any adverse impacts from the development proposal.
 11. **Distribution of Staff Report.** Upon request, staff will make copies of the staff report and the applicant's written responses, if any, available to the applicant, adjacent property owners, any member of the public the relevant review or decision-making body, or the City Attorney as appropriate. The City Council shall also be sent copies of the recommendation of the Planning Commission or other body as appropriate prior to any required City Council hearing.
- E. **Step 5: Public Notice Requirements.** Applications for development approval shall comply with the Nevada Revised Statutes (NRS) and the provisions of this chapter with regard to public notification.
1. **General Notice Requirements Timing of the Notice.** Unless otherwise stated in this Code, notice for all public hearings shall be pursuant to this Section 17.12.040.E. Notice of the time and place of the hearing, including a general description of the area affected, shall be given at least ten days before the hearing by publication at least once in a newspaper of general circulation published or circulated in the City of North Las Vegas, or if there is none, by posting on the affected property so as to be legible from the public right-of-way and in at least ten public places in the City.
 2. **Specific Notice Requirements.** Table 17.12-1 sets forth the specific notice requirements for applications requiring any type of notification.
 3. **Content.** Notices, whether by publication or mail (written notice), shall at a minimum:
 - a. Identify the application by number or title of the project;
 - b. Identify the name of the applicant or the applicant's agent;
 - c. Identify the subject property by parcel number and street address. If no street address has been assigned, provide reference to nearest cross-streets;
 - d. Specify the date, time, and place of the public hearing;
 - e. Describe the nature and scope of the application;
 - f. Notify the public where to view the application and related documents;
 - g. Include a statement that the public may appear at the public hearing or be heard, if any, and submit evidence and written comments with respect to the application; and
 - h. Include a statement stating that written comments will be accepted and describing where written comments will be received prior to the public hearing or meeting.
 4. **Published Notice.** When the provisions of this Code require that notice be published, the Director shall be responsible for preparing the content of the notice and publishing the notice in a newspaper of general circulation that has been selected by the City. The content and form of the published notice shall be consistent with this subsection 3. above and the requirements of the Nevada Revised Statutes.
 5. **Written (Mailed) Notice.**
 - a. When the provisions of this Code require that written or mailed notice be provided by the City, the Director shall be responsible for preparing and mailing the written notice. The City will provide the notification boundary map to be submitted with the project application. Written notice shall be provided to:
 - (i) Property owner of record and any known tenants at the property address as required by NRS, and

(ii) The owner of the property for which the approval is sought, and all the following additional property owners in the following cases:

- (1) In the case of applications not listed in Table 17.12-1, that will result in a variation of thirty (30) percent or more to otherwise applicable standards, property owners immediately adjacent (excluding streets and alleys) within five hundred (500) feet of the subject property;
- (2) In the case of applications not listed in Table 17.12-1, that will result in a variation of less than thirty (30) percent to otherwise applicable standards, property owners immediately adjacent (excluding streets and alleys) within one hundred (100) feet of the subject property; and
- (3) Representatives of any neighborhood organizations that have registered with the City Clerk shall be notified if any area within the boundaries of such organization falls within the five hundred-foot radius area for property owner notice. Notice will be provided to neighborhood organizations using predefined boundary maps that shall be submitted to the City by the neighborhood organization.

b. The notification of property owners shall apply only to the initial presentation of the proposed development to the public hearing unless otherwise directed by the City.

6. **Posted Notice.** Any posted notice shall be a minimum of twenty-four (24) inches by thirty-six (36) inches and printed so that the following are visible from a distance of one hundred (100) feet from a public street or right-of-way: the word "zoning," the current zoning classification, the proposed zoning classification, the proposed type of development review (e.g., rezoning, subdivision, variances), contact information regarding the application, and the date and time of the hearing. Projects abutting more than one right-of-way shall post at least one notice facing each right-of-way. Unless otherwise stated in the specific review procedures, signs shall be posted by the City at least ten days before any public hearing or decision on the application.

7. **Other Notices.** Applicants shall be responsible for compliance with any additional notice requirements in this Code, other City ordinances, or state law.

8. **Constructive Notice.**

- a. Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description, typographical or grammatical errors, or errors of actual acreage that do not impede communication of the notice to affected parties. Failure of a party to receive written notice shall not invalidate subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing shall be strictly construed.
- b. When the records of the City document the publication, mailing, and posting of notices as required by this section, it shall be presumed that notice of a public hearing was given as required by this section.

F. Step 6: Action by Review and Decision-Making Authorities.

1. **Permitted Actions.**

a. **Recommendations by Review Body.**

- (i) A review body as set forth in Section 17.12.070, Specific Review Procedures, shall evaluate the application, referral comments, staff report, and public testimony, if any, and make a recommendation for action to the decision-making body.
- (ii) The review body's actions shall be based on the evidence presented and compliance with the review criteria for the subject application, as set forth in this Section 17.12.040.F, and the relevant specific review procedures set forth in Section 17.12.070

b. **Review and Action by Decision-Making Body.**

- (i) A decision-making body may take action on an application or appeal by approving, approving with conditions, continuing, or remanding for additional information or for further study, or denying the application or appeal.
- (ii)

In taking action, the decision-making body shall evaluate the application, referral comments, staff report, public testimony, if any, and the review body's recommendation. All final decision actions shall be based on the application or appeal's compliance with the review criteria for the subject application, as set forth in Section 17.12.040.F.7 and in the relevant specific sections of this chapter.

2. **Withdrawal of Application by Applicant.** An applicant shall have the right to withdraw an application, at any time prior to action on the application at a public hearing or meeting. The applicant shall submit in writing the withdrawal request to the Director. After a withdrawal, the City will not take further action on the application. To re-initiate review, the applicant shall submit a new application. Withdrawal of an application from a public hearing or meeting agenda is at the review or decision-making body's discretion.
3. **Applicant is Responsible to be Present at Public Hearing.** The applicant, property owner, or authorized user of Bureau of Land Management land or appropriate representative is responsible to be present at all public hearings. If the applicant fails to appear at the public hearing without prior notice the item may, at the discretion of the City, be issued a continuance. If the applicant misses two hearings, the applications may be denied with prejudice.
4. **Continuation of Public Hearings.** The review or decision-making body may continue a public hearing for its consideration of an application for a definite time not to exceed sixty (60) days, unless a longer period is agreed to by the applicant in writing or at a public hearing. The continuance may be granted by the review or decision-making body on its own initiative or at the request of the applicant or affected property owners.
5. **Site Visits by Review or Decision-Making Body.** As part of its consideration of an application, the review or decision-making body may, as a group or through a committee appointed for that purpose, inspect the site of the proposed land use or development activity. The site visit may occur at any time prior to the review or decision-making body's final recommendation or action on the application. Upon reasonable request by the Director, the applicant shall mark the development site prior to the site visit to generally locate property boundaries, building envelopes, and other key site planning features. Attendance at a site visit by a quorum of the subject review or decision-making body membership shall be properly noticed according to law.
6. **Written Findings of Fact.** Recommendations or decisions at the conclusion of any required public hearing shall be accompanied by written findings of fact addressing how the application does or does not comply with the general review criteria or specific review criteria stated in this Code for that type of application. All findings of fact shall be based on information contained in the application, or submitted or arising during the public hearing.
7. **Conditions of Approval.**
 - a. The review or decision-making body may recommend or impose such conditions upon the subject development as is necessary to carry out the general purpose and intent of this Code. Conditions and additional information requirements shall be in written form and attached to the approved plan, plat, or permit.
 - b. Conditions of approval shall be reasonably related to the anticipated impacts of the proposed use or development.
 - c. The decision-making body may place specific time limits on the satisfaction of any condition of approval.
 - d. The decision-making body may require financial guarantees from the applicant pursuant to Title 16 of the North Las Vegas Municipal Code.
 - e. The decision-making body may establish conditions under which a lot or parcel of land may be used, or a building constructed or altered, or make requirements as to the architecture, height of a building or structure, open spaces, parking areas or vehicle storage and conditions of operation of any enterprise, or may make any other conditions, requirements or safeguards that they may consider necessary to the public health, safety, and welfare.
 - f. The conditions, stipulations, or limitations shall be binding upon the applicants, heirs, successors, and assigns. All conditions, stipulations, and limitations shall be fulfilled within a two-year period of time. Failure to complete the conditions, stipulations, or limitations within the time limit shall render the application null and void, unless an extension of time is granted by the decision-making body.
- 8.

Approval Criteria. To approve a development application, the decision-maker shall find that the development application has satisfied and followed the applicable requirements of this chapter, all of the approval criteria required for the applicable development application as set forth in this chapter, and all other applicable development standards of this Code.

G. Step 7: Appeals.

1. **Purpose.** Where an aggrieved person alleges that there is an error in any order, requirements, decision, or refusal made by an administrative official in the enforcement of this Code or of any ordinance adopted pursuant thereto, or any other requirement of a City department not covered by a particular code, an appeal may be made as prescribed in the following section.
2. **Appeals to the Planning Commission.** An aggrieved person may appeal decisions by an administrative officer in the enforcement of this Code in a manner provided in this subsection. The appeal shall be made to the Planning Commission in the following manner:
 - a. **Application.** The aggrieved person shall state in a letter to the Commission the specific requirement that is to be appealed and the circumstances why the requirement is imposing an undue hardship upon the proposed development. The letter shall be filed with the Community Development Department within ten days of receipt of certified letter from staff documenting decision to be appealed. Upon receipt of said letter, the Community Development Department shall set a date at which such appeal will be heard by the Planning Commission.
 - b. **Hearing.** The Planning Commission shall hold a hearing on the appeal request not more than forty-five (45) calendar days following the filing of the aggrieved person's letter of appeal. The aggrieved person must be present at the meeting at which the appeal will be heard.
 - c. **Decision.**
 - (i) **Timing of Decision.** A decision of the Planning Commission shall be made not later than thirty (30) days following the public hearing unless an extension of time is agreed upon by the aggrieved person and the Planning Commission.
 - (ii) **Form of Decision.** The Planning Commission in granting an appeal may establish conditions under which a lot or parcel of land may be used, or a building constructed or altered, or make requirements as to the architecture, height of building or structure, open spaces, parking areas, or vehicle storage and other conditions, requirements, or safeguards that the Commission may consider necessary to the public health, safety, and welfare. The Planning Commission may require guarantees to insure compliance with the conditions prescribed in any appeal granted. In the event of a denial by the Commission, the motion shall set forth the reasons for such denial.
 - (iii) **Final Action of the Planning Commission.** A decision of approval or denial by the Planning Commission shall be made by motion. This motion shall be final on the eighth day following said decision unless an appeal is made to the City Council as prescribed in subsection 5. of this section.
3. **Appeals to the City Council.**
 - a. **Filing.** An appeal from the decision of the Planning Commission as provided in this section may be taken to the City Council by an aggrieved person the City Manager, any property owner as shown on the latest tax rolls of the Clark County Assessor's Office within a radius as established by NRS, or any other person who may establish that his or her property rights are or may be affected by the decision. Such appeal shall be in writing and shall be filed with the City Clerk on forms provided within seven calendar days of the decision appealed from. The appeal shall specify where there was error in the decision of the Planning Commission. Additionally, any person filing an appeal from a decision of the Planning Commission on the basis that his or her property rights are or may be affected by said decision shall include an affidavit stating the nature and location of the property interest and the manner in which this property interest will be affected by the decision being appealed. To partially defray the cost of making maps, noticing public hearings, and other incidental administrative and investigative expenses involved in any application, a nonrefundable fee shall be charged. This fee shall be due and payable at the time of the filing of the application. No application shall be accepted for processing unless such fee is paid.
 - b. **Automatic Stay.** If an appeal is filed within the time specified, it automatically stays proceeding in the

matter until determination is made by the City Council.

- c. **Consolidation of Appeals.** If more than one appeal is filed concerning a decision of the Planning Commission, all such appeals shall be consolidated into a single matter to be heard by the City Council.
- d. **Hearing.** Upon the filing of the appeal, the City Clerk shall set the matter for City Council consideration at a hearing. Notice by mail shall be given to all persons who appeared in person or through a representative at the Planning Commission hearing. At the hearing, City Council will consider the appeal as a new matter for determination, rather than reviewing for error in the Planning Commission decision. The City Council shall base its decision on the intent of this Code as stated in Section 17.04.010 as well as well as those purposes stated in NRS 278.020.
- e. **Decision.** A decision by the City Council shall be made not later than thirty (30) calendar days following the public hearing at which the appeal is first considered, and within forty-five (45) calendar days of the decision appealed from, unless continued without objection of the appellant. Planning Commission action shall prevail if the City Council fails to make a decision within the prescribed time or agreed upon extension of time. The City Council may grant no appellant more than two continuances on any appeal unless it determines, upon good cause shown, that additional continuances are warranted.
- f. **Council Limitations.** Upon consideration of such appeal, the City Council may, by motion, affirm, reverse, or modify in whole or in part any determination of the Planning Commission subject to the same limitations as are placed upon the Planning Commission by this Code. A motion to reverse a Commission decision shall contain a finding of facts showing why the Commission decision was in error.
- g. **Final Decision.** The decision of the City Council shall be a considered a final decision for purposes of judicial review.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.12.050 Inactive applications.

- A. **Notification.** The Director may notify the applicant in writing that an application that was previously determined to be a complete application will be considered inactive unless corrective action is taken within thirty (30) days, if at any point in a development review process either:
 - 1. The Director or a referral body/agency has notified the applicant that additional or corrected materials are required, and the applicant has not submitted such materials within forty-five (45) days after the date of such notification; or
 - 2. The applicant fails to attend any scheduled mandatory neighborhood meeting, meeting with the Director, or meeting or hearing before the Planning Commission, board of adjustment, or City Council; or
 - 3. The applicant has not responded to a staff report, has not agreed to a date for a meeting or hearing before the Planning Commission, has not given proper public notice as required by this chapter, or has not taken some other affirmative step within a reasonable time frame that is within the applicant's control and is necessary to advance the application for a final determination. A "reasonable time frame" shall be determined by the Director taking into account average response times from similar applicants on similar applications; or
- B. **Processing Stops.** No further processing of such application shall occur until the deficiencies are corrected. If the applicant does not correct the deficiencies within the thirty-day correction period, the application shall be considered automatically withdrawn. Any re-submittal of the application by the applicant will be treated as a new application for purposes of review, scheduling, and payment of application fees.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.12.060 Actions and limitations following development approval or denial.

- A. **Standard Notes and Certifications.** Each approved development plan or plat shall contain standard notes, specific notes, dedication, conditions, and certifications that the City finds to be applicable and appropriate.
- B. **General Recordation Requirements.** After approval of the development plan or plat by the City, the applicant shall record with Clark County within thirty (30) working days after approval. The applicant shall provide the Director with three copies of the recorded plat. The applicant shall be responsible for all fees associated with the

recording. In the event the applicant does not record the plan or plat within the required thirty (30) days, the Director may notify the applicant that the plan or plat may become null and void if action is not taken within a specified time frame. If such a notice is given and applicant does not take the required action within the time specified by the Director, the Director may notify the City Council of the situation and the City Council may, in its discretion, declare the plan or plat null and void.

C. Lapse of Approval Provisions/Extension of Approval Period.

1. All permits and approvals under this Code, shall lapse if certain actions related to the approved application are not taken within a specified time period. Specific actions that must be taken with regard to each form of permit or approval to avoid lapsing of the approval are set forth in Section 17.12.070
2. After consultation with other departments whose services, facilities, or plans for future services and facilities may be affected, the Director may grant an extension of an approval period up to twelve (12) months for good cause. All requests for extensions shall be submitted to the Director in writing at least thirty (30) days prior to the expiration of approval. An extension request shall include payment of required fees and a narrative stating the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes to the Comprehensive Master Plan or this Code that have occurred since approval of the permit/plan as these changes affect the permit/plan, and the anticipated time schedule for completing the review project and/or the specific project. Additional review of the permit/plan may result in additional conditions, as applicable.
3. Any denial of the extension may be appealed to the Planning Commission. If the extension is denied, the applicant may re-submit a new application, subject to the fees and regulations in effect at the time of re-submittal, for the same project.

D. Limitations on Successive Applications. Unless otherwise specified in Section 17.12.070 for a specific type of application, upon denial of an application submitted pursuant to this Code, no new application for the same or substantially the same request, as determined by the Director, shall be submitted or accepted within one year of the date of such denial. However, if the Director determines that the resubmitted application has been modified to correct the stated objections, then the resubmittal will be accepted prior to expiration of the one year period. Resubmittals are subject to all processing fees, submittal requirements, and review standards in effect at the time the resubmittal is accepted by the Department.

E. Modifications of and Amendments to Approved Plans.

1. **Amendments.** All changes, modifications, removal, or release of the provisions of an approved plan or plat shall be considered amendments. Amendments shall include, but are not be limited to, changes in use, access, layout, any condition of approval, any change resulting in significant increased off-site impacts, and similar changes as determined by the Director. All amendments to applications not listed in subsections 2. through 5. below shall be subject to the provisions of this subsection 1.
 - a. **Minor Amendments.** All amendments that do not modify any numerical development standard by more than ten percent and do not include a change in any permitted or conditional use or any increase in permitted building height or any increase in development density or intensity, or any reduction in approved open space, shall be minor amendments and shall be subject to approval by the Director.
 - b. **Major Amendments.** All amendments that do not meet the definition of a minor amendment in subsection (a) above shall be major amendments. Major amendments must be reviewed and approved through the same procedure used for the initial approval of the development application. For purposes of review and scheduling, major amendments are treated as new applications subject to the applicable procedures and review criteria set forth in this chapter unless otherwise noted in the specific review procedures.
 - c. **Recording.** All approved amendments to a recorded plan or plat shall be recorded within ninety (90) days of the amendment's approval.
2. **Planned Unit Development Amendments.** Amendments to any approved Planned Unit Development (PUD) shall be processed in accordance with Section 17.12.070.E.6.
3. **Mixed-Use Development Amendments.** Amendments to any approved Mixed-Use Development (MUD) shall be processed in accordance with Section 17.12.070.F.9.

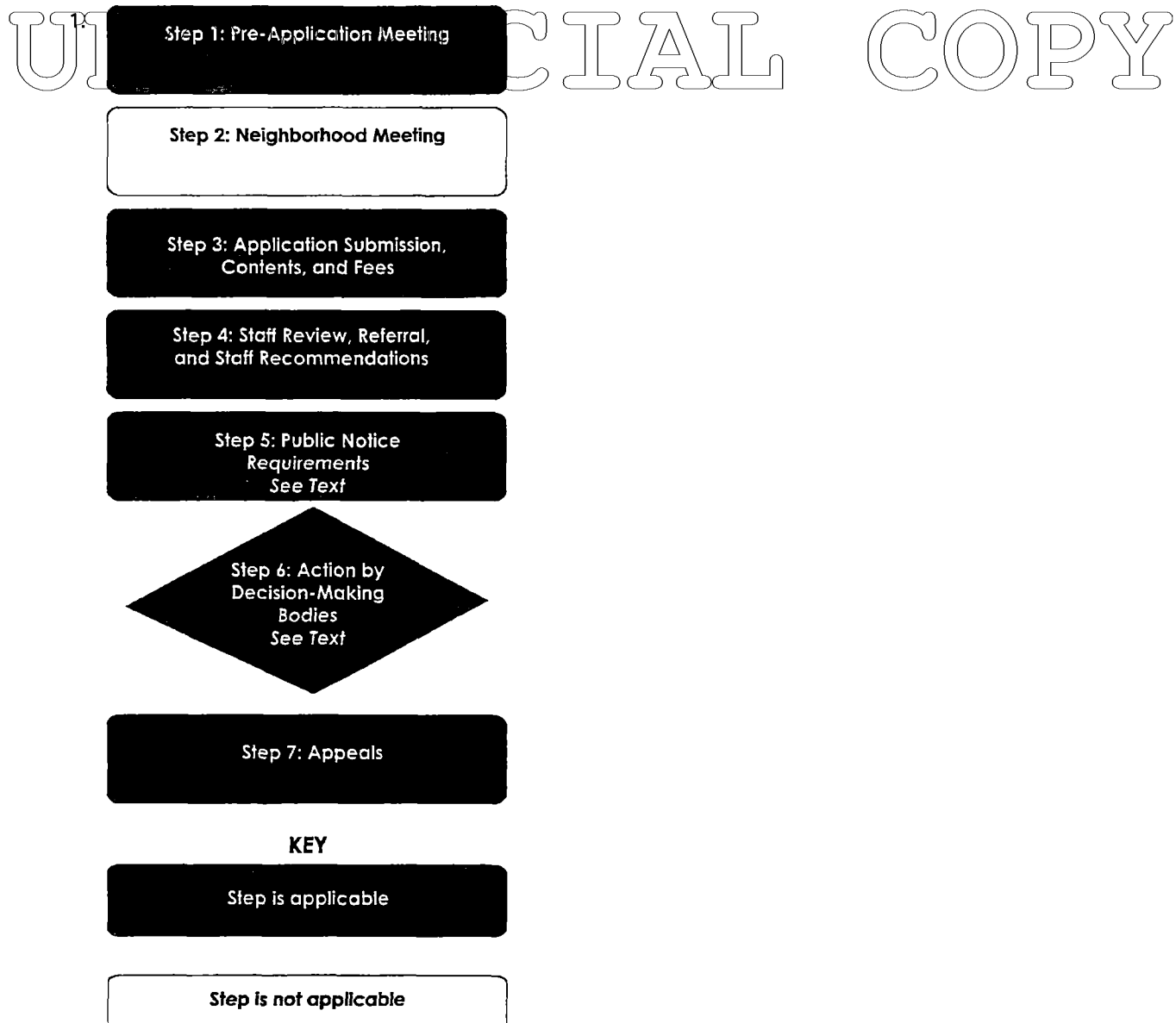
4. **Residential Design Incentive System Amendments.** Amendments to any approved Residential Design Incentive System (RDIS) shall be processed in accordance with Section 17.12.070.G.5.
5. **Site Plan Amendments.** Amendments to any approved Site Plan shall be processed in accordance with Section 17.12.070.H.6.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.12.070 Specific review procedures.

A. Zoning Text Amendments.

Figure 17.12-2: Zoning Text Amendments



Purpose. In accordance with the provisions of Nevada Revised Statutes, the City Council may from time-to-time adopt amendments to this Code. An amendment to this Code may involve changes to its text and wording, including but not limited to changes in the regulations regarding uses, setbacks, heights, lot areas, definitions, administration, and/or procedures.

2. **Applicability.** Amendments shall be initiated by a motion of the City Council, Planning Commission, or Director, or by petition of a person whose property would be affected by the amendment.

3. **Procedures.** Figure 17.12-2 shows the steps of the common development review procedures that apply in the review of applications for zoning text amendments. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

a. **Step 6: Action by Review and Decision-Making Bodies.**

- (i) **Hearing and Recommendation by the Planning Commission.** An amendment not initiated by the Planning Commission shall be referred to the Commission for study and public hearing. In its deliberations on the matter, the Commission shall consider oral or written statements from the petitioner, the public, City staff, and its own members in addition to the criteria in subsection (iii) below. The Planning Commission may approve, disapprove, or table an amendment application. Upon making a decision, the Planning Commission shall notify the City Council of its recommendation, together with a report of findings, hearings, and other supporting data.
- (ii) **Hearing and Decision by the City Council.** The City Council, after receipt of the report and recommendation of the Planning Commission, shall consider the proposed amendment and the recommendations of the Planning Commission. In its deliberations on the matter, the Council shall consider oral or written statements from the petitioner, the public, City staff members, and its own members in addition to the criteria in subsection (iii) below. If, for the evidence presented and the recommendations of the Planning Commission, the City Council determines that the proposed amendment will not adversely affect the health and general welfare, the City Council may approve, or change, or modify and approve, the proposed amendment by ordinance.
- (iii) **Approval Criteria.** Recommendations and decisions on zoning text amendments may be approved if all of the following criteria are met:
- (1) The proposed amendment is consistent with the Comprehensive Master Plan, other adopted City plans, and the stated purposes of this Code; and
 - (2) The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

B. **Zoning Map Amendments (Rezoning).**

Figure 17.12-3: Zoning Map Amendments

1.

Step 1: Pre-Application Meeting

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and FeesStep 4: Staff Review, Referral,
and Staff RecommendationsStep 5: Public Notice
Requirements
See TextStep 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. In accordance with the provisions of Nevada Revised Statutes, the City Council may from time-to-time change the zoning of parcels of and within the municipality. These changes in zoning classification are for the purpose of meeting the land use needs of the residents of the City in conformance with the City's Comprehensive Master Plan.

Applicability.

Initiation. Rezoning may be initiated by the City Council, the Planning Commission, the owner of property proposed for rezoning, or authorized user(s) of Bureau of Land Management land.

Rezoning to Planned Unit Development. Applications for Rezoning to Planned Unit Developments shall be made in accordance with Section 17.12.070.D.

Rezoning to Mixed-Use Development. Applications for Rezoning to Mixed-Use Developments shall be made in accordance with Section 17.12.070.F.

Planned Community Districts. Applications for Planned Community Districts shall be made in accordance with Section 17.12.070.E.

Procedures. Figure 17.12-3 shows the steps of the common development review procedures that apply in the review of applications for zoning map amendments. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 5: Public Notice Requirements. Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, and additional procedures as set forth in the application manual.

Step 6: Action by Review and Decision-Making Authorities.

(i) Hearing and Recommendation by the Planning Commission.

- (1) **Public Hearing.** All proposed amendments not initiated by the Planning Commission or City Council shall be submitted to the Planning Commission for a public hearing. The Planning Commission shall hold a public hearing on the application not more than forty-five (45) calendar days following the filing of a complete application or following the motion of the City Council initiating the proposed change, unless an alternative time frame is agreed upon by the applicant. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings.

- (2) **Recommendation.** Following the conduct of a public hearing and within thirty (30) calendar days of the hearing, the Planning Commission shall report its findings and recommendations on the proposed amendment to the City Council unless an extension of time is agreed upon. The Commission, in making its recommendation concerning a reclassification of property, may change or modify the proposed amendment. If the Commission also considers reclassifying other adjacent property, it shall be necessary to notify the additional persons required and set another public hearing per this chapter.

- (3) **Planning Commission Denial.** A Planning Commission recommendation of denial of an application for a zoning map amendment submitted by petition shall terminate proceedings unless appealed. All other Planning Commission actions on proposed zoning map or zoning ordinance amendments shall be automatically referred to the City Council for a public hearing.

(ii) Hearing and Decision by the City Council.

- (1) **Public Hearing.** The City Council shall consider the proposed amendment and the recommendations of the Planning Commission at the Council's next regular public hearing following receipt of the recommendations of the Planning Commission.
- (2) **Determination.** If, based on the evidence presented and the recommendations of the Planning Commission, the City Council determines that the proposed amendment will not adversely affect the health and general welfare; the City Council shall approve the proposed amendment by ordinance based on the criteria in subsection (iii) below.

(iii) Approval Criteria. The City Council may approve zoning map amendments, and the Planning Commission may recommend approval, if the zoning map amendment meets all of the following criteria:

- (1) The rezoning will promote the public health, safety, and general welfare;
- (2) The rezoning is consistent with the Comprehensive Master Plan and the purposes of this Code;
- (3) The rezoning is consistent with the stated purpose of the proposed zoning district(s);
- (4) Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
- (5) The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- (6) The rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
- (7) Future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract.

4. **Limits on Successive Applications.** When a rezoning request for property is denied by the Council, a new application to rezone the property to the same district or any other district shall not be made within one year of the date of Council denial. However, this paragraph shall not preclude the submittal of an application to

rezone property to a district that is in conformance with the existing Comprehensive Master Plan land use designation; provided, the application is not submitted within one year of the date of Council denial of a previous attempt to amend the Comprehensive Master Plan for the same property.

C. Comprehensive Master Plan Amendments.

Figure 17.12-4: Comp. Plan Amendments

1.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting
Per NRS 278.210

Step 3: Application Submission,
Contents, and Fees

Step 4: Staff Review, Referral,
and Staff Recommendations
See Text

Step 5: Public Notice
Requirements
See Text

Step 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. The purpose of this section is to provide procedures and standards for amending the text or maps of the North Las Vegas Comprehensive Master Plan as authorized by NRS 278.210-220. The amendment process is established in order to provide flexibility in response to changing circumstances, to accommodate potential change where such change meets the intent of the plan, to reflect changes in public policy, and to advance the general welfare of the City.

2. **Applicability.** An application for a Comprehensive Master Plan amendment may be initiated by the City Council, Planning Commission, Director, public utility or requested by an owner of land in the City.
- 3.

Procedure. Figure 17.12-4 shows the steps of the common development review procedures that apply in the review of applications for Comprehensive Master Plan amendments. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

- a. **Step 1: Pre-Application Meeting.** A pre-application shall be required for applications initiated by a property owner in the City or his or her representative(s).
- b. **Step 4: Staff Review, Referral, and Staff Recommendation.**
 - (i) **Director Review and Staff Report.** The Director and the City Council shall, as appropriate, consult with, advise, and provide an opportunity for official comment by public officials and agencies, the county, school districts, associations of governments, public land management agencies, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations, property owners, and citizens generally to secure maximum coordination of plans and to indicate properly located sites for all public purposes in the Comprehensive Master Plan.
- c. **Step 5: Public Notice Requirements.** Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, and the City shall comply with those special procedures for notification of neighborhood meeting(s), public hearing(s) before the Planning Commission, and public hearing(s) before the City Council required by NRS 278.210, 278.220, and 278.225.
- d. **Step 6: Action by Review and Decision-Making Authorities.**
 - (i) **Hearing and Recommendation by Planning Commission.** The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action to the City Council based on the approval criteria in subsection (iii) below.
 - (ii) **Hearing and Decision by City Council.** Following a public hearing, and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with amendments, deny, or continue the Comprehensive Master Plan amendment based on the approval criteria in Step 8 below. The City Council also may refer the proposed amendment back to the Planning Commission for further consideration.
 - (iii) **Approval Criteria.** Recommendations and decisions on Comprehensive Master Plan amendments may be approved if the City Council finds the proposed amendment will not diminish the supply of essential land uses in the City, including industrial zones that provide a critical employment base for the City, and that the proposed amendment meets at least one of the following:
 - (1) The proposed amendment is based on a change in projections or assumptions from those on which the Comprehensive Master Plan is based;
 - (2) The proposed amendment is based on identification of new issues, needs, or opportunities that are not adequately addressed in the Comprehensive Master Plan;
 - (3) The proposed amendment is based on a change in the policies, objectives, principles, or standards governing the physical development of the City;
 - (4) The proposed amendment may result in unique development opportunities that will offer substantial benefits to the City; or
 - (5) The proposed amendment is based on an identification of errors or omissions in the Comprehensive Master Plan.

D. Planned Unit Developments.

Figure 17.12-5: PUD, Preliminary

1.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and Fees

Step 4: Staff Review, Referral,
and Staff Recommendations

Step 5: Public Notice
Requirements
See Text

Step 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. The purpose of this section is to provide procedures and standards for creating and approving a planned unit development district (PUD). All PUD applications shall be reviewed according to the provisions of this section. All PUD applications shall be reviewed and approved by the Planning Commission and City Council prior to any physical development on the subject property.

Applicability. Planned unit developments may be initiated by the City Council, Planning Commission, owner of property proposed for rezoning, or authorized user of Bureau of Land Management land.

Procedures, Preliminary Development Plan. Figure 17.12-5 shows the steps of the common development review procedures that apply in the review of applications for PUD preliminary development plans. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 1: Pre-Application Meeting. In addition to the submittal requirements for pre-application meetings set forth in the application manual, the applicant shall also submit a computation table showing proposed land use allocations in acres and percent of total site area shall be included on the concept plan.

Step 6: Action by Review and Decision-Making Authorities.

Hearing and Recommendation by Planning Commission. The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action to the City Council based on the approval criteria in subsection (iii) below.

City Council Consideration and Hearing and Action by City Council. Following a public hearing, and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with amendments, table, or deny the PUD preliminary development plan based on the approval criteria in subsection (iii) below. The City Council also may refer the proposed amendment back to the Planning Commission for further consideration. In its deliberations on the preliminary development plan, the Council shall consider oral or written statements from the applicant, City staff, the public, and its own members. The Council's review shall encompass the same issues as did the Commission's review but may consider any evidence related to those issues presented at the City Council public hearing. Conditions may be applied to the approval and/or periodic review of the approval may be required. Approvals, if granted, shall be for a particular development, not for a particular applicant.

- (iii) **Review Criteria.** The Planning Commission may recommend approval, and the City Council may approve planned unit developments, if the planned unit development meets all of the following criteria:
- (1) The PUD 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.
 - (2) The PUD is consistent with the Future Land Use Map of the Comprehensive Master Plan and the purposes of this Code;
 - (3) The PUD is consistent with the development standards in Section 17.24
 - (4) Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
 - (5) The PUD is not likely to result in significant adverse impacts upon the natural environment, or such impacts will be substantially mitigated;
 - (6) The PUD is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
 - (7) Future uses on the subject tract will be compatible with uses on other properties in the vicinity of the subject tract.
- (iv) **Exceptions to Grant Waivers.** No decision-making body shall approve a waiver as part of the PUD process that results in a variation from the standards of Section 17.24.020, Open Space and Parks.

Figure 17.12-6: PUD, Final

4.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and Fees

Step 4: Staff Review, Referral,
and Staff Recommendations

Step 5: Public Notice
Requirements

Step 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Procedures, Final Development Plan. Figure 17.12-6 shows the steps of the common development review procedures that apply in the review of applications for PUD, final development plans. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 6: Action by Review and Decision-Making Authorities.

Director Action. Final PUD development plan approval and the issuance of a building permit for any portion of a PUD shall occur only when:

A reproducible copy of the approved preliminary development plan with appropriate signatures (e.g., preparer's signature, owner's signature) has been submitted to the Director.

A final subdivision map is submitted and approved for the portion of the PUD in question, as per City subdivision regulations.

The design and construction specifications for all utilities, property, and street improvements have been approved by the Director of Public Works.

A site plan, subject to the requirements of Section 17.12.070.H for the specific portion of the PUD in question has been submitted and has been approved by the Planning Commission or Director as applicable, in conformance with the preliminary development plan. Upon approval of the site plan, a reproducible copy shall be submitted.

Architectural elevations of the buildings, with materials lists, are submitted and approved by the Planning Commission or Director, as applicable.

- (6) A landscaping plan is submitted and approved by the Planning Commission or Director, as applicable.
- (7) A performance bond, cash escrow agreement, or other acceptable instrument has been deposited with the City in an amount as set by the City Council based upon the Director of Public Works' recommendation. This financial guarantee shall be used to ensure the full completion, as specified, of:
 - (a) Public and private streets and utilities;
 - (b) Common area landscaping; and
 - (c) Privately owned and maintained recreational facilities.
- (8) Any land dedication agreements made as part of the preliminary development plan approval are fulfilled.

- 5. **Platting Requirements.** All applicants for a planned unit development permit shall be required to file with Clark County appropriate mapping of the planned unit development complying with all of the requirements of the subdivision ordinance of the City, codified in Section 16.16 of this Code, except that the Council may waive specific portions of Section 16.16. The City Council, however, may not waive any portion of Section 16.16 required by Nevada Revised Statutes relative to Divisions of Land Sections 278.320 — 278.460. Such required maps shall contain on their face a cross-reference to the PUD development plan.
- 6. **Method of Withdrawing an Application for PUD Approval.** Any application for a planned unit development permit may be withdrawn by the applicant at any time prior to PUD approval upon written notification to the Director. The PUD shall be null and void upon receipt of such notice by the City and the Planning Commission and City Council shall be notified of such action.
- 7. **Amendments to PUD Approval.**
 - a. **Minor Amendments.** Minor changes in the location and placement of roads, buildings, or parking may be authorized by the Director where unforeseen circumstances such as engineering requirements, dictate such change. When in question, the Director and the Director of Public Works may determine whether the changes shall be classified as a minor or major amendment, or may refer the question to the Planning Commission if they deem it necessary.
 - b. **Major Amendments.** Major changes, such as alterations in structural types, in the shapes and arrangements of lots and blocks, in the allocation of open space or other land uses which increase density and/or intensity of the project, in project phasing, and all changes to an approved PUD shall be referred to the Planning Commission, after which the Commission shall consider and recommend approval or denial of the changes in the planned unit development to the City Council. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes.
- 8. **Denial of PUD Approval.** If an application for planned unit development approval is denied at either the preliminary development plan or final development plan stage, a new application for a PUD approval shall be required.

E. Planned Community Districts.

Figure 17.12-7: Planned Community District

1.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and Fees

Step 4: Staff Review, Referral,
and Staff Recommendations

Step 5: Public Notice
Requirements

Step 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. The Planned Community District ("PCD") is established to permit and encourage the development of comprehensively planned communities with a minimum of five hundred (500) contiguous gross acres of land under single ownership or control. The goal is to ensure orderly planning of large areas of land and to create efficient, desirable, and stable developments offering a combination of planned land uses and distinct advantages. This district is designed to provide for flexibility in the zoning of large master planned communities. The intent of this procedure is to provide applicants with the opportunity to establish a master development plan for large parcels.

Applicability.

Zoning Map Designator/Applicability to Zoning Map. The PCD shall only be applied to an area of contiguous property of at least five hundred (500) gross acres in size, or, upon approval of the Council, an area of property less than five hundred (500) gross acres in size if immediately adjacent to a PCD.

Initiation. The PCD may be initiated by the City Council, Planning Commission, or an owner of property in the City.

Applicable Development Regulations.

A master development agreement consistent with the master development plan must be drafted and submitted by the applicant as part of the application, and shall be reviewed for approval concurrently with the master development plan.

Unless the agreement otherwise provides, the ordinances, resolutions, or regulations applicable to that land and governing the permitted uses of that land, density, and standards for design, improvements and construction are those in effect at the time the agreement is made. No land division in an area subject to a PCD shall be permitted without an approved master development plan. Master development plans are defined in Section 17.12.070.E.9 and Section 17.32, Definitions.

- (iii) The City's approval of the master development plan and the master development agreement shall constitute sufficient findings to justify any waivers, variances, exceptions, or deviations set forth in the master development plan or any master development agreement to those provisions of the Municipal Code of the City that would otherwise be required, and such waivers, variances, exceptions, or deviations shall be deemed granted.

3. **Procedures.** Figure 17.12-7 shows the steps of the common development review procedures that apply in the review of applications for planned community districts. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

- a. **Step 6: Action by Review and Decision-Making Authorities.** The zoning approval of a PCD shall consist of a review and recommendation by the Planning Commission and approval by the Council, in accordance with the provisions of this Code. The approval of a PCD by the Council shall be accomplished directly by ordinance and shall include the approval and adoption of a master development plan after approval of the master development agreement.

(i) **Hearing and Recommendation by the Planning Commission.**

- (1) **Public Hearing.** The Planning Commission shall hold a public hearing on the proposed rezoning, master development agreement, and master development plan not more than forty-five (45) calendar days following the filing of a complete application or following the motion of the City Council initiating the proposed change, unless an alternative time frame is agreed upon by the applicant. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings.
- (2) **Recommendation.** Following the conduct of a public hearing and within thirty (30) calendar days of the hearing, the Planning Commission shall report its findings and recommendations for action on the proposed rezoning, master development agreement, and master development plan to the City Council unless an extension of time is agreed upon. The Planning Commission, in making its recommendation concerning a reclassification of property, may change or modify the proposed amendment. If the Commission also considers reclassifying other adjacent property, it shall be necessary to notify the additional persons required and set another public hearing per this chapter.

(ii) **Hearing and Decision by the City Council.**

- (1) **Public Hearing.** The City Council shall consider the proposed rezoning, master development agreement, and master development plan and the recommendations of the Planning Commission at the Council's next regular public hearing following receipt of the recommendations of the Planning Commission.
- (2) **Determination.** If, for the evidence presented and the recommendations of the Planning Commission, the City Council determines that the proposed rezoning, master development plan, and master development agreement will not adversely affect the health and general welfare, the City Council shall approve the proposed amendment by ordinance based on the criteria in subsection (iii) below.
- (iii) **Review Criteria for PCD District.** In order for property to qualify for PCD zoning, the master developer must demonstrate the potential for achievement of the following specific objectives during the planning and development process:
 - (1) Ensure orderly planning for the development of large, unsubdivided parcels of the City in a

manner consistent with the City's Comprehensive Master Plan;

- (2) Ensure adequate provision of open space, recreational facilities, and other community amenities;
- (3) Provide exemplary community benefits;
- (4) Provide for an orderly and creative arrangement of land uses with respect to each other, to the entire master planned community, and to all adjacent land;
- (5) Provide for a variety of housing types, employment opportunities, and commercial services to achieve a balanced community for families of a wide variety of ages, sizes, and levels of income;
- (6) Provide for a planned and integrated transportation system for pedestrian and vehicular traffic, which will include provisions for transportation and roadways, bicycle and/or equestrian paths, pedestrian walkways, and other similar transportation facilities;
- (7) Encourage sensitive site planning and design with enhanced landscaping and other site amenities; and
- (8) Encourage high-quality structures in terms of community design standards, materials and layout.

- (iv) **Review Criteria for Master Development Agreement.** In reviewing and acting upon proposed development agreement, review and decision-making bodies shall consider the following additional approval criteria for the development agreement:

- (1) Whether the benefit of the development agreement to the City outweighs its costs;
- (2) Whether the development agreement is required to mitigate impacts that would otherwise make the proposed development unacceptable; and
- (3) Whether the City has received adequate assurances that the development will go forward as planned.

In the event that the Master Development Agreement does not address a particular development or design standard, the generally applicable development standards set forth in Chapter 17.24 shall apply.

- (v) **Planned Community District Master Development Plan.**

- (1) In connection with the approval of a PCD, the City Council shall adopt a master development plan.
- (2) A "master development plan" means a specific written plan and accompanying maps that identify, with respect to a PCD development, the proposed location and size of development parcels, land uses, and zoning designations; transportation plans and a traffic impact analysis; open space and community facilities; and the development standards.
- (3) "Development standards" means the minimum standards for development in the PCD, including but not limited to standards for intensity and type of use, densities, heights, spacing, bulk and setback requirements, provisions for utilities, topography and drainage patterns. Conceptual standards for building designs, layout, configuration, signage, open space and landscaping, vehicular and pedestrian circulation, and parking shall also be included.
- (4) Development of the PCD may consist of any land use or combination of land uses that are contemplated for the property in the master development plan provided the property is appropriately zoned.
- (5) The developer shall include in the master development plan a listing of the land uses proposed and the general arrangement for each land use category within the proposed PCD.
- (6) The listing and general arrangement of the contemplated land uses shall be shown in the master development plan that is adopted as part of the PCD approval.

4. **Amendments to an Adopted Planned Community District.**

a.

No modification or deviation to the planned community district shall be effective unless it is approved in accordance with this section. The Director may request modification of a plan in accordance with the modification procedures set forth in this subsection 4.

- b. The development of the property within the PCD may proceed only in strict accordance with the approved planned community district including the development standards and any master development agreement. Any request by or on behalf of the property owner or any proposal by the City to modify the approved planned community district or the development standards shall be filed with the Director. In accordance with this section, the Director shall determine if the proposed modification is "minor or "major," and the request or proposal shall be processed accordingly.

- (i) **Minor Modification.** A minor modification is a modification that is requested or agreed to by the property owner and that is intended to accomplish one or more of the following:

- (1) A change in the species of plant material proposed for the PCD;
 - (2) A decrease in the density or intensity of development from that previously approved for the PCD;
 - (3) An adjustment of the boundary line between two abutting parcels that does not result in the creation or deletion of any additional parcels; or
 - (4) Any other change or modification that will not have a significant adverse impact on the district or its surroundings or that is contemplated by any master development agreement for the property.

The Director shall process and make an administrative decision regarding all minor modifications. In the event that Director's decision results in an aggrieved person, that individual shall be afforded an administrative appeal of the Director's decision pursuant to Section 17.28.070.M.

- (ii) **Major Modification.** A major modification includes any modification that does not qualify as a minor modification. A major modification shall be processed and reviewed in the same manner as a new planned community district application.

- c. Additional amendments to the master development plan shall be deemed approved by providing notice to the Director if an approved master development agreement permits such notice amendments.
 - d. Amendments to the master development agreement shall proceed as provided by the master development agreement and the applicable provisions of state law.
- 5. **Subdivision Applications Within A PCD District.** All development within an established PCD is also subject to the subdivision tentative map procedures except as otherwise provided in an approved master development plan or master development agreement.
- 6. **Issue Resolution—Analogous Standards.** With regard to any issue of land use regulation that may arise in connection with a PCD and that is not addressed or provided for specifically in this section, in the approved master development plan including the development standards, or any master development agreements, the Director may apply by analogy the general definitions, principles, standards and procedures set forth in this Code, taking into consideration the intent of the approved master development plan including the development standards.

F. Mixed-Use Developments.

Figure 17.12-8: MUD, Conceptual

1.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood
Meeting

Step 3: Application
Submission, Contents, and
Fees

Step 4: Staff Review,
Referral, and Staff
Recommendation

Step 5: Public Notice
Requirements

Step 6: Action
by Decision-
Making Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. Any development proposal that meets the requirements of Section 17.16.050.E, Mixed Use Development District (MUD), shall be reviewed according to the provisions of this section. All MUD applications shall be reviewed and approved by the Planning Commission and City Council prior to any physical development on the subject property.

Applicability. Mixed-use developments may be initiated by the City Council, Planning Commission, owner of property proposed for the mixed-use development, or the authorized user of Bureau of Land Management land.

Procedures, Conceptual Development Plan. The mixed-use development process involves three steps: conceptual, preliminary, and the final development plan. Figure 17.12-8 shows the steps of the common development review procedures that apply in the review of applications for mixed-use development, conceptual development plan. The common procedures are described in [Section 17.12.040](#). Specific additions and modifications to the common review procedures are identified below:

Step 2: Neighborhood Meeting. In addition to meeting with City staff, applicants are required to hold an informational meeting with adjoining property owners to outline their development proposals. Neighborhood meetings shall follow the procedures set forth in Section 17.12.040.B.

Step 4: Staff Review, Referral, and Staff Recommendation.

Performance Measures. The City shall use the following performance measures to evaluate conceptual development plans for mixed-use development:

The conceptual development plans demonstrate conformance with the purposes of the mixed-use development district as outlined in Section 17.16.050.E.

- (2) The conceptual plans demonstrate that the proposed site is appropriate for mixed-use development based on at least one of the criteria listed in Section 17.16.050.E.
- (3) The conceptual plans show an orderly and creative arrangement of land uses that includes a balanced mix of residential, commercial, employment, recreational, and/or open space areas designed to achieve a pedestrian-friendly urban form.
- (4) The conceptual plans demonstrate that the proposed development does not include incompatible uses, establish undesirable precedents, or create traffic and public service demands exceeding the capacity of existing or planned facilities.
- (5) The conceptual plans demonstrate compatibility and connectivity with adjacent development.
- (6) The conceptual plans identify effective measures to mitigate impacts on adjacent roadways, neighborhood traffic, public facilities, schools, and other infrastructure.

- (ii) **Project Performance Measures Recommendation.** Based on review of the conceptual plans during the pre-application meeting, staff will forward to the Director their recommendation as to whether the proposed project complies with the performance measures listed above.
- (iii) **Application Meets Performance Standards.** Upon a determination by the Director that the conceptual plans meet the performance measures listed above, the applicant may submit a mixed-use development application.
- (iv) **Application Does Not Meet Performance Standards.** If the Director determines that additional alterations to the conceptual plans are needed, the applicant will have the ability to schedule follow-up pre-application meetings with staff to further refine the conceptual plans. The Director's determination shall be accompanied with a description of the aspects of the conceptual plans that need to be addressed by the applicant.
- (v) **Notification of Director's Determination.** The applicant will be notified by letter of the Director's determination as to whether their conceptual plans meet the performance measures.

Figure 17.12-9: MUD, Preliminary

4.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting

Step 3: Application
Submission, Contents, and Fees

Step 4: Staff Review,
Referral, and Staff
Recommendation

Step 5: Public Notice
Requirements

Step 6: Action
by Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Procedures, Preliminary Development Plan. Figure 17.12-9 shows the steps of the common development review procedures that apply in the review of applications for mixed-use development, preliminary development plans. This is the second step in the process, following conceptual development plan approval and preceding the final development plan. The common procedures are described in [Section 17.12.040](#). Specific additions and modifications to the common review procedures are identified below. The applicant may only proceed to preliminary development plan approval if the Director has determined the performance measures in Section 17.12.070.F.3.b, above have been met.

Step 5: Public Notice Requirements.

Notice of Planning Commission Hearing. Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, and the following additional procedures shall apply. Written notice shall be mailed at least ten days before the day of the hearing to each owner of property situated wholly or partly within seven hundred fifty (750) feet of the property to which the MUD relates as set forth in Table 17.12-3. The Director shall be responsible for placing and mailing such notices.

Step 6: Action by Review and Decision-Making Authorities.

Hearing and Recommendation by Planning Commission. The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action to the City Council based on the approval criteria in subsection (iii) below.


Hearing and Decision by City Council. Following a public hearing, and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with amendments, deny, or continue the preliminary development plan based on the approval criteria in subsection (iii) below. The City Council also may refer the proposed plan back to the Planning Commission for further consideration.

(iii) **Approval Criteria.** In reviewing MUD preliminary development plans, the Planning Commission and City Council may consider:

- (1) Interrelationship of plan elements to conditions both on and off the property,
- (2) Conformance to the City of North Las Vegas Comprehensive Master Plan,
- (3) The impact on the existing and anticipated traffic and parking conditions,
- (4) The adequacy of the plan with respect to mix of land uses,
- (5) Pedestrian and vehicular ingress and egress,
- (6) Architectural and urban design,
- (7) Landscaping,
- (8) Provisions for utilities and other infrastructure,
- (9) Site drainage,
- (10) Open space and/or public land dedications,
- (11) Grading, and
- (12) Other related matters.

(iv) **Conditions of Approval.** Conditions may be applied to the approval and/or periodic review of the approval may be required.

Figure 17.12-10: MUD, Final

5.  Fig17-12-10.png

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Procedures, Final Development Plan. Figure 17.12-10 shows the steps of the common development review procedures that apply in the review of applications for mixed-use development, final development plans. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below

Step 6: Action by Review and Decision-Making Authorities.

Hearing and Recommendation by Planning Commission. The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action to the City Council based on the approval criteria in subsection (iii) below.

Hearing and Decision by City Council. Following a public hearing, and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with amendments, deny, or continue the final development plan based on the approval criteria in subsection (iii) below. The City Council also may refer the proposed plan back to the Planning Commission for further consideration.

Approval Criteria. Final MUD development plan approval and the issuance of a building permit by the Director for any portion of the MUD shall occur only when:

A reproducible copy of the approved preliminary development plan with appropriate signatures (e.g., preparer's signature, owner's signature) has been submitted to the Director.

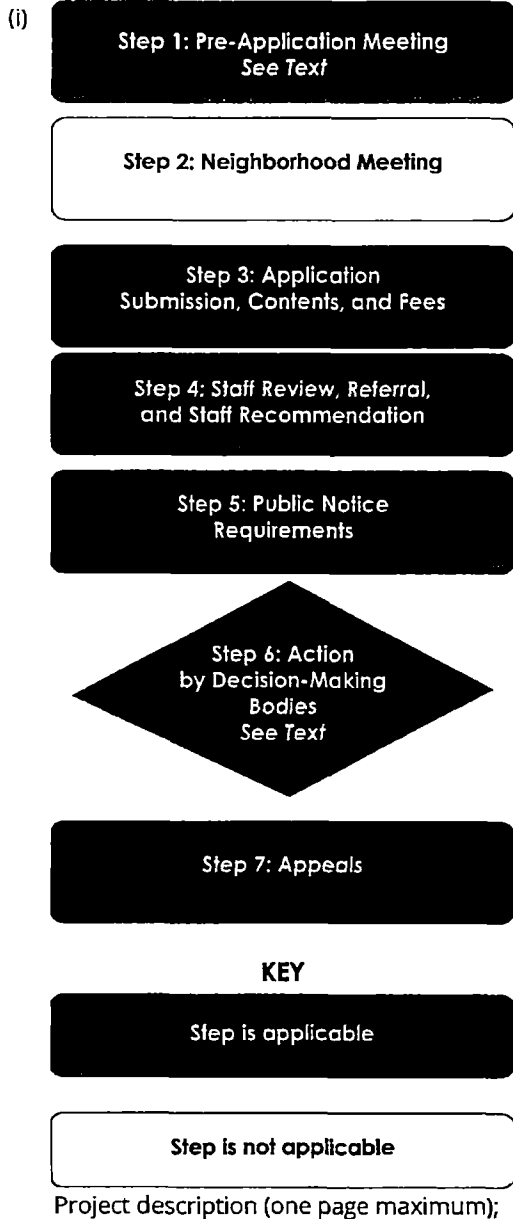
- (2) A final subdivision map is submitted and approved for the portion of the MUD in question, as per City subdivision regulations.
- (3) The design and construction specifications for all utilities, property, and street improvements have been approved by the Director of Public Works.
- (4) If applicable, a site plan, subject to the requirements of Section 17.28.070.H of this Code for the specific portion of the MUD in question has been submitted and has been approved by the Planning Commission or Director, as applicable, as in conformance with the preliminary development plan. (Upon approval of the site plan, a reproducible copy shall be submitted.)
- (5) Architectural elevations of the buildings, with materials lists, are submitted and approved by the Planning Commission.
- (6) A landscaping plan is submitted and approved by the Planning Commission.
- (7) Any land dedication agreements made as part of the preliminary development plan approval are fulfilled.
- (8) A performance bond, cash escrow agreement, or other acceptable instrument has been deposited with the City in an amount as set by the City Council based upon a recommendation from the Director of Public Works. This financial guarantee shall be used to ensure the full completion of:
 - (a) Public and private streets and utilities,
 - (b) Landscaping, and
 - (c) Privately owned and maintained recreational facilities.

6. **Duration of MUD Zoning Approval.** The MUD zoning and conditions shall remain in effect until the MUD is amended or repealed pursuant to an approved rezoning.
7. **Platting Requirements.** All applicants for a mixed-use development permit shall file with Clark County a final map of the mixed-use development complying with all of the requirements of the subdivision ordinance of the City, codified in Section 16.16 of this Code, except that the Council may waive specific portions of Section 16.16. The City Council, however, may not waive any portion of Section 16.16 required by Nevada Revised Statutes relative to Divisions of Land Sections 278.320—278.460. Such maps shall contain on their face a cross-reference to the MUD development plan.
8. **Method of Withdrawing an Application for MUD Approval.** Any application for a mixed-use development permit may be withdrawn by the applicant at any time prior to final MUD approval upon written notification to the Director and/or City Clerk. The MUD shall be null and void upon receipt of such notice by the City, and the Planning Commission and City Council shall be notified of such action.
9. **Amendments to MUD Approval.**
 - a. **Minor Changes.** Minor changes in the location and placement of buildings may be authorized by the Director where unforeseen circumstances require such change. When in question, the Director and the Director of Public Works may determine whether the changes shall be classified as a minor or major, or may refer the question to the Planning Commission if they deem it necessary.
 - b. **Major Changes.** Major changes, such as alterations in structural types, the shapes and arrangements of lots and blocks, the allocation of open space or other land uses that increase density and/or intensity of the project, project phasing, and all other changes that significantly affect the overall design or intent of the project shall be referred to the Planning Commission. The Planning Commission shall consider and shall either approve or deny the changes in the final development plan. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes.
10. **Denial of MUD Application.** If an application for mixed use development approval is denied by City Council, a new application for a MUD approval shall be required.

G. Residential Design Incentive System.

1. **Purpose.** The purpose of the residential design incentive system is to provide a procedure that creates incentives for high quality residential design based on performance measures.
2. **Applicability.** Any development proposal that seeks to utilize Section 17.24.090.I, Residential Design Incentive System (RDIS), shall be reviewed according to the provisions of this section. All RDIS applications shall be reviewed and approved by the Planning Commission prior to any physical development on the subject property.
3. **Procedures.** Figure 17.12-11 shows the steps of the common development review procedures that apply in the review of applications for the residential design incentive system. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.
 - a. **Step 1: Pre-Application Meeting.** The following documents shall be provided for the pre-application conference. Incomplete documents shall postpone the pre-application process.

Figure 17.12-11: Res. Design Incentive System



(ii) Residential Design Incentive Matrix clearly indicating the following:

- (1) Site Plans (may be conceptual for pre-application only);
- (2) Supporting documents and plans relevant to the points being claimed for the development;
- (3) Existing conditions map identifying all buildings, driveways, streets, utilities, etc. within five hundred (500) feet of the subject site;
- (4) Circulation plan for vehicles showing all roads, driveways, and parking areas;
- (5) Circulation plan for pedestrians and bicycles identifying all sidewalks, bike lanes, pathways, trails, and other features;
- (6) Open space plan identifying all open space and amenities proposed for the site, including the general location of all proposed pedestrian priority areas;
- (7) Building elevations (may be conceptual for pre-application only);
- (8) Renderings (may be conceptual for pre-application only); and
- (9) A statement identifying all special uses proposed for the site.

b. **Step 3: Application Submission, Contents, and Fees.**

- (i) **Conceptual Development Plan.** The applicant shall submit a conceptual development plan for evaluation by the City. Required elements of the conceptual development plan are set forth in the application manual.
- (ii) **Step 5: Public Notice Requirements Notice of Planning Commission Hearing.** Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, and the following additional procedures shall apply. Written notice shall be mailed at least ten days before the day of the hearing to each owner of property situated wholly or partly within seven hundred fifty (750) feet of the property to which the RDIS relates as set forth in Table 17.12-3. The Director shall be responsible for placing and mailing such notices.

c. **Step 6: Action by Review and Decision-Making Authorities.**

- (i) **Performance Measures.** The City shall use the following performance measures to evaluate conceptual development plans for RDIS development:
 - (1) The conceptual development plan demonstrates conformance with the purposes of the RDIS development as outlined in Section 17.24.090.I of this Code.
 - (2) The conceptual plan demonstrates that the proposed site is appropriate for RDIS development based on consistency with the Comprehensive Master Plan and achievement of minimum qualifying density points as defined in Section 17.24.090.I of this Code.
- (ii) **Application Must Meet Performance Measures.** Upon a determination by the Director that the conceptual plans meet the performance measures listed above, the applicant may obtain the necessary application forms from the Community Development Department regarding relevant procedure and required materials for complete application packets. Application forms properly completed with all supporting plans and documents and accompanied by the required fee shall be submitted to the Community Development Department.
- (iii) **Hearing and Decision by Planning Commission.** The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing and after reviewing the report and recommendation of the Director, the Planning Commission shall approve or deny the residential design incentive system request based on the approval criteria in subsection (iv) below.
- (iv) **Approval Criteria.** In reviewing RDIS applications, the Planning Commission may consider:
 - (1) Interrelationship of plan elements to conditions both on and off the property,
 - (2) Conformance to the City of North Las Vegas Comprehensive Master Plan,
 - (3) Allocation of points in the RDIS matrix and appropriate density,
 - (4) The impact on the existing and anticipated traffic and parking conditions,
 - (5) The adequacy of the plan with respect to mix of land uses,

- (6) Pedestrian and vehicular ingress and egress,
- (7) Architectural and urban design,
- (8) Landscaping,
- (9) Provisions for utilities and other infrastructure,
- (10) Site drainage,
- (11) Open space and/or public land dedications,
- (12) Grading, and
- (13) Other related matters.


4. **Method of Withdrawing Application for RDIS Approval.** Any application for a RDIS development permit may be withdrawn by the applicant at any time prior to filing the final plan upon written notification to the Director and/or City Clerk. The RDIS shall be null and void upon receipt of such notice by the City and the Commission shall be notified of such action.

5. **Amendments to RDIS Approval.**

- a. **Minor Changes.** Minor changes in the location and placement of buildings may be authorized by the Director where unforeseen circumstances require such change. When in question, the Director and the Director of Public Works may determine whether the changes shall be classified as a minor or major, or may refer the question to the Planning Commission, if they deem it necessary.
 - b. **Major Changes.** Major changes, such as alterations in structural types, in the shapes and arrangements of lots and blocks, in the allocation of open space or other land uses which increase density and/or intensity of the project, in project phasing, and all other changes which significantly affect the overall design or intent of the project shall be referred to the Planning Commission, after which the Planning Commission shall consider and shall either approve or deny the changes in the plan in accordance with step 6, above. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes.
6. **Denial of RDIS Approval.** If an application for RDIS development approval is denied, the applicant has the option of appealing the decision to the City Council or holding a pre-application conference pursuant to Section 17.12.070.A before submitting a revised application for RDIS approval.

H. **Site Plan Review.**

Figure 17.12-12: Site Plan Review

1.  Fig17-12-12.png

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Purpose. The purpose of the site plan review process is to ensure compliance with the development and design standards and provisions of this Code. It is designed to encourage quality development reflective of the goals, policies, and objectives of the Comprehensive Master Plan. For land uses requiring a site plan review, such uses may be established in the City, and building or land use permits may be issued, only after a site plan showing the proposed development has been approved in accordance with the procedures and requirements of this section.

Applicability.

General Applicability. For purposes of this Code, site plans may be classified as major or minor site plans. All developments within the City except individual single-family and duplex residential units shall be subject to this section.

Major Site Plan Review. A major site plan involves any of the following:

- Sixty (60) or more dwelling units in a multi-family residential structure or structures;
- Eighty thousand (80,000) or more square feet of nonresidential floor area on one lot;
- Sixty thousand (60,000) or more square feet of exterior storage of materials or goods; or
- Parking for more than three hundred fifty (350) vehicles.

Minor Site Plan Review. All other site plans (except for a planned unit development) are considered a minor site plan. Any planned unit development shall be reviewed according to the regulations of Section 17.12.070.D.

Planning Commission Review. The Planning Commission has the right to review and require revisions to any proposed major site plans, or minor site plans upon appeal. Additionally, if the Planning Commission so desires, it may authorize by Commission resolution the Community Development Department to conduct review of all site plans.

3. **Procedures.** Figure 17.12-12 shows the steps of the common development review procedures that apply in the review of applications for site plan review. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

- a. **Step 1: Pre-Application Meeting.** A pre-application meeting shall be required for all major site plans.
- b. **Step 4: Staff Review, Referral, and Staff Recommendation.**
- (i) **Minor Site Plan Review.** Minor site plan review shall be conducted by the Director as part of the building permit process.
 - c. **Step 5: Public Notice.** Published, written, and posted notice required for major site plan review as set forth in Section 17.12.040.E.
 - d. **Step 6: Action by Review and Decision-Making Authorities.**
 - (i) **Minor Site Plans - Director Decision.** The Director shall review and decide on applications for minor site plan review in accordance with the review criteria in subsection (iii) below.
 - (ii) **Major Site Plans - Planning Commission Hearing and Decision.** Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall approve or deny the major site plan review request based on the approval criteria in subsection (iii) below.
 - (iii) **Approval Criteria.** In considering applications for site plan approval under this Code, the City staff in the case of a minor site plan, and the Planning Commission in the case of a major site plan, shall consider the following. Site plans shall only be approved if:
 - (1) The site plan is consistent with the Comprehensive Master Plan;
 - (2) The site plan is consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable;
 - (3) The site plan complies with all applicable development and design standards set forth in this Code, including but not limited to the provisions in Chapter 17.16, Zoning Districts, Chapter 17.20, Use Regulations, and Chapter 17.24, Development Standards;
 - (4) Any significant adverse impacts reasonably anticipated to result from the use will be mitigated or offset to the maximum extent practicable;
 - (5) The development proposed in the plan and its general location is or will be compatible with the character of surrounding land uses; and
 - (6) The development can be adequately served by City services including but not limited to roads, water, and wastewater.
 - (iv) **Planning Commission Involvement.** If unusual or significantly difficult conditions exist that affect the minor site plan, the Director may require that the site plan be reviewed and acted upon by the Planning Commission.
 - e. **Step 7: Appeals.** When a minor site plan is denied by the Director, an appeal may be taken to the Planning Commission in accordance with Section 17.12.040 G.2. When a major site plan is denied by the Planning Commission, an appeal may be taken to the City Council in accordance with Section 17.12.040.G.3.
4. **Expiration or Violation of Site Plan Approval.** An approved major site plan shall be valid for two years from its date of approval, or until a building permit has been issued, whichever occurs first. Minor site plans shall be processed with an application for a building permit and valid for as long as the building permit is valid.

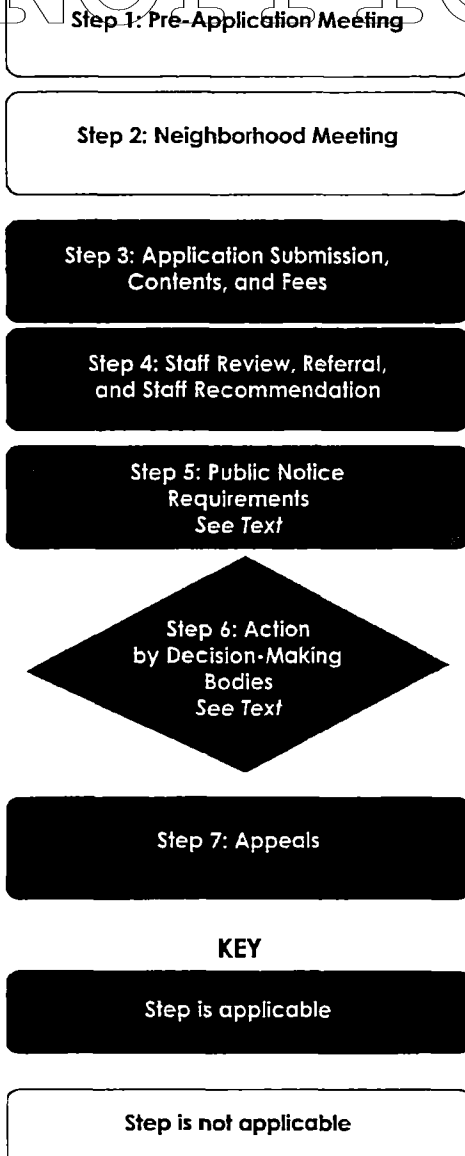
Failure to comply with any of the conditions of approval set forth in the approval shall make the application subject to Chapter 17.28, Enforcement, Violations, and Penalties. Projects with construction activity shall be considered active for the purposes of this subsection.

5. **Amendments to an Approved Site Plan.** Substantial changes to an approved site plan shall be subject to the same procedures for approval as for the original approved plan. A substantial change is any change in the use or character of the development and any dimensional change beyond the ranges specified on the approved site plan. Any other changes are considered minor changes as determined by the Director and may be approved by the Director.

I. **Conditional Uses.**

Figure 17.12-13: Conditional Use Permit

1.




Purpose. This section provides an approval process for conditional uses that are subject to objective criteria designed to ensure that each proposed conditional uses will not have a significant adverse impact on surrounding uses or on the community-at-large and to mitigate any unavoidable impacts without the need for individualized review or design of impact mitigation measures. Specific conditional uses allowed in each zone district are listed in Table 17.20-1, Permitted Use Table.

2. **Applicability.** All uses listed as "conditional" in Table 17.20-1, Permitted Use Table, shall be required to follow the procedures set forth below. If a conditional use cannot or will not meet the required conditions, a Special Use Permit shall be required and the procedure listed in 17.12.070.10 shall be used.
3. **Procedures.** Figure 17.12-13 shows the steps of the common development review procedures that apply in the review of applications for conditional use permits. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.
 - a. **Step 4: Staff Review, Referral, and Staff Recommendation.** If the Director determines that no further review is necessary, he shall prepare a written statement of approval, denial, or approval with conditions of the conditional use within sixty (60) days of acceptance of a complete application, and the decision shall be final, subject to appeal to the Planning Commission. If the Director determines that additional review by the Planning Commission is appropriate to ensure consistency and compatibility of uses or with the scale or character of the surrounding area, he or she shall forward the application to the Planning Commission for review, public hearing, and final decision.
 - b. **Step 5: Public Notice.** A public hearing is required only if the application is forwarded to the Planning Commission for review and decision. In these cases, notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1. All required notices shall comply with NRS 278.315 and 178.319.
 - c. **Step 6: Action by Review and Decision-Making Authorities.**
 - (i) **Planning Commission Hearing, Review, and Decision.** For applications that have been forwarded to the Planning Commission, the Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following the hearing, the Planning Commission shall consider the comments and evidence presented at the hearing and the staff report and recommendations from the Director, and approve, conditionally approve, or deny the conditional use permit, based on the criteria in subsection (ii) below.
 - (ii) **Approval Criteria.** The Director (or the Planning Commission, if the application was referred to that body) shall approve a proposed conditional use that meets all of the applicable criteria:
 - (1) The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable state and federal regulations; and
 - (2) The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards in Chapter 17.20 of this Code.
 - d. **Step 7: Appeals.** When a conditional use is denied by the Director, an appeal may be taken to the Planning Commission, in accordance with Section 17.12.040 G.2. When a conditional use referred to the Planning Commission is denied by the Planning Commission, an appeal may be taken to the City Council in accordance with Section 17.12.040.G.3.
4. **Subsequent Ownership.** Successors and/or assigns of the person(s) who originally obtained conditional use permits may make use of the land or structures covered under the issued permits and must abide by all the terms and conditions of the permits, unless otherwise stipulated in the approval process. Successors and/or assigns of an issued permit must change the names on the original permit and have a letter of acknowledgment signed, filed with the Director, and recorded by the subject property owner.
5. **Lapse of Approval.**
 - a. A conditional use permit shall lapse and have no further effect one year after its effective date or at such alternate time specified in the approval unless one or more of the following criteria has been met:
 - (i) A building permit has been issued and construction diligently pursued,
 - (ii) A certificate of occupancy has been issued,
 - (iii) The use is established, or
 - (iv) The conditional use permit is renewed.
 - b. A conditional use permit shall lapse upon termination of a project or expiration of a building permit.
 - c. A conditional use permit shall lapse if the rights granted by it are discontinued for 180 consecutive days or other period of time as specified in the original approval.

J. **Special Use Permits.**

1. **Purpose.** The purpose of a special use permit is to allow the Planning Commission (and the City Council where applicable) the opportunity to review in detail certain uses to assure that they will be compatible with surrounding land uses, either existing or anticipated, by the proper implementation of the Comprehensive Master Plan.
2. **Applicability.** An application for a special use permit on a parcel or parcels of property may be initiated by the City Council upon its own motion, the Planning Commission upon its own motion, or by application of the property owner(s), authorized tenants or property interest holders, or authorized user(s) of Bureau of Land Management land.
 - a. **City Council Hearing Required.** Special use permits for the following uses shall be forwarded to the city council for final action following a public hearing and recommendation by the planning commission:
 - (i) Hotels,
 - (ii) Motels,
 - (iii) Schools,
 - (iv) Pawnshops,
 - (v) Deferred deposit loan facilities,
 - (vi) Auto title loan facilities,
 - (vii) Short-term loan facilities,
 - (viii) Additional security measures,
 - (ix) Special use permits for recreational uses in mixed-use development districts, and
 - (x) Restricted gaming liquor uses.
 - b. **Planning Commission Hearing Required.** All other applications for special use permits shall require a hearing and decision by the planning commission.
 - c. **City Council Hearing and Action Only.** Special use permits for the following uses shall only be presented to the city council for final action. Planning commission review and a recommendation is not required.
 - (i) Medical Marijuana Establishments.

Figure 17.12-14: Special Use Permit

3.  Fig17-12-14.png

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Procedures. Figure 17.12-14 shows the steps of the common development review procedures that apply in the review of applications for special use permits. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 2: Neighborhood Meeting Requirement. A neighborhood meeting is only required if the application is for a use listed in subsection 17.12.070.J.2.a. above.

Step 5: Public Notice Requirements. Notice shall be provided as set forth in Section 17.12.040.E. All required notices shall comply with NRS 278.315 and 178.319. Step 6: Action by Review and Decision-Making Authorities

Hearing and Decision by Planning Commission. The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall approve, approve with conditions, or deny the special use permit based on the approval criteria in subsection (ii) below. A decision of approval or denial by the Planning Commission shall be made by motion. This motion shall be final on the eighth calendar day following said decision unless an appeal is made to the City Council in accordance with subsection d of this section. A decision of approval or

denial by the Planning Commission shall be made not later than thirty (30) calendar days following the public hearing at which the application is first considered unless an extension of time is agreed upon by the applicant and the Planning Commission.

Approval Criteria. After the public hearing, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds from the evidence presented that all of the following facts exist:

- (1) The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable state and federal regulations;
 - (2) The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
 - (3) The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
 - (4) Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
 - (5) Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.
- (iii) **Conditions of Approval.** Any conditions, stipulations, or limitations imposed by the Planning Commission on a special use permit shall be binding upon the applicant, heirs, successors, and assigns. All conditions, stipulations and limitations shall be fulfilled within a two-year period of time, except otherwise provided below. Failure to complete the conditions, stipulations or limitations within the prescribed time limits shall render the special use permit null and void, unless an extension of time is granted by the Planning Commission.
- (iv) **Special Use Permits for Publicly Funded Capital Improvements, Public Utility Companies, and Exclusive Franchisees of the City.** Publicly funded capital improvements, a public utility company, or an exclusive franchisee of the City may be granted a special use permit requiring that all conditions, stipulations and limitations be fulfilled within a ten-year period of time. In doing so, however, the publicly funded capital improvement project, utility, or exclusive franchisee shall be subject to all applicable regulations of this Code in effect at the time of commencement of construction of the publicly funded capital improvement project, utility, or exclusive franchisee project.
- (v) **Hearing and Decision by City Council (if Applicable).** As indicated by this section, or otherwise required by this Code or laws applicable to this municipality, final action on special uses listed in subsection J.2.a above is required to be taken by the City Council. In such a case, the decision of the City Council is final.

c. Step 7: Appeals.

- (i) **Filing.** An appeal from the decision of the Planning Commission granting or denying any special use permit may be taken to the City Council by the applicant or the City Manager. An appeal may also be taken by any property owner as shown on the latest tax rolls of the Clark County Assessor's Office within a radius of three hundred (300) feet of the exterior boundary of the lot or parcel of land described in the application, or by any other person who may establish that his or her property rights are or may be affected by the decision.
- (ii) **Requirements.** Such appeal shall be in writing, shall be filed with the City Clerk on forms provided, and shall specify where there was error in the decision of the Planning Commission. Additionally, any person filing an appeal from a decision of the Planning Commission on the basis that his or her property rights or property value are or may be affected by said decision shall include an affidavit stating the nature and location of the property interest and the manner in which this property interest will be affected by the decision being appealed.
- (iii) **Automatic Stay.** If an appeal is filed within the time specified, it automatically stays proceeding in

the matter until determination is made by the City Council.

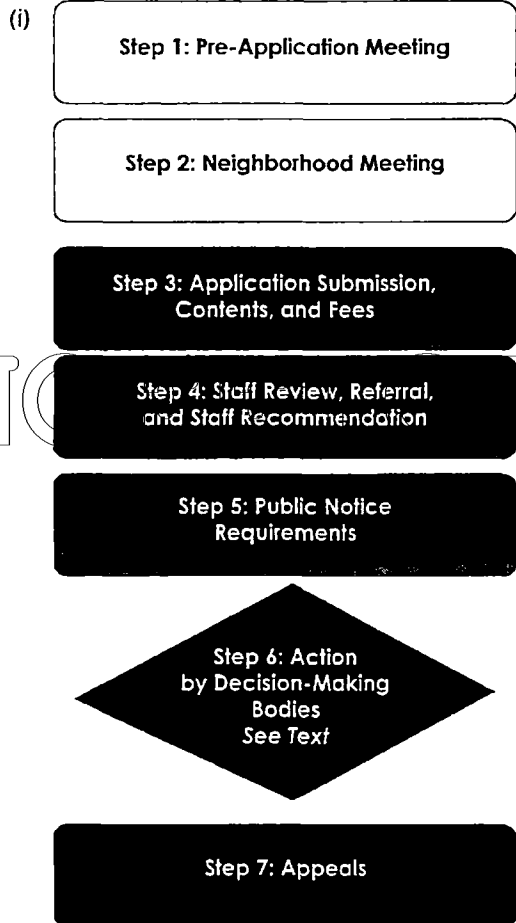
- (iv) **Public Hearing.** Upon the filing of the appeal, the City Clerk shall set the matter for City Council consideration at a public hearing. Notice by mail shall be given to all persons who appeared in person or through a representative at the Planning Commission public hearing. A hearing de novo shall be conducted by the City Council.
- (v) **City Council Decision on Appeal.** A decision by the City Council shall be made not later than thirty (30) calendar days following the public hearing at which the appeal is first considered unless continued without objection of the appellant. Planning Commission action shall prevail if the City Council fails to make a decision within the prescribed time or agreed upon extension of time.
- (vi) **Council Limitations.** Upon consideration of such appeal, the City Council may, by motion, affirm, reverse, or modify in whole or in part any determination of the Planning Commission subject to the same limitations as are placed upon the Planning Commission by this Code. A motion to reverse a Planning Commission recommendation shall contain a finding of facts showing how the proposed special use permit fails to meet the requirements as set forth in step 6 of this section.

- 4. **Violation of Special Use Permits.** Violations to the conditions of a special use permit shall constitute a violation of this Code and shall be subject to the regulations of Chapter 17.28, Enforcement, Violations, and Penalties.
- 5. **Modification or Enlargement of Structures Authorized Under a Special Use Permit.** Any proposed additions, enlargements, or modifications of the structures approved in any special use permit or any proposed extension of the use into areas not approved in any such permit shall be subject to review by the Director based on the criteria set forth in this section. Such a proposal may also be required to reapply for the special use permit as set forth in this section at the discretion of the Director.
- 6. **Discontinuation of Use.** Whenever a special use is discontinued for a period of six months or more it becomes null and void. All subsequent uses of the land shall be in conformance with this Code.

K. Variances.

- 1. **Purpose.** Variances are intended to allow a variation from application of the regulations of this title, such as setbacks, building height, sign area, sign height, or tower height, and to provide a reasonable use for a parcel or property having unique characteristics by virtue of its size, location, or topographical features. The purpose of a variance is not to grant any special privilege or concession not enjoyed by other properties in the same zone and vicinity. The variance may not be used to correct improper zoning, to adjust minimum lot areas or permitted development densities. In no case shall a variance be granted to permit a use other than a use permitted in the district in which the subject property is situated.
- 2. **Applicability.** A variance for a parcel of property may be initiated by the City Council upon its own motion, the Planning Commission upon its own motion, by application of the property owner(s), or by authorized user (s) of Bureau of Land Management land.
- 3. **Procedures.** Figure 17.12-15 shows the steps of the common development review procedures that apply in the review of applications for variances. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.
 - a. **Step 5: Public Notice.** Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, except in the case of an administrative variance, where no notice is required. All required notices shall comply with NRS 278.315 and 178.319.
 - b. **Step 6: Action by Review and Decision-Making Authorities.**

Figure 17.12-15: Variances

**KEY**

Step is applicable

Step is not applicable

Evidence Required for Variance. At the public hearing on a variance application, the applicant shall present a statement and adequate evidence in such form as the Planning Commission may require for the purpose of showing that the criteria set forth in subsection (iii)(2) below have been met.

Planning Commission Public Hearing. The Planning Commission shall hold a public hearing on the application not more than sixty (60) calendar days following the filing of a complete application unless an alternative time frame is agreed upon by the applicant. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. A decision of approval or denial by the Planning Commission shall be made not later than thirty (30) calendar days following the public hearing at which the application is first considered unless an extension of time is agreed upon by the applicant and the Planning Commission.

Consideration. Before any decision is made on a variance application, the Commission must find that the following has been met:

There are exceptional and extraordinary circumstances and conditions applicable to the property involved and that such circumstances and conditions do not apply generally to other properties in the same vicinity and zoning district;

Such variance is necessary for the preservation and enjoyment of a substantial property right that is possessed by property in the same vicinity and zoning district and denied to the property in question; and

The granting of such variance will not be materially detrimental to the public safety and welfare or injurious to other property or improvements in the same vicinity and zoning district.

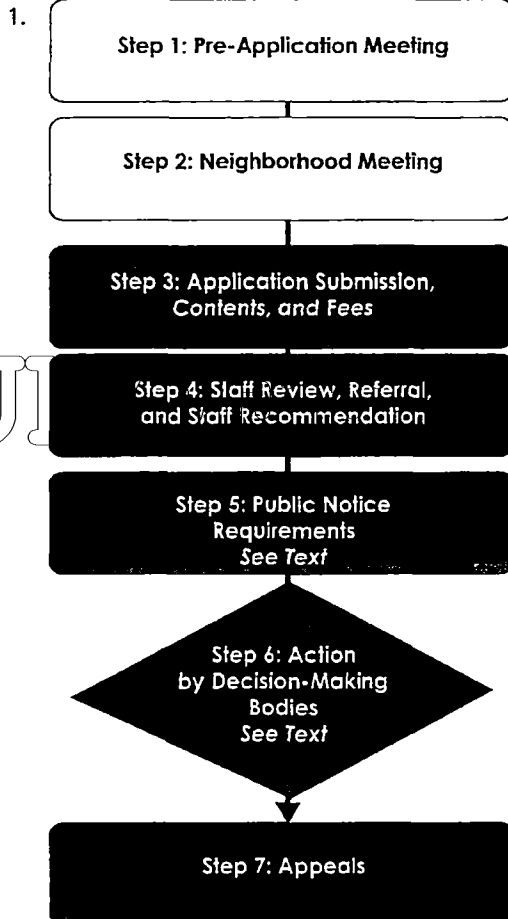
- (iv) **Expiration and Extension of Time.** Within two years of the approval of a variance: (a) a building permit reflecting the approved variance must be issued and construction pursuant to that permit must be diligently pursued; or (b) a permitted, conditional, or special use of the land reflecting the terms of the variance must be in operation. If neither of those two events has occurred within two years, the waiver shall expire unless an application for extension of time shall be made in writing and filed with the Director on forms provided within the two-year period. To partially defray the cost of noticing public hearings and other incidental administrative and investigative expenses involved in the application, a nonrefundable fee shall be charged. This fee shall be due and payable at the time of the filing of the application. No application shall be accepted for processing unless such fees have been paid or waived by motion of the City Council.

4. **Administrative Variances.**

- a. **Circumstances for Requesting an Administrative Variance.** If a requested variance is for ten percent or less of the Title 17 dimensional requirement, as allowed in a variance, the applicant may apply for an administrative variance instead of a variance. An administrative variance is reviewed by the Director and may only be approved if it is consistent with the following standards:
- (i) It will not reduce, increase, or vary the requirements of this Code by more than ten percent.
 - (ii) It is agreed to in writing by owners of affected abutting developed property.
 - (iii) It is significantly more practical than other options.
 - (iv) It will not be significantly detrimental to adjacent property.
- b. **Appeals.** If an administrative variance request is denied by the Director, the applicant may appeal by applying for a variance as set forth in this section.

L. **Waivers.**

Figure 17.12-16: Waivers



Purpose. The purpose of this section is to provide a procedure whereby applicants may apply for waivers to particular standards in Title 17 in exchange for compensating public benefits to offset the potential impacts of such waivers. The compensating public benefits set forth in this section are intended to achieve *Comprehensive Master Plan goals of improved park and recreational amenities, open space protection, energy conservation, and overall improved community character and design.* While this also provides a certain degree of flexibility to the applicants, this system shall not be construed to mean a guarantee of a waiver.

Applicability. Waiver requests may be made by any property owner in the City as a freestanding request or concurrently with any other application set forth in this section.

Compensating Public Benefits. The public benefits required to offset waivers are set forth in Table 17.12-2, below. Waivers can only be requested from the standards listed under "eligible waiver requests" in the table below. Waiver requests shall not be granted through this process for the following items:

- An increase in overall project density;
- A change in permitted uses or mix of uses;
- An increase in building height;
- A change in conditions attached to the approval of any site plan or conditional use permit;
- A change to a development feature already modified through a variance or minor change authorized by the Director as permitted in this Code; or requirements for sanitary sewer, central water, and access to or construction of utilities.

Procedures. Figure 17.12-16 shows the steps of the common development review procedures that apply in the review of applications for waivers. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 5: Public Notice. Written notice shall be required. Notice may be given concurrently with notice of a

related development application.

Step 6: Action by Review and Decision-Making Authorities.

- (i) **Hearing and Recommendation by Planning Commission.** The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action the City Council based on the approval criteria in subsection (iii) below.
- (ii) **Hearing and Decision by City Council.** Following a public hearing and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with conditions, deny, or continue the waiver request based on the approval criteria in subsection (iii) below. The City Council also may refer the proposed plan back to the Planning Commission for further consideration.
- (iii) **Approval Criteria.** In order for a waiver request to be approved, the application must meet all of the following criteria:
 - (1) The applicant has provided compensating public benefits in accordance with the request in Table 17.12-3; and
 - (2) That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

5. Waiver Requests and Associated Number of Compensating Public Benefits.

- a. **Major Waiver.** Any request for a waiver from any eligible numerical standard contained in Chapters 17.16, Zone Districts, or 17.24, Development Standards, greater than fifty (50) percent shall be considered a major waiver. A major waiver shall require the provision of at least two compensating benefits from the corresponding list set forth in Table 17.12-2.
- b. **Minor Waiver.** Any request for a waiver from any eligible numerical standard contained in Chapters 17.16, Zone Districts, or 17.24, Development Standards, of fifty (50) percent or less shall be considered a minor waiver. A minor waiver shall require the provision of at least one compensating community benefit from the corresponding list set forth in Table 17.12-2.

Illustrative examples.

1. Assume a commercial developer requests two waivers. The first is for a reduction of a side setback from fifty (50) to twenty (20) feet (sixty (60) percent)—requiring a major waiver. The second is to reduce parking spaces required by ten percent—requiring a minor waiver. To secure the major waiver, the developer offers to increase landscaping on the site by twenty (20) percent, concentrating it in the perimeter buffer, and to build an attractive masonry wall on the side of property on which the setback will be reduced. To secure the minor waiver for parking, he offers to complete the public sidewalk connection on the adjoining vacant parcel.
2. Assume the developer of a residential subdivision (one hundred (100) units) requests two waivers. The first is to reduce the open space requirement by eighty (80) percent (major waiver) and all front yard setbacks throughout the development by twenty-five (25) percent (minor). In order to compensate for the impacts of open space reduction, the developer offers to install enhanced active open space amenities, recreational facilities, and pedestrian amenities. Additionally, the developer offers to provide additional front-yard landscaping and street trees to secure the minor waiver for setbacks.

Table of Compensating Public Benefits

TABLE 17.12-2: COMPENSATING PUBLIC BENEFITS SCHEDULE FOR WAIVERS	
Eligible Waiver Request	Compensating Benefit(s)
<u>17.24.010</u> Site Dimensional Standards	

Setbacks (Section <u>17.24.010</u>)	<ol style="list-style-type: none"> 1) Increase in minimum perimeter landscape area in accordance with Section 17.24.060.E by a minimum of 25% 2) Increase in minimum number of trees in accordance with Section 17.24.060.E.6, Street Trees, by a minimum of 25% 3) No vehicle parking or loading areas between the street and the front of the building 4) Provision of a screening ornamental fence or masonry wall 5) A step down in building height to adjacent development to the approximate height of adjacent structures 6) Provision of solar water heating units to provide at least 50 percent of the estimated hot water needs of the development 7) Provision of photovoltaic cells or small wind turbines pursuant to <u>Section 17.24.140</u> to provide at least ten percent of the estimated electricity power needs of the development.
Lot Coverage (Section <u>17.24.010</u>)	<ol style="list-style-type: none"> 1) Increase in minimum number of street trees by a minimum of 25% in accordance with Section 17.24.060E.6 2) Enhanced architectural standards in accordance with Sections <u>17.24.090</u> - 130 3) Buffering/screening in accordance with <u>Section 17.24.070</u> 4) A step down in building height to adjacent development to the approximate height of adjacent structures.
<u>17.24.030 Open Space and Parks.</u>	
Dedication or Set Aside (Section <u>17.24.020</u>)	<ol style="list-style-type: none"> 1) Increase in minimum perimeter landscape area in accordance with Section 17.24.060.E by a minimum of 25%. 2) Enhanced active open space amenities and recreational facilities in accordance with Sections <u>17.24.020</u> 3) Additional on-site pedestrian amenities in accordance with <u>Section 17.24.050</u> 4) Demonstrate that at least 75 percent of all buildings within the proposed development plan comply with one of the following green building practices or their equivalent: (a) Energy Star Certification, (b) Southern Nevada Home Builders Green Initiative Certification, or (c) LEED-H Certification - additional levels of certification (silver through platinum) may be considered as additional compensating public benefit. 5) Reduced lot coverage on individual sites.
<u>17.24.040 Parking and Loading.</u>	

Number of Off-Street Parking Spaces (Section 17.24.040)

- 1) An increase of 25% in the amount of the vehicular use area that must be landscaped in accordance with Section 17.24.060.F.
- 2) An increase of 25% in the number of street trees in accordance with Section 17.24.060.E.4.
- 3) An increase of 100% in the number of bicycle spaces in accordance with Section 17.24.040.H and provision of bicycle lockers.
- 4) An increase of 25% in the number of trees to be planted in landscape diamonds within the vehicular use area in accordance with Section 17.24.060.F.
- 5) An increase in the number of pedestrian amenities (including sidewalks) either on or off-site in accordance with Section 17.24.050

17.24.010 Landscaping.

Percent of site
(Section 17.24.060)

- 1) Increase of 25% in minimum required groundcover accordance with Section 17.24.060
- 2) Enhanced buffering/screening beyond that required in Section 17.24.070
- 3) Increased on- or off-site pedestrian amenities in accordance with Section 17.24.050
- 4) An increase of 50% of the minimum caliper of street trees used to satisfy perimeter landscaping requirements on the site

Number of trees
(Section 17.24.060)

- 1) An increase of 10 percent of the portion of the site that must be landscaped in accordance with Section 17.24.060
- 2) Increased on- or off-site pedestrian amenities in accordance with Section 17.24.050
- 3) An increase of 25% in minimum required groundcover in accordance with Section 17.24.060
- 4) An increase of 50% of the minimum caliper of trees used to satisfy landscaping requirements on the site

Vehicular use area screening
(Section 17.24.060.F)

- 1) A 25% increase in the percent of the vehicular use area that must be landscaped in accordance with Section 17.24.060.F
- 2) An increase of 25% in the number of street trees in accordance with Section 17.24.060.E.4
- 3) An increase of 25% in the number of trees to be planted in landscape diamonds within the vehicular use area in accordance with Section 17.24.060.F
- 4) Provision of a screening ornamental fence or masonry wall
- 5) An increase of 50% of the minimum caliper of trees used to satisfy landscaping requirements on the site
- 6) An increase in the number of pedestrian amenities in accordance with Section 17.24.050

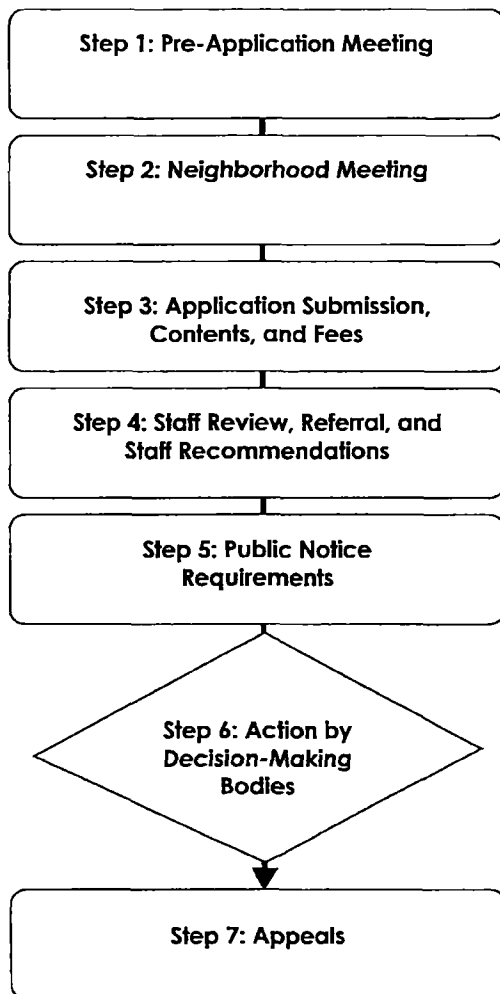
17.24.010 Screening, Walls, and FencesScreening (Section 17.24.070)

- 1) Increase of 25% in the minimum perimeter landscape area in accordance with Section 17.24.060.E
- 2) Increase of 25% in minimum number of street trees in accordance with Section 17.24.060.E.4,
- 3) A step down in building height to adjacent development to the approximate height of adjacent structures or structures on the fronting block face
- 4) An increase of 50% of the minimum caliper of trees used to satisfy landscaping requirements on the site

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(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2669, § 1, 6-18-2014; Ord. No. 2685, § 1, 8-6-2014)

17.12.040 - Common procedures and requirements.

Figure 17.12-1 Common Review Procedures

This section describes the procedural steps, requirements, and review criteria that are common to all or some land development applications. These provisions shall apply to all applications for land development submitted pursuant to this section, unless otherwise expressly exempted or alternative procedures are specified in this section or Section 17.12.070.

This Code is supplemented by, and should be read in conjunction with, the City of North Las Vegas Land Development Application Manual. The application manual is a citizen's guide to the Land Development Code and includes samples of application forms, detailed submittal requirements for different types of development approvals, required text for plat notes, and other information designed to simplify use of this Code.

A. Step 1: Pre-Application Meeting.

1. **Purpose.** The purpose of the pre-application meeting is to provide an opportunity for the applicant and the City to discuss the development proposal in order to:
 - a. Determine the required application(s) and the timing of multiple application submittals (i.e., whether they may be processed concurrently or must be processed sequentially);
 - b. Provide the applicant with application materials and inform the applicant of submittal requirements, including any requirements supplemental to those listed in the application manual for the type of application;
 - c. Provide the applicant with an estimated time frame for the review process;
 - d. Based on a conceptual plan of the proposal (if required), discuss generally compliance with the Code's zoning, use, density, development, and design standards, and attempt to identify potentially significant issues regarding compliance;
 - e. Discuss the need for any neighborhood meetings and public notice requirements; and
 - f. Refer the applicant to other departments or agencies to discuss potential significant issues prior to application submittal.
2. **Applicability.**
 - a. **Pre-Application Meeting Required.** A pre-application meeting is required prior to certain types of applications, as listed in Table 17.12-1. Applications for these types of approvals shall not be accepted until after the pre-application meeting is completed. The meeting should take place prior to any substantial investment, such as a land acquisition for a proposed development, site and engineering design, or the preparation of other data.
 - b. **Optional for All Other Applications.** A pre-application meeting is optional prior to submission of any other application under this Code not listed as requiring a pre-application meeting above.
3. **Record of Pre-Application Conference.** At the City's option, a summary of topics discussed at the pre-application conference may be documented by staff during the meeting and given to the applicant at the close of the pre-application conference.
4. **Submittal Requirements for Pre-Application Conferences.** All documents required for the pre-application conference shall be submitted at least 14 days prior to the initial meeting with City staff. With the request for a pre-application conference, the applicant shall provide to the Director a description of the character, location, and magnitude of the proposed development and any other available supporting materials, such as maps, drawings, or models. It is the applicant's responsibility to provide sufficiently detailed plans and descriptions of the proposal for staff to conduct an informed evaluation of the proposed project.

B. Step 2: Neighborhood Meeting.

1. **Purpose and Intent.** The purpose of the neighborhood meeting is for applicants to educate residents, occupants, and owners of nearby lands about the proposed development and application, receive comments, address concerns about the development proposal, and resolve conflicts and outstanding issues, where possible. Applicants shall be responsible for scheduling and conducting neighborhood meetings consistent with the purposes described in this section.
- 2.

Applicability. A neighborhood meeting is required prior to certain types of applications, as listed in Table 17.12-1. The Director may require a neighborhood meeting if the Director determines the application may have significant adverse neighborhood impacts, including but not limited to traffic, noise, visual, or environmental impacts, or where substantial objections have been raised by neighbors on previous projects in the City or the current proposed project.

3. **Procedure.** If a neighborhood meeting is held by the applicant, it shall comply with the following procedures:

- a. **Time and Place.** The official neighborhood meeting shall be held at a place that is convenient and generally accessible to neighbors that reside in proximity to the land subject to the application. The neighborhood meeting shall be held no later than seven days prior to the application submittal.
- b. **Notification.** The applicant shall be responsible for providing notice of the neighborhood meeting in accordance with the NRS requirements for notice for the type of application or approval being requested in the application. For example, a neighborhood meeting concerning a proposed zone map amendment would require the applicant to provide notices as required for a public hearing on a zone map amendment.
- c. **Conduct of Meetings.** At the official neighborhood meeting, the applicant shall explain the development proposal and application, answer any questions, and respond to concerns neighbors have about the application and proposed ways to resolve conflicts.
- d. **Staff Attendance.** The applicant shall be responsible for scheduling the meeting, coordinating the meeting, and for retaining an independent facilitator if needed. Attendance at the neighborhood meeting by City planning staff is not required.
- e. **Written Summary of Neighborhood Meeting.** The applicant shall provide the Director a written summary or transcript of the official neighborhood meeting with the application materials, and that summary shall be made available for public inspection. The written summary shall include a sign-in sheet, a summary of the issues related to the development proposal discussed, comments by those in attendance about the development proposal, and any other information the applicant deems appropriate.
- f. **Failure to Hold Meeting.** Failure to hold a required public meeting shall result in the application being deemed incomplete, and the application shall not be accepted until the neighborhood meeting is held. An applicant may appeal this decision to the decision-making body reviewing the application who may determine that because of the small size or lack of significant planning issues or apparent controversy adequate public input can be achieved through the remainder of the review process.

C. **Step 3: Application Submission, Contents, and Fees.**

1. **Form of Application.** Application submittal requirements, contents, and fees shall be established by the City and maintained in the City of North Las Vegas Land Development Application Manual that shall be made available in the offices of the Community Development Department and on the City's website.
2. **City of North Las Vegas Land Development Application Manual.** The Director shall compile the requirements for application contents forms, fees, submission materials, and review schedule in an application manual, which shall be made available to the public. The Director may amend and update the application manual from time-to-time, except that the Director may not amend application fees. Application fees shall be adopted by City Council, but after approval may be included in the application manual for the convenience of users.
3. **Authority To File Applications.** The record owner, a purchaser under a sale or option to purchase, the duly authorized agent of the record owner, or any person having legal authority to take actions with respect to the approval sought may file an application under this Code. In addition, the City Council, Planning Commission, or Director may file an application under this Code.
4. **Applications.** All applications required by this section shall be submitted to the Community Development Department, unless otherwise specified.
5. **Simultaneous Processing of Applications.**
 - a.

At the election of the applicant, and with the concurrence of the Director, applications for different types of development approvals may be processed simultaneously to expedite total review and processing time for a project. For example, an application for PUD preliminary development plan approval and tentative map approval may be submitted together for simultaneous review. Another example would be simultaneous processing of an application for a special use permit with an application for site plan approval.

- b. Whenever two or more forms of development approval are being processed simultaneously and this Code provides different time frames for review or decision-making for the different forms of approval, all related applications and approvals shall be completed within the longest time frame applicable to any of the simultaneous procedures, or as required by NRS.

6. **Contact Person Designation.**

- a. The applicant shall designate one person on the application as the primary contact person who will be responsible for all notification, including meeting dates, deadlines, and requirements. The City will communicate with the contact person in any matter regarding the application. It is the contact person's responsibility to inform the owners or applicant of such information.
- b. The applicant shall notify the Director in writing if there is to be a change in the contact person. The Director will continue to communicate with the designated contact person until the notice of change has been received.

7. **Application Contents and Fees.**

- a. **Application Contents—General.** The Director is authorized to establish submittal requirements within the application manual for all land use development applications required by this section and to update and amend such requirements as necessary to ensure effective and efficient City review. Applicants shall refer to the application manual for submittal requirements for each type of land use development application. The applicant shall provide any additional information, documents, or other material relevant to the application that the Director reasonably believes is necessary in order for the City to evaluate, analyze, and understand the subject matter of the application.
- b. **Submittal Waivers Pursuant to Pre-Application Meetings.** At or following a pre-application meeting, the Director may waive certain submittal requirements set forth in the application manual, except for fees, in order to reduce the burden on the applicant and to tailor the requirements to the information necessary to review a particular application. The Director may waive such requirements where he finds that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development or subdivision clearly justify such waiver. This discretion may only be exercised if a pre-application meeting is held.
- c. **Fees.** Non-refundable fees are required at the time of the filing of any development application and are payable to the City in accordance with the fee schedules adopted by City Council. The City may require, in addition to the fees above, that the applicant pay all or a portion of the reasonable fees charged by private consultants retained by the City for the purposes of reviewing the application and advising City officials and agencies with respect thereto.
 - (i) **Authorization and Payment Required.** The City Council shall adopt and amend from time-to-time a fee schedule setting forth an assessment of fees to defray the cost of processing land development applications under this section. The fee schedule, as amended, can be found in the application manual. At the time of submittal, all applications shall include payment of the processing fee, as well as any review fees charged by agencies for which the City has agreed to collect.
 - (ii) **No Required Fees for City-Initiated Applications.** No fee shall be required for land development applications initiated by the City on its own initiative, rather than by a private party.

D. **Step 4: Staff Review, Referral, and Staff Recommendation.**

- 1. **Complete Application Required for Processing.** The City shall accept an application for further processing only if the application is submitted in the required form, including all submittal information and all items or exhibits specified by the Director during a pre-application meeting, and is accompanied by the applicable processing fee. If an application satisfies these prerequisites for formal submittal, the City will deem the

application "provisionally complete" and subject to further completeness review as described in this section, and shall accept the application and fee for staff review, referral, and recommendation according to this subsection.

2. **Staff Review of Application.** Upon submission of an application, the Director, along with any consultants the City retains to review the proposed application and advise City officials and agencies, shall review the application and accompanying documentation for legal sufficiency, consistency with related prior approvals, completeness (in terms of quality of submittals to enable detailed City review), compliance with technical plan and report requirements, conformance with the provisions contained in applicable sections of this Code, consistency with the adopted Comprehensive Master Plan for the City, and applicable specific plans and relevant City policies. Staff shall complete its review within ten calendar days from the date the City accepts the application and application fee. However, failure to complete such review within the specified time shall not be deemed to constitute approval.

3. **Determination of Complete or Incomplete Application.**

- a. If the Director determines that the application is complete, the application shall then be processed according to the remainder of this section, including referrals to outside agencies and scheduling for public hearing, as applicable.
- b. If the Director determines that the application is incomplete during this review, the applicant shall be notified and given the opportunity to submit the missing or corrected materials within ten days. If the applicant does not submit the necessary materials within this ten-day period, the application shall be returned to the applicant along with all supporting materials and a written description of the application's specific deficiencies. All paid fees will be refunded to the applicant less a fee of one hundred dollars (\$100.00) for staff administrative time to conduct review of the application up until this point.
- c. Failure of the Director to make a completeness determination within the required ten-day time frame shall not be deemed a finding that the application is complete. Nor shall failure of the Director to make a determination be construed as a bar to subsequent City or referral agency requests for plan revisions or additional or supplemental submittal materials and shall not be prejudicial to the City's subsequent review of and final action upon the application.
- d. No further City action is required on an application returned to the applicant as incomplete. The applicant may reinitiate review of the proposed development only upon submittal of a new application and the payment of all fees in place and applicable at the time of re-submittal.

4. **Referral of Complete Application to Outside Agencies and Departments.**

- a. Staff may distribute the complete application to other City departments and agencies and to any other appropriate governmental or quasi-governmental agencies and bodies to solicit comments and ensure that the proposal complies with all applicable standards, requirements, and review criteria. The applicant shall be responsible for submitting any additional information or revised plans required by staff or the referral agencies, sufficient copies of the application to enable department and agency review, and for covering reasonable costs, such as postage and scheduled review fees, associated with distribution of the application to reviewing bodies.
- b. As applicable, the review and decision-making bodies shall consider the services and facilities provided by the referral agencies as a factor in approval of the complete application. The criteria for evaluating sufficiency of the services that must be satisfied for the approval of the application shall be provided to the review and decision-making bodies as a part of any referral response.
- c. Referral agencies may comment in writing within fifteen (15) days of receiving a complete application. At the discretion of the City, the failure of any agency to respond within fifteen (15) days may be considered "no comment" on the application by that agency. As applicable, referring agencies will provide the review and decision-making bodies with a summary of any capacity evaluation study. The summary will include an explanation of the agency's assumptions regarding available capacity.

5. **Subsequent Requests for Information.** Staff and referral agencies shall use best efforts to identify all major issues and to request additional information, data, or reports from the applicant, during the first referral and review period described in subsection 4. above. This provision shall not be interpreted to preclude staff or

referral agencies from requesting revisions or corrections to previously submitted materials if such materials are subsequently found to be inaccurate, incomplete, or if subsequent plan revisions do not comply with this section.

6. **Subsequent Meeting with Applicant.** During preparation of the staff report, staff may schedule a response meeting with the applicant to discuss the staff report and specific referral comments. In addition to planning staff, the Director or project planner may request the attendance of other City staff, key referral agencies, and other interested parties to address any concerns directly with the applicant.
7. **Submission of Revised Application, Scheduling, and Final Staff Report/Recommendation.**

- a. The applicant is encouraged to work with the various departments and agencies to resolve any concerns raised, to revise plans, and to assemble the appropriate documentation for issues.

- b. Unless the Director agrees to an extension of time, the applicant shall submit the revised application and related materials to the Director no later than one hundred eighty (180) days after receipt of the preliminary report. If the applicant does not submit a revised application within this time frame, the application shall be considered automatically withdrawn, and the City shall treat submittals after expiration of the time period as a new application for purposes of review, scheduling, and payment of application fees.

8. **Scheduling for Review and/or Decision.** At the close of the time frame for receipt of referral comments on the applicant's revised application and plans, the Director shall schedule the application for consideration on the next regular meeting agenda, or as soon thereafter as meeting agendas allow, before the applicable review or decision-making body. The Director shall notify the applicant of the scheduled dates. As applicable, public notice of a required public hearing shall be given according to the requirements stated in Section 17.12.040.E and any specific additional notice requirements as contained in Section 17.12.070.
9. **Applicant Request for Additional Revisions and Staff Review.** At the applicant's option, in-lieu of proceeding to review by the appropriate review or decision-making body at the scheduled meeting or hearing, the applicant may submit additional application and plan revisions to further respond to referral and Director comments. Each additional round of revision and Director review requested by the applicant shall follow the process of review, referral, and Director written response described in this chapter.
10. **Preparation of Staff Report and Recommendation.** After scheduling the application for review and decision-making authority action, the Director shall prepare a written staff report. The report shall include discussion of the relevant issues pertaining to the compliance of the application with the standards of this Code. The staff report shall incorporate the relevant responses and comments from reviewing departments and agencies. The staff report shall conclude with a recommendation for action. Conditions for approval may be recommended to eliminate any areas of noncompliance or to mitigate any adverse impacts from the development proposal.
11. **Distribution of Staff Report.** Upon request, staff will make copies of the staff report and the applicant's written responses, if any, available to the applicant, adjacent property owners, any member of the public the relevant review or decision-making body, or the City Attorney as appropriate. The City Council shall also be sent copies of the recommendation of the Planning Commission or other body as appropriate prior to any required City Council hearing.

E. **Step 5: Public Notice Requirements.** Applications for development approval shall comply with the Nevada Revised Statutes (NRS) and the provisions of this chapter with regard to public notification.

1. **General Notice Requirements Timing of the Notice.** Unless otherwise stated in this Code, notice for all public hearings shall be pursuant to this Section 17.12.040.E. Notice of the time and place of the hearing, including a general description of the area affected, shall be given at least ten days before the hearing by publication at least once in a newspaper of general circulation published or circulated in the City of North Las Vegas, or if there is none, by posting on the affected property so as to be legible from the public right-of-way and in at least ten public places in the City.
2. **Specific Notice Requirements.** Table 17.12-1 sets forth the specific notice requirements for applications requiring any type of notification.
3. **Content.** Notices, whether by publication or mail (written notice), shall at a minimum:

- a. Identify the application by number or title of the project;
- b. Identify the name of the applicant or the applicant's agent;
- c. Identify the subject property by parcel number and street address. If no street address has been assigned, provide reference to nearest cross-streets;
- d. Specify the date, time, and place of the public hearing;
- e. Describe the nature and scope of the application;
- f. Notify the public where to view the application and related documents;
- g. Include a statement that the public may appear at the public hearing or be heard, if any, and submit evidence and written comments with respect to the application; and
- h. Include a statement stating that written comments will be accepted and describing where written comments will be received prior to the public hearing or meeting.

4. **Published Notice.** When the provisions of this Code require that notice be published, the Director shall be responsible for preparing the content of the notice and publishing the notice in a newspaper of general circulation that has been selected by the City. The content and form of the published notice shall be consistent with this subsection 3. above and the requirements of the Nevada Revised Statutes.

5. **Written (Mailed) Notice.**

- a. When the provisions of this Code require that written or mailed notice be provided by the City, the Director shall be responsible for preparing and mailing the written notice. The City will provide the notification boundary map to be submitted with the project application. Written notice shall be provided to:
 - (i) Property owner of record and any known tenants at the property address as required by NRS, and
 - (ii) The owner of the property for which the approval is sought, and all the following additional property owners in the following cases:
 - (1) In the case of applications not listed in Table 17.12-1, that will result in a variation of thirty (30) percent or more to otherwise applicable standards, property owners immediately adjacent (excluding streets and alleys) within five hundred (500) feet of the subject property;
 - (2) In the case of applications not listed in Table 17.12-1, that will result in a variation of less than thirty (30) percent to otherwise applicable standards, property owners immediately adjacent (excluding streets and alleys) within one hundred (100) feet of the subject property; and
 - (3) Representatives of any neighborhood organizations that have registered with the City Clerk shall be notified if any area within the boundaries of such organization falls within the five hundred-foot radius area for property owner notice. Notice will be provided to neighborhood organizations using predefined boundary maps that shall be submitted to the City by the neighborhood organization.
- b. The notification of property owners shall apply only to the initial presentation of the proposed development to the public hearing unless otherwise directed by the City.

6. **Posted Notice.** Any posted notice shall be a minimum of twenty-four (24) inches by thirty-six (36) inches and printed so that the following are visible from a distance of one hundred (100) feet from a public street or right-of-way: the word "zoning," the current zoning classification, the proposed zoning classification, the proposed type of development review (e.g., rezoning, subdivision, variances), contact information regarding the application, and the date and time of the hearing. Projects abutting more than one right-of-way shall post at least one notice facing each right-of-way. Unless otherwise stated in the specific review procedures, signs shall be posted by the City at least ten days before any public hearing or decision on the application.

7. **Other Notices.** Applicants shall be responsible for compliance with any additional notice requirements in this Code, other City ordinances, or state law.

8. **Constructive Notice.**

- a. Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description, typographical or grammatical errors, or errors of

actual acreage that do not impede communication of the notice to affected parties. Failure of a party to receive written notice shall not invalidate subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing shall be strictly construed.

- b. When the records of the City document the publication, mailing, and posting of notices as required by this section, it shall be presumed that notice of a public hearing was given as required by this section.

F. Step 6: Action by Review and Decision-Making Authorities.

1. Permitted Actions.

a. Recommendations by Review Body.

- (i) A review body as set forth in Section 17.12.070, Specific Review Procedures, shall evaluate the application, referral comments, staff report, and public testimony, if any, and make a recommendation for action to the decision-making body.
- (ii) The review body's actions shall be based on the evidence presented and compliance with the review criteria for the subject application, as set forth in this Section 17.12.040.F, and the relevant specific review procedures set forth in Section 17.12.070

b. Review and Action by Decision-Making Body.

- (i) A decision-making body may take action on an application or appeal by approving, approving with conditions, continuing, or remanding for additional information or for further study, or denying the application or appeal.
- (ii) In taking action, the decision-making body shall evaluate the application, referral comments, staff report, public testimony, if any, and the review body's recommendation. All final decision actions shall be based on the application or appeal's compliance with the review criteria for the subject application, as set forth in Section 17.12.040.F.7 and in the relevant specific sections of this chapter.

- 2. **Withdrawal of Application by Applicant.** An applicant shall have the right to withdraw an application, at any time prior to action on the application at a public hearing or meeting. The applicant shall submit in writing the withdrawal request to the Director. After a withdrawal, the City will not take further action on the application. To re-initiate review, the applicant shall submit a new application. Withdrawal of an application from a public hearing or meeting agenda is at the review or decision-making body's discretion.
- 3. **Applicant is Responsible to be Present at Public Hearing.** The applicant, property owner, or authorized user of Bureau of Land Management land or appropriate representative is responsible to be present at all public hearings. If the applicant fails to appear at the public hearing without prior notice the item may, at the discretion of the City, be issued a continuance. If the applicant misses two hearings, the applications may be denied with prejudice.
- 4. **Continuation of Public Hearings.** The review or decision-making body may continue a public hearing for its consideration of an application for a definite time not to exceed sixty (60) days, unless a longer period is agreed to by the applicant in writing or at a public hearing. The continuance may be granted by the review or decision-making body on its own initiative or at the request of the applicant or affected property owners.
- 5. **Site Visits by Review or Decision-Making Body.** As part of its consideration of an application, the review or decision-making body may, as a group or through a committee appointed for that purpose, inspect the site of the proposed land use or development activity. The site visit may occur at any time prior to the review or decision-making body's final recommendation or action on the application. Upon reasonable request by the Director, the applicant shall mark the development site prior to the site visit to generally locate property boundaries, building envelopes, and other key site planning features. Attendance at a site visit by a quorum of the subject review or decision-making body membership shall be properly noticed according to law.
- 6. **Written Findings of Fact.** Recommendations or decisions at the conclusion of any required public hearing shall be accompanied by written findings of fact addressing how the application does or does not comply with the general review criteria or specific review criteria stated in this Code for that type of application. All findings of fact shall be based on information contained in the application, or submitted or arising during the public hearing.
- 7. **Conditions of Approval.**

- a. The review or decision-making body may recommend or impose such conditions upon the subject development as is necessary to carry out the general purpose and intent of this Code. Conditions and additional information requirements shall be in written form and attached to the approved plan, plat, or permit.
 - b. Conditions of approval shall be reasonably related to the anticipated impacts of the proposed use or development.
 - c. The decision-making body may place specific time limits on the satisfaction of any condition of approval.
 - d. The decision-making body may require financial guarantees from the applicant pursuant to Title 16 of the North Las Vegas Municipal Code.
 - e. The decision-making body may establish conditions under which a lot or parcel of land may be used, or a building constructed or altered, or make requirements as to the architecture, height of a building or structure, open spaces, parking areas or vehicle storage and conditions of operation of any enterprise, or may make any other conditions, requirements or safeguards that they may consider necessary to the public health, safety, and welfare.
 - f. The conditions, stipulations, or limitations shall be binding upon the applicants, heirs, successors, and assigns. All conditions, stipulations, and limitations shall be fulfilled within a two-year period of time. Failure to complete the conditions, stipulations, or limitations within the time limit shall render the application null and void, unless an extension of time is granted by the decision-making body.
8. **Approval Criteria.** To approve a development application, the decision-maker shall find that the development application has satisfied and followed the applicable requirements of this chapter, all of the approval criteria required for the applicable development application as set forth in this chapter, and all other applicable development standards of this Code.

G. Step 7: Appeals.

1. **Purpose.** Where an aggrieved person alleges that there is an error in any order, requirements, decision, or refusal made by an administrative official in the enforcement of this Code or of any ordinance adopted pursuant thereto, or any other requirement of a City department not covered by a particular code, an appeal may be made as prescribed in the following section.
2. **Appeals to the Planning Commission.** An aggrieved person may appeal decisions by an administrative officer in the enforcement of this Code in a manner provided in this subsection. The appeal shall be made to the Planning Commission in the following manner:
 - a. **Application.** The aggrieved person shall state in a letter to the Commission the specific requirement that is to be appealed and the circumstances why the requirement is imposing an undue hardship upon the proposed development. The letter shall be filed with the Community Development Department within ten days of receipt of certified letter from staff documenting decision to be appealed. Upon receipt of said letter, the Community Development Department shall set a date at which such appeal will be heard by the Planning Commission.
 - b. **Hearing.** The Planning Commission shall hold a hearing on the appeal request not more than forty-five (45) calendar days following the filing of the aggrieved person's letter of appeal. The aggrieved person must be present at the meeting at which the appeal will be heard.
 - c. **Decision.**
 - (i) **Timing of Decision.** A decision of the Planning Commission shall be made not later than thirty (30) days following the public hearing unless an extension of time is agreed upon by the aggrieved person and the Planning Commission.
 - (ii) **Form of Decision.** The Planning Commission in granting an appeal may establish conditions under which a lot or parcel of land may be used, or a building constructed or altered, or make requirements as to the architecture, height of building or structure, open spaces, parking areas, or vehicle storage and other conditions, requirements, or safeguards that the Commission may consider necessary to the public health, safety, and welfare. The Planning Commission may require guarantees to insure compliance with the conditions prescribed in any appeal granted. In the event of a denial by the Commission, the motion shall set forth the reasons for such denial.

- (iii) **Final Action of the Planning Commission.** A decision of approval or denial by the Planning Commission shall be made by motion. This motion shall be final on the eighth day following said decision unless an appeal is made to the City Council as prescribed in subsection 5. of this section.

3. Appeals to the City Council.

- a. **Filing.** An appeal from the decision of the Planning Commission as provided in this section may be taken to the City Council by an aggrieved person the City Manager, any property owner as shown on the latest tax rolls of the Clark County Assessor's Office within a radius as established by NRS, or any other person who may establish that his or her property rights are or may be affected by the decision. Such appeal shall be in writing and shall be filed with the City Clerk on forms provided within seven calendar days of the decision appealed from. The appeal shall specify where there was error in the decision of the Planning Commission. Additionally, any person filing an appeal from a decision of the Planning Commission on the basis that his or her property rights are or may be affected by said decision shall include an affidavit stating the nature and location of the property interest and the manner in which this property interest will be affected by the decision being appealed. To partially defray the cost of making maps, noticing public hearings, and other incidental administrative and investigative expenses involved in any application, a nonrefundable fee shall be charged. This fee shall be due and payable at the time of the filing of the application. No application shall be accepted for processing unless such fee is paid.
- b. **Automatic Stay.** If an appeal is filed within the time specified, it automatically stays proceeding in the matter until determination is made by the City Council.
- c. **Consolidation of Appeals.** If more than one appeal is filed concerning a decision of the Planning Commission, all such appeals shall be consolidated into a single matter to be heard by the City Council.
- d. **Hearing.** Upon the filing of the appeal, the City Clerk shall set the matter for City Council consideration at a hearing. Notice by mail shall be given to all persons who appeared in person or through a representative at the Planning Commission hearing. At the hearing, City Council will consider the appeal as a new matter for determination, rather than reviewing for error in the Planning Commission decision. The City Council shall base its decision on the intent of this Code as stated in Section 17.04.010 as well as well as those purposes stated in NRS 278.020.
- e. **Decision.** A decision by the City Council shall be made not later than thirty (30) calendar days following the public hearing at which the appeal is first considered, and within forty-five (45) calendar days of the decision appealed from, unless continued without objection of the appellant. Planning Commission action shall prevail if the City Council fails to make a decision within the prescribed time or agreed upon extension of time. The City Council may grant no appellant more than two continuances on any appeal unless it determines, upon good cause shown, that additional continuances are warranted.
- f. **Council Limitations.** Upon consideration of such appeal, the City Council may, by motion, affirm, reverse, or modify in whole or in part any determination of the Planning Commission subject to the same limitations as are placed upon the Planning Commission by this Code. A motion to reverse a Commission decision shall contain a finding of facts showing why the Commission decision was in error.
- g. **Final Decision.** The decision of the City Council shall be a considered a final decision for purposes of judicial review.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.12.050 - Inactive applications.

- A. **Notification.** The Director may notify the applicant in writing that an application that was previously determined to be a complete application will be considered inactive unless corrective action is taken within thirty (30) days, if at any point in a development review process either:
1. The Director or a referral body/agency has notified the applicant that additional or corrected materials are required, and the applicant has not submitted such materials within forty-five (45) days after the date of such notification; or
 2. The applicant fails to attend any scheduled mandatory neighborhood meeting, meeting with the Director, or meeting or hearing before the Planning Commission, board of adjustment, or City Council; or
 - 3.

The applicant has not responded to a staff report, has not agreed to a date for a meeting or hearing before the Planning Commission, has not given proper public notice as required by this chapter, or has not taken some other affirmative step within a reasonable time frame that is within the applicant's control and is necessary to advance the application for a final determination. A "reasonable time frame" shall be determined by the Director taking into account average response times from similar applicants on similar applications; or

- B. **Processing Stops.** No further processing of such application shall occur until the deficiencies are corrected. If the applicant does not correct the deficiencies within the thirty-day correction period, the application shall be considered automatically withdrawn. Any re-submittal of the application by the applicant will be treated as a new application for purposes of review, scheduling, and payment of application fees.

(Ord. No. 2591 § 1, 6-15-2011, eff. 10-1-2011)

17.12.060 - Actions and limitations following development approval or denial.

- A. **Standard Notes and Certifications.** Each approved development plan or plat shall contain standard notes, specific notes, dedication, conditions, and certifications that the City finds to be applicable and appropriate.
- B. **General Recordation Requirements.** After approval of the development plan or plat by the City, the applicant shall record with Clark County within thirty (30) working days after approval. The applicant shall provide the Director with three copies of the recorded plat. The applicant shall be responsible for all fees associated with the recording. In the event the applicant does not record the plan or plat within the required thirty (30) days, the Director may notify the applicant that the plan or plat may become null and void if action is not taken within a specified time frame. If such a notice is given and applicant does not take the required action within the time specified by the Director, the Director may notify the City Council of the situation and the City Council may, in its discretion, declare the plan or plat null and void.
- C. **Lapse of Approval Provisions/Extension of Approval Period.**
1. All permits and approvals under this Code, shall lapse if certain actions related to the approved application are not taken within a specified time period. Specific actions that must be taken with regard to each form of permit or approval to avoid lapsing of the approval are set forth in Section 17.12.070
 2. After consultation with other departments whose services, facilities, or plans for future services and facilities may be affected, the Director may grant an extension of an approval period up to twelve (12) months for good cause. All requests for extensions shall be submitted to the Director in writing at least thirty (30) days prior to the expiration of approval. An extension request shall include payment of required fees and a narrative stating the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes to the Comprehensive Master Plan or this Code that have occurred since approval of the permit/plan as these changes affect the permit/plan, and the anticipated time schedule for completing the review project and/or the specific project. Additional review of the permit/plan may result in additional conditions, as applicable.
 3. Any denial of the extension may be appealed to the Planning Commission. If the extension is denied, the applicant may re-submit a new application, subject to the fees and regulations in effect at the time of re-submittal, for the same project.
- D. **Limitations on Successive Applications.** Unless otherwise specified in Section 17.12.070 for a specific type of application, upon denial of an application submitted pursuant to this Code, no new application for the same or substantially the same request, as determined by the Director, shall be submitted or accepted within one year of the date of such denial. However, if the Director determines that the resubmitted application has been modified to correct the stated objections, then the resubmittal will be accepted prior to expiration of the one year period. Resubmittals are subject to all processing fees, submittal requirements, and review standards in effect at the time the resubmittal is accepted by the Department.
- E. **Modifications of and Amendments to Approved Plans.**
- 1.

Amendments. All changes, modifications, removal, or release of the provisions of an approved plan or plat shall be considered amendments. Amendments shall include, but are not be limited to, changes in use, access, layout, any condition of approval, any change resulting in significant increased off-site impacts, and similar changes as determined by the Director. All amendments to applications not listed in subsections 2. through 5. below shall be subject to the provisions of this subsection 1.

a. **Minor Amendments.** All amendments that do not modify any numerical development standard by more than ten percent and do not include a change in any permitted or conditional use or any increase in permitted building height or any increase in development density or intensity, or any reduction in approved open space, shall be minor amendments and shall be subject to approval by the Director.

b. **Major Amendments.** All amendments that do not meet the definition of a minor amendment in subsection (a) above shall be major amendments. Major amendments must be reviewed and approved through the same procedure used for the initial approval of the development application. For purposes of review and scheduling, major amendments are treated as new applications subject to the applicable procedures and review criteria set forth in this chapter unless otherwise noted in the specific review procedures.

c. **Recording.** All approved amendments to a recorded plan or plat shall be recorded within ninety (90) days of the amendment's approval.

2. **Planned Unit Development Amendments.** Amendments to any approved Planned Unit Development (PUD) shall be processed in accordance with Section 17.12.070.E.6.

3. **Mixed-Use Development Amendments.** Amendments to any approved Mixed-Use Development (MUD) shall be processed in accordance with Section 17.12.070.F.9.

4. **Residential Design Incentive System Amendments.** Amendments to any approved Residential Design Incentive System (RDIS) shall be processed in accordance with Section 17.12.070.G.5.

5. **Site Plan Amendments.** Amendments to any approved Site Plan shall be processed in accordance with Section 17.12.070.H.6.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.12.070 - Specific review procedures.

A. **Zoning Text Amendments.**

Figure 17.12-2: Zoning Text Amendments

1.

Step 1: Pre-Application Meeting

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and FeesStep 4: Staff Review, Referral,
and Staff RecommendationsStep 5: Public Notice
Requirements
See TextStep 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. In accordance with the provisions of Nevada Revised Statutes, the City Council may from time-to-time adopt amendments to this Code. An amendment to this Code may involve changes to its text and wording, including but not limited to changes in the regulations regarding uses, setbacks, heights, lot areas, definitions, administration, and/or procedures.

Applicability. Amendments shall be initiated by a motion of the City Council, Planning Commission, or Director, or by petition of a person whose property would be affected by the amendment.

Procedures. Figure 17.12-2 shows the steps of the common development review procedures that apply in the review of applications for zoning text amendments. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 6: Action by Review and Decision-Making Bodies.

Hearing and Recommendation by the Planning Commission. An amendment not initiated by the Planning Commission shall be referred to the Commission for study and public hearing. In its deliberations on the matter, the Commission shall consider oral or written statements from the petitioner, the public, City staff, and its own members in addition to the criteria in subsection (iii)

below. The Planning Commission may approve, disapprove, or table an amendment application. Upon making a decision, the Planning Commission shall notify the City Council of its recommendation, together with a report of findings, hearings, and other supporting data.

- (ii) **Hearing and Decision by the City Council.** The City Council, after receipt of the report and recommendation of the Planning Commission, shall consider the proposed amendment and the recommendations of the Planning Commission. In its deliberations on the matter, the Council shall consider oral or written statements from the petitioner, the public, City staff members, and its own members in addition to the criteria in subsection (iii) below. If, for the evidence presented and the recommendations of the Planning Commission, the City Council determines that the proposed amendment will not adversely affect the health and general welfare, the City Council may approve, or change, or modify and approve, the proposed amendment by ordinance.

- (iii) **Approval Criteria.** Recommendations and decisions on zoning text amendments may be approved if all of the following criteria are met:

- (1) The proposed amendment is consistent with the Comprehensive Master Plan, other adopted City plans, and the stated purposes of this Code; and
- (2) The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

B. Zoning Map Amendments (Rezoning).

Figure 17.12-3: Zoning Map Amendments

1.

Step 1: Pre-Application Meeting

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and FeesStep 4: Staff Review, Referral,
and Staff RecommendationsStep 5: Public Notice
Requirements
See TextStep 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. In accordance with the provisions of Nevada Revised Statutes, the City Council may from time-to-time change the zoning of parcels of and within the municipality. These changes in zoning classification are for the purpose of meeting the land use needs of the residents of the City in conformance with the City's Comprehensive Master Plan.

Applicability.

Initiation. Rezoning may be initiated by the City Council, the Planning Commission, the owner of property proposed for rezoning, or authorized user(s) of Bureau of Land Management land.

Rezoning to Planned Unit Development. Applications for Rezoning to Planned Unit Developments shall be made in accordance with Section 17.12.070.D.

Rezoning to Mixed-Use Development. Applications for Rezoning to Mixed-Use Developments shall be made in accordance with Section 17.12.070.F.

Planned Community Districts. Applications for Planned Community Districts shall be made in accordance with Section 17.12.070.E.

Procedures. Figure 17.12-3 shows the steps of the common development review procedures that apply in the review of applications for zoning map amendments. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 5: Public Notice Requirements. Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, and additional procedures as set forth in the application manual.

b. Step 6: Action by Review and Decision-Making Authorities.

(i) Hearing and Recommendation by the Planning Commission.

- (1) **Public Hearing.** All proposed amendments not initiated by the Planning Commission or City Council shall be submitted to the Planning Commission for a public hearing. The Planning Commission shall hold a public hearing on the application not more than forty-five (45) calendar days following the filing of a complete application or following the motion of the City Council initiating the proposed change, unless an alternative time frame is agreed upon by the applicant. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings.

- (2) **Recommendation.** Following the conduct of a public hearing and within thirty (30) calendar days of the hearing, the Planning Commission shall report its findings and recommendations on the proposed amendment to the City Council unless an extension of time is agreed upon. The Commission, in making its recommendation concerning a reclassification of property, may change or modify the proposed amendment. If the Commission also considers reclassifying other adjacent property, it shall be necessary to notify the additional persons required and set another public hearing per this chapter.

- (3) **Planning Commission Denial.** A Planning Commission recommendation of denial of an application for a zoning map amendment submitted by petition shall terminate proceedings unless appealed. All other Planning Commission actions on proposed zoning map or zoning ordinance amendments shall be automatically referred to the City Council for a public hearing.

(ii) Hearing and Decision by the City Council.

- (1) **Public Hearing.** The City Council shall consider the proposed amendment and the recommendations of the Planning Commission at the Council's next regular public hearing following receipt of the recommendations of the Planning Commission.
- (2) **Determination.** If, based on the evidence presented and the recommendations of the Planning Commission, the City Council determines that the proposed amendment will not adversely affect the health and general welfare; the City Council shall approve the proposed amendment by ordinance based on the criteria in subsection (iii) below.

(iii) Approval Criteria. The City Council may approve zoning map amendments, and the Planning Commission may recommend approval, if the zoning map amendment meets all of the following criteria:

- (1) The rezoning will promote the public health, safety, and general welfare;
- (2) The rezoning is consistent with the Comprehensive Master Plan and the purposes of this Code;
- (3) The rezoning is consistent with the stated purpose of the proposed zoning district(s);
- (4) Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
- (5) The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- (6) The rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
- (7) Future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract.

4. **Limits on Successive Applications.** When a rezoning request for property is denied by the Council, a new application to rezone the property to the same district or any other district shall not be made within one year of the date of Council denial. However, this paragraph shall not preclude the submittal of an application to

rezone property to a district that is in conformance with the existing Comprehensive Master Plan land use designation; provided, the application is not submitted within one year of the date of Council denial of a previous attempt to amend the Comprehensive Master Plan for the same property.

C. Comprehensive Master Plan Amendments.

Figure 17.12-4: Comp. Plan Amendments

1.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting
Per NRS 278.210

**Step 3: Application Submission,
Contents, and Fees**

**Step 4: Staff Review, Referral,
and Staff Recommendations**
See Text

**Step 5: Public Notice
Requirements**
See Text

**Step 6: Action by
Decision-Making
Bodies**
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. The purpose of this section is to provide procedures and standards for amending the text or maps of the North Las Vegas Comprehensive Master Plan as authorized by NRS 278.210-220. The amendment process is established in order to provide flexibility in response to changing circumstances, to accommodate potential change where such change meets the intent of the plan, to reflect changes in public policy, and to advance the general welfare of the City.

2. **Applicability.** An application for a Comprehensive Master Plan amendment may be initiated by the City Council, Planning Commission, Director, public utility or requested by an owner of land in the City.
- 3.

Procedure. Figure 17.12-4 shows the steps of the common development review procedures that apply in the review of applications for Comprehensive Master Plan amendments. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

- a. **Step 1: Pre-Application Meeting.** A pre-application shall be required for applications initiated by a property owner in the City or his or her representative(s).
- b. **Step 4: Staff Review, Referral, and Staff Recommendation.**
 - (i) **Director Review and Staff Report.** The Director and the City Council shall, as appropriate, consult with, advise, and provide an opportunity for official comment by public officials and agencies, the county, school districts, associations of governments, public land management agencies, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations, property owners, and citizens generally to secure maximum coordination of plans and to indicate properly located sites for all public purposes in the Comprehensive Master Plan.
- c. **Step 5: Public Notice Requirements.** Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, and the City shall comply with those special procedures for notification of neighborhood meeting(s), public hearing(s) before the Planning Commission, and public hearing(s) before the City Council required by NRS 278.210, 278.220, and 278.225.
- d. **Step 6: Action by Review and Decision-Making Authorities.**
 - (i) **Hearing and Recommendation by Planning Commission.** The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action to the City Council based on the approval criteria in subsection (iii) below.
 - (ii) **Hearing and Decision by City Council.** Following a public hearing, and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with amendments, deny, or continue the Comprehensive Master Plan amendment based on the approval criteria in Step 8 below. The City Council also may refer the proposed amendment back to the Planning Commission for further consideration.
 - (iii) **Approval Criteria.** Recommendations and decisions on Comprehensive Master Plan amendments may be approved if the City Council finds the proposed amendment will not diminish the supply of essential land uses in the City, including industrial zones that provide a critical employment base for the City, and that the proposed amendment meets at least one of the following:
 - (1) The proposed amendment is based on a change in projections or assumptions from those on which the Comprehensive Master Plan is based;
 - (2) The proposed amendment is based on identification of new issues, needs, or opportunities that are not adequately addressed in the Comprehensive Master Plan;
 - (3) The proposed amendment is based on a change in the policies, objectives, principles, or standards governing the physical development of the City;
 - (4) The proposed amendment may result in unique development opportunities that will offer substantial benefits to the City; or
 - (5) The proposed amendment is based on an identification of errors or omissions in the Comprehensive Master Plan.

D. Planned Unit Developments.

Figure 17.12-5: PUD, Preliminary

1.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and Fees

Step 4: Staff Review, Referral,
and Staff Recommendations

Step 5: Public Notice
Requirements
See Text

Step 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. The purpose of this section is to provide procedures and standards for creating and approving a planned unit development district (PUD). All PUD applications shall be reviewed according to the provisions of this section. All PUD applications shall be reviewed and approved by the Planning Commission and City Council prior to any physical development on the subject property.

Applicability. Planned unit developments may be initiated by the City Council, Planning Commission, owner of property proposed for rezoning, or authorized user of Bureau of Land Management land.

Procedures, Preliminary Development Plan. Figure 17.12-5 shows the steps of the common development review procedures that apply in the review of applications for PUD preliminary development plans. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 1: Pre-Application Meeting. In addition to the submittal requirements for pre-application meetings set forth in the application manual, the applicant shall also submit a computation table showing proposed land use allocations in acres and percent of total site area shall be included on the concept plan.

Step 6: Action by Review and Decision-Making Authorities.

Hearing and Recommendation by Planning Commission. The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action to the City Council based on the approval criteria in subsection (iii) below.

- (ii) **City Council Consideration and Hearing and Action by City Council.** Following a public hearing, and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with amendments, table, or deny the PUD preliminary development plan based on the approval criteria in subsection (iii) below. The City Council also may refer the proposed amendment back to the Planning Commission for further consideration. In its deliberations on the preliminary development plan, the Council shall consider oral or written statements from the applicant, City staff, the public, and its own members. The Council's review shall encompass the same issues as did the Commission's review but may consider any evidence related to those issues presented at the City Council public hearing. Conditions may be applied to the approval and/or periodic review of the approval may be required. Approvals, if granted, shall be for a particular development, not for a particular applicant.
- (iii) **Review Criteria.** The Planning Commission may recommend approval, and the City Council may approve planned unit developments, if the planned unit development meets all of the following criteria:
- (1) The PUD 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.
 - (2) The PUD is consistent with the Future Land Use Map of the Comprehensive Master Plan and the purposes of this Code;
 - (3) The PUD is consistent with the development standards in Section 17.24
 - (4) Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
 - (5) The PUD is not likely to result in significant adverse impacts upon the natural environment, or such impacts will be substantially mitigated;
 - (6) The PUD is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
 - (7) Future uses on the subject tract will be compatible with uses on other properties in the vicinity of the subject tract.
- (iv) **Exceptions to Grant Waivers.** No decision-making body shall approve a waiver as part of the PUD process that results in a variation from the standards of Section 17.24.020, Open Space and Parks.

Figure 17.12-6: PUD, Final

4.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and Fees

Step 4: Staff Review, Referral,
and Staff Recommendations

Step 5: Public Notice
Requirements

Step 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Procedures, Final Development Plan. Figure 17.12-6 shows the steps of the common development review procedures that apply in the review of applications for PUD, final development plans. The common procedures are described in [Section 17.12.040](#). Specific additions and modifications to the common review procedures are identified below.

Step 6: Action by Review and Decision-Making Authorities.

Director Action. Final PUD development plan approval and the issuance of a building permit for any portion of a PUD shall occur only when:

A reproducible copy of the approved preliminary development plan with appropriate signatures (e.g., preparer's signature, owner's signature) has been submitted to the Director.

A final subdivision map is submitted and approved for the portion of the PUD in question, as per City subdivision regulations.

The design and construction specifications for all utilities, property, and street improvements have been approved by the Director of Public Works.

A site plan, subject to the requirements of Section 17.12.070.H for the specific portion of the PUD in question has been submitted and has been approved by the Planning Commission or Director as applicable, in conformance with the preliminary development plan. Upon approval of the site plan, a reproducible copy shall be submitted.

- (5) Architectural elevations of the buildings, with materials lists, are submitted and approved by the Planning Commission or Director, as applicable.
- (6) A landscaping plan is submitted and approved by the Planning Commission or Director, as applicable.
- (7) A performance bond, cash escrow agreement, or other acceptable instrument has been deposited with the City in an amount as set by the City Council based upon the Director of Public Works' recommendation. This financial guarantee shall be used to ensure the full completion, as specified, of:
 - (a) Public and private streets and utilities;
 - (b) Common area landscaping; and
 - (c) Privately owned and maintained recreational facilities.
- (8) Any land dedication agreements made as part of the preliminary development plan approval are fulfilled.

5. **Platting Requirements.** All applicants for a planned unit development permit shall be required to file with Clark County appropriate mapping of the planned unit development complying with all of the requirements of the subdivision ordinance of the City, codified in Section 16.16 of this Code, except that the Council may waive specific portions of Section 16.16. The City Council, however, may not waive any portion of Section 16.16 required by Nevada Revised Statutes relative to Divisions of Land Sections 278.320 — 278.460. Such required maps shall contain on their face a cross-reference to the PUD development plan.
6. **Method of Withdrawing an Application for PUD Approval.** Any application for a planned unit development permit may be withdrawn by the applicant at any time prior to PUD approval upon written notification to the Director. The PUD shall be null and void upon receipt of such notice by the City and the Planning Commission and City Council shall be notified of such action.
7. **Amendments to PUD Approval.**
 - a. **Minor Amendments.** Minor changes in the location and placement of roads, buildings, or parking may be authorized by the Director where unforeseen circumstances such as engineering requirements, dictate such change. When in question, the Director and the Director of Public Works may determine whether the changes shall be classified as a minor or major amendment, or may refer the question to the Planning Commission if they deem it necessary.
 - b. **Major Amendments.** Major changes, such as alterations in structural types, in the shapes and arrangements of lots and blocks, in the allocation of open space or other land uses which increase density and/or intensity of the project, in project phasing, and all changes to an approved PUD shall be referred to the Planning Commission, after which the Commission shall consider and recommend approval or denial of the changes in the planned unit development to the City Council. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes.
8. **Denial of PUD Approval.** If an application for planned unit development approval is denied at either the preliminary development plan or final development plan stage, a new application for a PUD approval shall be required.

E. Planned Community Districts.

Figure 17.12-7: Planned Community District

1.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting

Step 3: Application Submission,
Contents, and Fees

Step 4: Staff Review, Referral,
and Staff Recommendations

Step 5: Public Notice
Requirements

Step 6: Action by
Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. The Planned Community District ("PCD") is established to permit and encourage the development of comprehensively planned communities with a minimum of five hundred (500) contiguous gross acres of land under single ownership or control. The goal is to ensure orderly planning of large areas of land and to create efficient, desirable, and stable developments offering a combination of planned land uses and distinct advantages. This district is designed to provide for flexibility in the zoning of large master planned communities. The intent of this procedure is to provide applicants with the opportunity to establish a master development plan for large parcels.

Applicability.

Zoning Map Designator/Applicability to Zoning Map. The PCD shall only be applied to an area of contiguous property of at least five hundred (500) gross acres in size, or, upon approval of the Council, an area of property less than five hundred (500) gross acres in size if immediately adjacent to a PCD.

Initiation. The PCD may be initiated by the City Council, Planning Commission, or an owner of property in the City.

Applicable Development Regulations.

A master development agreement consistent with the master development plan must be drafted and submitted by the applicant as part of the application, and shall be reviewed for approval concurrently with the master development plan.

- (ii) Unless the agreement otherwise provides, the ordinances, resolutions, or regulations applicable to that land and governing the permitted uses of that land, density, and standards for design, improvements and construction are those in effect at the time the agreement is made. No land division in an area subject to a PCD shall be permitted without an approved master development plan. Master development plans are defined in Section 17.12.070.E.9 and Section 17.32, Definitions.

- (iii) The City's approval of the master development plan and the master development agreement shall constitute sufficient findings to justify any waivers, variances, exceptions, or deviations set forth in the master development plan or any master development agreement to those provisions of the Municipal Code of the City that would otherwise be required, and such waivers, variances, exceptions, or deviations shall be deemed granted.

3. **Procedures.** Figure 17.12-7 shows the steps of the common development review procedures that apply in the review of applications for planned community districts. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

- a. **Step 6: Action by Review and Decision-Making Authorities.** The zoning approval of a PCD shall consist of a review and recommendation by the Planning Commission and approval by the Council, in accordance with the provisions of this Code. The approval of a PCD by the Council shall be accomplished directly by ordinance and shall include the approval and adoption of a master development plan after approval of the master development agreement.

- (i) **Hearing and Recommendation by the Planning Commission.**

- (1) **Public Hearing.** The Planning Commission shall hold a public hearing on the proposed rezoning, master development agreement, and master development plan not more than forty-five (45) calendar days following the filing of a complete application or following the motion of the City Council initiating the proposed change, unless an alternative time frame is agreed upon by the applicant. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings.
- (2) **Recommendation.** Following the conduct of a public hearing and within thirty (30) calendar days of the hearing, the Planning Commission shall report its findings and recommendations for action on the proposed rezoning, master development agreement, and master development plan to the City Council unless an extension of time is agreed upon. The Planning Commission, in making its recommendation concerning a reclassification of property, may change or modify the proposed amendment. If the Commission also considers reclassifying other adjacent property, it shall be necessary to notify the additional persons required and set another public hearing per this chapter.

- (ii) **Hearing and Decision by the City Council.**

- (1) **Public Hearing.** The City Council shall consider the proposed rezoning, master development agreement, and master development plan and the recommendations of the Planning Commission at the Council's next regular public hearing following receipt of the recommendations of the Planning Commission.
- (2) **Determination.** If, for the evidence presented and the recommendations of the Planning Commission, the City Council determines that the proposed rezoning, master development plan, and master development agreement will not adversely affect the health and general welfare, the City Council shall approve the proposed amendment by ordinance based on the criteria in subsection (iii) below.
- (iii) **Review Criteria for PCD District.** In order for property to qualify for PCD zoning, the master developer must demonstrate the potential for achievement of the following specific objectives during the planning and development process:
 - (1) Ensure orderly planning for the development of large, unsubdivided parcels of the City in a

manner consistent with the City's Comprehensive Master Plan;

- (2) Ensure adequate provision of open space, recreational facilities, and other community amenities;
- (3) Provide exemplary community benefits;
- (4) Provide for an orderly and creative arrangement of land uses with respect to each other, to the entire master planned community, and to all adjacent land;
- (5) Provide for a variety of housing types, employment opportunities, and commercial services to achieve a balanced community for families of a wide variety of ages, sizes, and levels of income;
- (6) Provide for a planned and integrated transportation system for pedestrian and vehicular traffic, which will include provisions for transportation and roadways, bicycle and/or equestrian paths, pedestrian walkways, and other similar transportation facilities;
- (7) Encourage sensitive site planning and design with enhanced landscaping and other site amenities; and
- (8) Encourage high-quality structures in terms of community design standards, materials and layout.

- (iv) **Review Criteria for Master Development Agreement.** In reviewing and acting upon proposed development agreement, review and decision-making bodies shall consider the following additional approval criteria for the development agreement:

- (1) Whether the benefit of the development agreement to the City outweighs its costs;
- (2) Whether the development agreement is required to mitigate impacts that would otherwise make the proposed development unacceptable; and
- (3) Whether the City has received adequate assurances that the development will go forward as planned.

In the event that the Master Development Agreement does not address a particular development or design standard, the generally applicable development standards set forth in Chapter 17.24 shall apply.

- (v) **Planned Community District Master Development Plan.**

- (1) In connection with the approval of a PCD, the City Council shall adopt a master development plan.
- (2) A "master development plan" means a specific written plan and accompanying maps that identify, with respect to a PCD development, the proposed location and size of development parcels, land uses, and zoning designations; transportation plans and a traffic impact analysis; open space and community facilities; and the development standards.
- (3) "Development standards" means the minimum standards for development in the PCD, including but not limited to standards for intensity and type of use, densities, heights, spacing, bulk and setback requirements, provisions for utilities, topography and drainage patterns. Conceptual standards for building designs, layout, configuration, signage, open space and landscaping, vehicular and pedestrian circulation, and parking shall also be included.
- (4) Development of the PCD may consist of any land use or combination of land uses that are contemplated for the property in the master development plan provided the property is appropriately zoned.
- (5) The developer shall include in the master development plan a listing of the land uses proposed and the general arrangement for each land use category within the proposed PCD.
- (6) The listing and general arrangement of the contemplated land uses shall be shown in the master development plan that is adopted as part of the PCD approval.

4. **Amendments to an Adopted Planned Community District.**

a.

No modification or deviation to the planned community district shall be effective unless it is approved in accordance with this section. The Director may request modification of a plan in accordance with the modification procedures set forth in this subsection 4.

- b. The development of the property within the PCD may proceed only in strict accordance with the approved planned community district including the development standards and any master development agreement. Any request by or on behalf of the property owner or any proposal by the City to modify the approved planned community district or the development standards shall be filed with the Director. In accordance with this section, the Director shall determine if the proposed modification is "minor or "major," and the request or proposal shall be processed accordingly.

(i) **Minor Modification.** A minor modification is a modification that is requested or agreed to by the property owner and that is intended to accomplish one or more of the following:

- (1) A change in the species of plant material proposed for the PCD;
- (2) A decrease in the density or intensity of development from that previously approved for the PCD;
- (3) An adjustment of the boundary line between two abutting parcels that does not result in the creation or deletion of any additional parcels; or
- (4) Any other change or modification that will not have a significant adverse impact on the district or its surroundings or that is contemplated by any master development agreement for the property.

The Director shall process and make an administrative decision regarding all minor modifications. In the event that Director's decision results in an aggrieved person, that individual shall be afforded an administrative appeal of the Director's decision pursuant to Section 17.28.070.M.

(ii) **Major Modification.** A major modification includes any modification that does not qualify as a minor modification. A major modification shall be processed and reviewed in the same manner as a new planned community district application.

- c. Additional amendments to the master development plan shall be deemed approved by providing notice to the Director if an approved master development agreement permits such notice amendments.
 - d. Amendments to the master development agreement shall proceed as provided by the master development agreement and the applicable provisions of state law.
5. **Subdivision Applications Within A PCD District.** All development within an established PCD is also subject to the subdivision tentative map procedures except as otherwise provided in an approved master development plan or master development agreement.
6. **Issue Resolution—Analogous Standards.** With regard to any issue of land use regulation that may arise in connection with a PCD and that is not addressed or provided for specifically in this section, in the approved master development plan including the development standards, or any master development agreements, the Director may apply by analogy the general definitions, principles, standards and procedures set forth in this Code, taking into consideration the intent of the approved master development plan including the development standards.

F. Mixed-Use Developments.

Figure 17.12-8: MUD, Conceptual

1.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood
Meeting

Step 3: Application
Submission, Contents, and
Fees

Step 4: Staff Review,
Referral, and Staff
Recommendation

Step 5: Public Notice
Requirements

Step 6: Action
by Decision-
Making Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Purpose. Any development proposal that meets the requirements of Section 17.16.050.E, Mixed Use Development District (MUD), shall be reviewed according to the provisions of this section. All MUD applications shall be reviewed and approved by the Planning Commission and City Council prior to any physical development on the subject property.

Applicability. Mixed-use developments may be initiated by the City Council, Planning Commission, owner of property proposed for the mixed-use development, or the authorized user of Bureau of Land Management land.

Procedures, Conceptual Development Plan. The mixed-use development process involves three steps: conceptual, preliminary, and the final development plan. Figure 17.12-8 shows the steps of the common development review procedures that apply in the review of applications for mixed-use development, conceptual development plan. The common procedures are described in [Section 17.12.040](#). Specific additions and modifications to the common review procedures are identified below:

Step 2: Neighborhood Meeting. In addition to meeting with City staff, applicants are required to hold an informational meeting with adjoining property owners to outline their development proposals. Neighborhood meetings shall follow the procedures set forth in Section 17.12.040.B.

Step 4: Staff Review, Referral, and Staff Recommendation.

Performance Measures. The City shall use the following performance measures to evaluate conceptual development plans for mixed-use development:

- (1) The conceptual development plans demonstrate conformance with the purposes of the mixed-use development district as outlined in Section 17.16.050.E.
 - (2) The conceptual plans demonstrate that the proposed site is appropriate for mixed-use development based on at least one of the criteria listed in Section 17.16.050.E.
 - (3) The conceptual plans show an orderly and creative arrangement of land uses that includes a balanced mix of residential, commercial, employment, recreational, and/or open space areas designed to achieve a pedestrian-friendly urban form.
 - (4) The conceptual plans demonstrate that the proposed development does not include incompatible uses, establish undesirable precedents, or create traffic and public service demands exceeding the capacity of existing or planned facilities.
 - (5) The conceptual plans demonstrate compatibility and connectivity with adjacent development.
 - (6) The conceptual plans identify effective measures to mitigate impacts on adjacent roadways, neighborhood traffic, public facilities, schools, and other infrastructure.
- (ii) **Project Performance Measures Recommendation.** Based on review of the conceptual plans during the pre-application meeting, staff will forward to the Director their recommendation as to whether the proposed project complies with the performance measures listed above.
- (iii) **Application Meets Performance Standards.** Upon a determination by the Director that the conceptual plans meet the performance measures listed above, the applicant may submit a mixed-use development application.
- (iv) **Application Does Not Meet Performance Standards.** If the Director determines that additional alterations to the conceptual plans are needed, the applicant will have the ability to schedule follow-up pre-application meetings with staff to further refine the conceptual plans. The Director's determination shall be accompanied with a description of the aspects of the conceptual plans that need to be addressed by the applicant.
- (v) **Notification of Director's Determination.** The applicant will be notified by letter of the Director's determination as to whether their conceptual plans meet the performance measures.

Figure 17.12-9: MUD, Preliminary

4.

Step 1: Pre-Application Meeting
See Text

Step 2: Neighborhood Meeting

Step 3: Application
Submission, Contents, and Fees

Step 4: Staff Review,
Referral, and Staff
Recommendation

Step 5: Public Notice
Requirements

Step 6: Action
by Decision-Making
Bodies
See Text

Step 7: Appeals

KEY

Step is applicable

Step is not applicable

Procedures, Preliminary Development Plan. Figure 17.12-9 shows the steps of the common development review procedures that apply in the review of applications for mixed-use development, preliminary development plans. This is the second step in the process, following conceptual development plan approval and preceding the final development plan. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below. The applicant may only proceed to preliminary development plan approval if the Director has determined the performance measures in Section 17.12.070.F.3.b, above have been met.

Step 5: Public Notice Requirements.

Notice of Planning Commission Hearing. Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, and the following additional procedures shall apply. Written notice shall be mailed at least ten days before the day of the hearing to each owner of property situated wholly or partly within seven hundred fifty (750) feet of the property to which the MUD relates as set forth in Table 17.12-3. The Director shall be responsible for placing and mailing such notices.

Step 6: Action by Review and Decision-Making Authorities.

Hearing and Recommendation by Planning Commission. The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action to the City Council based on the approval criteria in subsection (iii) below.


- (ii) **Hearing and Decision by City Council.** Following a public hearing, and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with amendments, deny, or continue the preliminary development plan based on the approval criteria in subsection (iii) below. The City Council also may refer the proposed plan back to the Planning Commission for further consideration.

- (iii) **Approval Criteria.** In reviewing MUD preliminary development plans, the Planning Commission and City Council may consider:

- (1) Interrelationship of plan elements to conditions both on and off the property,
- (2) Conformance to the City of North Las Vegas Comprehensive Master Plan,
- (3) The impact on the existing and anticipated traffic and parking conditions,
- (4) The adequacy of the plan with respect to mix of land uses,
- (5) Pedestrian and vehicular ingress and egress,
- (6) Architectural and urban design,
- (7) Landscaping,
- (8) Provisions for utilities and other infrastructure,
- (9) Site drainage,
- (10) Open space and/or public land dedications,
- (11) Grading, and
- (12) Other related matters.

- (iv) **Conditions of Approval.** Conditions may be applied to the approval and/or periodic review of the approval may be required.

Figure 17.12-10: MUD, Final

5.  Fig17-12-10.png

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Procedures, Final Development Plan. Figure 17.12-10 shows the steps of the common development review procedures that apply in the review of applications for mixed-use development, final development plans. The common procedures are described in [Section 17.12.040](#). Specific additions and modifications to the common review procedures are identified below

Step 6: Action by Review and Decision-Making Authorities.

Hearing and Recommendation by Planning Commission. The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action to the City Council based on the approval criteria in subsection (iii) below.

Hearing and Decision by City Council. Following a public hearing, and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with amendments, deny, or continue the final development plan based on the approval criteria in subsection (iii) below. The City Council also may refer the proposed plan back to the Planning Commission for further consideration.

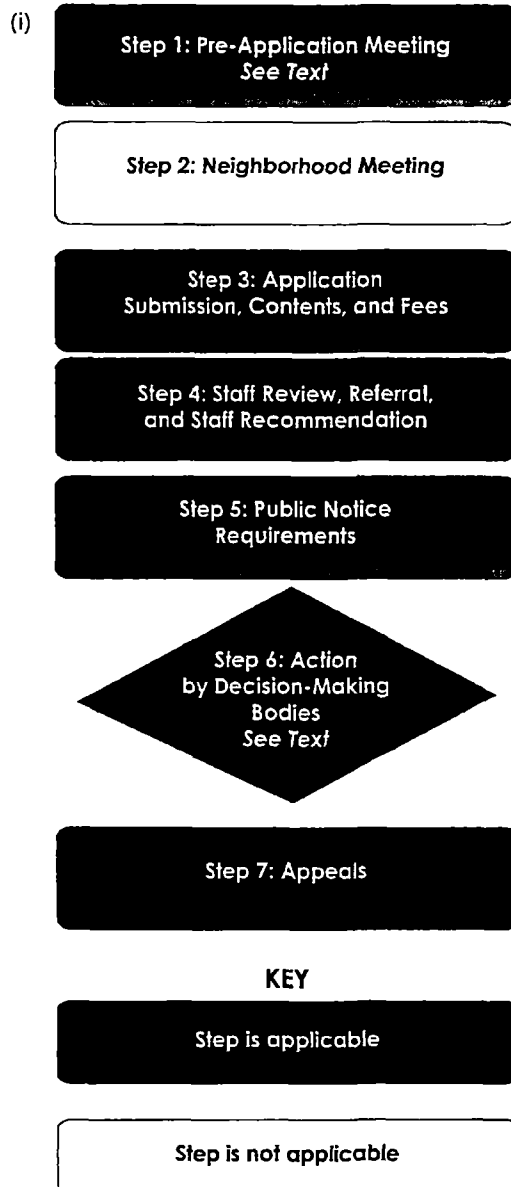
Approval Criteria. Final MUD development plan approval and the issuance of a building permit by the Director for any portion of the MUD shall occur only when:

- (1) A reproducible copy of the approved preliminary development plan with appropriate signatures (e.g., preparer's signature, owner's signature) has been submitted to the Director.
- (2) A final subdivision map is submitted and approved for the portion of the MUD in question, as per City subdivision regulations.
- (3) The design and construction specifications for all utilities, property, and street improvements have been approved by the Director of Public Works.
- (4) If applicable, a site plan, subject to the requirements of Section 17.28.070.H of this Code for the specific portion of the MUD in question has been submitted and has been approved by the Planning Commission or Director, as applicable, as in conformance with the preliminary development plan. (Upon approval of the site plan, a reproducible copy shall be submitted.)
- (5) Architectural elevations of the buildings, with materials lists, are submitted and approved by the Planning Commission.
- (6) A landscaping plan is submitted and approved by the Planning Commission.
- (7) Any land dedication agreements made as part of the preliminary development plan approval are fulfilled.
- (8) A performance bond, cash escrow agreement, or other acceptable instrument has been deposited with the City in an amount as set by the City Council based upon a recommendation from the Director of Public Works. This financial guarantee shall be used to ensure the full completion of:
 - (a) Public and private streets and utilities,
 - (b) Landscaping, and
 - (c) Privately owned and maintained recreational facilities.

6. **Duration of MUD Zoning Approval.** The MUD zoning and conditions shall remain in effect until the MUD is amended or repealed pursuant to an approved rezoning.
7. **Platting Requirements.** All applicants for a mixed-use development permit shall file with Clark County a final map of the mixed-use development complying with all of the requirements of the subdivision ordinance of the City, codified in Section 16.16 of this Code, except that the Council may waive specific portions of Section 16.16. The City Council, however, may not waive any portion of Section 16.16 required by Nevada Revised Statutes relative to Divisions of Land Sections 278.320—278.460. Such maps shall contain on their face a cross-reference to the MUD development plan.
8. **Method of Withdrawing an Application for MUD Approval.** Any application for a mixed-use development permit may be withdrawn by the applicant at any time prior to final MUD approval upon written notification to the Director and/or City Clerk. The MUD shall be null and void upon receipt of such notice by the City, and the Planning Commission and City Council shall be notified of such action.
9. **Amendments to MUD Approval.**
 - a. **Minor Changes.** Minor changes in the location and placement of buildings may be authorized by the Director where unforeseen circumstances require such change. When in question, the Director and the Director of Public Works may determine whether the changes shall be classified as a minor or major, or may refer the question to the Planning Commission if they deem it necessary.
 - b. **Major Changes.** Major changes, such as alterations in structural types, the shapes and arrangements of lots and blocks, the allocation of open space or other land uses that increase density and/or intensity of the project, project phasing, and all other changes that significantly affect the overall design or intent of the project shall be referred to the Planning Commission. The Planning Commission shall consider and shall either approve or deny the changes in the final development plan. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes.
10. **Denial of MUD Application.** If an application for mixed use development approval is denied by City Council, a new application for a MUD approval shall be required.

G. Residential Design Incentive System.

1. **Purpose.** The purpose of the residential design incentive system is to provide a procedure that creates incentives for high quality residential design based on performance measures.
2. **Applicability.** Any development proposal that seeks to utilize Section 17.24.090.I, Residential Design Incentive System (RDIS), shall be reviewed according to the provisions of this section. All RDIS applications shall be reviewed and approved by the Planning Commission prior to any physical development on the subject property.
3. **Procedures.** Figure 17.12-11 shows the steps of the common development review procedures that apply in the review of applications for the residential design incentive system. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.
 - a. **Step 1: Pre-Application Meeting.** The following documents shall be provided for the pre-application conference. Incomplete documents shall postpone the pre-application process.

Figure 17.12-11: Res. Design Incentive System

Project description (one page maximum);

- (ii) Residential Design Incentive Matrix clearly indicating the following:
 - (1) Site Plans (may be conceptual for pre-application only);
 - (2) Supporting documents and plans relevant to the points being claimed for the development;
 - (3) Existing conditions map identifying all buildings, driveways, streets, utilities, etc. within five hundred (500) feet of the subject site;
 - (4) Circulation plan for vehicles showing all roads, driveways, and parking areas;
 - (5) Circulation plan for pedestrians and bicycles identifying all sidewalks, bike lanes, pathways, trails, and other features;
 - (6) Open space plan identifying all open space and amenities proposed for the site, including the general location of all proposed pedestrian priority areas;
 - (7) Building elevations (may be conceptual for pre-application only);
 - (8) Renderings (may be conceptual for pre-application only); and
 - (9) A statement identifying all special uses proposed for the site.

b. **Step 3: Application Submission, Contents, and Fees.**

- (i) **Conceptual Development Plan.** The applicant shall submit a conceptual development plan for evaluation by the City. Required elements of the conceptual development plan are set forth in the application manual.
- (ii) **Step 5: Public Notice Requirements Notice of Planning Commission Hearing.** Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, and the following additional procedures shall apply. Written notice shall be mailed at least ten days before the day of the hearing to each owner of property situated wholly or partly within seven hundred fifty (750) feet of the property to which the RDIS relates as set forth in Table 17.12-3. The Director shall be responsible for placing and mailing such notices.

c. **Step 6: Action by Review and Decision-Making Authorities.**

- (i) **Performance Measures.** The City shall use the following performance measures to evaluate conceptual development plans for RDIS development:
 - (1) The conceptual development plan demonstrates conformance with the purposes of the RDIS development as outlined in Section 17.24.090.I of this Code.
 - (2) The conceptual plan demonstrates that the proposed site is appropriate for RDIS development based on consistency with the Comprehensive Master Plan and achievement of minimum qualifying density points as defined in Section 17.24.090.I of this Code.
- (ii) **Application Must Meet Performance Measures.** Upon a determination by the Director that the conceptual plans meet the performance measures listed above, the applicant may obtain the necessary application forms from the Community Development Department regarding relevant procedure and required materials for complete application packets. Application forms properly completed with all supporting plans and documents and accompanied by the required fee shall be submitted to the Community Development Department.
- (iii) **Hearing and Decision by Planning Commission.** The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing and after reviewing the report and recommendation of the Director, the Planning Commission shall approve or deny the residential design incentive system request based on the approval criteria in subsection (iv) below.
- (iv) **Approval Criteria.** In reviewing RDIS applications, the Planning Commission may consider:
 - (1) Interrelationship of plan elements to conditions both on and off the property,
 - (2) Conformance to the City of North Las Vegas Comprehensive Master Plan,
 - (3) Allocation of points in the RDIS matrix and appropriate density,
 - (4) The impact on the existing and anticipated traffic and parking conditions,
 - (5) The adequacy of the plan with respect to mix of land uses,

- (6) Pedestrian and vehicular ingress and egress,
- (7) Architectural and urban design,
- (8) Landscaping,
- (9) Provisions for utilities and other infrastructure,
- (10) Site drainage,
- (11) Open space and/or public land dedications,
- (12) Grading, and
- (13) Other related matters.


4. **Method of Withdrawing Application for RDIS Approval.** Any application for a RDIS development permit may be withdrawn by the applicant at any time prior to filing the final plan upon written notification to the Director and/or City Clerk. The RDIS shall be null and void upon receipt of such notice by the City and the Commission shall be notified of such action.

5. **Amendments to RDIS Approval.**

- a. **Minor Changes.** Minor changes in the location and placement of buildings may be authorized by the Director where unforeseen circumstances require such change. When in question, the Director and the Director of Public Works may determine whether the changes shall be classified as a minor or major, or may refer the question to the Planning Commission, if they deem it necessary.
 - b. **Major Changes.** Major changes, such as alterations in structural types, in the shapes and arrangements of lots and blocks, in the allocation of open space or other land uses which increase density and/or intensity of the project, in project phasing, and all other changes which significantly affect the overall design or intent of the project shall be referred to the Planning Commission, after which the Planning Commission shall consider and shall either approve or deny the changes in the plan in accordance with step 6, above. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes.
6. **Denial of RDIS Approval.** If an application for RDIS development approval is denied, the applicant has the option of appealing the decision to the City Council or holding a pre-application conference pursuant to Section 17.12.070.A before submitting a revised application for RDIS approval.

H. **Site Plan Review.**

Figure 17.12-12: Site Plan Review

1.  Fig17-12-12.png

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Purpose. The purpose of the site plan review process is to ensure compliance with the development and design standards and provisions of this Code. It is designed to encourage quality development reflective of the goals, policies, and objectives of the Comprehensive Master Plan. For land uses requiring a site plan review, such uses may be established in the City, and building or land use permits may be issued, only after a site plan showing the proposed development has been approved in accordance with the procedures and requirements of this section.

Applicability.

General Applicability. For purposes of this Code, site plans may be classified as major or minor site plans. All developments within the City except individual single-family and duplex residential units shall be subject to this section.

Major Site Plan Review. A major site plan involves any of the following:

- Sixty (60) or more dwelling units in a multi-family residential structure or structures;
- Eighty thousand (80,000) or more square feet of nonresidential floor area on one lot;
- Sixty thousand (60,000) or more square feet of exterior storage of materials or goods; or
- Parking for more than three hundred fifty (350) vehicles.

Minor Site Plan Review. All other site plans (except for a planned unit development) are considered a minor site plan. Any planned unit development shall be reviewed according to the regulations of Section 17.12.070.D.

- (iii) **Planning Commission Review.** The Planning Commission has the right to review and require revisions to any proposed major site plans, or minor site plans upon appeal. Additionally, if the Planning Commission so desires, it may authorize by Commission resolution the Community Development Department to conduct review of all site plans.

- 3. **Procedures.** Figure 17.12-12 shows the steps of the common development review procedures that apply in the review of applications for site plan review. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

- a. **Step 1: Pre-Application Meeting.** A pre-application meeting shall be required for all major site plans.

- b. **Step 4: Staff Review, Referral, and Staff Recommendation.**

- (i) **Minor Site Plan Review.** Minor site plan review shall be conducted by the Director as part of the building permit process.

- c. **Step 5: Public Notice.** Published, written, and posted notice required for major site plan review as set forth in Section 17.12.040.E.

- d. **Step 6: Action by Review and Decision-Making Authorities.**

- (i) **Minor Site Plans - Director Decision.** The Director shall review and decide on applications for minor site plan review in accordance with the review criteria in subsection (iii) below.

- (ii) **Major Site Plans - Planning Commission Hearing and Decision.** Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall approve or deny the major site plan review request based on the approval criteria in subsection (iii) below.

- (iii) **Approval Criteria.** In considering applications for site plan approval under this Code, the City staff in the case of a minor site plan, and the Planning Commission in the case of a major site plan, shall consider the following. Site plans shall only be approved if:

- (1) The site plan is consistent with the Comprehensive Master Plan;
- (2) The site plan is consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable;
- (3) The site plan complies with all applicable development and design standards set forth in this Code, including but not limited to the provisions in Chapter 17.16, Zoning Districts, Chapter 17.20, Use Regulations, and Chapter 17.24, Development Standards;
- (4) Any significant adverse impacts reasonably anticipated to result from the use will be mitigated or offset to the maximum extent practicable;
- (5) The development proposed in the plan and its general location is or will be compatible with the character of surrounding land uses; and
- (6) The development can be adequately served by City services including but not limited to roads, water, and wastewater.

- (iv) **Planning Commission Involvement.** If unusual or significantly difficult conditions exist that affect the minor site plan, the Director may require that the site plan be reviewed and acted upon by the Planning Commission.

- e. **Step 7: Appeals.** When a minor site plan is denied by the Director, an appeal may be taken to the Planning Commission in accordance with Section 17.12.040 G.2. When a major site plan is denied by the Planning Commission, an appeal may be taken to the City Council in accordance with Section 17.12.040.G.3.

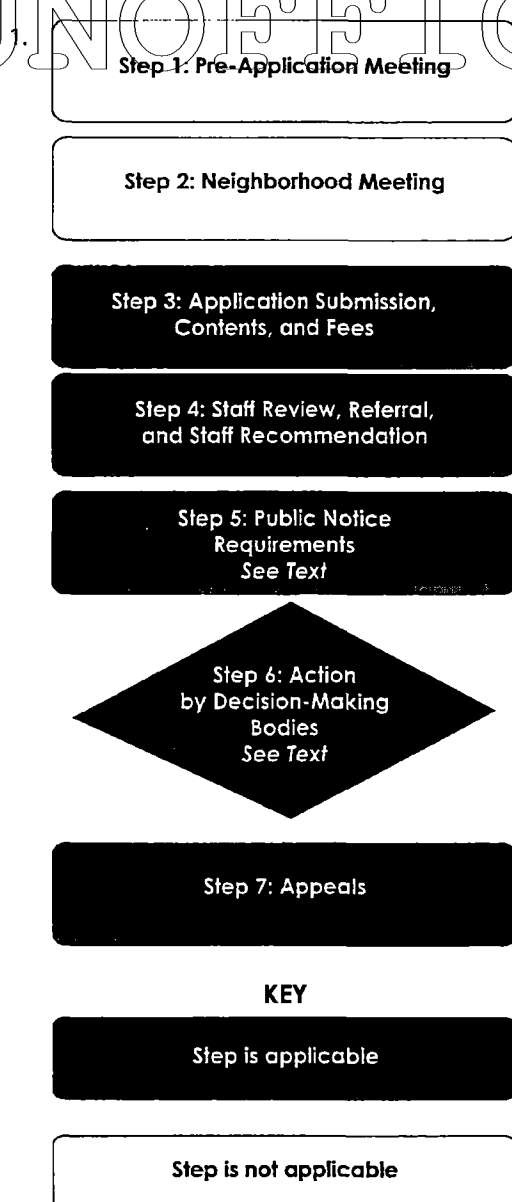
- 4. **Expiration or Violation of Site Plan Approval.** An approved major site plan shall be valid for two years from its date of approval, or until a building permit has been issued, whichever occurs first. Minor site plans shall be processed with an application for a building permit and valid for as long as the building permit is valid.

Failure to comply with any of the conditions of approval set forth in the approval shall make the application subject to Chapter 17.28, Enforcement, Violations, and Penalties. Projects with construction activity shall be considered active for the purposes of this subsection.

5. **Amendments to an Approved Site Plan.** Substantial changes to an approved site plan shall be subject to the same procedures for approval as for the original approved plan. A substantial change is any change in the use or character of the development and any dimensional change beyond the ranges specified on the approved site plan. Any other changes are considered minor changes as determined by the Director and may be approved by the Director.

I. Conditional Uses.

Figure 17.12-13: Conditional Use Permit




Purpose. This section provides an approval process for conditional uses that are subject to objective criteria designed to ensure that each proposed conditional uses will not have a significant adverse impact on surrounding uses or on the community-at-large and to mitigate any unavoidable impacts without the need for individualized review or design of impact mitigation measures. Specific conditional uses allowed in each zone district are listed in Table 17.20-1, Permitted Use Table.

2. **Applicability.** All uses listed as "conditional" in Table 17.20-1, Permitted Use Table, shall be required to follow the procedures set forth below. If a conditional use cannot or will not meet the required conditions, a Special Use Permit shall be required and the procedure listed in 17.12.070.10 shall be used.
3. **Procedures.** Figure 17.12-13 shows the steps of the common development review procedures that apply in the review of applications for conditional use permits. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.
 - a. **Step 4: Staff Review, Referral, and Staff Recommendation.** If the Director determines that no further review is necessary, he shall prepare a written statement of approval, denial, or approval with conditions of the conditional use within sixty (60) days of acceptance of a complete application, and the decision shall be final, subject to appeal to the Planning Commission. If the Director determines that additional review by the Planning Commission is appropriate to ensure consistency and compatibility of uses or with the scale or character of the surrounding area, he or she shall forward the application to the Planning Commission for review, public hearing, and final decision.
 - b. **Step 5: Public Notice.** A public hearing is required only if the application is forwarded to the Planning Commission for review and decision. In these cases, notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1. All required notices shall comply with NRS 278.315 and 178.319.
 - c. **Step 6: Action by Review and Decision-Making Authorities.**
 - (i) **Planning Commission Hearing, Review, and Decision.** For applications that have been forwarded to the Planning Commission, the Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following the hearing, the Planning Commission shall consider the comments and evidence presented at the hearing and the staff report and recommendations from the Director, and approve, conditionally approve, or deny the conditional use permit, based on the criteria in subsection (ii) below.
 - (ii) **Approval Criteria.** The Director (or the Planning Commission, if the application was referred to that body) shall approve a proposed conditional use that meets all of the applicable criteria:
 - (1) The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable state and federal regulations; and
 - (2) The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards in Chapter 17.20 of this Code.
 - d. **Step 7: Appeals.** When a conditional use is denied by the Director, an appeal may be taken to the Planning Commission, in accordance with Section 17.12.040 G.2. When a conditional use referred to the Planning Commission is denied by the Planning Commission, an appeal may be taken to the City Council in accordance with Section 17.12.040.G.3.
4. **Subsequent Ownership.** Successors and/or assigns of the person(s) who originally obtained conditional use permits may make use of the land or structures covered under the issued permits and must abide by all the terms and conditions of the permits, unless otherwise stipulated in the approval process. Successors and/or assigns of an issued permit must change the names on the original permit and have a letter of acknowledgment signed, filed with the Director, and recorded by the subject property owner.
5. **Lapse of Approval.**
 - a. A conditional use permit shall lapse and have no further effect one year after its effective date or at such alternate time specified in the approval unless one or more of the following criteria has been met:
 - (i) A building permit has been issued and construction diligently pursued,
 - (ii) A certificate of occupancy has been issued,
 - (iii) The use is established, or
 - (iv) The conditional use permit is renewed.
 - b. A conditional use permit shall lapse upon termination of a project or expiration of a building permit.
 - c. A conditional use permit shall lapse if the rights granted by it are discontinued for 180 consecutive days or other period of time as specified in the original approval.

J. Special Use Permits.

1. **Purpose.** The purpose of a special use permit is to allow the Planning Commission (and the City Council where applicable) the opportunity to review in detail certain uses to assure that they will be compatible with surrounding land uses, either existing or anticipated, by the proper implementation of the Comprehensive Master Plan.
2. **Applicability.** An application for a special use permit on a parcel or parcels of property may be initiated by the City Council upon its own motion, the Planning Commission upon its own motion, or by application of the property owner(s), authorized tenants or property interest holders, or authorized user(s) of Bureau of Land Management land.
 - a. **City Council Hearing Required.** Special use permits for the following uses shall be forwarded to the city council for final action following a public hearing and recommendation by the planning commission:
 - (i) Hotels,
 - (ii) Motels,
 - (iii) Schools,
 - (iv) Pawnshops,
 - (v) Deferred deposit loan facilities,
 - (vi) Auto title loan facilities,
 - (vii) Short-term loan facilities,
 - (viii) Additional security measures,
 - (ix) Special use permits for recreational uses in mixed-use development districts, and
 - (x) Restricted gaming liquor uses.
 - b. **Planning Commission Hearing Required.** All other applications for special use permits shall require a hearing and decision by the planning commission.
 - c. **City Council Hearing and Action Only.** Special use permits for the following uses shall only be presented to the city council for final action. Planning commission review and a recommendation is not required.
 - (i) Medical Marijuana Establishments.

Figure 17.12-14: Special Use Permit

3.  Fig17-12-14.png

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Procedures. Figure 17.12-14 shows the steps of the common development review procedures that apply in the review of applications for special use permits. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 2: Neighborhood Meeting Requirement. A neighborhood meeting is only required if the application is for a use listed in subsection 17.12.070.J.2.a. above.

Step 5: Public Notice Requirements. Notice shall be provided as set forth in Section 17.12.040.E. All required notices shall comply with NRS 278.315 and 178.319. Step 6: Action by Review and Decision-Making Authorities

Hearing and Decision by Planning Commission. The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing, and after reviewing the report and recommendation of the Director, the Planning Commission shall approve, approve with conditions, or deny the special use permit based on the approval criteria in subsection (ii) below. A decision of approval or denial by the Planning Commission shall be made by motion. This motion shall be final on the eighth calendar day following said decision unless an appeal is made to the City Council in accordance with subsection d of this section. A decision of approval or

denial by the Planning Commission shall be made not later than thirty (30) calendar days following the public hearing at which the application is first considered unless an extension of time is agreed upon by the applicant and the Planning Commission.

- (ii) **Approval Criteria.** After the public hearing, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds from the evidence presented that all of the following facts exist:
- (1) The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable state and federal regulations;
 - (2) The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
 - (3) The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
 - (4) Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
 - (5) Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.
- (iii) **Conditions of Approval.** Any conditions, stipulations, or limitations imposed by the Planning Commission on a special use permit shall be binding upon the applicant, heirs, successors, and assigns. All conditions, stipulations and limitations shall be fulfilled within a two-year period of time, except otherwise provided below. Failure to complete the conditions, stipulations or limitations within the prescribed time limits shall render the special use permit null and void, unless an extension of time is granted by the Planning Commission.
- (iv) **Special Use Permits for Publicly Funded Capital Improvements, Public Utility Companies, and Exclusive Franchisees of the City.** Publicly funded capital improvements, a public utility company, or an exclusive franchisee of the City may be granted a special use permit requiring that all conditions, stipulations and limitations be fulfilled within a ten-year period of time. In doing so, however, the publicly funded capital improvement project, utility, or exclusive franchisee shall be subject to all applicable regulations of this Code in effect at the time of commencement of construction of the publicly funded capital improvement project, utility, or exclusive franchisee project.
- (v) **Hearing and Decision by City Council (if Applicable).** As indicated by this section, or otherwise required by this Code or laws applicable to this municipality, final action on special uses listed in subsection J.2.a above is required to be taken by the City Council. In such a case, the decision of the City Council is final.

c. **Step 7: Appeals.**

- (i) **Filing.** An appeal from the decision of the Planning Commission granting or denying any special use permit may be taken to the City Council by the applicant or the City Manager. An appeal may also be taken by any property owner as shown on the latest tax rolls of the Clark County Assessor's Office within a radius of three hundred (300) feet of the exterior boundary of the lot or parcel of land described in the application, or by any other person who may establish that his or her property rights are or may be affected by the decision.
- (ii) **Requirements.** Such appeal shall be in writing, shall be filed with the City Clerk on forms provided, and shall specify where there was error in the decision of the Planning Commission. Additionally, any person filing an appeal from a decision of the Planning Commission on the basis that his or her property rights or property value are or may be affected by said decision shall include an affidavit stating the nature and location of the property interest and the manner in which this property interest will be affected by the decision being appealed.
- (iii) **Automatic Stay.** If an appeal is filed within the time specified, it automatically stays proceeding in

the matter until determination is made by the City Council.

(iv) **Public Hearing.** Upon the filing of the appeal, the City Clerk shall set the matter for City Council consideration at a public hearing. Notice by mail shall be given to all persons who appeared in person or through a representative at the Planning Commission public hearing. A hearing de novo shall be conducted by the City Council.

(v) **City Council Decision on Appeal.** A decision by the City Council shall be made not later than thirty (30) calendar days following the public hearing at which the appeal is first considered unless continued without objection of the appellant. Planning Commission action shall prevail if the City Council fails to make a decision within the prescribed time or agreed upon extension of time.

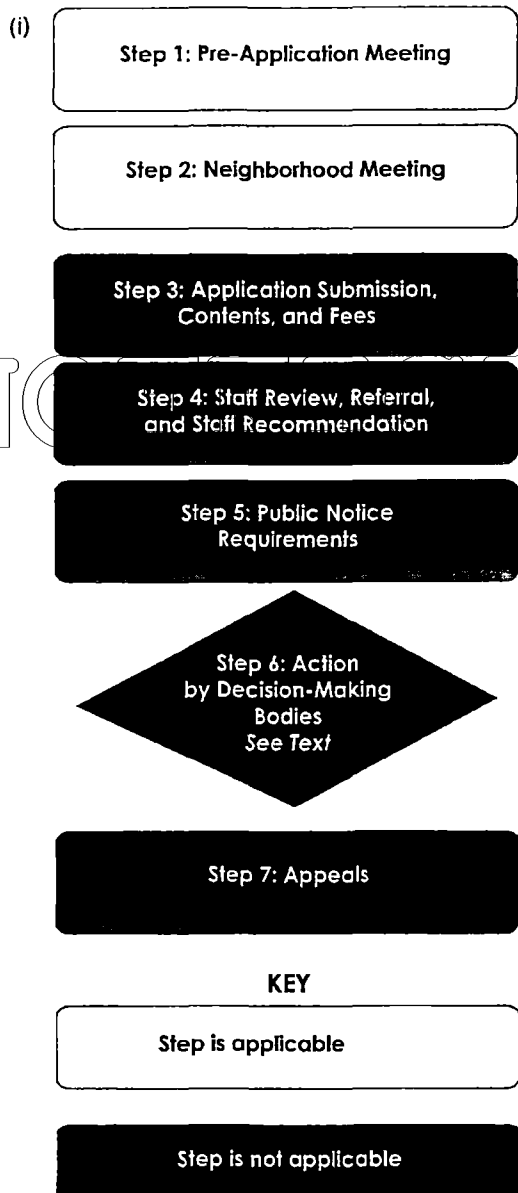
(vi) **Council Limitations.** Upon consideration of such appeal, the City Council may, by motion, affirm, reverse, or modify in whole or in part any determination of the Planning Commission subject to the same limitations as are placed upon the Planning Commission by this Code. A motion to reverse a Planning Commission recommendation shall contain a finding of facts showing how the proposed special use permit fails to meet the requirements as set forth in step 6 of this section.

4. **Violation of Special Use Permits.** Violations to the conditions of a special use permit shall constitute a violation of this Code and shall be subject to the regulations of Chapter 17.28, Enforcement, Violations, and Penalties.
5. **Modification or Enlargement of Structures Authorized Under a Special Use Permit.** Any proposed additions, enlargements, or modifications of the structures approved in any special use permit or any proposed extension of the use into areas not approved in any such permit shall be subject to review by the Director based on the criteria set forth in this section. Such a proposal may also be required to reapply for the special use permit as set forth in this section at the discretion of the Director.
6. **Discontinuation of Use.** Whenever a special use is discontinued for a period of six months or more it becomes null and void. All subsequent uses of the land shall be in conformance with this Code.

K. **Variances.**

1. **Purpose.** Variances are intended to allow a variation from application of the regulations of this title, such as setbacks, building height, sign area, sign height, or tower height, and to provide a reasonable use for a parcel or property having unique characteristics by virtue of its size, location, or topographical features. The purpose of a variance is not to grant any special privilege or concession not enjoyed by other properties in the same zone and vicinity. The variance may not be used to correct improper zoning, to adjust minimum lot areas or permitted development densities. In no case shall a variance be granted to permit a use other than a use permitted in the district in which the subject property is situated.
2. **Applicability.** A variance for a parcel of property may be initiated by the City Council upon its own motion, the Planning Commission upon its own motion, by application of the property owner(s), or by authorized user (s) of Bureau of Land Management land.
3. **Procedures.** Figure 17.12-15 shows the steps of the common development review procedures that apply in the review of applications for variances. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.
 - a. **Step 5: Public Notice.** Notice shall be provided as set forth in Section 17.12.040.E and Table 17.12-1, except in the case of an administrative variance, where no notice is required. All required notices shall comply with NRS 278.315 and 178.319.
 - b. **Step 6: Action by Review and Decision-Making Authorities.**

Figure 17.12-15: Variances



Evidence Required for Variance. At the public hearing on a variance application, the applicant shall present a statement and adequate evidence in such form as the Planning Commission may require for the purpose of showing that the criteria set forth in subsection (iii)(2) below have been met.

Planning Commission Public Hearing. The Planning Commission shall hold a public hearing on the application not more than sixty (60) calendar days following the filing of a complete application unless an alternative time frame is agreed upon by the applicant. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. A decision of approval or denial by the Planning Commission shall be made not later than thirty (30) calendar days following the public hearing at which the application is first considered unless an extension of time is agreed upon by the applicant and the Planning Commission.

Consideration. Before any decision is made on a variance application, the Commission must find that the following has been met:

There are exceptional and extraordinary circumstances and conditions applicable to the property involved and that such circumstances and conditions do not apply generally to other properties in the same vicinity and zoning district;

Such variance is necessary for the preservation and enjoyment of a substantial property right that is possessed by property in the same vicinity and zoning district and denied to the property in question; and

- (3) The granting of such variance will not be materially detrimental to the public safety and welfare or injurious to other property or improvements in the same vicinity and zoning district.
- (iv) **Expiration and Extension of Time.** Within two years of the approval of a variance: (a) a building permit reflecting the approved variance must be issued and construction pursuant to that permit must be diligently pursued; or (b) a permitted, conditional, or special use of the land reflecting the terms of the variance must be in operation. If neither of those two events has occurred within two years, the waiver shall expire unless an application for extension of time shall be made in writing and filed with the Director on forms provided within the two-year period. To partially defray the cost of noticing public hearings and other incidental administrative and investigative expenses involved in the application, a nonrefundable fee shall be charged. This fee shall be due and payable at the time of the filing of the application. No application shall be accepted for processing unless such fees have been paid or waived by motion of the City Council.

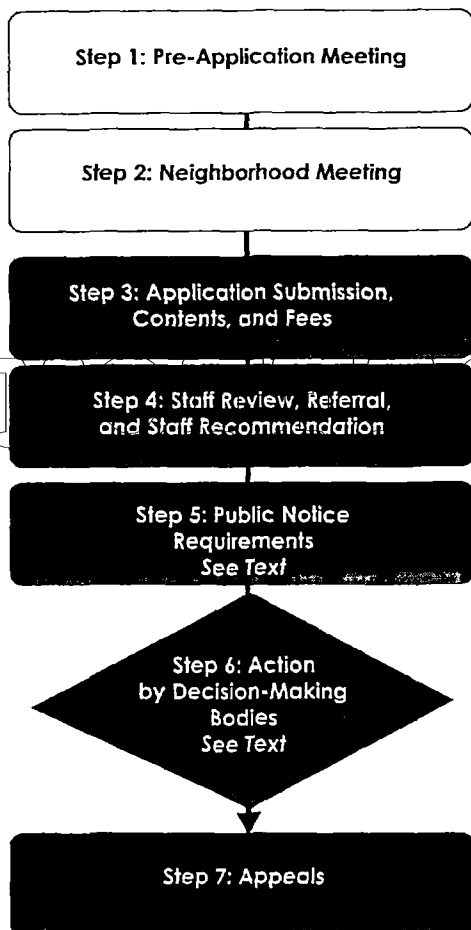
4. **Administrative Variances.**

- a. **Circumstances for Requesting an Administrative Variance.** If a requested variance is for ten percent or less of the Title 17 dimensional requirement, as allowed in a variance, the applicant may apply for an administrative variance instead of a variance. An administrative variance is reviewed by the Director and may only be approved if it is consistent with the following standards:
- (i) It will not reduce, increase, or vary the requirements of this Code by more than ten percent.
 - (ii) It is agreed to in writing by owners of affected abutting developed property.
 - (iii) It is significantly more practical than other options.
 - (iv) It will not be significantly detrimental to adjacent property.
- b. **Appeals.** If an administrative variance request is denied by the Director, the applicant may appeal by applying for a variance as set forth in this section.

L. **Waivers.**

Figure 17.12-16: Waivers

1.



Purpose. The purpose of this section is to provide a procedure whereby applicants may apply for waivers to particular standards in Title 17 in exchange for compensating public benefits to offset the potential impacts of such waivers. The compensating public benefits set forth in this section are intended to achieve Comprehensive Master Plan goals of improved park and recreational amenities, open space protection, energy conservation, and overall improved community character and design. While this also provides a certain degree of flexibility to the applicants, this system shall not be construed to mean a guarantee of a waiver.

Applicability. Waiver requests may be made by any property owner in the City as a freestanding request or concurrently with any other application set forth in this section.

Compensating Public Benefits. The public benefits required to offset waivers are set forth in Table 17.12-2, below. Waivers can only be requested from the standards listed under "eligible waiver requests" in the table below. Waiver requests shall not be granted through this process for the following items:

- An increase in overall project density;
- A change in permitted uses or mix of uses;
- An increase in building height;
- A change in conditions attached to the approval of any site plan or conditional use permit;
- A change to a development feature already modified through a variance or minor change authorized by the Director as permitted in this Code; or requirements for sanitary sewer, central water, and access to or construction of utilities.

Procedures. Figure 17.12-16 shows the steps of the common development review procedures that apply in the review of applications for waivers. The common procedures are described in Section 17.12.040. Specific additions and modifications to the common review procedures are identified below.

Step 5: Public Notice. Written notice shall be required. Notice may be given concurrently with notice of a

related development application.

b. **Step 6: Action by Review and Decision-Making Authorities.**

(i) **Hearing and Recommendation by Planning Commission.** The Planning Commission shall hold a public hearing on the application. The property owner(s), authorized user(s) of Bureau of Land Management land, or appropriate representative must be present at all public hearings. Following a public hearing and after reviewing the report and recommendation of the Director, the Planning Commission shall make a recommendation for action the City Council based on the approval criteria in subsection (iii) below.

(ii) **Hearing and Decision by City Council.** Following a public hearing and after reviewing the reports and recommendations of the Director and the Planning Commission, the City Council shall vote to approve, approve with conditions, deny, or continue the waiver request based on the approval criteria in subsection (iii) below. The City Council also may refer the proposed plan back to the Planning Commission for further consideration.

(iii) **Approval Criteria.** In order for a waiver request to be approved, the application must meet all of the following criteria:

- (1) The applicant has provided compensating public benefits in accordance with the request in Table 17.12-3; and
- (2) That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

5. **Waiver Requests and Associated Number of Compensating Public Benefits.**

- a. **Major Waiver.** Any request for a waiver from any eligible numerical standard contained in Chapters 17.16, Zone Districts, or 17.24, Development Standards, greater than fifty (50) percent shall be considered a major waiver. A major waiver shall require the provision of at least two compensating benefits from the corresponding list set forth in Table 17.12-2.
- b. **Minor Waiver.** Any request for a waiver from any eligible numerical standard contained in Chapters 17.16, Zone Districts, or 17.24, Development Standards, of fifty (50) percent or less shall be considered a minor waiver. A minor waiver shall require the provision of at least one compensating community benefit from the corresponding list set forth in Table 17.12-2.

Illustrative examples.

1. Assume a commercial developer requests two waivers. The first is for a reduction of a side setback from fifty (50) to twenty (20) feet (sixty (60) percent)—requiring a major waiver. The second is to reduce parking spaces required by ten percent—requiring a minor waiver. To secure the major waiver, the developer offers to increase landscaping on the site by twenty (20) percent, concentrating it in the perimeter buffer, and to build an attractive masonry wall on the side of property on which the setback will be reduced. To secure the minor waiver for parking, he offers to complete the public sidewalk connection on the adjoining vacant parcel.
2. Assume the developer of a residential subdivision (one hundred (100) units) requests two waivers. The first is to reduce the open space requirement by eighty (80) percent (major waiver) and all front yard setbacks throughout the development by twenty-five (25) percent (minor). In order to compensate for the impacts of open space reduction, the developer offers to install enhanced active open space amenities, recreational facilities, and pedestrian amenities. Additionally, the developer offers to provide additional front-yard landscaping and street trees to secure the minor waiver for setbacks.

Table of Compensating Public Benefits

TABLE 17.12-2: COMPENSATING PUBLIC BENEFITS SCHEDULE FOR WAIVERS

Eligible Waiver Request

Compensating Benefit(s)

17.24.010 Site Dimensional Standards

Setbacks (Section <u>17.24.010</u>)	<ol style="list-style-type: none"> 1) Increase in minimum perimeter landscape area in accordance with Section 17.24.060.E by a minimum of 25% 2) Increase in minimum number of trees in accordance with Section 17.24.060.E.6, Street Trees, by a minimum of 25% 3) No vehicle parking or loading areas between the street and the front of the building 4) Provision of a screening ornamental fence or masonry wall 5) A step down in building height to adjacent development to the approximate height of adjacent structures 6) Provision of solar water heating units to provide at least 50 percent of the estimated hot water needs of the development 7) Provision of photovoltaic cells or small wind turbines pursuant to Section <u>17.24.140</u> to provide at least ten percent of the estimated electricity power needs of the development.
Lot Coverage (Section <u>17.24.010</u>)	<ol style="list-style-type: none"> 1) Increase in minimum number of street trees by a minimum of 25% in accordance with Section 17.24.060E.6 2) Enhanced architectural standards in accordance with Sections <u>17.24.090</u> - 130 3) Buffering/screening in accordance with Section <u>17.24.070</u> 4) A step down in building height to adjacent development to the approximate height of adjacent structures.
<u>17.24.030 Open Space and Parks.</u>	
Dedication or Set Aside (Section <u>17.24.020</u>)	<ol style="list-style-type: none"> 1) Increase in minimum perimeter landscape area in accordance with Section 17.24.060.E by a minimum of 25%. 2) Enhanced active open space amenities and recreational facilities in accordance with Sections <u>17.24.020</u> 3) Additional on-site pedestrian amenities in accordance with Section <u>17.24.050</u> 4) Demonstrate that at least 75 percent of all buildings within the proposed development plan comply with one of the following green building practices or their equivalent: (a) Energy Star Certification, (b) Southern Nevada Home Builders Green Initiative Certification, or (c) LEED-H Certification - additional levels of certification (silver through platinum) may be considered as additional compensating public benefit. 5) Reduced lot coverage on individual sites.
<u>17.24.040 Parking and Loading.</u>	

Number of Off-Street Parking Spaces (Section <u>17.24.040</u>)	<ol style="list-style-type: none"> 1) An increase of 25% in the amount of the vehicular use area that must be landscaped in accordance with Section 17.24.060.F. 2) An increase of 25% in the number of street trees in accordance with Section 17.24.060.E.4. 3) An increase of 100% in the number of bicycle spaces in accordance with Section 17.24.040.H and provision of bicycle lockers. 4) An increase of 25% in the number of trees to be planted in landscape diamonds within the vehicular use area in accordance with Section 17.24.060.F. 5) An increase in the number of pedestrian amenities (including sidewalks) either on or off-site in accordance with Section <u>17.24.050</u>
<u>17.24.010 Landscaping.</u>	
Percent of site (Section <u>17.24.060</u>)	<ol style="list-style-type: none"> 1) Increase of 25% in minimum required groundcover accordance with <u>Section 17.24.060</u> 2) Enhanced buffering/screening beyond that required in <u>Section 17.24.070</u> 3) Increased on- or off-site pedestrian amenities in accordance with <u>Section 17.24.050</u> 4) An increase of 50% of the minimum caliper of street trees used to satisfy perimeter landscaping requirements on the site
Number of trees (Section <u>17.24.060</u>)	<ol style="list-style-type: none"> 1) An increase of 10 percent of the portion of the site that must be landscaped in accordance with <u>Section 17.24.060</u> 2) Increased on- or off-site pedestrian amenities in accordance with <u>Section 17.24.050</u> 3) An increase of 25% in minimum required groundcover in accordance with <u>Section 17.24.060</u> 4) An increase of 50% of the minimum caliper of trees used to satisfy landscaping requirements on the site
Vehicular use area screening (Section 17.24.060.F)	<ol style="list-style-type: none"> 1) A 25% increase in the percent of the vehicular use area that must be landscaped in accordance with Section 17.24.,060.F 2) An increase of 25% in the number of street trees in accordance with Section 17.24.060.E.4 3) An increase of 25% in the number of trees to be planted in landscape diamonds within the vehicular use area in accordance with Section 17.24.060.F 4) Provision of a screening ornamental fence or masonry wall 5) An increase of 50% of the minimum caliper of trees used to satisfy landscaping requirements on the site 6) An increase in the number of pedestrian amenities in accordance with <u>Section 17.24.050</u>

17.24.010 Screening, Walls, and FencesScreening (Section 17.24.070)

- 1) Increase of 25% in the minimum perimeter landscape area in accordance with Section 17.24.060.E
- 2) Increase of 25% in minimum number of street trees in accordance with Section 17.24.060.E.4,
- 3) A step down in building height to adjacent development to the approximate height of adjacent structures or structures on the fronting block face
- 4) An increase of 50% of the minimum caliper of trees used to satisfy landscaping requirements on the site

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2669, § 1, 6-18-2014; Ord. No. 2685, § 1, 8-6-2014)

Chapter 17.16 - ZONE DISTRICTS

Sections:

17.16.010 - Official zoning map.

The boundaries of the following zones are established as shown on a map entitled "Zoning Map of North Las Vegas, Nevada," that has been recommended and approved by the North Las Vegas City Council and is made a part of this Code.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.16.020 - Interpretation of district boundaries.

Where uncertainty exists with respect to any of the boundaries of the districts as shown on the zoning map, the following rules shall apply:

- A. Where district boundaries are indicated as approximately following the centerlines of street, highway, or railroad rights-of-way or such lines extended, such centerlines or such lines extended shall be construed to be such boundaries.
- B. Where district boundaries are indicated as approximately following the corporate limit line of the City, such corporate limit line shall be construed to be such boundaries.
- C. Where district boundaries are indicated as approximately following property lines or such lines extended, such property lines or such lines extended shall be construed to be such boundaries.
- D. Where district boundaries are indicated as approximately following the centerline of drainageways, such centerlines or such lines extended shall be construed to be such boundaries.
- E. No district boundary line shall hereinafter be established to divide one lot into two or more districts.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.16.030 - Classification of annexed territory.

In the event that territory is annexed into the City, it shall be classified with the same zoning classification that was in effect on said property prior to annexation or the nearest comparable classification.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.16.040 - Establishment of districts and purpose statements.

- A. **Establishment of Districts.** For the purposes of this Code, the City is hereby divided into the base zone districts listed in Table 17.16-1 and overlay zone districts listed in Table 17.16-2.

TABLE 17.16-1: BASE ZONE DISTRICTS

Abbreviation	Zone District Name
Residential Zone Districts	
O-L	Open Land District
R-E	Ranch Estates District
R-EL	Ranch Estates Limited District
R-1	Single-Family Low Density District
R-CL	Single-Family Compact Lot Residential District
R-2	Single-Family Medium Density District
R-3	Multi-Family Residential District
R-4	High Density Residential District
Business Zone Districts	
C-P	Professional Office Commercial District
C-1	Neighborhood Commercial District
C-2	General Commercial District
M-1	Business Park Industrial District
M-2	General Industrial District
Redevelopment District and Subdistricts	
R-A	Redevelopment Area District
R-A/R-2	Medium Density Residential Subdistrict
R-A/R-3	Medium-High Density Residential Subdistrict
R-A/R-4	High Density Residential Subdistrict
R-A/DC	Downtown Core Subdistrict
R-A/PSP	Public/Semi-Public Subdistrict
Special Purpose Zone Districts	
PSP	Public/Semi-Public District

PUD/PID	Planned Unit Development District (PUD)/Planned Infill Development District (PID)
PCD	Planned Community Development District
MUD	Mixed-Use Development District
Obsolete Districts	
C-3	General Service Commercial District
M-3	Heavy Industrial District

TABLE 17.16-2: OVERLAY ZONE DISTRICTS

Abbreviation	Overlay Zone District Name
I-A	Industrial Apex Overlay District
F-1	Floodway Overlay District
F-2	Floodplain Overlay District
GED	Gaming Enterprise Overlay District
AE	Air Terminal Environs Overlay District
R-E	Ranch Estates Rural Preservation Overlay District

- B. Compliance with District Standards.** No development shall occur except in accordance with the zone district regulations of this chapter, the use regulations of Chapter 17.20 (Use Regulations), and all other applicable regulations of this Code. No land, building, structure, or premises shall be used for any purpose or in any manner other than that which is permitted in the district in which it is located.
- C. Relationship of Overlay Districts to Base Districts.**
- Overlay districts are established in Table 17.16-2 in addition to the base districts established in Table 17.16.1. Where land is classified into an overlay district as well as a base zone district, the regulations governing development in the overlay district shall apply in addition to the regulations governing the underlying base district. In the event of an express conflict between the standards of the overlay zoning district and the base district, the standards governing the overlay district shall control.
 - In some instances, land may be classified into multiple overlay districts as well as a base-zoning district. In the event of an express conflict between the standards of the multiple overlay districts, the most restrictive standard shall apply.
- D. Obsolete Districts.** The districts identified as obsolete districts in Table 17.16-1 are maintained in this Code to minimize the creation of nonconformities. These districts shall continue to apply in areas of the City so mapped as of the adoption of this Code. Applications for future amendments to the "Zoning Map of North Las Vegas, Nevada" to designate any of the districts identified as obsolete on the zoning map shall be prohibited.

E. Purpose Statements for Residential Districts.

1. **Open Land District (O-L).** The purpose of the Open Land (O-L) district is to provide for the development of single-family detached dwellings and directly-related complementary uses at a very low-density. Secondary agricultural activities are also allowed. The district is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding. This district is established for those vast areas within the city that are not fully developable due to lack of utilities and services. As utilities and services become available, reclassification of lands within the district is anticipated in accordance with the city's master plan.
2. **Ranch Estates District (R-E).** The purpose of the Ranch Estates (R-E) district is to provide for the development of single-family detached dwellings and directly-related complementary uses at a low-density. The district is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding.
3. **Ranch Estates Limited District (R-EL).** The purpose of the Ranch Estates Limited (R-EL) district is to provide for the development of single-family detached dwellings and directly-related complementary uses at a low-density. The district is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding.
4. **Single-Family Low Density Residential District (R-1).** The purpose of the Single-Family Low Density (R-1) district is to provide for the development of single-family detached dwellings, along with directly related complementary uses, at a moderately low density of 4.5 to 6.0 dwelling units per acre. The district is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding. The R-1 district is designed to implement the single-family low land use category of the North Las Vegas Comprehensive Plan and allow for the economical use of land while creating an attractive, functional, and safe residential environment.
5. **Single-Family Compact Lot Residential District (R-CL).** The purpose of the Single-Family Compact Lot Residential (R-CL) district is to provide for the development of single-family detached dwellings and directly-related complementary uses at a density of 7.99 units per acre or less. The district is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding.
6. **Single-Family Medium Density Residential District (R-2).** The purpose of the Single-Family Medium Density Residential (R-2) district is to provide for moderate density housing in attached single-family and multi-family structures or a combination thereof, along with directly related complementary uses, at a density of 6.01 to 13.0 dwelling units per acre. The R-2 district is designed to implement the single-family medium land use category of the North Las Vegas Comprehensive Plan and allow for the economical use of land while creating an attractive, functional, and safe residential environment.
7. **Multi-Family Residential District (R-3).** The purpose of the Multi-Family Residential (R-3) district is to provide for high density (approximately 25 dwelling units per acre) housing in multifamily structures and directly related complementary uses. The R-3 district is designed to allow highly economical use of land while creating an attractive, functional, and safe residential environment.
8. **High Density Residential District (R-4).** The purpose of the High Density Residential (R-4) district is to provide for very high-density (up to 50 dwelling units per acre) housing in multiple-family structures and directly-related complementary uses. The R-4 district is designed to allow highly economical use of land located near designated rapid transit nodes or redevelopment areas while creating an attractive, functional, and safe residential environment.

F. Purpose Statements for Business Districts.

1. **Professional Office Commercial District (C-P).** The purpose of the Professional Office Commercial (C-P) district is to provide for development of certain low intensity businesses, such as professional offices that are in harmony and compatible with the surrounding and adjacent residential neighborhood. These uses should generate light vehicular traffic and minimal disruption to traffic flow.
2. **Neighborhood Commercial District (C-1).** The purpose of the Neighborhood Commercial (C-1) district is to provide goods and services for the convenience of the residents of the adjacent neighborhood and accessible by walking from the adjacent neighborhoods. The uses allowed in this district should provide goods and services on a neighborhood market scale that are compatible with the residential character of the surrounding neighborhood.

3. **General Commercial District (C-2).** The purpose of the General Commercial (C-2) district is to provide for the development of intense retail and services that will serve as major community cores. These areas can only be developed where arterial streets can accommodate the very heavy traffic generated by such development. Due to the nature of these areas, proximity to higher density residential districts is appropriate.
4. **Business Park Industrial District (M-1).** The purpose of the M-1 Business Park Industrial (M-1) district is to accommodate light industrial uses, offices, and warehousing in a comprehensively planned and attractive setting while minimizing the amount of non-industrial uses (e.g., retail, religious institutions, and banks).
5. **General Industrial District (M-2).** The purpose of the General Industrial (M-2) district is to provide for the development of uses that, because of the nature of their operation, appearance, traffic generation, or emission, would not be compatible with land uses in most other zone districts, but which, nevertheless, are necessary and desirable activities in the City. The provision for non-industrial uses (e.g., retail, religious institutions, and banks) is limited in this district.

G. Purpose Statements for the Redevelopment Area District and Subdistricts.

1. Redevelopment Area District (R-A).

- a. The purpose of the Redevelopment Area District is to further the goals of the North Las Vegas Downtown Master Plan and Investment Strategy, including:
 - (i) Make Downtown North Las Vegas a local and regional destination with a unique identity;
 - (ii) Brand and market Downtown with a unique sense of place and distinct themes (i.e. naming streets after local heroes, identifying sub-areas or districts, creating signage and wayfinding, etc.);
 - (iii) Address traffic problems through a combination of demand management, access management, and circulation improvements;
 - (iv) Make the Downtown safe and inviting for pedestrians and bicyclists;
 - (v) Improve pedestrian, bicycle, and auto access into the Downtown core from residential neighborhoods;
 - (vi) Celebrate the cultural past and present of the area - incorporating music and art to reestablish a cultural center;
 - (vii) Retain and support existing residents and local businesses;
 - (viii) Improve Downtown's economic vitality with programs, incentives, and public-private partnerships to attract new business and investment;
 - (ix) Create a family-friendly environment with excellent schools, parks, and public open spaces; and
 - (x) Connect existing and new development through coordination, design standards, and improvements to the public realm.
- b. In addition, it shall be the purpose of this section to:
 - (i) Designate areas for intensification of the retail and service uses along Lake Mead Boulevard and along Las Vegas Boulevard North;
 - (ii) Designate areas for intensification of casino, hotel and entertainment uses along Las Vegas Boulevard North and along Lake Mead Boulevard, west of Las Vegas Boulevard North;
 - (iii) Designate medium high and high-density residential areas as buffers between retail/service, offices and casino/hotel/entertainment uses and adjacent stable neighborhoods; and
 - (iv) Coordinate the streetscape design elements of public rights-of-way and other public and semi-public properties with private development activities within the redevelopment area.

2. Redevelopment Area Subdistricts.

- a. The R-A District shall be divided into the following subdistricts:
 - (i) **Medium Density Residential Subdistrict (R-A/R-2).** The purpose of the Medium Density Residential (R-A/R-2) Subdistrict is to provide single-family and medium-density multifamily development that supports the nonresidential development of the redevelopment district and is compatible with the stated purpose of the redevelopment district.
 - (ii)

Medium-High Density Residential Subdistrict (R-A/R-3). The purpose of the Medium-High Density Residential (R-A/R-3) Subdistrict is to provide for higher density multi-family housing that supports the nonresidential development of the redevelopment district and is compatible with the stated purpose of the redevelopment district.

- (iii) **High Density Residential Subdistrict (R-A/R-4).** The purpose of the High Density Residential (R-A/R-4) subdistrict is to provide for very high-density (up to fifty (50) dwelling units per acre) housing in multiple-family structures and directly-related complementary uses within the redevelopment area. The R-A/R-4 district is designed to allow highly economical use of land located near designated rapid transit nodes or redevelopment areas while creating an attractive, functional, and safe residential environment.

- (iv) **Downtown Core Subdistrict (R-A/DC).** The purpose of the Downtown Core (R-A/DC) subdistrict is to promote pedestrian-friendly, high-intensity development within Downtown North Las Vegas that includes a mixture of commercial, office, entertainment, public, and residential uses.

- (v) **Public/Semi-Public Subdistrict (R-A/PSP).** The purpose of the Public/Semi-Public (R-A/PSP) subdistrict is to provide an area for essential public and semi-public uses that will complement a vital redevelopment area and its retail and office subdistricts.

- b. The boundaries of the above subdistricts are established as shown on a map entitled "Zoning Map of North Las Vegas, Nevada," as identified in Section 17.16.010
- c. Where uncertainty exists with respect to any of the boundaries of the subdistricts as shown on the zoning map, the boundaries shall be interpreted according to the rules of Section 17.16.020

H. Purpose Statements for Special Purpose Districts.

1. **Public/Semi-Public District (PSP).** The purpose of the Public/Semi-Public District (PSP) district is to provide an area primarily for those uses grouped under the heading "Public and Institutional Uses" in Table 17.20-1 in locations where they can provide efficient and convenient services to the public.
2. **Planned Unit Development District (PUD).**
 - a. **General Purpose.** The purpose of the Planned Unit Development (PUD) district is to serve as an alternative to conventional zoning and development approaches and processes in a manner consistent with the purposes of NRS 278A.020 in order to:
 - (i) Enhance the City's public health, safety, and general welfare as North Las Vegas increasingly urbanizes;
 - (ii) Encourage innovations in residential, commercial, and industrial development so that greater opportunities for better housing of all types and design, recreation, shopping, and employment may extend to all citizens and residents of North Las Vegas;
 - (iii) Provide for necessary commercial and industrial facilities to be conveniently located near housing;
 - (iv) Reflect changes in the technology of land development so that resulting economies may be made available to those who need homes and to encourage more efficient use of land and public and private services;
 - (v) Reflect changes in the technology of land development;
 - (vi) Encourage a more creative approach in the utilization of land in order to accomplish a more efficient, aesthetic, and desirable development that may be characterized by special features of the geography, topography, size, or shape of a particular property;
 - (vii) Provide a compatible, stable, developed environment in harmony with that of the surrounding area; and
 - (viii) Insure that increased flexibility of substantive regulations be administered in such a way as to encourage the disposition of proposals for land development without undue delay.

The preceding purposes shall be balanced so that each PUD shall consist of a harmonious selection of uses and groupings of buildings, parking areas, circulation and open spaces, and shall be designed as an integrated unit, in such manner as to constitute a safe, efficient, and convenient urban area development.

- b. **Integrated Design.** The PUD shall consist of a harmonious selection of uses and groupings of buildings, parking areas, circulation, and open spaces, and shall be designed as an integrated unit, in such manner as to constitute a safe, efficient, and convenient urban area development.
- c. **PUD Subtypes.** The PUD district may be established throughout the City pursuant to the procedure and guidelines set forth in this Code. However, there is herein established a PUD subtype called a Planned Infill Development (PID) district. The purpose and intent of the PID district is the same as that for the overall PUD district but is tailored to the unique situation of infill development in the mature neighborhoods of North Las Vegas. Furthermore, the specific purpose of the PID district is to:
 - (i) Accommodate growth by encouraging and facilitating new development/redevelopment on vacant and/or underutilized land in areas that already have infrastructure, utilities, and public facilities;
 - (ii) Encourage efficient use of land and public services within the context and character of existing neighborhoods;
 - (iii) Provide flexibility in development standards to facilitate infill development and redevelopment; and
 - (iv) Promote neighborhood preservation and enhancement through redevelopment of blighted, distressed, and/or underutilized properties.

3. **Planned Community District (PCD).**

- a. The purpose of the Planned Community (PCD) district is to permit and encourage the development of comprehensively planned communities if:
 - (i) The property has a minimum of one hundred (100) contiguous gross acres of land under one ownership or control that was not previously owned by the U.S. Department of Interior, Bureau of Land Management;
 - (ii) The property was previously owned by the U.S. Department of Interior, Bureau of Land Management, and is a minimum of five hundred (500) contiguous acres if the land is under one ownership or control; or
 - (iii) The applicant requests permission from City Council to make an application under the PCD regulations.
- b. The goal of the PCD district is to ensure orderly planning of large areas of land and to create efficient, desirable and stable developments offering a combination of planned land uses. This district is designed to provide for flexibility in the zoning of large-scale planned communities.
- c. In order for property to qualify for PCD district zoning, the master developer must demonstrate the potential for achievement of the following specific objectives during the planning and development process:
 - (i) Ensure orderly planning for the development of large unsubdivided parcels of the City in a manner consistent with the City's comprehensive plan;
 - (ii) Ensure adequate provision of open space, recreational facilities and other community amenities;
 - (iii) Provide for an orderly and creative arrangement of land uses with respect to each other, to the entire master planned community and to all adjacent land;
 - (iv) Provide for a variety of housing types, employment opportunities, and commercial services to achieve a balanced community for families of a wide variety of ages, sizes and levels of income;
 - (v) Provide for a planned and integrated transportation system for pedestrian and vehicular traffic that will include provisions for transportation and roadways, bicycle and/or equestrian paths, pedestrian walkways, and other similar transportation facilities;
 - (vi) Encourage sensitive site planning and design with enhanced landscaping and other site amenities; and
 - (vii) Encourage high-quality structures in terms of community design standards, materials, and layout.

4. **Mixed Use Development District (MUD).** The Mixed Use Development (MUD) district is intended to:

- a. Allow the mixing of residential and non-residential uses on the same site and/or within the same building to create economic and social vitality within new and existing neighborhoods;
- b. Decrease automobile dependency by encouraging alternative forms of transportation, such as walking,

bicycling, and transit;

- c. Create vibrant, safe, pedestrian-friendly neighborhoods with a focus on convenience, interconnectivity, and accessibility for the benefit of residents, workers, and visitors;
- d. Promote excellence and innovation in architecture, urban design, and site planning; and
- e. Enhance quality of life in the City by increasing choices available in terms of housing, transportation, and access to recreation, shopping, and employment.

I. Purpose Statements for Overlay Districts.

1. **Industrial - Apex Overlay District (I-A).** The purpose of the I-A Overlay District is to regulate the development and occupancy of lands within the boundaries shown on the Boundaries of the I-A Overlay District Map (Map 1) in Section 17.16.050.F in order to (1) promote the economic development of the City by accommodating land uses that would be inappropriate if located closer to residential areas, (2) promote the orderly and appropriate development of lands in a manner that is compatible with the mission of Nellis Air Force Base, (3) further ensure the safety of the working and travelling public in light of the risks associated with overflights of aircraft carrying live ordnance from Nellis Air Force Base, and (4) prevent the use of land for water-intensive industries.
2. **Floodway Overlay District (F-1).** The Floodway Overlay (F-1) district is intended to allow unimpeded passage of water during a flood through those areas of the City identified as the floodway by the Federal Insurance Administration of the National Flood Insurance Program of the U.S. Federal Emergency Management Agency (FEMA) and shown as such on the FEMA Flood Insurance Rate Map for the City. The purpose of these regulations is to promote the public health, safety, and general welfare, and to minimize public and private losses because of flood conditions. Since the floodway is an extremely hazardous area because of the velocity of flood waters that carry debris and erosion potential, development is closely regulated.
3. **Floodplain Overlay District (F-2).** The Floodplain Overlay (F-2) district is intended to regulate the nature of permitted development in the 100-year floodplain as identified by the Federal Insurance Administration of the National Flood Insurance Program of the U.S. Federal Emergency Management Agency (FEMA) and shown as "A" zones on the City's flood insurance rate maps, so as to lessen property damage and hazards resulting from such events.
4. **Gaming Enterprise Overlay District (GED).** The Gaming Enterprise Overlay (GED) district is intended to regulate the nature of unrestricted gambling licenses (casinos) located within the City and to comply with applicable state statutes.
5. **Air Terminal Environs Overlay (AE).** The Air Terminal Environs Overlay (AE) district is an overlay zone established to provide for a range of uses compatible with air terminal noise exposure areas and to prohibit the development of incompatible uses that are detrimental to the public health, safety, and welfare within the air terminal environs. The regulations for the air terminal environs overlay district are supplementary to the regulations of the underlying zone districts, and the regulations of the air terminal environs overlay district shall control if there is a conflict.
6. **R-E Ranch Estates Rural Preservation Overlay District.** The purpose of the R-E Ranch Estates Rural Preservation Overlay District is to regulate the development of lands within the boundaries shown on the Zoning Map of North Las Vegas, Nevada, preserving the density and rural character unique to the rural neighborhoods. The overlay district also provides guidance on new development or redevelopment that would maintain the rural character of the designated rural neighborhoods. Characteristics of rural neighborhoods may contain some or all of the following:
 - a. Populated by residents with common interests in more open-space lifestyles than experienced in urban neighborhoods;
 - b. Custom-built homes;
 - c. No mandatory conditions, covenants, and restrictions (CC&R's) on lots or homeowners associations;
 - d. Suitable for keeping and riding horses in a rural residential setting;
 - e. Residential lots large enough to park boats, horse trailers, and other recreational vehicles behind the front setback line and having enough rear-yard area to construct accessory buildings, stables, tack houses, and other horse-related out-buildings;

- f. Residential densities low enough to allow substantially more physical separation between neighboring dwellings than typically found in urbanized areas; and/or
- g. Modified pavement sections with few public streetlights and sidewalks.

J. Purpose Statements for Obsolete Districts.

1. **General Service Commercial District (C-3).** The purpose of the General Service Commercial (C-3) district is to provide for intensive, retail or service operations that generally require large amounts of land for their success. These services should be located in concentrated service areas with good accessibility for the public but should be carefully buffered from other uses and visibly buffered from arterial streets.
2. **Heavy Industrial District (M-3).** The purpose of the Heavy Industrial (M-3) district is to provide for the development of intense activities that, because of the nature of their operation, appearance, traffic generation, or emission, would not be compatible with most land uses in other zone districts, but which, nevertheless, are necessary activities in the city.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2706, §§ 1—3, 2-18-2015)

17.16.050 - District-specific regulations.

A. Business Park Industrial District (M-1) and General Industrial District (M-2).

1. Within the M-1 and M-2 district, all use types permitted in the M-1 and M-2 districts under the following use categories, identified in Table 17.20-1, shall be subject to the standards established in Subsection 3 below.
 - a. Animal Care,
 - b. Eating and Drinking Establishments,
 - c. Indoor Recreation and Entertainment,
 - d. Retail Sales and Service, and
 - e. Vehicle Sales and Service.
2. **Exemptions.** The following use types shall be exempt from the standards established in Subsection 3. below:
 - a. Sexually Oriented Business; and
 - b. Automobile Impound Yard.
3. **Locational Standards.** The permitted use types that are subject to these standards shall only be permitted in areas designated as Employment, Mixed Use Commercial, or Mixed Use Employment in the Comprehensive Master Plan.

B. Redevelopment Area District (R-A). In order ensure the coordinated and uniform development of the R-A district, the following requirements shall apply to all site plan and special use permit reviews within the R-A district.

1. Submission and Review of Plans.

- a. Plans and specifications for design elements subject to review pursuant to this shall be submitted as part of the site plan approval process and Subsection 3 of this section.
- b. The Director and the redevelopment manager, in their review of all proposed projects, will work to promote a development that displays a uniformly high quality of design and architectural character throughout.

2. Traffic Impact Analysis.

- a. For all major site plan applications, as defined in Section 17.12.070.H, a traffic impact analysis shall be submitted for City review and approval.
- b. For minor site plan applications, submittal of a traffic impact analysis shall be at the discretion of the City traffic engineer based on property location, existing access, proposed use, and similar considerations. The level of detail of the submittal for a minor site plan traffic impact analysis shall be determined by the City traffic engineer.
- c. For major site plans, a traffic impact analysis report based upon the proposed development and surrounding uses shall be submitted containing, at a minimum, the standards contained in the traffic impact analysis guidelines as established by the regional transportation Commission and available from the City traffic engineer.

C. Planned Unit Development District (PUD)/Planned Infill Development District (PID).

1. **Ownership.** The tract shall be a development of land under unified control at the time of application and planned and scheduled to be developed as a whole.
2. **Conformance with the North Las Vegas Comprehensive Master Plan.** The land uses and design of the proposed PUD and PID shall be consistent with the master plan.
3. **Applicability of PUD and PID.**
 - a. Applicants may apply for a PUD district for any properties in North Las Vegas pursuant to the requirements of Section 17.12.070.D.
 - b. Applications for a PUD on properties south of Craig Road that are bordered by existing development on a minimum of two sides may be eligible for a PID district (a subtype of the PUD) and standards pursuant to this section.
4. **Size Regulations.**
 - a. The minimum total PUD shall be no less than five acres unless the applicant can show that the minimum PUD requirements should be waived because the waiver would be in the public interest and that one or more of the following conditions exists:
 - (i) Unusual physical features of the property itself or of the surrounding area are such that development under the standard provisions of this Code would not be appropriate in order to conserve a physical or terrain feature of importance to the neighborhood or community; or
 - (ii) The property is adjacent to or across the street from property that has been developed under the provisions of this section and will contribute to the amenities of the area.
 - b. There shall be no minimum size requirements for a PID.
 - c. In no case shall a PUD or PID be used as a method of circumventing the requirements of this Code or for the development of a single structure that will contain a single use.
 - d. Developments that are one hundred (100) acres or larger shall be required to apply for the PCD district.
5. **Review Procedure.** PUD or PID districts shall be subject to the Planned Unit Development review procedure established in Section 17.12.070.D.
6. **Phasing of Development.**
 - a. Any PUD or PID plan proposed to be constructed in phases shall include full details relating thereto, and the City Council may approve or modify such details, where necessary, on any PUD or PID application.
 - b. The phasing shall include the time for beginning and completion of each phase. Such timing may be modified by the City on the showing of good cause by the developer.
 - c. The landowner or developer shall make such easements, covenants, and other arrangements and shall furnish such financial guarantees as may be determined by the City to be reasonably required to assure performance in accordance with the plan and to protect the public.
7. **General Development Standards for all PUDs and PIDs.** The following standards shall apply to all PUDs and PIDs.
 - a. **Use Regulations.**
 - (i) **Allowed Principal Uses.**
 - (1) Development of a PUD or PID may consist of any land use category, use type, or combination of such listed as an allowed use for PUDs in Table 17.20-1 and as identified in accordance with the approved PUD or PID.
 - (2) A PUD or PID that only involves one housing type such as all detached or all attached units shall not be considered inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval.
 - (ii) **Allowed Accessory Uses.** Development within a PUD or PID may include accessory uses as regulated in Section 17.20.030
 - (iii) **Property in Floodplains.** Any property located in a PUD or PID and any F-1 or F-2 overlay district shall comply with the regulations of the applicable overlay district.

b. Residential Density in PUDs.

- (i) Residential development in a PUD or PID may provide for a variety of housing types allowed in any one of the basic residential zoning districts. The total number of dwelling units and the resulting density allowed in a PUD shall be consistent with the land use plan of the City's master plan.
- (ii) In determining the reasonableness of the densities in a PUD or PID, the Planning Commission and City Council shall consider increased efficiency in the provision of public facilities and services based, in part, upon:
 - (1) The location, amount, and proposed use of common open space;
 - (2) The location, design and type of dwelling units; and
 - (3) The physical characteristics of the site.
- (iii) The Planning Commission and City Council may consider detached single-family residential lots of less than four thousand five hundred (4,500) square feet in a PUD or PID that is in conformance with Section 17.24.090.I, Residential Design Incentive System.

c. Lot Development Standards.

- (i) All lots must comply with the City's subdivision ordinance, codified in Title 16 of the North Las Vegas Municipal Code, in all respects not specifically noted in this section or as approved through waivers.
- (ii) All setbacks from all property lines shall be as established at the time of the PUD or PID approval.
- (iii) More than one principally permitted building may be placed on one platted or recorded lot in any PUD. Only more than one principally permitted nonresidential building may be placed on one platted or recorded lot in a PID.
- (iv) Building height shall be established as part of the PUD or PID approval.

d. Architectural Style and Appearance. PUDs and PIDs shall be subject to the architectural requirements of Section 17.24, Development Standards.**e. Landscaping and Fencing.** PUDs and PIDs shall be subject to the requirements of Section 17.24.060, Landscaping, and Section 17.24.070, Screening, Walls, and Fences.**f. Open Space Requirements.** PUDs and PIDs shall be subject to the open space requirements of Section 17.24.020, Open Space and Parks.**g. Street Frontage Relationship.** In order to promote a pedestrian-friendly development and a street frontage that helps create a neighborhood identity, building setbacks for commercial developments in PUDs and PIDs shall be minimized to:

- (i) Encourage the location of pedestrian activities, plazas, pathways, and similar uses between the building and the street;
- (ii) Create a well-defined streetscape to allow for the safe movement of pedestrians. To the maximum extent practicable, parking and drive-through passageways shall be located to the side and rear of all buildings; and
- (iii) Provide site development features that are visible and pedestrian accessible from the street. These features could include plazas, open space areas, employee lunch and recreational areas, architectural focal points, and accent lighting.

h. Street Utilities, Services, and Public Facilities.

- (i) All utilities, including electricity and telephone, shall be installed underground.
- (ii) The uniqueness of each proposal for a PUD or a PID may allow specifications and standards for streets, utilities, and services to be subject to minor modifications of the specifications and standards established in this Code and other City ordinances governing their construction. The City may, therefore, waive or modify the specifications or standards where it is found that they are not required in the interests of the residents of the PUD or PID or the City. The plans and profiles of all streets, utilities, and services shall be reviewed, modified if necessary, and approved by the City prior to the final approval of the PUD or PID. All PUDs or PIDs shall be served by public or City water and sewer systems.

i. Additional Standards. Development within a PUD or PID shall conform to all conditions and standards

agreed upon by the applicant and the City at time of PUD approval.

8. Additional Standards for PID Districts.

- a. **Development Standards.** Development in the PID district shall comply with the development standards established for the R-A district in Chapter 17.24, if located within the R-A district or shall comply with the infill development standards established in that section.
- b. **Neighborhood Compatibility Standards.** Development within a PID district shall comply with the following neighborhood compatibility standards to ensure the proposed uses and structure fit with the established built context of North Las Vegas and the neighborhoods surrounding the proposed PID district.

(i) Connectivity.

- (1) To the maximum extent possible, streets shall be designed to continue the existing street patterns of surrounding developments.
- (2) Access points to the PID district shall align with existing access points to adjacent developments.
- (3) Internal trails, paths, drainage basins, and open space shall be designed to connect with external trails, paths, drainage basins, and open spaces to accommodate regional linkages unless otherwise determined to be physically impractical.

(ii) Relationship to Adjacent Developments.

- (1) An applicant shall coordinate the proposed development with surrounding planning and development efforts on adjacent properties.
- (2) Development along the perimeter of a PID shall consider the following features to create continuity between the proposed development and adjacent neighborhoods.
 - (a) Building setbacks,
 - (b) Placement and setbacks of structures,
 - (c) Location of pedestrian/vehicular facilities,
 - (d) Building height step backs, and
 - (e) Spacing from adjoining buildings.
- (3) Where the Planning Commission and City Council determine that the architectural styles and features of surrounding developments provide a historical, traditional, or cultural context and/or character that should be preserved, structures along the perimeter of the PID district shall reflect the established character or context. The following building design features shall be considered when the surrounding context and/or character is to be preserved:
 - (a) Scale;
 - (b) Massing;
 - (c) Proportion;
 - (d) Spacing and location of windows, doorways, and other features;
 - (e) Roof style;
 - (f) Facade proportions and orientation;
 - (g) Location of entries;
 - (h) Surface material, finish, color, and texture of surrounding development; and
 - (i) Style of architecture.

D. Planned Community Development District (PCD).

- 1. **Review Procedure.** The PCD district shall be subject to the review procedure established in Section 17.12.070 (E).
- 2. **Phasing of Development.**
 - a. Any PCD plan proposed to be constructed in phases shall include full details relating thereto, and the City Council may approve or modify such details, where necessary, on any PCD proposal.
 - b. The phasing shall include the time for beginning and completion of each phase. Such timing may be modified by the City on the showing of good cause by the developer.

- c. The landowner or developer shall make such easements, covenants, and other arrangements and shall furnish such financial guarantees as may be determined by the City to be reasonably required to assure performance in accordance with the plan and to protect the public.

3. **Use Regulations.**

- a. **Allowed Principal Uses.** Development of the PCD district may consist of any land use category, use type, or combination of such listed as an allowed use for PCD districts in Table 17.20-1 and as identified in accordance with the master development plan and master development agreement approved as part of PCD district review procedure.
- b. **Allowed Accessory Uses.** Development within the PCD district may include accessory uses as regulated in Section 17.20.030 with any modification approved as part of the PCD master development plan and master development agreement.
- c. **Property in Floodplains.** Any property located in a PCD district and any F-1 or F-2 overlay district shall comply with the regulations of the applicable overlay district.
- d. **Conformance with the North Las Vegas Comprehensive Master Plan.** The land uses and design of the proposed PCD shall be consistent with the master plan.

4. **Development Standards.** The following development standards shall apply to all development and redevelopment in the PCD district. At the City's discretion, some or all of these development standards, or their applicability to the proposed development may be authorized in an agreement between the property owner and/or developer and the City as authorized by NRS 278.0201. Consistent with the provisions of NRS 278.0201(2), unless the agreement otherwise provides, the ordinances, resolutions or regulations applicable to that land and governing the permitted uses of that land, density and standards for design, improvements and construction are those in effect at the time the agreement is made.

a. **Open Space Requirements.**

- (i) PCDs shall be subject to the open space requirements of Section 17.24.020
- (ii) The open space requirements shall not be waived as part of the PCD master development plan and master development agreement.

- b. **Architectural Style and Appearance.** PCDs shall be subject to the architectural requirements of Section 17.24.

c. **Street Utilities, Services, and Public Facilities.**

- (i) All utilities, including electricity and telephone, shall be installed underground.
- (ii) The uniqueness of each proposal for a PCD may allow specifications and standards for streets, utilities, and services to be subject to minor modifications of the specifications and standards established in this Code and other City ordinances governing their construction. The City may, therefore, waive or modify the specifications or standards where it is found that they are not required in the interests of the residents of the PCD or the City. The plans and profiles of all streets, utilities, and services shall be reviewed, modified if necessary, and approved by the City prior to the final approval of the PCD. All PCDs shall be served by public or community water and sewer systems.

E. **Mixed Use Development District (MUD).**

1. **Applicability and Location.**

- a. The City encourages new development and redevelopment projects that contain a mix of complementary and internally or externally connected uses (e.g., retail, offices, and residential uses) with a variety of densities and active public spaces. The design of mixed use areas should emphasize pedestrian comfort, safety, and connectivity.
- b. *Mixed use projects shall be integrated in a vertical or horizontal manner.* Vertical mixed use projects incorporate different land uses within the same building (e.g., residential and/or office above retail uses). Horizontal mixed use projects incorporate different land uses within adjacent buildings on the same site. Both types of mixed use projects are encouraged and allowed in the City of North Las Vegas.
- c. The MUD district may be generally applied within any of the following land use categories designated in the Comprehensive Master Plan:

- (i) Downtown Business District, in accordance with the City of North Las Vegas Downtown Master Plan and Investment Strategy;
 - (ii) Mixed Use Neighborhood;
 - (iii) Mixed Use Commercial; and
 - (iv) Mixed Use Employment.
- d. Proposed mixed use projects shall also comply with at least one of the following locational criteria:
 - (i) The development contributes to the revitalization or redevelopment of specific site(s) and/or neighborhood(s) within a designated redevelopment area.
 - (ii) The development constitutes infill development on vacant or underutilized parcels.
 - (iii) The development site is located within one-quarter mile of an existing or future bus rapid transit (BRT) or light rail transit (LRT) stop.
 - (iv) The development is located adjacent to and directly accessible from an existing or planned segment of the regional trail system or other City-planned trail facilities.
 - (v) The development is located within one-quarter mile of Cheyenne Avenue between Pecos Road and Decatur Boulevard and features employment-based uses (e.g., light industrial, office, supportive commercial, professional services, etc.) as a primary component.
- 2. **Mixed Use Sub-Districts.** The Mixed Use Development district (MUD) is further divided into three distinct sub-districts. Each sub-district corresponds to a particular size and intensity of development, and development standards and design criteria are provided herein to achieve a desired urban form in each sub-district. Densities shall be in compliance with the Comprehensive Master Plan. The appropriate sub-district for any given site shall be determined by the scale and intended character of the proposed project. The three sub-districts are as follows:
 - a. **Mixed Use Neighborhood (MUD-N).** Neighborhood centers shall be oriented to pedestrians, with a strong emphasis on connectivity both internally and to surrounding areas. Neighborhood centers should range from one to ten acres in size and provide a low- to moderately- concentrated mix of low-rise to mid-rise (up to five stories or sixty (60) feet) residential, commercial, employment, and recreational uses. Buildings shall be oriented to the street, and streetscapes shall include pedestrian-friendly amenities such as wider sidewalks, enhanced landscaping, pedestrian-scale lighting, and street furnishings. Where applicable, these developments shall also provide direct access to transit stops and/or trail systems.
 - b. **Mixed Use Commercial (MUD-C).** Community centers shall provide a mix of complementary retail, commercial, and/or office uses serving a larger market area as well as a variety of medium and higher density residential development. Commercial centers should be developed on sites ranging from ten to forty (40) acres in size and provide a highly concentrated mix of low-rise to high-rise (up to ten stories or one hundred 120 feet) residential, commercial, office, and recreational uses. Where applicable, the commercial component should include restaurants, general retail, and other uses that promote both daytime and nighttime activity. Community centers must be within one-quarter mile of a major transportation corridors or transit routes.
 - c. **Mixed Use Employment (MUD-E).** Regional centers shall be planned and built as major retail centers of the City and/or regional destinations featuring large-scale development that can only be supported by large populations. Regional centers are ideal locations for major retail development, hotels, restaurants, conference centers, arts/cultural centers, sports facilities, and other entertainment venues. Where applicable, regional centers shall provide direct access to mass transit, and parking shall be provided in parking structures.
- 3. **Ownership.** All MUD district development shall be under unified control at the time of application.
- 4. **Phasing of Development.** All MUD district development shall be planned and scheduled to be developed as a whole unless phasing of development is approved as part of the MUD district approval under the following provisions.
 - a. Any MUD district proposed to be constructed in phases shall include the full details relating thereto as part of the application and review procedure. Such details shall include a time schedule for the completion of each phase.

- b. For horizontal mixed use, no portion of the commercial component shall be occupied prior to completion of at least fifty (50) percent of the residential component.
 - c. For all mixed use projects, no "on sale" establishment shall be occupied prior to completion of at least fifty (50) percent of the commercial component.
 - d. For all mixed use projects, required open space shall be completed according to a phasing plan approved with the MUD district.
5. **Development Standards.** The site development standards for the MUD district are established in Section 17.24.110
6. **Open Space Requirements.** MUD districts shall be subject to the open space requirements of Section 17.24.020
7. **Permitted Land Uses.** Principal, accessory, and temporary uses permitted within the MUD district are established in Table 17.20-1.
8. **General Requirements.**
- a. **Mix of Uses.**
 - (i) All mixed use development shall include a minimum of two different land use classifications identified in Section 17.20.010.B, that may include residential uses, public and institutional uses, commercial and office uses, and industrial and related uses.
 - (ii) No single land use classification should occupy more than seventy-five (75) percent of a site, with primary consideration given to variables such as location, site design, and compatibility with adjacent development.
 - (iii) When horizontal mixed uses are proposed, the applicant shall be required to demonstrate a mixture and integration of the land use classifications on the site. Using roadways, waterways drainage channels, and other features to separate land use classifications and prevent their integration in a MUD shall be prohibited. Pedestrian priority areas shall not be considered a barrier. The complete separation of land use classifications shall not be permitted as part of a MUD district.
 - (iv) To create and maintain active and interesting pedestrian areas, commercial buildings located within horizontal mixed use development shall include a minimum of two individual uses per six hundred (600) lineal feet. Each retail use shall have a separate entrance.
 - (v) Mixed use buildings with residential uses planned for the second story and higher floors shall have retail, commercial, or office uses on the ground floor. Lobby areas serving upper story residential uses may also be located on the ground floor, provided that such lobby areas occupy no more than fifty (50) percent of the available first floor space. All nonresidential ground floor uses shall be compatible with residential uses.
 - (vi) To facilitate pedestrian movements throughout a mixed-use development, one pedestrian connection shall be provided through or adjacent to buildings, walls, or a series of structures that would otherwise cause a pedestrian to walk more than four hundred (400) feet along the same façade.
 - b. **Site Design.**
 - (i) The mixed use design guidelines set forth in Section 17.24.110 shall be used to evaluate the overall design and functional integration of all major components of mixed use development, including building locations, street layout, parking, transit access, pedestrian areas, etc.
 - (ii) To the greatest extent practicable, buildings and uses shall be clustered on the site to promote walkability and linked trips.
 - c. **Pedestrian Priority Areas.** Pedestrian priority areas are areas within a mixed use development where primary design consideration and preference shall be given to pedestrians rather than vehicles. All pedestrian priority areas shall meet or exceed the design guidelines contained in Section 17.24.110
 - (i) All mixed use development shall include at least one pedestrian priority area. Additional pedestrian priority areas may be required based on site design variables such as the number and location(s) of residential and nonresidential components.

- (ii) For horizontal mixed use projects, pedestrian priority area(s) shall be located between all residential and nonresidential areas or uses and shall be designed to integrate the different types of land uses.
- (iii) For vertical mixed use projects, the entire site shall be considered a pedestrian priority area and all streetscapes shall be designed for walkability. All vertical mixed use buildings shall have primary entrances opening onto a street or public square.
- (iv) Pedestrian priority areas shall provide multiple, direct pedestrian connections to perimeter sidewalks, preferably in conjunction with a pocket park or other public area.
- (v) Crosswalks may be included within pedestrian priority areas.
- (vi) All pedestrian priority areas shall be landscaped in a manner that supports and encourages pedestrian activities. Tree wells with grates, planting beds with sitting edges, and the use of large decorative pots are encouraged. Exposed decomposed granite groundcovers shall be prohibited within pedestrian priority areas and all at-grade landscaped areas shall be completely enclosed by ornamental fencing, unless the area is intended for pets, in which case a thirty-six-inch opening would be allowed.

d. Landscaping.

- (i) The general landscaping requirements and preferred plant materials established in Section 17.24.060, Landscaping, shall apply generally to all mixed use development. If the proposed landscape area is identified on the preliminary development plan as a pedestrian priority area, the area shall also comply with Section 17.16.050.D.8.c.
- (ii) Landscaping and/or fencing shall be provided according to a plan approved by the City, based on variables such as location, site design, and compatibility with adjacent development. The landscaping plan shall include a detailed planting list with sizes at both planting time and maturity. The use of turf shall be limited to public gathering spaces such as parks, neighborhood nodes, etc.

e. Streets, Utilities, and Public Services.

- (i) All mixed use development shall comply with the specifications and standards for streets, utilities, and services established by Municipal Code. The public works department may allow modifications to the specifications and standards; in cases where the developer proposes to improve upon those specifications and standards in a manner that is beneficial to the City or the residents of the mixed use development.
- (ii) All mixed use development shall be served by public water and sewer systems, and all utilities shall be installed underground.

f. Parking. The parking requirements established in Section 17.24.040, Parking and Loading, shall apply to all mixed use development except as provided herein.

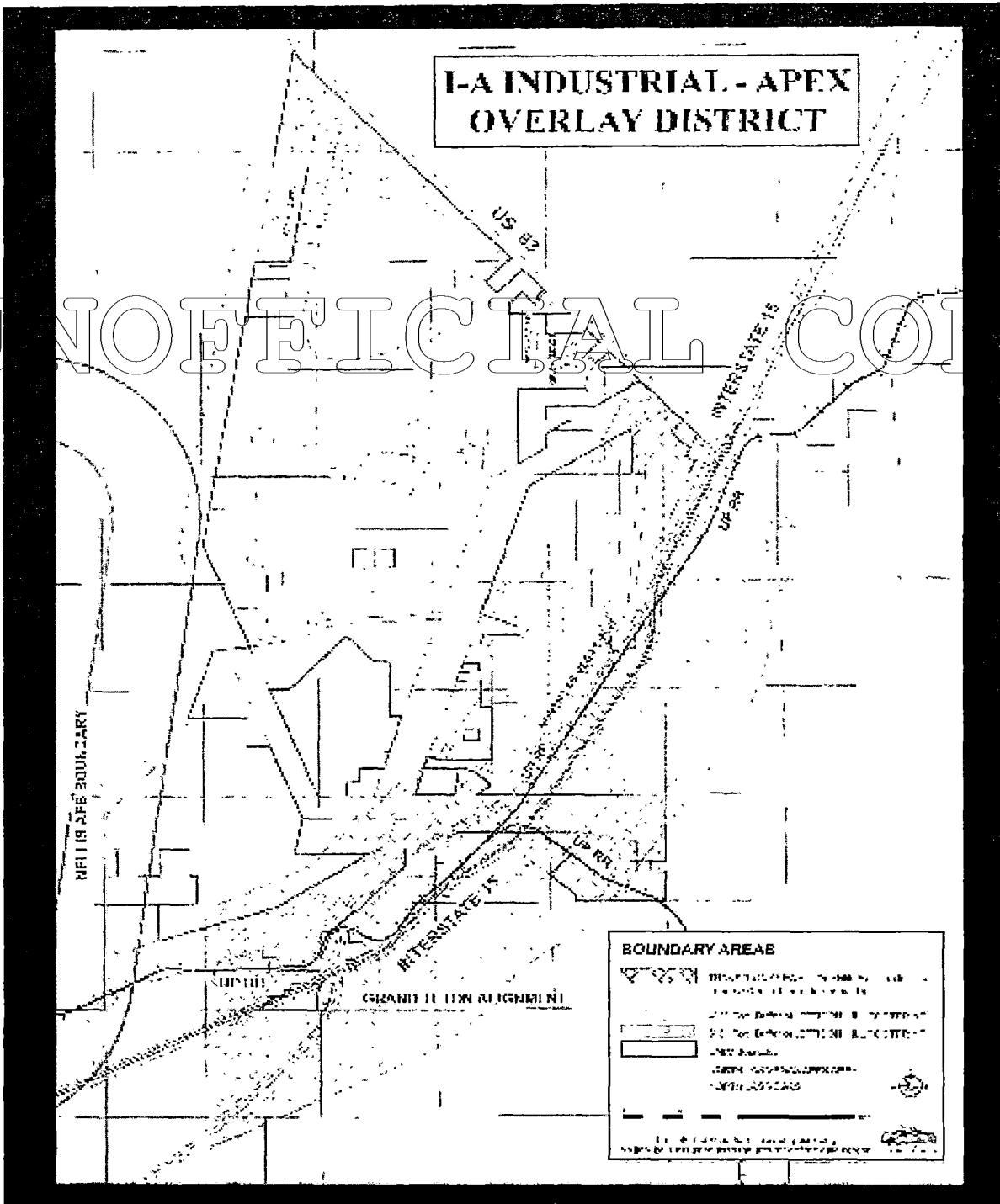
- (i) The total number of parking spaces required for a mixed use project may be reduced by twenty (20) percent under the following provisions:
 - (1) The reduction shall be justified by a parking impact study, prepared by the applicant, and submitted for review prior to the Planning Commission meeting. The parking impact study shall be subject to review and modification by the City's traffic engineer;
 - (2) The reduction is justified by estimated peak usage for the site, existing pedestrian or bicycle accessibility from adjacent neighborhoods, availability of transit service, availability of on-street parking, etc.;
 - (3) Under no circumstances shall the total parking reduction for any mixed use development exceed twenty (20) percent. Separate parking calculations shall be made for residential and nonresidential uses within horizontal mixed use projects.
- (ii) Mixed use developments located within one-quarter mile of a planned or existing bus rapid transit (BRT) or light rail transit (LRT) stop may be eligible for a maximum parking reduction of up to twenty-five (25) percent pursuant to Section 17.24.040.I.2.
- (iii)

Parking for nonresidential uses may be used to fulfill the guest parking requirements for residential uses. Such shared parking shall be conveniently distributed throughout the site, and a minimum of one space for every five hundred (500) square feet of gross leasable area of ground floor non-residential floor area shall be maintained.

- (iv) Tandem parking may be permitted within multi-level parking structures, provided that each set of tandem parking spaces is assigned to a specific residential unit and not shared between different units or uses.

F. Industrial - Apex Overlay District (I-A).

1. **Applicability.** The I-A Overlay District shall be applicable to those lands shown on the following Boundaries of I-A Overlay District Map (Map 1), and the boundaries of the I-A Overlay District as shown on that map shall be reflected on the map entitled "Zoning Map of North Las Vegas, Nevada," that has been recommended and certified by the North Las Vegas City Council with the signature of the mayor affixed thereto and is made a part of this title. It is intended that the regulation contained herein apply to all future development within the Industrial-Apex Overlay District including any such development that may be part of, or included in, and development agreement. All text amendments or other changes made to this Overlay will be notified to Nellis Air Force Base and all property owners at least forty (40) days prior to the date of the first public hearing.
2. **Relationship to Base Zone Districts.** These regulations supplement those regulations applicable in the underlying base zone district designations applicable to all lands in the I-A Overlay District. Unless otherwise modified, waived, or clarified by the I-A Overlay District, all regulations applicable to the underlying base zone districts shall continue to apply, but in the event of a conflict between provisions of the underlying zone district and the provisions of this I-A Overlay District, the provisions of the overlay district shall govern.



Map 1: Boundaries of the I-A Overlay District

3. **Permitted Use Regulations.** Land within the I-A Overlay District may be used only for those permitted, special, and conditional uses shown in Table 17.16-3 below, all of which uses are subject to the additional restrictions in subsections a through d below.
 - a. **Subareas.** For purposes of regulating permitted and conditional land uses, the I-A Overlay District is hereby divided into two sub-areas: (1) the Transition Area (TA), and (2) Other Areas. The boundaries of the Transition Area are shown on Map 1, and Other Areas include all lands within the boundaries of the I-A Overlay District that are not within the Transition Area.

- b. **Restrictions on Residential Use.** No lands or structures shall be used for residential occupancy except for (a) accessory dwelling units for watchmen required to provide security for Permitted and Special Uses listed as primary uses in Table 17.16-3, or (b) emergency personnel required to reside on the site.

c. **Restrictions on Occupancy.**

- (i) **General Limitation.** Because of risks associated with overflights of aircraft carrying live ordnance from Nellis Air Force Base, any preliminary development plan, final development plan, site plan review or use of lands within the Transition Area shall not result in a gathering of individuals within the area of a land use application that would result in occupancy with an average of more than fifty (50) persons per acre at any time. All acreages used to meet the fifty (50) persons per acre requirement may not be further subdivided without ensuring that the existing parcel and each created parcel shall comply with the above requirement. Furthermore, any amendment to an approved preliminary development plan, final development plan, or site plan review shall require the applicant to demonstrate compliance with the above requirement to the City.

- (ii) **Calculation of Persons on the Property.** For purposes of determining compliance with subsection c.(i) above, the occupancy of property shall be calculated as follows:

- (1) Determine the square footage of the building(s).
- (2) Determine the number of off-street parking spaces required for the building(s) pursuant to Section 17.24.040.E. If the building(s) include two or more uses listed separately in Section 17.24.040.E, determine the separate parking space requirement for each use.
- (3) Multiply the number of required off-street parking spaces by the applicable average vehicle occupancy rate from the following list. If the building(s) include uses from two or more of these categories, apply the occupancy factor separately for each use.
 - (a) Medical, Dental, or Health Clinic = 1.7 persons per vehicle;
 - (b) Retail Sales and Service Uses listed in Table 17.16-3, or Vehicle Sales and Service Uses listed in Table = 1.5 persons per vehicle;
 - (c) Eating and Drinking Establishments listed in Table 17.16-3 = 2.0 persons per vehicle; and
 - (d) Any other use permitted, special, or conditional use listed in Table 17.16-3 = 1.2 persons per vehicle.

(iii) **Example.**

100,000 sq. ft. of office/warehouse (10% office/90% warehouse)

6 acre lot

Office parking (1 per 500 sf) = 10,000 sf/500 sf = 20 spaces

Warehouse parking (1 per 1000 sf) = 90,000 sf/1,000 sf = 90 spaces

Total parking required = 110 spaces

20 spaces × 1.2 = 24 people

90 spaces × 1.2 = 108 people

24 people + 108 people = 132 persons occupancy

Occupancy = 132 people/6 acres = 22 persons per acre

- d. **Restrictions Based on Electromagnetic or Radio Interference.** No permitted, special, conditional, or accessory use shall be allowed that create any the following conditions:
- (i) Use of equipment or facilities that generate electromagnetic or radio waves that create interference with radio communications or guidance systems operated by Nellis Air Force Base
 - (ii) Difficulty for pilots to distinguish between airport lights and other lights
 - (iii) Impairs visibility in the vicinity of Nellis Air Force Base
 - (iv) Endangers the landing, taking off, or maneuvering of aircraft

Any use that may create any of the aforementioned conditions must obtain written approval from Nellis Air Force Base prior to any approval from the City of North Las Vegas. Nellis Air Force Base shall respond within forty (40) days of notification of an application that may cause interference, no response will be interpreted as an approval from Nellis Air Force Base. Any equipment and facilities shall be operated in compliance with any conditions stated by Nellis Air Force Base in connection with its approval or conditional approval.

- e. **Table of Permitted and Special Uses.** Table 17.16-3 sets forth permitted, special, and conditional uses in each subarea of the I-A Overlay District, as well as accessory and temporary uses and structures. Unless otherwise noted, each permitted, special or conditional use is subject to the same conditions applicable to that use in the M-2 zone district, or if the use is not currently allowed in the M-2 zone district, then the use shall be subject to the conditions applicable to the use in the most similar zone district or overlay district as determined by the Director.

Table 17.16-3: I-A Overlay District Permitted Uses

P = Permitted C = Conditional S = Special

/O = Subject to occupancy limits in subsection 17.16.050.F.3

Blank = Prohibited

Transition Area (TA), as shown on Map 1

Use Category	Use Type	Outside TA	Within TA	Additional Requirements
PUBLIC AND INSTITUTIONAL USES				
Institutions	School: Technical and Trade only	P		
Public and Civic Uses	Electrical Power Transmission Poles and Lines, as identified in the Comprehensive Plan.	P	P	If poles and lines are not identified in the Comprehensive Plan, they are Special Uses
	Essential Public Service or Utility Installation	P	P/O	
	Public Utility Building, Structure, or Equipment	P	P/O	
	Public Utility Service Yard	P	P/O	
	Public, Quasi-Public Use or Building	P	P/O	Limited to Police, Fire, and EMS facilities in TA
	Radio and Television Studio, Without Transmission Towers	P	P/O	
	Radio and Television Transmission Towers	P	P	

Transportation	Telecommunication Towers and Facilities	P	P/O	
	Automobile Parking Lot or Parking Garage	P	P/O	
	Bus Terminal	P		
	Motor Freight Terminal	P	P/O	
COMMERCIAL AND OFFICE USES				
Animal care	Animal Hospital or Clinic	P	P/O	
Eating and Drinking Establishments	Restaurant, Excluding Fast Food Restaurants	C	S/O	Max. of 5,000 sq ft outside TA Max. of 2,500 sq ft inside TA
	Restaurant, Fast Food	C	C/O	Shall comply with standards in 17.20.020.C Max. of 5,000 sq ft outside TA Max. of 3,000 sq ft inside TA
	Restaurant Holding a "Full Liquor On-Sale License"	S	S/O	Max. of 5,000 sq ft outside TA Max. of 2,500 sq ft inside TA
Offices	Bank or Financial Institution	C		Maximum size 3,000 sf
	Deferred deposit loans or short term loans	S		Maximum size 3,000 sf
	Medical, Dental, or Health Clinic	C		Maximum size 3,000 sf
	Professional Office	C	S/O	Maximum size 10, 000 sq ft/acre
Retail Sales and Service	Convenience Food Store	P	S/O	Shall comply with standards in 17.20.020.C
	Convenience Food Store with Gas Pumps	S	S/O	Shall comply with standards in 17.20.020.C

	Exterior Storage of Goods and Materials	P	P/O	
	Funeral Home or Mortuary	C	C/O	Chapel only allowed outside TA Max. size 3,000 sq ft
	Greenhouse	P	P/O	Limited to Wholesale Sales
	Heavy Equipment Rental Facility	P	P/O	
	Light Equipment Rental with Exterior Storage and Display	P	P/O	
	Light Equipment Rental with No Exterior Storage and Display	P	P/O	
	Wholesale Sales Establishment	P	P/O	
Vehicle Sales and Service	Other Retail Sales and Service Not Listed			
	Automobile Impound Yard	P	P/O	Shall comply with standards in 17.20.020.C
	Automotive Repair Facility	P	S/O	Shall comply with standards in 17.20.020.C
	Auto service	C	S/O	Max. of 5,000 sq ft outside TA Max. of 3,000 sq ft inside TA
	Automobile Washing Establishment	P	S/O	Shall comply with standards in 17.20.020.C
	Fuel Sales	P	S/O	Shall comply with standards in 17.20.020.C
	Tire Sales, Repair, and Mounting	P	S/O	

Truck or Heavy Equipment Sales and Service	P	S/O	
Truck Stop	P	S/O	
Truck Wash	P	P/O	

INDUSTRIAL AND RELATED USES

Industrial Services

Any production, testing, processing of goods or products that does not conform with the performance standards set forth in <u>Section 17.24.160</u>	S	S/O	
Batch Plant (Concrete or Asphalt)	P	P/O	
Building Material Sales, Wholesale	P	P/O	
Cultivation Facility for Medical Marijuana	C	C/O	Shall comply with standards in 17.20.020.C
Contractors Office and Storage	P	P/O	
Distribution Center	P	P/O	
Frozen Food Storage, Commercial	P	P/O	
Independent Testing Laboratory for Medical Marijuana	C	C/O	Shall comply with standards in 17.20.020.C
Industrial and Business Support Service Establishment	P	P/O	

	Junkyard or Salvage Yard/Center	C	C/O	Eight foot buffer wall required when located within 500' of I-15, US 93 or SR 604 and an eight foot opaque CMU screen wall when located between 501' and 1200' of I-15, US 93 or SR 604.
	Laundry or Dry Cleaning, Commercial Plant	S	S/O	
	Manufacturing and Production, Indoors	P	P/O	
	Manufacturing and Production, Outdoors	P	P/O	
	Manufacturing of Chemicals	S	S/O	
	Manufacturing and/or Storage of Hazardous Materials	S	S/O	
	Manufacturing computer chip/components	S	S/O	
	Materials Recovery Facility	S	S/O	Shall comply with standards in 17.20.020.D
	Mini-Warehousing Establishment	P	P/O	Shall comply with standards in 17.20.020.D
	Mining and Mineral Operations	S	S/O	
	Monument Engraving and Sales	P	P/O	
	Livestock and Poultry Slaughtering and Processing	S	S/O	
	Production of Edible Marijuana Products or Marijuana-Infused Products	C	C/O	Shall comply with standards in 17.20.020.C

	Refineries	S	S/O	
	Research Laboratory	P	P/O	
	Recycling Center (Indoor)	P	P/O	
	Recycling Center (Outdoor)	P	P/O	Shall comply with standards in 17.20.020.D
	Warehouse	P	P/O	
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Accessory Dwellings	Accessory Dwelling Units for watchmen required to provide security for Permitted and Special Uses listed as primary uses	P	C/O	Maximum of 10 beds
Accessory Structures	Accessory Structures for Nonresidential Uses (including solar panels and wind energy generators)	P	P/O	
Eating and Drinking Establishments	All Permitted and Special uses listed as primary uses in this category	C	C/O	Limited to 10% of gross floor area of primary structure(s); no business signs visible from I-15 or US 93 permitted. No sale of alcohol for on-site consumption
Retail Sales and Service	All Permitted and Special uses listed as primary uses in this category, plus fitness class/wellness center	C	C/O	Limited to 10% of gross floor area of primary structure(s); no business signs visible from I-15 or US 93 permitted
Transportation	Helipad/Heliport	C		Approval from Nellis AFB and FAA Required Vehicle Sales and Service

Uses	All Permitted and Special uses listed as principal uses in this category	C	C/O	Limited to service -Limited to 10% of gross floor area of primary structure(s); no business signs visible from I-15 or US 93 permitted. Sales limited to 5 vehicle sales per month; maximum of 2 vehicles may be displayed outdoors.
Temporary	Temporary buildings as permitted in the M-2 zone district	P	P	Shall comply with standards in <u>17.20.040</u> and M-2 conditions and procedures

4. **Dimensional Standards.** The dimensional standards set forth in Section 17.24.010, Site Dimension Standards, that are applicable to the M-2 zone district shall apply to all lands in the I-A Overlay District except as modified in Table 17.16-4:

Table 17.16-4: Site Dimension Standards in I-A Overlay District

Setbacks (from lot line or public right-of way)

Front Setback and Side Setback Facing Streets on Corner Lots	Building	Parking Lot
For lots fronting on I-15 or US 93	50 ft. plus 1 ft. for each ft. of building height above 50 ft.	15 ft.
For other lots	20 ft. for buildings less than 25 ft. tall; 35 ft. for buildings 25 ft. tall or taller.	5 ft.
Interior Side and Rear Setback	As required by Building Code/Fire Code	
Residential Zone Boundary Setback	N/A	N/A
Commercial Zone Lot Boundary Setback	N/A	N/A
Maximum Building Height		

Primary and Accessory Buildings (except as noted below)	60 ft - a waiver for greater height may be granted pursuant to Section 17.12.070.L upon approval from FAA and review by Nellis Air Force Base
Unoccupied industrial equipment structures if located at least 2,640 feet from I-15 and US 93 frontages	FAA Part 77.78 height limits
Minimum Lot Width	100 ft. or as approved by the Director of Public Works
Minimum Lot Area	N/A (Determined by building area and required parking and setbacks)

5. **Development Standards.** All development shall comply with all regulations in this Section H.4., and with all other regulations otherwise applicable under the North Las Vegas Code or state or federal law, unless otherwise noted.
- a. **Natural Resources.**
- (i) **Floodplains.** All property shall comply with requirements contained in any F-1 or F-2 floodplain overlay district applicable to the property.
 - (ii) **Drainage Channels.** All development shall comply with those regulations regarding development in, on, or near drainage channels applicable to the M-2 zone district.
- b. **Parking and Loading.** All development shall comply with those regulations regarding parking and loading otherwise applicable to lands in the M-2 zone district, including but not limited to requirements in Sections 17.24.040, Parking and Loading, 17.24.120, Commercial Design Standards, and 17.24.130, Industrial Design Standards. The standards in Table 17.16-5 shall supersede numerical requirements for off-street parking in Section 17.24.040, but other standards related to parking areas in that section shall continue to apply.

Table 17.16-5: Revised Parking Standards for I-A Overlay District

Land Use	Minimum Off-Street Parking Required
Motor Freight Terminals or Distribution Centers	1 space per 1,000 sf gross floor area if < 125,000 sf facility; 1 space per 2,000 sf gross floor area in larger facility
Exterior Storage of Goods or Materials and Junkyard or Salvage Yard/Center	Office areas shall meet office parking requirements, plus 1 space per 7,000 sf of site area up to 42,000 sf of site area, plus 1 space per each additional 42,000 sf of site area or part thereof, with a minimum of three spaces

Mini-Warehousing Establishments	5 spaces in the vicinity of the leasing office, plus minimum 32 ft wide driving aisles adjacent to all storage doors (which function as parking for loading/unloading)
All Other Industrial Service listed in Table 17.16-3	1 space per 1,000 sf gross floor area

c. Mobility and Circulation

(i) **Director's Approval Required.** All drive accesses shall be approved by the Director of Public Works for width and location. Developments that may not be able to meet the requirements of subsections (ii) through (vii) of this section, and are requesting deviations from the standards, shall submit to the Director of Public Works a report certified by a professional engineer addressing the following site conditions, both present and future:

- (1) Traffic volumes,
- (2) Turning movements,
- (3) Traffic controls,
- (4) Site design,
- (5) Site distances,
- (6) Location and alignment of other access points, and
- (7) Site distribution.

Based upon the above data, the Director of Public Works shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.

- (ii) **Shared Drive Access.** The City encourages sharing access drives between separate parcels. Some of the following standards may be relaxed if shown during the site design review process that more efficient design can be accomplished without jeopardizing the public's health, safety and welfare.
- (iii) **Drive Access Required.** All off-street parking spaces shall have access from a drive access and not directly from the public street. Access drives shall not be less than twenty-four (24) feet in width for two-way traffic or less than twelve (12) feet in width for one-way traffic. Access roads that are designated/required fire department apparatus access roads shall be a minimum of twenty-four (24) feet in clear width.
- (iv) **Distance from Intersection.** Driveway access distances from street intersections shall be subject to the minimum dimensions shown in Table 17-16.6, unless otherwise approved by the Director of Public Works as part of an approved site plan.

Table 17.16-6: Driveway Access Distance From Intersection^a

	Collector Streets	Arterial Streets
From Arterial	150 feet	200 feet
From Collector	150 feet	150 feet
From Local	100 feet	150 feet

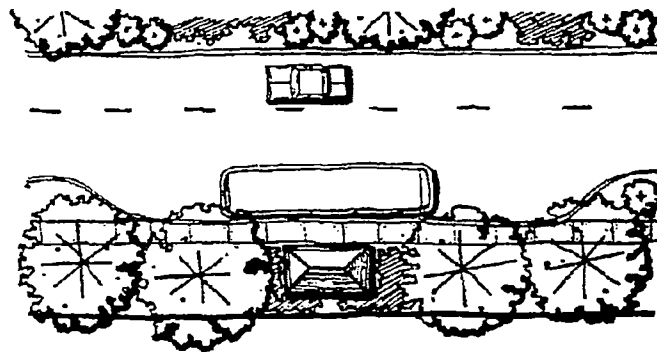
^a Minimum distance from property line adjacent to the nearest curb face of intersecting street.

- (v) **Drive Access Spacing.** Drive accesses to a public street shall be located as measured from inside of drive to inside of drive according to the distances shown in Table 17.16-7, unless otherwise approved by the Director of Public Works as part of an approved site plan.

Table 17.16-7: Driveway Access Spacing

	Collector Streets	Arterial Streets
Average spacing		
Partial access (right turn in and out only)	80 feet	150 feet
Full access (full turn movements in and out)	200 feet	200 feet
Minimum separation	80 feet	100 feet

- (vi) **Bus Turn Outs.** Bus turn outs and shelters shall be required where deemed necessary by the City traffic engineer based on the impacts of the property where the bus turnout is required. If shelters are provided they shall be installed outside of the sidewalk area. Required turnouts may encroach into the perimeter landscape area. Bus turn outs must meet the uniform standard drawings, Clark County area as adopted by the City of North Las Vegas. Bus shelters must integrate into the design of the development and landscaping, and be installed outside of the sidewalk so that pedestrian movement is not impeded.

**Figure 17.16.050- A: Bus Turn-Outs**

- (vii) **Sidewalks.** All development shall install sidewalks as required by standards of the department of public works.
- d. **Landscaping.** All installed landscaping shall comply with the requirements of this section.
- (i) **Landscaping Plan.** A landscaping plan shall be submitted in conjunction with any required site plan prior to the issuance of a building permit and shall be reviewed and approved, denied or modified in conjunction with said site plan.
- (ii) **Preferred Plant Material — Water Conservation Measures.** Required landscaping shall contain live, drought tolerant plant materials. Notwithstanding other provisions of the North Las Vegas code, the following limitations shall apply:

- (1) **Lots With Less Visible Frontage.** Installation of landscaping that requires irrigation for more than one year after planting is not required. Landscaping that requires irrigation for more than one year after planting may be replaced with species that do not require continuing irrigation or with re-establishment of native plants.
- (2) **Lots With More Visible Frontage.** Installation of landscaping that requires irrigation for more than one year after planting shall only be required between the front façade of the primary building and the front lot line of the public or private right-of-way. Where such landscaping is installed it shall include an automatic irrigation sprinkler system.

(iii) **Required Plantings and Groundcover.**

- (1) **General Requirements.** All development shall provide the landscaping along public and private rights-of-way as shown in Table 17.16-8.

Table 17.16-8: General Landscaping Requirements

	Lots with More Visible Sites	Lots with Less Visible Sites
Width of Planting Area	10 feet	5 feet
Ground Coverage (excluding trees)	40%	30%
Tree Spacing (on property lines adjacent to any public or private right-of-way)	40 feet on center	0
Minimum Size of Trees	15 gallon	0
Minimum Size of Shrubs	5 gallon	5 gallon

- (iv) **Trees and Utility Lines.** No tree whose mature height exceeds fifteen (15) feet shall be planted under an electric utility line
- (v) **Nonvegetative Ground Covers.** Nonvegetative ground covers including, but not limited to, rocks and small stones, crushed rock, cinders, and bark shall cover the ground surface of the landscaped area. Areas covered by such nonvegetative ground covers shall be broken up as much as possible by living plant materials.
- (vi) **Installation Prior to Occupancy Permit.** A certificate of compliance with the requirements of this section shall be signed by the property owner and/or landscape contractor and submitted to the City building department prior to issuance of any certificate of occupancy.
- (vii) **Maintenance.** All landscaped areas and material shall be maintained in a living, growing condition, and shall be kept neat, clean, uncluttered and in a weed-free condition. Dead plant material shall be replaced with plant material of equal size and maturity. No landscaped area shall be used for the parking of vehicles or the storage or display of materials, supplies or merchandise. Failure to maintain landscaping shall be cause for revocation of a business license and/or revocation of special use approval, or may result in enforcement or penalties otherwise available to the City.
6. **Screening, Walls, and Fences.** Requirements for screening walls and fences vary depending on whether the site is a "Less Visible Site" or a "More Visible Site" as defined in Section 17.32.030 Definition of Terms.
- a. **Fences and Walls.**
- (i) No persons, firm or corporation shall construct, or cause to be constructed or erected within the City any fence or wall without first securing a building permit for the fence or wall.
- (ii) Every fence and/or wall shall be constructed in a substantial, workmanlike manner and of substantial

material reasonably suited for the purpose for which the fence or wall is proposed to be used.

- (iii) Fences and screen walls shall not exceed twelve (12) feet in overall height.
- (iv) All perimeter walls, retaining walls, and screen walls shall be sealed by a method approved by the division of building safety to prevent the leaching or transmission of mineral deposits through the wall.
- (v) All fences and walls shall be located entirely upon the private property of the persons, firms or corporations constructing, or causing the construction of, such fence or wall unless the owner of the adjoining property agrees, in writing, that such fence or wall may be erected on the division line of the respective properties.
- (vi) On corner, no fence, wall, or planting in excess of thirty (30) inches above the street centerline grade shall be permitted within a triangular area defined as follows: beginning at the intersection of the projected curbing lines of two intersecting streets, thence fifteen (15) feet along one curbline, thence diagonally to a point fifteen (15) feet from the point of beginning, and at the intersection of each driveway or alley with a street, a triangular area where corners are defined by two points on the right-of-way line, fifteen (15) feet on each side of the centerline of the driveway or alley and a point on said centerline ten feet outside right-of-way.
- (vii) Any fence or wall constructed so as to have only one elevation "finished," which shall be defined as not having its supporting members significantly visible or as having its decorative side visible, shall be erected such that the finished or decorative elevation of the fence or wall is exposed to the adjacent property. Exempt from this requirement are all internal common property line (i.e., rear and/or side yards that abut other rear and/or side yards) walls.
- (viii) On more visible sites, any required or constructed perimeter walls, exposed retaining walls, end walls, return walls and common area walls shall be buffer walls.

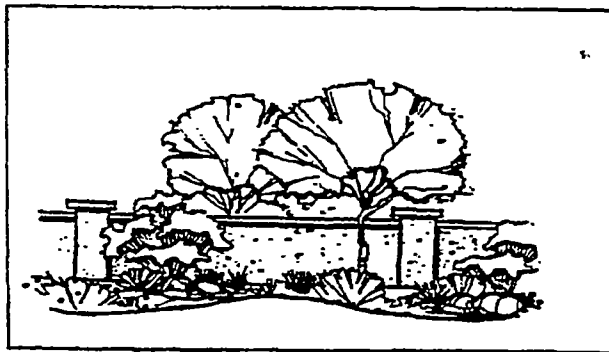


Figure 17.16.050- B: Buffer Wall

- (ix) Fences and/or screen walls may be located atop retaining walls provided that: (a) the retaining wall is appropriately engineered to support the fence or screen wall, and (b) the overall height of any screen wall shall not exceed twelve (12) feet, measured from the top of the retaining wall.
 - (x) On less visible sites, the use of barbed wire, not to exceed three strands of barbed wire on top of a wall or fence shall be permitted, provided the lowest barbed strand is at least six feet above grade and the highest strand does not exceed the maximum height allowed for a fence or wall. Furthermore, barbed wire shall be located entirely upon the private property of the persons, firms, or corporation constructing the barbed wire, and shall not protrude out or over the property line or into any right-of-way.
- b. Screening.**
- (i) **Parking Areas.** On more visible sites, all vehicle parking areas abutting public or private right-of-way shall be screened with a buffer wall or landscaped berm a minimum of three feet high.
 - (ii) **Utility Areas.** On more visible sites, all utility substations, wells or storage facilities shall be screened from view from adjacent property and rights-of-way by a buffer wall.

(iii) **Outdoor Storage Yards.**

- (1) The portion of a site within five hundred (500) feet of I-15, US 93 or SR 604, all materials, supplies, merchandise, equipment or similar items not on display for direct sale, rental or lease to the ultimate consumer or user, shall be stored within the confines of a one hundred (100) percent opaque buffer wall, not less than eight feet tall, except as noted in subsections (2) and (3) below.
- (2) When a boundary of a storage yard abuts a natural barrier (e.g., a hillside) that creates a change in elevation of more than eight feet between the finished grade of the storage yard and the finished grade of adjacent properties, the planning director may waive or amend the screening requirements to mitigate the visual impact of the storage yard on adjacent properties and/or rights-of-way.
- (3) When a boundary of a storage yard abuts a manmade barrier (e.g., a building) that provides a substantial barrier between the storage yard and the adjacent property, screening is not required. However, any portion of the storage yard that is visible from any right-of-way or property not developed as a storage yard shall be screened in accordance with the provisions of this section.

(iv) **Refuse Collection Areas.**

- (1) Refuse collection areas and dumpsters of sufficient size and number for the needs of the development shall be provided and shall be located away from street frontages.
- (2) On more visible sites, refuse collection areas and dumpsters shall be screened from view from rights-of-way, sidewalks and abutting properties with buffer walls.
- (3) On less visible sites, refuse collection areas and dumpsters shall be placed within an enclosed area.

- (v) **Mechanical Equipment.** On more visible sites, screening shall be required for all mechanical equipment such as air conditioners, pumps and motors, propane tanks and other storage tanks, satellite dishes and other communications equipment, but shall not be required for solar panels, wind energy generators, or communications towers or antenna. Specific requirements in subsections (1) through (4) below shall apply as applicable:

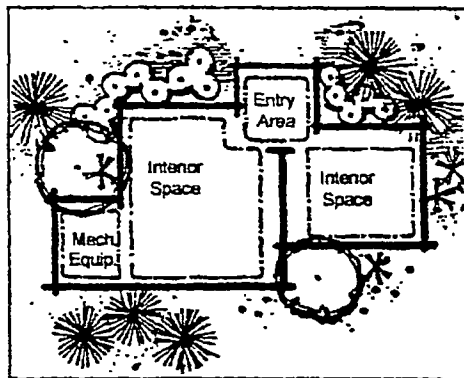


Figure 17.16.050- C: Location of Mechanical Equipment

- (1) On more visible sites, all ground mounted mechanical and electrical service equipment, as well as ground or surface mounted equipment such as valves, gas, electric and water meters, shall be screened from public view with Buffer Walls or materials that match the finish and design of principal structures on the site.

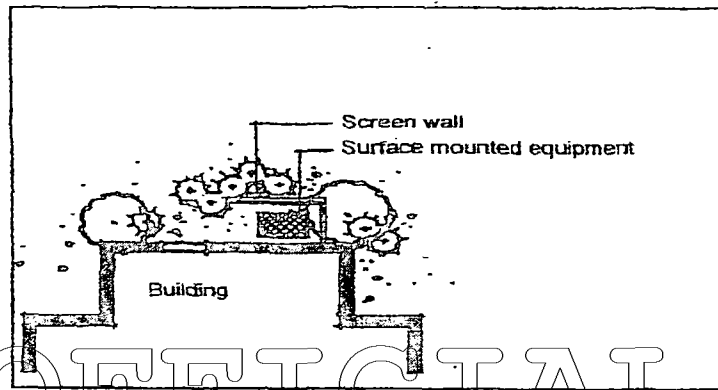


Figure 17.16.050- D: Screening Ground-Mounted Equipment

- (2) On more visible sites, all rooftop mechanical and electrical equipment shall be: (a) painted to match the façade color of the primary building, (b) screened to the height of the tallest equipment, or (c) integrated with the building so that the equipment itself is not visible from ground level. This requirement shall apply to equipment related to non-industrial portions of each building (such as office, administration, dining, or customer service areas, but shall not apply to portions of the building(s) containing industrial manufacturing, production, or processing activities.

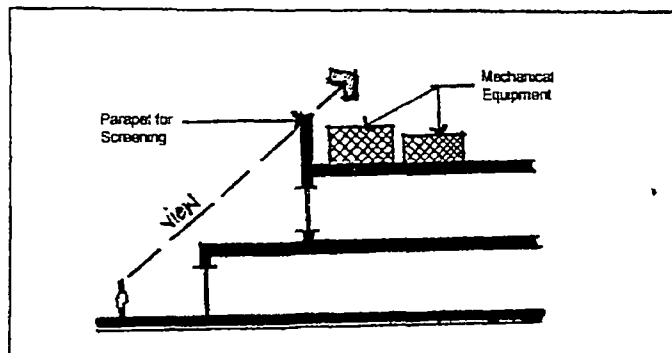


Figure 17.16.050- E: Screening Roof-Mounted Mechanical Equipment

- (3) On more visible sites, no mechanical equipment shall be mounted on or attached to any sloped roof, except for solar panels and related equipment. Solar panel equipment (with the exception of the solar collection cells) shall: (a) match the roof in color and appearance, and (b) solar panels shall be mounted directly to the roof plane and be integral to the roof design.
- (4) On more visible sites with large grade differences from neighboring properties, where reasonable height parapet or screen walls are insufficient to provide screening, views from above shall be screened to the greatest extent practicable through the additional use of alternative methods such as painting equipment to blend with the roof surface.
- (vi) **Building Service Areas.** On more visible sites, service and loading zones should be located to the rear, side or to an internal location where visibility from public streets will be minimized. Such areas shall be screened by the use of buffer walls, landscaping, berms, or other techniques that will serve as both a visual and a noise barrier.

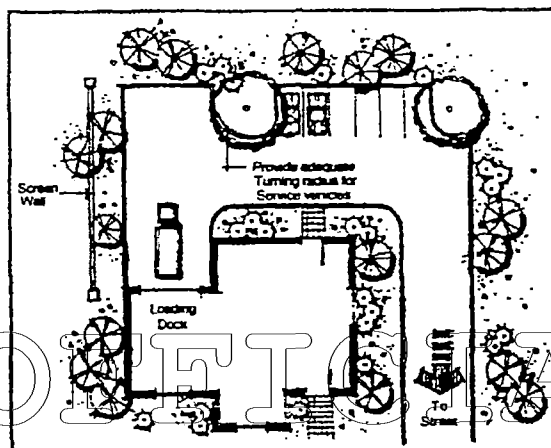


Figure 17.16.050- F: Location and Screening of Service and Loading Areas

- (vii) **Significant Differences in Intensity or Character.** On more visible sites, where a proposed development is significantly different in intensity or character from an existing adjacent development and is likely to create adverse impacts on the existing adjacent use that could be mitigated through the use of screening, the applicant may be required to install one or more forms of screening identified in subsections 5.(i) through 5.(vi) above.
 - (viii) **Prohibited Materials.** Unless otherwise approved as part of an overall development plan, corrugated metal, plastic, or slats inserted into chain link fencing shall not be considered to be acceptable for use for either required or voluntary screening or perimeter walls. Untextured or unfinished concrete block (CMU) walls are only permitted for use on screening or perimeter walls on less visible sites.
 - (ix) **Maintenance.** Every fence or wall shall be maintained in a condition of reasonable repair by the property owner and shall not be allowed to become and remain in a condition of disrepair, damage or unsightliness, or constitute a public or private nuisance. Any such fence or wall that is or has become dangerous to the public safety, health or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance
7. **Exterior Lighting.** On more visible sites, appropriate levels of lighting shall be provided to create adequate visibility and safety at night. A detailed photometric lighting plan prepared by a licensed electrical engineer shall be submitted at the time of application and shall include, but not be limited to, types and styles of lighting fixtures, location of lighting fixtures and a photometric lighting plan. The lighting plan shall demonstrate compliance with the following requirements.
- a. Exterior lighting shall be of low intensity and shielded so that light will not spill out onto surrounding properties or project above the horizontal plane.
 - b. Light shall not exceed 1.0 footcandles at the property line.
 - c. The height of light fixtures should be in proportion to the building mass and in no instance shall light poles be more than thirty (30) feet in height.
 - d. Wall mounted lights shall be directed downward. Soffit mounted light fixtures should be recessed in the soffit or otherwise fully shielded from view from any property line.
8. **Design Standards.**
- a. **Site Planning and Development.**
 - (i) **Site Grading.** On more visible sites that contain slopes of five percent or more, the development of the site should reflect, rather than obscure, the natural topography of the site through the use of various techniques such as smooth transition of grades at the property lines, blending of cut and fill slopes, and terracing.
 - (1) Where sloping is to be used for topographic transitions at the property edges, slopes should not

exceed three to one (3:1).

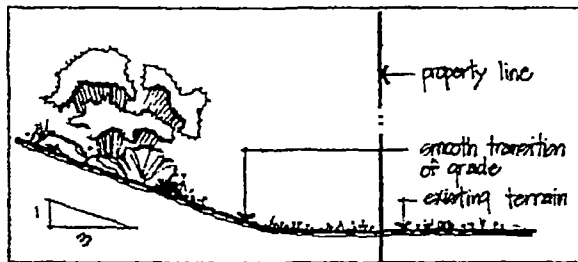


Figure 17.16.050- G: Transition Slope

- (2) Cut and fill slopes shall be rounded where they meet natural grade so that they blend with the natural slope.

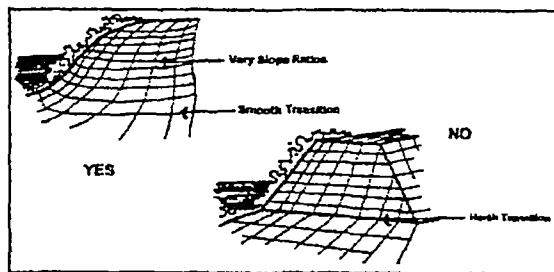
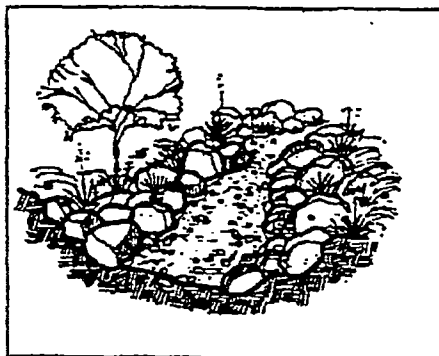
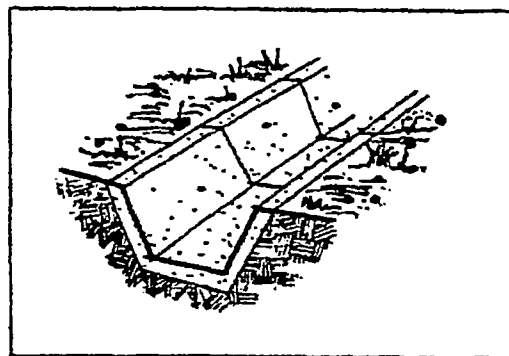


Figure 17.16.050- H: Rounding Cut-and-Fill Slopes

- (ii) **Natural Features.** Where feasible, and when geotechnical conditions are favorable, natural features such as washes and existing vegetation should be retained in their natural state to the greatest extent possible and integrated into the design of the site.
- (iii) **Drainage.** In order to provide a more natural appearance and to provide for the stabilization of natural channels when geotechnical conditions are favorable, drainage ways shall be lined with natural materials such as grass, soil, gravel or rock or other materials allowed by the Clark County regional flood control district hydrologic criteria and drainage design manual as adopted by the City of North Las Vegas. The use of plain concrete for lining of drainageways is not encouraged and is permitted only as part of a flood control or stormwater management plan.



Encouraged



Discouraged

Figure 17.16.050- I: Lined Drainage Ways

- (1) Flood control structures such as weirs, drop structures, etc., if utilized as part of the drainage way design, shall be faced with large natural rocks of an appropriate size.
- (2)

When geotechnical conditions are favorable, on-site detention of storm water is encouraged as a means of reducing stormwater runoff. Areas such as common areas and existing washes should be explored for this type of use. When detention basins are utilized, they must be integrated into the overall landscaping and site development plan of the proposed project.

- b. **Architectural Character and Materials.** The purpose of these guidelines is not to dictate a particular architectural style for industrial development in the City of North Las Vegas, but to provide a set of guidelines and standards by which development can be compatible with its surroundings and help to further the overall vision of development that has been established by the City.

(i) **Height, Bulk and Scale.**

- (1) Box-like or single, monolithic forms that are not relieved by articulation of facades are not desirable for non-manufacturing or non-warehouse type buildings such as offices and commercial uses. The perceived height and bulk of these type buildings shall be reduced by dividing the building mass into smaller scale components. Buildings must incorporate jogs, offsets or other architectural features to reduce the visual length of long walls. Building surfaces over two stories high or fifty (50) feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest. Variations in massing and a variety and/or variation in rooflines are strongly encouraged.

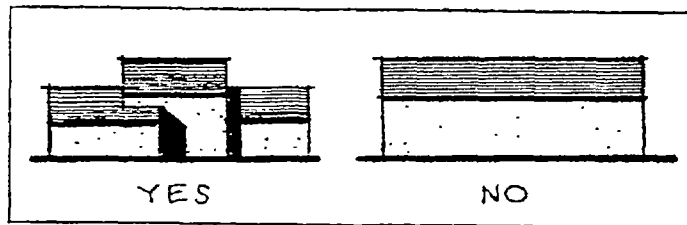


Figure 17.16.050- J: Variation in Roof Lines

- (2) On more visible sites for manufacturing and warehouse type buildings, the length and height of walls must be relieved through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, pop outs etc.
- (ii) **Exterior Materials and Finishes.**
- (1) Buildings shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds. Black and bright colors are not acceptable except as trim or accent colors. Fluorescent colors are not acceptable.
- (2) Concrete, clay tile, architectural metal or materials similar in appearance to concrete or clay tile should be used on all sloped roofs. Asphalt, fiberglass and wood shingles and shakes are not acceptable.
- (3) On more visible sites, highly reflective, shiny or mirror-like materials and unplastered exposed standard concrete and standard concrete masonry units should not be used except as accents if deemed appropriate.
- (4) Restraint should be used in the number of different materials and colors selected. Simplicity of patterns is desired.
- (5) On more visible sites, stone, stucco, colored or exposed aggregate or textured finish concrete, decorative block and brick are the preferred materials for building exteriors. Simulated materials and building systems that provide a look that is similar to the preferred materials may also be acceptable.
- (iii) **Coherent Design.**
- (1) On more visible sites, all sides of a principal building shall have a consistent level of detailing and finish when viewed from public rights-of-way.

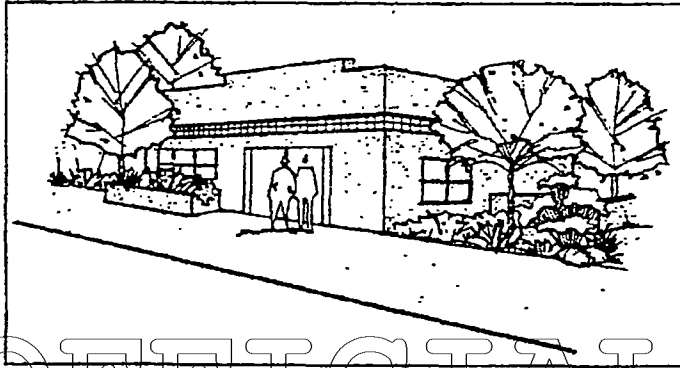


Figure 17.16.050- K: Consistent Level of Detailing

- (2) On more visible sites, accessory structures shall take on the character of the main building, using the same colors, materials and style.

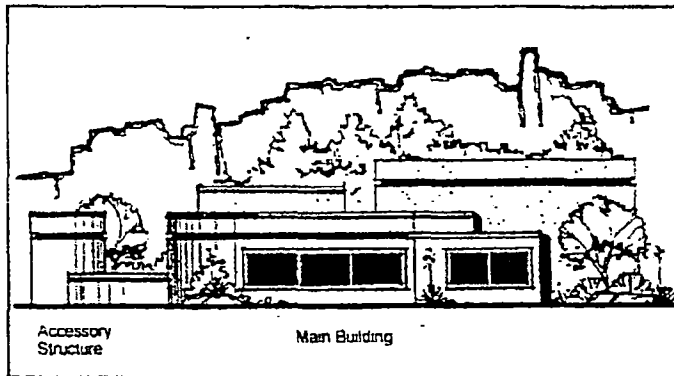


Figure 17.16.050- L: Similar Character of Main and Accessory Structures

- (3) On more visible sites any building design that utilizes a flat roof shall incorporate a parapet wall and/or cornice element on all sides of the roof.
- (iv) **Building Façade.** On more visible sites, the building design shall incorporate patterns and materials that provide visual interest. Flat, plain building walls are not desirable and are strongly discouraged. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, pop outs etc.
- (1) There should be a contrast in size of solid area to window area. In general there should be more wall than window. Office or retail portions of the building shall incorporate features such as windows, awnings, and arcades into each façade that faces a public street. With the exception of exterior walls for manufacturing and warehousing areas of buildings, features such as windows, awnings and arcades must total at least sixty (60) percent of the length of any façade that abuts a public street.
- (2) In order to provide visual interest and reduce energy consumption, windows and large areas of glass should be recessed in shadow or otherwise contrast with the building façade.
9. **Other Standards and Requirements.** Unless specifically waived or modified by a standard, criteria, or requirement specifically applicable to the I-A Overlay District all other standards, criteria, and requirements applicable to similar uses in the M-2 zone district under the North Las Vegas Zoning Ordinance remain applicable.

G. Floodway Overlay District (F-1).

1.

Permitted Uses. Those permitted principal, conditional, special, accessory, and temporary uses that are allowed in the underlying zoning district shall be allowed in the F-1 district only if a technical evaluation demonstrates that encroachments fill, new construction, substantial improvements, or other development shall not result in any increase in flood levels during the occurrence of the base flood discharge.

2. **Nonconforming Uses.** Nonconforming uses in the F-1 district shall not be expanded but may be modified, altered, or repaired to incorporate flood-proofing measures, providing such measures do not raise the level of the 100-year flood.

H. Floodplain Overlay District (F-2).

1. **Permitted Uses.** Those permitted principal, conditional, special, accessory, and temporary uses that are allowed in the underlying zoning district shall be allowed in the F-2 district provided that such uses comply with the restrictions of Section 17.20.020, Use Specific Standards.
2. **Standards for Flood Hazard Reduction.** Development in all floodway and floodplain areas shall conform to the standards of the City's drainage control uniform regulations as referenced in Chapter 15.40 of the North Las Vegas Municipal Code.

I. Gaming Enterprise Overlay District (GED).

1. **Permitted Uses.** Those permitted principal, conditional, special, accessory, and temporary uses that are allowed in the underlying zoning district shall be allowed in the GED district.
2. **Compliance with State Statutes.** Development of unrestricted gambling establishments shall comply with Chapter 463 of NRS, as amended.

J. Air Terminal Environs Overlay District (AE). The airport environs overlay district encompasses eight subzones around Nellis Air Force Base and North Las Vegas Airport. The accompanying Air Terminal Environs Overlay Districts Map is hereby adopted and incorporated into the Official Zoning Map of the City of North Las Vegas.

1. Subzones.

- a. There are eight subzones of the AE overlay district. The first subzone (AE-RP) is a clear zone to protect runways. The subzones are as follows:

TABLE 17.16-9: AIR TERMINAL ENVIRONS SUBZONES

Characteristics of Subzones	Subzone
North Las Vegas Airport Clear Zones	AE-RP (Runway Protection Zone)
Accident Potential Zone 1	APZ-1
Accident Potential Zone 2	APZ-2
60—65 Ldn	AE-60
65—70 Ldn	AE-65
70—75 Ldn	AE-70
75—80 Ldn	AE-75
80—85 Ldn	AE-80
Notes:	
Ldn = Level of noise exposure in yearly day-night average sound levels. These correspond to the contours shown on the airport noise exposure map.	

Group Living	All use types	N	N	N	25 [6]	25 [6]	N	N	N
Household Living	All use types	N	N	N	25 [6]	25 [6]	N	N	N
PUBLIC AND INSTITUTIONAL USES									
Institutions	Cemetery	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]
	Group Care Facility	N	N	N	25	25	N	N	N
	Halfway House for Recovering Alcohol and Drug Abusers	N	N	N	25	25	N	N	N
	Hospital/Medical Center	N	N	N	Y	25	30	N	N
	Religious Institution	N	N	N	Y	25	30	N	N
	Community Center/Meeting Hall	N	N	N	Y	25	30	N	N
	Museum/Library	N	N	N	Y	25	30	N	N
	Residential Health Care Facility	N	N	N	25	25	N	N	N
	All school related use types	N	N	N	Y	25	30	N	N
Parks and Open Space	Public Park	N	N	N	Y	Y	Y	N	N
	Public Open Space	N	N	N	Y	Y	Y	N	N
Public Utilities and Facilities	All use types	N	N	N	Y	Y	Y	Y [1]	Y [2]
Transportation	Airport	Y	N	N	Y	Y	Y [1]	Y [2]	Y [7]
	Automobile Parking Lot or Parking Garage	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]
	Bus Terminal	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]

	Freight Terminal	N	N	N	Y	Y	Y	Y	Y
							[1]	[2]	[7]
	Heliport/Helipad	N	N	N	Y	Y	Y	Y	Y
							[1]	[2]	[7]
COMMERCIAL AND OFFICE USES									
Agriculture and Agricultural Support Services	Agricultural Activity (without Livestock)	Y	Y	Y	Y	Y	Y	Y	Y
					[3]	[3]	[4]	[5]	[5]
	Agricultural Activity (with Livestock)	N	N	N	Y	Y	Y	N	N
					[3]	[3]	[4]		
	Stable, Commercial	N	N	N	Y	Y	Y	N	N
					[3]	[3]	[4]		
	All other use types	N	N	N	Y	25	30	N	N
Animal care	All use types	N	N	N	Y	25	30	N	N
Day Care	Child Care - Group Home	N	N	N	25	25	N	N	N
	Child Care Center	N	N	N	25	25	30	N	N
Eating and Drinking Establishments	All use types	N	N	N	Y	Y	25	30	N
Indoor Recreation and Entertainment	All use types	N	N	N	Y	25	N	N	N
Offices	All use types	N	N	N	Y	Y	25	30	N
Outdoor Recreation and Entertainment	Amusement Park or Water Park	N	N	N	Y	Y	Y	N	N
	Golf Course	N	N	N	Y	Y	25	30	N
	Golf Driving Range or Miniature Golf Course	N	N	N	Y	Y	25	N	N
	Theater, Drive-In	N	N	N	Y	Y	Y	N	N
	Recreational Use	N	N	N	Y	Y	Y	N	N
							[1]		
Retail Sales and Service	Appliance Repair	N	N	N	Y	Y	Y	Y	Y
							[1]	[2]	[7]

UNOFFICIAL COPY		Heavy Equipment Rental Facility	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]
		Exterior Storage of Goods and Materials	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]
		Light Equipment Rental	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]
		Lumber Yard	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]
		All other retail uses	N	N	N	Y	Y	25	30	N
		Tourism								
		Casino	N	N	N	Y	Y	25	30	N
		Hotel or Motel	N	N	N	Y	25	N	N	N
		Recreational Vehicle Park and Overnight Campground	N	N	N	Y	Y	N	N	N
		Vehicle Sales and Services								
		All use types	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]
		Wholesale Trade								
		All use types	N	N	N	Y	Y	25	30	Y [7]
INDUSTRIAL AND RELATED USES										
		Industrial Services								
		All use types	N	N	N	Y	Y	Y [1]	Y [2]	Y [7]

NOTES:

Y = Land uses and related structures are compatible without restrictions.

N = Land uses and related structures are not compatible and should be prohibited.

25 = Land uses and related structures are generally compatible; measures to achieve noise level reduction (NLR), outdoor to indoor, of 25 must be incorporated into the design and construction of the structure.

30 = Land uses and related structures are generally compatible; measures to achieve noise level reduction (NLR), outdoor to indoor, of 30 must be incorporated into the design and construction of the structure.

Y [1] = Land uses and related structures are compatible where measures to achieve NLR of 25 are incorporated into the design and construction of portions of the buildings where the public is received, office areas, noise sensitive areas, or where the normal noise level is low.

Y [2] = Land uses and related structures are compatible where measures to achieve NLR of 30 are incorporated into the design and construction of portions of the buildings where the public is received, office areas, noise sensitive areas, or where the normal noise level is low.

Y [3] = Primary use only, any residential buildings require a noise level reduction of 25 to be compatible.

Y [4] = Primary use only, any residential buildings require a noise level reduction of 30 to be compatible.

Y [5] = Primary use only, any residential buildings are prohibited.

[6] = All residential buildings shall be required to provide additional sound attenuation for all habitable space above 35 feet in height for AE-60 a 30 Db reduction is required; for AE-65 a 35 Db reduction is required.

Y [7] = Land uses and related structures are compatible where measures to achieve NLR of 35 are incorporated into the design and construction of portions of the buildings where the public is received, office areas, noise sensitive areas, or where the normal noise level is low.

e. Exceptions.

- (i) Uses permitted in the R-E, R-EL, R-1, R-CL, R-2, R-3, and R-4 residential districts established prior to the effective date of the Code shall be allowed, and buildings and structures for such uses shall be allowed without regard to the additional standards of this chapter, except to the extent that noise attenuated construction is required in Table 17.16-10. Additionally, notwithstanding the overlay district adopted hereby, any use approved in any zoning district prior to the effective date of the Code shall be allowed and buildings and structures for such a use shall also be allowed without regard to the additional standards of this chapter, provided that all conditions imposed on such aforementioned approval are complied with, except to the extent the conditions may be modified by the City Council to authorize a change in location, size, appearance, or construction completion date of buildings or structures; this exception does not preclude the imposition of additional conditions, including but not limited to the requirements of this Code, if any extension of time is granted to the aforementioned approval.
- (ii) Prior to the issuance of a building permit for any building or structure in an AE-RP subzone, it shall be conclusively established that such building or structure is permitted pursuant to this section.

f. Unlisted Use Types (New Section). If an application is submitted for a use type that is not listed in Table 17.16-10, the Director is authorized to consult with appropriate City staff and assign appropriate restrictions based on the applicable subzone.

K. Airport Protection Height Limits.

1. **Limits to Construction Height.** Except as otherwise provided, no structure shall be permitted to be erected, altered, or maintained that would constitute a "Hazard to Air navigation" as defined by the FAA; would result in an increase to minimum flight altitudes during any phase of flight; or would otherwise be determined to pose a significant negative impact on airport or aircraft operations. However, nothing in this 17.16.050.K. shall prohibit the construction, alteration or maintenance of any structure to a height up to thirty-five (35) feet above ground or in any district created by this title which has received all necessary airspace approvals.
2. **Notices of Construction or Alteration.** Any person shall notify the FAA Regional Office forty-five (45) days prior to construction, or the date an application is to be filed, whichever is earlier, on a form acceptable to the FAA, of any proposed construction or alteration that exceeds any of the following standards:
 - a. Two hundred (200) feet above the ground;
 - b. The plane of an imaginary surface extending outward and upward at a slope of one hundred (100) to one for a horizontal distance of twenty thousand (20,000) feet from the nearest point of the nearest runway of any airport subject to the provisions of this Code;
 - c. For highways, railroads, and other travelways for mobile objects; if construction or alteration is of greater height than the standards set forth in subsection (4)(b) of this section. The height shall be adjusted upward for the appropriate travelway as follows:

TABLE 17.16-11: HEIGHT ADJUSTMENT

Type of Travelway	Height Adjustment
Interstate Highway	17 feet
Public Roadway	15 feet
Private Roadway	10 feet or the height of the highest vehicle that would normally travel the road, whichever is greater
Railroad	23 feet
Waterway or Unspecified Travelway	The height of the highest vehicle that would normally use the travelway

- d. When requested by the FAA, any construction or alteration that would be in an instrument approach area, and available information indicates the might exceed any FAA obstruction standard.
3. **Construction or Alteration Not Requiring Notice.** Notice to the FAA is not required for construction or alteration of any of the following:
 - a. Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographical features of equal or greater height, and would be located in the congested area of the City, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation;
 - b. Any antenna structure of twenty (20) feet or less in height except one that would increase the height of another antenna structure;
 - c. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device of a type approved by the administrator of the affected airport, the location and height of which is fixed by functional purpose;

- d. Any construction or alteration for which notice is required by any other FAA regulation.
4. **Use Restrictions.** Notwithstanding any other provisions of this section, no use may be made of land or water in such a manner as to create a "Hazard to Air navigation" as defined by the FAA; create an increase in minimum flight or approach procedure altitudes as determined by the FAA; create electrical interference with navigation signals or radio communication between the airport and aircraft; make it difficult for pilots to distinguish between airport lights and others; result in glare in the eyes of the pilots using the air terminal; impair visibility in the vicinity of the air terminal; create bird strike hazards; or otherwise endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.
5. **Nonconforming Uses.** The regulations prescribed by this section shall not be construed to require the removal, lowering, or other change or alteration of any structure not conforming to the regulations as of the effective date of this section, or otherwise interfere with the continuance of a nonconforming use. Nothing contained in this section shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this section, and is diligently prosecuted.
6. **Marking and Lighting.** Notwithstanding the preceding provisions of this section, the owner of any existing nonconforming structure may be required to install, operate, and maintain thereon such markers and lights as may be deemed necessary by the administrator of the affected airport to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction.
7. **Existing Uses.** No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or vegetation to become a greater hazard to air navigation than it was on the effective date of this section or any amendments thereto, or than it is when application for a permit is made.

L. Ranch Estates Rural Preservation Overlay District (R-E).

1. **Relationship to Underlying Base Districts.** These regulations supplement those regulations applicable in the underlying base zone district designations applicable to all lands in the R-E Ranch Estates Rural Preservation Overlay District. All regulations applicable to the underlying base zone districts shall continue to apply, but in the event of a conflict between provisions of the underlying zone district and the provisions of this R-E Ranch Estates Rural Preservation Overlay District, the provisions of the overlay district shall govern.
2. **Permitted Uses.** Those uses listed with the R-E, Ranch Estates District shall apply. Uses requiring a special use permit must demonstrate compatibility with the purpose and requirements of the R-E Ranch Estates Rural Preservation Overlay District.
3. **Development Regulations.** The intent of this section is to preserve the rural character of the designated rural neighborhoods by not requiring sidewalks, streetlights, curbs, or gutters on residential streets. The Director of Public Works shall retain the authority to modify these standards where conditions require.
 - a. All streets shall conform to the adopted Master Plan of Streets and Highways. Intersections with designated rural roads with modified street sections shall comply with Public Works' specifications. For streets not listed on the adopted Master Plan of Streets and Highways, unless full dedication was accepted prior to adoption of this title, the right-of-way on each residential street shall be maintain at forty-eight (48) feet in width, and the improvements therein shall be as follows:
 - (i) Each street shall have a pavement width of a minimum thirty-two (32) feet as measured sixteen (16) feet respectively on either side of the centerline of the right-of-way.
 - (ii) The remaining right-of-way on either side shall be unpaved, except where joined by residential driveways, and shall be reserved for equestrian and trail use.
 - (iii) Sidewalks shall not be required in the remaining right-of-way.
 - (iv) Streetlights shall not be required.
 - b. Connectivity and accessibility between trail systems within rural neighborhoods and consideration for trail-head sites is encouraged. If provided, trail-heads shall be located in a manner that will direct vehicular traffic onto arterial streets rather than imposing on rural neighborhood streets.
 - c. New residential dwelling units shall comply with Section 17.24.090, Residential and Two-Family Design Standards. However, provisions related to off-site improvements shall not apply.

4. **Amendments.** An application to establish or amend the R-E Ranch Estates Rural Preservation Overlay District may be initiated by a property owner or authorized agent, or by the City. For applications not initiated by the City, and if the properties to be added or removed are not under single ownership, all individual owners must join the application before submittal to the City. The applicant shall comply with the following standards.
 - a. Each application shall be in accordance with the purposes of the R-E Ranch Estates Rural Preservation Overlay District.
 - b. All applications must show the limits of the R-E Ranch Estates Rural Preservation Overlay District.
 - c. An amendment shall not segment, divide, or create a non-R-E Ranch Estates Rural Preservation Overlay District island within the R-E Ranch Estates Rural Preservation Overlay District.
 - d. The applicant shall demonstrate that any amendment will mitigate any potential significant adverse impacts to the R-E Ranch Estates Rural Preservation Overlay District to the maximum practical extent.
 - e. Applicants are required to hold a neighborhood meeting prior to a public hearing by the Planning Commission. The applicant shall comply with the notification standards used for property reclassification.
 - f. A public hearing shall be required and must following the requirements for property reclassification.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2647, §§ 1—3, 2-5-2014; Ord. No. 2669, § 3(a), 6-18-2014; Ord. No. 2685, § 3(1), 8-6-2014)

Chapter 17.20 - USE REGULATIONS

Sections:

17.20.010 - Permitted use table.

A. General Provisions.

1. Table 17.20-1 lists the principal uses allowed within the all zoning districts except for the overlay zoning districts.
2. Principal uses allowed in the overlay districts are identified under the applicable overlay district regulations in Section 17.16.050
3. General Dwelling Unit Restrictions.

No cellar, garage, tent, basement with unfinished structure above, or accessory building or any mobile home or recreational vehicle outside of an approved mobile home or recreational vehicle park shall at any time be used as a dwelling unit. The basement portion of a finished home may be used for normal living, eating and sleeping purposes, provided it is properly damp-proofed and has suitable fire protection and exits.

B. Explanation of Table of Permitted Uses.

1. **Organization of Table.** Table 17.20-1 organizes the uses by use classifications, use categories, and use types.
 - a. **Use Classifications.** The use classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential and commercial uses). The use classifications then organize land uses and activities into specific "use categories" and specific "use types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. The use classifications in North Las Vegas are:
 - (i) Residential uses,
 - (ii) Public and institutional uses,
 - (iii) Commercial and office uses, and
 - (iv) Industrial and related uses.
 - b. **Use Categories.** The use categories describe the major sub-groups of use classifications based on common characteristics (e.g., the residential use classification is divided into the two use categories of "household living" and "group living").
 - c. **Use Types.** The use categories are divided into specific use types. The use types identify the specific uses that are considered to fall within characteristics identified in the broader use category. For example, single-family dwellings, two-family dwellings, and townhome clusters are some of the specific use types that fall under the "household living" use category.

- d. **Use Classifications, Use Categories, and Use Types Defined.** Use classifications, use categories, and use types are defined in Chapter 17.32, Definitions.
2. **Symbols in Table.** The symbols used in the use table are defined as follows:
- Permitted Uses (P).**
 - A "P" in a cell indicates that a use type is allowed by-right in the respective zoning district subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 17.20-1. Permitted uses are subject to all other applicable standards of this Code, including those set forth in Chapter 17.24, Development Standards.
 - Permitted uses in the MUD, PUD/PID, or PCD zoning districts are subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 17.20-1 and approval requirements for the applicable district and related approved development plans and development agreements.
 - Review and approval of permitted uses, and compliance with this Code, shall be undertaken after an application has been submitted for a building permit or for a business license.
 - Conditional Uses (C).** A "C" in a cell indicates that a use type is allowed as a conditional use in the respective zoning district subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 17.20-1 and approval as a conditional use in accordance with Section 17.12.070.I. Conditional uses are subject to all other applicable standards of this Code, including those set forth in Chapter 17.24, Development Standards.
 - Special Uses (S).** A "S" in a cell indicates that a use type is allowed as a special use in the respective zoning district subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 17.20-1 and approval of a special use permit in accordance with Section 17.12.070.J. Special uses are subject to all other applicable standards of this Code, including those set forth in Chapter 17.24, Development Standards.
 - Prohibited Uses (Blank Cells).** A blank cell indicates that the listed use type is prohibited in the respective zoning district.
 - Use-Specific Standards.** A blank cell indicates that the listed use type is prohibited in the respective zoning district.
 - Unlisted Uses.** If an application is submitted for a use that is not listed in Table 17.20-1, the Director is authorized to classify the new or unlisted use into an existing use type that most closely fits the new or unlisted use. The Director may refer the use to the Planning Commission, who may initiate an amendment to the text of this Code to clarify where and how the use should be permitted.

TA

P = Permitted C = Conditional S = Special Blank = Prohibited		Residential								Business		
Use Category	Use Type	O-L	R-E	R-EL	R-1	R-CL	R-2	R-3	R-4	C-P	C-1	C-2
Group Living	Dormitory											
	Fraternity or Sorority House							S	S			

Dwelling, Multiple-Family (5+)							P	P				
Dwelling, Single-Family	P	P	P	P	P	S	S					
Dwelling, Three-and Four-Family						P	P	P				
Dwelling, Two-Family						P	P	P				
Mobile Home or Mobile Home Subdivision												
Townhouse Cluster						P	P	P				

Institutions	Cemetery	C	C	C	C							
	College or University									S	S	
	Community Center or Meeting Hall									P	P	
	Residential Facility for Groups		P	P	P	P	P	P			P	
	Halfway House for Recovering Alcohol and Drug Abusers		P	P	P	P	P	P			P	
	Hospital/Medical Center										S	
	Museum or Library										P	
	Religious Institution	S	S	S	S	S	S	S	S	S	S	
	Residential Health Care Facility						S	S	S		S	
	School: Elementary or Secondary		S	S	S	S	S	S				

Public and Civic Uses	School: Business, Technical, Trade, and Vocations									S	S	S
	School: Primary (K through 8)		S	S	S	S	S	S	S		S	S
	Facility for transitional living for released offenders						S	S	S			
	Electrical Power Transmission Poles and Lines, as identified in the Comprehensive Master Plan	P	P	P	P	P	P	P	P	P	P	P
	Electrical Power Transmission Poles and Lines not identified in the Comprehensive Master Plan and all Substations	S	S	S	S	S	S	S	S	S	S	S
	Essential Public Service or Utility Installation	S	S	S	S	S	S	S	S	S	P	P
	Public Utility Building, Structure, or Equipment	S	S	S	S	S	S	S	S	S	S	S
	Public Utility Service Yard											
	Public, Semi-Public Use or Building	S	S	S	S	S	S	S	S	S	P	P
	Public Park or Open Space	P	P	P	P	P	P	P	P	P	P	P

	Radio and Television Studio, Without Transmission Towers												
	Radio and Television Transmission Towers												
	Telecommunication Towers and Facilities	S	S	S	S	S	S	S	S	S	S	P	
	Telecommunication Towers and Facilities - Multiple Tower Facilities												C
Transportation	Airport												
	Automobile Parking Lot or Parking Garage									P	P	P	
	Bus Terminal												S
	Freight Terminals												
	Heliport/Helipad												
Adult Uses	Sexually Oriented Business												
Agriculture and Agricultural Support Services	Agricultural Activity	P											
	Feed Store (Including Yard)	S											
	Nursery Sales										S	S	
	Stable, Commercial	S	S										
	Community Garden	C	C	C	C	C	C	C	C				

	Animal Hospital or Clinic									P	P
	Pet Care and Boarding Facility									C	C
Day Care	Child Care - Group Home	S	S	S	S		S		S	S	S
	Child Care Center						S	S	S	S	S
Eating and Drinking Establishments	Delicatessen and Catering Establishment									P	P
	Establishment Requiring an "Off-Sale" Liquor License									C	C
	Establishment Requiring an "On-Sale" Liquor License									S	S
	Restaurant								S	P	P
	Restaurant, Fast Food								S	P	P
	Private Club or Lodge										P
Indoor Recreation and Entertainment	Athletic Club (Indoor only)									C	C
	Bowling Alley										P
	Dancing or Theatrical Studio									P	P
	Game Rooms or Pool Hall									P	P
	Health and Fitness Center								S		

Offices	Recreation Center									S	S	P
	Skating Rink (Ice or Roller)											S
	Theater, Movie											P
	Video Arcade										S	S
	Auto Title Loan Establishment										S	S
	Bank or Financial Institution									S	S	S
	Deferred Deposit Loan or Short Term Loan Establishment										S	S
	Medical, Dental, or Health Clinic									P	P	P
	Professional Office									P	P	P
	Amusement Park or Water Park											S
Outdoor Recreation and Entertainment	Athletic Clubs (Outdoors)										S	S
	Golf Course	S	S	S	S	S	S	S	S			
	Golf Driving Range or Miniature Golf Course											P
	Recreational Use											S
Retail Sales and Service	Theater, Drive-In											S
	Appliance Repair Facility											P
	Bakery for On-Site Sales										P	P

Convenience Food Store								P	P
Convenience Food Store with Gas Pumps								S	S
Exterior Storage of Goods and Materials									
Funeral Home and Mortuary									S
Garden Supply Store								P	P
Heavy Equipment Rental Facility									
Laundromat, Self-Service								P	P
Laundry and Dry Cleaning Establishment								P	P
Light Equipment Rental with Exterior Storage and Display								S	S
Light Equipment Rental with No Exterior Storage and Display								P	P
Massage Establishment							S	S	S
Medical Marijuana Dispensary								S	S
Pawnshop								S	S
Personal Service Establishment							S	P	P

	Retail Sales Establishment										P	P
	Swap Meet or Flea Market (Outdoor)											
	Wholesale Sales Establishment											S
Tourism	Casino	UNOFFICIAL COPY										S
	Hotel or Motel											S
	Racetracks (Dog, Horse, or Vehicle)											
	Recreational Vehicle Park and Overnight Campground											S
Vehicle Sales and Services	Vehicle, Boat, or Recreational Vehicles Sales, and Rental Lot											S
	Vehicle Impound Yard/Automobile Impound Yard											
	Vehicle, Boat, and RV Repair Facility											
	Vehicle, Boat and RV Service Facility										S	S
	Vehicle Washing Establishment										S	S
	Fuel Sales										S	S
	Tire Sales, Repair, and Mounting										S	S
	Truck Stop/Truck Wash											

Industrial
Services

Any production,
testing, processing
of goods or
products that does
not conform with
the performance
standards set forth
in Section

17.24.130

Batch Plant
(Concrete or
Asphalt)

Building Material
Sales, Wholesale

Contractors Office
and Storage
(outdoor)

Cultivation Facility
for Medical
Marijuana

Crematoria

Distribution Center

Laundry or Dry
Cleaning,
Commercial Plant

Independent
Testing Laboratory
for Medical
Marijuana

Industrial and
Business Support
Service
Establishment

Junkyard or Salvage
Yard/Center

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[illegible]

	Vertical Mixed Use										S	P
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(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2611, § 4, 5-16-2012; Ord. No. 2617, § 1, 9-19-2012; Ord. No. 2669, § 2, 6-18-2014; Ord. No. 2685, § 2, 8-6-2014; Ord. No. 2706, § 4, 2-18-2015)

17.20.020 - Use-specific standards.

Use-specific standards are the requirements applied to individual use types, regardless of the district where they are located, or the review procedure under which they are approved. This section is intended to list the use-specific standards for all principal uses identified in Table 17.20-1, as being subject to additional requirements. These standards may be modified by other applicable requirements in this Code.

A. Residential Uses.

1. **Dwelling, Multiple-Family (5+).** Multiple-family dwelling units shall only be permitted in the R-A/DC district as part of a vertical mixed-use building where the residential uses shall be located on the second or higher floors.
2. **Mobile Home or Recreational Vehicle.** No person shall park or occupy any recreational vehicle or mobile home on the premises of any occupied dwelling or on any lot which is not a part of the premises of any occupied dwelling, either of which is situated outside of any approved mobile home park except that the parking of only one unoccupied recreational vehicle in the yard area in any district is permitted, providing no living quarters shall be maintained or any business practiced in said recreational vehicle while such recreational vehicle is so parked or stored.
3. **Townhouse Cluster.**
 - a. Townhouse clusters in the R-2, R-A/R-2, and R-A/R-3 districts shall not exceed four dwelling units or one hundred twenty (120) feet in length.
 - b. Townhouse clusters in the R-3, R-4, and R-A/R-4 districts shall not exceed one hundred sixty (160) feet in length.

B. Public and Institutional Uses.

1. **Airport or Heliport/Helipad.**
 - a. Airports and heliports/helipads in specified zoning district subject to the district specific standards and subject to FAA regulations.
 - b. Helipads may be permitted as an accessory use to a hospital in all zone districts where hospitals are allowed. The use shall be reviewed and approved as part of the hospital's permit review procedure.
2. **Bus Terminal.**
 - a. All bus terminals shall be designed specifically for bus service and shall include sufficient space within the building to accommodate waiting passengers, ticketing, restrooms, and related operational facilities.
 - b. All operations except passenger/cargo loading and unloading shall be conducted inside the bus terminal building.
 - c. Maintenance or fueling operations are prohibited at a bus terminal site.
 - d. Bus terminal sites shall not have direct access from a local or residential street.
3. **Cemetery.**
 - a. Cemeteries shall have a minimum lot or site area of forty (40) acres, including business office and storage buildings.
 - b. A minimum of ten acres shall be subdivided and developed in the initial plot.
 - c. The cemetery may include accessory uses such as a chapel, a mortuary, a mausoleum, and those industrial uses that are incidental to the operation of a cemetery. Industrial uses shall include such things as a crematorium or the manufacturing of burial vaults and headstone foundations provided all of the products and services are used on the site and are not offered for sale and use elsewhere. The cemetery shall not include uses of an industrial nature other than those stated herein.

4. Residential Facility for Groups.

- a. The facility must comply on a continuing basis with all governmental licensing requirements. Additionally, any facility for more than ten residents must obtain a special use permit, pursuant to Section 17.12.070.J.
- b. The facility shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the surrounding neighborhood, including applicable development standards and design guidelines.
- c. No signage, graphics, display, or other visual representation that is visible from a public street shall be used to identify the facility as a group residential care facility.
- d. A facility may not be located closer than six hundred sixty (660) feet (measured by means of the shortest distance from property line to property line) from another residential facility for groups, facility for transitional living for released offenders or a halfway house for recovering alcohol and drug abusers. However, the planning commission may grant a waiver of this distance limitation with approval of a special use permit upon finding that an "adequate barrier" exists between a group residential care facility and another group residential care facility, a transitional living facility, or a halfway house for recovering alcohol and drug abusers.
- e. An "adequate barrier" is defined as an improved drainage facility, Clark County Interstate 215, U.S. Interstate 15, or other rights-of-way with a minimum width of one hundred (100) feet. The boundary limits of these streets, freeways, and freeway crossovers are as defined by the official North Las Vegas, Nevada Department of Transportation and Clark County right-of-way maps for such roadways, respectively.

5. Halfway House for Recovering Alcohol and Drug Abusers.

- a. The facility must comply on a continuing basis with all governmental licensing requirements. Additionally, any facility for more than ten residents must obtain a special use permit, pursuant to Section 17.12.070.J.
- b. Clients of the facility must be actively and continuously enrolled in an outpatient rehabilitation or substance abuse program that is supervised by a licensed medical professional, or a recognized substance abuse treatment program, or both.
- c. The facility must adopt and enforce a policy prohibiting the use of drugs or alcohol by clients while they reside in the facility. Upon request, the facility operator shall produce evidence satisfactory to the director that the facility is in compliance with this condition. The facility shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood, including applicable development standards and design guidelines.
- d. No signage, graphics, display, or other visual representation that is visible from a public street shall be used to identify the facility as a halfway house for recovering alcohol and drug abusers.
- e. A facility may not be located closer than six hundred sixty (660) feet (measured by means of the shortest distance from property line to property line) from another residential facility for groups, facility for transitional living for released offenders or a halfway house for recovering alcohol and drug abusers. However, the planning commission may grant a waiver of this distance limitation with approval of a special use permit upon finding that an "adequate barrier" exists between a group residential care facility and another group residential care facility, a transitional living facility, or a halfway house for recovering alcohol and drug abusers.
- f. An "adequate barrier" is defined as an improved drainage facility, Clark County Interstate 215, U.S. Interstate 15, or other rights-of-way with a minimum width of one hundred (100) feet. The boundary limits of these streets, freeways, and freeway crossovers are as defined by the official North Las Vegas, Nevada Department of Transportation and Clark County right-of-way maps for such roadways, respectively.

6. Hospital/Medical Center.

- a. The application is accompanied by written proof that the proposal meets all federal, state, and county regulations.
- b. A minimum of twenty-four (24) percent of the net lot area shall be provided in open space.
 - (i)

A minimum of three-fourths of the total open space requirement shall be provided as frontage open space to provide a setting for the building, visual continuity within the community, and a variety of spaces in the streetscape. The frontage open space shall not be required to exceed fifteen (50) square feet per one foot of public street frontage and shall not be less than thirty (30) square feet per one foot of public street frontage.

(ii) The remainder of the required open space shall be provided in common open space.

c. When the height of the building exceeds fifty (50) feet, the following yard requirements shall apply:

(i) A side or rear yard of not less than one hundred (100) feet shall be maintained where the side or rear of the lot abuts a single-family residential district or abuts an alley that is adjacent to a single-family residential district. The one hundred (100) feet may include the width of the alley.

(ii) A side or rear yard of not less than seventy-five (75) feet shall be maintained where the side or rear of the lot abuts a multiple-family residential district or abuts an alley that is adjacent to a multiple-family residential district. The seventy-five (75) feet may include the width of the alley.

7. Residential Health Care Facility.

a. The regulations for a residential health care facility are divided into two subsections as follows:

(i) Specialized Care Facilities (e.g., convalescent or nursing homes that normally provide medical care and supervision); and

(ii) Minimal Care Facilities (e.g., uses similar to apartments but providing services such as central dining, transportation service, and limited medical assistance).

b. Specialized Care Facilities.

(i) No permit for a specialized care facility shall be granted unless the proposed site plan indicates the following:

(1) Beds not exceeding eighty (80) per gross acre of land;

(2) A minimum of twenty-four (24) percent of the net lot area dedicated to meaningful open space; and

(3) Of the open space required above, a minimum of one-half of the open space requirement shall be incorporated as frontage open space to provide a setting for the building, visual continuity within the community, and a variety of spaces in the streetscape, except that the frontage open space shall not be required to exceed fifty (50) square feet per one foot of public street frontage and shall not be less than twenty (20) square feet per one foot of public street frontage.

(ii) The site plan shall be designed, to the maximum extent feasible, so that on-site parking is oriented to the building(s) in a manner that will provide convenient pedestrian access for residents, guests, and visitors.

(iii) If a project is phased, the number and location of parking spaces provided for each phase shall be approved by the City.

c. Minimal Care Facilities.

(i) No permit for a minimal care facility shall be granted unless the proposed site plan indicates the following:

(1) A minimum of twenty-four (24) percent of the net lot area dedicated to meaningful open space.

(2) Of the open space required above, a minimum of one-half of the open space requirement shall be incorporated as frontage open space to provide a setting for the building, visual continuity within the community, and a variety of spaces in the streetscape, except that the frontage open space shall not be required to exceed fifty (50) square feet per one foot of public street frontage and shall not be less than twenty (20) square feet per one foot of public street frontage.

(ii) The site plan shall be designed, to the maximum extent feasible, so that on-site parking is oriented to the building(s) in a manner that will provide convenient pedestrian access for residents, guests, and visitors.

(iii) If a project is phased, the number and location of parking spaces provided for each phase shall be approved by the City.

8. Telecommunication Towers and Facilities.

- a. **Purpose.** The general purpose of this section is to regulate the placement, construction, and modification of telecommunication towers and facilities in order to protect the health, safety, and welfare of the public while at the same time not unreasonably interfering with the development of the competitive wireless telecommunications marketplace within the boundaries of the City. Specifically, the purposes of this section are:

- (i) To regulate the location of telecommunication towers and facilities within the boundaries of the City;
- (ii) To ensure that telecommunication towers and facilities are compatible with surrounding land uses;
- (iii) To minimize adverse visual impact of telecommunication towers and facilities through careful design, siting, landscaping, and innovative camouflaging or stealth techniques;
- (iv) To protect residential areas and land uses from potential adverse impact of telecommunication towers and facilities;
- (v) To promote and encourage shared use or collocation of towers and antenna support structures as a primary option rather than construction of additional single-use towers;
- (vi) To promote and encourage utilization of technological designs that will either eliminate or reduce the need for erection of new tower structures to support antenna and telecommunication facilities;
- (vii) To avoid potential damage to property caused by telecommunication towers and facilities by ensuring such structures are soundly and carefully designed, constructed, modified, maintained, and removed when no longer used; and
- (viii) To ensure that the City's regulation of telecommunication towers and facilities will not have the effect of prohibiting any person from providing wireless telecommunications services in violation of the Communications Act of 1934 as amended by the Telecommunications Act of 1996.

- b. **Tower/Telecommunication Facility Development Approval.** Telecommunication towers and facilities shall be subject to either administrative site plan review or a special use permit review. No building permit or special use permit shall be issued until the use has been reviewed and approved in accordance with this Code and this section.

c. **Review of Telecommunication Towers and Facilities.**

(i) **Administrative Site Plan Review.**

- (1) Where telecommunication towers and facilities are listed as a permitted use in the M-1, M-2, M-3, C-3, or C-3 districts as identified in Table 17.20-1, the tower or facility may be reviewed through the administrative site plan review procedure as outlined in Section 17.12.070.H and as modified by Subsection (3) below.
- (2) Towers and facilities may also be reviewed through the administrative site plan review procedures of Section 17.12.070.H if the tower is located on any of the following types of properties in districts where the use would otherwise require a special use permit.
 - (a) City-owned property in nonresidential zoning districts,
 - (b) Public facilities in nonresidential zoning districts, or
 - (c) Public utility substations in nonresidential zoning districts.
- (3) Administrative Site Plan Approval Procedure.
 - (a) Applications shall be reviewed within thirty (30) calendar days of filing.
 - (b) The Director shall review the application, and if the application is found to conform to all provisions of this section, as well as any and all other applicable federal, state, or City ordinances relevant to the proposed tower, the Director shall approve the application.
 - (c) A decision to deny an application shall be made in writing and state the reasons for denial. Such decision will be mailed to the applicant within seven calendar days of such decision.
 - (d) The Director shall deny an application on the basis that an applicant has not satisfactorily supplied the information requested by this section or that the application does not conform to any and all other applicable federal, state, or City ordinances.
 - (e) Decisions of the Director may be appealed pursuant to Section 17.12.040.G.

(ii) **Special Use Permit Review.**

- (1) Applications that are not subject to administrative site plan review shall be subject to the special use permit review procedure of Section 17.12.070.J.
- (2) At the public hearing on an application, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds from the evidence that:
 - (a) The applicant has presented evidence satisfying the requirements of Subsection 17.12.070.J.3.c.(ii), Special Use Permit Approval Criteria;
 - (b) The applicant has made diligent but unsuccessful efforts to collocate its telecommunication facilities on another tower or other antenna support structures within the necessary geographic area of the proposed tower;
 - (c) There are no available existing towers or other antenna support structures within the necessary geographic area that could be utilized by the applicant instead of the proposed tower;
 - (d) The site plan minimizes the adverse visual impact of the tower, other telecommunications facilities, and its accessory structures from surrounding areas as greatly as possible and otherwise complies with the intent of this section; and
 - (e) The application minimizes the number and size of the towers required in the geographic area surrounding the proposed site.
- (3) A Planning Commission's decision to deny an application shall be based upon substantial evidence that shall be made part of the written record of the meeting at which a final decision on the application is rendered. In addition, written notice shall be sent to the applicant within seven days that informs the applicant as to the Planning Commission's decision.

d. **General Requirements and Design Standards.**

(i) **Tower Height.**

- (1) Except as otherwise provided in this chapter, no tower shall be approved with a height in excess of one hundred (100) feet.
- (2) Individual towers within a multiple tower facility shall contain varying heights, with a minimum of ten (10) feet of variation. No more than two towers within a multiple tower facility shall have the same height.
- (3) Measurement of tower height for the purpose of determining compliance with all requirements of this chapter shall include the tower structure itself, the base pad, and any other telecommunications facilities attached thereto. Tower height shall be measured from grade.

(ii) **Location.**

- (1) Except as otherwise provided in this section, all towers shall be set back at three feet for every foot of height up to a maximum setback of two hundred (200) feet from any property line of property with a residential zoning designation. Distance shall be measured in a straight line from the proposed tower to the closest point of residentially zoned property.
- (2) Towers shall comply with all other setback requirements in this Code.

(iii) **Separation Requirements.**

- (1) No tower shall be located within seven hundred fifty (750) feet of another tower. Individual towers within a multiple tower facility are exempted from this seven hundred fifty (750) foot separation requirement.
- (2) No multiple tower facility shall be located within one thousand five hundred (1,500) feet of another multiple tower facility.
- (3) Distance shall be measured in a straight line from the proposed tower to existing towers.
- (4) Rooftop mounted telecommunication facilities completely screened from view are exempted from this separation requirement.

(iv) **Antenna Array Requirements.**

- (1) All towers shall accommodate more than one antenna array.

- (2) Towers greater than sixty (60) feet measured from grade elevation must accommodate at least three antenna arrays.
- (3) Towers approved by the Planning Commission for heights greater than one hundred (100) feet from grade elevation must accommodate at least five antenna arrays.
- (4) Multiple tower facilities that create a cluster effect that will visually reduce the out of character appearance of individual telecommunications facilities on separate sites are exempted from these antennae array requirements.
- (v) **Regulatory Compliance.** All towers, telecommunication facilities, and antenna support structures shall meet or exceed current standards and regulations of the Federal Communication Commission and any other local, state, or federal agency with the authority to regulate towers, telecommunication facilities, and antenna support structures.
- (vi) **Lighting.** No lighting shall be attached to towers, telecommunication facilities, and antenna support structures unless required by the Federal Aviation Administration, except that antenna arrays and antenna support structures may be utilized with City or school district ballfield lights, subject to approval by the Director.
- (vii) **Advertising.** The placement of any and all advertising on towers, telecommunication facilities, and antenna support structures is prohibited.
- (viii) **Exterior Finish.** The exterior finish, including colors, shall be subject to the approval of the Director based on surrounding development.
- (ix) **Stealth Design.**
 - (1) All towers and multiple tower facilities shall utilize a stealth design.
 - (2) Individual towers located in the M-2 or M-3 districts or located upon public utility substation property, in non-residential districts, are exempted from this requirement.
- e. **Modification of Certain Requirements.**
 - (i) Notwithstanding the general requirements provided by this section, a modification of certain requirements may be approved by the Planning Commission as a special use. Any application filed for a telecommunication tower or facility that requests modification to those certain requirements must be processed pursuant to Section 17.12.070.J, Special Use Permit. An applicant may request a modification to the following requirements:
 - (1) Tower height,
 - (2) Setback distance to residential property lines (Subsection B.8.D.(ii)), or
 - (3) Separation requirements (Subsection B.8.D.(iii)).
 - (ii) An applicant for a multiple tower facility may request a modification to tower height and/or setback distance to residential property lines.
 - (iii) Application.
 - (1) In addition to the general requirements for an application for a building permit (administrative review) and a special use permit, an application for modification of tower height, setback or separation requirements shall also include the following information:
 - (a) A description of how a modification will mitigate any adverse impact occurring as a result of such requirement;
 - (b) A technical antenna study that documents and supports the request for modification. The technical antenna study shall be certified by an RF Specialist and shall document the existence of the facts related to the proposed modification; and
 - (c) The City may require the application to be reviewed by an independent engineer to determine whether the technical antenna study supports the basis for the modification requested. The cost of review by the City's independent engineer shall be borne by the applicant.
 - (2) In addition to all other required findings, the Planning Commission may grant the requested modification, upon motion, if the Planning Commission finds from the evidence that:

- (a) The tower as modified will be compatible with and not adversely impact the character and integrity of surrounding properties;
- (b) Off-site or on-site conditions exist that mitigate the adverse impacts, if any, created by the modification;
- (c) In the case of a request to modify the tower height requirement, the required technical antenna study documents and supports the request for modification;
- (d) In the case of a request to modify the setback distance requirement, the setback requirement cannot be met on the parcel of land upon that the tower is proposed to be located and the alternatives are to locate the tower at another site that is closer in proximity to residentially zoned property; and
- (e) In the case of a request to modify the separation requirement, the required technical antenna study documents and supports the request for modification.

f. Legal Nonconforming Structures.

- (i) Towers that existed and were in compliance with all City ordinances prior to April 3, 2002, shall be considered legal nonconforming structures and may continue in existence as legal nonconforming structures. Modifications to a legal nonconforming structure are permitted as long as the modifications do not enlarge or increase such legal nonconforming structure in size.
 - (ii) The co-location of additional telecommunication facilities upon an existing legal nonconforming structure is not considered a modification that enlarges or increases a legal nonconforming structure in size, so long as the space for co-location was approved as a part of the original application.
 - (iii) A legal nonconforming structure may not be discontinued in use for a period of greater than ninety (90) days. If the use of a legal nonconforming structure is discontinued for a period greater than ninety (90) days, the structure shall lose its legal nonconforming status, and it shall comply with each and every term of this section, or such nonconforming tower must be dismantled and removed at the expense of the property owner.
- g. Abandonment.** If any tower shall cease to be used for a period greater than one year, the City shall notify the owner and the applicant that such site will be subject to review by City Council to make a determination if such site is abandoned. If the owner fails to show that the tower has been in use or under repair during such period of time, the City Council shall issue a final determination of abandonment for the site. Upon such final determination, the owner shall have sixty (60) days to dismantle and remove the abandoned tower.

9. Facility for Transitional Living for Released Offenders.

- a. The facility must comply on a continuing basis with all governmental licensing requirements. This condition cannot be waived.
- b. The minimum lot area shall be six thousand five hundred (6,500) square feet.
- c. The facility must be located on a parcel that is within one thousand five hundred (1,500) feet of an existing bus stop served by a regional bus system.
- d. Indoor common areas shall be provided on the basis of a minimum of fifteen (15) square feet per resident.
- e. The facility shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood, including applicable development standards and design guidelines.
- f. No signage, graphics, display, or other visual representation that is visible from a public street shall be used to identify the facility as a facility for transitional living for released offenders.
- g. A facility may not be located closer than one thousand five hundred (1,500) feet (measured by means of the shortest distance from property line to property line) from another facility for transitional living, group residential care facility, a halfway house for recovering alcohol and drug abusers, religious institution, school, public park, or child care facility for more than twelve (12) children.
- h. The number of occupants within a transitional living facility shall not exceed the following occupancy

standards:

- (i) For the first bedroom (deemed to be the largest bedroom), a maximum of two adults (eighteen (18) years of age or older).
- (ii) For each bedroom thereafter:
 - (1) A maximum of one adult for bedrooms less than one hundred (100) square feet in area, and
 - (2) A maximum of two adults for bedrooms one hundred (100) square feet in area or greater.

C. Commercial and Office Uses.

1. **Agricultural Activity.** Agricultural activity is permitted in the O-L district provided that the commercial slaughtering and processing of animals shall not be conducted on premises.

2. **Animal Hospital, Clinic, or Pet Care and Boarding Facility.** Animal hospitals, clinics, or pet care and boarding facilities that include outdoor animal runs, kennels, or boarding areas shall require a special use permit.

3. **Athletic Club (Outdoor).**

- a. The use will be compatible with the neighborhood and will not be detrimental to the same due to either increased automobile traffic or noise generated from within the site.
- b. The minimum lot area shall be three acres.
- c. If outdoor courts or facilities include lighting fixtures, the lighting shall comply with Section 17.24.0780.
- d. Fencing of outdoor courts shall not exceed twelve (12) feet in height and the Planning Commission may require that the fencing be opaque.
- e. There shall be no shows, tournaments, or other activity that would generate more traffic than is normal to a residential area, unless access is provided fronting an arterial street as set forth in the City master plan. Permission for such shows and activities shall be obtained from the Business License Division as a special event.
- f. There shall be a landscaped fifty-foot buffer strip adjacent to any residential zoning district, or as otherwise determined by the Planning Commission.
- g. Perimeter fencing of the site may be required by the Planning Commission.

4. **Auto Title Loan Establishment.**

- a. **Proximity Distance Requirements:**

- (i) The proposed auto title loan establishment shall be set back a minimum of one thousand (1,000) feet from all existing or approved auto title loan establishments.
- (ii) Auto title loan establishments holding a valid license on the effective date of the ordinance codified in this chapter are exempt from provisions of this section provided that they continue to maintain such valid licenses.
- (iii) The proposed auto title loan establishment shall be set back a minimum of two hundred (200) feet from any developed residential zoning district. For purposes of this section, "developed residential zoning district" means a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.

- b. **Proof of Proximity Distance Compliance Required.**

- (i) The city shall not accept, nor set for hearing any request unless the applicant provides to the city one of the following with the application:
 - (1) A notarized statement by the applicant that the location complies with the proximity distance requirements above, or
 - (2) A survey plat prepared by a Nevada Licensed Professional Land Surveyor showing that the proposed location complies with the proximity distance requirements above.
- (ii) The minimum separation of one thousand (1,000) feet between any existing or approved auto title loan establishment shall be measured utilizing the shortest direct line distance between the primary public entrance of each establishment.

(iii)

The minimum separation of two hundred (200) feet from any developed residential zoning district shall be measured along the nearest pedestrian or vehicular route from the primary public entrance of the auto title loan establishment to the property line of the nearest developed residential zoning district.

- c. **Floor Area Requirements for Auto Title Loan Establishments.** The building or portion thereof that is dedicated to [the] auto title loan establishment shall have a minimum size of one thousand five hundred (1,500) square feet of building floor area.
5. **Bakery.** Bakeries in the C-1, C-2, and R-A/DC districts shall not exceed four thousand (4,000) gross square feet.
6. **Bank or Financial Institution.**
 - a. Banks or financial institutions that are located within one hundred (100) feet of a residential zoning district shall comply with the following requirements:
 - (i) The use shall be compatible with the neighborhood and shall not be detrimental to the same due to:
 - (1) Increased automobile traffic,
 - (2) Noise generated from within the site, or
 - (3) Character of proposed building.
 - (ii) The maximum gross floor area of the building shall be four thousand (4,000) square feet.
 - (iii) If the bank is to include drive-through services, a maximum of two drive-through lanes shall be permitted.
7. **Child Care Facility - Group Home or Child Care Center.** Child care facilities, including group homes and child care centers, may be permitted provided that they shall comply with all applicable state statutes.
8. **Community Garden.**
 - a. The owner of the property shall have an established set of operating rules addressing the governance structure of the garden, hours of operation, maintenance and security requirements and responsibilities; and distribution of garden plots.
 - b. The name and telephone number of the owner and any person designated as the person in-charge of garden coordination along with a copy of the operating rules shall be kept on file with the City Community Development Department.
 - c. The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.
 - d. There shall be no retail sales on site, except for produce grown on the site.
 - e. No building or structures shall be permitted on the site unless the community garden is accessory to a use, in which case the buildings and structures shall be considered as accessory to the principal use of the lot.
 - f. Benches, bike racks, raised/accessible planting beds, picnic tables, seasonal farm stands, garden art, rain barrel systems, and children's play areas may be permitted.
 - g. Fences and walls shall be subject to the provisions of Section 17.24.070
9. **Convenience Food Store with or without Gas Pumps.** Convenience food stores with or without gas pumps shall be subject to the same limitations and conditions as are specified in Subsection 17.20.020C.25. for automobile service facilities. Convenience food stores without gas pumps located within the RA/PSP subdistrict shall be subject to Section 17.20.020.C.28.
10. **Deferred Deposit Loan or Short Term Loan Establishment.**
 - a. **Proximity Distance Requirements.**
 - (i) The proposed deferred deposit loan or short term loan establishment shall be set back a minimum of one thousand (1,000) feet from all existing or approved deferred deposit loan or short term loan establishments, unless a waiver is approved.
 - (ii)

The proposed deferred deposit loan or short term loan establishment shall be set back a minimum of two hundred (200) feet from any developed residential zoning district. For purposes of this section, "developed residential zoning district" means a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.

b. Proof of Proximity Distance Compliance Required.

- (i) The city shall not accept, nor set for hearing any request unless the applicant provides to the City one of the following with the application:

(1) A notarized statement by the applicant that the location complies with the proximity distance requirements above,

(2) A survey plat prepared by a Nevada licensed professional land surveyor showing that the proposed location complies with the proximity distance requirements above, or

(3) A request for a waiver, where available, as allowed below pursuant to Section 17.20.020.C.10.c. provided with the special use permit.

(ii) The minimum separation of one thousand (1,000) feet between any existing or approved deferred deposit loan or short term loan establishment shall be measured utilizing the shortest direct line distance between the primary public entrance of each establishment.

(iii) The minimum separation of two hundred (200) feet from any developed residential zoning district shall be measured along the nearest pedestrian or vehicular route from the primary public entrance of the deferred deposit loan or short term loan establishment to the property line of the nearest developed residential zoning district.

c. Waiver of Title 17 Proximity Distance Requirements for Deferred Deposit Loan or Short-Term Loan.

(i) A waiver of the 1,000-foot proximity distance requirement between a proposed deferred deposit loan or short term loan establishment, and any other existing or approved deferred deposit loan or short term loan establishment may be granted by the city council upon finding that an "adequate barrier" exists between a deferred deposit loan or short term loan establishment location.

(ii) An "adequate barrier" is defined as: an improved drainage facility, Clark County Interstate 215, US Interstate 15, other roadway with a minimum width of one hundred twenty (120) feet as shown on the Master Plan of Streets and Highways, railroad right-of-way, physical feature, or a topographical feature which prevents vehicular and pedestrian access between a deferred deposit loan or short term loan establishment.

(iii) A topographical feature does not include any building, wall, fence or other man-made structure.

(iv) The boundary limits of these streets, freeways and freeway crossovers are as defined by the official City of North Las Vegas, Nevada Department of Transportation and Clark County right-of-way maps for such roadways, respectively.

d. Floor Area Requirements for Deferred Deposit Loan or Short Term Loan Establishment. The building or portion thereof that is dedicated to the deferred deposit loan or short term loan establishment must have a minimum size of one thousand five hundred (1,500) square feet of building floor area.

11. **Exterior Storage of Goods and Materials.** Exterior storage of goods and materials may be permitted provided that all goods and materials are screened from view from adjacent property and rights-of-way in accordance with Section 17.24.070.F of the development standards.
12. **Golf Course.** Only golf courses open to the general public may be permitted in the PSP district.
13. **Laundry and Dry Cleaning Establishment.** Laundry and dry cleaning establishments shall be limited to no more than:
 - a. Two fifty-pound machines for dry cleaning and two fifty-pound machines for laundering, or
 - b. One seventy-five-pound machine for dry cleaning and one seventy-five-pound machine for laundering.
14. **Establishment Requiring an "On Sale" or "Off-Sale" Liquor Licenses.**
 - a.

Purpose and Intent. The purpose of this section is to provide a procedure for the regulations of liquor licenses as they relate to land uses within the City. These regulations are related to the licensing requirements in Section 5.26 of the North Las Vegas Municipal Code and provide all land use regulations for liquor licenses.

- b. **Permit Required.** All liquor license uses within the City of North Las Vegas require a conditional or special use permit. All proposed "Off-Sale" liquor locations are required to obtain a conditional use permit. All proposed sites that need an "On-Sale" license or a Restricted Gaming Liquor License are required to obtain a special use permit.
- c. **Distance Separation Requirements.**

- (i) **Proximity Distance Requirements.** Table 17.20-2 establishes minimum separation distances between certain uses requiring a liquor license and other specified uses.

TABLE 17.20-2: PROXIMITY DISTANCE REQUIREMENTS FOR CERTAIN LIQUOR LICENSES

Liquor License	Separation from Schools and Daycare (feet) [1]	Separation from Churches and Parks (feet)	Separation Between Like Uses (feet)	Separation from Developed Residential (feet) [2]
Restricted Gambling	1,500	1,500	2,500	500
Non-Profit Club	400[3]	400 [3]	—	—
Full "On-Sale"	400 [3]	400 [3]	—	—
Beer-Wine-Spirit Based Products "On-Sale"	400 [3]	400 [3]	—	—
Full "Off-Sale"	400	400	1,500 [4]	500 [4]
Beer-Wine "Off-Sale"	400	400	—	—

NOTES:

[1] For the purposes of this section, schools shall be defined as kindergarten through 12th grade. Other post secondary schools shall not be included.

[2] For the purposes of this section, developed residential shall be defined as a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.

[3] A waiver of the 400-foot proximity distance requirement may be considered with approval of a special use permit from the appropriate governing body for the proposed use.

[4] This distance only affects package liquor stores as defined in Chapter 17.32, Definitions.

- d. **Waivers of Distance Requirements.**

- (i)

A waiver of the proximity distance requirements outlined in Table 17.20-2 for "restricted gaming" licenses "non-profit club" or an "on sale" establishment may be granted by the planning commission or city council, as appropriate, under one or both of the following circumstances:

- (1) An adequate barrier exists between the two uses.
 - (a) An "adequate barrier" is defined as: an improved drainage facility, Interstate 215, Interstate 15, other roadway with a minimum width of one hundred twenty (120) feet as shown on the master plan of streets and highways, railroad right-of-way, physical feature, or a topographical feature that prevents vehicular and pedestrian access between a church, school, city-owned park, child care facility licensed for more than twelve (12) children, residential development, existing restricted gaming liquor location and the proposed restricted gaming liquor location.
 - (b) A topographical feature does not include any building, wall, fence, or other man-made structure.
 - (c) The boundary limits of these streets, freeways and freeway crossovers are as defined by the City of North Las Vegas.
- (2) The location was previously approved, developed, and operated as a restricted gaming, non-profit club, or "on sale" establishment in accordance with the current or a previous zoning ordinance.
 - (a) A special use permit was granted by the appropriate governing body for the use.
 - (b) A business license was issued for the approved use.
 - (c) A certificate of occupancy was issued for the approved use.
 - (d) Upon termination of the special use, either through the special use expiring or business closure, no other use occupied the location where the special use was approved.
 - (e) The new use is the same as the previously approved use.
- (f) The new use occupies the same space as the previous use with no expansion proposed.
 - (ii) A waiver of the one thousand five hundred-foot and two thousand five hundred-foot proximity distance separation requirement for restricted gaming liquor locations shall not apply to establishments located within the boundaries of an approved MUD project or located within two or more MUD projects located immediately adjacent to one another but approved separately.
 - (iii) A waiver of the two thousand five hundred-foot proximity distance requirement between one proposed restricted gaming liquor location and an approved or existing restricted gaming liquor location may be considered within the boundaries of a commercial center.
 - (iv) A waiver of the five hundred-foot proximity distance requirement for restricted gaming liquor locations may be considered with approval of a special use permit from the appropriate governing body for the proposed use.
- e. **Proof of Proximity Distance Compliance Required.**
 - (i) The City shall not accept, nor set for hearing any request unless the applicant provides to the City one of the following with the application:
 - (1) A notarized statement by the applicant that the location complies with the proximity distance requirements above;
 - (2) A survey plat prepared by a Nevada Licensed Professional Land Surveyor showing that the proposed location complies with the proximity distance requirements above, or
 - (3) A request for a waiver, where available, as allowed above provided with the special use permit.
 - (ii) Such distances shall be measured utilizing the shortest direct line distance between the primary public entrance of the proposed location and the nearest property line of property to which it must be separated.
- f. **Certain Uses Requiring "On-Sale" Liquor Licenses.**
 - (i) **Generally.**
 - (1) Approval of a special use permit for any of the uses provided below does not constitute or imply

approval of any privileged license that may be otherwise required by this Code.

- (2) Any change in location or license type as defined in Chapter 5.26 shall necessitate application for and approval of a new special use permit for the new location or license type.
- (3) The special use permit shall be null and void if the applicant fails to fulfill any and all conditions, stipulations, and limitations within the time limit allowed from the public meeting date upon which the special use permit was approved, unless an extension of time is granted by the appropriate governing body.
- (4) The special use permit shall be null and void if the applicant allows the building permit to expire.

(ii) **Establishment requiring a Beer-Wine-Spirit-Based Products On-Sale, Full Liquor On-Sale and Nonprofit Club Liquor License.**

In addition to any other requirements as provided by this Code or any other relevant law, Beer-Wine-Spirit-Based Products On-Sale, Full Liquor On-Sale and Nonprofit Club Liquor establishments must fulfill any and all conditions, stipulations and limitations and commence construction within two years from the public meeting date upon which the special use permit was approved.

(iii) **Restricted Gaming Liquor License.** In addition to any other requirements as provided by this Code or any other relevant law, Restricted Gaming Liquor license establishments must fulfill any and all conditions, stipulations and limitations and commence construction within one year from the public meeting date upon which the special use permit was approved.

- g. **Exemptions - Prior Applications.** Persons who applied for or obtained either a liquor license, liquor related use permit, or liquor related use approved via a Planned Unit Development (PUD) or Mixed Use Development (MUD) application prior to the effective date of this title may, if they so choose, be subject to and governed by the requirements of Title 17 and Title 5 of the North Las Vegas Municipal Code as of the date they applied for such license or use, provided; all conditions imposed on such license or use are complied with and such license or use approval remains valid and unexpired. All such liquor licenses shall be converted as provided in Section 5.26.250 and be subject to the license fees set forth in this code. In addition to the above, mixed use developments approved via a PUD or MUD application prior to the effective date of this title and consisting of two hundred thousand (200,000) square feet of non-residential commercial floor area shall not be subject to the proximity distance requirements outlined in Section 17.24.105.C.2.

- h. **Standards for "On-Sale" Liquor Licenses in a MUD-N, MUD-C, or MUD-E District.** The following development standards shall apply to all "on sale" establishments located within a mixed use project in the MUD-N, MUD-C, or MUD-E districts:

- (i) Approval of a site specific conditional use permit or special use permit is required for each "on sale" establishment.
- (ii) One "on sale" establishment may be allowed for every fifty thousand (50,000) square feet of commercial floor area (gross) located within the same mixed use project.
- (iii) Mixed use projects containing less than fifty thousand (50,000) square feet of commercial floor area (gross) may be allowed a minimum of one "On Sale" establishment, provided that such establishment complies with the requirements of this section. Office uses and live/work units may count toward the commercial floor area requirement, provided that such uses are located adjacent to commercial areas.
- (iv) In order to promote family-friendly dining opportunities, the ratio of Restricted Gaming Liquor licenses to Beer- Wine-Spirit-Based Products License and/or Full Liquor Licenses within any mixed use development shall not exceed two to one (2:1).
- (v) A conditional use permit shall not be issued for an "on sale" establishment unless a minimum of fifty thousand (50,000) square feet of commercial floor area (gross) has been constructed within the mixed use project. For mixed use projects with less than fifty thousand (50,000) square feet of commercial floor area (gross), a minimum of fifty (50) percent of the proposed commercial floor area must be constructed for approval of the conditional use permit.

(vi)

Within thirty (30) days of approval of the mixed-used development, at least one sign on each frontage of the property adjacent to a public right-of-way must be installed indicating in simple and concise language the type and quantity of "On Sale" establishment(s) entitled. Such sign(s) shall also comply with the following:

- (1) Signs are for informational purposes only and must comply with all ordinances and regulations that do not conflict with these provisions.
- (2) Signs must be located not more than twenty (20) feet from the edge of the public right-of-way that it faces and must not unsafely restrict sight distances, subject to the review and approval of the North Las Vegas Traffic Engineer.
- (3) The height of the signs shall not exceed twelve (12) feet above the height of the nearest property line wall. If the sign is not located behind a property line wall, then the height of the sign shall not exceed eighteen (18) feet and the bottom of the sign to the ground must not exceed eight feet.
- (4) Signs must not be less than thirty-two (32) square feet nor more than eighty (80) square feet in surface area and must contain lettering that is not less than six inches in height.
- (5) The signs must be a freestanding sign that is firmly secured in the ground, subject to the review and approval of the North Las Vegas Building Official.
- (6) Signs must be maintained until the proposed establishment is substantially completed or the person who owns, leases or controls the property no longer intends to use, sell or lease the property for the operation of the approved "On Sale" establishment(s).

15. Pawnshop.

a. Proximity Distance Requirements.

- (i) The proposed pawnshop shall be set back a minimum of three linear miles from all existing or approved pawnshops. Pawnshops holding a valid license as of October 1, 2011 shall be exempt from the setback requirement provided they continuously maintain a valid license.
- (ii) The proposed pawnshop shall be located a minimum of five hundred (500) feet from any developed residential district. For the purposes of this section, "developed residential district" means a parcel of land zoned for residential use in which construction of at least one residential unit has begun on the date the applicant applied for the special use permit.

b. Proof of Proximity Distance Compliance Required. The City shall not accept, nor set for hearing any request unless the applicant provides to the City one of the following with the application:

- (i) A notarized statement by the applicant that the location complies with the proximity distance requirements below; and a survey plat prepared by a Nevada Licensed Professional Land Surveyor showing that the proposed location complies with the above proximity distance requirements.
- (ii) Such distances shall be measured utilizing the shortest direct line distance between the primary public entrance of the proposed location and the nearest property line of property to which it must be separated.

16. Recreational Vehicle Park and Overnight Campground.

- a. A recreational vehicle park shall be screened from view of any adjacent residential development or right of way as approved by the Planning Commission.
- b. Internal circulation roads, parking areas, and all driving areas shall be paved with a concrete or asphaltic concrete surface.
- c. Individual recreational vehicle parking pads shall be plainly marked and shall be at least one thousand five hundred (1,500) square feet in size.
- d. Individual recreational vehicle parking pads shall be set back at least thirty (30) feet from all property lines.
- e. Approved trash disposal and toilet facilities shall be provided for use of overnight campers.
- f. Recreational vehicles may also be subject to Subsection 17.20.020.A.2. when parked outside of a recreational vehicle park or overnight campground.

17. Restaurant, Fast Food.

- a. Fast food restaurants shall be subject to the same limitations and conditions as are specified in Subsection 17.20.020.C.25. for vehicle service facilities.
- b. Maximum combined area of all restaurants shall not exceed ten percent of the total building square footage within the C-P district, twenty (20) percent of a single building in which it is located, or two thousand (2,000) square feet, whichever is less.
- c. Fast food located within the RAVPSP subdistrict shall be subject to the conditions specified in Section 17.20.020.C.28.

18. Retail Sales Establishment.

- a. Unless otherwise provided for in this Code, retail sales establishments shall not maintain exterior storage.
- b. Retail sales establishments that sell large items (e.g., furniture, appliances, lumber, etc.) may be permitted in the M-2 districts.
- c. Retail sales that are accessory to a manufacturing use (i.e., sale of items manufactured on site) may be permitted in the M-1 and M-2 districts but shall be limited to a maximum of twenty (20) percent of the gross floor area.
- d. Retail sales located within the RAVPSP subdistrict shall be subject to the conditions specified in Section 17.20.020.C.28.

19. Sexually Oriented Business.

- a. **Purpose.** It is the purpose and intent of this section, in conjunction with Chapter 5.47 of the codified ordinance, to regulate sexually oriented businesses to promote the health, safety, morals and general welfare of the citizens of the City and to establish reasonable and uniform regulations to prevent any deleterious location and concentration of sexually oriented businesses within the City, thereby reducing or eliminating the adverse secondary effects from such sexually oriented businesses. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of the section to condone or legitimize the distribution of obscene material.

The provisions of this section complement Chapter 5.47 of the North Las Vegas Municipal Code, and the provisions of this section shall be read and interpreted in conjunction with Chapter 5.47.

b. Locational Standards.

- (i) **Setbacks.** Except for those certain grandfathered establishments existing during the amortization period described in Section 5.47.040.D, prior to any consideration for zoning approval (See Subsection 17.20.020.C.19.f.) for a sexually oriented business use, an applicant for zoning approval must certify that the proposed sexually oriented business will be located a minimum of one thousand (1,000) feet from the following uses:
 - (1) Child care facility,
 - (2) Religious institution,
 - (3) Dwelling,
 - (4) Hospital,
 - (5) School,
 - (6) Public building,
 - (7) Public park,
 - (8) Building where any alcoholic liquor as defined in Chapter 5.26 is distributed,
 - (9) Building where any gambling licensed pursuant to Chapter 5.20 is conducted, and
 - (10) Another sexually oriented business use.

(ii) **Measurement.**

- (1) The one thousand foot setback referred to above, excepting that from schools and public parks, must be determined by a direct line measurement from the primary entrance of the structures noted in subsection (i) above, without regard to intervening structures, to the proposed primary entrance of the sexually oriented business use.
- (2) The one thousand foot setback from schools and public parks referred to above must be measured in a direct line measurement from the proposed primary entrance of the sexually oriented business use to the property line of the school or public park.

c. **Restrictions.**

- (i) Except for those certain grandfathered establishments existing during the amortization period described in Section 5.47.040.D, a person commits a misdemeanor if he causes or permits the operation, establishment, or maintenance of more than one sexually oriented business use within the same building, structure, or portion thereof.
- (ii) Except for those certain grandfathered establishments existing during the amortization period described in Section 5.47.040.D, a person commits a misdemeanor if he causes or permits the operation, establishment, or maintenance of a sexually oriented business use within one thousand (1,000) feet of another sexually oriented business.

d. **Signs.**

- (i) Except for the existing signs of those certain grandfathered establishments, all sexually oriented business uses shall comply with Section 17.24.150, Signs.
- (ii) Any signs constructed or erected after the effective date of the ordinance codified in this section shall comply with Section 17.24.150, Signs.
- (iii) Signs for sexually oriented business uses shall not contain any emphasis, either by wording, picture, or otherwise on a matter related to sexual conduct.
- (iv) No sexually oriented business use shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to sexual conduct or specified anatomical areas, from any public way, or from any property not licensed (business license and zoning approval) as a sexually oriented business use. This provision shall apply to any display, decoration, sign, show window, or other opening.

e. **Parking.**

- (i) All adult arcades and adult motion picture theaters shall provide at least one permanently maintained off-street parking space for every ninety (90) square feet of gross floor area used or intended to be used for service to the public, but in no event shall less than fifteen (15) spaces be provided.
- (ii) All adult bookstores and adult novelty businesses shall provide at least one permanently maintained off-street parking space for every three hundred (300) square feet of gross floor area used or intended to be used for service to the public.
- (iii) Except for those certain grandfathered establishments existing during the amortization period described in Section 5.47.040.D, all adult cabarets shall provide at least one permanently maintained off-street parking space for one hundred (100) square feet of gross floor area used or intended to be used for service to the public, but in no event shall less than fifteen (15) spaces be provided.
- (iv) Any other sexually oriented business use not otherwise specifically delineated in this subsection must comply with the parking requirements for commercial establishments as established by this Code.

f. **Legal Nonconforming Uses.** Those certain grandfathered establishments existing during the amortization period described in Section 5.47.040.D. are legal nonconforming uses to the extent provided by Chapter 5.47

g.

Zoning Approval. Except for those certain grandfathered establishments existing during the amortization period described in Section 5.47.040.D., all sexually oriented business uses must receive zoning approval from the Director as a condition of business licensure by the business license division of the finance department. Zoning approval of a sexually oriented business use by the Director does not imply nor constitute approval of a business license.

- (i) The application shall contain the maps and information as may be required by the Director.
- (ii) An applicant may appeal the Director's refusal to grant zoning approval for a sexually oriented business use pursuant to Section 17.12.040, Appeals.

20. Stable, Commercial.

- a. The minimum lot area shall be two and one-half acres.
- b. The proposed site shall not be adjacent to subdivided single-family residential property unless that residential property contains an equestrian easement along the contiguous boundary or through the property.
- c. Structures or facilities used for stabling, storing, showing, or training of animals shall be set back a minimum of one hundred (100) feet from any adjacent privately owned property. Dwelling units, accessory structures incidental to dwelling units, and irrigated pasturage may occur within the one hundred-foot setback area subject to the setback requirements of the applicable zoning district.
- d. There shall be a forty-foot yard adjacent to any street.
- e. There shall be no shows or other activities that would generate more traffic than is normal to a residential area, unless the proposed site has direct access fronting a major street as set forth in the City master plan. Permission for such shows and activities shall be obtained in conjunction with a special event. Notification shall be provided in a letter that explains the nature and duration of the activity, and accommodations for spectators, traffic, and additional parking for cars and trailers. This letter shall be submitted to the business license division at least one month prior to the date of the show or activity.
- f. All pasture and animal storage areas shall be enclosed with fences or walls designed to contain the animals within the enclosure.
- g. All laws applicable to the public health must be complied with for the entire period of operation of the stable.
- h. All activity, and pasture areas that are not grassed shall be treated for dust control as approved by the Director of Public Works.
- i. Adequate parking for daily activities shall be shown on the site plan and improved to City standards. Additional parking, improved as determined by the Director of Public Works, shall be provided for shows or other special events.

21. Theater, Drive-In.

- a. Drive-in theater parking areas shall be screened from view of any residential development.
- b. Light, glare, and noise shall not impact nearby residential developments.

22. Vehicle, Boat, or Recreational Vehicle Sales and Rental Lot.

- a. The maximum area for outdoor display shall not exceed forty (40) percent of the total lot area.
- b. Display shall be limited to paved display areas.
- c. All areas designated for vehicle storage shall be screened from view by masonry walls and approved landscape screens from the street and adjacent properties. Vehicle storage areas shall not be subject to the parking lot landscape requirements in Section 17.24.060.F.
- d. Outside display areas shall not be located at the corner of the lot on a corner lot.
- e. When located on a corner parcel, the main office, sales, service, or display building associated with the sale of the product shall be located against the front setback at the corner with the outside display areas located to the side of the main building unless the applicant can demonstrate that to do so would be infeasible.
- f.

Clear glazing, intended for the viewing of interior sales display areas from the street, shall be limited to fifty (50) percent of the area of the ground floor façade facing the street and shall be located on the ground floor only.

- g. All service bay doors shall be located away from the street front and face the interior of the parcel.

23. Vehicle Impound Yard/Automobile Impound Yard.

- a. All vehicles shall be screened from view of all streets within one hundred (100) feet of the site by a solid, decorative wall at least eight feet in height. The height of the vehicles and/or equipment shall not exceed the height of the screening wall.
- b. The dismantling and servicing of any vehicle and/or parts of a vehicle within an automobile impound yard is prohibited.

c. All vehicles stored shall remain mechanically operable and licensed at all times.

- d. All areas for vehicular circulation and storage shall be paved with drainage controls to control and prevent excess runoff and standing water.

24. Vehicle Repair Facility, including Boat and Recreational Vehicle Repair.

- a. All repairs shall be performed within a building.
- b. In no case shall a site plan be approved that exposes repair bays, unassembled vehicles, auto repair activities, or auto parts to any street or residential property.
- c. All vehicles awaiting repair shall be screened from view by a masonry wall or approved landscape screen.

25. Vehicle Service Facility.

- a. Gasoline pump islands shall be located to the interior of the parcel, away from the right-of-way. Pump islands shall be set back a minimum of fifteen (15) feet from the back of any front or side landscape area and a minimum of forty-five (45) feet from any residential zone district boundary.
- b. Hydraulic hoists, pits, and all lubrication, greasing, washing, repair and diagnostic equipment shall be used and enclosed within a building.
- c. Interior curbs of not less than six inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas, and street rights-of-way.
- d. A solid masonry wall or planting screen shall be required between all service station sites and residentially zoned property.
- e. Service areas shall be screened from view by a masonry wall. When buildings are located at the front or side setback, all service bay doors shall be located away from the street front and face the interior of the parcel except in cases where it may be approved otherwise by the Planning Commission.
- f. Gas pump canopies shall match the primary structure in materials and color.

26. Vehicle Washing Establishment.

a. Vehicle Washing Establishment (Self-Service).

- (i) All wash-water disposal facilities shall conform to all City ordinances regarding sewage and health, and shall be designed so as not to detrimentally affect the City sewer system.
- (ii) Automobile washing establishments that have drive-through bays and are located on corner lots shall provide a minimum three foot high landscaped berm or decorative masonry wall along any property line where the bays face a street.

b. Vehicle Washing Establishments (Drive-Through or Non-Self-Service).

- (i) Automobile washing establishments shall be subject to the same limitations and conditions as are specified in automobile washing establishments (self-service), Section 17.20.020.C.26.a., above.
- (ii) In no manner shall on-site employee parking interfere with or utilize the space requirements specified in automobile washing establishments (self-service).

27. Wholesale Sales Establishment. Uses that have less than twenty-five thousand (25,000) square feet of gross floor area may be permitted in all MUD-E districts.

28.

Commercial Uses within the RA/PSP District. A maximum of fifteen (15) percent of the floor area of any building within the RA/PSP subdistrict may be dedicated to commercial activity. No exterior signage is allowed on the principal use containing the commercial activity.

29. Medical Marijuana Establishments.

- a. **Purpose and Intent.** In 2013 the Nevada Legislature passed, and the Governor signed into law, Senate Bill 374, now codified in NRS 453A, which allows medical marijuana establishments within the state of Nevada; and requires such establishments to comply with all local business licensing requirements and local land use and code requirements;

Federal law and related regulations classify marijuana as a Schedule I controlled substance and prohibit its cultivation, possession, dispensing and use, among other things, for medical reasons or otherwise. This section is intended to implement NRS 453A and to establish criteria for land use entitlements that are a prerequisite for the exemption from state prosecution provided for in NRS 453A;

This section is to provide a procedure for the regulations of medical marijuana establishments as they relate to land uses within the city. These regulations are related to the licensing requirements in Title 5 of the North Las Vegas Municipal Code and provide all land use regulations for medical marijuana establishments.

b. **Medical Marijuana Establishment Permit Application.**

Upon determination to accept land use applications for medical marijuana establishments, the director shall issue a request for land use applications. The request shall also establish the deadline in which applications may be submitted. The director shall:

- (i) Post on the website of the department at least ten (10) days prior to the acceptance period for medical marijuana establishments.
 - (ii) Provide a land use application period within which all applications must be submitted, which period shall be not more than ten (10) days with a 3:00 p.m. Pacific Time deadline for all submitted applications.
 - (iii) Return to the entity that submitted a land use application, any application received at a time other than the time set forth in this subsection, and consistent with the notice posted on the website.
 - (iv) Not allow the modification of any application once the deadline for complete applications has passed.
 - (v) Reject and not process any applications that are incomplete.
- c. **Permit Required.** All medical marijuana establishments within the City of North Las Vegas require a special use permit or a conditional use if located within the I-A Industrial - Apex Overlay District.
- d. **Distance Separation Requirements.**
- (i) **Proximity Distance Requirements.** Table 17.20-2.1 establishes minimum separation distances between medical marijuana establishments and other specified uses.

TABLE 17.20-2.1: PROXIMITY DISTANCE REQUIREMENTS FOR MEDICAL MARIJUANA ESTABLISHMENTS				
Medical Marijuana Establishments	Separation from Schools (feet) [1]	Separation from a Community Facility (feet) [2]	Separation Between Medical Marijuana Establishments (feet)	Separation from Developed Residential (feet) [3]
Independent Testing Laboratory	1,000	300		300

Cultivation Facility	1,000	300		300
Facility for the Production of Edible Marijuana Products or Marijuana-Infused Products	1,000	300		300
Medical Marijuana Dispensary	1,000	300	1,000 [4]	

NOTES:

[1] For the purposes of this section, "schools" shall be defined as preschool, or kindergarten through 12th grade.

[2] For the purposes of this section, "community facilities" shall have the meaning ascribed to it in NRS Chapter 453A.322(7).

[3] For the purposes of this section, "developed residential" shall be defined as a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.

[4] A waiver of the 1,000 foot proximity distance requirement may be considered with approval of a special use permit from the appropriate governing body for the proposed use.

e. Proof of Proximity Distance Compliance Required.

- (i) The city shall not accept, nor set for hearing any request unless the applicant provides to the city a survey plat prepared by a Nevada licensed professional land surveyor showing that the proposed location complies with the proximity distance requirements above.
- (ii) Such distances shall be measured utilizing the shortest direct line distance between the exterior walls of the building or portion thereof of the proposed medical marijuana establishment to the nearest property line of property to which it must be separated.

f. Medical Marijuana Establishments.

(i) Generally.

- (1) Approval of a special use permit or a conditional use for any medical marijuana establishment does not constitute or imply approval of any privileged license that may be otherwise required by this Code.
- (2) Any change in land use, location, or license type as defined in Title 5 shall necessitate application for and approval of a new special use permit or conditional use for the new land use, location, or license type.
- (3) The special use permit or conditional use shall expire by operation of law and be deemed null and void if the applicant fails to fulfill any and all conditions, stipulations, and limitations within one year from the public meeting date upon which the special use permit was approved, unless an extension of time is granted by the appropriate governing body.
- (4) The special use permit or conditional use shall expire by operation of law and be deemed null and void at 12:01 a.m. the calendar day after the applicant's registration certificate issued by the health division of the department of health and human services expires.

- (5) Applications for medical marijuana establishments shall not be accepted without verification from the business license division that the medical marijuana establishment business owner has submitted the required forms, documents, and application fees to the business license division to conduct a review for the proposed use.
- (ii) **Medical Marijuana Establishment License.** In addition to any other requirements as provided by this Code or any other relevant law, medical marijuana establishment must fulfill any and all conditions, stipulations and limitations and commence operations as prescribed by the state.

g. Standards for Medical Marijuana Establishments.

- (i) The following development standards shall apply to all medical marijuana establishments:

- (1) Must be located in a separate, stand alone building or facility.

- (2) Must be located in an appropriate zoned district.

- (3) In addition to complying with Sections 17.24.120(E) and 17.24.150, every establishment shall have discreet and professional signage that is consistent with the traditional style of signage for pharmacies and medical offices.

- (4) With the exception of the specific medical marijuana establishment approved as part of any special use permit or conditional use, no other activity may occur within the facility.

- (5) A single entrance shall be provided for the medical marijuana establishment, except for additional exits that may be required to comply with life safety requirements.

- (6) No outside storage on-site shall be permitted.

- (ii) In addition to all conditions in (i) above, the following development standards shall apply to all medical marijuana dispensaries:

- (1) No drive-through facilities shall be permitted.

- (2) The minimum size of a medical marijuana dispensary shall be one thousand five hundred (1,500) square feet and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space.

- (3) Must have an appearance, both as to the interior and exterior that is professional, orderly, dignified and consistent with the traditional style of pharmacies and medical offices.

- (4) The establishment shall ensure there is no emission of dust, fumes, vapors, or odors into the environment or adjacent suites from the facility.

- (5) Windows must remain unobstructed, allowing visibility into the facility. Window tint, decals or signage of any kind shall be strictly prohibited.

- (6) Dispensaries located within the M-2, general industrial district may only be permitted within the same building and in conjunction with a cultivation and/or production establishment under the same ownership or management.

- (iii) In addition to all conditions in (i) above, the following development standards shall apply to all medical marijuana production facilities, or medical marijuana cultivation facilities:

- (1) The minimum size of the medical marijuana cultivation establishment shall be three thousand five hundred (3,500) square feet. A medical marijuana production establishment is exempt from this requirement.

- (2) The establishment shall ensure there is no emission of dust, fumes, vapors, or odors into the environment from the facility.

- (3) There shall be no retail sales.

- (iv) In addition to all conditions in (i) above, the following development standards shall apply to all testing laboratories:

- (1) There shall be no retail sales.

- (2) The establishment shall ensure there is no emission of dust, fumes, vapors, or odors into the environment from the facility.

D. Industrial and Related Uses.

1. **Building Material Sales, Wholesale.** All exterior storage shall be subject to the same requirements of Section 17.20.020.C.11.
2. **Manufacturing and Production (Indoors).** Manufacturing and production establishments that occur within a fully enclosed building that is less than ten thousand (10,000) square feet in gross floor area may be permitted in all MUD-E districts.
3. **Materials Recovery Facility.**
 - a. **Materials Recovery Facility, Low Intensity.**
 - (i) The minimum lot area shall be fifteen (15) acres.
 - (ii) The maximum putrescible and non-putrescible, non-source separated solid waste that a low intensity material recovery facility may process is an average of six thousand (6,000) tons from commercial sources each month, averaged over one year, not to exceed seven thousand (7,000) tons in any one month, and not to exceed 72,000 tons in any year. Commercial sources may include apartment complexes that have centralized points of dumpster collection. Non-source separated solid waste from non-commercial sources such as industrial solid waste and other residential solid waste shall not be permitted.
 - (1) All solid waste processed at the facility must contain a minimum average of fifty (50) percent recyclable material averaged over one year as calculated by the total diverted tons divided by the total incoming tons for the facility.
 - (2) Source separated recyclable material shall be subject to the conditions of approval for the associated recycling center.
 - (iii) **Processing and Storage.**
 - (1) Processing of putrescible solid waste shall not take place within five hundred (500) feet of residential uses as measured from the activity to the nearest property line. Storage of recovered recyclable material shall not take place within one hundred fifty (150) feet of residential uses as measured from the activity to the nearest property line.
 - (2) All areas where putrescible solid waste will be received, processed, or stored shall be located in an enclosed structure.
 - (3) All areas where putrescible solid waste will be received, processed, or stored shall be paved with drainage controls to control runoff and prevent runoff or the accumulation of standing water.
 - (4) All putrescible solid waste shall be processed as received.
 - (5) Putrescible solid waste shall be removed from the facility within twenty-four (24) hours. Non-putrescible solid waste shall be removed from the facility within one week.
 - (6) An active odor control method that is approved by the City of North Las Vegas Utilities Department, the Southern Nevada Health District, and the Clark County Department of Air Quality and Environmental Management shall be employed over all processing areas.
 - (7) If necessary, an active or other odor control method may be required for outdoor or indoor storage areas to control nuisance odors.
 - (8) Processed recyclable material shall not be stored outside longer than six months, and shall not exceed two thousand (2,000) cubic yards of material. Materials that cannot be recycled shall be disposed of at the end of six months.
 - (9) Processed recyclable material shall not be stored in piles or bins that exceed the height of the screen wall.
 - (10) All outdoor storage shall be limited to non-putrescible recyclable material.
 - (11) All materials that may cause a dust problem shall not be processed and shall be disposed of immediately.
 - (12) Recyclable material shall be baled as to ensure no material is separated from the bale by adverse weather conditions. All material shall be baled in a secured enclosure.
 - (iv) **Hazardous Waste.**
 - (1) Hazardous waste collection and storage shall be limited to household hazardous waste.

- (2) Storage and collection of household hazardous waste shall comply with the City of North Las Vegas Fire Code, Southern Nevada Health District Regulations, Clark County air quality regulations, the Nevada Revised Statutes, and other applicable laws pertaining to such waste.
- (3) Onsite storage of used motor oil shall not exceed three thousand (3,000) gallons at any one time and shall take place in an approved storage facility.
- (4) Onsite storage of antifreeze shall not exceed one hundred (100) gallons at any one time and shall take place in an approved storage facility.
- (5) Onsite processing or recycling of household hazardous waste for reuse shall not be permitted, however onsite storage is permitted.
- (6) Such facility shall not accept polychlorinated biphenyl (PCB) or asbestos wastes.
- (7) A separate hazardous materials special use permit may be required depending upon the materials and quantities that may be collected and/or stored.

(v) **Water Filtering.** Water used in the processing of solid waste shall pass through a sand/oil separator or other method as required by code or ordinance.

(vi) **Screening.**

- (1) A masonry screen wall with a minimum height of eight feet as measured from the highest finished grade shall be required around the perimeter of the property. Any masonry screen wall that abuts a public street shall be decorative.
 - (2) A minimum of one tree every fifteen (15) feet shall be planted in all perimeter and buffer landscaping areas.
 - (3) Ground cover shall be provided as required in the landscaping standards of Section 17.24.060
- (vii) The application for a materials recovery facility shall not conflict with any franchise agreement and must comply with said agreement.
- (viii) Low intensity materials recovery facilities shall only be considered in conjunction with a recycling center established to process source separated recyclable material that was established prior to January 1, 2006.

b. Materials Recovery Facility, High Intensity.

- (i) The minimum lot area shall be twenty-five (25) acres.
- (ii) The maximum putrescible and non-putrescible, non-source separated solid waste that a high intensity material recovery facility may process is four thousand (4,000) tons from commercial sources each day. Commercial sources may include apartment complexes that have centralized points of dumpster collection. Non-source separated solid waste from non-commercial sources such as industrial solid waste and other residential solid waste shall not be permitted.
 - (1) All solid waste processed at the facility must contain a minimum average of fifty (50) percent recyclable material averaged over one year as calculated by the total diverted tons divided by the total incoming tons for the facility.
 - (2) Source separated recyclable material shall be subject to the conditions of approval for the associated recycling center.
- (iii) **Processing and Storage.**
 - (1) Processing of solid waste shall not take place within one mile of a nonindustrial use as measured to the nearest property line.
 - (2) All areas where putrescible solid waste will be received, processed, or stored shall be located in an enclosed structure with sealable points of ingress and egress.
 - (3) All areas where putrescible solid waste will be received, processed, or stored shall be paved with drainage controls to control runoff and prevent runoff or the accumulation of standing water.
 - (4) All putrescible solid waste shall be processed as received.
 - (5) Putrescible solid waste shall be removed from the facility within twenty-four (24) hours. Non-putrescible solid waste shall be removed from the facility within one week.
 - (6)

An active odor control method that is approved by the City of North Las Vegas Utilities Department, the Southern Nevada Health District; and the Clark County Department of Air Quality and Environmental Management shall be employed over all processing areas.

- (7) If necessary, an active or other odor control method may be required for outdoor or indoor storage areas to control nuisance odors.
- (8) Processed recyclable material shall not be stored outside longer than one year, and shall not exceed six thousand (6,000) cubic yards of material. Materials that cannot be recycled shall be disposed of at the end of one year.
- (9) Processed recyclable material shall not be stored in piles or bins that exceed the height of the screen wall.

(10) All outdoor storage shall be limited to non-putrescible recyclable material.

(11) All materials that may cause a dust problem shall not be processed and shall be disposed of immediately.

(12) Recyclable material shall be baled as to ensure no material is separated from the bale by adverse weather conditions. All material shall be baled in a secured enclosure.

(13) The provisions of subsection 3.a. (hazardous waste for low-intensity facilities) shall apply to high-intensity materials recovery facilities.

(14) Water used in the processing of solid waste shall pass through a sand/oil separator or other method as required by code or ordinance.

(iv) **Screening.**

(1) A masonry screen wall with a minimum height of ten feet as measured from the highest finished grade shall be required around the perimeter of the property. Any masonry screen wall that abuts a public street shall be decorative.

(2) A minimum of one tree every fifteen (15) feet shall be planted in all perimeter and buffer landscaping areas.

(3) Ground cover shall be provided as required in the landscaping standards in Section 17.24.060

(v) **Conflict with Franchise Agreement.** The application for a materials recovery facility shall not conflict with any franchise agreement and must comply with said agreement.

4. **Mini-Warehousing Establishment.**

a. The minimum lot area shall be one acre.

b. On-site circulation, drives, and parking shall comply with the following

(i) Each mini-warehouse site shall provide a minimum of two exits.

(ii) All one-way driveways shall provide for one ten-foot parking lane and one fifteen-foot travel lane. Traffic direction and parking shall be designated by signing or painting.

(iii) All two-way driveways shall provide for one ten-foot parking lane and two twelve-foot travel lanes.

(iv) The parking lanes may be eliminated when the driveway does not serve storage cubicles.

(v) At least one parking space for each fifty (50) storage cubicles, equally distributed throughout the storage area shall be provided. Two additional parking spaces shall be provided for an on-site caretaker/manager. Five additional parking spaces shall be located on the exterior of the screen wall for customer parking.

(vi) All driveways, parking, loading and circulation areas shall be paved with concrete, or asphaltic concrete.

c. **Fencing and Screening.**

(i) A masonry screen wall shall be required around the perimeter of the storage area. All storage units with access from the exterior of the building shall be located behind the screen wall unless otherwise approved by the Planning Commission. However, ornamental gates may be used for ingress and egress. Additionally, a total of thirty (30) linear feet of ornamental fencing may be allowed adjacent to the primary customer ingress and egress gates.

- (ii) All outdoor storage shall be limited to recreational vehicles and shall be screened from view from surrounding properties.
 - d. No auctions, commercial sales, garage sales, or similar activities shall be conducted on the premises.
 - e. Residential uses may be permitted in connection with office/watchman purposes.
 - 5. **Recycling Center.**
 - a. Not less than one-half of the materials processed (by tonnage) in any calendar year shall be paper, either corrugated or non-corrugated;
 - b. None of the materials so processed shall be ferrous metals;
 - c. All such materials shall have been separated at the source from all but residual solid waste;
 - d. The sources of all such materials so processed shall be other business establishments pursuant to agreements and/or purchase orders entered into with such other business establishments;
 - e. Such facility shall not be open to the general public for any transactions;
 - f. No more than ten percent of such materials processed (by tonnage) in any calendar year by such facility shall be residual solid waste; and
 - g. The establishment shall have received its initial business-license from the City for its present location no earlier than January 1, 2001.
 - 6. **Warehouse.** Warehouses in the C-3 district shall not occupy more than forty (40) percent of the floor area of any building.
- E. **Other Uses.**
- 1. **Live/Work Units.**
 - a. The City may approve live/work units as part of a MUD district where the primary use of the structure is a nonresidential use allowed in the applicable MUD district but where a dwelling unit is attached and associated with such nonresidential use.
 - b. Live/work units shall be subject to the following standards:
 - (i) Live/work units shall only be permitted in areas where designated for such uses in the MUD approval.
 - (ii) Any nonresidential use permitted in the applicable MUD is permitted in the live/work unit unless otherwise prohibited in the MUD approval.
 - (iii) Live/work units at street level are prohibited on the same block face where residential-only uses are permitted.
 - (iv) A minimum of seventy-five (75) percent of a structure's street front façade at street level shall be occupied by nonresidential uses.
 - (v) Parking shall be prohibited in front of the building unless located on an approved driveway.
 - (vi) Within each live/work unit, the living area shall not exceed one-third of the total floor area of the unit.
 - 2. **Vertical Mixed Use.** Vertical mixed use buildings in the C-1 and C-2 district shall be subject to the mixed use development standards of Section 17.24.110
- (Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2611, § 1, 5-16-2012; Ord. No. 2630, §§ 1, 2, 6-19-2013; Ord. No. 2643, § 1, 12-18-2013; Ord. No. 2669, § 3(b), 6-18-2014; Ord. No. 2678, § 1, 7-16-2014; Ord. No. 2685, § 3(2), 8-6-2014)

17.20.030 - Accessory uses.

- A. **Purpose.** This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses. The intent of this section is to allow a broad range of accessory uses, so long as such uses are located on the same site as the principal use, they comply with the standards set forth in this section, and they do not create adverse impacts on surrounding lots or sites.
- B. **General Standards and Limitations for Accessory Uses.**
 - 1. Accessory uses and structure in all districts shall:
 - a. Directly serve the principal use or structure;
 - b. Be accessory and clearly incidental to the principal use or structure;

- c. Be clearly subordinate in area, extent, and purpose to the principal use or structure;
- d. Be considered an integral part of the principal building if it is connected to the principal building by a covered passageway;
- e. Be owned and operated by the same person as the owner of the principal use or structure;
- f. Be located on the same lot as the principal use or structure;
- g. Be in compliance with all setback requirements established in Section 17.24.010, Site Dimensional Standards;
- h. Not violate the bulk, density, parking, landscaping, or open space standards of this Code when taken together with the principal use or structure;
- i. Be subject to Section 17.24, Development Standards;
- j. Not exceed the height of the principal structure, except for those structures exempt from the height requirements of this Code;
- k. Not be stored or constructed between the front lot line and front setback line except for allowable encroachments into setbacks as set forth in this Code.
- l. Not be constructed in a utility easement;
- m. Not be constructed or established prior to the time the principal use or structure is constructed or established, except as a special use;
- n. Be subject to all applicable building permit and business license requirements of the City;
- o. Meet the setback requirements of the main building for the front yard area except for fencing and walls; and
- p. With the exception of fencing and walls, maintain a minimum of five feet separation from the principal structure unless otherwise stated.

C. Table of Permitted Accessory Uses.

1. Symbols in Table. The symbols used in the use table are defined as follows:

a. Permitted Uses (P).

- (i) A "P" in a cell indicates that an accessory use is allowed by-right in the respective zoning district subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 17.20-3.
- (ii) A "P" in a cell under a PUD/PID, MUD-N, MUD-C, MUD-E, or PCD zoning district is subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 17.20-3 and applicable development plans and development agreements.
- (iii) Permitted uses are subject to all other applicable standards of this Code, including Section 17.24, Development Standards.

b. Conditional Uses (C). A "C" in a cell indicates that an accessory use is allowed as a conditional use in the respective zoning district subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 17.20-3 and approval as a conditional use in accordance with Section 17.12.070.I. Conditional uses are subject to all other applicable standards of this Code, including Section 17.24, Development Standards.

c. Special Uses (S). A "S" in a cell indicates that an accessory use is allowed as a special use in the respective zoning district subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 17.20-3 and approval of a special use permit in accordance with Section 17.24.070.I. Special uses are subject to all other applicable standards of this Code, including Section 17.24, Development Standards.

d. Prohibited Uses (Blank Cells). A blank cell indicates that the listed use type is prohibited in the respective zoning district.

e. Use-Specific Standards. A blank cell indicates that the listed accessory use is prohibited in the respective zoning district.

f.

Unlisted Uses. If an application is submitted for a use that is not listed in Table 17.20-3, the Director is authorized to classify the new or unlisted use, with consultation from appropriate City departments, into an existing use type that most closely fits the new or unlisted use. If no similar use determination can be made, the Director shall refer the use to the Planning Commission, who may initiate an amendment to the text of this Code to clarify where and how the use should be permitted.

TABLE 17.20-3: PER

P = Permitted

Residential

Business

C =

Conditional

S = Special

Blank =

Prohibited

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Accessory Use O-L R-E R-EL R-1 R-CL R-2 R-3 R-4 C-P C-1 C-2 M-1 M-2 R-A/R-2 F

Accessory Convenience Uses						S	S	S							S
Accessory Dwelling Units	S	S	S	S						S	S	S	S		
Accessory Structures for Nonresidential Uses									P	P	P	P	P		
Child Care Center	S	S	S	S	S										
Child Care Facility - Family Day Care Home	C	C	C	C	C										
Child Care Facility - Family Home	C	C	C	C	C										
Community Garden	C	C	C	C	C	C	C	C							C
Drive-Through Establishment										C	C	C	C		

Fences / Walls	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Garage Conversion	C	C	C	C	C	C	C	C						C
Greenhouse	P	P	P	P	P	P	P	P			P	P	P	P
Group Care Facility	C	C	C	C	C	C	C	C						
Guest House/Casita	P	P	P	P	P									
Helipad														
Home Occupation	P	P	P	P	P	P	P	P						P
Home Occupation, Offices as a						P	P	P						P
Horse Stable, Private	P	P												
Indoor Food Sales									P			C	C	
Keeping of Chickens	P	P												
Keeping of Domesticated Farm Animals	P	P												
Personal Services									P	P	P	P	P	
Private Garage	P	P	P	P	P	P	P	P		P	P	P	P	P
Private or Jointly Owned Community Center or Recreational Facility	P	P	P	P	P	P	P	P						P

Residential Storage for Excess Personal Property of Residents						P	P	P						P
Solar Panels/Wind	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Swimming Pools	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Truck and Trailer Rental										C	C			
Other Accessory Buildings or Structures	P	P	P	P	P	P	P	P			P		P	P
Additional Security Measures												C	C	
Portable Vending										C	C	C	C	

D. General Standards Applicable to Residential Accessory Uses and Structures.

1. **Detached Accessory Structures.** All detached accessory structures shall meet the following setback requirements.
 - a. A detached structure shall meet the setback requirements of the main building for the front yard area.
 - b. A detached structure shall maintain a minimum of five feet separation from the main structure.
2. The following standards shall apply to accessory uses in all residential zoning districts unless otherwise specified:
 - a. No accessory building or detached private garage for single-family homes shall occupy more than twenty-five (25) percent of the rear yard nor exceed six hundred (600) square feet of floor area except as below:
 - (i) Garages that exceed the maximum area may be allowed if approved as a special use pursuant to Section 17.12.070.J.
 - (ii) Single-family homes located on lots with a minimum area of fifteen thousand (15,000) square feet may be allowed an accessory building not to exceed one thousand two hundred (1,200) square feet in area.
 - (iii) Single-family homes with a minimum lot area of six thousand (6,000) square feet may be allowed a guest house/casita-not to exceed twenty-five (25) percent of the living area of the principal dwelling or eight hundred (800) square feet, whichever is less.
 - b. No permit shall be issued for the construction of more than one accessory building per lot.

- c. The total square footage of all accessory buildings, detached garages, or casitas shall not occupy more than twenty-five (25) percent of the rear yard.
- d. Canopies or roofs attached to the principal building or connecting the principal building with a detached accessory building may extend into a required rear or side yard provided that portions of such structures extending into the yard:
 - (i) Shall not exceed twelve (12) feet in height or project closer than five feet to a side or rear lot line measured to the supporting posts with a maximum two-foot overhang.
 - (ii) Shall be entirely open on at least three sides except for necessary supporting columns; except that a roof connecting a principal building and an accessory building shall be open on two sides.
 - (iii) Shall not exceed thirty-three (33) percent of the yard area for the required rear or side yard.

3. In addition the above standards, the following standards shall apply to buildings that are accessory to multifamily principal uses in the R-2, R-3, R-4, R-A/R-2, R-A/R-3, R-A/R-4 districts and to any multifamily principal uses in the PUD, PCD, or MUD districts.

- a. Accessory buildings shall observe the same setback requirements established for the multifamily building except that accessory storage buildings located within the rear yard of the multifamily building may be located to within five feet of the rear or interior side property line. The City Council or Planning Commission may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas.
- b. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten feet.
- c. Exteriors of accessory buildings shall have an exterior finish compatible with the main structure. Compatibility shall be determined by the City based on the type and use of building materials.

E. General Standards Applicable to Nonresidential Accessory Uses and Structures.

- 1. All accessory uses and structures shall be subject to Section 17.24, Development Standards.
- 2. Accessory uses in the PSP, C-P, C-1, C-2, C-3, M-1, M-2, and M-3 districts shall be subject to review and approval as part of the minor or major site plan review process, as applicable.
- 3. Accessory uses in the R-A/DC or R-A/PSP shall be subject to review and approval as part of the minor or major site plan review process, as applicable.

F. Accessory Use-Specific Standards.

1. Accessory Convenience Uses.

- a. The use shall be designed to be accessory to and integrated into the applicable development. The use shall be generally located within the center of the development with convenient access by all residents. It is intended that the site be designed and that the use be located to accommodate pedestrians only. The use shall not be exposed to or visible from surrounding properties or rights-of-way.
- b. A maximum of six hundred (600) square feet may be allocated for the use within a development approved for up to two hundred (200) dwelling units. An additional six hundred (600) square feet is allowed for each additional two hundred (200) units. Under no circumstance shall the accessory convenience use exceed one thousand eight hundred (1,800) square feet per development.
- c. Signs of any type advertising the use, products, and/or services shall be prohibited.
- d. Outdoor display of any products or services shall be prohibited.
- e. All activities associated with the use shall take place within the building.
- f. The use may not occupy any area that is necessary for the development to comply with the open space requirements. The applicant shall provide graphic illustrations, as deemed necessary by staff, to demonstrate compliance.
- g. The use shall be managed and operated by the Homeowners' Association or the management company overseeing the property.
- h. Additional exterior lighting shall be prohibited.
- i. The hours of operation and deliveries shall be between 6:00 am and 10:00 pm.
- j. The approved parking plan and site design shall not be disrupted by the use. No parking spaces shall be specifically allocated to the use.

- k. A business license shall only be issued after a minimum one hundred (100) units have been occupied. The applicant shall provide necessary documentation to verify such at the time of business license application.
- l. When the use is identified as a daycare center, it shall only provide services to residents and employees of the development and shall not be open to the general public.
- m. The sales of beer, wine, liquor, tobacco, spray or liquid paint, auto supplies or accessories, pets or animals, and appliances shall be prohibited. Any uses that include preparing food items, puncturing of the skin, and emitting noise or odors shall be prohibited. Any type of gaming or massage establishment shall be prohibited.

2. Accessory Dwelling Units.

a. Accessory Dwelling Units in Nonresidential Districts.

- (i) One accessory dwelling unit may be permitted in association with a nonresidential use to allow for quarters for security or related personnel.
- (ii) The gross floor area associated with an accessory dwelling unit shall not exceed eight hundred (800) square feet.

b. Accessory Dwelling Units in PUD/PID, Any MUD, and PCD Districts. Accessory dwelling units for residential dwelling units may be allowed in PUD/PID, any MUD, and PCD districts subject to approval pursuant to the individual review procedure, applicable development agreements and plans, and the following standards:

- (i) Nothing in this subsection shall be construed to prevent an accessory dwelling unit from being located within or inside a principal dwelling structure.
- (ii) Mobile homes, recreational vehicles, and travel trailers shall not be used as accessory dwelling units.
- (iii) The gross floor area associated with an accessory dwelling unit shall be at least four hundred (400) square feet, but shall not exceed fifty (50) percent of the gross floor area of the principal dwelling unit, or eight hundred (800) square feet, whichever is less.
- (iv) There shall be no more than one accessory dwelling unit on a lot.
- (v) At least one off-street parking space shall be provided for an accessory dwelling unit in addition to the required off-street parking serving the principal use, but in no instance shall more than two off-street parking spaces be provided with an accessory dwelling unit.
- (vi) Accessory dwelling units shall not count toward maximum residential density requirements.
- (vii) Exterior building materials shall be durable, of the same, or higher, quality as surrounding developments, and shall not adversely impact adjacent uses. When the principal structure is predominately brick or stone, the introduction of smooth wood or fibrous cement siding is appropriate to reinforce the ancillary and subordinate nature of the accessory dwelling unit.
- (viii) Accessory dwelling units shall not be sold apart from the principal dwelling unit.
- (ix) Home occupations shall be prohibited within an accessory dwelling unit.

c. Accessory Dwelling Units in the O-L, R-E, R-EL, and R-1. Accessory dwelling units in the O-L, R-E, R-EL, and R-1 district shall only be permitted if they meet the following conditions and are approved pursuant to a special use review:

- (i) The lot shall have a minimum area of six thousand (6,000) square feet and the principal use shall be a single-family dwelling.
- (ii) The accessory dwelling unit shall contain kitchen and restroom facilities for the occupant.
- (iii) Mobile homes, recreational vehicles, and travel trailers shall not be used as accessory dwelling units.
- (iv) The gross floor area associated with an accessory dwelling unit shall be at least four hundred (400) square feet, but shall not exceed fifty (50) percent of the gross floor area of the principal dwelling unit, or eight hundred (800) square feet, whichever is less.
- (v) In order to limit increases in density within the applicable zoning districts, no accessory dwelling unit shall be located within three hundred (300) feet of another accessory dwelling unit.
- (vi) There shall be no more than one accessory dwelling unit on a lot.

- (vii) At least one off-street parking space shall be provided for an accessory dwelling unit in addition to the required off-street parking serving the principal use, but in no instance shall more than two off-street parking spaces be provided with an accessory dwelling unit.
- (viii) Accessory dwelling units shall not count toward maximum residential density requirements.
- (ix) Exterior building materials shall be durable, of the same, or higher, quality as surrounding developments, and shall not adversely impact adjacent uses. When the principal structure is predominately brick or stone, the introduction of smooth wood or fibrous cement siding is appropriate to reinforce the ancillary and subordinate nature of the accessory dwelling unit.
- (x) Accessory dwelling units shall not be sold apart from the principal dwelling unit.
- (xi) Home occupations shall be prohibited within an accessory dwelling unit.

3. ~~Child Care Facility - Child Care Center, Family Day Care Home, or Family Home.~~

- a. ~~Child care centers may be permitted as an accessory uses when the center will be accessory to an institution.~~
- b. Child care centers, family day care homes, or family home child care facilities shall comply with all applicable state statutes.

4. **Community Garden.**

- a. Community gardens may be allowed as an accessory use when associated with a use type that falls within the "institutions" or "public and civic uses" use categories.
- b. Community gardens shall be subject to the provisions of Section 17.20.020.C.8, Community Gardens.

5. **Drive-Through Establishments.**

- a. For all MUD districts with commercial gross floor areas less than sixty thousand (60,000) square feet, only one restaurant with a drive-through service lane, with a maximum gross floor area of four thousand (4,000) square feet is allowed.
- b. For all MUD districts with commercial gross floor areas greater than sixty thousand (60,000) square feet, up to ten percent of the total commercial gross floor area may be restaurants with drive-through service lanes.
- c. All drive-through establishments shall be located to the rear or side of the building, away from public right-of-ways, to the maximum extent practicable.

6. **Garage Conversions.** The conversion of a garage to living area shall comply with the following standards:

- a. The use shall be compatible with the neighborhood and the following findings must be made:
 - (i) At least three other conversions from the garages or carports to living area have been legally permitted within a three hundred-foot radius of the subject property, or
 - (ii) A minimum of three houses within a three hundred-foot radius of the subject property were not originally constructed with carports or garages.
- b. The living area shall not be used to provide the house with a second kitchen or to allow for a second dwelling unit.
- c. Garage conversions are permitted in the R-E, Ranch Estates and R-EL, Ranch Estates Limited districts with a concurrent application for another garage.
- d. A parking area sufficient for two vehicles off-street parking places with minimum dimensions of eighteen (18) feet in width by twenty (20) feet in length shall be provided with no vehicle parking on any sidewalk area or front lot area with the exception of the designated driveway as shown on the special use application.

7. **Home Occupations.**

- a. **Purpose and Intent.** It is the intent of this section to provide a procedure for utilization of the premises of any dwelling unit, including a single-family attached or detached dwelling, mobile home, two-family dwelling unit, or multi-family dwelling unit for limited commercial purposes that shall meet the standards set forth in this section. In general, a home occupation is an accessory use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence. The standards for home occupations in this section are intended to insure compatibility with uses permitted in the

residential districts while maintaining the residential character of the neighborhood. A clearly secondary or incidental status in relation to the residential use of the dwelling unit must be shown by the applicant for a home occupation to be approved.

b. **Standards and Provisions.**

(i) **Definition of Home Occupation.**

- (1) A home occupation is any accessory use that consists of an occupation or profession operated by a person or persons living within a dwelling unit.
- (2) A home occupation does not include such events as garage or yard sales nor parties held to take orders for goods or services.

(ii) **Home Occupations and Offices as Home Occupations.**

- (1) All home occupations, except offices as home occupations in two-family dwelling units and multi-family dwelling units, shall comply with the standards and provisions set forth in subsection (iii) of this section.
- (2) Offices as home occupations in two-family and multi-family dwellings shall conform to the standards and provisions of subsection (iv) of this section.

(iii) **Home Occupations.** Home occupations, except for offices, shall be subject to the following standards and provisions:

- (1) Except as otherwise provided, the home occupation shall be operated solely within the dwelling unit or a permanent accessory building to the dwelling unit. A home occupation that is mobile and for which an office and address are established at the location of the dwelling unit, is permitted.
- (2) One person not a resident of the premises may be employed to assist in the home occupation. However, nothing in these provisions shall prevent persons who do not reside on the premises from assisting in those aspects of a home occupation that are off-premises.
- (3) Those home occupations that occupy more than ten percent of the floor area of a dwelling unit shall be subject to the provisions of the International Building Code. Floor area shall be construed as that area of a dwelling unit bounded by the exterior walls or fire walls of the dwelling unit.
- (4) There shall be no external alteration of the residential appearance of a dwelling unit.
- (5) There shall be no direct selling or leasing of stock or delivery of stocks of merchandise, supplies, or products on, to, or from the premises.
- (6) There shall be no disturbance such as noise, vibration, electrical interference, smoke, dust, odor, heat, or glare beyond the lot lines or beyond the confines of the dwelling unit.
- (7) At or in front of the dwelling unit of the home occupation, there shall be no exterior display, no exterior storage of merchandise, inventory, equipment or materials, no exterior deposition of waste materials, except that which is placed at the curb the day of garbage pickup, no window display, including signage on the dwelling unit or vehicles, no house calls, nor other indication from the exterior that a dwelling unit or accessory building is being used in part for any use other than that of a dwelling unit or accessory building for purely residential purposes.
- (8) There shall be no toxic, explosive, flammable, combustible, corrosive, etiologic, or radioactive materials, used or stored on the premises, except that which is generally used for residential purposes.
- (9) The parking or storage of equipment and vehicles such as tractors, semi-truck tractors or trailers, heavy equipment such as construction equipment, and commercially licensed vehicles with six wheels or more shall be prohibited at or in front of the dwelling unit of the office home occupation. Commercially licensed vehicles with fewer than six wheels shall be parked in adequate sized off-street parking spaces that meet the requirements of this Code.

(10)

The required number of off-street parking spaces for the dwelling unit to which the home occupation is accessory, shall be provided. The home occupation shall not reduce nor render unusable, areas provided for required off-street parking.

- (11) All home occupations shall obtain and thereafter maintain a current business license.
- (12) A home occupation permit shall be obtained from the Community Development Department prior to establishing a home occupation. Home occupations shall, on occasion, be subject to inspection to determine compliance with these provisions.
- (13) There shall be no advertising of the home address in the phone book, newspapers, flyers, or business cards.

(iv) Offices as a Home Occupation.

- (1) The home occupation shall be operated solely within the dwelling unit. A home occupation that is mobile and for which an office and address are established at the location of the dwelling unit is permitted. Nothing in these provisions shall prevent persons who do not reside on the premises from assisting in those aspects of a home occupation that are off-premises.
- (2) There shall be no external alteration of the residential appearance of a dwelling unit.
- (3) There shall be no direct selling or leasing of stock, or delivery of stocks of merchandise, supplies, or products on, to, or from the premises shall be limited to vehicles with fewer than six wheels.
- (4) There shall be no disturbance such as noise, vibration, electrical interference, smoke, dust, odor, heat, or glare beyond the confines of the dwelling unit. At or in front of the dwelling unit of the home occupation, there shall be no exterior display, exterior storage of merchandise, inventory, equipment or materials, exterior deposition of waste materials, except that which is placed at the curb the day of garbage pickup, window display, including a sign visible from outside the dwelling unit, house calls, nor other indication from the exterior that a dwelling unit is being used in part for any use other than that of a dwelling unit for purely residential purposes.
- (5) There shall be no toxic, explosive, flammable, combustible, corrosive, etiologic, or radioactive materials, used or stored on the premises, except that which is generally used for domestic purposes.
- (6) The parking or storage of equipment and vehicles such as tractors, semi-truck tractors or trailers, heavy equipment such as construction equipment, and commercially licensed vehicles with six wheels or more shall be prohibited at or in front of the dwelling unit of the office home occupation. Commercially licensed vehicles with fewer than six wheels shall be parked in adequate sized off-street parking spaces that meet the requirements of this Code.
- (7) The required number of off-street parking spaces for the dwelling unit to which the home occupation is accessory, shall be provided. The home occupation shall not reduce nor render unusable, areas provided for required off-street parking.
- (8) No home occupation shall allow for customers or clients to visit the dwelling for business purposes.
- (9) All home occupations shall obtain and thereafter maintain a current business license.
- (10) A home occupation permit shall be obtained from the Community Development Department prior to establishing a home occupation. Home occupations shall, on occasion, be subject to inspection to determine compliance with these provisions.
- (11) Home occupations shall, on occasion, be subject to inspection to determine compliance with these provisions.
- (12) There shall be no advertising of the home address in the phone book, newspapers, flyers, or business cards.

(v) Prohibited Uses and Activities. The following uses and activities shall be prohibited at the location of the home occupation:

- (1) Ambulance service;
- (2) Animal service including a veterinarian establishment, animal grooming business, kennel, or

establishment for the boarding of animals;

- (3) Appliance repair shop for large appliances such as but not limited to clothes washers and dryers, cooking ranges, refrigerators and freezers, and dishwashers;
- (4) Barber shop;
- (5) Beauty parlor, including a manicurist and cosmetologist;
- (6) Limousine service;
- (7) Machine shop;
- (8) Manufacturing;
- (9) Mobile vendors/ caterers;
- (10) Office of a person in a healing profession except persons in meta-physical practices such as energy alignment, color and aroma therapy, and reflexology;
- (11) Painting of vehicles, trailers or boats;
- (12) Restaurants;
- (13) Tattoo parlor;
- (14) Vehicle and motorized equipment repair, including part sales or detailing, vehicle washing, and large and small engine repair; or
- (15) Welding shop.

8. Indoor Food Sales. Indoor food sales occurring as an accessory use shall comply with the following standards:

- a. The square footage used by the accessory use, including preparation, sales, and storage, but not including dining, shall not exceed thirty (30) percent of the principal use.
- b. To the maximum extent practicable, food sales areas shall be internal to the principal use they serve.
- c. The entrance to the food sales area shall be via the principal use it serves and shall not have dedicated off-street parking areas or signage.

9. Keeping of Chickens. The keeping of up to four chickens is permitted provided that:

- a. The principal use is a single-family dwelling;
- b. No person shall keep any rooster;
- c. No person shall slaughter any chickens;
- d. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times; and
- e. No enclosure shall be located closer than twenty-five (25) feet to any residential structure on an adjacent lot or shall comply with the setbacks of the applicable zoning district, whichever is greater.

10. Keeping of Domesticated Animals.

- a. In the O-L district, the keeping and raising of domesticated farm animals shall be permitted on a lot provided that such accessory use does not exceed the combination of the following densities of animals:
 - (i) Horses, mules, donkeys, and cows: One per seven thousand five hundred (7,500) square feet of lot area;
 - (ii) Sheep and goats: One and one-half per seven thousand five hundred (7,500) square feet of lot area;
 - (iii) Pigs: Three per lot with a minimum lot size of five acres; or
 - (iv) All other domesticated mammals and birds: Twelve (12) per acre.
- b. In the R-E district the keeping and raising of domesticated farm animals, except swine and roosters, shall be permitted as an accessory use provided that there shall be no more than one animal per seven thousand five hundred (7,500) square feet of lot area with a minimum ten foot setback from any property line and/or residential building.

11. Personal Services. Personal service uses occurring as an accessory use shall comply with the following standards:

- a. The square footage used by the accessory use, including sales and storage, shall not exceed thirty (30)

percent of the principal use.

- b. To the maximum extent practicable, the personal service use shall be internal to the principal use it serves.
- c. Entrances to the personal service use shall be via the principal use it serves and shall not have dedicated off-street parking areas or signage.

12. **Swimming Pools.** All private or semi-private swimming pools shall meet the following standards:

- a. Swimming pools or spas may be placed closer than three feet to any structure, or vice-versa, provided that a minimum three-foot setback is maintained to the property line and provided that adequate information, including plans, calculations, and details, are provided to and approved by the building official, prior to the installation of the pool, spa, or structure. Plans may be required to be prepared by a Nevada registered engineer or architect.
- b. Pools shall not be located between the front property line and the front building setback line.
- c. All pool equipment, structures, and appurtenances thereto shall be set back a minimum of ten feet from the nearest dwelling on an adjoining property. Additionally, such equipment or structure shall not be located between the front property line and the front building setback line. Exceptions to this minimum ten-foot setback will be considered. With the compliance of building and fire code requirements, the building official can approve exceptions to the setback requirements for sound-proof pool equipment housing and pumps that have been designed for noise reduction. All other exceptions may be considered on an individual basis by variance.
- d. All swimming pools shall be enclosed as required by the Building Code.

13. **Truck and Trailer Rental.**

- a. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-warehousing facility, provided the business is conducted out of the same office as the mini-warehousing.
- b. No trucks or trailers shall be displayed in public view, and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks/trailers for each one hundred (100) storage units.
- c. All truck and trailers shall be screened from public rights-of-way or adjacent properties.
- d. One off-street parking space for the storage of each rental vehicle / trailer is required in addition to the required mini-warehousing parking, rental vehicle / trailer storage cannot use required mini-warehousing or customer parking.
- e. The rental use is not entitled to separate signage. Signage shall use the existing pylon sign and shall not exceed twenty-five (25) percent of the total sign area.

14. **Additional Security Measures.** The uses of security measures are meant to serve the purpose of safeguarding and protecting property against unauthorized entry and to deter criminal activities. The use of security guards, security services, security cameras, or live landscape plant materials are the preferred methods for use as security measures. However, in instances where such methods are not practicable or desired, then an applicant must demonstrate compliance with the following in order to install additional security measures:

- a. Additional Security Measures may only consist of an electric fence, or specialty designed wrought iron fence making it difficult to climb in or out of the property.
- b. If the additional security measures are proposed to be installed on a shared property line, all property owners must sign the application or provide a signed letter in support of the security measures.
- c. Additional security measures are not allowed adjacent to any property with a residential or commercial zoning designation, with the exception that specialty designed wrought iron fence making it difficult to climb in or out of the property will be allowed.
- d. Except for a specialty designed wrought iron fence making it difficult to climb in or out of the property, additional security measures must be attached to a solid masonry wall or located behind an approved wall or fence.
- e.

Additional security measures are prohibited adjacent to a public street or in any landscaped area with a width of less than ten (10) feet separating the proposed security measures from the public street, with the exception that specialty designed wrought iron fence making it difficult to climb in or out of the property will be allowed.

- f. Any use of security measures must comply with the height requirements for fences and walls.
- g. If an electric fence is proposed to be attached to a wall, the lowest strand of wire shall be at least six (6) feet above the ground and the overall height of the electric fence must not exceed a total height of three (3) feet.
- h. It must be demonstrated by the applicant, and approved by the Police Department that the use of additional security measures are necessary to safeguard the property against unauthorized entry, to protect stored goods and products from theft and/or other unauthorized handling.
- i. The use of additional security measures must not interfere with or pose a hazard to emergency personnel, and shall require both Police and Fire Department approval.
- j. Any fencing material used for security measures must be maintained and be kept clear of debris at all times.

15. Portable Vending.

- a. No signage advertising the vending facility, including temporary signage, is allowed on the property, except for signage which is affixed to the vending facility.
- b. The vending facility may not block exits or pedestrian/traffic areas.
- c. The vending facility must maintain a minimum twenty-foot setback from a residential property line.
- d. The site must be kept free of any litter or debris at all times.
- e. No vending facility may be allowed within the public right-of-way.
- f. No additional parking is required for the vending facility.
- g. The vending facility shall not occupy required parking or landscaped areas.
- h. The vending facility shall not exceed an outside dimension of eight feet in width by twelve (12) feet in length.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2706, §§ 5—7, 2-18-2015)

17.20.040 - Temporary uses.

A. Purpose. The section allows for the establishment of certain temporary uses provided that such uses comply with the standards in this section and are discontinued upon the expiration of a set time period. Temporary uses shall not involve the construction or alteration of any permanent structure.

B. Table of Allowed Temporary Uses and Structures.

TABLE 17.20-4: TEMPORARY USES AND STRUCTURES				
Temporary Use or Structure	Allowable Duration (per site)	Districts Where Permitted	Permit or Review Required	Additional Requirements
Construction Dumpsters	Cease upon occupancy of the permanent structure(s)	All Districts	Zoning Compliance Certificate	<u>17.20.040 D. 1</u>
Construction Trailer	Cease upon occupancy of the permanent structure(s)	All Districts	Conditional Use Permit	<u>17.20.040 D. 2</u>

Temporary Real Estate Sales Offices and Model Homes	Cease upon sale of the last house or dwelling unit	All Residential, PUD, PCD, R-A/R-2, R-A/R-3, R-A/R-4, and MUD Districts	Conditional Use Permit	<u>17.20.040 D. 3</u>
Seasonal Agricultural Sales	120 Days	All Business Zone Districts and Nonresidential Lots	Conditional Use Permit	<u>17.20.040 D. 4</u>
Temporary Building	One year [1]	All Districts	Special Use Permit	<u>17.20.040 D. 5</u>
Temporary Storage in a Portable Container	30 days over a one-year period	All Districts	Zoning Compliance Certificate	<u>17.20.040 D. 6</u>
Recreational Uses in Mixed Use Development Districts	One year	MUD Districts	Special Use Permit	17.20.040.D.7
NOTES: [1] Up to two, one-year extensions may be granted for a maximum total duration of three years.				

C. General Standards. Temporary uses or structures shall:

1. Obtain the appropriate permit and business license as required by this section or other City agencies or departments;
2. Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
3. Be compatible with the principal uses taking place on the site;
4. Not have substantial adverse effects or noise impacts on nearby residential uses or neighborhoods;
5. Not include permanent alterations to the site, with the exception of model homes where the temporary use is of a permanent structure;
6. Not violate the applicable conditions of approval that apply to a site or use on the site;
7. Not interfere with the normal operations of any permanent use located on the site; and
8. Contain sufficient land area to allow for the temporary use, structure, or event, as well as adequate land to accommodate the parking and traffic movement associated with the temporary use.

D. Use Specific Standards.

1. Construction Dumpster.

- a. The placement of temporary construction dumpsters or other trash receptacles within a public right-of-way or other site owned by the City shall be subject to the standards of the North Las Vegas Municipal Code.
- b. Temporary construction dumpsters or other trash receptacles located on private property, outside of the

public right-of-way, may be permitted under the following provisions:

- (i) It is located to the side or the rear of the site, to the maximum extent practicable;
- (ii) It is located as far as possible from lots containing existing development;
- (iii) It is not to be located within a floodplain or otherwise obstruct drainage flow; and
- (iv) It is not to be placed within five feet of a fire hydrant or within a landscaping area.

2. **Construction Trailer.** Construction trailers may be permitted on a construction site provided the trailer is:

- a. Approved by the Director pursuant to a conditional use permit;
- b. Located on the same site or in the same development as the related construction;
- c. Be associated with a development for which valid building permits have been issued; and
- d. Not located within a required open space set aside or landscaping area.

3. **Temporary Real Estate Sales Office or Model Home.** Real estate sales offices and model homes located in a permanent structure are a permitted temporary use under the following provisions:

- a. Five off-street parking spaces shall be provided and paved in accordance with City standards.
- b. Off-street parking requirements may be waived when a home is in the process of construction on a lot previously utilized for off-street parking:
 - (i) Subject to review and approval of the traffic engineer, the fire department, and the Director.
 - (ii) To request a waiver of the off-street parking requirements, the applicant shall complete a form that can be obtained from the Director. The completed form shall be accompanied by a site plan indicating where the proposed on-street parking is to be located.
 - (iii) The waiver is valid for ninety (90) days, with extensions of time subject to review and approval of the traffic engineer, the fire department, and the Community Development Department.

4. **Seasonal Agricultural Sales.** Seasonal agricultural sales, including the sales of such items as Christmas trees, seasonal produce, and similar agricultural products, may be permitted in accordance with the following provisions:

- a. The seasonal sales does not occur within the public right-of-way or within two hundred (200) feet of a dwelling;
- b. A minimum pedestrian walkway of at least five feet in width along the front of the display shall be maintained; and
- c. The range of goods and products available for sale shall be limited to products obtained primarily through farming or agricultural activities including, but not limited to, pumpkins, grains and seed crops, fruits, vegetables, nursery, floral, ornamental, and greenhouse products, and trees or forest products, including Christmas trees and firewood. For the purposes of this section, processed or prepared food products of any kind shall not be considered to be agricultural products.
- d. Off-street parking spaces shall be provided and shall consist of a paved surface for all-weather use. The requirement may be satisfied by using existing spaces for other uses located within five hundred (500) feet of the sales area. The operator has the burden of demonstrating to the Community Development Department that the parking needs of the use are adequately accommodated. On-street parking on City streets may not be used to satisfy this requirement.

5. **Temporary Building.**

- a. The use of a temporary building shall be limited to principally permitted uses and special uses allowed in the district within which it is located.
- b. A special use for a temporary building may be approved only if construction or remodeling of a permanent facility to replace it is imminent.
- c. A temporary building shall comply with the building setbacks required in the district in which it is located.
- d. The required number of parking spaces shall be provided for the use contained within the temporary building.
- e. Barricades, if determined to be necessary for health and safety purposes, shall be provided.
- f. A temporary building shall conform to all other titles of the North Las Vegas Municipal Code.

6. **Temporary Storage in a Portable Container.** Temporary storage in a portable container shall be permitted to serve an existing use subject to the following provisions. A portable container shall not be located:
 - a. On a lot without prior approval from the City;
 - b. In a manner that impedes ingress, egress, or emergency access as determined by the public works and fire departments; and
 - c. On an unpaved yard area, open space set-aside, or landscaping area.
7. **Recreational Uses in Mixed Use Development Districts.** A temporary special use permit may be issued for recreational and associated uses for the recreational use on property approved for a Mixed Use Development (MUD) District if the subject property is currently developed, but vacant, pursuant to previous commercial zoning approvals, and such use complies with the following:
 - a. All appropriate permit and licenses as required by the City shall be obtained prior to commencement of operation;
 - b. The use shall not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
 - c. The use shall not have substantial adverse effects or noise impacts on nearby residential uses or neighborhoods;
 - d. The required number of parking spaces shall be provided for the use;
 - e. Barricades, if determined to be necessary for health and safety purposes, shall be provided;
 - f. The use shall comply with all applicable codes and ordinances;
 - g. Such special use shall be valid for a period of one year, unless an extension of time is granted by the Planning Commission.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.20.050 - Nonconforming uses and structures.

- A. **Purpose.** In the provisions established by this Code, there exists uses of land, structures, and lots of records that were lawfully established before this Code was adopted or amended that now do not conform to the Codes terms and requirements. The purpose and intent of this section is to regulate the continued existence of those uses, structures, and lots of record that do not conform to the provisions of this Code, or any amendments thereto.
- B. **General Provisions.**
 1. Any lot, structure, or use lawfully existing upon the effective date of this Code may continue in the size and in the manner of operation existing upon such effective date except as hereinafter specified.
 2. A lawful nonconforming use shall not be changed except in conformance with the use requirements of the zoning district in which it is located.
 3. When any lawful nonconforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any nonconforming use.
 4. The burden of establishing that a legal nonconforming use, structure, or lot exists shall be on the owner or user of the land, lot, or structure.
 5. The requirements of this section shall not apply to a nonconforming structure or lot that is the subject of approved variances or waivers in any zoning district where such variances or waivers address all nonconformities related to the structure or lot.
 6. The requirements of this section shall not apply to a development standard or feature that is the subject of an approved variance, waiver, or modification of standards in a PUD, PID, MUD, or PCD district. Where a variance, waiver, or modification has been granted for a development standard or feature that does not otherwise conform to the requirements of this Code, that development standard or feature shall be deemed conforming.
 7. Minor repairs and normal maintenance of a nonconforming structure, or a structure containing a nonconforming use is permitted. This includes necessary structural repairs provided such structural repairs do not enlarge or intensify the nonconforming building, structure, or use.
 - 8.

Alterations may be made to a structure containing legal nonconforming residential dwelling units when the alterations will improve the livability of said units, providing the alterations will not increase the number of dwelling units.

C. Nonconforming Uses.

1. The right to operate and maintain a nonconforming use shall terminate when the structure containing the nonconforming use is removed, demolished, or remodeled to an extent greater than fifty (50) percent of the structure's assessed value as determined by the last equalized assessment role of Clark County or a current fair market appraisal provided by a licensed appraiser (provided by the applicant).
2. Whenever a structure containing a nonconforming use has been damaged by fire, flood, explosion, earthquake, or other occurrence beyond the control of the owner of the building or use to an extent greater than fifty (50) percent of the structure's assessed value as determined by the last equalized assessment role of Clark County or a current fair market appraisal provided by a licensed appraiser (provided by the applicant), the use shall not be reestablished except if permitted through the review and approval of a special use permit in accordance with the procedure set forth in Section 17.12.070.J. Such special use permit shall not be granted unless the structure containing the nonconforming use is reconstructed in the same location or in a manner that lessens the degree of nonconformity.
3. Whenever a legal nonconforming use of a structure or lot is discontinued for a period of one hundred eighty (180) days, any future use of such structure or lot shall be in conformity with the provisions of this Code and the applicable zoning district. However, a future use need not comply with the required number of parking spaces provided:
 - a. The applicant provides the maximum amount of parking spaces possible without being required to remove or partially remove a structure.
 - b. If a structure or a portion of a structure is voluntarily removed, the resulting area shall be used to provide the additional parking spaces necessary towards fulfilling the minimum requirements of Section 17.24.040, Parking and Loading.

D. Nonconforming Structures.

1. The right to maintain a nonconforming structure shall terminate when the nonconforming structure is removed, demolished, or remodeled (voluntarily or through damage by fire, flood, explosion, earthquake, or similar act) to an extent greater than fifty (50) percent of the structure's assessed value as determined by the last equalized assessment role of Clark County or a current fair market appraisal provided by a licensed appraiser (provided by the applicant). However, a structure in the R-A district may be remodeled up to seventy-five (75) percent of the structure's assessed value or a current fair market appraisal provided by a licensed appraiser (provided by the applicant), if permitted through the review and approval of a special use permit in accordance with the procedure set forth in Section 17.12.070.J. Such special use permit shall not be granted unless the nonconforming structure is remodeled or rebuilt in a manner that lessens the degree of nonconformity.
2. Nonconforming structures may be expanded or enlarged under the following conditions:
 - a. The use of the structure is in conformance with the applicable zoning district;
 - b. The enlarged, expanded, altered, or converted portion of the nonconforming structure complies with Section 17.24, Development Standards; and
 - c. The structure is not being enlarged, expanded, or altered in a manner that will increase the degree of an existing nonconformity. For example, a structure that has a five-foot side yard setback where the Code requires a ten-foot side yard setback cannot be enlarged or expanded in a manner to further encroach in the side yard setback. The use could, however, be expanded in the rear yard if it will not encroach into the required rear yard setback.

E. Nonconforming Lots.

1. **General.**
 - a.

Notwithstanding limitations imposed by other provisions of this Code, a residential dwelling and customary accessory structures may be developed on any single, lawfully-established nonconforming lot existing on the effective date of this Code. This provision applies even though the lot fails to comply with the standards for area or width in the district where it is located.

- b. The lot shall be in separate ownership and not of continuous frontage with other lots in the same ownership.
- c. Development of a residential dwelling on the lot shall comply with the appropriate zoning district standards.

2. **Combination of Lots.** If two or more nonconforming lots of record are in single ownership on the effective date of this Code, or on the date they become nonconforming, and if all or part of these lots do not comply with the lot area standards for the applicable zoning district, the lots involved shall be considered to be an individual lot for the purposes of this Code. No portion of these lots shall be used or sold that does not comply with the lot area standards in this Code, nor shall any division of the lots be made that leaves remaining any lot that fails to comply with this Code's lot area standards.

- F. **Nonconforming Telecommunication Towers.** Legal nonconforming telecommunication towers and related structures shall be regulated per Subsection 17.20.020.B.8.f.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

Chapter 17.24 - DEVELOPMENT STANDARDS

Sections:

17.24.010 - Site dimensional standards.

- A. **Site Dimensional Standards for Residential Zone Districts.** The following sections establish the basic district density and site dimensional standards for the O-L, R-E, R-EL, R-1, R-2, R-3, R-4, and R-CL (Obsolete) districts.

1. **Lot Area, Lot Width, Common Open Space, and Density Requirements.**

- a. Table 17.24.010-1, Lot Area, Lot Width, and Density Requirement for Residential Zone Districts establishes the lot area, lot width, and density requirements for the residential zone districts.
- b. For single-family dwellings, only one single-family dwelling may be permitted per individual lot in all residential districts unless otherwise permitted as an accessory use.

TABLE 17.24.010-1: LOT AREA, LOT WIDTH, AND DENSITY REQUIREMENTS FOR RESIDENTIAL ZONE DISTRICTS

Use	Minimum Lot Area	Minimum Lot Width	Maximum Density
O-L Open Land District			
Single-family dwelling	2 acres	150 feet	0.5 dwelling units per acre
Other permitted uses	None [1]	None [1]	None
R-E Ranch Estates District			
Single-family dwelling	20,000 square feet	90 feet	2 dwelling units per acre
Other permitted uses	None [1]	None [1]	None
R-EL Ranch Estates Limited District			

Single-family dwelling	10,000 square feet	80 feet	4 dwelling units per acre
Other permitted uses	None [1]	None [1]	None
R-1 Single-Family Low Density District			
Single-family dwelling	6,000 square feet	50 feet	6 dwelling units per acre
Other permitted uses	None [1]	None [1]	None
R-CL Single-Family Compact Lot Residential District			
Single-family dwelling	3,600 square feet	40 feet	7.99 dwelling units per acre
Other permitted uses	None [1]	None [1]	None
R-2 Single-Family Medium Density District			
Single-family dwelling	6,000 square feet	60 feet	4.5 dwelling units per acre
Two-family, three-family, and four-family dwellings	3,000 square feet per unit	60 feet [2]	8.0 dwelling units per acre or up to 13.0 dwelling units per acre if the development complies with the RDIS program in Section 17.24.090
Townhouse cluster	3,000 square feet per unit	60 feet [2]	
Other permitted uses	None [1]	None [1]	None
R-3 Multi-Family Residential District			
Single-family dwelling	6,000 square feet	60 feet [2]	4.5 dwelling units per acre
Three-family, four-family, and multiple-family dwellings	1,700 square feet per unit [3]	60 feet [2]	25 dwelling units per acre
Townhouse cluster and two-family dwellings	1,700 square feet per unit [3]	60 feet [2]	25 dwelling units per acre

Other permitted uses	None [1]	None [1]	None
R-4 High Density Residential District			
Three-family, four-family, and multiple-family dwellings	875 square feet per unit [3]	60 feet [2]	50 dwelling units per acre
Townhouse cluster and two-family dwellings	875 square feet per unit [3]	60 feet [2]	50 dwelling units per acre
Other permitted uses	None [1]	None [1]	None

NOTES:

[1] The minimum lot area and lot width are determined by the ability to meet building area, parking, landscaping, setbacks, and other applicable standards.

[2] These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.

[3] For each parking space that is located within or under the residential dwelling, or otherwise completely underground, up to 300 square may be subtracted from the total minimum lot area requirement for such dwelling.

2. Building Setback and Height Requirements.

- a. Table 17.24.010-2, Building Setback and Height Requirements for Residential Zone Districts establishes the building setback and height requirements for the residential districts.

**TABLE 17.24.010-2: BUILDING SETBACK AND HEIGHT REQUIREMENTS
FOR RESIDENTIAL ZONE DISTRICTS**

Use	Minimum Setbacks				
	Front (feet)	Interior Side (feet)	Corner Side/ Other ROW (feet)	Rear Yard (feet)	Maximum Building Height (feet)
O-L Open Land District					
Single-family dwelling	20	10	20	20	28
Structures accessory to single-family dwellings	30	3	20	3	28
Structures for all other principal, special, or accessory uses	20	50	20	50	28
R-E Ranch Estates District					

Single-family dwelling	20	10	10	20	28
Structures accessory to single-family dwellings	20	3	10	3	28
Structures for all other principal, special, or accessory uses	20	3	10	3	28

R-EL Ranch Estates Limited District

Single-family dwelling	20	5	10	20	28
Structures accessory to single-family dwellings	20	3	10	3	12
Structures for all other principal, special, or accessory uses	20	3	20	3	28

R-1 Single-Family Low Density District

Single-family dwelling (Lot area of 6,000 square feet or more)	15 [2]	5	10	15	35 [1]
Accessory structures	20	3	10	3	12
Structures for all other principal, special uses	20	3	20	3	35 [1]
Side-loading garages [3]	15	5	10	n/a	35 [1]

R-CL Single-Family Compact Lot Residential District

Single-family dwelling	10 [2]	5[4]	10	10	35 [1]
Structures accessory to single-family dwellings	15	5	10	3	12
Structures for all other principal, special uses	15	5	10	3	35 [1]
Side-loaded garages [3]	15	5	10	n/a	35 [1]

R-2 Single-Family Medium Density District

Single-family dwelling	15 [2]	5	10	15	35
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Two-family dwelling	15 [2]	5	10	15	35 [1]
Three-family, and four-family dwellings or townhouse clusters	20	5	10	15	35 [1]
Accessory structures	20	3	10	3	12
Structures for all other principal, special, or accessory uses	20	10	20	15	35 [1]
Side-loading garages [3]	15	5	10	n/a	35 [1]
Parking lots	5	5	5	5	n/a

R-3 Multi-Family Residential District

Single-family dwelling	15 [2]	5	10	15	35
Two-family, three-family, four-family, and multiple-family dwellings, and townhouse clusters	20	5	10	15	35
Accessory structures	20	3	10	3	16
Structures for all other principal or special uses	20	10	20	15	35
Parking lots	5	5	5	5	n/a

R-4 High Density Residential District

Two-family, three-family, four-family, and multiple-family dwellings, and townhouse clusters	20	5	10	15	60
Accessory structures	20	3	10	3	16
Structures for all other principal or special uses	20	10	20	15	60
Parking lots	5	5	5	5	n/a

NOTES:

[1] The maximum building height for lots located at the entry to the development, corner lots, or perimeter lots where the side yard or rear yard has frontage on a street, shall be 28 feet.

[2] Any attached or detached carport or garage shall maintain a 20-foot front setback.

[3] Reduced front setbacks for side loading garages may be permitted subject to the following conditions:

- No more than 30 percent of the dwellings within a subdivision shall be permitted to have reduced front setbacks for side loading garages;

- No more than two dwellings with side-loaded garages can be located next to each other or across from one another; and

- Side loaded garages with reduced front setbacks must have a minimum of one window, with a minimum size of 20 square feet, in the garage wall facing the street.

[4] Zero lot line development may be permitted that may result in the creation of a two-family dwelling; however individual lots shall be retained. Except for attached residential dwellings, all residential dwellings shall maintain at least a 10-foot building separation.

3. Additional Building Setback Requirements in Residential Zone Districts.

- a. **Setback Requirements for Institutions.** Use types that are within the "institutions" use category in Table 17.20-1, Permitted Use Table shall be subject to the setback requirements of Table 17.24.010-3, Building Setback Requirements for Institutions, in all residential districts.

TABLE 17.24.010-3: BUILDING SETBACK REQUIREMENTS FOR INSTITUTIONS

Use	Minimum Setbacks			
	Front (feet)	Interior Side (feet)	Corner Side/ Other R-O-W (feet)	Rear Yard (feet)
Religious institutions	20	50	20	50
Other institutions	20	50	20	50

- b. **Parking in the Front or Corner Side/Other R-O-W Yards.** For multiple-family dwellings in the R-3 and R-4 districts, parking of motor vehicles shall be prohibited within the required front or corner side/other r-o-w setbacks unless such parking is screened from public view by a three and one-half-foot earth berm, except as prohibited in Section 17.24.060, Landscaping, block wall, or an equivalent method as determined by the City.
- c. **Additional Accessory Building Requirements in the R-2, R-3, and R-4 Districts.** Buildings that are accessory to a multiple-family dwelling in the R-2, R-3, or R-4 district shall be subject to the following:
- The City may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten feet.
 - Exteriors of accessory buildings shall have an exterior finish compatible with the main structure.

Compatibility shall be determined by the City based on type and use of building materials.

- d. **Building Separation Requirements in the R-2, R-3, and R-4 Districts.** When two or more principal buildings are located on a single lot, the minimum separation between any two principal buildings shall be twenty (20) feet.

B. **Site Dimensional Standards for Business Zone Districts and the PSP District.** The following sections establish the basic district density and site dimensional standards for the C-P, C-1, C-2, C-3 (Obsolete), M-1, M-2, M-3 (Obsolete), and PSP districts.

1. **Lot Area, Lot Width, Common Open Space, and Density Requirements.**

- a. Unless otherwise specified, the minimum lot area, lot width, and maximum floor area ratios are determined by the ability to meet building area, parking, landscaping, setbacks, and other applicable standards.
- b. The minimum lot width for lots in the C-P, M-1, M-2, and M-3 districts is one hundred (100) feet.
- c. The minimum lot width for lots in the C-1, C-2, and C-3 districts is one hundred (100) feet unless the lot is a corner lot in which case the minimum lot width shall be one hundred fifty (150) feet.

2. **Building Setback and Height Requirements.**

- a. Table 17.24.010-4, Building Setback and Height Requirements for Business and PSP Zone Districts, establishes the building setback and height requirements for the business zone and PSP districts.

TABLE 17.24.010-4: BUILDING SETBACK AND HEIGHT REQUIREMENTS FOR BUSINESS AND PSP ZONE DISTRICTS

Use	Minimum Setbacks					
	Front (feet)	Interior Side (feet)	Corner Side/ Other R-O-W (feet)	Rear Yard (feet)	Residential District or Subdistrict Boundary (feet)	Maximum Building Height (feet)
PSP Public/Semi-Public District						
All buildings and structures	20	0	20	0	30	60[1]
Parking lots	20	0	20	0	10	n/a
C-P Professional Office Commercial District						
All buildings and structures	20	0	20	0	20	35
Parking lots	10[2]	5	5[2]	5	10	n/a
C-1 Neighborhood Commercial District						

All buildings and structures	20	0	20	0	30	35
Parking lots	10	0	10	0	10	n/a
C-2 General Commercial District						
All buildings and structures	20	0	20	0	30	60
Parking lots	10	0	10	0	10	n/a
C-3 General Service Commercial District (Obsolete)						
All buildings and structures	20	0	20	0	30	60
Parking lots	10	0	10	0	10	n/a
M-1 Business Park Industrial District						
All buildings and structures	30[3]	0	30[3]	15	30	45
Parking lots	10	0	10	0	10	n/a
M-2 General Industrial District						
All buildings and structures	35[3]	0	35[3]	0	75[4] 45[4] from commercial districts	60
Parking lots	5	0	5	0	10	n/a
M-3 Heavy Industrial District (Obsolete)						
All buildings and structures	35[3]	0	35[3]	0	75 45 from commercial districts	60

10 +
17.24.060.E.2.e

NOTES:

[1] Where a lot is adjacent to a residential zone district or subdistrict boundary, the Planning Commission may require a reduction in structure height and/or increased setbacks than those established in this table.

[2] Parking of motor vehicles shall not be allowed in the required front or corner side yard setbacks unless such parking is screened from public view by a three and one-half-foot earth berm (except as prohibited by Section 17.24.060, Landscaping), block wall, or an equivalent method as determined by the City.

[3] For buildings that do not exceed 25 feet in height, the front and corner side setbacks may be reduced to 20 feet.

[4] This setback shall be from the nonresidential or residential lot line, regardless if a lot line or street separates the uses or districts.

C. Site Dimensional Standards for the R-A Redevelopment Area District.**1. Lot Area, Lot Width, Common Open Space, and Density Requirements.**

- a. Table 17.24.010-5 establishes the lot area, lot width, and density requirements for certain R-A zone subdistricts.
- b. The minimum lot width for lots in the C-P, M-1, M-2, and M-3 districts is one hundred (100) feet.
- c. The minimum lot width for lots in the R-A/DC and R-A/PSP subdistricts is one hundred (100) feet unless the lot is a corner lot in which case the minimum lot width shall be one hundred fifty (150) feet.
- d. Unless otherwise specified, the minimum lot area, lot width, and maximum floor area ratios are determined by the ability to meet building area, parking, landscaping, setbacks, and other applicable standards.

**TABLE 17.24.010-5: LOT AREA, LOT WIDTH AND DENSITY REQUIREMENTS
FOR THE R-A ZONE SUBDISTRICTS**

Use	Minimum Lot Area [1]	Minimum Lot Width [2]	Maximum Density
R-A/R-2 Medium Density Residential Subdistrict			
Single-family dwelling	6,000 square feet	60 feet	4.5 dwelling units per acre
Two-family, three-family, and four-family dwellings	3,000 square feet per unit	60 feet	8.0 dwelling units per acre or up to 13.0 dwelling units per acre if the development complies with the RDIS program in <u>Section 17.24.090</u> . See note [3].
Townhouse cluster	3,000 square feet per unit	60 feet	

Other permitted uses	None [4]	None [4]	None
R-A/R-3 Medium-High Density Residential Subdistrict			
Multiple-family dwelling	1,700 square feet per unit	60 feet	None
Townhouse cluster	1,700 square feet per unit	60 feet	None
Other permitted uses	None	None	None
R-A/R-4 High Density Residential Subdistrict			
Multiple-family dwelling	450 square feet per unit	60 feet	None
Townhouse cluster and two-family dwellings	450 square feet per unit	60 feet	None
Other permitted uses	None [4]	None [4]	None
R-A/DC Downtown Core Subdistrict			
Vertical Mixed Use with Residential Dwelling Units	450 square feet per dwelling unit	60 feet	None
Other permitted uses	None [4]	None [4]	None
R-A/PSP Public/Semi-Public Subdistrict			
All permitted uses	None [4]	None [4]	None

NOTES:

[1] For each parking space that is located within or under the residential dwelling, or otherwise completely underground, up to 400 square feet in the R-A/R-2 and R-A/R-3 districts or 350 square feet in the R-4 district may be subtracted from the total minimum lot area requirement for such dwelling.

[2] These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.

[3] Upon meeting this requirement, a development that complies with the residential design incentive system in Section 17.24.090 may be awarded additional density up to a maximum gross density of 13.0 units per acre.

[4] The minimum lot area and lot width are determined by the ability to meet building area, parking, landscaping, setbacks, and other applicable standards.

2. Building Setback and Height Requirements.

- a. Table 17.24.010-6 establishes the building setback and height requirements for the R-A zone subdistricts.

TABLE 17.24.010-6: BUILDING SETBACK AND HEIGHT REQUIREMENTS FOR THE R-A ZONE SUBDISTRICTS

Use	Minimum Setbacks					
	Front (feet)	Interior Side (feet)	Corner Side /Other R-O-W (feet)	Rear Yard (feet)	Residential District or Subdistrict Boundary	Maximum Building Height (feet)
R-A/R-2 Medium Density Residential Subdistrict						
Single-family dwelling	15[1]	5	10	15	0	35
Two-family, three-family, and four-family dwellings or townhouse clusters	20	5	10	15	0	35
Structures accessory to residential dwellings	20	3	10	3	0	12

Structures for all other principal or special uses	20	10	20	15	10	35
R-A/R-3 Medium-High Density Residential Subdistrict						
Two-family, three-family, four-family, and multiple-family dwellings, and townhouse clusters	20	5	10	15	0	35
Structures accessory to residential dwellings	20	3	10	3	0	16
Structures for all other principal or special uses	20	10	20	15	10	35
Parking lots	5	5	5	5	5	n/a
R-A/R-4 High Density Residential Subdistrict						
Two-family dwellings	15[1]	5	10	15	0	35
Three-family, four-family, and multiple-family dwellings, and townhouse clusters	20	5	10	15	0	60

Structures accessory to residential dwellings	20	3	10	3	0	16
Structures for all other principal or special uses	20	10	20	15	10	60
Parking lots	5	5	5	5	5	n/a
R-A/DC Downtown Core Subdistrict						
All buildings and structures	10	0	10	0	10 [2]	60 [2]
Parking lots	10	0	10	0	5	n/a
R-A/PSP Public/Semi-Public Subdistrict						
All buildings and structures	10	0	10	0	30 [2]	60 [2]
Parking lots	10	0	10	0	5	n/a
NOTES:						
[1] Any attached or detached carport or garage shall maintain a 20-foot front setback.						
[2] Where a lot is adjacent to a residential zone district or subdistrict boundary, the Planning Commission may require a reduction in structure height and/or increased setbacks than those established in this table to ensure compatibility and mitigation of potential adverse impacts.						

3. **Additional Building Setback Requirements in the R-A/R-2, R-A/R-3, and R-A/R-4 Subdistricts.**

- a. **Setback Requirements for Institutions.** Use types that are within the "institutions" use category in Table 17.20-1 shall be subject to the setback requirements of Table 17.24.010-7 in the R-A/R-2, R-A/R-3, and R-A/R-4 subdistricts.

TABLE 17.24.010-7: BUILDING SETBACK REQUIREMENTS FOR INSTITUTIONS

Use	Minimum Setbacks			
	Front (feet)	Interior Side (feet)	Corner Side/ Other R-O-W (feet)	Rear Yard (feet)

	20	50	20	50
Other institutions	20	50	20	50

- b. **Parking in the Front or Corner Side/Other R-O-W Yards.** For multiple-family dwellings in the R-A/R-2, R-A/R-3 and R-A/R-4 subdistricts, parking of motor vehicles shall be prohibited within the required front or corner side/other r-o-w setbacks unless such parking is screened from public view by a three and one-half-foot earth berm, except as prohibited in Section 17.24.060, Landscaping, block wall, or an equivalent method as determined by the City.

- c. **Additional Accessory Building Requirements in the R-2, R-3, and R-4 Districts.** Buildings that are accessory to a multiple-family dwelling in the R-A/R-2, R-A/R-3 and R-A/R-4 subdistricts shall be subject to the following:

- i. The City may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten feet.
- ii. Exteriors of accessory buildings shall have an exterior finish compatible to the main structure. Compatibility shall be determined by the City based on type and use of building materials.

- d. **Building Separation Requirements in the R-A/R-2, R-A/R-3 and R-A/R-4 Subdistricts.** When two or more principal buildings are located on a single lot, the minimum separation between any two principal buildings shall be twenty (20) feet.

- D. **Site Dimensional Standards for the MUD Mixed Use Development District.** Table 17.24.010-8, Site Dimensional Standards for the MUD Mixed Use Development District, establishes the basic site dimensional standards for the MUD district. All other standards shall be reviewed and approved as part of the MUD approval subject to Section 17.12.070.F.

TABLE 17.24.010-8: SITE DIMENSIONAL STANDARDS FOR THE MUD MIXED USE DEVELOPMENT DISTRICT

Standard	MUD-N	MUD-C	MUD-E
Residential Density			
Maximum Residential Density	18 dwelling units per acre	25 dwelling units per acre	50 dwelling units per acre
Maximum Residential Density within ¼ mile of a Bus Rapid Transit or Light Rail Transit Facility	25 dwelling units per acre	50 dwelling units per acre	50 dwelling units per acre
Maximum Residential Density in the R-A district	25 dwelling units per acre	50 dwelling units per acre	70 dwelling units per acre
Building Height			
Minimum Building Height	2 stories or 35 feet [1]	2 stories or 35 feet	2 stories or 35 feet

Maximum Building Height	5 stories or 60 feet	10 stories or 120 feet	No Maximum
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Perimeter Setbacks [2]

Minimum Perimeter Setback from Buildings	20 feet	20 feet	20 feet
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Minimum Perimeter Setback from Streets and Drive Aisles	10 feet	10 feet	10 feet
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Building Setbacks

Within a Pedestrian Priority Area	Minimum Front Setback	15 feet	15 feet	15 feet
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	Maximum Front Setback	25 feet	25 feet	25 feet
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	Minimum Side, Corner, and Rear Setback	0 feet	0 feet	0 feet
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	Maximum Side, Corner, and Rear Setback	10 feet	10 feet	10 feet
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Outside of a Pedestrian Priority Area	n/a	Established as part of the MUD Approval	Established as part of the MUD Approval
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NOTES:

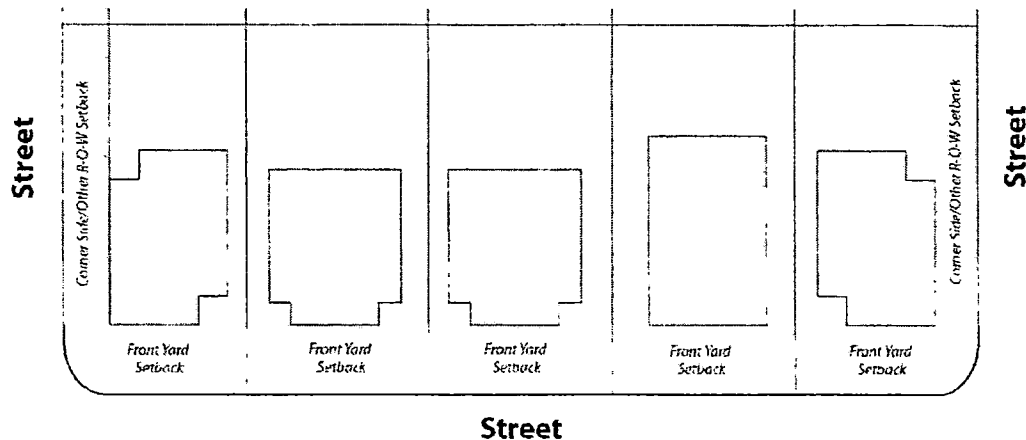
[1] Single story buildings may be permitted with approval of a waiver with preliminary development plan.

[2] Perimeter setbacks shall be measured from the property line. Perimeter setbacks may be reduced to zero when adjacent parcels contain existing mixed use development.

E. Measurements, Computations, and Exceptions.

1. **Distance Measurements.** Unless otherwise expressly stated, distances specified in this Code are to be measured as the length of an imaginary straight line joining those points.
2. **Lot-Area Measurements.**
 - a. **Lot-Area Measurements.**
 - i. The area of a lot includes the total horizontal surface area within the lot's boundaries. For nonconforming lots, see Section 17.20.050
 - ii. For lots that have frontage along a private street, the lot area shall be interpreted to include only the area within the lot lines separating the lot from the private street, and not the centerline of said private street.

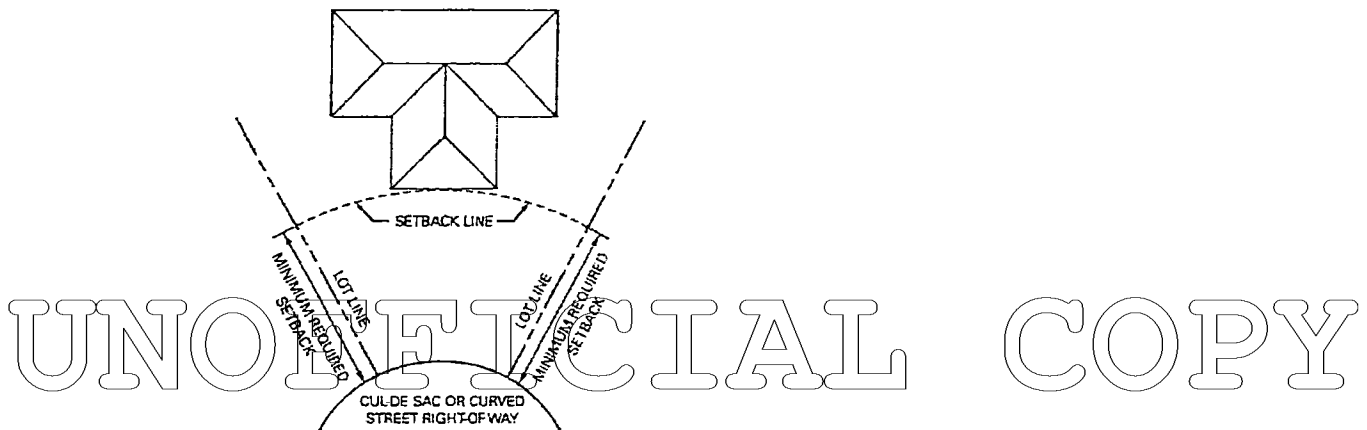
- b. **Reductions in Lot Area Prohibited.** No lot shall be reduced in area so that lot area per dwelling unit, lot width, yards, building area, or other requirements of this Code are not maintained.
3. **Lot-Width Measurements.** Lot width is the distance between the side lot lines measured at the point of the front setback line.
4. **Setbacks and Yards.**
- a. **Measurements.**
- Setbacks refer to the unobstructed, unoccupied open area (yards) between the closest point of a structure and the property line of the lot on which the structure is located.
 - For any type of irregular lot not addressed in these provisions, the Director shall determine the location of the front, side, and rear yard after taking the following into consideration:
 - The orientation of any existing structures;
 - The front, side, and rear yard locations of adjoining lots;
 - The use and function of adjoining lots;
 - The functional classification of the adjacent streets;
 - The location of access points onto the property; and
 - The presence or location of any public easements.
- b. **Yard Areas Nontransferable.** No yard provided around any building or building site for the purpose of complying with provisions of this Code shall be considered as providing a yard for any other building or site.
- c. **Front-Yard and Corner Side/Other R-O-W Setbacks.**
- Front-Yard Setback and Streets.** The front yard shall be the yard located between the front façade of a building and the street (front lot line) on which the building faces unless otherwise provided in 17.24.010.E.4.a(ii). See Figure 17.24.010-A.
 - Measurement.** The front-yard setback shall extend the full width of the lot and shall be measured from the street right-of-way line.
 - Corner Side/Other R-O-W Setbacks.** When a lot has multiple street frontages, the minimum setbacks from all lot lines, except the front lot line, that abuts a street shall meet the corner side/other right-of-way (r-o-w) setback requirements for the applicable district. See Figure 17.24.010-A.



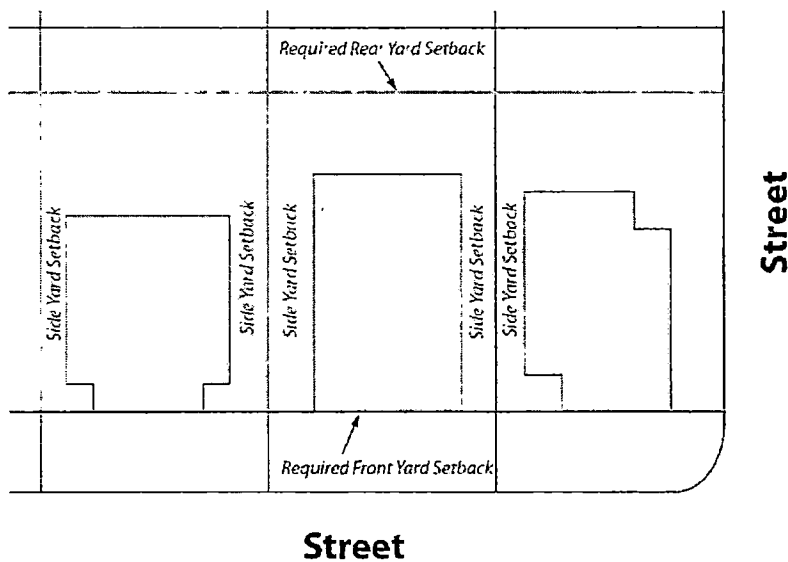
17.24.010-A: Identification of setback areas

- Cul-de-Sac or Curved-Street Lot.** For a cul-de-sac lot or a lot abutting a curved street, the front-yard setback shall follow the curve of the front lot line. See Figure 17.24.010-B.

DETERMINING SETBACK LOCATION ON A CUL-DE-SAC LOT

**Fig. 17.24.010-B Cul-de-sac setback measurement**

- d. **Side-Yard Setback.** The side-yard setback shall extend from the required front-yard setback line to the required rear-yard setback line and shall be measured from the side lot line. If no street or rear-yard setback is required, the setback shall extend the full depth of the lot. See Figure 17.24.010-C.

**Fig. 17.24.010-C: Side and rear yard setbacks**

- e. **Rear-Yard Setback.**
- The rear-yard setback shall extend the full width of the lot and shall be measured from the rear lot line.
 - For lots where the rear lot line is curved or irregular, the rear yard setback shall follow the curve of the rear lot line.

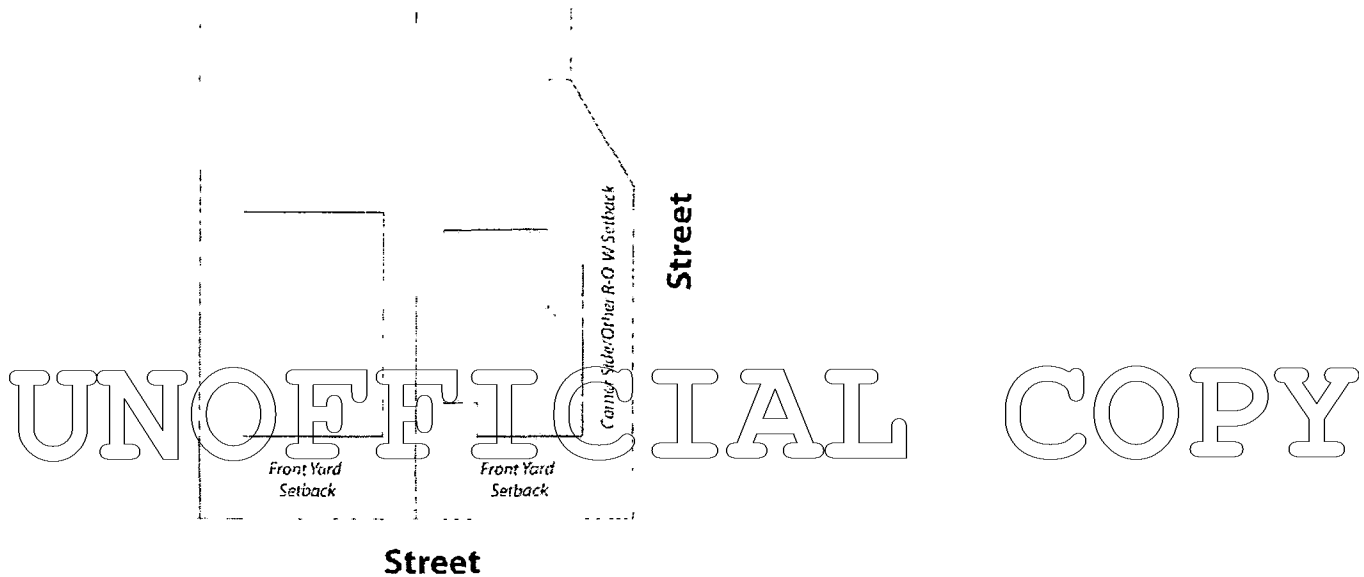


Fig. 17.24.010-D: Irregular lot line with setback

- f. **Permitted Encroachments into Required Setbacks (Consolidated and Expanded from Current Districts).** The following features may be located within required setbacks to the extent indicated:
- Sidewalks and landscaping as allowed in Section 17.24.060, Landscaping, and Section 17.24.050, Mobility and Circulation;
 - Fences and walls as allowed in Section 17.24.070, Screening, Walls, and Fences;
 - Canopies or covered patios or breezeways attached to the main building may extend into a required rear or side yard provided that portions of such structures extending into the yard:
 - Shall not exceed twelve (12) feet in height or project closer than five feet to a side or rear lot line, measured to the supporting posts with a maximum two-foot overhang.
 - Shall be entirely open on at least three sides except for necessary supporting columns; except that a breezeway connecting a main building and an accessory building shall be open on two sides.
 - Shall not exceed thirty-three (33) percent of the yard area for the required rear or side yard.
 - Other permitted encroachments as allowed in Table 17.24.010-9, Permitted Encroachments in Residential Districts and R-A Subdistricts.

TABLE 17.24.010-9: PERMITTED ENCROACHMENTS IN RESIDENTIAL DISTRICTS

Yard	Permitted Encroachment by Feature								
	Air Cooling System	Architectural Embellishment	Awning	Balcony	Breezeway	Canopy	Chimney	Deck, Uncovered	C
O-L Open Land District									
Front Yard	0	2	2	2	0	0	2	5	
Side Yard	3	3[2]	2	5[2]	5[2]	5[2]	3[2]	5[2]	

Rear Yard	5	3	2	5	5	5	5	5[3]
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R-E Ranch Estates District

Front Yard	0	2	2	2	0	0	2	5
Side Yard	3	3[2]	2	5[2]	5[2]	5[2]	3[2]	5[2]
Rear Yard	5	3	2	5	5	5	5	5[3]

R-EL Ranch Estates Limited Dis

Front Yard	0	2	2	2	0	0	2	5
Side Yard	3	3[2]	2	5[2]	5[2]	5[2]	3[2]	5[2]
Rear Yard	5	3	2	5	5	5	5	5[3]

R-1 Single-Family Low Density D

Front Yard	0	2	2	5[5]	0	0	2	5[5]
Side Yard	3	3[2]	2	5[2]	5[2]	5[2]	3[2]	0
Rear Yard	5	3	2	5	5	5	5	5[3]

R-2 Single-Family Medium Density District and R-A/R-2 Medi

Front Yard	0	2	2	2	0	0	2	5
Side Yard	3	3[2]	2	5[2]	5[2]	5[2]	3[2]	5[2]
Rear Yard	5	3	2	5	5	5	5	5[3]

R-3 Multi-Family Residential District and R-A/R-3 Medium-Hi

Front Yard	0	2	2	2	0	0	2	5
Side Yard	3	3[2]	2	5[2]	5[2]	5[2]	3[2]	5[2]
Rear Yard	5	3	2	5	5	5	5	5[3]

R-4 High Density Residential District and R-A/R-4 High D

Front Yard	0	2	2	2	0	0	2	5
Side Yard	3	3[2]	2	5[2]	5[2]	5[2]	3[2]	5[2]
Rear Yard	5	3	2	5	5	5	5	5[3]

R-CL Single-Family Compact Lot Reside

Front Yard	0	2	2	2	0	0	2	0
Side Yard	3	3[2]	2	5[2]	5[2]	5[2]	3[2]	5[2]
Rear Yard	3	2	5	5	5	5	5	5[3]

NOTES:

- [1] Media niches shall have a maximum length of 12 feet.
- [2] In no case shall the feature be located any closer than three feet from the lot line.
- [3] In no case shall the feature be located any closer than five feet from the lot line.
- [4] In no case shall the feature be located any closer than five feet from the lot line, as measured from
- [5] In no case shall the feature be located any closer than 10 feet from the lot line.

- g. **Modification of Setbacks in the R-A District.** Setbacks established in the R-A district may be modified with the approval of a special use permit processed according to the requirements of Section 17.12.070.K., Variances. In modifying setbacks, the following conditions shall be shown to exist:
 - i. The specific modification will not be detrimental to or endanger public health, safety, morals, comfort, or general welfare;
 - ii. The specific proposed modification will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish and impair property values within the immediate vicinity;
 - iii.

The establishment of the specific proposed modification will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zone in which such property is located;

- iv. Adequate measures have been or will be taken to minimize the impacts of any modification; and
- v. The modification will not impair implementation of the goals and objectives of the North Las Vegas Downtown Master Plan Investment Strategy.

5. **Height Measurement, Encroachments, Limitations and Exceptions.**

a. **Height Measurement.** The height of a building shall be measured as the vertical distance from floor to the:

- i. The highest point of a flat roof (See Figure 17.24.010-E.);
- ii. The deck line of a mansard roof (See Figure 17.24.010-E.); or
- iii. The mean height between the eaves and ridge on gable, hip, or gambrel roofs (See Figure 17.24.010-E.).

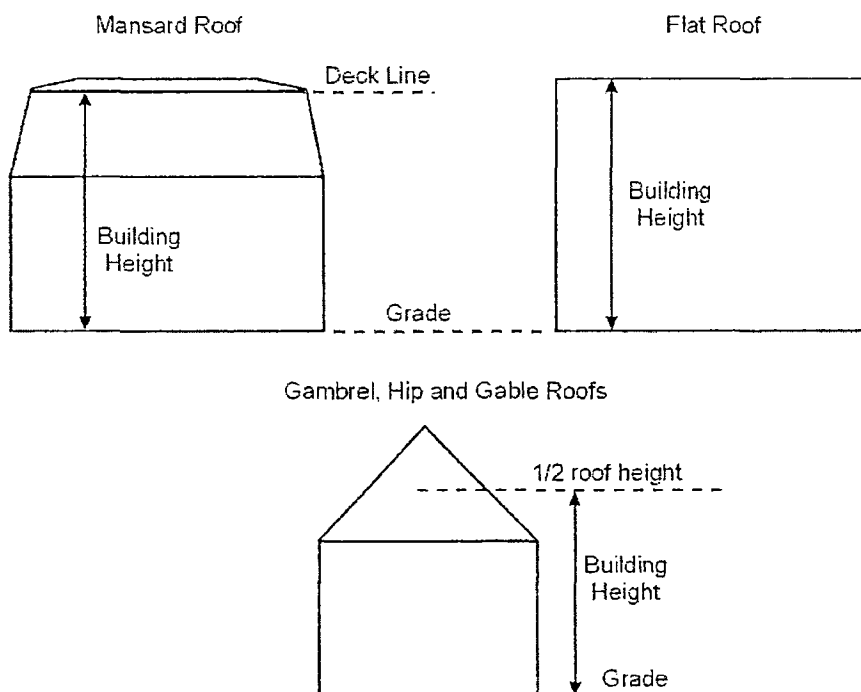


Fig. 17.24.010-E Roof measurement for various roof styles

- b. **Appurtenances Exceptions.** Maximum height requirements shall not apply to church spires, belfries, cupolas and domes; monuments; chimneys and smokestacks; flagpoles; public and private-utility facilities; transmission towers of commercial and private radio-broadcasting stations; television antennae; parapet walls extending no more than four feet above the limiting height of the building except as hereinafter provided; and solar-energy collectors and equipment used for the mounting or operation of such collectors.
- c. **Public Building Exceptions.** Places of public assembly in religious institutions, schools, and other permitted public and semi-public buildings may exceed the maximum height requirements in the applicable district provided each one foot by which the height of such building exceeds the maximum height otherwise permitted in the district, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the district.
- d.

Towers and Monument Exceptions. Towers and monuments, cooling towers, gas holders or other structures, where the manufacturing process requires a greater height, along with storage silos are exempt from the maximum height requirements of the Code provided that any structure above the height otherwise permitted in the district shall occupy no more than twenty-five (25) percent of the lot area and shall be set back a minimum of twenty-five (25) feet from every lot line.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2706, §§ 8—11, 2-18-2015)

17.24.020 - Open space and parks.

A. **Purpose.** This section is intended to ensure that open space and natural areas throughout the City are considered and protected during the development review process in accordance with the Southern Nevada Regional Policy Plan and City of North Las Vegas Comprehensive Plan, as well as to ensure that citizens have adequate open space and that new developments provide the parks and open space areas necessitated by that development. Open space serves numerous purposes, including preservation of natural areas and resources, preservation of scenic resources, greater resident access to open areas and recreation, reducing the heat island effect, enhancing stormwater quality, providing public health benefits, and improving of the quality of new development.

B. **Public Park and Open Space Dedication.**

1. **Purpose.** This subsection is intended to provide land for park and open space demand generated by new residential subdivisions. Particular emphasis should be placed on providing a diversity of parks that serve residents of all ages and abilities and that are accessible from a variety of locations within the community. Where no suitable land is available, based on subsection 17.24.020.B.4., Characteristics of Land to be Dedicated, the City may substitute the Residential Construction Tax in Chapter 15.52 of the North Las Vegas Municipal Code (NLVMC)
2. **Applicability.** Any person offering a preliminary or final plat for development of any area zoned and to be used for single-family, duplex, or multifamily residential purposes in the City shall be required to dedicate for open space a portion of land per individual unit, or pay the Residential Construction Tax pursuant to NLVMC Chapter 15.52, based on the demand for open space created by the development.
3. **Amount of Land to be Dedicated.** The minimum amount of land to be dedicated shall be determined based upon a finding by the City Council that the land being dedicated is reasonably related to the impacts upon the City's parks and recreation system that will be generated by the residents and users of the subject development.
 - a. The amount of land dedicated shall not be less than two and one-half acres of park land per one thousand (1,000) ultimate residents of the subdivision. The following formula may be used as a general guideline for determining the amount of land to be dedicated:

$$2.5 \text{ acres} \times (\text{No. of units} \times \text{persons per unit}) = \text{Area to be Dedicated per 1,000 residents}$$

Figure 17.24.020-A: Example calculation for land dedication

- b. The City finds that the following chart represents the average number of persons per unit by density category:

**TABLE 17.24.020-1: DENSITY FIGURES TO BE USED
IN PARK DEDICATION DETERMINATIONS**

Gross Density Per Residential Land Area	Persons Per Unit
0—6 dwelling units per acre	3.3
6—12 dwelling units per acre	3.1

Over 12 dwelling units per acre

3.1

- c. The developer shall submit with each subdivision plat for residential development information concerning the number of units and appropriate demographics. Should the developer fail to do so, the City shall assume the highest density allowed in the residential district.

4. **Characteristics of Land to be Dedicated.** Except as otherwise required by the City at the time of preliminary plat approval, all dedications of land under this section shall meet the following criteria.

- a. **Locational Criteria.** To the maximum extent feasible, where significant natural and scenic resource assets exist on a property, the subdivider, developer, or owner shall give priority to their preservation through public land dedication. In reviewing the proposed location of public land dedication areas, the Director shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected, with priority being given to the following areas (that are not listed in a particular order):
- i. Wetlands, natural drainage channels, washes, and arroyos;
 - ii. Native desert habitat and vegetation;
 - iii. Wildlife habitat and migration corridors;
 - iv. Tree or native plant retention areas;
 - v. Trails that are open to the public;
 - vi. Areas that provide access to public lands; and
 - vii. Natural hillsides and exposed slopes of fifteen (15) percent or greater.
 - viii. The Director shall have the final authority to approve the type, configuration, and location of sites proposed for public dedication.
- b. **Public Parks and Trails.** The location and size of public parks and trails within the City shall be determined by the North Las Vegas Parks and Recreation Facilities Master Plan or other appropriate plan. Trails that are open to the public may be counted towards parks and open space dedication requirements.
- c. **Number of Parcels.** The dedicated park land shall form a single parcel of land, except where the City determines that two or more parcels would be in the best interest of the public, given the type and distribution of open spaces needed to adequately serve the proposed development or mitigate impacts. In such cases, the City may require that such parcels be connected by a dedicated strip of land at least thirty (30) feet in width.
- d. **Usability.** At least fifty (50) percent of the dedicated land required by this Code shall be suitable for passive, active, or recreational open space. No part of such fifty (50) percent to be used for passive, active, or recreational open space shall be within any wash, drainage way, or floodway of the City, except for trails.
- e. **Location Outside of Subdivision.** At the discretion of the City, the dedicated park land may be located outside of the residential development in order to comply with the Comprehensive Plan, to add property to existing park land, or to combine land dedication efforts with those of other developments.
- f. **Access.** Public access to dedicated park land shall be provided either by adjoining public street frontage or, if required by the Director, by a public access easement at least thirty (30) feet wide that connects the dedicated land to a public street or right-of-way, unless the land being dedicated is a sensitive environmental area to which access should be restricted for preservation purposes. Gradients adjacent to existing and proposed streets shall allow for ADA compliant access to the dedicated land. Public access to greenway/greenbelt dedications only shall be at least twenty (20) feet wide.
- g. **Areas Not Eligible.** Lands within the following areas shall not be included in or counted towards public open space dedication requirements:
- i. Private yards, required setbacks, or required landscape buffer areas, even if they contain sidewalks;

- ii. Public or private streets, rights-of-way, easements, or sidewalks; open parking areas and driveways for dwellings;
- iii. Land covered by structures not intended solely for recreational or interpretive uses; and
- iv. Bureau of Land Management managed lands.

C. Private Common Open Space.

1. **Purpose.** Private common open space is private open land area set aside for the exclusive use and enjoyment of a development's residents, employees, or users. Goals and requirements for common open space complement this Code's requirements for dedicated parks, and serve similar purposes.
2. **Applicability.**

- a. **Residential Development.** All residential development in the City shall be required to set aside private open space as required in Table 17.24.020-2, Residential Open Space Requirements, below.

TABLE 17.24.020-2: RESIDENTIAL OPEN SPACE REQUIREMENTS

Use	Zone District (square feet/unit)										R-A Subdistricts			
	O-L	R-E	R-EL	R-1	R-2	R-3	R-4	R-CL	PUD		R-2	R-3	R-4	DC
Single-family dwelling								600	600					
Two-family dwelling					600				600	600			200	
Townhouse cluster					400	400	400		400	400	400	200		
Three-family, four-family, and multiple-family dwellings					400	400	400		400	400	300	200		
Vertical mixed-use with residential dwelling units									200					200
Other permitted uses														

- b. **Multifamily Development.** Multifamily development shall provide open space as required in Table 17.24.020-2. A minimum of seventy-five (75) percent of the open space shall be usable for recreation. Landscaping outside of perimeter walls is excluded from open space calculations.
- Recreation space and facilities shall be sufficient for the development's population and shall be tailored to their intended clientele.
 - Each dwelling unit shall be not more than three hundred (300) feet from the nearest useable open space measured in a straight line from the front door.
 - No more than fifty (50) percent of the total open space requirement may be counted within structures and no more than fifty (50) percent may be provided on rooftops.
 - Driveways, parking areas, ornamental landscaped areas (having a width of less than twenty (20) feet), and required side or front yards shall not be considered open space, except in the case of interior townhouse units where the unit is less than twenty (20) feet in width, in which case the minimum width of the common open space area shall be the width of the lot.
- c. **Mixed-Use Development.** Mixed-use development shall provide open space as follows:

TABLE 17.24.020-3: MIXED-USE MINIMUM OPEN SPACE REQUIREMENTS

Type of Open Space	Density		
	Up to 25 units/acre	26-50 units/acre	51 or more units/acre
Private Common Open Space [1]	300 sf/unit	250 sf/unit	200 sf/unit
Private Open Space [2]	40 sf/unit	40 sf/unit	Encouraged but not required
Neighborhood Node [3]	1 node/100 units [4] Minimum 1 node	1 node/120 units [4] Minimum 1 node	1 node/150 units [4] Minimum 2 nodes

[1] At least 50 percent of the required open space shall be designed for the primary use of residents living within the residential component of the mixed-use development. Health clubs, libraries, swimming pools, multi-purpose rooms, or similar uses that are reserved for the exclusive use of residents may be counted toward this requirement.

[2] Areas designed for personal use and directly accessible from individual dwelling units (e.g., enclosed patios, balconies) must have a minimum dimension of five feet.

[3] Minimum area of 10,000 square feet and a minimum dimension of 100 feet used for parks, plazas, desert gardens, or similar types of community gathering space. Additional nodes may be combined with the first node or designed as separate "satellite" nodes.

[4] Units or any portion thereof.

- d. **Commercial Development.** Commercial developments of five acres in size or greater shall provide a minimum of 50 square feet of plaza space for each one acre of land. Such plaza spaces shall be in addition to any such spaces provided by individual tenants with a minimum area of 250 square feet or businesses for the use of their customers.



Fig. 17.24.020-A: Plaza space

- e. **Industrial Development.** Industrial developments are encouraged to provide open spaces and plazas as part of their overall development plans.
- 3. **Standards.**
 - a. **Minimum Dimensions.**
 - i. In all residential and mixed-use developments, private common open space having a minimum area of four hundred (400) square feet and a minimum width of twenty (20) feet, may be counted towards private common open space requirements.
 - ii. In all commercial and industrial developments, every individual pedestrian open space or plaza shall have a minimum area of two hundred fifty (250) square feet.
 - iii. If a vegetated roof is open to residents and amenitized, it may be counted toward the private common open space requirements.
 - iv. In single family residential developments, perimeter landscaped areas containing amenities such as benches, dog stations, etc., may be counted towards private common open space requirements.
 - b. **Locational Criteria.**
 - i. **Natural and Scenic Areas in All Districts.** To the maximum extent feasible, where significant natural and scenic resource assets exist on a property, the developer or owner shall give priority to their preservation as private common open space. In reviewing the proposed location of private common open space areas, the Director shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected, with priority being given to the following areas (that are not listed in a particular order):
 - (A) Wetlands, natural drainage channels, washes, and arroyos;
 - (B) Native desert habitat and vegetation;
 - (C) Wildlife habitat and migration corridors;
 - (D) Tree or native plant retention areas;
 - (E) Trails that are open to the public;
 - (F) Areas that provide access to public lands;
 - (G) Hillsides and exposed slopes of fifteen (15) percent or greater;
 - (H) On-site stormwater detention facilities where the design accommodates recreational use by residents and has been approved by the Director; and

- (I) The City shall have the final authority to approve the type, configuration, and location of sites proposed for public dedication.
- ii. **Areas Not Appropriate for Private Common Open Space.** Lands within the following areas shall not be included in or counted towards required private common open space set-aside areas:
- (A) Land identified for or dedicated to the public park and open space requirement;
 - (B) Private open space less than twenty (20) feet wide; if the private open space is more than twenty (20) feet wide, the entire open space may be counted toward the required set-aside;
 - (C) Required landscape buffer areas - even if they contain sidewalks - and required parking lot landscaping;
 - (D) Public or private streets, or rights-of-way;
 - (E) Easements (paved or unpaved); unless the easement is at least twenty (20) feet wide and developed as an approved walkway or bike path as described in Section 17.24.050.H.1. or is landscaped in accordance with Section 17.24.060
 - (F) Sidewalks; open parking areas, and driveways for dwellings; and
 - (G) Land covered by structures not intended solely for recreational, interpretive, or scientific uses.
- iii. **Mixed-Use, Commercial, and Industrial Pedestrian Open Spaces and Plazas.** In addition to the preservation of natural and scenic areas, mixed-use and commercial development may provide private common open space through on-site pedestrian open space and plazas. The following standards shall apply to pedestrian open spaces in mixed-use and commercial development. They are encouraged in industrial development.

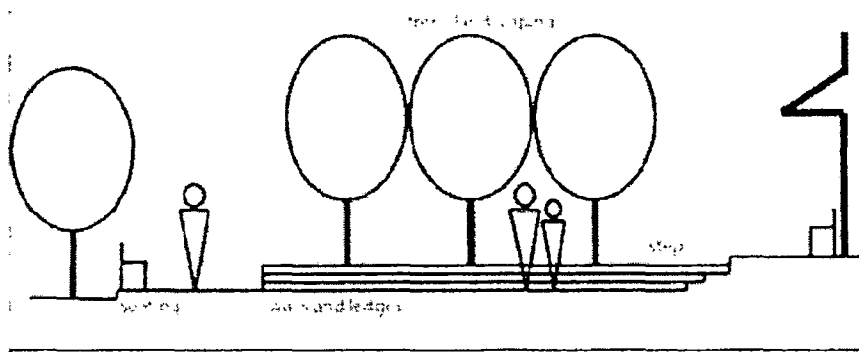


Fig. 17.24.020-B: Elements of public plaza design

- (A) Pedestrian open spaces and plazas shall be integral to the overall design of the proposed development and shall be located in such a manner to be convenient and readily accessible.
- (B) Site amenities, including but not limited to benches, pergolas, landscaped arbors, artwork and water features shall be incorporated into the design of each pedestrian open space/plaza. See Fig. 17.24.020-B.
- (C) Any pedestrian open space/plaza that abuts a blank wall shall include a minimum three-foot wide landscaped area next to the wall to soften and screen the wall and increase pedestrian comfort and interest. Landscaping for the above purpose shall reach a minimum height at maturity of five feet. Landscaping plans shall take into consideration site-specific geotechnical recommendations that may require additional protection to prevent infiltration of water into unsuitable soils. If landscaping is determined to be impractical because of soils conditions, one or more of the following options may be used so long as a minimum planter depth of three feet is maintained:

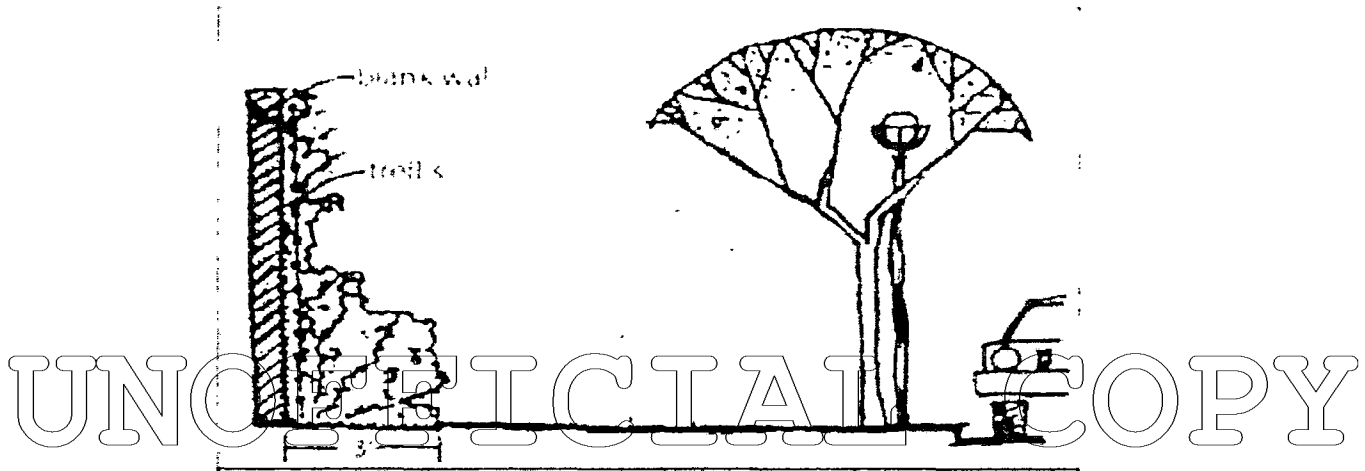


Fig. 17.24.020-C: Screening blank walls in pedestrian plazas

- (1) Landscaping may be relocated throughout the pedestrian plaza so long as the overall amount of required landscaping is not reduced.
 - (2) Above-ground planters may be utilized so long as they are designed and constructed in such a manner to prevent drainage onto any sidewalk. The height of the planter shall not exceed two feet six inches. The height of the planter may be included in measuring the minimum height of the required landscaping.
 - (3) Other methods as approved by the City (i.e., cutoff walls, moisture barriers etc.).
- c. Use of Natural and Scenic Common Open Space Areas.** Natural and scenic private common open space areas shall not be disturbed, developed, or improved with any structures or buildings, except for the limited purposes allowed below:
- i. Facilities for active recreation (equipment for such uses shall be indicated on the site and/or subdivision landscape/amenity plan provided by the developer);
 - ii. Common open space areas may include passive recreational and educational purposes approved by the City, including but not limited to walking, biking, picnicking, fishing, preservation of natural areas and scenic resources, parks, environmental education, and wildlife habitat protection; and
 - iii. Clearing of underbrush and debris, and the provision of walks, trails, fences, restrooms and similar features are allowed.
- d. Private Common Open Space for Infill Projects.**
- i. Where an infill site is configured or sized so as to not permit the provision of private common open space to meet the standards of this section, the City may allow the substitution of developed sidewalk areas/streetscape for other types of private common open space, including:
 - (A) Public plazas or fountains;
 - (B) Tree wells and urban landscaping such as shrubs, live groundcover, planters, and hardscape (e.g., decorative fencing, arbors, patterned paving);
 - (C) Street furnishings, including but not limited to waste receptacles, bicycle racks, drinking fountains, or shelters for persons utilizing public transit.
 - ii. New developments are exempt from the open space requirements of this section if:
 - (A) They contain fewer than five thousand (5,000) square feet of gross floor area; or
 - (B) They lie within five hundred (500) feet of an improved public park, plaza, or other open space and are connected by a continuous sidewalk meeting the Americans with Disabilities Act.
- 4. Ownership.** All private common open space areas shall be owned jointly or in common by the owners of the development or held in other ownership forms approved by the city attorney.
- 5. No Fee-In-Lieu.** The payment of fees-in-lieu of the set-aside of land for private common open space uses is prohibited.

6. Private Open Space Maintenance.

- a. The owner of the private open space land shall be responsible for maintenance.
- b. For the purposes of this subsection, "maintenance" includes control of noxious weeds, reseeding as needed to prevent erosion, restriction of use as necessary to allow revegetation, irrigation when appropriate, and the establishment and enforcement of reasonable rules for the protection of the open space.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2706, §§ 12, 13, 2-18-2015)

17.24.030 - Natural resources.**A. Stormwater Control and Drainage Features.**

1. When geotechnical conditions are favorable, and particularly in the case of parks, common areas, and existing washes, on-site detention of stormwater may be required as a means of reducing stormwater runoff. Areas such as common areas and existing washes should be explored for this type of use. When detention basins are utilized, they must be integrated into the overall landscaping and site development plan of the proposed project.

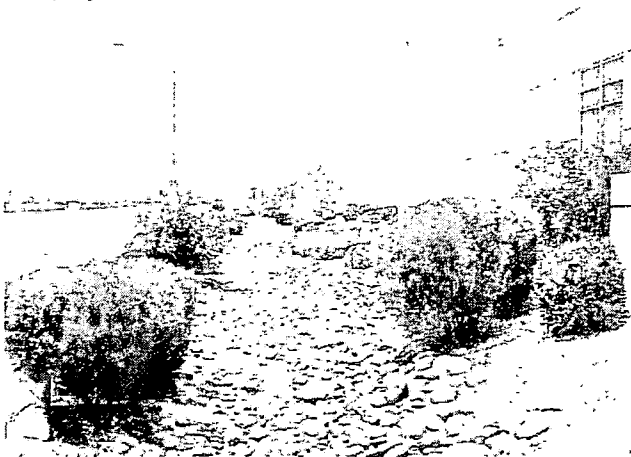


Fig. 17.24.030-A: Drainage swale enhanced with natural materials and landscaping.

2. Natural ponding areas should be retained as much as possible or, if necessary, enlarged or modified as directed by the Director of Public Works, subject to City subdivision requirements for stormwater runoff control.

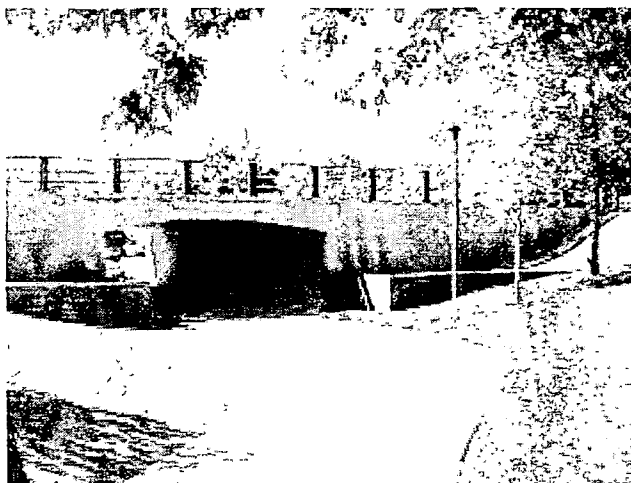


Fig. 17.24.030-B: Natural features such as washes integrated into development for use as open space.

- 3.

In order to provide a more natural appearance and to provide for the stabilization of natural channels when the City determines geotechnical conditions are favorable, drainage ways shall be lined with natural materials such as grass, soil, gravel or rock or other materials allowed by the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual as adopted by the City of North Las Vegas. The use of smooth or plain concrete for lining of drainageways is discouraged and is permitted only as part of a flood control or stormwater management plan approved jointly by the Department of Public Works and the Planning and Zoning Department.

4. Where feasible, and when geotechnical conditions are favorable as determined by the City, natural features such as washes shall be retained in their natural state and integrated into the design of the site to the maximum extent possible. The area around the channel or wash that is to be retained in its natural state, improved as a non-concrete channel, or improved with a combination of natural materials and stamped concrete, may be counted toward the requirements for open space within the subdivision or planned unit development upon the review and approval of the City. Development shall be setback a minimum of thirty (30) feet from any major wash designed by the City for protection in a natural state.
5. Flood control structures such as weirs, drop structures, etc., if utilized as part of the drainage way design, shall be faced with large natural rocks of an appropriate size to be approved by the Planning and Zoning Department and the department of public works.
6. The area of any existing channel, pond, or wash that is retained in its natural state, improved as a nonconcrete channel, or improved with a combination of natural materials and other materials such as patterned concrete, may be counted toward the requirements for open space within the proposed development upon the review and approval of the City.
7. Applicants are strongly encouraged to incorporate bicycle and pedestrian paths, and landscaping, along drainage channels and washes as described in Section 17.24.050, Mobility and Circulation.

B. Steep Slope Development.

1. **Purpose and Intent.** Development occurring on hillsides and steep slopes can result in adverse effects by destruction of natural scenic beauty and unsightly developments, increased soil erosion, fire, and flood hazards, property damage from extensive soils slippage and subsidence, or traffic circulation problems. These standards are intended to regulate all types of development in certain hillside areas as a means of preventing such adverse effects.
2. **Applicability.** Except where exempted below, the standards in this section shall apply to development when any portion of the lot contains naturally-occurring slopes of twenty (20) percent or greater, and in the opinion of the Director of Public Works, needs protection (based on the intent of this section).
3. **Exemptions.** The standards in this subsection shall not apply to the following:
 - a. **Man-Made Slopes.** Pre-existing or post-development man-made slopes less than twenty (20) percent.
 - b. **Sites with Limited Benefit.** If, in the opinion of the Director of Public Works, the area of a lot comprised of slopes twenty (20) percent or greater is so small that there is no meaningful benefit from the application of this subsection, the Director may waive the applicability of this section. If an applicant disagrees with the Director's decision, the applicant may appeal the decision to the Planning Commission.
4. **Standards.** Development on lots subject to these standards shall comply with the following standards:
 - a. **Lots with Slopes of Thirty (30) Percent or Greater.**
 - i. Development on natural slopes of thirty (30) percent or greater is prohibited.
 - ii. Slope areas of thirty (30) percent or greater may be credited towards private common open space set-aside requirements in Section 17.24.020.C if approved by the City.
 - b. **Minimum Lot Size.** Lots subject to the standards of this section containing natural slopes of twenty (20) percent or greater shall be a minimum of one acre, shall maintain a minimum street frontage of one hundred fifty (150) linear feet, and a minimum side yard setback equivalent to at least twenty-five (25) percent of the lot's street frontage, regardless of the standards in the applicable base or overlay district. For lots on a cul-de-sac or curvilinear street, the street frontage shall be measured at the edge of the front setback. Lots shall not be mass graded to avoid this section. See Figure 17.24.030-C.

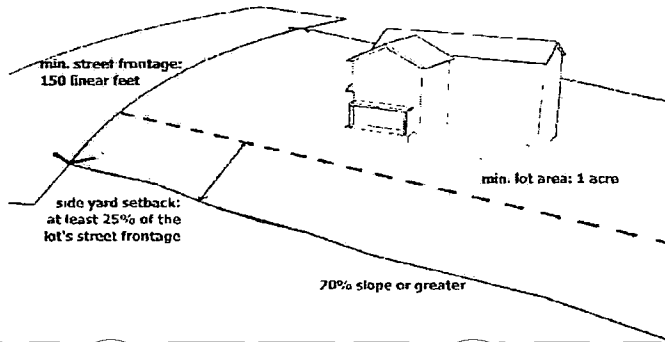
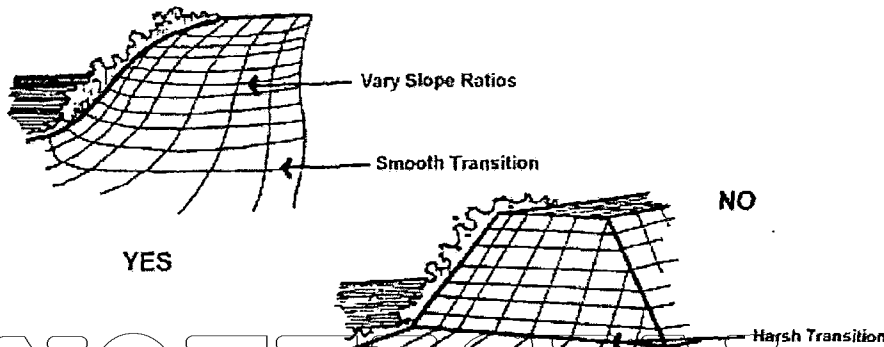


Fig. 17.24.030-C: Minimum lot size with slope

- c. Critical Lot Plan Required.** Prior to this issuance of a building permit, a Critical Lot Plan showing slope stabilization on steep slopes over twenty (20) percent shall be submitted to the City.
- d. Cut and Fill.**
- Cut and fill shall be minimized by following existing contours.
 - In cases where fill is used in areas with natural slopes ranging from fourteen (14) percent to nineteen and ninety-nine hundredths (19.99) percent, a geotechnical report shall be required prior to issuance of a building permit to ensure that proper fill and grading techniques were used.
- e. Retaining Walls.** Retaining walls on lots subject to the standards of this subsection shall be provided in accordance with the standards in Section 17.24.070, Fences, Walls, and Screening.
- f. Maximum Slopes for Streets and Driveways.** Streets shall not exceed the maximum permitted grades for streets in the subdivision regulations. The maximum slope permitted on a driveway shall be fourteen (14) percent and shall have landings at the top and bottom to prevent vehicles from scraping pavement. The maximum permitted grades for streets shall be in accordance with the "A Policy on Geometric Design of Highways and Streets" and "Uniform Standard Drawings for Public Works' Construction, Offsite Improvements, Clark County Area, Nevada." However, streets may be permitted to cross a slope of thirty (30) percent or less for a short distance as determined by the City.
- C. Site Grading.** On sites that contain slopes between five and fifteen (15) percent, the development of the site should reflect, rather than obscure, the natural topography of the site through the use of various techniques such as smooth transition of grades at the property lines, blending of cut and fill slopes, and terracing.
- Where sloping is to be used for topographic transitions at the property edges, slopes should not exceed three to one and shall be landscaped with approved materials in accordance with Section 17.24.060, Landscaping, to achieve a minimum ground coverage of sixty (60) percent (not including trees). The sixty (60) percent coverage shall be reached within two years of the time a final building inspection is approved.
 - Cut and fill slopes shall be rounded where they meet natural grade so that they blend with the natural slope. See Fig. 17.24.030-D.



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Fig. 17.24.030-D: Rounding cuts and fills where they meet natural grade to blend with the natural topography.

3. All slopes shall be designed and constructed in accordance with applicable North Las Vegas ordinances and the approved site-specific geotechnical investigation report.

D. Vegetation Preservation. Preservation of existing trees and vegetation sequesters greenhouse gases such as carbon dioxide and provides more shade than establishing new trees. The following vegetation protection standards shall apply to all multifamily, mixed-use, commercial, and industrial developments greater than one acre and all single and two-family residential projects of more than five dwelling units.

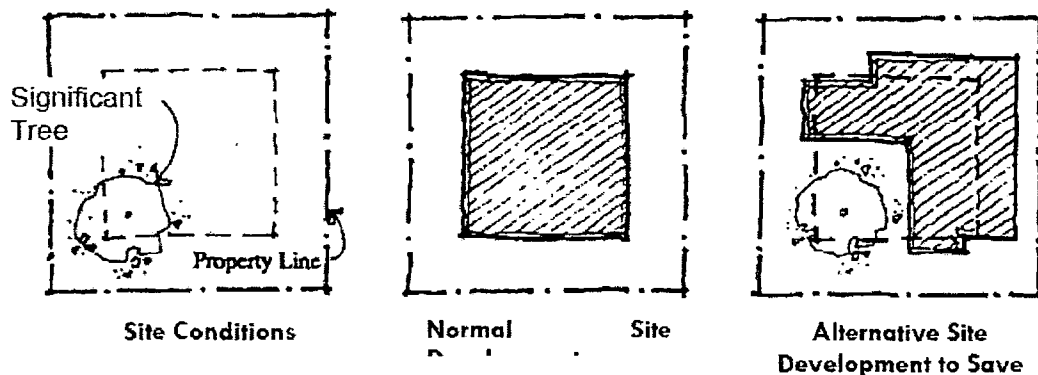


Fig. 17.24.030-E: One illustration of how sensitive site design can help to preserve natural features.

1. **Significant Trees.** All development shall comply with the following standards during the site preparation, construction, and landscaping processes.
 - i. Significant trees, as defined by this section, shall be identified on site plans with dimensions and preserved to the maximum extent feasible.
 - ii. A "significant tree" is a tree that has reached seventy-five (75) percent or greater of the mature dimensions of a typical specimen of the species. (For example, a typical mature honey mesquite measures twenty (20) feet tall and has a twelve-inch caliper. A "significant" honey mesquite tree would therefore be a tree measuring fifteen (15) feet or taller in height with a caliper of eight inches or more.) The City shall prepare and maintain a list of the mature dimensions of all typical local protected species. Where the City determines that tree of such dimensions is diseased or dying, or is a noxious invasive species, it shall not be considered significant.
 - iii. A preserved significant tree, except for palm trees, shall be counted toward landscape requirements at a ratio of two inches of caliper credit per every one inch of caliper of the preserved tree. For example, a preserved significant tree with a fifteen-inch caliper will receive thirty (30) inches of caliper in credit.
 - iv.

All necessary measures, including but not limited to dripline fencing, shall be taken during construction to avoid damage to above and below-ground portions of a significant tree or compaction of soils above the root system.

- v. Significant trees shall not be altered in a way that would harm them, such as through topping or cutting or any other practice that does not conform with the International Society of Arboriculture standards.
- vi. It is the responsibility of the property owner to preserve and maintain any significant tree. Where a significant tree is not preserved or not maintained, it shall be replaced at a ratio of two replacement trees for every one inch in caliper of the significant tree either on the subject property or off-site as permitted by the City.

2. Non-significant Trees.

- a. Preservation of non-significant trees of a protected species with dimensions equal to or greater than the minimum dimensions required for new landscaping trees is encouraged.
- b. Every such preserved non-significant tree of a protected species may be counted toward landscaping minimums at a ratio of one tree credit per one and one-half inches of diameter of preserved non-significant tree. Preserved non-significant trees smaller than three inches in diameter shall be awarded one tree credit.

- 3. **Native Vegetation.** Native vegetation within twenty-five (25) feet of the defined bank of a wash shall be preserved unless the City approves an alternative naturalized landscaping/drainage plan. that preserves significant desirable native vegetation.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.040 - Parking and loading.

- A. **Purpose.** The purpose of this section is to regulate the amount and location of vehicle parking and maneuvering areas in order to promote a more efficient use of land, enhance urban form, encourage the use of alternative modes of transportation, provide for better pedestrian movement, and protect air and water quality. The provisions of this section are intended to:

- 1. Prevent and alleviate the congestion of public streets;
- 2. Encourage the incorporation of alternative modes of transportation by emphasizing pedestrian circulation and establishing requirements for bicycle parking;
- 3. Promote greater safety of passage between highway and land;
- 4. Minimize the detrimental effects of vehicular use areas on adjacent properties;
- 5. Encourage the reduction of impervious surfaces through effective design and the use of shared parking where practical to reduce the heat island effect;
- 6. Promote the health, safety, and public welfare by establishing minimum requirements for off-street parking and loading areas; and
- 7. Limit parking to encourage more compact, walkable developments.

- B. **Applicability.**

- 1. **New Development.**

- a. The requirements of this section shall apply to all new development where there is the construction of a new structure (excluding accessory structures), establishment of a new land use, or an enlargement of an existing structure.
- b. Existing parking, loading, and stacking spaces may not be reduced below the minimum requirements established within this section.

- 2. **Expansions and Enlargements.**

- a. The parking and loading requirements of this section shall apply when an existing structure is expanded or enlarged. In the case of such expansions and enlargements, additional off-street parking and loading spaces are required to serve only the enlarged or expanded area.
- b.

The expansion or enlargement of existing structures in the R-A district shall be exempt from the above requirement if the total expansion is less than five thousand (5,000) square feet or does not expand the square footage of the structure more than twenty-five (25) percent, whichever is less.

3. **Change of Use.** The parking and loading requirements of this section shall be provided for any change of use that would result in a requirement for more parking and loading spaces than the existing use unless otherwise provided for in Section 17.24.040.I, Reduction in the Number of Required Parking Spaces.
4. **Parking for Nonconforming Uses.** Parking requirements related to nonconforming uses shall be subject to the provisions of Section 17.20.050.C, General Standards.
5. **Infill Development.**

- a. Commercial development within the R-A district boundaries or within a PID may reduce the amount of parking required in Table 17.24.040-4, Minimum Off-Street Parking Standards, by twenty-five (25) percent subject to Section 17.24.040 (J), Alternative Parking Options. Additional reductions may be requested through Section 17.12.070.L, Waivers.
- b. For residential development within the R-A district, the minimum off-street parking requirements of Table 17.24.040-4, Minimum Off-Street Parking Standards, may be reduced by twenty-five (25) percent.
- c. Where there is on-street parking immediately in front of any lot or parcel in the R-A district, the minimum off-street parking requirement of this section shall be reduced by one space for each on-street parking space located entirely or partially between two lines formed by the extension (without turning) of the side lot lines of the lot or parcel into the street right-of-way.

C. General Standards for Off-Street Parking, Stacking, and Loading Areas.

1. **Location.** Except as otherwise expressly provided in this Code, required off-street parking, loading, and vehicle stacking spaces shall be located on the same lot as the principal use.
2. **Parking Accessory to a Residential Use.**
 - a. Residential garages shall be utilized primarily for the parking of automobiles, recreational vehicles, and no more than one commercial use vehicle.
 - b. In the absence of a garage, the commercial use vehicle shall be parked in an adequately sized, paved, off-street parking space that meets the requirements of this Code.
 - c. Not more than one-half of the front yard area shall be used for parking or surfaced with hardscape. The front yard area is the entire area from the front of the house to the front property line.
3. **Setbacks.**
 - a. **Generally.** Parking lots, parking spaces, vehicle stacking spaces, and loading spaces shall be subject to the setbacks established in Section 17.24.010, Site Dimensional Standards, or this subsection, unless otherwise expressly stated in this Code.
 - b. **Parking of Motor Homes or Recreational Vehicles in Residential Setbacks.**
 - i. A motor home or recreational vehicle shall be parked on a paved surface.
 - ii. Motor homes or recreational vehicles shall only be parked in the rear yard or in the side yard, adjacent to the garage. See Figure 17.24.040-A.

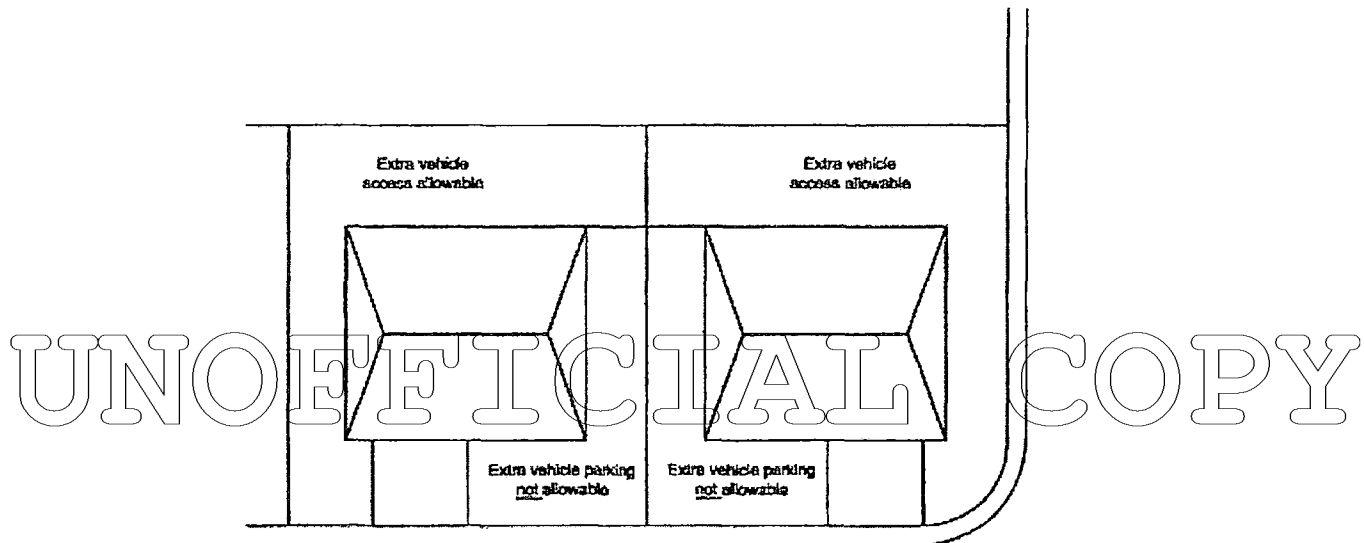


Fig. 17.24.040-A: Allowable locations for the parking of motor homes or recreational vehicles.

4. **Use of Required Parking Areas for Parking Only.** Required accessory off-street parking spaces in any district shall not be utilized for open storage, sale, or rental of goods, or storage of inoperable vehicles, unless otherwise permitted in the Municipal Code.
5. **Property Access Standards.**
 - a. **Shared Driveways.**
 - i. The City encourages the use of shared driveways between separate parcels. Some of the following standards may be relaxed if the applicant demonstrates that a more efficient design can be accomplished without jeopardizing the public's health, safety, and welfare, as part of the site plan review process.
 - ii. All driveways shall be approved by the Director of Public Works for width and location. Developments which may not be able to meet the requirements of subsections (b) through (e) of this section, and are requesting deviations from the standards, shall submit to the Director of Public Works a report certified by a professional engineer addressing the following site conditions, both present and future prior to submittal to Planning Commission:
 - (A) Traffic volumes,
 - (B) Turning movements,
 - (C) Traffic controls,
 - (D) Site design,
 - (E) Site distances,
 - (F) Location and alignment of other access points, and
 - (G) Site distribution.
 - iii. Based upon the above data, the Director of Public Works shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.

b. Driveway Access Required.

- i. All nonresidential off-street parking spaces shall have access from a driveway and not directly from a public street.
- ii. Nonresidential driveways shall have a minimum width as specified by Clark County Standard Drawings as adopted by City of North Las Vegas unless otherwise approved by the Director of Public Works.
- iii. Residential driveways shall have a minimum width of ten feet.

c. Driveway Distances from Intersection. All driveways shall be set back from intersections as established in the Clark County Area Uniform Standard Drawings for Public Works Construction, unless otherwise approved by the Director of Public Works.**d. Driveway Spacing.**

- i. Driveways shall be separated from other driveways as established in Table 17.24.040-1, Driveway Spacing, and as measured from the inside curb or pavement edge of the driveway.

TABLE 17.24.040-1: DRIVEWAY SPACING

	60' ROW Collector Streets		80'- 90' ROW Minor Arterial Streets		90'+ ROW Major Arterial Streets	
	Residential Districts [1]	Business Districts [1]	Residential Districts [1]	Business Districts [1]	Residential Districts [1]	Business Districts [1]
Minimum Spacing - Partial Access [2]	60 feet	80 feet	80 feet	150 feet	100 feet	150 feet
Minimum Spacing - Full Access [3]	200 feet	200 feet	200 feet	200 feet	200 feet [4]	200 feet [4]

NOTES:

[1] For the purposes of this table, residential districts shall include the O-L, R-E, R-EL, R-1, R-2, R-3, R-4, R-A/R-2, R-A/ R-3, R-A/R-4, and R-CL Districts. Business districts shall include all other zoning districts not included as a residential district.

[2] Partial access includes right turn in and out only.

[3] Full access allows all turn movements, in and out.

[4] Only at median openings; Median openings only allowed at 660 foot intervals on major arterials.

- ii. Driveways associated with single-family dwelling, two-family dwellings, and townhouse clusters shall be exempt from requirements of this subsection.
- iii. The driveway separation distances established in Table 17.24.040-2, Driveway Spacing, may be reduced only if approved by the Director of Public Works as part of an approved site plan.

e. Number of Driveways.

- i.

Single-family residences on a right-of-way width of forty-eight (48) feet or less (which may include sidewalks) and a split garage condition, may have two driveway access points along the street face, with the following driveway widths:

- (A) Such driveways shall be limited in width to a maximum of ten feet each on lots with a minimum width of fifty (50) feet.
- (B) Such driveways shall be limited in width to a maximum of one twenty-foot and one ten-foot wide driveway on lots with a minimum width of sixty (60) feet.
- ii. All other single-family uses shall be limited to one driveway per street face, except on properties abutting arterial streets in which case circular driveways or driveways facilitating the turning of automobiles on-site, shall be required.
- iii. Any driveway located between the home and curb-cut apron shall be attached to a functional garage and shall be removed upon full conversion of the garage into living area.

6. Garages and Carports.

a. Garage Required for Single-Family Dwellings.

- i. Except as provided in subsection (iii) below, the off-street parking spaces required for a single-family dwelling shall be furnished within an enclosed garage located on the same parcel as the dwelling.
- ii. Garages shall comply with Section 17.24.090.F.1.c and may be configured as a standard garage, split garage, or offset garage under the following provisions:
 - (A) A standard two-car garage configuration shall have a minimum unobstructed open space with dimensions of twenty (20) feet by twenty (20) feet, except for two-foot protrusions into this space by utility systems and storage units.
 - (B) Split garages or offset garages shall have a minimum unobstructed open space with dimensions of ten feet by twenty (20) feet provided at least two such spaces are provided per residence and the total garage square footage is a minimum of four hundred (400) square feet. Such spaces shall be unobstructed except for two-foot protrusions into this space by utility systems.
- iii. Exemptions to these requirements shall apply in the following instances:
 - (A) Except for model homes, a dwelling for which a building permit was acquired prior to February 4, 1998, shall be exempt; provided, however, that a garage existing prior to this date shall not be converted for other use unless the provisions of this subsection (i) above will have been met. A garage established with a model home, whose space is used for sales and display purposes, shall revert to use as a garage when the model home is sold for habitation.
 - (B) A single-family home and an attached garage of no less than eighteen (18) feet by eighteen (18) feet of unobstructed space, except for two-foot protrusions into this space by utility systems and storage units, that are patterned after model homes, the plans of which were submitted for building plan check prior to March 20, 1998, shall be exempt, provided, however, the homes are to be located within a subdivision the tentative map of which was approved by or pending approval on February 4, 1998.
 - (C) Mobile/manufactured homes that are located on a lot within an approved mobile home park shall be exempt from the requirements of this subsection (i) above.
 - (D) Infill sites south of Craig Road may also be exempt from the garage requirement provided three other single family homes within a 300-foot radius of the subject site were not originally constructed with carports or garages. However, such infill sites are required to provide off-street parking with minimum dimensions of eighteen (18) feet in width by twenty (20) feet in length for two vehicles.

b. Carport Dimensions. Where carports are required to cover parking spaces, the following requirements shall be met:

- i. The carport must cover a space that measures at least nine feet by nineteen (19) feet, measured from the inside face of the support structure to the opposite support structure.
- ii. The carport roof shall cover the entire nineteen-foot length of the spaces.

- iii. The carport structure shall not extend into a right-of-way or over a fire lane.
 - c. **Other Uses.** Except as otherwise required, off-street parking provided for other uses need not be furnished within an enclosed garage or other structure.
7. **Internal Sidewalks and Pedestrian Access.**
- a. Where a sidewalk exists in a public right-of-way adjacent to the site, or is required to be constructed as part of the development approval through any adjacent parking lot, a pedestrian connection shall be constructed from the building to the sidewalk. See Figure 17.24.040-B.

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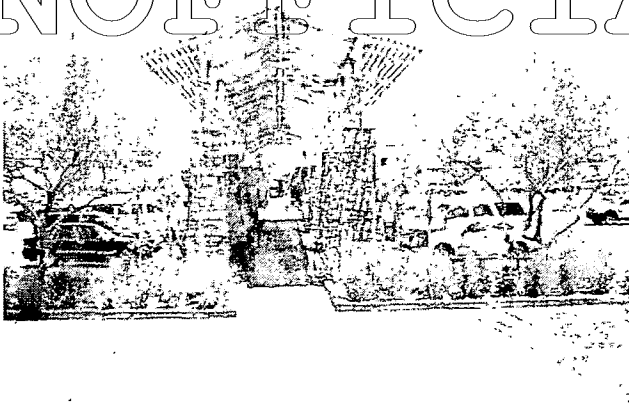


Fig.17.24.040-B: Sidewalk through a parking lot with required landscaping.

- b. The pedestrian connection shall have a minimum width of five feet.
- c. All pedestrian walkways located within a site (internal pedestrian circulation) shall be physically separated from the drive lanes and driveways. Additionally all sidewalks and crosswalks shall be constructed of an impervious surface and shall be visually distinct from the driving surface by use of pavers, concrete, bricks, speed tables or colored or stamped concrete. See Figure 17.23.040-C.



Fig. 17.24.040-C: Change in paving materials to distinguish pedestrian walkway

- d. Sidewalks, at least eight feet in width, shall be provided along any façade featuring a customer entrance, and along any façade abutting public parking areas. At all times, such sidewalks shall maintain a clear pedestrian passage equal to the width of the sidewalk. Additionally, such sidewalks shall connect all customer entrances and to other internal sidewalks.

- e. Where a pedestrian walkway directly abuts a driveway or street, the walkway shall be raised a minimum of six inches above the street or driveway and curbed along the edge of the driveway or street. Alternatively, a walkway abutting a driveway at the same grade may be permitted if the walkway is protected from vehicles by a row of decorative metal, concrete bollards, or other suitable barrier with adequate minimum spacing to protect pedestrians.
- f. Sidewalks that abut ninety-degree parking spaces must be a minimum of eight feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when vehicle wheel stops are installed. Such walks shall be located at least three feet from the façade of the building to provide planting beds for foundation landscaping.

D. Parking Location, Layout, and Design.

1. **Parking Space and Drive Aisle Dimensions.** Table 17.24.040-3, Dimensional Standards for Parking Spaces and Aisles, establishes the minimum parking spaces standards based on the angle of parking and/or parking space type.

TABLE 17.24.040-3: DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES

Parking Angle/Type	Stall Width (Feet) [1]	Stall Depth (Feet) [2]	Minimum and Maximum Aisle Width (Feet)
Regular Space—Parallel	9	20	24 for two way traffic [3]
Regular Space—45 degrees	9	18	15 feet [3] [4]
Regular Space—60 degrees	9	18	20 feet [3]
Regular Space—90 degrees	9	18	24 for two way traffic [3]
Compact Parking Spaces [5]	8	16	Based on angle of parking (See above.)
Handicapped Parking Spaces	<u>13</u>	18	24 for two way traffic [3]

NOTES:

[1] As measured by a line perpendicular to the stall line at a point on the outside end of the stall, except when the stall is on the inside edge of a curve, in which case the point of measurement shall be on the inside end of the stall.

[2] As measured from required curb on the inside edge of the stall.

[3] Where one-way traffic is proposed, the aisle width may be reduced to twelve (12) feet.

[4] Except where needed as a fire lane in which case a twenty-foot minimum is required.

[5] No more than fifteen (15) percent of the provided number of parking spaces may be sized as compact parking spaces.

2. **Circulation Between Bays.** Except in the case of dwellings with one to four dwelling units or townhouse clusters, parking areas shall be designed so that circulation between parking bays occurs within the designated parking lot and does not depend upon a public street or alley.
3. **Surfacing.**
 - a. All areas intended to be utilized for parking spaces and driveways shall be paved with concrete, asphaltic concrete, or other permitted materials (See Section 17.24.040 K.10.) to control dust and drainage. All proposed parking areas and driveway improvements shall require a grading and drainage plan approved in accordance with provisions adopted by the City.
 - b. The loading area, aisles, and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained so as to dispose of surface water without damage to private or public properties, streets or alleys.
 - c. Tracked vehicles may be parked or stored on a gravel or aggregate parking surface on lots in the M-2 district. Such parking surface shall only be used for the parking and storage of such tracked vehicles and may not be used for a driveway, parking, or storage space for other vehicle types.
4. **Section Design.** Parking lot section design shall be determined by a soils report conducted by a registered professional engineer. The soils report shall be based on a soil analysis such as R values or CBR values determined by soil testing. The report shall be submitted to the building and safety division for their approval. Under no circumstances shall a parking lot section fail to meet the minimum standards as adopted by the City.
5. **Striping.** Except for single-family dwellings, all parking stalls shall be marked with painted lines that have a minimum width of four inches.
6. **Lighting.** All lighting within a parking area shall be subject to the provisions of Section 17.24.080, Exterior Lighting.
7. **Signs.** All signs shall comply with Section 17.24.0150 Signs, and the site distance requirements of Section 17.24.070.A.3., Sight Visibility Zone.
8. **Protruding Vehicles.** All on-site parking spaces that abut property lines or sidewalks shall be designed and constructed such that parked vehicles shall not protrude over property lines or into pedestrian walkways.

E. Off-Street Parking Standards.

1. **Purpose.** Off-street parking and loading spaces for each use shall be provided in accordance with the standards established in this section in order to:
 - a. Relieve traffic congestion in the streets,
 - b. Minimize any detrimental effects of off-street parking areas on adjacent lands,
 - c. Ensure the proper and uniform development of parking areas throughout the City
 - d. Prevent the establishment of excessive amounts of off-street surface parking, and
 - e. Encourage appropriate infill and reinvestment within established areas.
2. **Computation of Required Off-Street Parking Spaces.**
 - a. **Fractions.** When measurements of the number of required parking spaces result in fractions, the space standard shall be rounded upward to the next highest whole number.
 - b. **Different Use Areas.** Except as provided for in this section, parking shall be calculated separately for each different use area in a building or on a site, including all accessory uses.
 - c. **Combinations of Uses.** If the City determines that a proposed use represents a combination of uses listed in Table 17.24.040-4, Minimum Off-Street Parking Standards, the minimum and maximum parking space standards shall be those that would apply if the two (or more) uses were developed separately, unless the Director determines that a lower standard would be adequate because of differences in peak operating hours.
 - d. **On-Street Parking.** Except as permitted elsewhere in this code, on-street parking, shall not be used to satisfy the off-street parking standards of this subsection.
 - e. **Parking Based on Seating.** When the standards use seating as a unit of measurement, all calculations shall be based on the occupant load of the areas used for seating.

- f. **Parking Based on Floor Area.** Except as provided for in this section, when the standards use amount of square footage in buildings as a unit of measurement, all calculations shall be based on gross floor area minus ten percent except as may hereinafter be modified.
- g. **Parking Based on Occupants.** Except as provided for in this section, when the standards use the number of occupants as a unit of measurement, all calculations shall be based on the maximum fire-rated capacity.
- h. **Determination by Director.**
- Parking standards for uses not specifically listed in Table 17.24.040-4, Minimum Off-Street Parking Standards, shall be determined by the City based on the standards for the closest comparable use or by reference to the most recent version of standard parking resources published by the National Parking Association, the American Planning Association, and the Institute of Transportation Engineers.
 - The City may alternately require the submittal of a parking demand study that justifies estimates of parking demand based on the recommendations of the Institute of Traffic Engineers (ITE), and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

3. **Off-Street Parking Spaces Required.**

- a. **Minimum Number of Spaces Required.** Unless otherwise expressly stated in this section, off-street parking spaces shall be provided in accordance with Table 17.24.040-4, Minimum Off-Street Parking Standards:

TABLE 17.24.040-4: MINIMUM OFF-STREET PARKING STANDARDS

Use Category	Use Type	Off-Street Parking Spaces Required
Group Living	All use types listed in Table 17.20-1	1.0 per bed and 1.0 per 100 sq. ft. GFA of assembly area
Household Living	Dwelling, Three-Family, Four-Family, and Multiple-Family	<ul style="list-style-type: none"> • 1.5 per 1-bedroom unit • 2.0 per 2-bedroom unit • 2.5 per 3 or more bedroom unit All multiple-family dwellings shall also include 0.25 per unit for guest parking.
	Dwelling, Single-Family	2.0 per unit
	Dwelling, Two-Family, or Townhouse Cluster Unit	2.0 per unit
	Mobile Home	2.0 per unit
Institutions	Cemetery	1.0 per 50 sq. ft. of chapel area
	College or University	6.0 per each classroom and 1 per 300 sq. ft. GFA of administrative office space
	Community Center or Meeting Hall	1.0 per 250 sq. ft. GFA

	Group Care Facility	Uses shall meet the applicable residential parking standard plus 1.0 per 2 resident beds
	Halfway House for Recovering Alcohol and Drug Abusers	Uses shall meet the applicable residential parking standard plus 1.0 per 2 resident beds
	Hospital/Medical Center	1.0 per bed
	Museum or Library	1.0 per 250 sq. ft. GFA of floor area or 1.0 per 4 seats based upon the design capacity, whichever is greater
	Religious Institution	1.0 per 4 seats based upon the design capacity of the main assembly hall.
	Residential Health Care Facility	1.0 per bedroom plus 1.0 per 5 residents
	School: Elementary or Secondary	1.5 per classroom, library, lecture hall, and cafeteria plus 1.0 per three fixed seats of public assembly areas. High schools shall have an additional 1.0 per five students at maximum capacity.
	School: Business, Technical, Trade, and Vocations	6.0 per each classroom and 1.0 per 300 sq. ft. GFA of administrative office space
	Transitional Housing	Uses shall meet the applicable residential parking standard plus 1.0 per 2 resident beds
Public and Civic Uses	All use types listed in Table 17.20-1	Office space: 1.0 per 300 sq. ft. GFA of space used by the public + 1.0 per 600 sq. ft. GFA of space not used by the public Services and Facilities: 5.0 per 1,000 sq. ft. GFA
Transportation	Airport	1.0 per 400 sq. ft. GFA passenger terminal area
	Bus terminal	1.0 per 200 sq. ft. GFA
	Freight terminal	1.0 per 2,000 sq. ft. GFA for indoor and outdoor storage areas plus 1 per 300 sq. ft. GFA interior office

	Heliport	1.0 per 400 sq. ft. GFA passenger terminal area
Adult Uses	Sexually Oriented Business	1.0 per 90 sq. ft. GFA with a minimum of 15 spaces. Adult bookstores and retail sales shall only be required to provide 1.0 per 200 square feet
Agriculture and Agricultural Support Services	Nursery Sales	1.0 per 500 sq. ft. of sales and/or display area
	Feed Store (Including Yard)	1.0 per 500 sq. ft. sales and/or display area
	Stable, Commercial	1.0 per 5 stalls
	Community Garden	1.0 per garden plot
Eating and Drinking Establishments	Delicatessen and Catering Establishment	1.0 per 100 sq. ft. GFA of indoor serving area plus 1.0 per 200 sq. ft. of outdoor serving area.
	Establishment Requiring an "Off-Sale" Liquor License	1.0 per 250 sq. ft.
	Establishment Requiring an "On-Sale" Liquor License	1.0 per 75 sq. ft.
	Restaurant	1.0 per 75 sq. ft. of indoor serving area plus 1.0 per 200 sq. ft. of outdoor serving area.
	Restaurant, Fast Food	4.0 + 1.0 per 50 sq. ft. of indoor serving area
	Private Club or Lodge	4.0 + 1.0 per 3 persons at maximum capacity
Indoor Recreation and Entertainment	Athletic Club (Indoor only)	1.0 per 300 sq. ft. GFA
	Bowling Alley	4.0 per each lane
	Dancing or Theatrical Studio	1.0 per 300 sq. ft. GFA
	Establishment Requiring a "Nonprofit Club on-sale Liquor License"	1.0 per 100 sq. ft. GFA
	Game Rooms or Pool Hall	1.0 per 100 sq. ft. GFA

	Recreation Center	1.0 per 300 sq. ft. GFA
	Skating Rink (Ice or Roller)	1.0 per 250 sq. ft. of skating surface plus 1.0 per 4 seats
	Theater, Movie	1.0 per 4 seats or 1 per 30 sq. ft. if no permanent seats
	Video Arcade	1.0 per playing table, or each 3 seats or each 3 machines, whichever is greater
	Offices	1.0 per 400 sq. ft. GFA
	Auto Title Loan Establishment	1.0 per 400 sq. ft. GFA
	Bank or Financial Institution	1.0 per 400 sq. ft. GFA
	Deferred Deposit Loan or Short Term Loan Establishment	1.0 per 400 sq. ft. GFA
	Medical, Dental, or Health Clinic	4.0 + 1.0 per 200 sq. ft.
	Professional Office	4.0 + 1.0 per 300 sq. ft.
Outdoor Recreation and Entertainment	Amusement Park or Water Park	See Section 17.24.040.E.3.c
	Athletic Clubs (Outdoors) - Minimum of 5 Acres	Athletic field: 1.0 per 6,000 sq. ft. of land; Court sports (tennis, volleyball, basketball, etc.) 3.0 per court; Swimming pool: 1.0 per 75 sq. ft. of water area
	Golf Course	1.0 per 200 sq. ft. main building GFA, plus 1.0 per every two practice tees in driving range, plus 4.0 per each green in the playing area
	Golf Driving Range or Miniature Golf Course	3.0 plus 1 per tee
	Recreational Use	See Athletic clubs (outdoors)
	Theater, Drive-In	6.0 + 1.0 per outdoor speaker facility
	Appliance Repair Facility	1.0 per 500 sq. ft. GFA
Retail Sales and Service	Bakery for On-Site Sales	1.0 per 250 sq. ft. GFA
	Big Box Use or Center (over 100,000 sq. ft.)	1.0 per 400 sq. ft. GFA
	Convenience Food Store	1.0 per 200 sq. ft. GFA

	Convenience Food Store with Gas Pumps	
	Exterior Storage of Goods and Materials	1.0 per 500 sq. ft. of sales and/or display area.
	Funeral Home and Mortuary	1.0 per 4 persons at maximum capacity
	Garden Supply Store	1.0 per 250 sq. ft. GFA
	Grocery Store, large (50,000 sq. ft. or more)	1.0 per 400 sq. ft. GFA
	Heavy Equipment Rental Facility	1.0 per 500 sq. ft. of sales and/or display area.
	Laundromat, Self-Service	1.0 per 250 sq. ft. GFA
	Laundry and Dry Cleaning Establishment	1.0 per 250 sq. ft. GFA
	Light Equipment Rental with Exterior Storage and Display	1.0 per 500 sq. ft. of sales and/or display area.
	Light Equipment Rental with No Exterior Storage and Display	1.0 per 400 sq. ft. GFA
	Massage Establishment	1.0 per 250 sq. ft. GFA
	Pawnshop	1.0 per 250 sq. ft. GFA
	Personal Service Establishment	1.0 per 250 sq. ft. GFA
	Retail Center, not Big Box	1.0 per 250 sq. ft. GFA
	Retail Sales in Mixed-Use Development	1.0 per 300 sq. ft. GFA
	Retail Sales Establishment	1.0 per 250 sq. ft. GFA
	Swap Meet or Flea Market (Outdoor)	1.0 per 250 sq. ft. GFA
	Wholesale Sales Establishment	1.0 per 400 sq. ft. GFA
Tourism	Casino	Parking per NRS requirements, or 1.0 per 30 sq. ft. of gaming and seating area, whichever is more
	Hotel or Motel	0.75 per room

	Racetracks (Dog, Horse, or Vehicle)	5.0 per 1,000 sq. ft. of GFA within an enclosed building plus 1.0 per 3 person capacity for facilities with seating
	Recreational Vehicle Park and Overnight Campground	See Section 17.24.040.E.3.c
Vehicle Sales and Services	Vehicle, Boat, or Recreational Vehicles Sales, and Rental Lot	1.0 per 400 sq. ft. of indoor display area and 1.0 per 500 sq. ft. of outdoor display area
	Vehicle Impound Yard	
	Vehicle, Boat, and RV Repair Facility	1.0 per 300 sq. ft. GFA for facilities under 5,000 sq. ft. or 1.0 per 500 sq. ft. GFA for facilities of 5,000 sq. ft. or larger.
	Vehicle, Boat, and RV Service Facility	
	Vehicle Washing Establishment	1.0 per 200 sq. ft. GFA of building area (excluding car wash area) and required stacking spaces
	Fuel Sales	Required vehicle stacking spaces plus any parking required for associated uses
	Tire Sales, Repair, and Mounting	1.0 per 300 sq. ft. GFA for facilities under 5,000 sq. ft. or 1.0 per 500 sq. ft. GFA for facilities of 5,000 sq. ft. or larger.
	Truck Stop/Truck Wash	1.0 per 200 sq. ft. of building area (excluding car wash area) and required stacking spaces
	Batch Plant (Concrete or Asphalt)	See Table 17.24.040-5
	Building Material Sales, Wholesale	See Table 17.24.040-5
Industrial Services	Contractors Office and Storage (outdoor)	See Table 17.24.040-5
	Crematoria	See Table 17.24.040-5
	Distribution Center	See Table 17.24.040-5
	Laundry or Dry Cleaning, Commercial Plant	See Table 17.24.040-5

	Industrial and Business Support Service Establishment	See Table 17.24.040-5
	Junkyard or Salvage Yard/Center	See Table 17.24.040-5
	Manufacturing and Production, Indoors	See Table 17.24.040-5
	Manufacturing and Production, Outdoors	See Table 17.24.040-5
	Manufacturing and Storage of Hazardous Materials	See Table 17.24.040-5
	Materials Recovery Facility	See Table 17.24.040-5
	Mini-Warehousing Establishment	See Table 17.24.040-5
	Research Laboratory	See Table 17.24.040-5
	Recycling Center (Indoor)	See Table 17.24.040-5
	Recycling Center (Outdoor)	See Table 17.24.040-5
Warehouse	See Table 17.24.040-5	
Other Uses	Interim Uses Established after July 1, 1991	As required by the specific use.
	Interim Uses Established after August 2, 1995	As required by the specific use.
	Live/Work Units	2.0 per dwelling unit plus 1.0 per 350 sq. ft. of nonresidential space
	Vertical Mixed Use	As required by the specific uses within the structure.

- b. **Off-Street Parking Standards for Selected Service and Industrial Uses.** Uses that reference this subsection in Table 17.24.040-4, Minimum Off-Street Parking Standards, shall provide the minimum number of spaces identified in Table 17.24.040-5, Off-Street Parking Standards for Selected Industrial Uses:

TABLE 17.24.040-5: OFF-STREET PARKING STANDARDS FOR SELECTED INDUSTRIAL USES

Use or Activity	Required Number of Spaces
Accessory office or administrative area	1.0 space per 500 square feet

Accessory indoor sales area		1.0 space per 200 square feet
Indoor storage, distribution, warehousing, assembly, vehicular service, or manufacturing area:	1—3,000 square feet of floor area	1.0 space per 250 square feet
	3,001—5,000 square feet of floor area	1.0 space per 500 square feet
	5,001—10,000 square feet of floor area	1.0 space per 750 square feet
	10,001—125,000 square feet of floor area	1.0 space per 1,000 square feet
	125,001 or more square feet of floor area	1.0 space per 2,000 square feet
Outdoor sales, display, or storage area (3,000 square feet or less)		1.0 space per 750 square feet
Outdoor sales, display, or storage area (more than 3,000 square feet)		1.0 space per 1,000 square feet
NOTE: The total number of required spaces is cumulative based on the variety of different functions present in a single use.		

- c. **Uses with Variable Parking Demand Characteristics.** Uses that reference this subsection in Table 17.24.040-4, Minimum Off-Street Parking Standards, have widely varying parking demand characteristics, making it difficult to establish a single off-street parking standard. Upon receiving a development application for a use subject to this subsection, the City shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking standards on the basis of a parking study prepared by an engineer licensed in the State of Nevada. Such a study shall include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the Director, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

F. Handicapped Parking Spaces.

1. Handicapped parking spaces shall be designed in accordance with city and federal standards adopted by the City of North Las Vegas, Federal Register, dated August 4, 1982, Subpart C, Section 1190.31, "Accessible Building and Facilities; New Construction."
2. The minimum number of accessible spaces to be provided is established as a portion of the total number of off-street parking spaces provided, spaces reserved for persons with disabilities are counted toward fulfilling off-street parking requirements.

G. Bicycle Facilities. Developments with surface parking areas that contain twenty-five (25) or more spaces shall provide bicycle parking facilities, which shall comply with the following standards:

1. Bicycle parking facilities shall be conveniently located near the entrance of the primary building entrance. In no case shall bicycle facilities be located farther than 150 lineal feet from the primary building entrance.

2. Bicycle parking spaces shall be provided at the following rates:
 - a. In the R-A district, one bicycle parking space shall be provided for every ten vehicular parking spaces to a maximum of ten bicycle spaces.
 - b. In all other non-industrial zone districts, one bicycle parking space shall be provided for every twenty (20) vehicular parking spaces to a maximum of ten bicycle spaces.
 - c. When bicycle parking spaces are required, the applicant shall provide a minimum of two bicycle parking spaces but in no case shall an applicant be required to provide bicycle parking spaces for more than ten bicycles.
3. Bicycle parking facilities shall include a rack or other device designated for bicycles that enable bicycles to be secured.



Fig. 17.24.040-D: Bicycle parking facilities

4. Bicycle racks and secured storage facilities shall be located in convenient, visible, well-lit areas with easy access and near main entrances of all commercial, residential, and institutional buildings. The racks and storage facilities shall be located so they do not interfere with pedestrian traffic and shall be protected from potential damage by motor vehicles. Bicycle parking shall not be within any required landscape area nor interfere with any pedestrian pathway.
 5. Bicycle spaces should be shaded or covered.
- H. Cross-Access.** All non-residential development shall be designed to allow for cross-access to adjacent properties to encourage shared parking and shared access points on public or private streets. A minimum distance of one hundred (100) feet shall be required between a cross-access way and an intersection or driveway entrance. When cross-access is deemed impractical by the City on the basis of topography, the presence of natural features, or vehicular safety factors, this requirement may be waived provided that appropriate bicycle and pedestrian connections are provided between adjacent developments or land uses. A cross access easement must be recorded prior to issuance of a Certificate of Occupancy for the development.
- I. Reduction of Parking Spaces.**
1. A permitted, conditional, or special use that does not meet the parking requirements of this section may be converted to another permitted use without full compliance with the required number of parking spaces provided:
 - a. The applicant provides the maximum amount of parking spaces possible without being required to remove or partially remove a structure.
 - b. If a structure or a portion of a structure is voluntarily removed, the resulting area shall be used to provide the additional parking spaces necessary towards fulfilling the minimum requirements of Table 17.24.040-4.
 2. **Reduction of Parking Spaces near Transit Stops.**
 - a.

The City may authorize a waiver to allow a reduction in parking spaces of up to twenty-five (25) percent for multi-family dwelling developments or multi-family components of MUD/PUD or PID within one quarter mile of a planned or existing bus rapid transit (BRT) or light rail transit (LRT) stop, provided:

- i. The waiver is applied for in conjunction with a site plan review;
- ii. A parking analysis and transportation demand management plan is submitted to the traffic engineer in conjunction with the waiver request for the traffic engineer's recommendation;
- iii. The reduction in the number of parking spaces shall not exceed twenty-five (25) percent of the total number of parking spaces required for the proposed use; and
- iv. Final action will be by the Planning Commission.

b. Where a BRT or LRT stop is planned but does not exist or is not approved for construction at the time of an application, the above waiver for a reduction in the number of parking spaces shall not be authorized. Applicants may, however, submit an alternative site plan that illustrates the future removal and reuse of parking areas upon the construction of a BRT or LRT stop. Such alternative site plan shall be subject to the applicable site plan review procedure.

c. Where transit service is planned but not yet available, the multiple-family dwelling development shall provide adequate interim parking in areas that may be subsequently redeveloped with buildings when transit service becomes available. Interim parking may also be allowed off-site, pursuant to Section 17.24.040.J.3. All such areas shall be identified during the pre-development conference and on the approved site plan.

J. **Alternative Parking Options.** The Planning Commission shall be authorized to approve an Alternative Parking Plan that proposes alternatives to providing the number of off-street parking spaces required by Table 17.24.040-4, Minimum Off-Street Parking Standards, in accordance with the standards listed below. Nothing in this subsection shall limit the use of one or more of the following off-street parking alternatives by a single use. A parking analysis shall accompany all plans, prepared by a licensed engineer qualified to perform the work.

1. **Provision over the Maximum Allowed.** Requests to provide more than the maximum number of off-street parking spaces established in Subsection 17.24.040.F., Maximum Number of Spaces Permitted, shall comply with the following:
 - a. **Parking Demand Study.** Requests for exceeding the maximum number of required off-street parking spaces shall be accompanied by a Parking Demand Study demonstrating how the maximum number of parking spaces specified by Subsection 17.24.040.F., Maximum Number of Spaces Permitted, is insufficient for the proposed development.
 - b. **Minimum Amount Required.** Requests to exceed the maximum number of off-street spaces allowed are limited to the minimum number of additional spaces required as recommended in the required Parking Demand Study.
 - c. **Surfaced with Alternative Materials.** All off-street parking spaces provided in excess of the maximum specified in Subsection 17.24.040.F., Maximum Number of Spaces Permitted, are surfaced with a pervious surfacing material acceptable to the City. See Section 17.24.040.J.9., Alternative Materials.
2. **Reduction with Transportation Demand Management.** The minimum parking requirement may be reduced by up to twenty-five (25) percent when the applicant can demonstrate in a parking-traffic study prepared by a traffic engineer or other qualified transportation professional and acceptable to the City that both of the following conditions have been met:
 - a. The use of alternative modes of transportation, including transit, bicycles, walking, and/or the special characteristics of the customer, client, employee, or resident population will reduce expected vehicular use and parking space demands for the use, as compared to the Institute of Transportation Engineers vehicle trip generation rates and minimum City requirement as established in Table 17.24.040-4, Minimum Off-Street Parking Standards.
 - b.

A transportation demand management (TDM) plan has been approved by the City. The TDM plan must include facts and/or projections (i.e., type of development, proximity to transit, anticipated number of employees and/or patrons, and the minimum-parking requirements) and indicate the types of transportation demand management activities that will be instituted to reduce single occupant vehicle use and reduce traffic congestion. Such TDM plan shall comply with the following:

- i. **Transportation Demand Management Activities.** The TDM plan must provide a minimum of three of the following transportation demand management activities in order to qualify for a reduction in otherwise required minimum off-street parking requirements:
 - (A) Establish a development-specific website that provides multimodal transportation information such as real-time travel/traffic information, bus routes, bus schedules and maps, and alternative commute log (bicycle, pedestrian, carpool, vanpool, etc.).
 - (B) Disclose in writing to all employees transportation information and educational materials.
 - (C) Coordinate the formation of, but not limited to, carpooling, vanpooling, ridesharing, guaranteed ride home, teleworking, and/or shuttle service programs.
 - (D) Create a Preferential Parking Management Plan that specifically marks spaces for each registered carpool and/or vanpool vehicle, located near building entrances or in other preferential locations.
 - (E) Institute off-peak work schedules, allowing employees to arrive and depart at times other than the peak morning commute period. The peak morning commute period is defined as 7:00—9:00 a.m. and the peak evening commute period is defined as 5:00—7:00 p.m.
 - (F) Establish an office location within the development, staffed by the transportation coordinator that makes transportation and ridesharing information available to employees, residents, and nonresidents.
 - (G) Alternative transportation demand management activities may be approved by the Planning Director and Public Works Directors as a means of complying with the parking reduction incentive provisions of this subsection.
- ii. **Transportation Program Manager/Coordinator.**
 - (A) The applicant must appoint a program coordinator to oversee transportation demand management activities.
 - (B) The program coordinator must be a qualified or trained TDM professional by the Regional Transportation Commission of Southern Nevada.
 - (C) The transportation coordinator must be appointed prior to issuance of a building permit or certificate of occupancy for the buildings to be served by the transportation demand management program.
- iii. **TDM Annual Report.** The program coordinator must provide a report on a biannual basis to the Public Works Director that details the implementation strategies for the TDM plan as approved by the appropriate decision-making body for the subject entitlement application. The report may include the following:
 - (A) A description of the transportation management activities efforts;
 - (B) A list of current tenants and number of employees for each tenant;
 - (C) A parking-reduction analysis based on employee and/or resident use of ridership programs or alternative transportation options;
 - (D) Changes to the TDM plan to increase ridership; and
 - (E) A employee transportation survey.
- iv. **Recordation.** A copy of the approved TDM plan shall be recorded with the Clark County Recorder's Office. Recordation of the TDM plan must take place prior to issuance of a building permit for the development to be served by the plan. The TDM plan shall be recorded against the property, and the applicant and/or successors of interest shall be responsible for the plan in perpetuity on the property.

- v. **Enforcement.** In the event that: (1) the program coordinator fails to submit a report to the Public Work Director in a timely fashion not to exceed sixty (60) days after the annual report deadline, or (2) the applicant no longer implements the program, the TDM plan shall be considered terminated and the required off-street parking spaces must be provided in accordance with requirements in this section.
- vi. **Amendments.** Amendments to the TDM plan may be approved by the Planning Director and/or Public Works Director in accordance with the same process required for the initial approval.
3. **Shared Parking.** Requests for shared parking shall comply with the following standards:
- a. **Proximity to Use.** Shared parking spaces shall be located within five hundred (500) linear feet of the primary entrance of all uses served as measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk. Such distance shall not apply if a remote parking shuttle bus service is provided and approved as part of a PUD, MUD or major SPR. Shared parking spaces shall not be separated from the use they serve by an arterial or collector street with a right-of-way greater than eighty (80) feet. In addition, adequate and safe pedestrian access must be provided from and to the shared parking areas.
- b. **Same or More Intensive Use.** A shared parking area shall be located on a site with the same or more intensive zone district classification than required for the primary uses served.
- c. **Shared Parking for Public Transit.** Where located within five hundred (500) feet of a transit stop, the City may approve a shared parking area between a use or uses and the Regional Transportation Commission of Southern Nevada (i.e., park-and-ride facility).
- d. **Shared Parking Request.** Applicants requesting to use shared parking as a means of satisfying the off-street parking standards must submit a shared parking request that justifies the feasibility of shared parking. Justification shall include information on the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.
- i. The maximum reduction in the number of parking spaces required for all uses sharing the parking area shall be fifty (50) percent unless the shared parking includes parking associated with a religious institution or school, in which case the maximum reduction may be eighty (80) percent.
- ii. Directional signage that complies with the standards of this title shall be added to direct the public to the shared parking spaces. It is preferable for the employees of an establishment to use these spaces.
- e. **Agreement.** 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 a building permit for any use to be served by the shared parking area.
- f. **Revocation.** A shared parking agreement may be revoked by the effected property owners only if all required off-street parking spaces will be provided in accordance with the requirements of Table 17.24.040-4, Minimum Off-Street Parking Standards.
4. **Off-Site Parking.** All off-street parking areas for any use shall be provided on the same lot as the use it serves. However, parking may be allowed on another lot where there are practical difficulties in the location of the parking area or if public safety or public convenience, or both, are better served by a remote location. Off-site parking for uses shall comply with the following standards:
- a. **Same Ownership.** The parking area is located on land under the same ownership as the use it serves, or a recorded easement in perpetuity that has been established for the use of an off-site location for parking and filed with the County Clerk.
- b. **Distance Between Off-Site Parking Area and the Proposed Use.**
- i. Off-site parking for multiple-family dwellings shall not be located more than two hundred (200) feet from any normally used entrance of the principal use served.
- ii. Off-site parking for nonresidential or mixed uses shall not be located more than three hundred (300) feet from any normally used entrance of the principal use served.

- iii. The above distances shall be measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.
- c. **No Undue Hazard.** The off-site parking area shall be convenient to use without causing unreasonable:
 - i. Hazard to pedestrians,
 - ii. Hazard to vehicular traffic,
 - iii. Traffic congestion,
 - iv. Interference with commercial activity or convenient access to other parking areas in the vicinity,
 - v. Detriment to the appropriate use of business lands in the vicinity, or
 - vi. Detriment to any abutting residential neighborhood.
- 5. **Deferred Parking.** An applicant may submit a request to defer the construction of up to twenty (20) percent of the required number of parking spaces specified in Table 17.24.040-4, Minimum Off-Street Parking Standards, if the request complies with the following standards:
 - a. **Reserve Parking Plan.** The request is accompanied by a Reserve Parking Plan identifying:
 - i. The amount of off-street parking being deferred; and
 - ii. The location of the area to be reserved for future parking, if needed.
 - b. **Parking Demand Study.** Adequate assurance is provided that within sixteen (16) months after the initial certificate of occupancy is issued for the proposed development, the applicant will submit a Parking Demand Study to the planning department that demonstrates the parking demand for the development and the adequacy of existing parking spaces. If the study indicates that the existing parking is adequate, then the construction of the remaining number of parking spaces shall not be required. If the study indicates additional parking is required, it shall be provided consistent with the Reserve Parking Plan and the standards of this section.
 - c. **Limitations on Reserve Areas.** Areas reserved for future parking shall be brought to the finished grade and shall not be used for buildings, storage, loading, or other purposes.
 - d. **Landscape Required.** If ultimately developed for off-street parking purposes, areas reserved for future parking shall be landscaped appropriately and shall comply with all relevant landscape standards of this Code.
- 6. **Parking Structures.** The off-street parking required by this section may be located in a parking structure, whether on the same or on a different lot than the uses which it serves. Such structure shall be subject to the following:
 - a. Ground floor parking provided in a parking structure shall be landscaped and screened, to the maximum extent feasible, from surrounding uses and from public view as required by Section 17.24.060.G., Parking Lot Landscaping and Layout. In addition, for uses located on the same lot as the structure, the conditions required for shared parking shall apply. For uses located on a different lot as the structure, the conditions required for off-site parking shall apply.
 - b. Parking structures with ground floors that are not completely wrapped with commercial, office, institutional, public uses, or civic uses on the side facing an intersection (except sides abutting alleys) shall not:
 - i. Abut street intersections or public/civic use areas,
 - ii. Be adjacent to public squares, or
 - iii. Occupy sites that are the terminus of a street vista.
 - c. **Design.**
 - i. Parking structures shall be constructed of materials of similar quality and shall be compatible in appearance with adjacent buildings and shall contain lighting sufficient for security as approved by the City.
 - ii. Façades of parking structures not occupied by commercial, office, institutional, public uses, or civic uses shall be articulated through the use of three or more of the following architectural features.
 - (A) Windows or window-shaped openings with decorative mesh or similar features as approved by the City;

- (B) Masonry columns;
 - (C) Decorative wall insets or projections;
 - (D) Awnings;
 - (E) Changes in color or texture of materials;
 - (F) Approved public art;
 - (G) Integrated landscape planters; or
 - (H) Other similar features approved by the City.
- iii. Vehicle entries to off-street parking structures shall be integrated into the placement and design of adjacent buildings or oriented away from the primary street frontage. At a minimum, parking structures shall have user vehicles access from locations that minimize conflicts with pedestrian circulation.
7. **Preferential Parking.** Commercial and institutional uses with twenty (20) or more parking spaces should designate at least five percent of the parking spaces for carpool, vanpool parking, and hybrid/alternative fuel vehicles. These preferential parking spaces shall be located closer to the primary building or employee entrance than other employee parking with the exception of handicap parking.
8. **Tandem Parking.** An off-street parking program utilizing limited tandem parking for commercial uses may be permitted in the R-A district with approval by the City. Such parking shall comply with the following standards:
- a. The development served shall provide seventy-five (75) or more parking spaces;
 - b. No more than thirty (30) percent of the total number of spaces shall be designated as tandem; and
 - c. A valet parking attendant must be on duty during hours of operation.
9. **On-Street Parking.** The use of on-street parking to meet a portion of the minimum off-street parking requirements is permitted if it complies with the following:
- a. Adequate on-street or structured parking exists within five hundred (500) linear feet from the primary entrance of the proposed use as measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk;
 - b. The proposed development is located within the R-A district or is approved as part of an MUD, PUD, PCD, or PID district;
 - c. No more than twenty-five (25) percent of the off-street parking space requirement is met through the use of on-street parking; and
 - d. There is no negative impact to existing or planned traffic circulation patterns.
10. **Alternative Materials.** The use of pervious or semi-pervious parking area surfacing materials, including but not limited to mulch, ring and grid systems filled with material appropriate to a desert environment, permeable concrete or asphalt, porous or grid pavers, or recycled materials such as glass, rubber, brick, block and concrete may be approved for the required vehicular surface area on a lot provided that such areas are properly maintained. Where possible, such materials should be used in areas proximate to and in combination with on-site stormwater control devices.



Fig. 17.24.040-E: Pervious pavement

K. Vehicle Stacking Requirements. The following standards shall apply to businesses that contain a drive-through establishment, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

1. General Standards.

- a. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within fifty (50) feet of any residential property line and shall be subject to Section 8.28.020.K. of the Municipal Code.
- b. No service shall be rendered, deliveries made, or sales conducted within the required front yard or corner side yard; customers served in vehicles shall be parked to the sides and/or rear of the principal building.
- c. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

2. Stacking Space and Lane Requirements.

- a. The number of required stacking spaces shall be as provided for in Table 17.24.040-6, Stacking Space Requirements. See Figure 17.24.040-F for an illustration of stacking spaces:

Table 17.24.040-6: Stacking Space Requirements

Activity	Minimum Stacking Spaces (per access lane)	Measured From:
Bank, Financial Institution, or Automated Teller Machine (ATM)	3	Teller or Window
Convenience Food Restaurant	8	Pick-up window
Full Service Vehicle Washing Establishment	6	Outside of Washing Bay
Self-Service or Automated Vehicle Washing Establishment	2	Outside of Washing Bay
Fuel or Gasoline Pump Island	2	Pump Island
Other	As determined by the City	

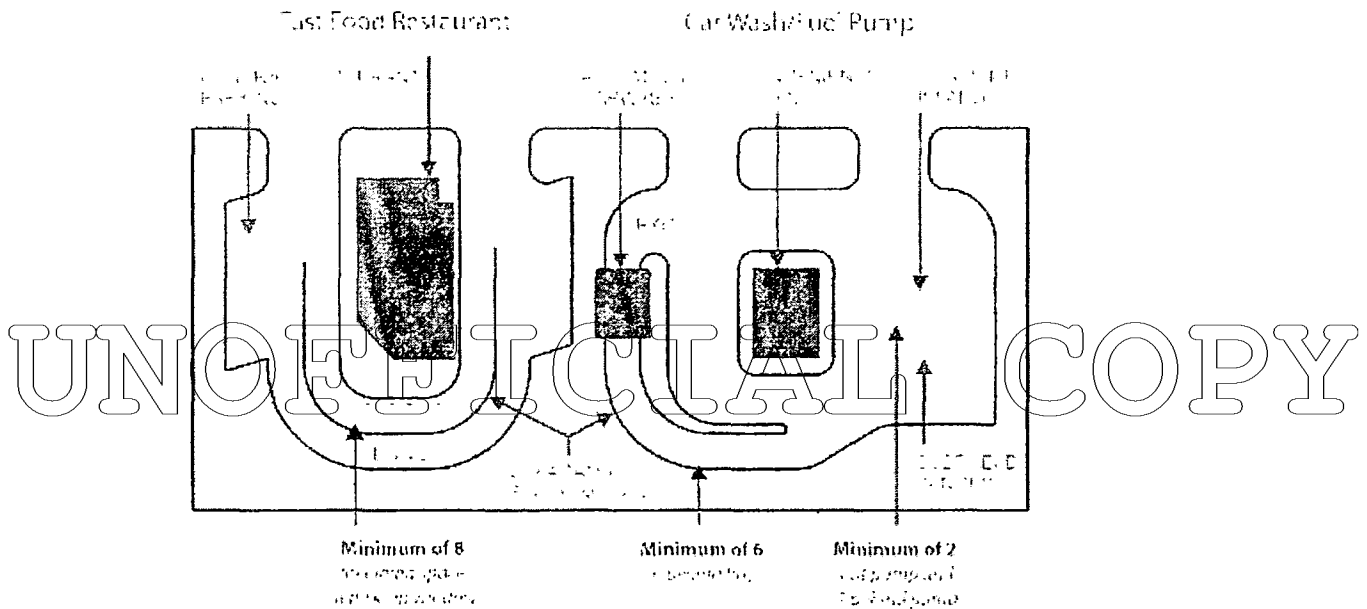


Fig. 17.24.040-F Stacking lanes

- b. Stacking lanes shall be provided for any use having a drive-through establishment and shall apply comply with the following standards:
 - i. Drive-through stacking lanes shall have a minimum width of ten feet.
 - ii. When stacking lanes are separated from other stacking lanes, bypass lanes, or from other site areas, the separation shall be by means of a raised concrete median, concrete curb, or landscaping.
 - iii. Stacking lanes shall be set back ten feet from property line.
- L. **Off-Street Loading Facilities.** Where required, all off-street loading facilities shall conform to the following standards:
 - 1. **Applicability.**
 - a. Any use within the following use categories (See Table 17.20-1) that has a building with a gross floor area of fifteen thousand (15,000) square feet or more shall be subject to the off-street loading requirements of this section:
 - i. Transportation,
 - ii. Eating and drinking establishments,
 - iii. Indoor recreation and entertainment,
 - iv. Offices (over one hundred thousand (100,000) square feet of floor area),
 - v. Retail sales and service,
 - vi. Tourism,
 - vii. Vehicle sales and services,
 - viii. Industrial services, and
 - ix. Other uses.
 - b. In addition to the above use category, any college, university, community center or meeting hall, hospital, museum, library, or school shall also be subject to the requirements of this section.
 - c. Table 17.24.040-7, Off-Street Loading Berth Requirements establishes the minimum number of loading berths required for a use based on the total floor area dedicated to the specified use.

TABLE 17.24.040-7: Off-Street Loading Berth Requirements

Floor Area Dedicated to Use	Number of Loading Berths Required
15,000 to 40,000 square feet	1
40,001 to 100,000 square feet	2
100,001 to 160,000 square feet	3
160,001 to 240,000 square feet	4
240,001 to 320,000 square feet	5
320,001 to 400,000 square feet	6
400,001 to 490,000 square feet	7
For each additional 100,000 square feet over 490,000 square feet	1 additional berth

2. Design of Off-Street Loading Facilities.

- a. All loading berths shall be at least twelve (12) feet in width and have a clearance of fourteen (14) feet in height, exclusive of aisle and maneuvering areas.
- b. Loading berths may occupy all or any part of any required yard space, except front and corner side yards, and shall be set back a minimum of fifty (50) feet from any residential zone district.
- c. Sufficient room for turning and maneuvering vehicles shall be provided on the site so that vehicles shall cross a property line only by driving forward.
- d. Each loading berth shall be accessible from a street or alley or from an aisle or drive connecting with a street or alley.
- e. Bumper rails shall be provided at locations where needed for safety or to protect property.
- f. If the loading area is illuminated, lighting shall be deflected away from abutting residential sites so as to not cause annoying glare and all lighting shall be subject to the provisions of Section 17.24.080
- g. No regular repair work or servicing of vehicles shall be conducted in a loading area.
- h. Off-street loading facilities shall be located on the same site with the use for which the berths are required.
- i. If more than one use is located on a site, the number of loading berths provided shall be equal to the sum of the requirements prescribed in this section for each use. If more than one use is located on a site and the gross floor area of each use is less than the minimum for which loading berths are required but the aggregate gross floor area is greater than the fifteen thousand (15,000) square feet, off-street loading berths shall be provided as if the aggregate gross floor area were used for the use requiring the greatest number of loading berths.
- j. Off-street loading facilities for a single use shall not be considered as providing required off-street loading facilities for any other use.
- k. At the time of initial occupancy, major alterations or enlargement of a site, or of completion of construction of a structure, or of a major alteration or enlargement of a structure, there shall be provided off-street loading berth requirements. The number of loading berths provided for a major alteration or enlargement of a site or structure shall be in addition to the number of berths existing prior to the alteration or enlargement.
- l. Space allocated to any off-street loading berth shall not be used to satisfy the space requirements for any

off-street parking facility.

- M. **Maintenance.** It shall be the joint and separate responsibility of the lessee and owner of the principal use, uses, or building to maintain in a neat and adequate manner, the parking space, access ways, striping, landscaping and required fences.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2706, §§ 14—16, 2-18-2015)

17.24.050 - Mobility and circulation.

- A. **Purpose.** The purpose of this section is to:

1. Support the creation of a highly connected transportation system within North Las Vegas in order to provide choices for drivers, bicyclists, and pedestrians;
2. Increase effectiveness of local service delivery; promote walking and bicycling; connect neighborhoods to each other and to local destinations such as employment, schools, parks, and shopping centers;
3. Reduce vehicle miles of travel and travel times; improve air quality; improve emergency response times;
4. Mitigate the traffic impacts of new development, and free up arterial capacity to better serve regional long-distance travel needs.
5. These standards attempt to avoid the creation of large, isolated tracts without routes for through traffic or pedestrian and bicycle connections.

- B. **Traffic Impact Mitigation.**

1. **Applicability of Traffic Impact Analysis Requirement.** The transportation system for new development shall be capable of supporting the proposed development in addition to the existing and future uses in the area. Evaluation of system capacity shall be undertaken through a Traffic Impact Analysis (TIA), that shall consider the following factors without limitation: street capacity and level of service; vehicle access and loading; on-street parking impacts; the availability of transit service and connections to transit; impacts on adjacent neighborhoods; and traffic safety including pedestrian safety. A TIA shall be required with any land use application that meets one or more of the following:
 - a. Trip generation during any peak hour is expected to exceed two hundred fifty (250) trips per day or more than one hundred (100) trips during any one-hour peak period, based on traffic generation estimates of the Institute of Transportation Engineers' Trip Generation Manual (or any successor publication); or
 - b. A TIA is required by the Planning Commission or City Council as a condition of any land use application approved pursuant to the requirements of this Code; or
 - c. The City requires a TIA for:
 - i. Any project that proposes access to a street with Level of Service "D" or below;
 - ii. Any application for a major site plan review;
 - iii. Any case where the previous TIA for the property is more than two years old;
 - iv. Any case where increased land use intensity will result in increased traffic generation; or
 - v. Any case in which the Director determines that a TIA should be required because of other traffic concerns that may be affected by the proposed development.

- C. **Traffic Impact Analysis and Development Review Process.**

1. A scoping meeting between the developer and the Director shall be required prior to the start of the TIA in order to determine the parameters of the study. This may be conducted as part of a pre-application meeting. The Director shall define the TIA study for as limited a vicinity as is feasible to make adequate traffic determinations for the project.
2. If required, the TIA shall be submitted with the applicable development application.
3. When access points are not defined or a site plan is not available at the time the TIA is prepared, additional studies may be required when a site plan becomes available or the access points are defined.

- D. **Traffic Mitigation Measures.** The applicant shall, as part of the TIA, recommend measures to minimize and mitigate the anticipated impacts and determine the adequacy of the development's planned access points. Mitigation measures shall be acceptable to the Director and may include, without limitation: an access

management plan; transportation demand management measures; street improvements on or off the site; placement of pedestrian, bicycle, or transit facilities on or off the site; traffic signals or other capital improvement projects such as traffic calming infrastructure or capacity improvements.

E. **Streets and Vehicular Circulation (for Residential and Mixed Use Developments).**

1. **Circulation Plan Required.**

- a. Except for new detached and attached single-family residential uses with fewer than five dwellings, all new residential or mixed-use developments in the City shall require a circulation plan.
- b. The circulation plan shall address street and pedestrian connectivity, emergency and service vehicle access, parking movements, accommodation of loading operations, turning radii, traffic calming measures where future "cut-through" traffic is likely, and similar issues.
- c. The Director may waive the requirement for a circulation plan for infill development or on a case-by-case basis in the event that a new development is expected to have no impact upon circulation or proposes no change in existing circulation patterns. This provision shall not be construed to exempt development that includes additional parking, driveways, or substantial modifications to the existing pedestrian network.
- d. A circulation plan shall be submitted with a preliminary development plan, site plan, master development plan, tentative map, or building permit application, as appropriate.

2. **Internal Street Connectivity.**

- a. Circulation plans for development on lots in the R-A districts shall provide for multiple connections to the existing City street network wherever possible. See Figure 17.24.050-A.

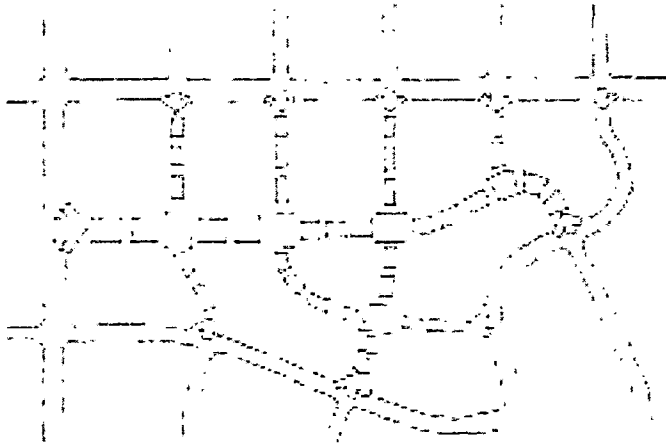


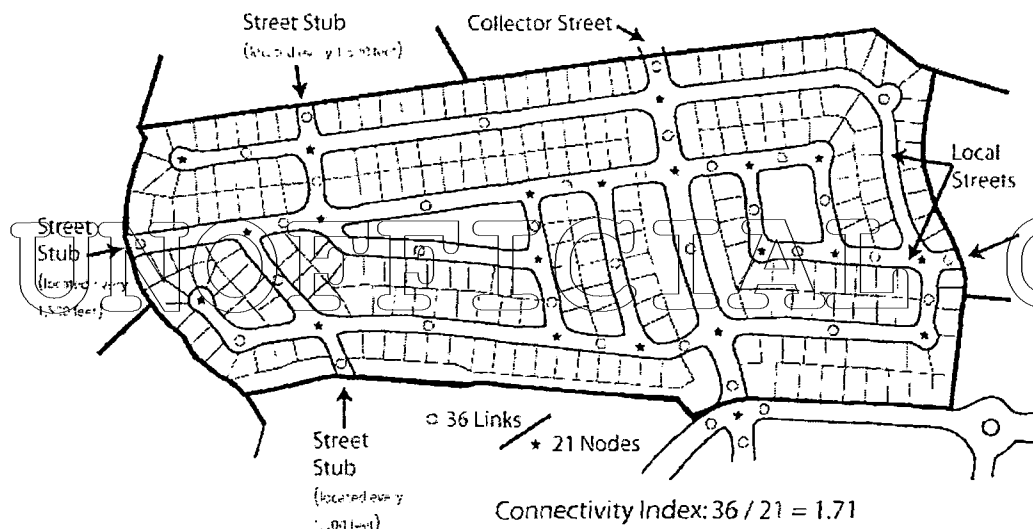
Fig. 17.24.050-A: Street Connectivity

- b. Except for lots within the R-A district downtown, circulation plans prepared for all new development shall maintain internal street connectivity through the use of a connectivity index, in accordance with the following standards.
- c. All development shall achieve a connectivity index score in accordance with Table 17.24.050-1, Minimum Connectivity Index Score:

TABLE 17.24.050-1: MINIMUM CONNECTIVITY INDEX SCORE	
Land Use	Minimum Index Score
Single-Family / Two-Family Residential	1.3
Multi-Family Residential	1.5

d.

The connectivity index for a development shall be calculated by dividing its links by its nodes. Nodes (shown as stars in Figure 17.24.050-B, Connectivity Index) exist at street intersections and cul-de-sac heads within the development. Links (shown as circles in Figure 17.24.050-B, Connectivity Index) are stretches of road that connect nodes.



This figure provides an example of how to calculate the connectivity index. In the diagram, there are 36 links (circles) and 21 nodes (stars); therefore, the connectivity index is 1.71 ($36/21 = 1.71$). In addition, each side of the development includes at least one street stub or connection to the greater street system every 1,500 feet.

Fig. 17.24.050-B: Connectivity Index

- e. The required connectivity index standard may be reduced by the Director if the applicant demonstrates it is impossible or impracticable to achieve due to topographic conditions, natural features, or adjacent existing development and street patterns.
- f. For purposes of calculating the index for a development, street stub-outs are considered as links. Temporary dead-end streets internal to a development, private streets in gated sections, or alleys shall not be counted as links. One link beyond every node that exists in the development and provides access to the street network shall be included in the index calculation. Temporary dead end streets terminating at the perimeter of a development shall be counted as a link. In no case shall a temporary dead end street terminating at a point internal to the development be counted as a link. Pedestrian connections to an external trail system or perimeter sidewalk shall be counted as $\frac{1}{2}$ of a link.
- g. Gated streets, or sections of neighborhoods with gated private streets, and culs-de-sac, are permitted provided the development achieves and maintains the minimum connectivity index score.
- h. **Culs-de-Sac and Dead-End Streets Discouraged.**
 - i. Permanent culs-de-sac and dead-end streets should be used primarily when topography, the presence of natural features, and/or vehicular safety factors make a vehicular connection impractical.
 - ii. All permanent dead-end streets shall be developed as culs-de-sac.
 - iii. All culs-de-sac shall conform to the requirements of the City's adopted codes.
 - iv.

Whenever cul-de-sac streets are created, at least one 15-foot-wide pedestrian access and public utility easement that complies with the CPTED principles in Section 17.24.060.D shall be provided, to the maximum extent practicable, between each cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or pedestrian sidewalk or pathway. See Figure 17.24.050-C.

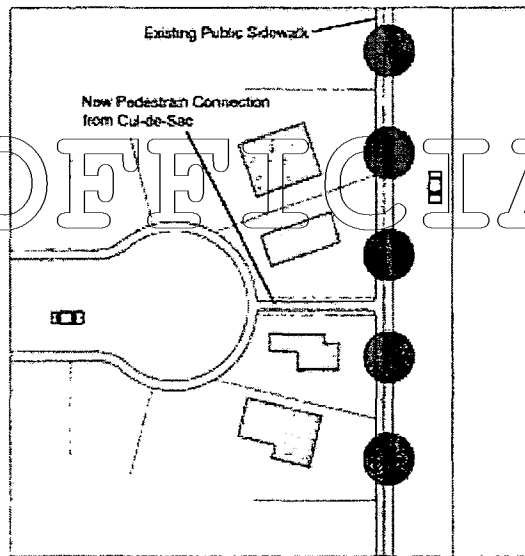


Fig. 17.24.050-C: Pedestrian accessways

3. **External Street Connectivity.** In addition to the internal street connectivity requirements, circulation plans for all new development shall maintain external street connectivity in accordance with the following standards:

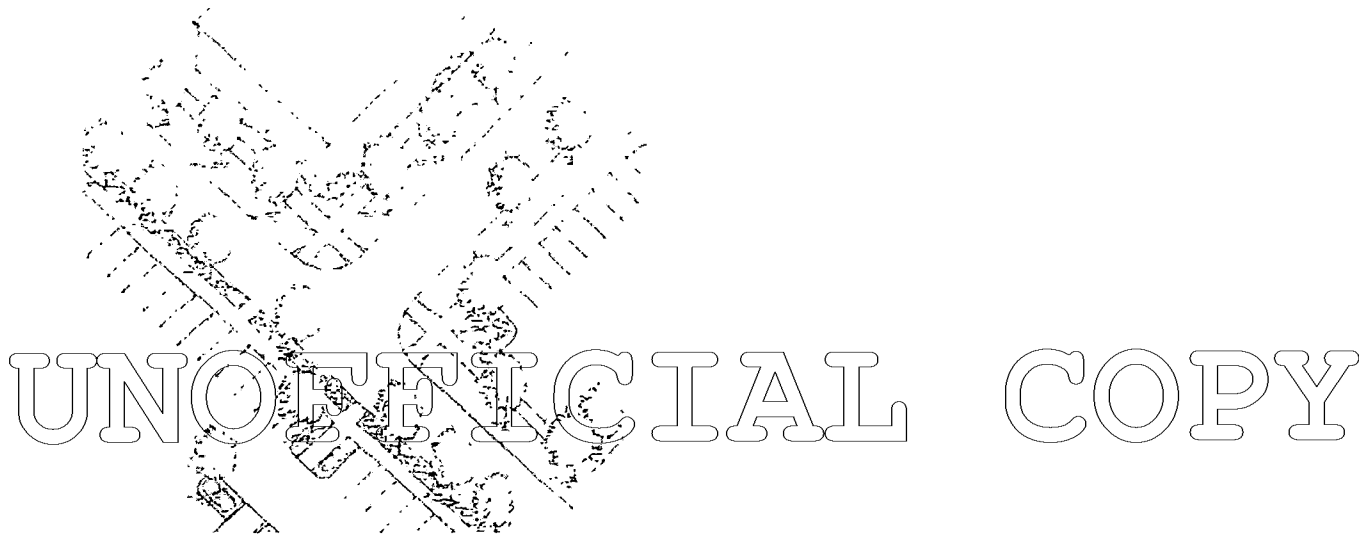


Fig. 17.24.050-D: Sidewalk connections are required

- a. The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining lands specifically in those cases in which the adjoining lands are undeveloped and intended for future development or in which the adjoining lands are developed and include opportunities for such connections. Traffic calming measures shall be integrated into the development to mitigate the impact of potential future "cut-through" traffic per City's Traffic Calming Policy.
- b. Street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development at least every one thousand five hundred (1,500) feet for each direction (north, south, east, and west) in which development abuts vacant lands. Such street stubs shall not be required to abut adjacent development lacking existing or planned street connections, floodplains, wetlands, riparian buffers, slopes exceeding thirty (30) percent, or other unique site conditions preventing a street connection in the opinion of the City.
- c. Street and sidewalk connections shall be made between neighborhood commercial centers and adjacent residential neighborhoods. Residential streets affected by external street connectivity requirements may be candidates for traffic calming treatments upon the recommendation of the City. See Figure 17.24.050-D.
- d. Shared commercial/residential connections with arterials shall be located on the commercial property to the extent possible.
- e. At all locations where streets terminate with no street connection, but a future connection is planned or accommodated, a sign shall be installed, by the developer, at the location with the words "STREET TO BE EXTENDED BY THE AUTHORITY OF THE CITY OF NORTH LAS VEGAS" to inform property owners.
- f. The final map and the deeds for all residential dwellings shall identify all stub streets and include a notation that all street stubs are intended for connection with future streets on adjoining undeveloped property.

F. Lot Layout and Traffic Calming.

1. Where land adjacent to the boundary of a proposed residential subdivision or PUD, or directly across a local or collector street from a proposed residential subdivision or PUD is developed with single-story detached homes, the row of homes in the proposed subdivision adjacent to that boundary or local or collector street shall be developed with single-story detached residential units.
- 2.

Homes fronting sixty (60) feet or greater rights-of-way shall be prohibited. However, an exception may be granted for homes to front a sixty-foot right-of-way if supported by a traffic study and one or both of the following conditions exist: a) existing homes or existing lots are already fronting the right-of-way directly in front of the proposed development, and/or b) garages to each home are accessed directly from an alley with no individual driveway to the sixty-foot right-of-way.

3. For developments that are approved with homes fronting a sixty-foot right-of-way the street must be constructed using the modified sixty-foot street section with off-set sidewalk or other street geometrics as approved by the Director of Public Works.
4. In cases where homes fronting a sixty-foot right-of-way are approved, or small-lot development options are used, or where the Director of Public Works determines that high traffic speeds or roadway design may create risks to public safety, additional traffic calming may be required, subject to review and approval by the Director of Public Works.
5. Acceptable traffic calming devices are described in the City of North Las Vegas Neighborhood Traffic Calming Measures, and include but are not limited to:
 - a. A roundabout circle that limits traffic to twenty (20) to thirty (30) m.p.h.
 - b. A two-lane narrowing that limits traffic to thirty (30) to thirty-five (35) m.p.h.
 - c. A narrowing that limits traffic to twenty (20) to twenty-five (25) m.p.h.
 - d. A single-lane angled narrowing that limits traffic to twelve (12) to fifteen (15) m.p.h.

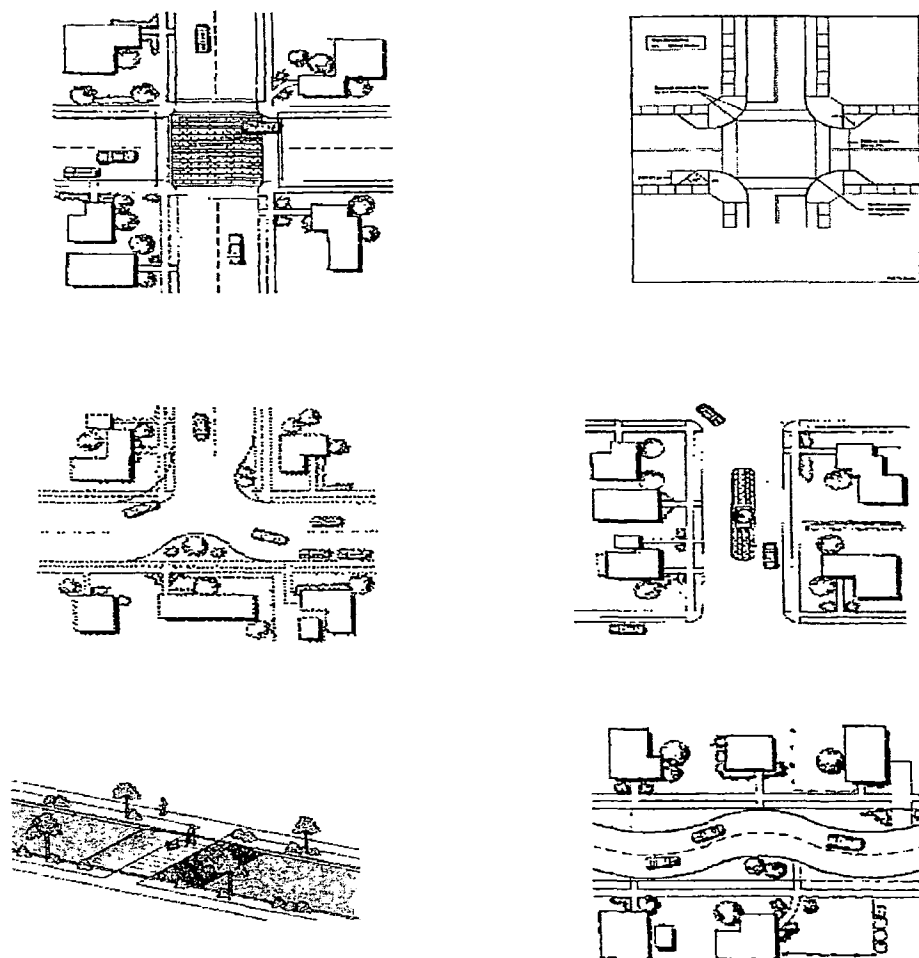


Fig. 17.24.050-E: Traffic calming

- G. **Perimeter Sidewalks.** Five-foot wide sidewalks are required along all perimeter streets. Sidewalks that serve as part of an identified trail shall be eight feet in width. Sidewalks within the downtown should comply with the guidelines of the Downtown Master Plan & Investment Strategy. Sidewalks along arterial streets with a right-of-way eighty (80) feet or wider must be separated from the back of the street curb by a minimum of five feet, except in bus turn out areas. Sidewalks must be placed within the perimeter landscape area outside of the right-of-way. If landscaping is prohibited next to the perimeter block wall because of site-specific geotechnical recommendations, the sidewalk shall be placed next to the block wall. Landscaping would then be required between the sidewalk and the back of street curb. Maintenance of any sidewalk located outside of the right-of-way shall be the responsibility of the homeowner's association, the developer, or another method as determined by agreement with the city.

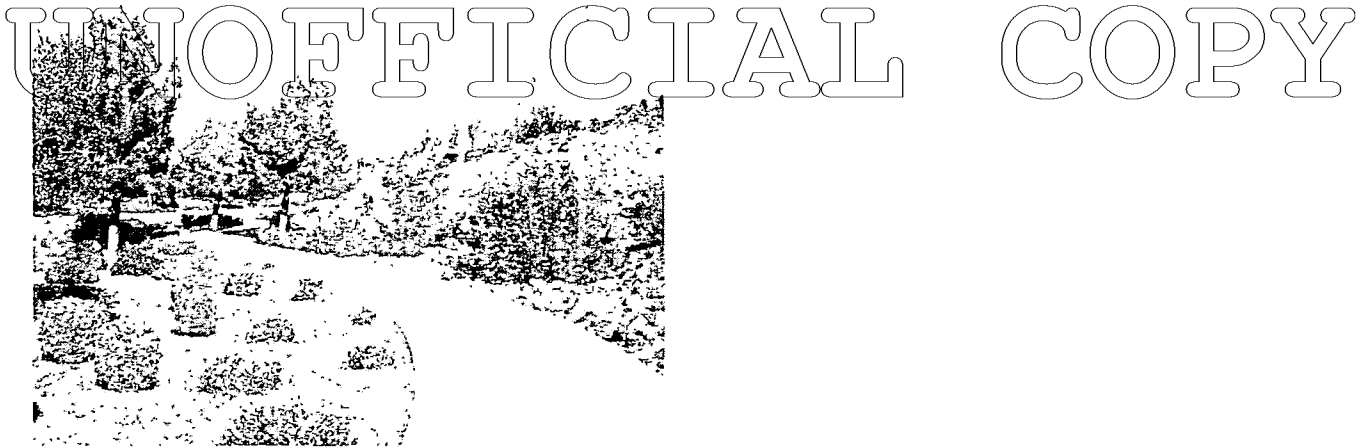


Fig. 17.24.050-F: Sidewalk and perimeter landscape area

- H. **Public Transportation.** Provision of bus turn-outs and shelters shall be required where deemed necessary by the City of North Las Vegas traffic engineer. If shelters are provided they shall be installed outside of the sidewalk area. Required turnouts may encroach into the perimeter landscape area. Bus turn outs must meet the uniform standard drawings, as adopted by the City of North Las Vegas.
- I. **Bicycle and Pedestrian Linkages and Circulation.** The following standards are designed to reduce dependency on the automobile, reduce the number of daily trips by single occupancy vehicles, and preserve the capacity of existing roadways. Consideration must be given to alternative transportation modes, bicycle and pedestrian ways, and paths, and shall be included in site planning.
1. **Bicycle and Pedestrian Path Connections.**
 - a. **Design for Connectivity.** Provisions shall be made in all developments to encourage the use of bicycle and pedestrian travel through the integration of bicycle and pedestrian paths, trails and/or bicycle lanes, and pathways along drainage and utility easements that connect to parks, open spaces, schools, public transit, and shopping areas. Within new residential subdivisions, bicycle and pedestrian paths, trails, and/or bicycle lanes shall also connect to collector and minor arterial streets.



Fig. 17.24.050-G: Pedestrian connection

- b. **Connections to Existing Facilities.** Bicycle and pedestrian paths shall connect to existing facilities on adjoining projects and/or to paths, trails, and routes as shown in the City Master Plan as adopted by the City of North Las Vegas.
- c. **Easements and Rights-of-Way.** Easements and/or rights-of-way shall be provided for bicycle/pedestrian paths between and within developments as necessary to provide pedestrian and bicycle linkages between developments, unless the applicant can demonstrate that to do so would be infeasible.
- d. **Drainage and Utility Easements.**
 - i. Drainage and utility easements shall be a minimum of twenty (20) feet wide and shall also be used to the maximum extent practicable to serve as pedestrian and bicycle linkages and/or park or open space areas within and between developments.
 - ii. *In residential subdivisions, drainage and utility easements shall be utilized to the maximum extent practicable to serve as pedestrian and bicycle linkages and/or park or open space areas within, and between, developments.*
 - (A) Utility and drainage easements that traverse between two or more interior streets, or that connect an interior street to a collector or arterial street, shall be landscaped and shall include sidewalks, asphalt or concrete bicycle paths and appropriate lighting for pedestrian safety. Landscaping materials shall be of a low water usage, drought tolerant variety.
 - (B) Other utility and drainage easements shall be enhanced, as deemed necessary by the city to provide pedestrian and bicycle linkages between developments. Enhancements may include, but not be limited to, landscaping, sidewalks and/or bicycle paths, and lighting.
 - (C) In order to preserve the integrity of the primary purpose of such easements, the use and design of such easements for the purpose of providing pedestrian/bicycle linkages and open space must meet with the approval of the city.
 - iii. In mixed-use, commercial, and industrial developments, applicants are strongly encouraged to incorporate bicycle and pedestrian paths along drainage channels and washes. If maintenance roads for a channel are required, consideration should be given to designing them to accommodate maintenance vehicles, bicyclists and pedestrians. The design shall be approved by the city.
- e. **Perimeter Connections.** A continuous and direct internal pedestrian walkway shall be provided from the perimeter public sidewalk to the principal building entrance. Pedestrian walkways or sidewalks shall connect all primary building entrances and must be provided along any façade featuring an entrance that exits into a parking area or travel lane. Pedestrian walkways shall also connect all on-site common areas, parking areas, open space, and recreational facilities. The walkway must be distinguished from driving surfaces through the use of special pavers, bricks, patterned and colored concrete, or other methods approved by the City to enhance pedestrian safety and the attractiveness of the walkway.

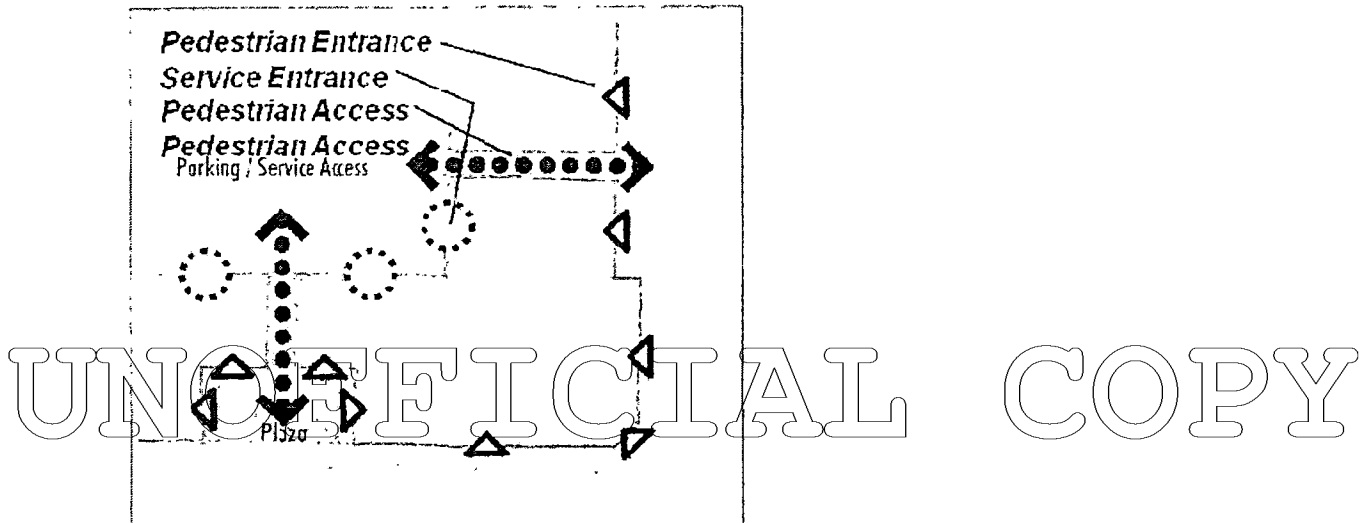


Fig. 17.24.050-H: Pedestrian access from rear parking lots

- f. **Bicycle Parking.** Adequate bicycle parking facilities shall be provided for each mixed-use, commercial, or industrial development as provided in Section 17.24.040, Parking and Loading.
- g. **Gated Communities.** Bicycle and pedestrian facilities located within gated private communities shall be maintained by the private community through a homeowner's association or other method as approved by the City.
- 2. **Design Standards.**
 - a. Bicycle paths and lanes constructed within the right-of-way must be in accordance with the City-wide Trails and Bikeways Master Plan and the bicycle/ pedestrian element of the regional transportation plan of the regional transportation Commission as adopted by the City of North Las Vegas.
 - b. All internal walkways and trails shall have a minimum width of five feet and shall be comprised of concrete or brick/masonry pavers. Sidewalks located within required pedestrian priority areas shall have a minimum width of nine feet.
 - c. All multi-use paths (used by bicycles and pedestrians) shall have a minimum width of ten feet and shall be comprised of concrete or asphalt, per the City-wide Trails and Bikeways Master Plan.
 - d. Drainage and utility easements may be used as pedestrian connections pursuant to Section 17.24.060, Landscaping.
- 3. **Trail Linkages.**
 - a. Trail linkages shall be incorporated into the design of all new developments. Trail linkages shall be located and designed so as to provide public access along drainage channels, to connect residences and businesses to open space and the City's trail system, and to promote pedestrian and bicycle movement between residential areas and employment/business areas.
 - b. All development mapping shall be required to demonstrate that the design of the proposed development includes open space and trail linkages.
 - c. Trails shall be constructed at the time of development in accordance with City standards and specifications.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2706, §§ 17—19, 2-18-2015)

17.24.060 - Landscaping.

A. **Generally.** Landscaping requirements as set forth in this title have been established to:

- 1. Encourage quality development within the City,
- 2. Provide a smooth transition between adjoining properties;
- 3. Screen service yards, parking lots, and other areas that tend to be unsightly;

4. Facilitate the buffering of one land use from other land uses;
5. Encourage harmonious relationships between buildings that are part of one development and buildings located on abutting properties;
6. Provide visual open space and passive recreational areas to serve the needs of the residents of the City;
7. Soften the effect of development;
8. Improve erosion and stormwater runoff control;
9. Reduce the particulate matter in the air;
10. Encourage a sense of commitment to the City and its residents on the part of developers;
11. Provide for the health, safety and general welfare of the residents of the City; and
12. Promote principles of Crime Prevention Through Environmental Design (CPTED).

B. Landscaping Required.

1. Landscaped Areas.

- a. All exposed ground areas surrounding or within a principal or accessory use, including adjacent, unpaved street rights-of-way, that are not devoted to drives, parking lots, sidewalks, patios or other such uses shall be landscaped. See Figure 17.24.060-A.

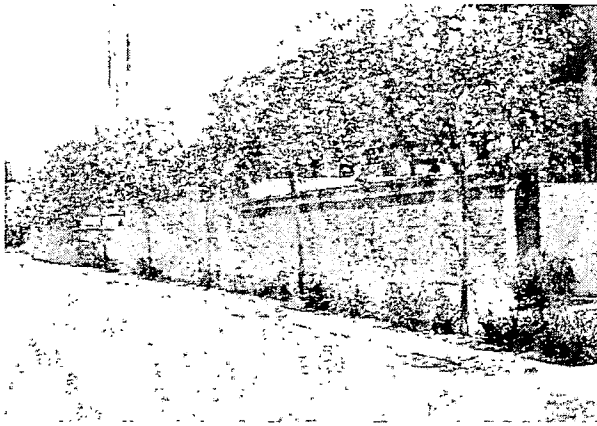


Fig. 17.24.060-A: All exposed ground areas shall be landscaped

- b. All required landscaping shall provide a minimum ground coverage of fifty (50) percent, excluding trees, within two years of planting. Landscaping for commercial and industrial uses must reach fifty (50) percent coverage within two years of the issuance of a certificate of occupancy. See Figure 17.24.060-B.



Fig. 17.24.060-B: Landscaping coverage

c.

Non-vegetative groundcovers shall cover the ground surface in landscaped areas. Materials include, but are not limited to, rocks and small stones, crushed rock, cinders and bark. Areas covered by such non-vegetative groundcovers shall be broken up as much as possible by living plant materials. See Figure 17.24.060-C.



Fig. 17.24.060-C: Non-vegetative groundcover

2. **Visibility of Landscaping.** When possible, areas of any particular site allocated to landscaping shall be located on that site in such a way so as to provide substantial benefit to the general public as well as to the site itself.
3. **Areas Excluded From Landscaping Calculation.**
 - a. **Landscaping in Public Rights-of-Way.** Landscaping in public rights-of-way may be used to satisfy the minimum landscaping requirements for infill development as set forth in this section but shall not be used to satisfy the minimum landscaping requirements for other types of development unless specifically provided for herein. An encroachment permit and maintenance agreement issued by the Director of Public Works shall be required for all landscape within public right-of-way.
4. **Parking and Storage Prohibited.** No landscaped area shall be used for the parking of vehicles or the storage or display of materials, supplies, or merchandise.
5. **Landscaping Plan Required.** A landscaping plan shall be submitted in conjunction with any required site plan prior to the issuance of a building permit.
6. **Maintenance and Irrigation.**
 - a. **Maintenance.** Trees, shrubs, fences, walls, irrigation improvements, and other landscape features depicted on plans approved by the City shall be considered elements of the project in the same manner as parking, building materials, and other details are elements of the plan. The land owner, successors in interest or agent, if any, shall be jointly and severally responsible for the following:
 - i. Regular maintenance of all landscaping and irrigation improvements in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds, and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices.

- ii. The repair or replacement of required landscape structures (e.g., walls, fences) to a structurally sound condition.
- iii. The regular maintenance, repair or replacement, where necessary, of any landscaping required by this section.
- b. **Irrigation.** Landscaped areas shall be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans shall be submitted with development plans and shall contain all construction details for an automatic system. Where irrigation is required and irrigation plans have been approved by the City, a property owner is prohibited from reducing irrigation volume or discontinuing irrigation without City approval. A back-flow prevention device shall be provided in accordance with Nevada Administrative Code Chapter 445A.
- c. **Traffic Sight Visibility.** Landscaping shall be maintained so that it will not interfere with traffic sight distance, street signs, or traffic signs/lights.

7. **Materials.**

- a. Due to the desert characteristics of the Valley, water conservation is required through the use of drought-tolerant plants and turf where allowed. Landscaping materials shall comply with the requirements of the SNWA Water Smart Landscapes Plant List.

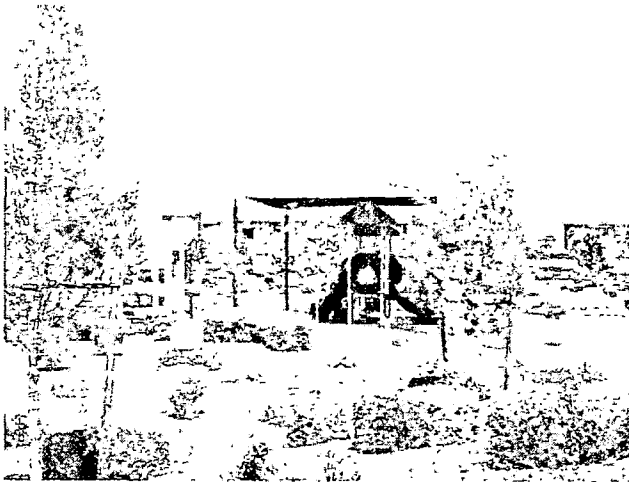


Fig. 17.24.060-D: Drought-tolerant plants and turf are required

- b. For the purposes of this section, a tree with a thirty-six-inch circumference measured at breast height shall be considered to have a two and one-half-inch caliper, and a tree with a twenty-four-inch circumference shall be considered to have a one and one-half-inch caliper.
- c. Plants and shrubs must be a minimum of five gallon size at time of planting. Groundcovers must be a minimum of one gallon size at time of planting.
- d. If conifers are used to satisfy the requirement for trees of one and one-half inch caliper measured six inches above root ball, they shall be a minimum of eight feet tall.
- e. No tree whose mature height exceeds fifteen (15) feet shall be planted under an electric utility line.
- f. In an effort to conserve limited water resources, the provision of draught-tolerant landscaping is encouraged. See Figures 17.24.060-D and E.

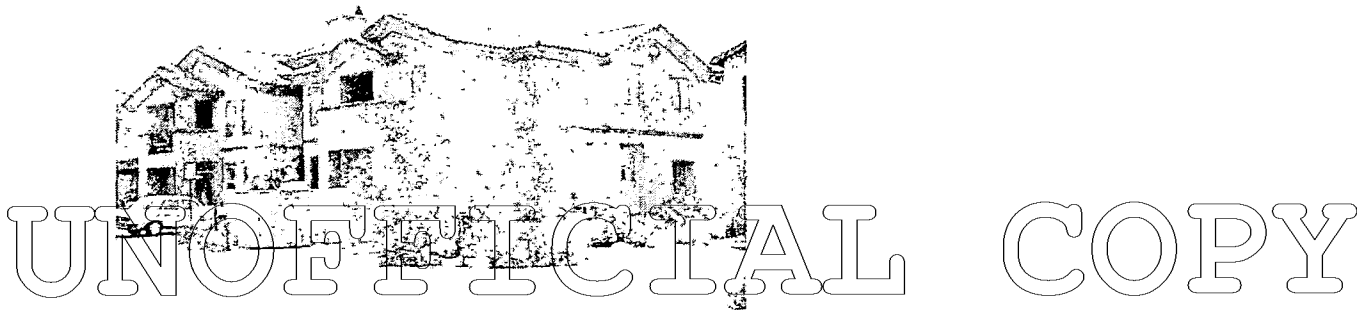


Fig. 17.24.060-E: Drought-tolerant landscaping used instead of turf grass

- g. No person shall impose private covenants, conditions, deed clauses, or other agreements that require the installation of turf or prevent the utilization of water efficient landscaping, provided such landscaping receives appropriate architectural review approval. No person shall prohibit landscaping materials and designs solely on the basis that they make use of water-efficient landscaping.
- h. Deep-rooted trees shall not be located within five feet of any underground drainage facility or wet utility line unless protected by a root barrier.
- i. The use of turf shall be limited as follows:

TABLE 17.24.060-1: USE OF TURF BY ZONING DISTRICT

Zoning District/Use	Use of Turf
Commercial/Industrial zones	No turf allowed
Public/private facilities	No turf allowed, except for schools, parks (public or private), and cemeteries
Golf courses	Limited to 5 acres average per hole, with a maximum 10 additional acres for driving range
Residential zones (single-family)	No turf in single-family residential common areas, except private park areas. For single-family residential lots, no turf in the front yard. The installation of new turf in the side and rear yard shall not exceed 50 percent of the gross area of the side and rear yard, provided that no turf area dimension is less than 10 feet. A maximum of 5,000 square feet of turf is permitted
Residential zones (multi-family)	No turf in multi-family residential except in recreational or park areas

- j. The use of turf is not permitted in landscape areas along a public street frontage.
- k. The turf limitations contained in this section are intended to increase the use of water efficient vegetation. Landscaping shall be designed, and landscaping materials shall be chosen and installed, so as to insure that within two years of normal growth, at least fifty (50) percent of the area covered by non-turf landscaping will consist of water-efficient vegetation.
- l. The use of plant material with high pollen production is prohibited. This includes pigweed, canyon ragweed, juniper, privet, mulberry, olive (all fruit producing species), Russian Thistle, Johnson grass, salt cedar, and any plant on the Nevada State Department of Agriculture Noxious Plant List.

8. Subdivision Design.

- a. Subdivision entries shall incorporate enhanced landscape treatments and are encouraged to provide project signage. Special paving treatment may be used, subject to review and approval by the City.
- b. Primary residential entries shall not have more than two identification monuments or signs. Monuments shall not exceed six feet in height. Materials should be architecturally compatible with the representative neighborhood.
- c. Publicly visible fences and gates shall be consistent with a neighborhood's architectural character and submitted as part of any development plan.
- d. Lighting shall be designed with sensitivity to both vehicles and pedestrians.
- e. Landscaping is required in alley ways and is in addition to open space requirements.

C. Landscaping Requirements for Single-Family Residential.

1. Requirements for Individual Lots.

- a. Each residential lot shall have a minimum of two trees planted between the sidewalk and the front of each house at the time the house is constructed. Trees shall be sized at 24-inch box (minimum one and one-half inch caliper measured at six inches above the top of the root ball) at the time of installation. Palm trees shall be a minimum of nine feet in height at time of planting. Evergreen trees shall be a minimum of six feet in height at time of planting.



Fig. 17.24.060-F: Residential landscaping

- b. Each residential lot shall be provided with an in-ground irrigation system for front and street side yards.
 - c. Front and street side yard landscaping (for those portions of street side yards not enclosed by walls), of oasis, desert, or drought-tolerant type, shall be provided for each residential lot. There shall be a minimum of one and a half five-gallon shrubs per fifty (50) square feet of front and corner side yard area (not including driveway area and areas behind rear yard walls). The use of drought-tolerant type landscaping is strongly encouraged.
 - d. Gas and electrical meters shall be screened where possible. Electrical transformers, if not flush with the sidewalk shall be located to the back of sidewalk, and shall straddle the side property lines.
- ##### 2. Maintenance.
- a. Developers are responsible for installation of landscape along all roads (exterior and interior), entries, parks, recreation facilities and open spaces.
 - b. A Home Owners Association (HOA) or Landscape Maintenance Association (LMA) is responsible for maintenance of landscape and irrigation. All common areas shall be maintained by the HOA.

D. **CPTED Principles.** The application of Crime Prevention Through Environmental Design principles are designed to enhance the overall safety of the community. The following CPTED guidelines shall be considered in reviewing landscaping plans:

1. **Guidelines to Promote Natural Surveillance (the ability to see and be seen).**

- a. Plantings located close to windows and doors should either be limited in height or trimmed to promote natural surveillance and discourage hiding places.
- b. The mature shape and height of all plantings should be taken into consideration when selecting those plantings to ensure that they do not interfere with lighting or natural surveillance.
- c. Tree canopies should be trimmed up to a height of seven feet to maintain natural surveillance.
- d. Trees should not be allowed to interfere with lighting.
- e. Plantings in side yards should be maintained to support sight-lines in the area.
- f. Where there are existing plantings that create a hiding space in front of a wall, the lower section of the plant should be trimmed to permit visual surveillance.

2. **Guidelines to Promote Natural Access Control (directing people to proper entrances while discouraging access to unauthorized areas).**

- a. Trees should be located so as not to provide roof access.
- b. Barrier plants, with needles or thorny foliage, should be used to discourage access to windows or restricted areas.
- c. Barrier plants should be used to discourage unauthorized access over walls.
- d. Plantings such as a landscape trellis and vines should be used to discourage graffiti.
- e. A landscape buffer should be considered to separate streets and sidewalks from block walls.
- f. Pathways should be lined with landscape beds where possible to encourage users to stay on the path and define property lines.
- g. Decomposed granite may be allowed when appropriate for pathways in secluded areas in order to alert residents to the presence of others.

3. **Guidelines to Promote Territorial Reinforcement (making a clear distinction between private and public space).**

- a. Landscape can be used to help define main entryways.
- b. Landscape can be used to distinguish private property from public property.

E. **Perimeter Landscaping.**

1. **General Requirements.**

- a. Perimeter landscaping shall be provided for all new development. The applicability of this section is described in Table 17.24.060-2, Perimeter Landscaping Requirements, below.

TABLE 17.24.060-2: PERIMETER LANDSCAPING REQUIREMENTS

Perimeter Landscaping Requirement	Use Category				
	Residential and Small Lot	Multifamily	Mixed-Use	Commercial	Industrial
Measurement	See Table 17.24.060.3	17.24.060.I.2.b	17.24.060.I.2.c	17.24.060.I.2.d	17.24.060.I.2.e
Minimum Groundcover	Yes	Yes	Yes [1]	Yes	Yes

Irrigation and Maintenance	Yes	Yes	Yes	Yes	Yes
Street Trees	Yes	Yes	Yes	Yes	Yes
Street Medians	Yes	Yes	Yes	Yes	Yes
Sidewalks	Yes	Yes	Yes	Yes	Yes

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b. Perimeter landscape area shall be measured from the back of curb to the interior side of the perimeter wall adjacent to all streets.

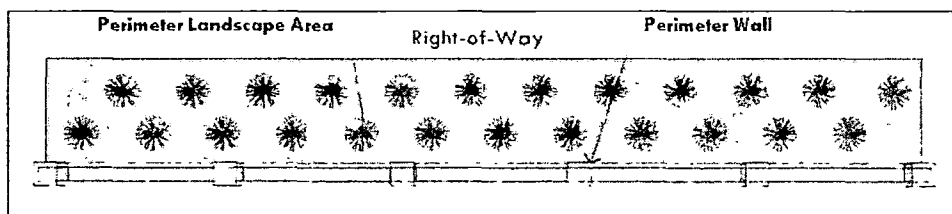


Fig. 17.24.060-H: Perimeter landscape area

- c. The perimeter landscaping shall be planted with drought-resistant and water efficient plant materials from the SNWA Water Smart Landscapes Plant List.
- d. The developer shall provide perimeter landscaping plans that must be approved by the City prior to recording the final map. The plan shall feature a consistent framework of hardscape and softscape design, materials and colors. Final landscaping plans must be stamped by a landscape architect, architect or landscape contractor registered in the State of Nevada.

2. Requirements by Use.

a. Single-Family/Two Family Requirements.

- i. The width of the perimeter landscape area shall conform to the following table.

TABLE 17.24.060-3: RESIDENTIAL	
Right-of-way Width (feet)	Width of Perimeter Landscaping (both sides of street including sidewalk) (feet)
Less than 60	10 [1]
60	15 [1]
80	15
100 or wider	20
NOTE:	
[1] Perimeter landscaping not required if houses are constructed facing the street.	

ii.

Where a sidewalk is required in a perimeter landscape area, it shall be centered between two approximately equal strips of landscaping. Sidewalks within perimeter landscape areas shall be designed to run in a straight course, not in a curvilinear course.

iii. Perimeter landscape areas shall be maintained by a homeowners' association.

b. Multifamily.

- i. Perimeter landscape areas adjacent to arterial streets (one hundred (100) feet or greater width) shall be at least twenty (20) feet in width. Perimeter landscape areas adjacent to collector streets (sixty- to ninety-nine-foot ROW) shall be at least fifteen (15) feet in width. Off-set pathways or sidewalks are included as part of the required landscape area measurement and shall be centered in the landscape area. The developer shall provide preliminary peripheral landscaping plans at the time of application.
- ii. Buffer yards not less than ten feet in width shall be planted and maintained with twenty-four (24) inch box trees. See Figure 17.24.060-I.



Fig. 17.24.060-I: Landscaped buffer yard located adjacent to abutting properties

- iii. Streetscape plans shall be provided as a component of all multifamily development proposals. Street trees and street median landscaping shall be provided pursuant to Section 17.24.060.F.5., Street Trees. As part of the streetscape plan, bike lanes and trails shall be installed as identified in the comprehensive plan or other adopted plan, as determined by the traffic engineer, or as deemed necessary to create linkages between neighborhoods, and from neighborhoods to local service areas. Bike lanes and trails shall be installed within street rights-of-way unless other locations are determined to be more suitable by the City.

c. Mixed-Use.

- i. The width of perimeter landscaping areas shall be consistent with adjacent neighborhoods but must be a minimum width of fifteen (15) feet, including sidewalks. See Figure 17.24.060-J.
- ii. Where mixed-use development abuts a lower density residential neighborhood a transitional landscape buffer with a minimum width of twenty (20) feet, including sidewalks, shall be planted.
- iii. Sidewalks shall either be provided within the perimeter landscape area or adjacent to mixed-use structures. Sidewalks shall not be provided abutting a curb.
- iv. The transitional landscape buffer shall be planted with twenty-four-inch box trees (minimum one and one-half inch caliper measured at six inches above the top of the root ball) at the time of planting, at a maximum spacing of twenty (20) feet on center.

d. Commercial.

- i. Perimeter landscape areas adjacent to any street shall be at least fifteen (15) feet in width, including sidewalks, unless otherwise specified by a sub-area plan.

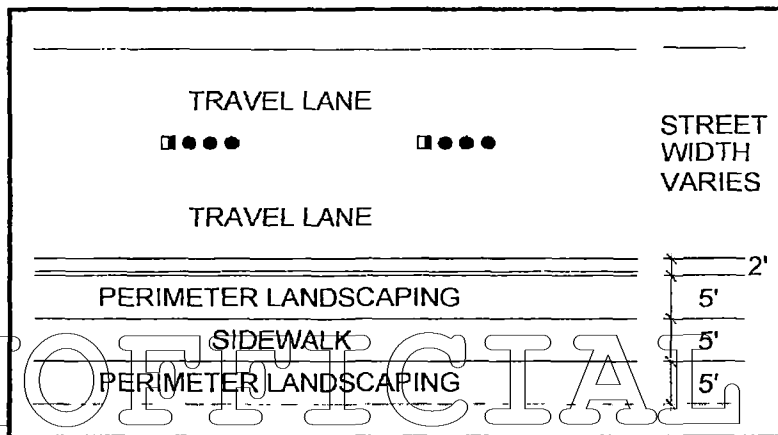


Fig. 17.24.060- J: Commercial and mixed-use perimeter landscaping

- ii. Sidewalks shall either be provided within the perimeter landscape area or adjacent to commercial structures. Sidewalks shall not be provided adjacent to a street.
 - iii. Shrubs or vines should be planted immediately adjacent to any solid wall to soften the effect of the wall and to deter graffiti.
 - iv. Where new development abuts areas of open space, a soft, transitional landscaped edge shall be used to create a gradual, more natural transition between the open space and the new development.
 - v. Where commercial development abuts residential property, in addition to a solid masonry wall, a landscaped buffer area with a minimum width of twenty (20) feet shall be planted with twenty-four (24) inch box trees
- e. **Industrial.**
- i. Perimeter landscape areas adjacent to any street shall be at least ten feet in width.

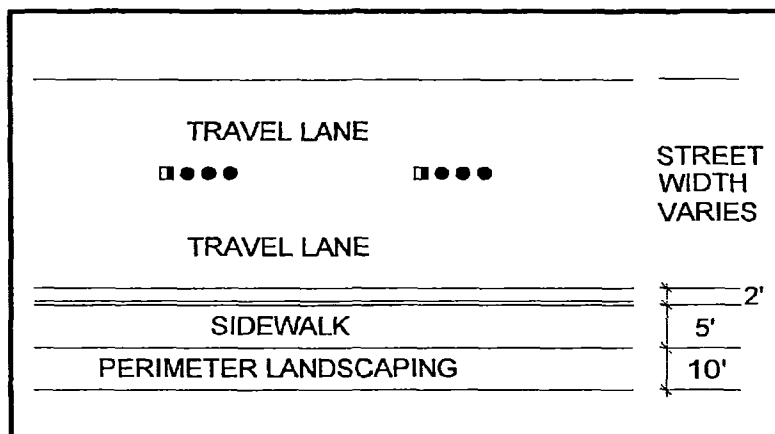


Fig. 17.24.060- K: Industrial perimeter landscaping

- ii. Where new development adjoins areas of open space, a soft, transitional landscaped edge shall be used to create a gradual, more natural transition between the open space and the new development.
 - iii. In addition to a solid masonry wall, a landscaped buffer area with a minimum width of twenty (20) feet shall be planted and maintained with twenty-four (24) inches box trees at a maximum spacing of twenty (20) feet on center adjacent to any abutting residential property.
3. **Perimeter Landscaping Maintenance.**
- a. All landscaping within sight visibility restriction areas shall be maintained to ensure a height no taller than twenty-four (24) inches above the adjacent street centerline when fully mature.

- b. Maintenance of the perimeter landscaping shall be the responsibility of the property owner, developer, homeowner's association, or other similar organization as approved by the City.
- 4. **Street Trees.** Street trees shall be planted along all collector and arterial streets in accordance with any corridor or specific area plans as adopted by the City, or of a type as approved by the City.
 - a. Street trees shall be sized at twenty-four-inch box and shall be planted at twenty (20) feet on center at the time of installation. Trees may be clustered along the right-of-way, however the maximum separation allowed is fifty (50) feet.
 - b. Palm trees shall be a minimum of ten brown trunk feet in height, at time of planting.
- 5. **Street Medians.**
 - a. All street medians that are required to be landscaped shall be landscaped using a mix of trees, plants and shrubs to achieve a minimum ground coverage of fifty (50) percent within two years of planting.
 - b. Median trees shall be planted at intervals of twenty-five (25) feet or in accordance with any corridor or specific area plans as adopted by the City, or of a type as approved by the City. Median trees shall meet the specifications of Section 17.24.060.F.5., Street Trees, above.
 - c. In-ground irrigation systems shall be installed in all median landscape areas.

F. Parking Lot Landscaping and Layout.

- 1. Any area of a surface parking lot that abuts a public street shall be screened by perimeter landscaping and/or a decorative masonry wall with a minimum height of three feet above the finished grade of the parking lot where it abuts the landscaping. See Figure 17.24.060-L.

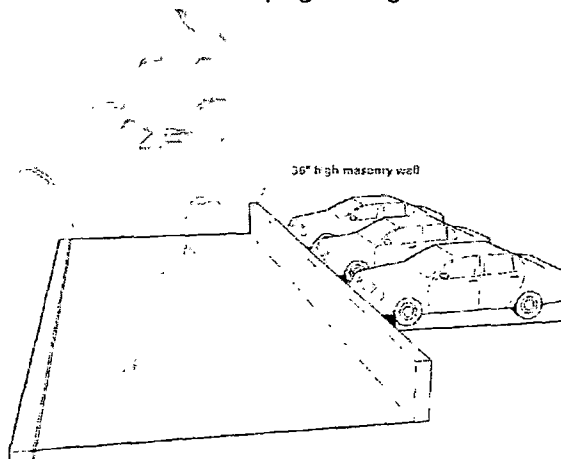


Fig. 17.24.060-L: Parking lot perimeter landscaping

- 2. To produce a shade canopy within areas of surface parking, landscape diamonds shall be provided. Each diamond shall contain a twenty-four-inch box tree and shall be spaced for each four parking spaces within a parking row. See Figure 17.24.060-M.

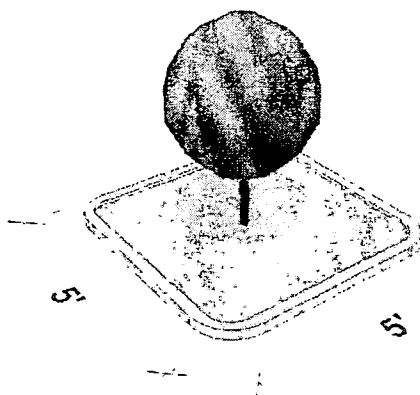
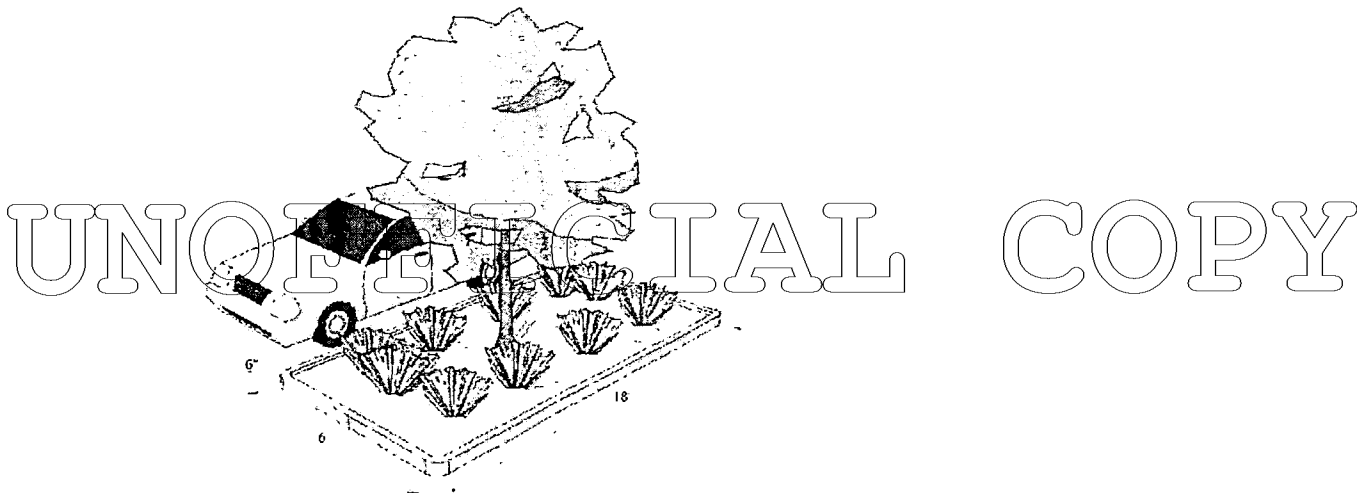


Fig. 17.24.060-M: Landscape diamond

3. Landscape islands with a minimum width of six feet shall be installed at the ends of all parking rows. See Figure 17.24.060-N.

**Fig. 17.24.060-N: Landscape island**

- G. **Transit Stop Landscaping and Amenities.** Where transit stops are provided as part of an overall development or other approval from the City, the following landscaping shall be provided as approved by the Regional Transportation Commission:
 1. A minimum of three, three-inch caliper trees planted either in concrete planters in the ground or protected by tree grates;
 2. An area of hardscape with a minimum width of six feet around each of the planters, connected to the transit stop; and
 3. Elements to enhance pedestrian comfort such as seating, drinking fountains, and public artwork.
- H. **Drainage and Utility Easements.**
 1. Plain concrete drainage channels in any type of development that do not incorporate bicycle and pedestrian paths or maintenance roads must be buffered by a minimum ten-foot landscape area on each side of the channel.
 2. The area of any such paths and/or landscape areas along drainage channels and washes shall be counted toward buffer requirements and may be counted toward the open space requirements of the development if in conformance with [Section 17.24.020](#)
- I. **Foundation Landscaping.** Landscaping plans shall take into consideration site-specific geotechnical considerations that may require additional protection to prevent infiltration of water into unsuitable soils. If foundation landscaping is determined to be impractical because of soils conditions, one or more of the following options may be used so long as a minimum planter depth of six feet is maintained:
 1. Landscaping may be transposed with the sidewalk, so long as access points to the sidewalk are maintained at a ratio of one per every two abutting parking stalls.
 2. Above-ground planters and/or decorative pots may be utilized so long as they are designed and constructed in such a manner to prevent drainage onto any sidewalk.
 3. Landscaped diamonds containing a twenty-four-inch box tree, with pedestrian grates or groundcovers, may be utilized at a ratio of one diamond per every three abutting parking stalls.
 4. A colonnade or similar architectural element may be utilized to provide a minimum eight feet of shading.
 5. Other methods as approved by the Director (i.e., cutoff walls, moisture barriers, etc.).
- J. **Infill Development.**
 1. All infill projects shall provide landscaping as an integral part of project design. Landscaping shall be located

throughout the site to accomplish the following objectives:

- a. Preserve and enhance the identity of the site;
- b. Buffer environmentally sensitive areas;
- c. Shade, as possible, parking areas and walkways;
- d. Connect the site to surrounding development;
- e. Create attractive streetscapes and common areas.

2. **Infill Landscaping Plan.** All applicants for infill projects shall submit a landscape plan, prepared by a certified landscape architect, with the development application. The plan shall meet the objectives of Section 17.24.060.H.1. and shall identify and locate existing and proposed: trees, shrubs, and groundcover; natural features; and other landscape elements. Where existing plantings are to be retained, the plans shall include proposed methods of protection during construction.

3. **General Standards for Infill Development Landscaping.**

- a. Infill development is exempt from perimeter landscaping except as follows:
 - i. Site perimeter landscaping along side or rear lot lines shall only be required when the lot lines occur between a residential and a non-residential use of property.
 - (A) If the primary structure on either side of the lot line contains a mixed-use no site perimeter landscaping shall be required.
 - (B) Where site perimeter landscaping is required, the applicant may choose to substitute for any planting requirement an opaque fence or wall constructed of one of the primary materials used on the façade of the primary structure. If the applicant chooses to provide planted materials for any required site perimeter landscaping on a side or rear lot line, the required width of any planting area shall be reduced to four feet.
 - ii. In-lieu of front perimeter landscaping in the R-A district, landscaping and/or pedestrian amenities (described below) may be installed in the front setback. However, where a sidewalk and planting strip exist on adjacent property, the new sidewalk and planting strip shall match the adjacent sidewalk and planting strip in configuration and alignment unless the Director determines that, for the convenience of the public, a new configuration and alignment are preferable. Where a planting strip between a public street and sidewalk exists on a site or one will be created as part of the development plan, the area shall be landscaped with at least one street tree per thirty (30) lineal feet, on center.
 - iii. Acceptable pedestrian amenities include:
 - (A) A public outdoor seating plaza adjacent to or visible and accessible from the street, with a minimum useable area of three hundred (300) square feet. See Figure 17.24.060-O.
 - (B) Sidewalk planters between sidewalk and building.
 - (C) Public art including but not limited to sculptures, fountains, clocks, or murals with a value equal to or greater than one percent of construction value of the structure.

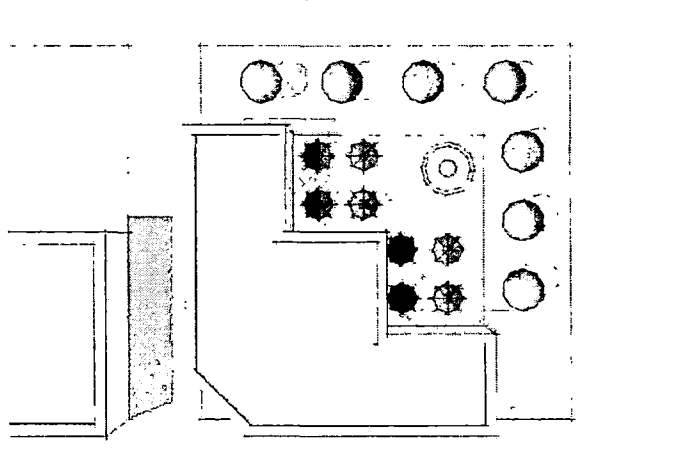


Fig. 17.24.060-O: Pedestrian plaza

- b. Infill development is exempt from the district landscaping requirements set forth in Section 17.24.060.C. Areas of infill development lots that are not covered by structures or drives, parking lots, sidewalks, patios or other such uses should be landscaped with the materials identified in Section 17.24.060.C.4., or be designed as public open space amenities as described in Section 17.24.020.C., Private Common Open Space.
- c. The use of berms is prohibited.

4. Parking Lot Landscaping for Infill Development.

- a. Vehicular use areas that include drive aisles, turn lanes, or parking areas on infill lots shall maintain a minimum perimeter planting strip with an average width of four feet as measured from the outer edge of the vehicular use area.
- b. The planting strip between vehicular use areas and rights-of-way shall contain a continuous hedge composed of a row of evergreen shrubs with a minimum planting height of thirty (30) inches and a maximum on-center spacing of three feet.
- c. The minimum planting strip width may be reduced to a minimum width of two feet through the provision of a decorative masonry wall or ornamental metal fence constructed in accordance with the standards in Section 17.24.070, Screening, Walls, and Fences.

- K. Installation Prior to Occupancy Permit.** All landscaping materials and equipment as provided for on the approved landscape plan for any residential, business or industrial development, or in the case of phased development, for the particular phase, shall be installed prior to the issuance of any occupancy permit or Certificate of Completion.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2706, §§ 20, 21, 2-18-2015)

17.24.070 - Screening, walls, and fences.

A. Walls and Fences Generally.

- 1. **Locations.** All fences and/or walls shall be located entirely upon the private property of the persons, firms, or corporations constructing, or causing the construction of, such fence and/or wall unless the owner of the adjoining property agrees, in writing, that such fence and/or wall may be erected on the division line of the respective properties.
- 2. **Construction, Maintenance and Height Measurement.**
 - a. **Fences and/or Walls.**
 - i. Every fence and/or wall shall be constructed in a substantial, workmanlike manner and of substantial material reasonably suited for the purpose for which the fence and/or wall is proposed to be used.
 - ii. Every fence and/or wall shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, damage or unsightliness, or constitute a nuisance, public or private. Any fence and/or wall that is, or has become, dangerous to the public safety, health or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance, and City shall commence proper proceedings for the abatement the fence and/or wall.
 - iii. Chain link or wire fences, wherever permitted, shall be constructed in such a manner that no barbed ends shall be at the top, except in industrial districts, and shall be constructed of at least eleven-gauge wire or its comparable.
 - iv. On corner lots in all districts, no fence or wall in excess of twenty-four (24) inches above the street centerline grade shall be permitted within a triangular area defined as follows: beginning at the intersection of the projected curbing lines of two intersecting streets, thence fifteen (15) feet along one curbline, thence diagonally to a point fifteen (15) feet from the point of beginning, and at the intersection of each driveway or alley with a street, a triangular area where corners are defined by two points on the right-of-way line, fifteen (15) feet on each side of the centerline of the driveway or alley and a point on said centerline ten feet outside right-of-way.

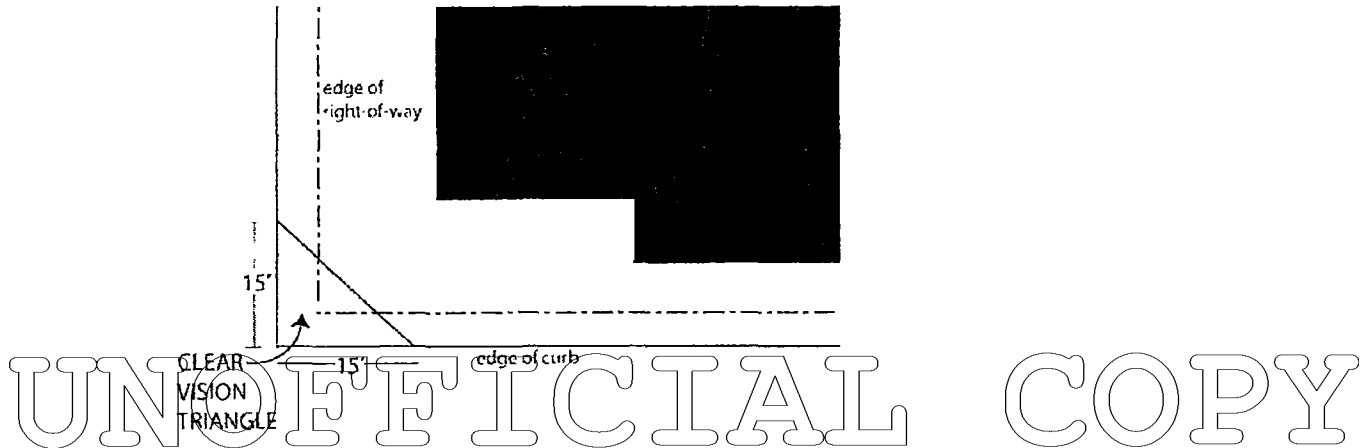


Fig. 17.24.070-A: Clear vision triangle for fences and walls

- b. **Masonry Walls.** The following shall apply regardless of zoning district:
 - i. For walls up to three feet high and within a rear yard setback area there are no restrictions;
 - ii. For walls up to three feet high and visible from a street, common element, sidewalk, or other publicly-accessible area, the wall shall be decorative;
 - iii. For walls three feet and higher, the current building code adopted by the City shall apply;
 - iv. The portion of all retaining and screen walls below grade shall be sealed by a method approved by the Division of Building Safety to prevent the leaching or transmission of mineral deposits through the wall.
- c. **Measuring Fence and Wall Height.**
 - i. All retaining wall heights shall be the effective height above the finished grade measured on the exposed side of the wall.
 - ii. The height of the fence or wall shall be the total effective height above the finished grade, measured from the property with the highest elevation.
 - iii. On property lines, the height may be measured from the finished grade of either side when the abutting property owners are in joint agreement, with such agreement submitted in writing as part of the building permit application packet.
 - iv. No retaining wall within four feet of any sidewalk shall exceed three feet in height.
 - v. Fences and/or screen walls may be located atop retaining walls provided:
 - (A) The overall height of any combination fence/screen wall and retaining wall shall not exceed twelve (12) feet. Any wall greater than nine feet in overall height shall be separated from the back-of-sidewalk by a minimum five feet of landscaping; and
 - (B) The retaining wall is appropriately engineered to support said fence or screen wall.
- d. **Fence and Wall Height Deviation Requests.** Property owners, contractors, or developers wishing to construct a fence or wall in any district that would deviate from the height requirements of this title may apply for a variance. A variance may only be approved by the Planning Commission in accordance with the requirements set forth in Section 17.12.070.K., Variances.
- 3. **Residential Fences and Walls.** The following standards shall apply to all residential uses:
 - a. Fences and walls, excluding retaining walls, shall not exceed eight feet in height unless otherwise specified herein.
 - b. No fence or wall shall be allowed in any required residential front yard that exceeds forty-eight (48) inches in height. Twenty-five (25) percent of any front yard fence or wall shall be open above thirty-six (36) inches. All wall sections visible from the street, sidewalk, adjacent properties, or common areas shall be decorative.
 - c.

In those instances where a fence or wall is erected as an enclosure that restricts access from the front to the rear yard, a gate, an identifiably collapsible section of fence, or other such means of recognizable ingress shall be installed, shall remain unobstructed, and shall be a minimum three feet in width. The location of such ingress points shall be positioned at any point paralleling the front lot line between the side lot property line and the principal structure. Side yard walls higher than forty-eight (48) inches shall not extend beyond the plane of the front wall of the house. In such cases that it is deemed necessary and/or desirable, such walls shall be decorative on both sides, unless otherwise approved by the Planning Commission.

4. **Commercial and Industrial Fences and Walls.**

- a. Fences and walls in office and commercial uses shall not exceed ten feet in height. Perimeter fences abutting residential districts shall not be greater than eight feet in height, as measured from the residential side of the property line.
- b. Fences and walls in industrial uses shall not exceed twelve (12) feet in overall height. Perimeter fences abutting residential districts shall not be greater than eight feet in height, as measured from the residential side of the property line.

5. **Mixed Use.** Perimeter walls, berms, or fences, if used, shall be installed to a height of not less than three feet, six inches, nor greater than ten feet (except as permitted elsewhere in this code).
6. **Finished Side Toward Adjacent Property.** Any fence or wall constructed so as to have only one elevation "finished," that shall be defined as not having its supporting members significantly visible or as having its decorative side visible, shall be erected such that the finished or decorative elevation of the fence or wall is exposed to the adjacent property.

B. **Perimeter Walls/Fences.** Perimeter wall/fences, if provided, shall comply with the following criteria:

1. **General Requirements.**

- a. **Connectivity.** All perimeter commercial and residential walls shall incorporate openings to provide street or pedestrian access at average intervals of five hundred (500) feet. Intervals may be varied at the City's direction to accommodate adjacent streets, transit stops, trails, and commercial or residential developments.

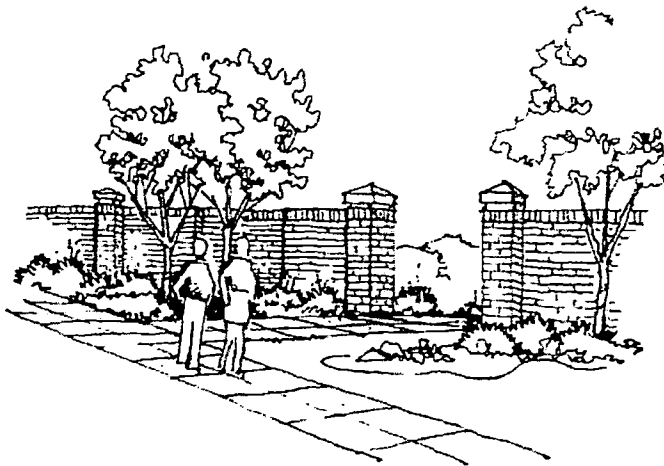


Fig. 17.24.070-B: Pedestrian access opening in a perimeter wall

b. **Design.**

- i. To achieve design continuity, perimeter walls shall match the design of existing abutting walls. In such cases the established wall design shall be continued, at a minimum, until the next street intersection. In cases where the Director determines an existing wall is considered to be of

unacceptable design, the design shall not be carried beyond the property line. The space between the discontinued wall design and any other wall design shall be filled with a landscaped area designed to create a transition between wall designs.

- ii. Perimeter walls, end walls, return walls, and common area walls exposed to right-of-way and pedestrian priority areas, if provided, shall be decorative and shall be installed by the developer.

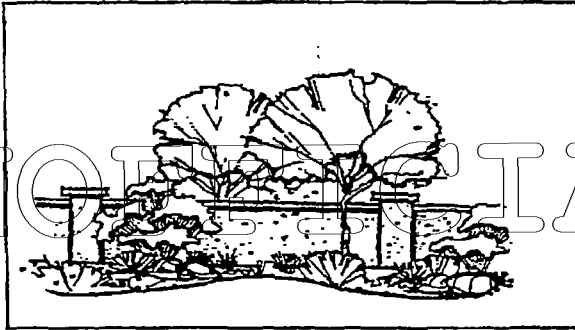


Fig. 17.24.070-C: Decorative perimeter screening walls

- iii. In residential districts, perimeter walls must include design elements such that twenty (20) percent of the wall façade must be contrasting with the other eighty (80) percent by use of different colors, materials, or architectural design.
- iv. Perimeter wall/fences around residential subdivisions or residential PUDs shall meet the following standards:
 - (A) The maximum length of continuous, unbroken, and uninterrupted fence plane along an arterial or collector street shall be five hundred (500) feet. A break in the plane of a fence or wall may be achieved by one of the following:
 - (1) A break in the length of the wall or fence that is at least twenty-five (25) feet long (measured parallel to the street), at least four feet deep (measured perpendicular to the street) and may encroach into the perimeter landscaping;
 - (2) A change to a fence that is not more than fifty (50) percent opaque, such as an open rail or wrought iron fence, that is offset from the primary fence or wall plane by at least four feet, and that extends for no less than twenty-five (25) feet.



Fig. 17.24.070-D: Open style perimeter fence

- (3) A planting pocket a minimum of four feet deep and twenty-five (25) feet wide;
- (4) Fencing or landscaping less than four feet in height; or

- (5) A non-fenced opening.
- v. In commercial and industrial districts, walls along arterial and collector streets shall have wall sections interrupted by masonry columns with minimum width and depth of sixteen (16) inches at least once every one hundred (100) feet of horizontal distance along the street frontage.
- c. **Fences and Walls along Parks, Trails, and Natural Areas.**
- i. Where perimeter walls around any lot, subdivision, or PUD run along a designated park, trail, or natural area on the subject property or an adjacent property, the wall design shall:
- (A) Permit views into the park, trail, or natural area from all portions of the frontage that are not included in the side or rear yard of a private lot or development parcel; and
- (B) Permit views from the park, trail, or natural area into those portions of the adjacent development that are not included in the side or rear yard of a private lot or development parcel.
- ii. Along those sections of the wall or fence where views must be permitted pursuant to subsection a above, all portions of the fence between two feet above grade to the top of the fence or wall shall be at least seventy-five (75) percent open. The open fence percentage requirement shall be measured for each ten feet of horizontal fence length (i.e., no more than twenty-five (25) percent of any ten-foot horizontal section of fence may be constructed of materials that block the required views.) View-permitting portions of the fence may not be constructed of chain-link or wire.
- d. **Location.**
- i. Perimeter walls shall be installed at the rear of the required landscape setback area.
- ii. No perimeter wall along any street shall directly abut the rear of the curb.
- e. **Materials.**
- i. In residential and multifamily districts, the use of plastic, vinyl, woodguard style, and similar materials shall not be permitted as part, or in whole, for the construction of any perimeter walls, end walls, or common area walls within any development. However, should plastic, vinyl, woodguard style or similar materials for fencing be used on common property lines or as return walls, such fencing shall comply with the following:
- (A) The proposed material shall be engineered to withstand the effects of solar radiation and contain an appropriate level of UV inhibitors to maintain its appearance, color and structure for a minimum of twenty (20) years;
- (B) The proposed material shall be engineered to resist the long term effects of wind, dryness and freezing temperatures for a minimum of twenty (20) years;
- (C) The proposed materials shall be installed according to all manufacturer's specifications and building code requirements in effect at the time of installation;
- (D) All fencing shall be compatible for pool installations;
- (E) The posts and/or all connections shall not be attached to the homes unless approved by the Building Safety Division.
- ii. Unless otherwise approved as part of an overall development plan, the following materials shall not be considered to be acceptable for use for screening or perimeter walls:
- (A) Chain-link or open wire fencing (except as temporary construction fencing);
- (B) Razor wire or barbed wire (unless approved as an additional security measure in accordance with this Code);
- (C) Corrugated metal;
- (D) Bright colored plastic;
- (E) Untextured or unfinished concrete or block (CMU) walls.

C. Retaining Walls.

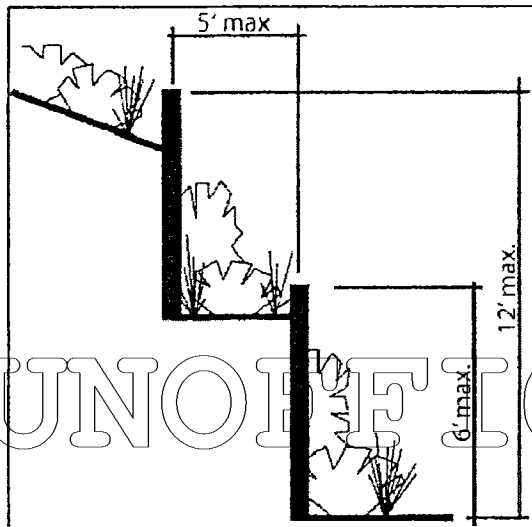


Fig. 17.24.070- E: Retaining Wall Design

1. Where retaining walls are used, they shall not exceed six feet in height and shall be decorative. In instances where the topographic conditions justify additional retaining walls, providing there is a minimum planting area of five feet between the walls.
2. All exposed sides of all retaining walls shall be decorative and shall match the design of any applicable screen wall.
3. In cases where the wall is split into multiple sections, a minimum of five five-gallon shrubs for each twenty (20) feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall.



Fig. 17.24.070-F: Retaining wall plantings

D. Transitional Screening.

1. **Purpose.** The purpose of this section is to establish general development standards for transitional screening between uses of differing character, density, or intensity. The transitional screening standards are intended to assure compatibility of uses, minimize deterioration of properties and property values, and to enhance to the health and safety of the residents of North Las Vegas.
2. **Use of Transitional Screening.** Unless otherwise determined by the Planning Commission, a decorative masonry screen wall of no more than eight feet in height above grade shall be constructed and maintained between uses of differing intensity or character. This may include between existing and/or future:
 - a. Single-family and multifamily developments;

- b. Multifamily and multifamily developments, when the difference is ten density units per acre or greater;
 - c. Residential and nonresidential developments;
 - d. Differing nonresidential use categories;
 - e. Parking areas subject to general public view if not specified elsewhere in this title;
 - f. Rear and/or side lot areas and public rights-of-way.
3. **Transitional Screening for Infill.** Transitional screening may not be required for residential infill development and may be reduced or waived for multifamily, mixed-use, or commercial development where the City finds the design, height, location of uses, massing, and landscaping of the infill project mitigates potential adverse impacts and promotes compatibility with surrounding structures and the character of the neighborhood.
4. **Location of Screen Walls.** Screening shall be located adjacent to interior property lines on the constructing party's property, unless both property owners are in agreement to install screening on the property line.
5. **Exceptions.** In lieu of screen walls, the City encourages and may require alternative methods for screening uses of differing character, density, or intensity. Alternative methods may include:
- a. Open space with landscaping;
 - b. Arterial or collector streets with landscaping;
 - c. Landscaped earth berms (particularly with parking lots);
 - d. Lower screen walls with landscaping (particularly with parking lots);



Fig. 17.24.070-G: Parking lot screening wall with landscaping

- e. Other screening approved by the Planning Commission. Alternative methods of screening shall be implemented when it is in the best interest of the affected properties and deemed by the Commission to provide more acceptable screening than provided by a screen wall.

E. Screening.

1. **Utility Screening.** All utility substations, wells, or storage facilities shall be screened from view from adjacent property and rights-of-way by a wall at least eight feet in height or landscape screen. If said areas are visible from adjacent streets, sidewalks, common areas, and/or publicly-accessible areas, all screen walls shall be decorative.
2. **Outdoor Storage Yards.**
 - a. Except as otherwise provided below, all materials, supplies, merchandise, equipment, or similar items not on display for direct sale, rental or lease to the ultimate consumer or user, shall be stored within the confines of a one hundred (100) percent opaque wall, or opaque landscaping screen not less than eight feet tall, in order to block views of said items from neighboring property and rights-of-way.
 - b. **Screening Exceptions.**
 - i.

When a boundary of a storage yard abuts a natural barrier (e.g., a hillside) that creates a change in elevation of more than eight feet between the finished grade of the storage yard and the finished grade of adjacent properties, the Director may waive or amend the screening requirements to mitigate the visual impact of the storage yard on adjacent properties and/or rights-of-way.

- ii. When a boundary of a storage yard abuts a manmade barrier (e.g., a building) that provides a substantial barrier between the storage yard and the adjacent property, screening is not required. However, any portion of the storage yard that is visible from any right-of-way or property not developed as a storage yard shall be screened in accordance with the provisions of this section.

3. Layout and Screening of Building Services and Mechanical Equipment.

- a. **Layout of Service Areas and Loading Zones.** Service and loading zones shall be located to the rear, side, or to an internal location where visibility from public streets and views from neighboring buildings and properties will be minimized. Such areas shall be screened by the use of decorative walls and/or dense landscaping that will serve as both a visual and a noise barrier.

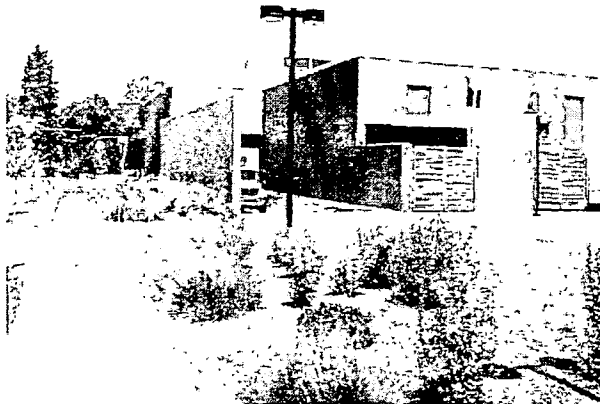


Fig. 17.24.070-H: Loading area screening

- b. **Roof Access Equipment.** Exposed ladders and roof access equipment and drainage spouts, when visible from a perimeter right-of-way or residential properties, shall be incorporated into the architectural form and layout of proposed building(s) to reduce the need for screening.
- c. **Screening of Uses and Equipment.** In all districts, the following uses and equipment, when visible from a perimeter rights-of-way or adjacent property, shall be screened: trash and refuse collection areas, mechanical equipment such as air conditioners, pumps and motors, propane tanks and other storage tanks, electrical equipment such as switching equipment and transformers, valves, vents.

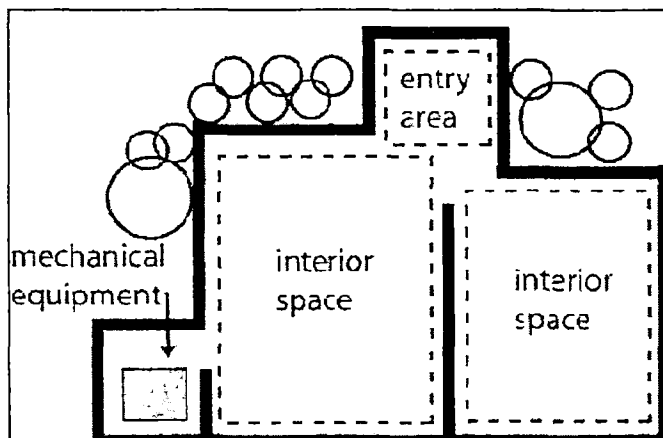


Fig. 17.24.070-I: Mechanical and electrical equipment incorporated into site layout

d. Ground Mounted Equipment.

- i. Ground mounted mechanical and electrical equipment, satellite dishes, and any other communications equipment shall be concealed from view of public streets and neighboring residential properties adjacent to the use at street level within one hundred (100) feet of the property boundary. This requirement shall not apply to solar panels or wind energy generators.

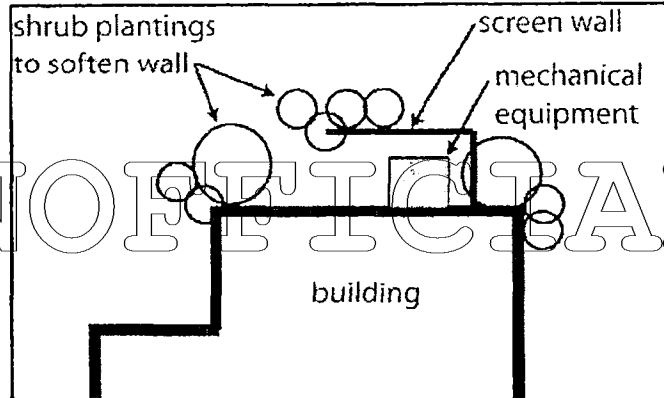


Fig. 17.24.070-J: Screened ground mounted and electrical equipment

- ii. Communication antennas shall be of a design, and installed in such a manner, as to blend in with the architecture and design of the building on which they are mounted. In the initial design stage of a development project, consideration shall be given to incorporating mechanical and electrical equipment into the architectural form and layout of the proposed building to reduce the need for screening.
- iii. Ground level mechanical and electrical service equipment shall be screened from public rights-of-way with materials architecturally compatible with the finishes and character of the principle structures within the development. All ground level mechanical and electrical equipment (including satellite dishes) shall be screened to the height of the tallest equipment and/or integrated with the building design.
- iv. Small ground mounted equipment such as valves, gas, electric and water meters, but not including solar energy equipment, shall be screened by the appropriate use of shrubs and landscaping design.
- e. Roof-Mounted Equipment.**
- i. The following equipment may be roof-mounted: solar panels, wind energy generating equipment, satellite dishes one meter or less in diameter, solar hot water tanks, or air conditioning units for multifamily structures. No other mechanical equipment shall be mounted on or attached to any high sloped roof.
- ii. Solar panels shall be mounted directly to the roof plane and be integral to the roof design.
- iii. Air conditioning units on multifamily structures shall be screened by a parapet wall.
- iv. On sites with large grade differentials, where reasonable height parapet or screen walls are insufficient to provide screening, views from above shall be screened to the maximum extent practicable through the additional use of alternative methods such as painting equipment to blend with roof materials.

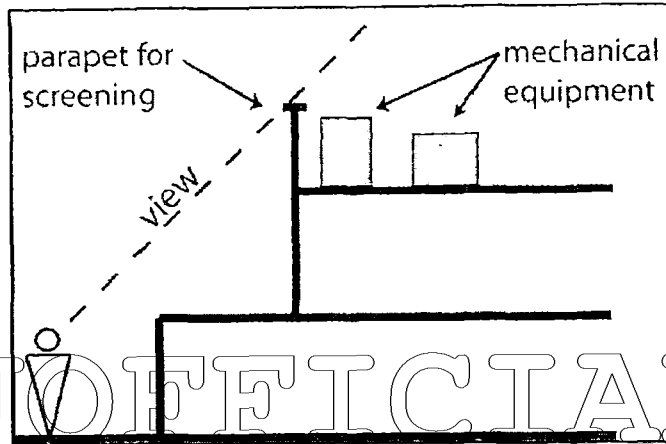


Fig. 17.24.070-L: Roof mounted mechanical equipment screened by parapets or walls

4. Refuse Collection Areas.

- a. Refuse collection areas and dumpsters shall be located away from all street fronts, primary driveway entrances, and pedestrian priority areas. They shall be screened from view from rights-of-way, sidewalks, and abutting properties.

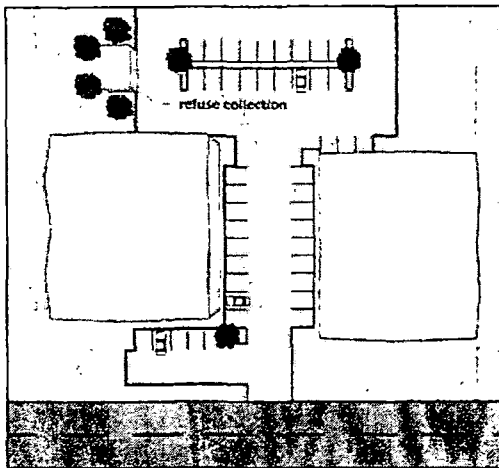


Fig. 17.24.070-M: Location of refuse collection areas

- b. Refuse collection areas and dumpsters shall be enclosed by decorative walls finished in the same manner as the main structures within the development and shall follow the same design theme and use similar materials to those used in the main structures. All such enclosures shall have solid metal gates and roofs or other type of approved screening device that covers the top of the enclosure. Refuse collection area enclosures in industrial districts are only required to be decorative and have a roof or other type of approved screening device if visible from a public way.
- c. No existing storage of trash or garbage is permissible in commercial or industrial districts except in the principal building, or accessory building enclosed by walls and roof or in closed containers completely screened from eye-level view from public streets and adjacent property. Such screening shall be in the form of solid walls, berms, or evergreen trees and shrubs. If walls are used, they shall have the same exterior finish and color as the principal building on the site.



Fig. 17.24.070-N: Dumpster screening

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.080 - Exterior lighting.

A. **General Standards.** The general standards of this paragraph apply to any lighting used to illuminate an off-street parking area, sign, or other structure, and pedestrian areas such as pedestrian connections, trails, and open spaces.

1. Lighting Levels.

- a. Appropriate levels of lighting shall be provided to create adequate visibility and safety at night.
- b. Any light or combination of lights that cause light on a public street, other than lights specifically intended for that purpose, shall not exceed one footcandle (meter reading) as measured from the centerline of the street.
- c. Light shall not exceed one-half foot candles at the property line of any adjacent residential property.
- d. The amount of light produced by exterior light sources should be reduced to that necessary to maintain a minimum comfort level for safety and security purposes. In parking lots, a minimum foot candle of one and maximum of five required.
- e. Warm lighting colors are encouraged. The blue-white colors of fluorescent and mercury vapor lamps shall be prohibited.
- f. Lighting shall be of a level sufficient to provide for security and safety and shall be of a type, and installed in such a manner that it does not cause glare or light spillover of more than 0.5 footcandles on abutting residences.

2. Light Shielding.

- a. Lighting shall be arranged so as to deflect light away from any adjoining residential zone or from the public streets.
- b. Exterior lighting shall have full-cutoff shielding so that light will not spill out onto surrounding properties or project above the horizontal plane.

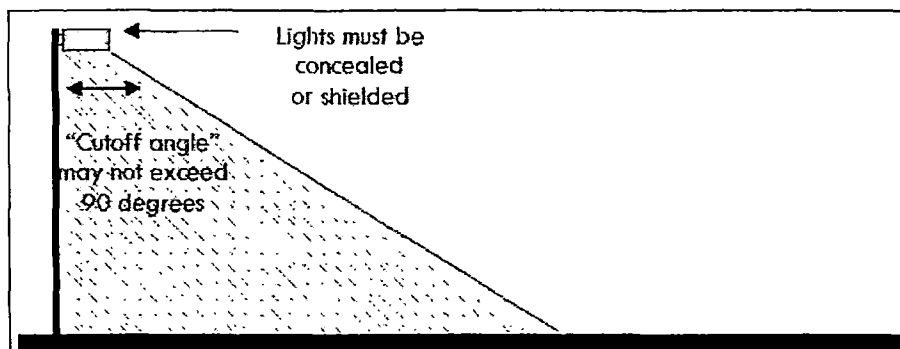


Fig. 17.24.080-A: Full-cutoff shielding

- c. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Wall mounted lights shall be directed downward. Soffit or canopy mounted light fixtures should be recessed in the soffit or otherwise fully shielded. Ground mounted or other upward directional lighting will be permitted only where some form of shielding or light baffling is provided to create a soft, uniform light quality and minimize light spillage beyond the wall or sign being illuminated.



Fig. 17.24.080-B: Lighting proportional to building size

3. Lighting Design.

- a. The height of light fixtures should be in proportion to the building mass and in no instance shall light poles be more than twenty (20) feet in height from a finished surface such as a street or sidewalk within commercial or multi-family developments or thirty (30) feet in height within industrial developments and C-2, zoned developments.
- b. Lighting fixtures should be located to eliminate glare into windows adjacent to parking areas.
- c. Lighting fixtures shall be compatible with the architectural character of the proposed development.
- d. Lighting shall be integrated with landscaping (with the exception of those that are located within loading or storage areas).
- e. Along walkways, low level lighting (i.e., below eye level) that directs light downward onto the ground surface is encouraged. The design of the fixtures shall be compatible with the overall design of the development and shatterproof lamp coverings shall be used. The fixtures shall be placed to minimize glare and shall be located as to not present hazards for pedestrians or vehicles.

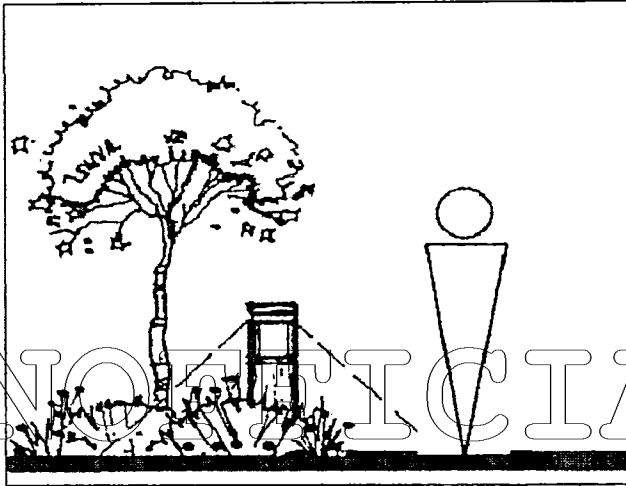


Fig. 17.24.080-C: Lighting integrated with landscaping

- B. **Lighting Plan Required.** A detailed lighting plan prepared by a licensed electrical engineer shall be submitted with the building permit application for all multi-family residential, commercial, industrial, or mixed-use developments. The lighting plan shall include, but is not limited to, types and styles of lighting fixtures, location of lighting fixtures, and a photometric lighting plan.
- C. **Residential Entrance Sign Lighting.** Residential project entrance sign lighting shall be by external source projected onto the sign, and the source shall be shielded to prevent glare on surrounding properties and streets. Internally lit signs, and signs with flashing or moving lights or messages are prohibited.

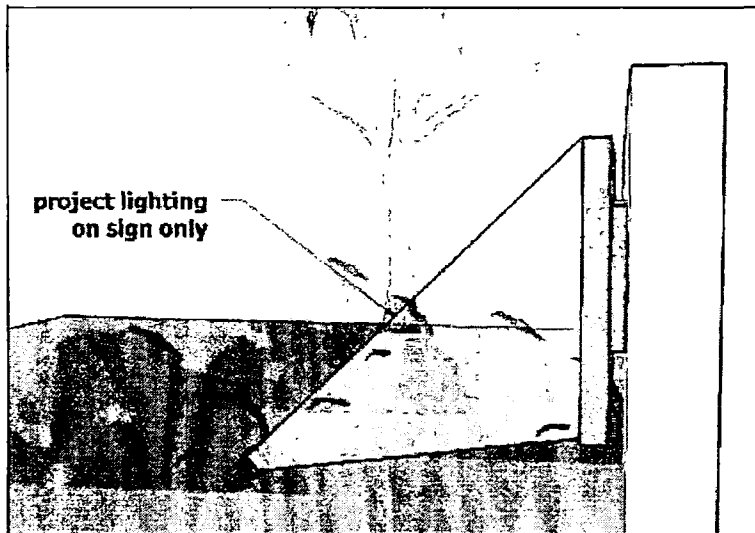


Fig. 17.24.080-D: Entrance sign lighting ground mounted and shielded

- D. **CPTED Principles.** The application of Crime Prevention Through Environmental Design principles are designed to enhance the overall safety of the community. The following CPTED guidelines are encouraged within all developments:
 1. Transitional lighting in exterior areas going to and from all buildings or uses along walkways.
 2. Lighting fixtures indoors and outside, to increase visibility, especially in areas with limited activity.
 3. Each luminaire or any other exterior lighting device designed for security lighting shall be protected by weather and vandal-resistant coverings.
 4. Lighting fixtures, including those controlled by motion sensors or photoelectric cells to discourage access by unauthorized persons after dark.

5. Lighting fixtures should enhance natural access control without disturbing adjacent property owners or legitimate users of the property.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.090 - Residential and two-family design standards.

A. **Purpose.** The purpose of these standards is to

1. Protect the character of established single- and two-family residential neighborhoods;
2. Promote appropriate residential infill and redevelopment within established neighborhoods;
3. Encourage a variety of housing choices for North Las Vegas residents; and
4. Enhance the quality, character, and livability of future neighborhoods.

B. **Applicability.** These standards and guidelines shall apply to all newly created single-family subdivisions, areas of single-family or two-family housing within planned unit developments (PUDs), new two-family dwellings, and all new individual single-family dwellings constructed within the City of North Las Vegas, manufactured housing that will not be affixed to a lot within a mobile home park, and permitted small lot residential development options. Exemptions to these requirements shall apply in the following instances:

1. A single-family or two-family dwelling patterned after a model home, the plans of which were submitted for building plan check prior to the date of adoption of the ordinance codified in this section, shall be exempt; provided, however, the home is to be located within a subdivision, the tentative map of which was approved by or pending approval on the date of adoption of the ordinance codified in this section.
2. A single-family or two-family dwelling for which plans were submitted for building plan check prior to the adoption date of this Code shall be exempt.

C. **Solar-Oriented Subdivisions and Single-Family Dwelling Units.**

1. **Applicability.** The requirements of this section shall apply to subdivisions with more than twenty-five (25) single-family residential lots within North Las Vegas.
2. **Definition: Solar-Oriented Lot (will be moved to definition section).** A "solar-oriented lot" shall mean a lot with its longest lot line dimension oriented to within thirty (30) degrees of a true east-west line.
3. **Standards.** All developments with single-family lots subject to this section are encouraged to comply with the following requirements:
 - a. **Solar-Oriented Residential Lots.** In subdivisions subject to these provisions, at least twenty (20) percent of lots shall be solar-oriented. The city may reduce the number of lots required to be solar-oriented in an infill subdivision upon a finding that the existing street pattern in the area should be maintained to assure compatibility with the character of the surrounding neighborhood. The city may consider a waiver to this requirement where a developer will install solar collection systems on an equal number of homes.
 - b. **House Orientation.** The long axis of all dwelling units on solar-oriented lots shall be oriented so that the long axis faces within twenty (20) degrees of true south.
 - c. **Street Layout.** Where, as determined by the City, topographic, environmental, and soil conditions, and existing street configurations permit, the predominant pattern of new streets in subdivisions subject to this section shall be oriented within thirty (30) degrees of east-west orientation.
 - d. **Site Features.** No site features shall be constructed on any lot in a new subdivision subject to this section that would block solar access sunlight twenty-five (25) percent or more of the time on any day of the year from the south facing roof of the dwelling.
4. **Modifications.** Where existing street, parcel dimensions and size, and development patterns; or unusual topographic, environmental, soil, and similar conditions exist that, as determined by the City, make compliance with these provisions either physically or economically infeasible, the City may modify the standards in this sections. However, the modifications shall be the minimum necessary and shall maintain overall solar access in the subdivision.

D. **Architectural Character and Materials.**

1. **Home Models and Design.**
 - a. **Number of Models Required.** All residential development shall be designed to incorporate a mix of home models based on the size of the total development as follows:

- i. One to fifteen (15) units: one model;
- ii. Sixteen (16) to seventy-five (75) units: two models;
- iii. Seventy-six (76) to one hundred (100) units: three models,
- iv. One hundred one (101) to one hundred fifty (150) units: four models,
- v. One hundred fifty (150) or more units: five models.

b. Model Design.



Fig. 17.24.090-A: Mix of home models

- i. At least three distinct elevation styles shall be offered for each model. Various models and elevations shall be interspersed throughout a development.
- ii. Each model must be offered with a porch, balcony, or courtyard option. Any dwelling that is not placed on an at-grade slab foundation and is elevated above ground in any manner shall include in its design a covered porch or other architectural feature on the front elevation that will effectively reduce the vertical effect of the raised structure. The minimum width of such porch or architectural feature shall be seventy-five (75) percent of the width of the front elevation.
- iii. No more than one identical elevation may occur consecutively or directory across the street.

c. Garage Placement.

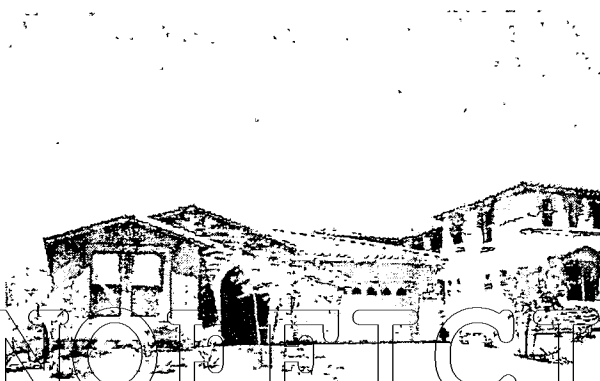
- i. For developments consisting of seventy-six (76) or more lots, no more than seventy-five (75) percent of lots shall have a primary structure with a front-facing garage door meeting the minimum setback requirements; the remainder shall have garage doors that are side-facing; detached and located in the rear yard; recessed an additional six feet from the front plane of the home; or other alternative.



Fig. 17.24.090-B: Options for garage orientation

- ii. No more than two houses with the same garage design shall be adjacent to each other.
- d. All single-family dwellings shall contain a minimum of one thousand two hundred (1,200) square feet.
- 2. **Garages.** All developments with garages must also comply with the following requirements:
 - a. All attached garages shall cumulatively be no larger than fifty (50) percent of the total gross area of the principal dwelling.
 - b. Garages shall have a "pop-out" or other architectural feature from the garage wall plane. The door shall

be recessed.



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Fig. 17.24.090-C: Recessing the garage door behind the front of the house

- c. Garages shall have varying door patterns, varying colors and/or possibly two single doors instead of one. The use of garage doors with fixed glass is encouraged.
- d. Where three-car garages are allowed, the third car stall shall be provided as: a tandem; the garages can be separated with two stalls having front access and a third stall being side loaded; or the third stall shall be recessed five feet from the front plane of the garage.
- e. Side loaded garages shall contain a minimum of one window, with a minimum size of twenty (20) square feet, in the garage wall facing the street.



Fig. 17.24.090-D: Garages located along alley

- f. Detached garages shall be architecturally compatible and consistent in materials, design, and colors with the main house.
- 3. Elevations and Trim.**
- a. All dwellings shall have stucco, stone or brick exteriors. Materials such as simulated stone, fiber cement board or brick may be permitted upon review and approval by staff. Metal may be used only for grill work and doors; and wood may be used only for doors, fascias and trims.
 - b. The body and trim finish and roof materials of dwellings shall be beige, tans and earth tone, warm pastel or neutral colors indigenous to the Las Vegas Valley and its surrounds, or from the southwest region. A variety of complimentary and contrasting colors for both the exteriors and roofs of dwellings shall be used and shall be interspersed throughout a development. At least three different exterior paint schemes shall be prepared and available within each development.

- c. Concrete or clay tile, standing seam metal, or other Class A Type roofing materials of a similar appearance to concrete or clay tile, shall be used on all sloped roofs. Several styles and colors of roofing materials should be offered and should be interspersed throughout a development. Any area of a roof that utilizes a flat roof design shall incorporate a parapet wall or cornice element on all sides of the area.
- d. Elevations shall incorporate varied wall planes or roof forms when the second story portion of the side and/or rear face collector or arterial streets, parks, trails or public open space.
- e. At least fifty (50) percent of the second story of two-story homes shall be set back a minimum of three feet or forward a minimum of two feet over the garage.
- f. At a minimum, the front of each house shall have recessed windows, entrance doors, or pop-outs or other architectural detailing for windows, entrance doors, sliding glass doors and garage doors. In addition, the rear or side elevation of any dwelling, when the rear or side elevation faces a street, public park, or private open space shall have recessed windows, pop-outs or other architectural detailing for windows, doors, or sliding glass doors. Window treatments may also include additional, trim, mullions, shutters or pot shelves.
- g. Overhanging eaves with a minimum width of twelve (12) inches shall be incorporated into the design of dwellings as a means of reducing heat build up from the sun and adding protection to the side walls of the dwelling.

4. Guest Houses/Casitas.

- a. Guest houses/casitas shall be architecturally compatible and consistent in materials, design and colors with the main house. An accessory building containing a guest house/casita and/or a detached garage is allowed to be located in the rear yard of the principal dwelling.
- b. Additionally, a guest house/casita built at the front of the site shall meet the following standards:
 - i. The guest house/casita may not block fifty (50) percent or more of the façade of the principal structure.
 - ii. Access to the guest house /casita shall not be visible from the right-of-way and access stairways shall be integrated into the design of the structure.

E. Manufactured Housing. Manufactured housing that will not be affixed to a lot in a mobile home park shall also meet the following standards.

- 1. The manufactured home shall be permanently affixed to a residential lot.
- 2. The manufactured home shall have been manufactured within the six years immediately preceding the date on which it is affixed to the residential lot.
- 3. The manufactured home shall have exterior siding and roofing that conforms to the standards as found in this section.
- 4. The manufactured home shall consist of more than one section and shall have a minimum width and depth of twenty (20) feet.
- 5. The manufactured home shall contain a minimum of one thousand two hundred (1,200) square feet of living area.
- 6. Any manufactured home that is not placed on an at-grade slab foundation and is elevated above ground in any manner, shall have the area between the bottom of the manufactured home structure and the ground masked by a permanent method to include, but not be limited to, continuation to grade of the material as used on the side of the manufactured home, installation of solid masonry such as decorative block, stone or brick, or simulated materials upon review and approval by staff, that produce a masonry type finish. The use of standard concrete masonry units is not permitted. In addition, an elevated manufactured home shall include in its design a covered porch or other architectural feature on the front elevation that will effectively reduce the vertical affect of the raised structure. The minimum width of such porch or architectural feature shall seventy-five (75) percent of the width of the front elevation.
- 7. A two-car garage is required.

F.

Parking and Vehicular and Pedestrian Circulation. In addition to meeting the standards in Sections 17.24.040, Parking and Loading, and 17.24.050, Mobility and Circulation, residential and two-family developments shall comply with the following standards. In case of a conflict, the standards below shall apply.

1. Parking is prohibited in alleys and front yard areas (except driveways) and shall be enforced by the Home Owners Association.
2. Alleys that do not intersect with internal roadways must terminate in a cul-de-sac according to City standards.
3. Streets designed with no parking on both sides, including cluster development houses having driveways less than eighteen (18) feet, shall provide two off-street parking spaces for every house with a five-foot driveway. Streets designed with parking on only one side, including cluster development houses having driveways less than eighteen (18) feet, shall provide one off-street parking space for every house with a five foot driveway. The off-street parking spaces shall be located within two hundred fifty (250) feet of each house. The measurement of this distance shall be by way of sidewalks and trails. This provision does not apply if streets are designed for parking on both sides.
4. In areas with Type I and Type II lots, guest parking areas containing at least ten percent of the number of required residential off-street parking spaces shall be provided. Required guest parking spaces shall be grouped and dispersed throughout the small lot development the so that no more than five guest parking spaces are located in each group. Any guest parking areas located adjacent to the street frontage of the development, or along any boundary line adjacent to or directly across a local or collector street from any non-small lot option development shall provide screening pursuant to Section 17.24.060, Landscaping.
5. Any outside storage is prohibited in the streets, driveways and front yards and shall be enforced by the Home Owners Association.

G. Residential Design Incentive System.

1. **Purpose.** The purpose of the residential design incentive system is to provide an opportunity for a greater degree of flexibility in allowable densities in order to promote development that places a strong emphasis on high-quality site and building design, variety of housing types, and public amenities. More specifically, the system creates an incentive for developments to achieve the City's goals related to increasing amenities in neighborhoods such as open space and trails, a broader mix of housing prices to meet varying needs, improving pedestrian mobility and neighborhood connectivity, and fostering a greater sense of community cohesion.
2. **Applicability.** The residential design incentive system is applicable to development in the R-1 and R-2 Residential Districts.
3. **Review Procedure.** Residential density increases shall be awarded in accordance with the review procedures established in Section 17.12.070.G., Procedure for Residential Design Incentive System Development Approval.
4. **Residential Design Incentive System Process.**
 - a. **Step 1: Earning the Minimum Point Values.** In order to qualify for the residential design incentive system, the development proposal must demonstrate that it has successfully achieved a minimum value within each category of criteria. The minimum values, listed in Table 17.24.090-2, Minimum Required Points by Category and Residential Zoning District, vary accordingly to the applicable zoning district. A minimum number of criteria are required from each category to ensure developments achieve a range of quality design objectives in accordance with the goals and policies of the North Las Vegas Comprehensive Master Plan.

TABLE 17.24.090-2: MINIMUM REQUIRED POINTS BY CATEGORY AND RESIDENTIAL ZONE DISTRICT

Zoning District	Base Density (du/ac)	Required Minimum Earned from Each Category (du/ac)			Minimum Qualifying Base Density
		Category 1	Category 2	Category 3	

0.75

0.75

[1]

Notes:

[1] A minimum of 0.75 from Category 3 is required for densities above 8.0 dwelling units per acre (du/ac)

- b. **Step 2: Increasing Density towards the Maximum Allowable Density.** Once the minimum value of criteria is earned for each respective category, additional increases up to the maximum allowable density within the given residential category, and how they are earned, is at the discretion of the developer. The developer may choose the number and combination of additional criteria (each with an associated du/ac density point value) to incorporate to further increase the density within the allowable range. Table 17.24.090-3, Maximum Allowable Density Incentive by Residential Category, illustrates the remaining discretionary points for each category after the minimum qualifying density points are earned.

TABLE 17.24.090-3: MAXIMUM ALLOWABLE DENSITY INCENTIVE BY RESIDENTIAL CATEGORY

Zoning District	Base Density (du/ac)	Minimum Qualifying Base Density	Maximum Allowable Density	Discretionary Density After Minimum
R-2	6.01	8.0	13.0	5.0

5. Site Design Criteria and Design Incentive Point Values.

- a. The residential design incentive system is designed to allow the developer flexibility in selecting the most appropriate design elements to incorporate in the development proposal. The design incentive criteria are organized into three general categories:
 - i. **Category 1:** Building and Site Design,
 - ii. **Category 2:** Site Amenities, and
 - iii. **Category 3:** Mix of Housing Types.
- b. Each criterion within the three categories has an associated density point value expressed in dwelling units per acre (du/ac).
- c. The residential design incentive point values are earned based upon the successful incorporation of various criteria.
- d. The associated residential design incentive point value for any given criteria also varies by the base-zoning district.

TABLE 17.24.090-4: CATEGORY 1 DESIGN INCENTIVE CRITERIA - BUILDING AND SITE DESIGN

Category 1: Building and Site Design			Density Points du/ac R-2

1	Quality of Building Materials	Building exteriors are constructed of materials with product warranties or an industry expected life of a 25-year minimum.	0.25
2	Architectural Variety	<p>Housing incorporates architectural details and variations in the structure on all façades to offer visual interest and appeal. Architectural variety should be applied at a block level for maximum effect and is achieved through inclusion of at least two of the following within the units on any given block of the development:</p> <p>a) Front porches or arcades (minimum 60 square feet with a minimum depth or length of five feet);</p> <p>b) Distinct variations in all façades and accent materials including the location and proportion of windows and doors; and</p> <p>c) Distinct difference in architectural styles (e.g., Mediterranean, Santa Barbara, Tuscan, Spanish).</p>	1.0
3	Variety of Housing Models	<p>The development contains a minimum number of distinct home models on each block of the development. This number is scaled in proportion to the number of units contained within the development. Developments with 100 units or less must contain a minimum of four distinct model types. Each additional 100 units or portion thereof shall contain an additional distinct model type up to a maximum of eight models.</p> <p>Mirror images of the same home model do not count as two distinctly different home models. To qualify for a bonus, individual housing models must have distinctly different floor plans and be further distinguished by variation achieved by the inclusion of at least two of the following within the development:</p> <p>a) Garage placement and design (front loaded, side loaded, or alley-accessed);</p> <p>b) Mix of 1- and 2-story homes within each block, with no single type comprising more than 80% of the homes on any single block;</p> <p>c) Width and the proportion of width to height of the front façade vary by at least 10% of the façade width from model to model on a block; and</p> <p>d) Substantial variation in roof lines and/or pitch within each one- and two- story house type with no one pitch or roof line comprising more than 80% of all same-story home roofs on any single block. Generally, residences shall incorporate roof pitches of between 3:12 and 12:12; however, alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.</p>	1.5
4	Compatibility and Transitions	The height and massing of structures with frontage on residential streets bordering adjacent developments, or homes adjoining adjacent neighborhoods, should provide transitions. These transitions may be accomplished by:	

		a) Height Transitions. A step down in building height to adjacent development to the approximate height of adjacent structures or structures on the fronting block face.	0.5
		b) Use Intensity Transitions. Locate lower intensity residential uses along the outside perimeter of the development to provide a transition from single-family residential areas to higher intensity residential or non-residential uses. The lot sizes along the periphery of the development shall maintain a minimum lot area of 75% of the average lot area of lots in developments adjacent to the perimeter or on the opposite side of the street or streets from the proposed development.	0.5
5	Access and Connectivity	Minimum connectivity index score at least .25 greater than score required by Table 17.25.050-1.	1.5
6	Green Building Practices	At least 75% of all buildings within the proposed development plan comply with the following green building practices or an equivalent certification program:	
		a) Energy Star Certification or Water Smart Certification	0.5
		b) Southern Nevada Home Builders Green Building Initiative Certification	0.75
		c) LEED-H Certification (each additional level of certification - i.e., silver, gold, or platinum - is worth +.25 points added to the base points)	1.25

TABLE 17.24.090-5: CATEGORY 2 DESIGN INCENTIVE CRITERIA - SITE AMENITIES

		Category 2: Site Amenities	Density Points du/ac R-2
1	Amenities in Landscaped Areas of Perimeter Streets	The development provides one of the following amenities within the required landscape buffer and perimeter landscape area: a) Regularly spaced benches w/ shade structures b) Corner plazas c) Regularly spaced public art that conveys a united theme	0.75

2	Neighborhood Centers/ Access to Commercial Areas	The development contains a neighborhood center consisting of two or more neighborhood-serving non-residential uses (typically limited to no more than a 10,000 sq. ft. footprint per building and including uses such as personal services, dry cleaning, restaurant, coffee shop, or liquor store) that is accessible through a well-connected trails system and compatible in use and design with the adjacent neighborhood(s).	1.0
3	Park Amenities	<p>Group 1</p> <ul style="list-style-type: none"> a) Shade structure or awning b) Park benches (regularly spaced) c) Picnic area d) Trash receptacles (regularly spaced) e) Landscaping with shade trees f) BBQs g) Fitness stations h) Pet stations <p>Group 2</p> <ul style="list-style-type: none"> a) Playground equipment b) Playing fields/courts (e.g. bocce, basketball, baseball, tennis) c) 30' covered and lighted gazebo with picnic tables d) Pool e) Fitness Center <p>Provide pocket parks with a minimum of four Group 1 amenities.</p> <p>Provide a private neighborhood/community park with a minimum of five Group 1 and one Group 2 amenities.</p>	<p>0.75</p> <p>1.25</p>
4	Connected Trails and Open Space	<p>A. The site plan utilizes undevelopable areas including utility and drainage easements as the basis of a connected system of trails and open space. Swale and drainage areas are constructed of natural materials not concrete, as described in <u>Title 17</u>. This system of connected off-street trails accommodates both bicycle and pedestrian traffic and provides access to schools, parks, adjacent neighborhoods and commercial activity, and the neighborhood center (if applicable).</p> <p>B. In addition to A, the on-site open space connects into a larger City or regional open space network via a trail connection.</p> <p>C. In addition to A, The connected system of trails provide at least three (3) of the following regularly-spaced amenities:</p> <ul style="list-style-type: none"> a) Lighting b) Benches c) Shade structures d) Landscaping with shade trees 	<p>0.75</p> <p>0.75</p> <p>0.25</p>

TABLE 17.24.090-6: CATEGORY 3 DESIGN INCENTIVE CRITERIA - MIX OF HOUSING TYPES

		Category 3: Mix of Housing Types	Density Points du/ac R-2
1	Mix of Housing Types (1 of 2)	Projects that include 2 or more distinct housing types (each housing type should comprise no less than 30 percent of the total units). Distinct housing types shall mean a combination of attached or detached single-family, townhomes, and multifamily units.	1.5
		Projects that include 3 or more distinct housing types (e.g. each housing type should comprise no less than 20 percent of the total units).	2.0
2	Mixed- Income Development	The development incorporates a range of home pricing in a well-integrated neighborhood that intermixes homes at different price-points throughout the development, not segregated by area or block.	0.75

Using the Design Incentive System: An Example**Situation:**

A developer owns property in the R-2 District and desires to develop the property at a density higher than the base density of 6.0 du/ac. He would like to be able to develop the property at 9.25 du/ac.

How the Additional Density is Earned:

The developer opts to participate in the residential design incentive system. He must earn 0.5 du points each from Category 1 and 0.75 du points from both Category 2 & 3 (See Table X1, above.) to meet the design incentive system's minimum qualifying density of 8.0 du/ac. He selects the following criteria from each category to earn his minimum points:

Category	Criteria Selected by Developer	Points Earned
Category 1	1. Architectural Variety	1.0
Category 2	3. Park Amenities	0.75
Category 3	2. Mixed-Income Development.	0.75

Having met the minimum requirements from each category by incorporating the selected elements into his development plan, the developer is now able to develop his property at 8.5 du/ac. He may also now select additional criteria from any category to earn his final 0.5 du/ac. (His discretionary points).

The developer selects 2.4 Connected Trails and Open Space (0.75 du/ac.). He has now earned enough density points to develop at his desired density of 9.25 du/ac.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2706, §§ 22—25, 2-18-2015)

17.24.100 - Multifamily design standards.

A. **Purposes.** In addition to the general purposes listed in Chapter 17.24 Development Standards, the specific purposes of the multifamily development standards are to promote improved design and enhanced site planning of multifamily development; encourage sensitive design and planning of multifamily housing units that enhances compatibility among different residential densities and types; and addresses development and design issues from a community, neighborhood and site perspective. Unless otherwise specified, the term "multifamily development standards" applies to all multifamily development within the City of North Las Vegas.

B. **Intended Character.**

1. Multifamily complexes are expected to make a positive contribution to their surrounding area through distinctive, human scale architecture that draws upon the forms, colors and textures of both the architecture of the past and the natural environment of the Las Vegas Valley, the surrounding community and the Southwest region to generate a harmonious architectural character. It shall also contribute by providing such amenities as public open space and landscaped peripheries with street furniture and bus turn outs.
2. Multifamily housing complexes shall blend into the residential character of North Las Vegas. Multifamily developments shall set and follow visual themes intended to establish community identity and to blend with their surroundings.
3. Multifamily housing shall be designed to lessen the impact on surrounding single-family residential development. The developer is responsible for enhancing compatibility among different residential densities by creating buffering. Transitional yards and screening such as shrubs, berms and walls for separation between residential structures and abutting residential properties or streets. Buffering may be achieved through the use of a variety of development options.

C. Site Planning.

1. Multifamily developments shall be located on arterial or collector streets.
2. A second point of ingress-egress shall be provided as required by the North Las Vegas Fire Department.
3. No vehicular access entering or leaving the property shall be permitted from multifamily developments onto any street classified as a local street serving single-family residences, with the exception of restricted emergency vehicle access if required.
4. No multifamily structure exceeding one story or twenty (20) feet in height shall be constructed within fifty (50) feet of an adjacent single-family residential property line.

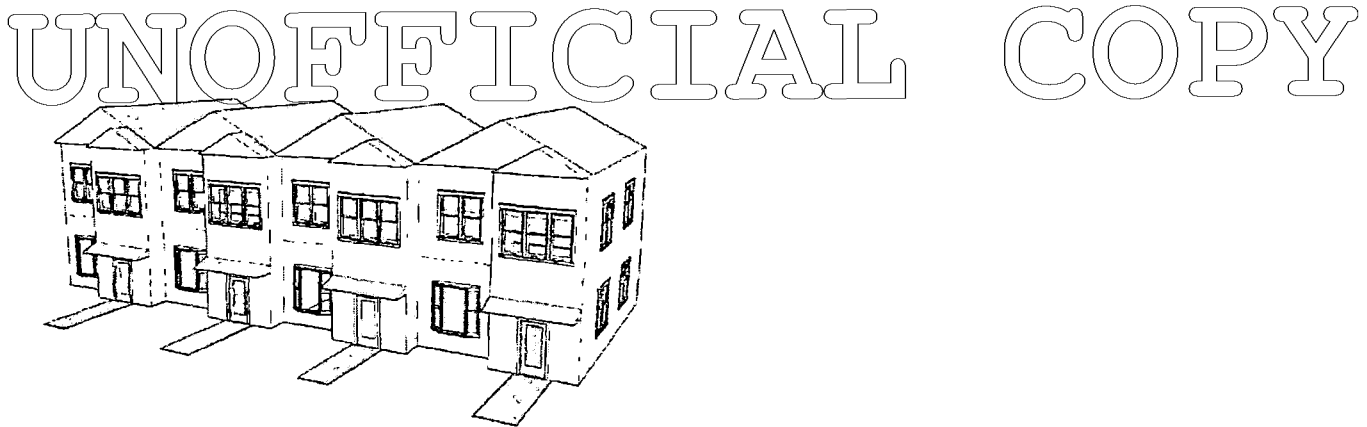
D. Architectural Character and Materials.

Fig. 17.24.100-A: Changes in facade and roofline

1. Building Design.

- a. Box-like or single, monolithic forms that are not relieved by variations in massing or articulation of façades shall not be permitted. The perceived height and bulk of buildings shall be reduced by dividing the building mass into smaller scale components. Buildings must incorporate jogs, offsets or other architectural features to reduce the visual length of long walls. Variety and/or variation of roof lines is required to reduce the apparent size of multifamily buildings and provide visual interest. Windows and large areas of glass shall be recessed in shadow.
- b. Height and bulk standards for principal structures shall be implemented as deemed necessary to complement the surrounding area. Privacy of nearby single-family residents shall be considered through screening and setback requirements.
 - i. Additional height restrictions and limitations on the number of units in structures closest to single-family residences may be employed as transitional elements between single-family and multifamily developments as deemed necessary by staff and/or the Planning Commission.
 - ii. Multifamily complex recreation and parking areas are to be spaced away from or buffered by dense landscaping from single-family resident's backyards to ensure privacy.
 - iii. Deviations in topography that create substantial differences in finished grades shall be treated with design solutions (e.g., extra setbacks or landscaping) that will mitigate the effect of multi-family residential development dominating adjacent single-family residential developments.
 - iv. Multifamily structures should be arranged in a sensitive manner to both protect and preserve existing scenic views and protect neighbor's privacy from visual incursions. Accordingly, appropriate increases in setbacks and screening shall be provided where deemed necessary.
- c. Buildings shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds. Black and bright colors are not acceptable except as trim or accent colors.



Fig. 17.24.100-B: Earth tone and indigenous colors

- d. Concrete or clay tile shall be used on all sloped roofs. Any building design that utilizes a flat roof shall incorporate a parapet wall and cornice element on all sides of the roof.
- e. The use of building materials similar to those in predominant use on the street or in the neighborhood of the proposed new project is strongly encouraged, unless a material found in the neighborhood has otherwise been determined to be unacceptable.
 - i. Stone, stucco, colored or exposed aggregate or textured finish concrete, and brick shall be used for building exteriors.
 - ii. Slump stone, split face block, and/or other concrete masonry units shall only be used as accent materials on principal structures.
 - iii. Highly reflective, shiny or mirror-like materials, and unplastered exposed standard concrete and standard concrete masonry units are not acceptable.
- f. Internal privacy is to be promoted by limiting entry points to individual units and by allocating private, sheltered outdoor space.
 - i. External entrance balconies and stairways shall be integrated into the building design.



Fig. 17.24.100-C: Integrated design for external staircases.

- ii. Individual private open space areas or patios, and balconies are required for each dwelling unit. Balconies, other than those permitted in this section, must serve individual dwelling units and shall not be accessed from the ground by stairways. The minimum size of a ground level private open space area or patio shall be eighty (80) square feet. The minimum size of an upper story balcony shall be forty (40) square feet.

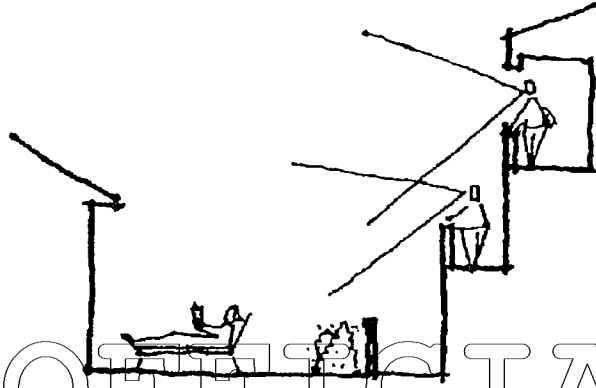


Fig. 17.24-100-D: Windows and decks that overlook neighboring residential properties and intrude on privacy are not acceptable

- iii. Not more than four dwelling units may be entered from a single hall, landing area or walkway. Exceptions to limited entry areas may be made for elevator buildings, congregate care, or other arrangements for residents with special needs requiring common entry.
- g. Access to common facilities is required within convenient distance from each dwelling unit.
 - i. Household-related services or amenities, such as storage, laundry, and trash, shall be maintained within a three hundred-foot walking distance of each dwelling unit's primary entrance.
 - ii. A minimum of fifty (50) percent of the development's open space amenities shall be accessible within three hundred (300) feet walking distance of any unit's primary entrance; however, highly trafficked areas such as swimming pools or recreation buildings may be located centrally, at any distance.
- h. Multifamily developments shall be designed to comply with the following:
 - i. Groupings of multifamily structures including variations in roof lines and floor plates, and clustering shall be used to soften the effects of buildings and contribute to residential scale.



Fig. 17.24.100-E: Multifamily structure with multiple design elements

- ii. Structures containing more units shall be grouped more closely around amenity areas. Less dense buildings shall be located toward the site's perimeter to take advantage of open areas provided by landscaped buffers along the perimeter.

- iii. Clusters with buildings containing one hundred (100) or more units shall be arranged around an open space or recreational amenity and separated from other groupings by distances of seventy-five (75) feet or more.
- iv. Developments with three hundred (300) or more units shall include separate "village cluster" architectural themes for each two hundred (200) units or portion thereof. A village cluster theme shall be designed to visually distinguish each required cluster from other required clusters on the same property through one or more of the following techniques.
 - (A) The use of significantly different building models. Building models differ significantly from each other when:
 - (1) Maximum height differs by at least two occupied floors; or



Fig. 17.24.100-F: Village clusters

- (2) Roof pitch differs by an increment of at least three-to-one (3:1) (for example, a roof pitch of 2:1 is significantly different than a roof pitch of 6:1, but not significantly different than a roof pitch of 3:1); or
 - (3) The pattern of façade windows to opaque wall area differs by at least twenty (20) percent (for example, a building with twenty (20) percent façade window area is significantly different from one with forty (40) percent window area, but not significantly different from a building with thirty (30) percent window area); or
 - (4) The treatment of the façades differs and the two façade colors are significantly different. Differing color or materials alone do not create a significant difference - both are required; or
 - (5) Balcony enclosures, patio enclosures, and building entry locations differ significantly from one building to the other.
- v. No two adjacent village clusters may use the same building model, regardless of changes in orientation or façade materials, regardless of compliance with the standards in subsections D.1.h.i. through D.1.h.iv. above.
- vi. Building walls containing windows shall be separated from opposing windows in the same, or any other, residential development by a distance of not less than twenty (20) feet. Windows should be staggered so that they do not align with windows in adjacent buildings.
- vii. All buildings within a development shall be separated by a distance of not less than twenty (20) feet and shall be offset along wall planes a minimum of ten feet from any adjacent building.
- i. Multifamily structures built on higher ground, adjacent to existing residential development, shall incorporate additional setbacks and/or screening in their design as separation from down-slope residences.

- i. Hillside sites shall employ special design treatment for multifamily housing. Distant views, as a special amenity, require careful engineering to provide safe access while not detracting from others' use or privacy.
- ii. Structures may be built into hillsides to reduce obstruction of ridgeline views from below; however, no structure shall exceed two stories or twenty-five (25) feet in height from average natural grade on sites of ten percent slope or greater.
- iii. Line of site and view analysis from any single-family residential property that is located at a lower elevation (five feet or more), along with mitigation of adverse impacts, shall be provided by the developer. In the alternative, dense landscaping shall be installed at appropriate locations to obscure view angles into residential properties within six hundred (600) feet. Also, additional setbacks may be required as determined to be necessary by the line of site analysis.

E. Parking Areas, Garages, and Carports. Multifamily development parking lots shall be strategically located and spaced as elements of the site design. Tenant and visitor parking shall be placed conveniently to the units served. Alternate transportation modes, bicycle and pedestrian ways, and consideration of easy access to public transportation shall be included in site planning for parking areas.

1. Ample parking space shall be provided in compliance with code requirements. Features shall include flexible parking for guests and at recreational facilities, and bicycle path alternatives.
2. Well landscaped small area parking lots are required. Individual parking lots delineated by buildings, walkways or landscaping not less than twenty (20) feet wide shall contain spaces for eighty (80) or fewer vehicles.

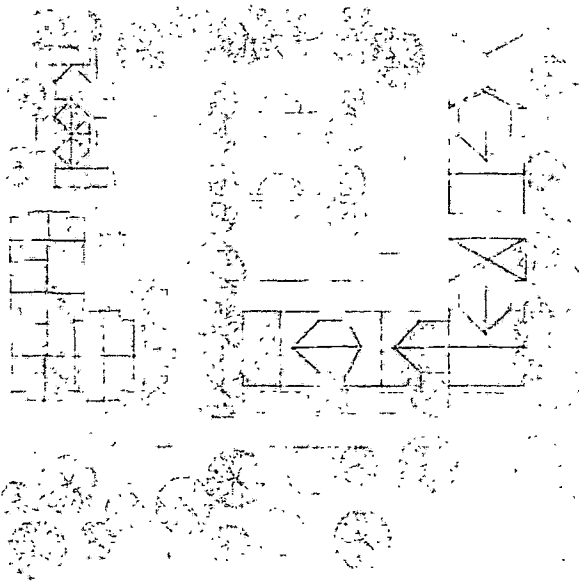


Fig. 17.24.100-G: Landscaped parking lot with walkways

3. One required parking space per dwelling unit shall be located within one hundred fifty (150) feet of the unit to be served.
4. Twenty-five (25) percent of guest parking spaces shall be provided within three hundred (300) feet walking distance of units to be served.
5. A minimum of one covered parking space shall be provided for each dwelling unit. To the maximum extent practicable, parking garages and carports should not be located between the front or primary façade of a multi-family building and the street frontage adjacent to the front lot line. Instead, they should be internalized within building groups so as not to be directly visible from the street frontage. Where parking garages and carports must be located between such building façade and street frontage, they shall meet the following standards:

- a. Detached garages and carports shall incorporate compatible materials, scale, colors, architectural details, and roof slopes as the primary multi-family buildings, except that flat and shed roofs are prohibited.
- b. No more than six garage doors may appear on any multi-family principal building elevation containing entry doors. No more than four garage doors may be grouped together without a change in wall plane of twelve (12) inches at least twenty (20) feet (measured horizontally) in length.
- c. To the maximum extent practicable, freestanding parking structures (detached garages or carports) that are visible from perimeter public streets shall be sited perpendicular to the perimeter street in order to reduce visual impacts on the streetscape.
- d. End walls, rear walls or portions thereof of detached garages over forty (40) feet in length that are visible from perimeter street shall be articulated or punctuated through the use of two or more of the following options:
 - i. Three, one hundred (100) square foot trellis structures spaced along the rear wall, planted with an approved vine or creeping plant to cover the structure at maturity;
 - ii. Change in wall plane of at least twelve (12) inches every twenty (20) feet; or
 - iii. Vertical change in material or masonry pattern; or
 - iv. One roof dormer for each twenty (20) feet of length.

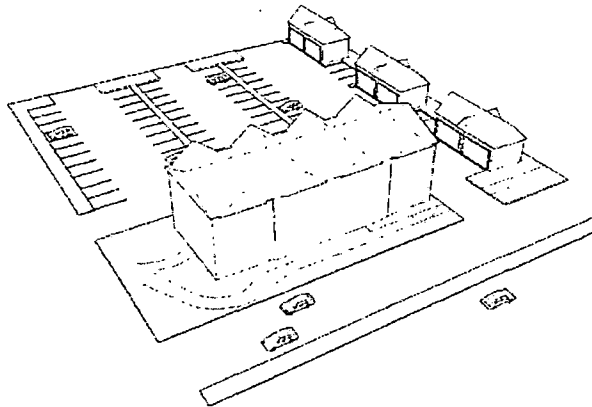


Fig. 17.24.100-H: Multi-family detached garages with roof dormers

- e. Where attached garages are provided, landscaped islands, peninsulas, or a tree(s) in a self-watering planter or container shall be provided between every two units' garage doors. Required islands or peninsulas shall have minimum dimensions of three feet wide by three feet in length. Self-watering planters shall be a minimum of thirty (30) inches in diameter.

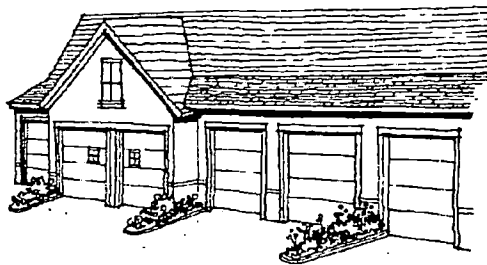


Fig. 17.24.100-I: Landscaped peninsulas between garage doors

- F. **Entry Signage.** Entry signage shall be integrated into the project design and landscaping. Freestanding project identification signs shall be of a monument type, not to exceed one hundred (100) square feet in area and six feet in height, and shall be permitted only at the primary entrance(s) to multifamily developments.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.110 - Mixed-use design guidelines.

- A. **Purpose.** Mixed-use is a type of development that combines residential, commercial, and/or office uses into one development or building. In addition to the general purposes listed in Section 17.16.040.H., the specific purposes of the mixed-use design guidelines are to promote walkability, connectivity, the creation of active neighborhood centers, excellence in site design and planning, and to ensure the compatibility of buildings and uses within all Mixed-Use Development (MUD) districts.
- B. **Applicability.** Given the desire for flexibility and innovation in designing mixed-use developments and the different characteristics of each development site, the design guidelines set forth herein shall be used by the City to evaluate the overall design excellence and functional integration of the mixed-use projects on a case-by-case basis. All new buildings and structures located within a Mixed-Use Development (MUD) district shall comply with the applicable provisions herein unless an equal or better standard is proposed by the developer and approved by the City. In addition, no existing building or structure located within a Mixed-Use Development (MUD) district shall be moved or substantially enlarged, and no previously developed site shall be substantially enlarged, unless in compliance with all applicable provisions herein.
- C. **Site Design.**
1. **Compatibility with Surrounding Development.** Mixed-use development shall be designed to complement and enhance surrounding residential and non-residential neighborhoods. The developer shall implement buffering and/or screening measures (e.g., landscaping, setbacks, etc.) designed to ensure compatibility between mixed-use projects and abutting properties or streets. The buffer areas and/or screening shall be designed to accommodate convenient, reasonably direct pedestrian connections between mixed-use projects and surrounding neighborhoods.
 2. **Compact Development.** Buildings and uses that comprise a mixed-use project shall be clustered to promote linked trips. The term "linked trips" means that a person can park their vehicle in one location and then safely and conveniently walk between multiple destinations on a single site or to more than one site within close proximity.

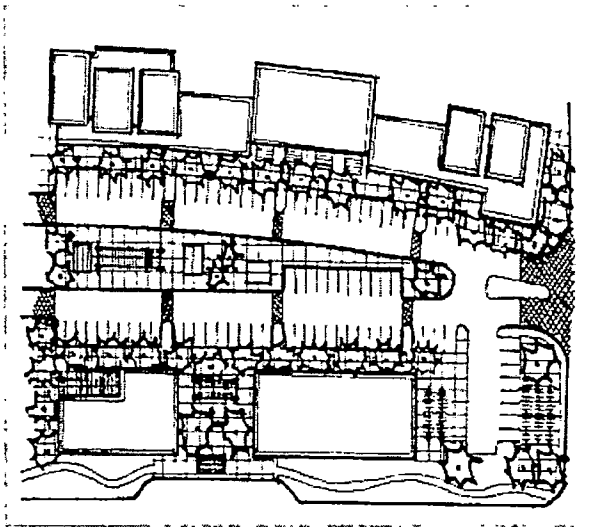


Fig. 17.24.110-A: Mixed-use development with clustered buildings, pedestrian walkways, and building entrances oriented for pedestrian safety.

3. **Street Grid and Blocks.**
 - a. The preferred development pattern for mixed-use is a traditional grid pattern delineated by intersecting streets, drive aisles, and/or landscaped pedestrian corridors. Each block within the grid shall generally maintain a maximum block length of four hundred (400) feet and a maximum block perimeter of one thousand six hundred (1,600) lineal feet. The number of intersections shall be minimized along arterial streets.
 - b.

Along arterial streets and/or where adequate circulation for vehicles is provided and additional street connections are deemed unnecessary, the preferred grid pattern for mixed-use development shall be maintained by incorporating landscaped pedestrian corridors at appropriate locations in lieu of full street improvements.

- c. Mixed-use development shall incorporate pedestrian connections and pedestrian priority areas, as described in Section 17.24.110.D.5., below.

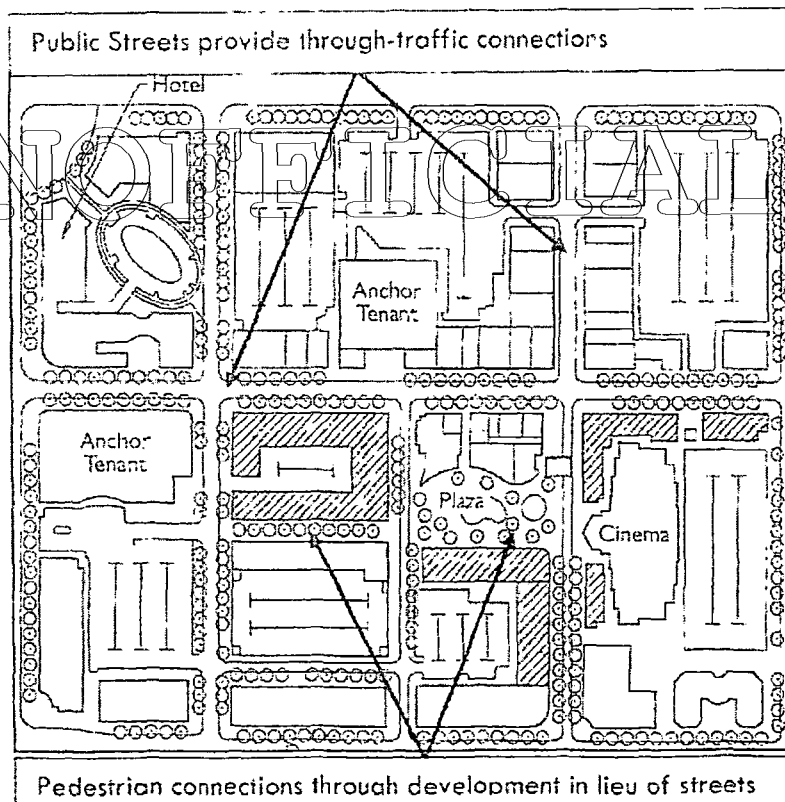


Fig. 17.24.100-B: Mixed-use development pattern with vehicular and pedestrian connections.

- d. Where required by the City of North Las Vegas traffic engineer, the block grid used within mixed-use development shall align with planned and existing streets surrounding the site.
4. **Vehicle Circulation and Parking.** In addition to the general standards of Section 17.24.040, Parking and Loading, and Section 17.24.050, Mobility and Circulation, the following standards shall apply to mixed-use developments. Where the provisions conflict, the standards of this section shall supersede.
- On-street parking is encouraged along streets and driveways where it provides an additional buffer between moving traffic and pedestrian areas.
 - Angled parking may be used to create a main street environment along internal streets and driveways within mixed-use development. Surface parking lots shall be screened by buildings and/or landscaping.
5. **Pedestrian Priority Areas.** In addition to the general bicycle and pedestrian linkage and circulation standards of Section 17.24.050, Mobility and Circulation, the following standards shall apply to create areas designed primarily for pedestrian use in mixed-use developments.
- A fifteen-foot Pedestrian Priority Area is required between the building and all streets and drive aisles. The fifteen-foot minimum building setback may be expanded up to an additional ten feet to provide enhanced building entrances, outdoor dining areas, courtyards, pedestrian arcades, and/or landscaping.
 - The Pedestrian Priority Area shall include trees and landscaping and may include public signs, public art, street lighting, street furniture, and other pedestrian-oriented amenities, as appropriate.

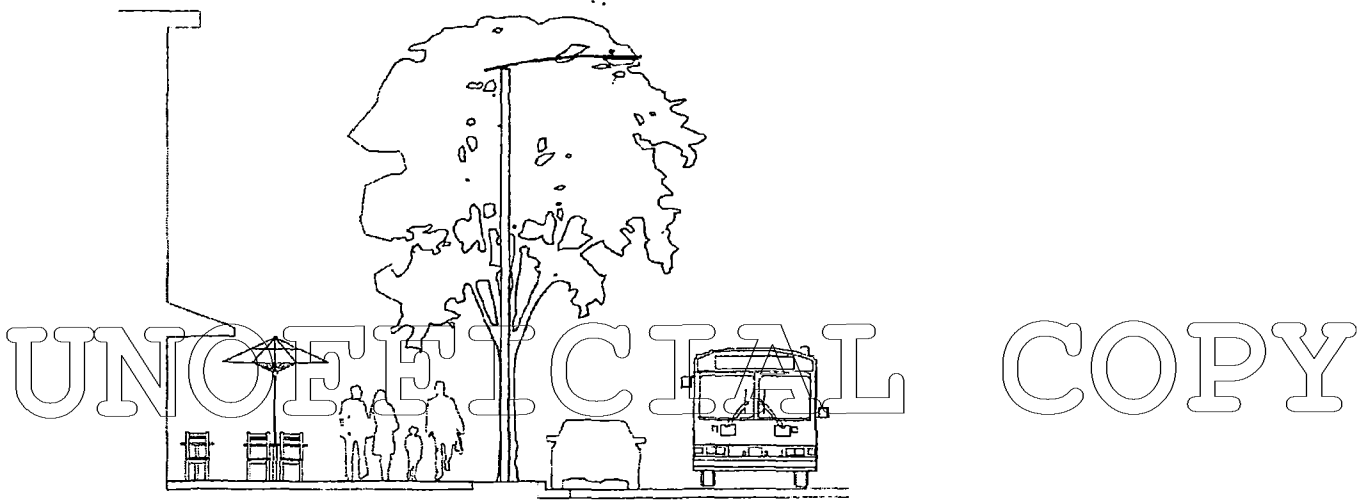


Fig. 17.24.100-C: Pedestrian Priority Area between building and street

- c. Where feasible, parking shall be provided along streets and drive aisles adjacent to Pedestrian Priority areas as an additional buffer between moving traffic and the pedestrian realm. Parallel or angled parking is preferred in order to create a pedestrian-friendly "Main Street" environment for pedestrian priority areas.
- d. The Pedestrian Priority Area may include bus shelters, shade structures, bicycle racks, directional signs and public information kiosks, benches or other street furniture, pedestrian scale lighting (twelve-foot maximum height for street lights), drinking water fountains, public art, and other amenities consistent with the intended purpose of a Pedestrian Priority Area. A minimum of four such features shall be provided for every four hundred (400) linear feet. The use of pervious surfaces, which may include decorative pavers, within Pedestrian Priority Zones is required. Impervious surfaces may be used with City approval.
- e. Shade trees of an approved variety (See [Section 17.24.060](#), Landscaping.) shall be planted and maintained within a six-foot area adjacent to all streets within Pedestrian Priority Areas. All trees shall be a minimum of twenty-four-inch box at the time of planting and shall be planted at minimum intervals of twenty (20) feet on center. Palm trees shall be a minimum of fifteen (15) feet in height, as measured from ground to base of fronds, at time of planting. Root guards shall be required adjacent to public improvements.
- f. Landscaping and other required elements and amenities within Pedestrian Priority Areas shall be provided by the property owner and/or developer and maintained by the property owner and/or lessee. Design features such as decorative tree grates, seat walls, raised planter boxes and/or decorative pots are required within pedestrian priority areas in order to protect plants from being trampled.
- 6. **Open Space.** In addition to the general open space standards of [Section 17.24.020](#), Open Space and Parks, the following standards shall apply to mixed-use developments.
 - a. All required open space shall be useable for leisure and/or recreation. Steep slopes, and required landscape setbacks shall not be counted toward the minimum open space requirement.
 - b. The minimum open space requirement may include public uses not listed in [Section 17.24.020](#), Open Space and Parks, when approved as part of the mixed-use development based size, location, accessibility, and quality of design.
 - c. The design and layout of required plazas and other public gathering spaces should contribute to the overall sense of place and help attract pedestrian users to the development. Required plazas and other public gathering spaces shall be designed as integral parts of the pedestrian circulation system for each site. Water features and shade structures are strongly encouraged.



Fig. 17.24.110-D: Pedestrian shade structures

- d. Where feasible, restaurants should front onto plazas and use the public area of the plaza for outdoor seating and/or dining.
- e. Street corners shall be developed with building entrances, public plazas, small parks, or other similar features that create visual interest and pedestrian activity.
- f. To increase pedestrian comfort and interest, sidewalks and pedestrian plazas that abut blank walls shall be located at least six feet from the wall to provide planting beds for landscaping and trees. If planting beds are determined to be impractical because of soils conditions, above ground planters may be used, provided that they are designed and constructed to prevent drainage onto any sidewalk.
- 7. **Lighting.** In addition to the general lighting standards of Section 17.24.080 Exterior Lighting, the following standards shall apply to mixed-use developments.
 - a. Mixed-use developments located adjacent to one another or within the same general area or district shall use complementary lighting fixtures along streets, sidewalks, and pathways. Lighting fixtures within all pedestrian-oriented areas shall be compatible with the architectural character of the development and shall be scaled to the pedestrian with heights generally no more than twelve (12) feet.

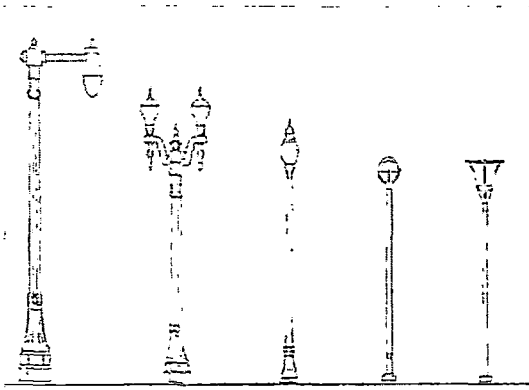


Fig. 17.24.110-E: Pedestrian scale lighting fixtures

- b. In non-pedestrian areas, light poles shall not exceed twenty (20) feet in height. Public street lighting maintained by the City of North Las Vegas shall comply with all Title 16 requirements.
- 8. **Signage.** In addition to the requirements found in Section 17.24.0150, Signs, the following criteria shall be

used in the design and placement of signs within mixed-use developments:

- a. All signs shall be designed as an integral element of the building's architecture. Wall and blade signs should not interfere with architectural details or disrupt the rhythm of windows.
- b. Signage should make a positive contribution to the overall visual character of the streetscape. Signs should be appropriately sized with the scale of the building, and materials and colors used in the construction of all signs must be compatible with the overall character and design of the site.

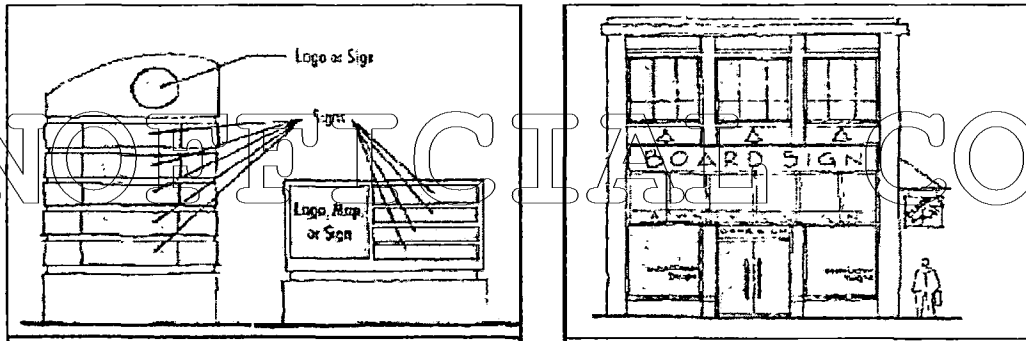


Fig. 17.24.110-F: Signage should be carefully design and integrated into the design scheme of the site and should be located at major intersections and/or at neighborhood entry points.

- c. Within Pedestrian Priority Areas, the height, size, and placement of all signs must be scaled and oriented to the pedestrian.
- d. All freestanding signs shall be monument-type with a maximum height of eight feet. The structural bases of freestanding signs shall be integrated into the landscaping of the site and screened with landscaping materials.
- e. Exterior wall and building signs for single story buildings shall be installed in the area above the first floor windows and below the roof.
- f. Exterior wall and building signs for multi-story buildings shall be installed in the area above the first floor windows and the bottom of the second floor window line.

D. Architectural Design.

1. Building Orientation.

- a. Within mixed-use development, buildings should be oriented to the street with inviting and detailed elevations to strengthen the desired image for the area. Only active building elevations and public access shall face the street.
- b. The main entrance of each primary structure shall face the street frontage, except on corner lots where the main entrance may face either of the streets or be oriented to the corner.



Fig. 17.24.110-G: Building orientation to the street

- c. The placement and orientation of buildings along a frontage should create interesting and significant public spaces and help establish a design theme for the streetscape.
 - d. Where feasible, buildings should be designed and located to create a Main Street environment by fronting along the street or internal circulation routes.
 - e. Commercial and mixed-use buildings should be sited and designed to attract and captivate the pedestrian user. Effective methods of building placement and orientation include
 - i. Orienting the front doors of all businesses to streets or pedestrian features;
 - ii. Providing a primary building entrance for ground floor uses along each building façade;
 - iii. If a building has frontage on more than one public street, providing a single building entrance on the corner;
 - iv. Using the area between the right-of-way and building to create a plaza court, planter area, bicycle parking, or other pedestrian amenity;
 - v. Avoiding excessive setbacks that create gaps or voids along the street's architectural edge;
 - vi. Providing building frontages with pedestrian-oriented architectural elements (e.g., arcades, awnings, porches, etc.) along the ground floor.
 - f. Corner and mid-block pad buildings shall be oriented to the street and public sidewalk and shall meet the following requirements:
 - i. Drive-through windows, driveways, and parking areas shall be designed such that buildings are not isolated from the connecting walkways.
 - ii. Service windows and stacking lanes for drive-through businesses should be oriented away from public streets and shall be screened from the right-of-way by landscaping or other approved method.
 - g. Loading, delivery service, and trash collection areas shall be designed and located to minimize their visibility, circulation conflicts, and adverse noise impacts. These areas shall not be located in required setback areas.
- 2. Massing, Scale, and Building Form.**
- a. Mixed-use structures that are designed to accommodate commercial uses shall be a minimum of two stories tall.



Fig. 17.24.110-H: Mix of architectural elements and accents

- b. Building design throughout mixed-use projects shall promote visual interest and diversity through the use of building articulation and massing changes. The following architectural elements should be incorporated into mixed-use buildings: varied roof heights, recessed windows and/or entrances, canopies, awnings, porticos, arcades, arches, outdoor patios, display windows, tile work and/or moldings, articulated cornice lines, integrated planter boxes or wing walls that incorporate landscaping and sitting areas, offsets or reveals used to express architectural or structural bays, and/or accent materials such as stone veneer, iron work, etc.
- c. Appropriately scaled accent features shall be used to add visual interest and diversity to building façades. Accent features may include balconies, decorative tile, awnings, canopies, window boxes, eaves, porches, plant shelves, stoops, chimneys, shutters, planters, pilasters, etc.
- d. The following architectural features are also encouraged for mixed-use buildings:
 - i. Building design with a visually distinct base, middle, and cap;
 - ii. Upper-story elements (balconies, windows, terraces) that overlook the street;
 - iii. Reasonably direct access to the second story to encourage multi-level commercial or office use; and
 - iv. Separate entrances for residential uses.
- e. The perceived height and bulk of buildings shall be relieved by variations in massing and/or articulation of façades to reduce the visual length of long walls. Variation of roof lines may also be used to reduce the apparent size of mixed-use buildings and provide visual interest. Building surfaces over two stories high or fifty (50) feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest.
- f. Mixed-use development shall incorporate building height transitions from the maximum building height to a lower height to achieve compatibility with existing or planned development on adjacent properties. Compatibility refers to the characteristics of different land uses that allow them to be harmoniously located near or adjacent to each other with minimal impacts.

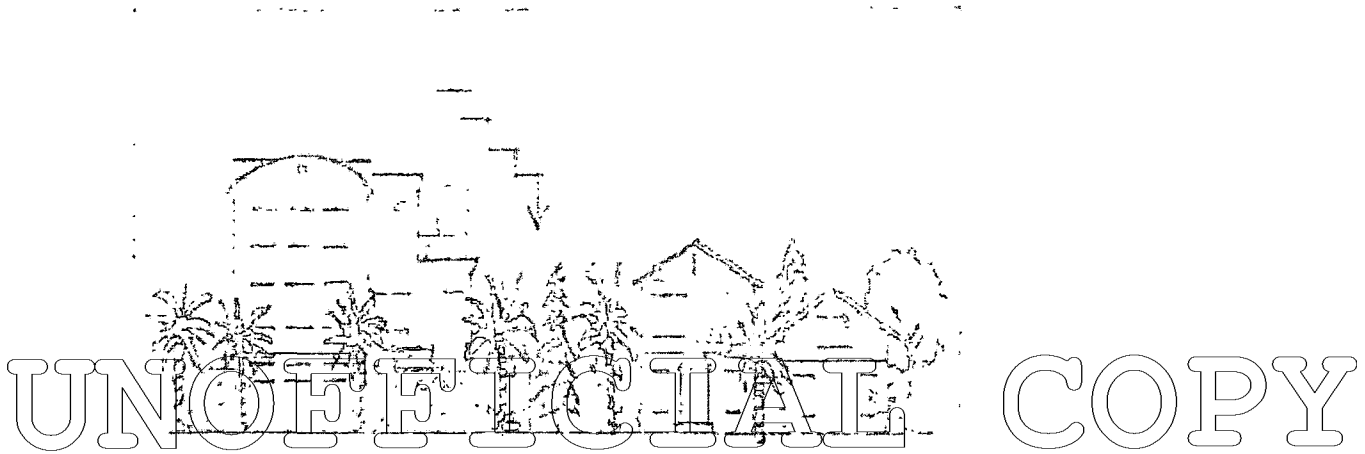


Fig. 17.24.110-I: Building height transitions used to ensure compatibility on adjacent parcels

- g. Additional building façade setbacks are required for buildings over six stories or seventy-five (75) feet in height. Building façade setbacks with a minimum width of twenty (20) feet shall occur from the 4th to 6th story along arterial streets (one hundred (100) feet in width), 3rd to 6th story along collectors (eighty (80) feet in width), and 2nd to 6th story along sixty-foot streets.

3. Exterior Materials and Finishes.

- a. All exterior materials and finishes used within a mixed-use development should support a unified theme or image. In general, buildings are encouraged to be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds.
- b. Black and bright colors shall not be used except as trim or accent colors. Fluorescent colors shall not be used.
- c. Concrete or clay tile shall be used on all sloped roofs. Architectural metal roofing may be used as an accent but shall not be used as the primary material for large expanses of roof. Asphalt, fiberglass and wood shingles and shakes are prohibited.
- d. Stone, stucco, colored or exposed aggregate, textured finish concrete, decorative block, and/or brick shall be used for all building exteriors. Simulated materials and building systems that provide an appearance similar to the preferred materials may also be acceptable.
- e. Highly reflective, shiny or mirror-like materials, unplastered or exposed standard concrete, and/or standard concrete masonry units shall not be used except as accents.
- f. All sides of a building shall be coherently designed and treated. A consistent level of detailing and finish is required for all sides of a building.

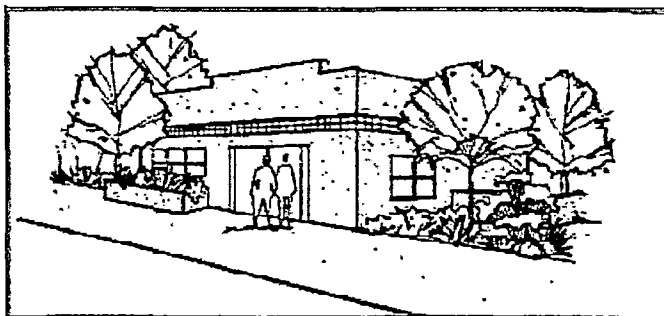


Fig. 17.24.110-J: A consistent level of detail and finish is required around all sides of a building

- g. Any building design that utilizes a flat roof shall incorporate a parapet wall and/or cornice element on all sides of the roof.

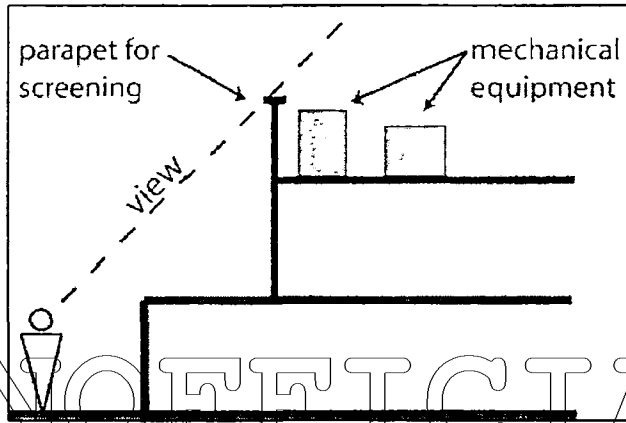


Fig. 17.24.110-K: Mechanical and electrical equipment mounted on flat roofs must be screened so that an individual within 100 feet of the building will be unable to view it.

4. Building Façade.

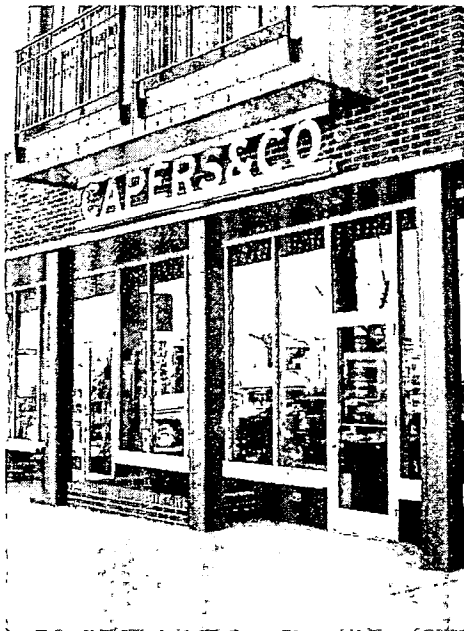


Fig. 17.24.110-L: Pedestrian-oriented building façade

- a. For visual interest, all mixed-use buildings shall incorporate patterns, changes in color, materials, and/or relief such as beltlines, pilasters, pop outs, etc.
- b. Within Pedestrian Priority Areas, at least fifty (50) percent of the total ground floor building frontage facing a primary sidewalk shall incorporate the following elements: windows with clear glass, recessed or projecting entries, residential stoops, outdoor dining areas, or other gathering spaces. The total ground floor frontage shall be calculated by multiplying the length of the building frontage along the front sidewalk and the average first floor height.
- c. Street level building façades shall incorporate single and double height windows and general access entrances to create visual interest and encourage window shopping.
- d. Primary entries shall be clearly visible from the street and accentuated from the overall building façade by
 - i. Differentiated roof, awning, or portico;
 - ii. Trim details to accentuate the opening;
 - iii. Project or recess entries from the surrounding building façade;

- iv. Detailed doors and doorways with transoms, sidelights, trim details, and/or framing;

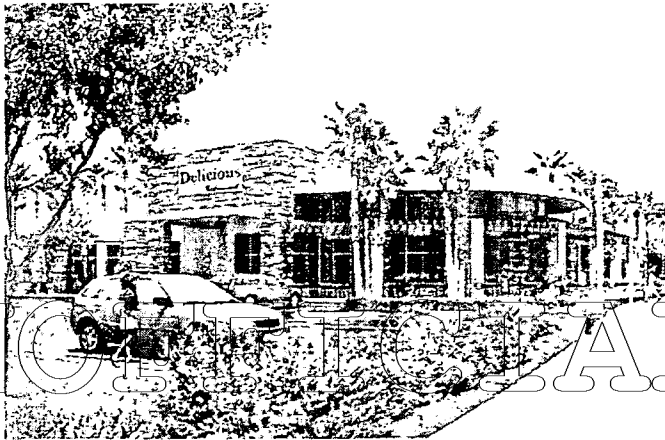


Fig. 17.24.110-M: Recessed windows help to reduce solar gain and reflection of glare.

- v. Windows within doorways equivalent in size to fifty (50) percent of door surface area; and
- vi. Decorative nighttime lighting.
- e. Secondary entrances shall have minor architectural detailing that adds visual interest to that portion of the façade.
- f. Doors at storefronts with windows should match the materials, design, and character of the display window framing. Doors may be flanked by columns, distinctive lighting fixtures, or other details. Storefront, transom, display windows, and doors should encompass fifty (50) percent minimum of the front of a building wall area.
- g. All windows should be detailed with architectural elements such as projecting sills, pop-outs, lintels, etc. Large glazed areas should be divided into smaller parts by using mullions to express individual windows or groupings of windows. False fronts or windows in areas facing a public way are prohibited.

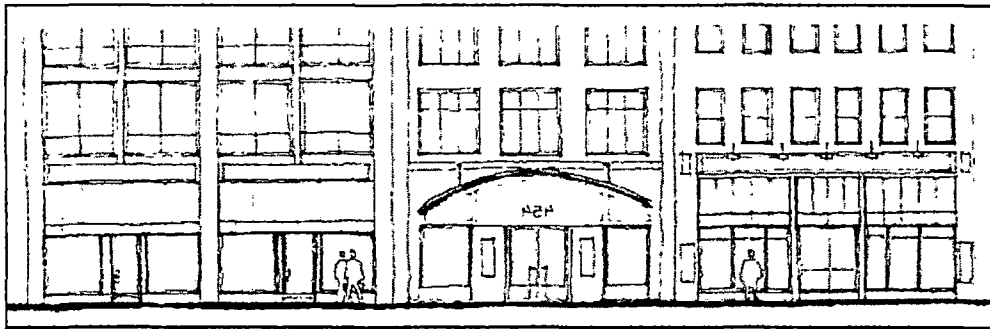


Fig. 17.24.110-N: All windows on a building should be related in design.

- h. Arcades may be used to enhance building façades and provide additional building space over the sidewalk up to the sixth story. Arcades shall have a consistent depth with those of neighboring buildings with a minimum depth of eight feet.

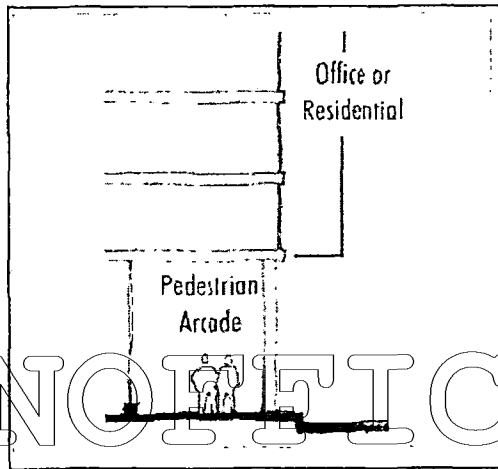


Fig. 17.24.110-O: Arcades should be integral to the building design and consistent in form and material with the building characteristics.

5. **Big Box Retail.** Freestanding big box buildings are discouraged within mixed-use development. Where used, large format buildings should be designed to fit into the preferred block sizes and the compact pedestrian-oriented development pattern. The preferred design would integrate large format retail buildings into the site by wrapping them with storefront buildings. Alternatively, large format buildings should feature activated storefront windows along sidewalks, inviting pedestrian entrances oriented to public sidewalks, and canopies or arcades over entrances and windows.

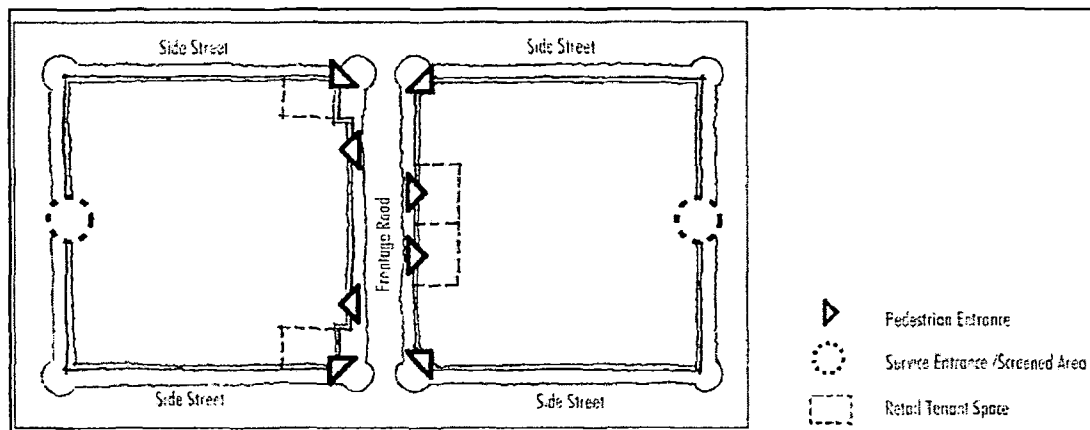


Fig. 17.24.110-P: Large format retail buildings should be designed to fit within small block sizes and include activate storefront windows along sidewalks

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.120 - Commercial design standards.

- A. **Purposes.** In addition to the general purposes listed in Section 17.24.010, Site Dimensional Standards, the specific purposes of the commercial development standards are to promote improved design and enhanced site planning of commercial development; encourage sensitive design and planning of commercial development that enhances compatibility between the built environment and the natural environment; promote design and site planning that furthers the goals of the City of North Las Vegas comprehensive plan; promote design and site planning that advances the vision of the City of North Las Vegas; and promote commercial development that enhances the quality of life for the citizens of North Las Vegas.

B.

Applicability. New commercial building or structure shall be erected unless in conformity with all applicable provisions of these regulations. No existing commercial building or structure shall be moved or substantially enlarged, nor any previously developed site shall be substantially enlarged unless in conformance with all applicable provisions of these regulations to the maximum extent practicable.

- C. **Site Planning and Development.** The siting of buildings and development of a site must respond to the maximum extent possible to specific site conditions and opportunities such as nonrectangular lots, location on intersections, unusual topography, vegetation, views or other natural features.

1. **Building Placement and Orientation.**

- a. In order to develop and maintain a strong street edge, buildings shall be located at the front of the site. A single drive-thru lane, additional landscaping, or single row of parking may be located between the building and perimeter landscaping.
- b. Building placement on sites must consider interconnected walkways and parking drives between buildings on the site and those of adjacent development that encourages and provides for safe and efficient movement of pedestrians, bicycles, and vehicles within the site and between the site and adjacent development.

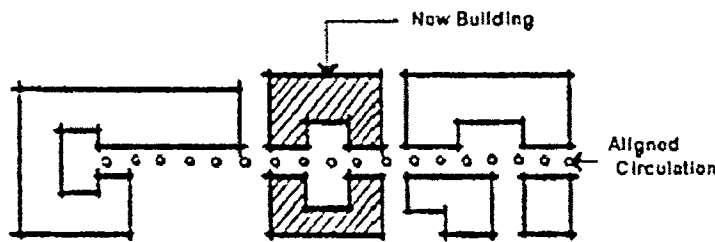


Fig. 17.24.120-A: Building placement designed to encourage good circulation

2. **Pedestrian Open Spaces and Plazas.** Outdoor pedestrian open spaces and plazas provide shade, opportunities for rest and relief from traffic and noise as well as areas for additional outdoor activities such as vending and dining. Commercial developments must provide pedestrian open spaces and plazas relative to the size of the development, as specified in Section 17.24.020, Open Space and Parks, and must include designs for such areas in the site plan. Such areas shall be interspersed throughout the development.
- D. **Architectural Character and Materials.** The purpose of these guidelines is not to dictate a particular architectural style for commercial development in the City of North Las Vegas, but to provide a set of guidelines and standards by which commercial development can be compatible with its surroundings and help to further the overall vision of development that has been established by the City.

1. **Height, Bulk, and Scale.**

- a. Box-like or single, monolithic forms that are not relieved by variations in massing or articulation of façades are not acceptable. The perceived height and bulk of buildings shall be reduced by dividing the building mass into smaller scale components. Buildings must incorporate jogs, offsets or other architectural features to reduce the visual length of long walls. Variety and/or variation of roof lines is required to reduce the apparent size of commercial buildings and provide visual interest. Building surfaces over two stories high or fifty (50) feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest.

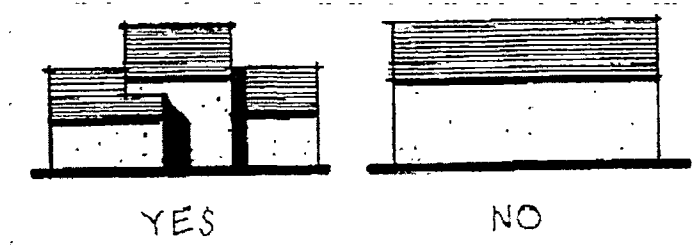


Fig. 17.24.120-B: Perceived height and bulk shall be reduced by dividing the building mass into smaller scale components.

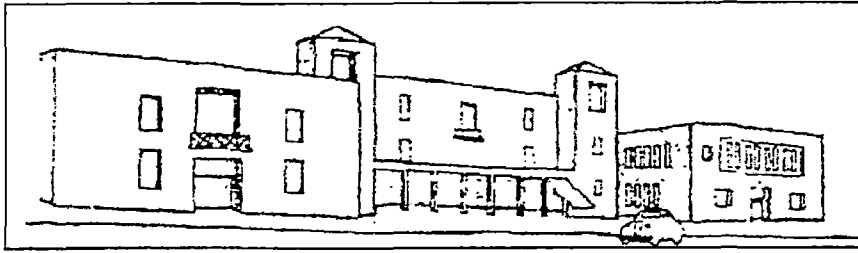


Fig. 17.24.120-C: A recessed courtyard is an effective way of dividing building mass into smaller parts.

- b. Buildings shall be compatible with the scale of development allowed by the applicable land uses for the surrounding area as established at the time of application, and shall be sited and designed to provide a sensitive transition to nearby, less intensive, areas.
- c. Projects on the edges of zoning districts shall be developed in a manner that minimizes the adverse impacts resulting from incongruous height, bulk, and scale of large buildings. Alternatives to mitigate such impacts include, but are not limited to, careful siting and design, additional building setbacks or stepping back of upper floors, and the actual physical reduction of the height, bulk, and scale of a project.



Fig. 17.24.120-D: Stepping back upper floors to reduce the negative impacts of incongruous height, bulk, and scale of larger buildings.

2. Exterior Materials and Finishes.

- a. Buildings shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds. Black and bright colors are not acceptable except as trim or accent colors. Fluorescent colors are not acceptable.
- b. Concrete or clay tile should be used on all pitched roofs. Architectural metal roofing may also be acceptable. Asphalt, fiberglass and wood shingles and shakes are not acceptable.
- c. Stone, stucco, colored or exposed aggregate or textured finish concrete, decorative block and brick are the preferred materials for building exteriors. Simulated materials and building systems that provide a look that is similar to the preferred materials may also be acceptable.
- d. Highly reflective, shiny, or mirror-like materials and unplastered exposed standard concrete and standard concrete masonry units should not be used except as accents if deemed appropriate.
- e. Restraint should be used in the number of different materials and colors selected. Simplicity of patterns is desired.

3. Coherent Design.

- a. All sides of a building shall be coherently designed and treated. A consistent level of detailing and finish is

required for all sides of a building.



Fig. 17.24.120-E: Carrying the same level of detail and finish around all sides of a building provided for a more consistent design, and higher quality of development.

- b. Accessory structures shall take on the character of the main building, using the same colors, materials and style.



Fig. 17.24.120-F: Accessory structures must take on the character of the main building using similar design and materials.

- c. Any building design that utilizes a flat roof shall incorporate a parapet wall and/or cornice element on all sides of the roof.
- 4. **Building Façade.** The building design shall incorporate patterns and materials that provide visual interest. Flat, plain building walls are not acceptable. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, pop outs etc.
 - a. There should be a contrast in the size of solid area to window area. In general there should be more wall than window. Features such as windows, awnings and arcades must total at least sixty (60) percent of the length of any façade that abuts a public street.
 - b.

Windows and large areas of glass should be recessed in shadow or otherwise contrast with the building façade. Large glazed areas should be divided into smaller parts by using mullions to express individual windows or groupings of windows.



Fig. 17.24.120-G: Recessed windows help to reduce solar gain and reflection of glare.

- E. **Signs.** In addition to the requirements found in Section 17.24.150, Signs, the following criteria shall be used in the design of signs for commercial projects to which this section is applicable.
1. Signs shall be an integral design element of a building's architecture, compatible with the site's overall character and building design.
 2. Materials and colors used in the construction of freestanding post or monument signs shall be compatible to those used in the construction of the primary buildings.
 3. Freestanding pylon and monument signs shall be integrated into the landscaping of the site. The structural bases of these signs shall be screened with landscaping materials.
 4. An overall sign plan for the proposed development shall be submitted with the overall development plan for review and approval by the planning and development services staff.
 5. Wall signs that interfere with architectural details or disrupt the rhythm of windows are not acceptable.
 - a. Exterior wall and building signs for single story buildings shall be installed in the area above the first floor windows and below the roof.
 - b. Exterior wall and building signs for multistory buildings shall be installed in the area above the first floor windows and the bottom of the second floor window line.



Fig. 17.24.120-H: Proper placement, size and design of signs does much to enhance the overall appearance of a development project.

6. Only monument type freestanding signs shall be installed in commercial areas that are located across the street from residential areas.

F. **Standards for Specific Land Uses.** In addition to the above guidelines, the following specific land uses shall also comply with the requirements as found in Section 17.20.020 whether or not the use is considered to be a principally permitted use or special use within the zoning district applied for:

1. Convenience food store with or without gas pumps;
2. Automobile service facilities;
3. Automobile, boat and recreational vehicle sales and outdoor display;
4. Automobile repair facilities, including boat and recreational vehicle repair;
5. Automobile service stations;
6. Automobile washing establishments (self-service);
7. Automobile washing establishments (drive through or non-self-service);
8. Fast food restaurants.

G. **Exterior Displays.** All materials, supplies, merchandise or similar items on display for direct sale, rental or lease to the ultimate consumer or user may be displayed beyond the confines of a building. Merchandise that is offered for sale may be displayed beyond the confines of a building in any general commercial service commercial zone, but the area occupied by such outdoor display shall not constitute a greater number of square feet than ten percent of the ground floor area of the building housing the special use, unless such merchandise is a type customarily displayed outdoors such as automobiles or garden supplies.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.130 - Industrial design standards.

A. **Purpose.** In addition to the general purposes listed in Section 17.24.010, Site Dimensional Standards, the specific purposes of the industrial development standards are to:

1. Promote improved design and enhanced site planning of industrial development;
2. Encourage sensitive design and planning of industrial development that enhances compatibility between the built environment and the natural environment;
3. Promote design and site planning that furthers the goals of the City of North Las Vegas comprehensive plan;
4. Promote design and site planning that advances the vision of the City of North Las Vegas; and
5. Promote industrial development that enhances the quality of life for the citizens of North Las Vegas.

B. **Applicability.** No new buildings or structures within an industrial zone shall be erected unless in conformity with all applicable provisions of these regulations. And no existing building or structure within an industrial zone shall be moved or substantially enlarged, and no previously developed site shall be substantially enlarged unless in conformance with all applicable provisions of these regulations to the maximum extent practical.

C. **Uses of Land.**

D. **Site Planning and Development.**

1. Whenever possible nonmanufacturing or non-warehouse type buildings such as offices, should be oriented to the corner and to the street fronts and should make a strong tie to the building lines of each street.
2. Building placement on sites must consider interconnected walkways and parking drives between buildings on the site and those of adjacent development that encourages and provides for safe and efficient movement of pedestrians, bicycles and vehicles within the site and between the site and adjacent development.
3. **Open Spaces and Plazas.** Outdoor open spaces and plazas provide shade and opportunities for rest and relief for workers. Industrial developments are encouraged to provide open spaces and plazas as part of their overall development plans.
4. **Loading, and Storage Areas.** Loading and storage areas shall be screened by buildings, decorative walls and/or landscaping. Any area of a loading and/or storage area that abuts a public street shall be screened by decorative walls or landscape screen with a minimum height of six feet above the finished grade at the rear of the setback area. Any area of a loading or storage area that abuts a public street shall be set back from the property line a minimum of ten feet.

- E. **Architectural Character and Materials.** The purpose of these guidelines is not to dictate a particular architectural style for industrial development in the City of North Las Vegas, but to provide a set of guidelines and standards by which industrial development can be compatible with its surroundings and help to further the overall vision of development that has been established by the City.

1. **Height, Bulk and Scale.**

- a. For nonmanufacturing or non-warehouse type buildings such as offices, box-like or single, monolithic forms that are not relieved by articulation of façades are not desirable. The perceived height and bulk of these type buildings shall be reduced by dividing the building mass into smaller scale components. Buildings must incorporate jogs, offsets or other architectural features to reduce the visual length of long walls. Building surfaces over two stories high or fifty (50) feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest. Variations in massing and a variety and/or variation in rooflines is strongly encouraged.
- i. For manufacturing and warehouse type buildings, the length and height of walls must be relieved through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, pop outs etc.

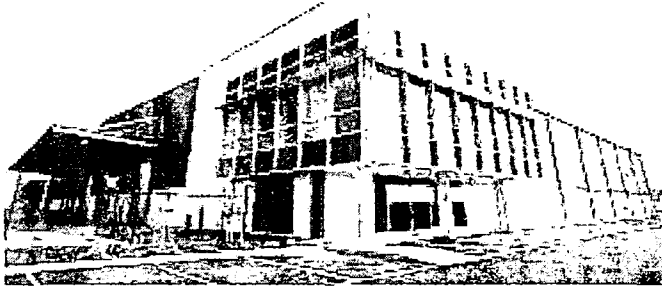


Fig. 17.24.130-A: Perceived height and bulk shall be reduced by dividing building mass into smaller scale components.

- b. Buildings shall be compatible with the scale of development allowed by the applicable land uses for the surrounding area as established at the time of application, and shall be sited and designed to provide a sensitive transition to nearby, less intensive, areas.
- c. Projects on the edges of zoning districts shall be developed in a manner that minimizes the adverse impacts resulting from incongruous height, bulk and scale of large buildings. Alternatives to mitigate such impacts include, but are not limited to, careful siting and design, additional building setbacks or stepping back of upper floors, and the actual physical reduction of the height, bulk and scale of a project.
2. **Exterior Materials and Finishes.**
- a. Buildings shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds. Black and bright colors are not acceptable except as trim or accent colors. Fluorescent colors are not acceptable.
- b. Concrete, clay tile, architectural metal or materials similar in appearance to concrete or clay tile should be used on all pitched roofs. Asphalt, fiberglass and wood shingles and shakes are not acceptable.
- c. Stone, stucco, colored or exposed aggregate, textured finish concrete, precast textured concrete panels, or decorative block and brick are the preferred materials for building exteriors. Simulated materials and building systems that provide a look that is similar to the preferred materials may also be acceptable.
- d. Highly reflective, shiny or mirror-like materials and unplastered exposed standard concrete and standard concrete masonry units should not be used except as accents if deemed appropriate.
- e. Restraint should be used in the number of different materials and colors selected. Simplicity of patterns is desired.
3. **Coherent Design.**
- a. All sides of a building shall be coherently designed and treated. A consistent level of detailing and finish is

required for all sides of a building.

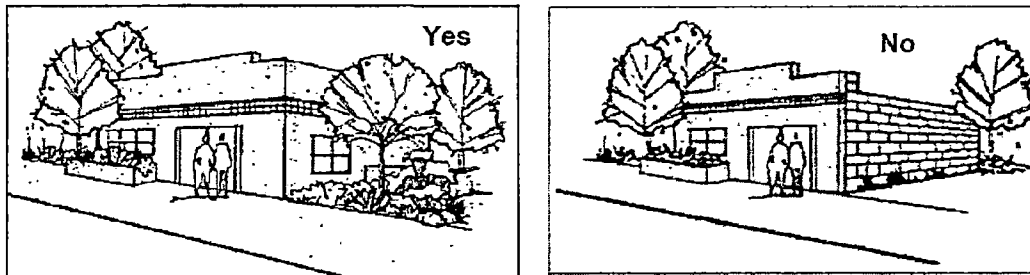


Fig. 17.24.130-B: Carrying the same level of detail and finish around all sides of a building provided for a more consistent design, and higher quality of development.

- b. Accessory structures shall take on the character of the main building, using the same colors, materials and style.
- c. Any building design that utilizes a flat roof shall incorporate a parapet wall and/or cornice element on all sides of the roof.
- 4. **Building Façade.** The building design shall incorporate patterns and materials that provide visual interest. Flat, plain building walls are not desirable and are strongly discouraged. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, pop outs etc.
 - a. There should be a contrast in the size of solid area to window area. In general there should be more wall than window. With the exception of exterior walls for manufacturing and warehousing areas of buildings, features such as windows, awnings and arcades must total at least sixty (60) percent of the length of any façade that abuts a public street.
 - b. Windows and large areas of glass should be recessed in shadow or otherwise contrast with the building façade. Large glazed areas should be divided into smaller parts by using mullions to express individual windows or groupings of windows.

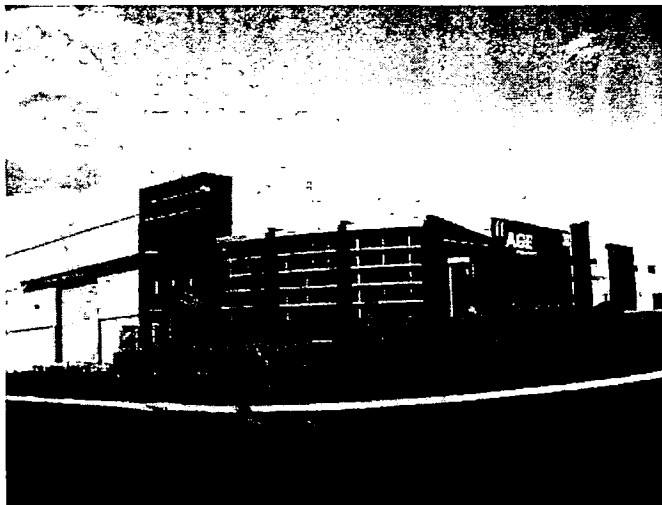


Fig. 17.24.130-C: Recessed windows help to reduce solar gain and reflection of glare.

- F. **Signs.** In addition to the requirements found in Section 17.24.150, Signs, the following criteria shall be used in the design of signs for industrial projects to which this section is applicable.
 - 1. Signs shall be an integral design element of a building's architecture, compatible with the site's overall character and building design.
 - 2. Materials and colors used in the construction of freestanding post or monument signs shall be compatible to those used in the construction of the primary buildings.
 - 3. Freestanding pylon and monument signs shall be integrated into the landscaping of the site. The structural

bases of these signs shall be screened with landscaping materials.

4. An overall sign plan for the proposed development shall be submitted with the overall development plan for review and approval by the planning and development services staff.
5. Wall signs that interfere with architectural details or disrupt the rhythm of windows are not acceptable.
 - a. Exterior wall and building signs for single story buildings shall be installed in the area above the first floor windows and below the roof.
 - b. Exterior wall and building signs for multistory buildings shall be installed in the area above the first floor windows and the bottom of the second floor window line.
6. Only monument type freestanding post signs shall be installed in industrial areas that are located across the street from residential areas.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.140 - Sustainability.

- A. **Purpose.** This section is intended to promote sustainable development within the City of North Las Vegas by:
 1. Removing regulatory barriers, creating incentives, and incorporating standards for providing open space beyond the baseline code requirements;
 2. Encouraging local production of food; promoting safety, walkability, and excellence in urban design;
 3. Encouraging alternative energy sources;
 4. Promoting alternative means of transportation like bicycling and walking that can improve community health while helping reduce air pollution;
 5. Protecting trees that absorb greenhouse gases and reduce storm water runoff and pollutants; and
 6. Encouraging water-efficient landscaping and protecting water resources.
- B. **Menu of Sustainability Options.** This section sets forth a range of options for sustainability to enhance other mandatory sustainability-related requirements integrated throughout this Code. All development within the City is recommended to follow the sustainable site and building design options from Table 17.24.140-1, Menu of Sustainability Options.

TABLE 17.24.0140-1: MENU OF SUSTAINABILITY OPTIONS

Category	Site or Building Design Feature
1. OPEN SPACE AND NATURAL RESOURCES:	
Intent: Support natural resource and habitat conservation and restoration, provide appealing and comfortable open spaces close to work and home, and encourage physical activity and recreation.	
1.1 Natural Area Protection	<ul style="list-style-type: none"> • Protect major washes as natural areas (2 pts). • Set development back from major washes a minimum of 50 feet (1 pt) or 100 feet (2 pts). Base code requirements for setbacks from washes are in <u>Section 17.24.030. Natural Resources</u>
1.2 Natural Area Restoration	<p>Restore a preexisting degraded natural resource area (e.g., washes, desert wildlife habitat, etc.) either on or off of the development site.</p> <ul style="list-style-type: none"> • Minimum area 10,000 s.f. Area restored may be granted 1 point for square footage equivalent to 10% of the minimum open space requirement. Base open space code requirements are in <u>Section 17.24.020 Open Space and Parks</u>. • Incentive: Any restored area shall be granted double credit toward either public or private open space requirements, whichever is provided to a max of 25% of overall base requirement.

1.3 Additional Open Space	<p>Provide additional public or private common open space as indicated below for the applicable development type.</p> <ul style="list-style-type: none"> • In a residential development, public open space at a rate of three or more acres per 1,000 people. (4 pts) • In a residential development, provide 150% of the minimum private open space required (2 pts) +1 pt for each additional 25% above the initial 150% (max 4 pts). • In a commercial development greater than three acres, 100 square feet of plaza space for each acre of land. (2 pts) • In a commercial development less than three acres or in an industrial development, 75 square feet of plaza space for each acre of land. (2 pts) • Base open space code requirements are in <u>Section 17.24.020, Open Space and Parks</u>.
1.4 Connectivity to trails/open space	A pedestrian priority area connected to any existing or proposed trail/park from public entrance or other open space area or pedestrian priority area.
<p>2. HEALTH AND SAFETY:</p> <p>Intent: Encourage local production of food and availability of healthy food choices, promote safe design features in new development, and offer safe alternatives for children to walk and bike to school.</p>	
2.1 Food Supply—Community Gardens	<p>Provide community garden space with appropriate fencing, amended soil, and irrigation for residents.</p> <ul style="list-style-type: none"> • Incentive: Garden space provided pursuant to this option shall receive credit towards any private common open space requirement up to a max of 25% of total requirement. • Base open space code requirements are in <u>Section 17.24.020 Open Space and Parks</u>.
2.3 Safety by Design	<p>Incorporate Crime Prevention through Environmental Design (CPTED) features by integrating at least one of each of the following types of features.</p> <ul style="list-style-type: none"> • Natural surveillance features such as windows overlooking sidewalks and parking lots, and transparent vestibules in buildings. • Natural access control features including single point of entry to buildings, low thorny bushes under windows, and substantial solid fencing between a backyard and an adjoining alley. • Natural territorial reinforcement features such as trees in residential areas, placement of amenities that attract people to common areas. • CPTED principles are located in Section 17.24.060.E. <i>CPTED Principles</i>
2.4 Safe Routes to School	Within a new residential subdivision, map and mark safe routes to school that meet standards set by National Safe Routes to school.

3. WATER CONSERVATION AND STORMWATER MANAGEMENT:

Intent: Minimize water use in buildings and for irrigation to conserve scarce water supplies, reduce water treatment costs, reduce impacts on natural resources such as rivers, reduce stormwater runoff, and encourage green stormwater alternatives

3.2 SFR

In addition to required front and side yard landscaping, the developer shall provide drought-tolerant landscaping within the rear yard without the use of turf.

3.3 Efficient Irrigation Systems

Subsurface irrigation systems shall be utilized for all landscape irrigation systems and shall be equipped with timers to ensure no daytime irrigation.

3.4 Evaporation Reduction

Reduce evaporation from landscaped areas and features.

- Utilize landscaping film and mulch. (1 pt)
- Limit open artificial water bodies and features such as fountains to no more than 5% of the overall site landscaped area and shade at least half of any water feature by trees, shade structures, or other means. (2 pts)

3.5 Water Recycling

Golf courses and other open space or recreation areas shall irrigate only with on-site gray water (2 pts) or with recycled water from a centralized recycling facility (1 pt).

4. ENERGY:

Intent: Promote the design and construction of energy efficient buildings; encourage on-site renewable energy production; reduce air, water, and land pollution from energy consumption; and reduce the urban heat island effect.

4.1 Solar Oriented Residential

To maximize the efficiency of solar panels and solar thermal heating and cooling devices, orient lots and/or streets for proper solar orientation as follows:

- At least 50 percent of residential lots in the development shall be solar oriented (3 pts).
- At least 60 percent of the lineal footage of all streets in the development shall be solar-oriented streets (3 pts).
- Make orientation within 15° of true east/west (2 pts.)

4.2 Solar Ready Homes

Residential development may be granted points for solar-readiness as follows:

- Equip at least 25% of all dwellings in the development to be solar ready (4 pts).
- Install a solar electric or solar hot water system to serve at least 50% of all dwellings in the development (4 pts).

4.3 Renewable Energy Production

Incorporate on-site renewable energy production such as solar, geothermal, wind, or biomass with production capacity of at least 5% of the project's annual electrical energy demand, with an additional point granted for every additional 5% of energy demand generated.

4.4 District Energy System	In non-residential developments: utilize a centralized, district heating or cooling system (minimum of two connected buildings).
4.5 Cool/Green Roofs	<p>Install a "cool roof" or green vegetated roof on all buildings.</p> <ul style="list-style-type: none"> • Cool roofs shall have a Solar Reflectance Index of 50 or greater (2 pts). Base solar reflectance code requirements are in Section 17.24.140.D <i>Alternative Energy System Standards</i>. • Green or vegetated roofs shall include vegetation on at least 50 percent of the roof area of all buildings in the project (25 percent for renovated buildings), and shall use only drought-tolerant landscaping (4 pts). Regulations for calculating open space credit for green roofs are in Section 17.24.020 <i>Open Space and Parks</i>. • Incentive: Any building that installs a roof meeting the requirements of this option shall be eligible for a floor-area bonus of 1.5 times the allowable gross floor area of the roof or an increase in height of one story over the maximum allowable height. If the roof open space is open to the public, the density/height bonus shall be doubled.
4.6 Radiant Technology Roof	Install a radiant technology barrier in roof
4.7 Green Building Practices	<p>Buildings must comply with the standards of one of the following certifications or a suitable equivalent: Energy Star, Water Smart; Southern Nevada Home Builders Green Building Initiative, LEED-H (certified, silver, gold, or platinum)</p> <ul style="list-style-type: none"> • In major developments, at least 25% of the buildings comply (1 pt). An additional point may be granted for each additional 25% of homes that comply with the certification. • In developments of less than five buildings, one point may be granted for each building that complies with the certification.
4.8 Paving Materials	To reduce solar gain and the urban heat island effect, use paving materials with Solar Reflectance Index of at least 45. Base solar reflectance code requirements are in Section 17.24.140.C

4.9 Shade Structures - Covered Parking Spaces, Shaded Walkways, and Shaded Interior Streets

To reduce the heat island effect and enhance walkability for pedestrians, shade structures shall be provided as follows:

- At least 50 percent of all off-street parking spaces shall be located under cover. Cover may be provided by a building, a deck, or a shade structure, or parking may be underground. Any cover, roof, or shade used for this requirement must have a minimum Solar Reflectance Index of 29 (2 pts).
- Shaded sidewalks shall be provided along 100 percent of all building façades adjacent to or facing streets, drive aisles, outdoor gathering spaces, and parking areas (4 pts). Base shading requirements are in Section 17.24.140.D, *Solar Shading and Reflectance*.
- Shaded sidewalks shall be provided along all streets interior to a development (2 pts).

4.10 Exterior Lighting

To reduce energy use and light pollution, lighting for all signs is extinguished during hours when the business is not open to the public. Base exterior lighting requirements and guidelines are located in Section 17.24.080 Exterior Lighting.

5. INFILL, REDEVELOPMENT, AND URBAN DESIGN:

Intent: Encourage balanced land uses, promote a mix of housing types and dwelling unit sizes, keep new development out of sensitive lands, and reduce the land area within a development devoted to surface parking.

5.1 Use Mix

Include a mix of the following use types: residential, office, commercial (other than office), or public/institutional. No use type shall contain less than 10% or more than 80% of the total developable floor area.

- At least 2 use types (2 pts).
- At least 3 use types (4 pts).
- Incentive: Developments that provide four of the above-listed use types shall be eligible for a 20 percent height bonus for vertical mixed-use building.

5.2 Mix of Housing Types

Include a mix of more housing types (large lot single-family, small lot single-family, two family, townhouse, condominium, apartment) and units with a variety in the number of bedrooms per dwelling unit.

- At least 30% of dwelling units is of a type other than the primary housing type (1 pt). An additional point may be granted for each additional 20% of dwelling units of an additional housing type up to 3 pts.

5.3 Infill and Redevelopment

Project is located within any subdistrict of downtown redevelopment area.

5.4 Site Selection	Development is not located on: previously undeveloped land at an elevation lower than five feet above the 100-year flood line; previously undeveloped land within 50 feet of a water body, defined by the Clean Water Act; land that is habitat for threatened or endangered species, as defined by federal and state agencies; or land that is within 100 feet of any wetlands, as defined by federal and state agencies.
5.5 Minimum (Transit-Supportive) Residential Density	<p>In the following districts, residential developments may be granted points when built at or above the following residential density without waivers:</p> <ul style="list-style-type: none"> • R-3, R-A/R-3 districts: 20 units/acre • R-4, R-A/R-4, PUD, MUD districts: 40 units/acre • R-A/DC district: 60 units/acre
5.6 Walkability	At least 50 percent of dwelling units are located within one-quarter mile of a mixed-use development, commercial development, religious assembly use, or school.
5.7 Surface Parking Reduction	Less than 10% of the impervious surface area is devoted to surface parking.
5.8 Structured Parking	<p>Provide structured parking to reduce pervious surface and enhance the pedestrian experience.</p> <ul style="list-style-type: none"> • At least 80% of parking is provided in a parking structure(s) (4 pts). • Parking structure is wrapped with retail or other uses (2 pts). • Parking code requirements are in <u>Section 17.24.040 Parking and Loading</u>.
5.9 Shared Parking	At least 25% of the parking spaces are shared between compatible uses.
5.10 Enhanced Mixed Use Design	<p>To enhance the appeal and acceptance of mixed use development, include two or more of the following design features (1 pt.)</p> <ul style="list-style-type: none"> • Building with appropriate human-scale design elements as identified in Sections <u>17.24.110</u> • Upper-story elements (balconies, windows, terraces,) that overlook the street. • Reasonably direct access to second story to encourage multi-level commercial and office use. • Separate entrances for residential uses.
<p>6. TRANSPORTATION:</p> <p>Intent: Promote public health by encouraging daily physical activity associated with alternative modes of transportation such as walking and bicycling; encourage the use of public transit; promote safe and efficient transportation; promote energy savings and less green house gas emissions and, design parking facilities to minimize adverse environmental impacts to pedestrians.</p>	

6.1 Sheltered Transit Stop	<p>To encourage transit use and make the transit rider experience more pleasant:</p> <ul style="list-style-type: none"> • Where a transit stop is required, it shall include a shelter (1 pt). • An additional point may be granted if the development has multiple transit stops.
6.2 Enhanced Internal Connectivity	<p>The development shall achieve a connectivity index score of at least 0.50 above the applicable base requirements of this code.</p> <ul style="list-style-type: none"> • Base connectivity code requirements are in <u>Section 17.24.050 Mobility and Circulation</u>.
6.3 Transportation Demand Management	<p>For commercial and industrial development, implement a transportation demand management (TDM) program approved by the City to reduce single occupancy vehicle trips generated by the development by at least 10% from typical trip generation rates for the use.</p> <ul style="list-style-type: none"> • The TDM program may include education, preferential parking for car and vanpools, subsidized transit passes, employer-run shuttles, or other mechanisms.
6.4 Walkable Block Length	<ul style="list-style-type: none"> • Pedestrian priority area throughways shall be provided at intervals not to exceed 400 feet.
6.5 Bicycle Facilities	<p>Include enhanced facilities to encourage the use of bicycles for transportation.</p> <ul style="list-style-type: none"> • Provide lockers for all required bicycle parking (1 pt). Base code requirements for bicycle parking are in <u>Section 17.24.040.I. Bicycle Facilities</u>. • Provide showers and clothing lockers for bicycle commuters (2 pts). • Provide indoor bicycle lockers (1 pt).
<p>7. WASTE REDUCTION AND RECYCLING:</p> <p>Intent: Encourage recycling of household and commercial waste project; reduce the amount of waste hauled to and disposed of in landfills; and promote the reuse of materials.</p>	
7.1 Waste Management	<p>Submit a comprehensive waste management plan for the management of construction wastes and wastes from the operation of the development once complete</p> <ul style="list-style-type: none"> • The plan shall emphasize reduction, reuse, and recycling of wastes. • The plan shall prevent loss of soil during construction by runoff or wind erosion, sedimentation of storm sewer or receiving streams, and air pollution from dust or particulate matter. • Copies of the plan shall be submitted with the application for development approval, and shall also be provided to all tenants.
7.2 Construction Waste Reduction	<p>Recycle/salvage at least 50% of non-hazardous construction and demolition debris.</p>

7.3 Recycling Stations and Kitchen Recycling

Incorporate recycling/re-use facilities to facilitate and encourage waste reduction:

- Provide a centrally located recycling/re-use station for all residents and businesses that allows for storage of materials, including paper, glass, plastics, and metals to be collected on a weekly basis by a recycling agency (2 pts).
- Design space in the kitchen to accommodate compost, garbage, and recycling bins and install appropriate receptacles for these three purposes in every dwelling unit (2 pts).

7.4 Composting

Provide an odor-free on-site enclosed composting station or location for all occupants in conformance.

C. **Solar Shading and Reflectance.** Given the climate in North Las Vegas, solar shading and reflectance is an important and cost effective way to reduce both the urban heat island effect and energy used to cool building interiors.

1. Shading devices such as roof overhangs, arcades, awnings, porches, screens, shutters, and trellises should be incorporated into the architectural design of buildings in order to protect windows, doors, and other openings from solar heat gain. Designers should address the different exposures of a building so that shading devices produce a cooling benefit and energy conservation.

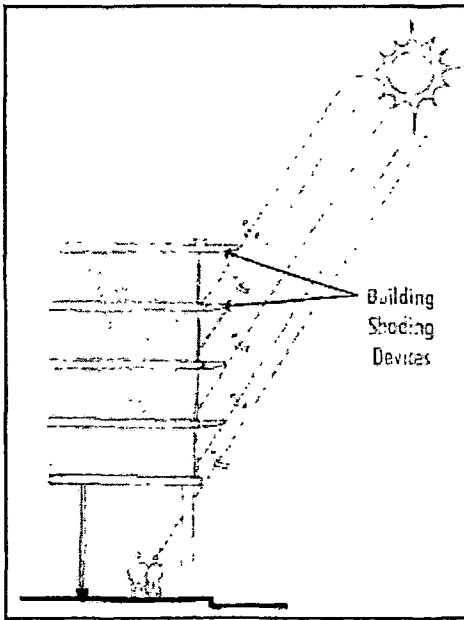


Fig. 17.24.140-A: Shading devices as architectural elements

2. Awnings or canopies should be incorporated on all commercial and mixed-use building frontages where other shading devices are not used and shall be designed to provide consistent and continuous pedestrian protection from the elements. Awnings and canopies should have a minimum depth of six feet. Awnings and canopies shall provide a vertical clearance of eight feet and may encroach upon the right-of-way above the sidewalk.

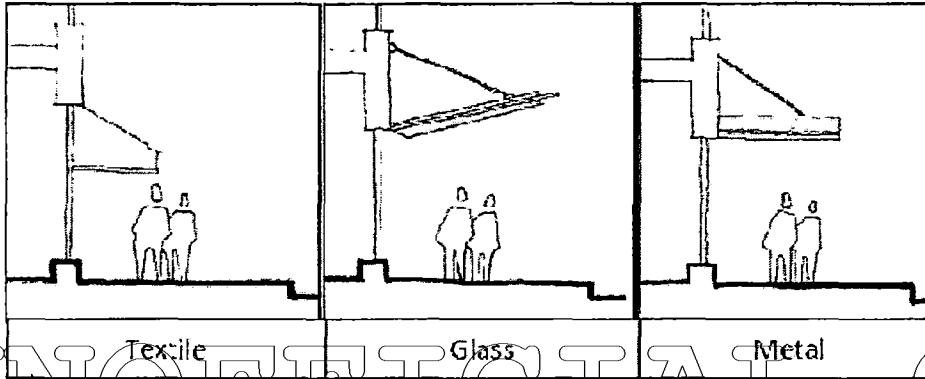


Fig. 17.24.140-B: Variety of awning options for commercial and mixed-use buildings

3. For all multifamily, mixed-use, commercial, and industrial development, and residential subdivisions of greater than five dwelling units, the following minimum solar reflectance standards are recommended:
 - a. Roofs should be constructed with light colored materials with a solar reflectance index not less than twenty-five (25).
 - b. At least fifty (50) percent of all hardscape (parking, plazas, non-vegetated landscaping, etc.) should be constructed with light colored materials with a solar reflectance index not less than twenty-five (25).

D. Alternative Energy System Standards.

1. **Solar Array Standards.** All solar arrays shall comply with the following requirements:
 - a. **Setbacks, Location, and Height.**
 - i. A solar array shall not be located in the front yard between the principal structure and the public right-of-way.
 - ii. A solar array shall be located a minimum of three feet from all property lines and other structures.
 - iii. An accessory solar array in any residential district shall not exceed the greater of one-half the footprint of the principal structure or six hundred (600) square feet, whichever is greater. The size of accessory arrays in mixed-use and non-residential districts shall not exceed one-half of the footprint of the principal structure.
 - iv. There shall be no size limits on solar arrays as a primary use on a site. However, the maximum lot coverage of any solar array shall not exceed eighty (80) percent.
 - v. A freestanding solar array shall not exceed twenty (20) feet in height.
 - b. **Code Compliance.** Solar arrays shall comply with all applicable building and electrical codes contained in the North Las Vegas Building Code.
 - c. **Solar Easements.** A property owner who has installed or intends to install a solar array shall be responsible for negotiating with other property owners in the vicinity for any necessary solar easement and shall record the easement with the County Recorder.
2. **Solar Collection Standards.**
 - a. **Setbacks, Location, and Height.**
 - i. A solar collection system shall be located a minimum of three feet from all property lines and other structures, except the structure on which it is mounted.
 - ii. A solar collection system shall not extend more than twelve (12) feet above the roofline or the maximum height permitted in the zoning district in which it is located, whichever is less.
 - iii. A solar collection system may be located on an accessory structure.
 - b. **Solar Easements.** A property owner who has installed or intends to install a solar collection system shall be responsible for negotiating with other property owners in the vicinity for any necessary solar easement and shall record the easement with the County Recorder.
3. **Small Wind Energy System Standards.** Small wind energy systems and all associated components shall

comply with all applicable building codes and the following requirements:

a. **Setback.**

- i. Small wind energy systems shall not be located in the front yard between the principle structure and public right-of-way.
- ii. The base of the tower shall be set back from all property lines, public rights-of-way, and public utility lines a distance equal to the total extended height (e.g., if on a roof, roof height + tower height) plus five feet. A tower may be allowed closer to a property line than its total extended height through the conditional use permitting process if the abutting property owner(s) grants written permission and the installation poses no interference with public utility lines or public road and rail rights-of-way.

Guy wires and other support devices shall be setback at least five feet from all property lines.

b. **Tower Height.** The maximum height of any small wind energy system shall be the maximum height allowed in the zone district plus fifty (50) feet.

c. **Sound.** Sound produced by the turbine under normal operating conditions, as measured at the property line of any adjacent property, shall not exceed fifty-five (55) dBA for any period of time. The fifty-five (55) dBA sound level may be exceeded during short-term events out of the owner's control such as utility outages and/or severe wind storms.

d. **Appearance, Color, and Finish.** The turbine and tower shall remain painted or finished in the color that was originally applied by the manufacturer. Bright, luminescent, or neon colors as determined by the City are prohibited.

e. **Clearance.** The blade tip or vane of any small wind energy system shall have a minimum ground clearance of fifteen (15) feet as measured at the lowest point of the arc of the blades.

f. **Signage Prohibited.** All signs on a wind generator, tower, building, or other structure associated with a small wind energy system visible from any public road, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification, shall be prohibited.

g. **Lighting.** No illumination of the turbine or tower shall be allowed unless required by the FAA.

h. **Access.** Any climbing foot pegs or rungs below twelve (12) feet of a freestanding tower shall be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets of metal or wood or similar barriers shall be fastened to the bottom tower section such that it cannot readily be climbed.

i. **Compliance with FAA Regulations.** No small wind energy system shall be constructed, altered, or maintained that is determined to be a "Hazard to air navigation" as determined by the FAA or other federal agency.

j. **Utility Notification.** No small wind energy system shall be installed until evidence has been submitted to the City that the relevant electric utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

k. **Abandonment.** If a wind turbine is inoperable for six consecutive months the owner shall be notified that they must, within six months of receiving the notice, restore their system to operating condition. If the owner(s) fails to restore their system to operating condition within the six-month time frame, then the owner shall be required, at his expense, to remove the wind turbine and tower for safety reasons. If the owner(s) fails to remove the wind turbine from the tower, the City may pursue legal action to have the wind generator removed at the owner's expense.

4. **Geoexchange System Standards.** All geoexchange system shall comply with all of the following requirements:

- a. **Closed System.** A geoexchange system shall be "closed-loop", meaning it shall be designed so that it does not remove or introduce any fluid into the ground, groundwater, or any body of water.
- b. **Loop Configuration.** A geoexchange system may be of vertical or horizontal loop configuration so long as it does not penetrate any aquifer. The loop may be placed into a pond or other body of surface water provided that the entire body of water is under the ownership and control of the property owner.
- c. **Antifreeze.** To avoid possible contamination in the event of a system failure, the use of antifreeze is discouraged within a geoexchange system, and shall be limited to glycol or another similar ecologically benign substance.

5. **Geothermal Direct Heat System Standards.** All geothermal direct heat system shall comply with all of the following requirements:

- a. **Proof of Permits Required.** A building permit for a geothermal direct heat system shall not be issued by the City until the applicant submits proof that all required local, regional, state, and federal permits (for drilling of wells, etc.) have been secured.
- b. **Performance.** No heat, vibration, steam, or other emissions from a geothermal direct heat system shall be detectable on nearby commercial or residential property, nor shall the steam create an impediment to visibility within any airport approach or departure zone.

E. **Private Restrictions Prohibited.** Any person(s) or association(s) - regardless of date of establishment - is prohibited from imposing private covenants, conditions, restrictions, deed clauses, or other agreements between the parties, that prevent person(s) from installing and using alternative energy systems.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.150 - Signs.

A. **Purpose and Intent.**

1. The purpose of this section is to coordinate the type, placement and physical dimensions of signs within the different land use districts; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of signage design; to promote both renovation and proper maintenance; and to guarantee equal treatment under the law through accurate recordkeeping and consistent enforcement.
2. No sign shall be permitted as a main or accessory use except in accordance with the provisions of this code.
3. This title is not intended to regulate official traffic or government signs; signs not intended to be viewed from a public right-of-way; product dispensers; scoreboards on athletic fields; flags of any nation, government, or noncommercial organizations; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.
4. The primary intent of this section shall be to regulate signs of a commercial nature intended to be viewed from any vehicular right-of-way.

B. **Permit Required.**

1. A sign shall not be erected, installed, repaired or moved unless a permit for such has been obtained from the building department, except the following signs that are exempt from the permit requirement:
 - a. Construction, real estate (up to thirty-two (32) square feet in size) or political signs;
 - b. Holiday or special events decorations provided such signs be removed ten days following such event;
 - c. Nameplates of two square feet or less;
 - d. Maintenance of a manual or automatic changeable copy sign.
2. All sign locations for signs requiring a permit shall be approved in conjunction with an approved site plan or unified sign plan.
3. All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective or damaged parts shall be replaced. Substantially damaged or deteriorated signs shall be regulated per Section 203 of the 1985 Uniform Building Code or most recently adopted Uniform Building Code, and Section 17.20.050, Nonconforming Uses and Structures.

C. **General Provisions Applicable to All Districts.**

1. **Exempt Signs and Displays.**

- a. Official notices of any court, public body or officer;
- b. Directional, warning or informational signs or structures either required by law or established by local authority;
- c. Permanent lettering attached to a motor vehicle when indicating its primary purpose;
- d. Signs or displays located within a building area that will not be visible from any existing or proposed public street or highway.
- e. Signs used by churches, synagogues, or civic organizations;

f. Casino

2. **Prohibited Signs.**

a. Abandoned signs and/or sign structure.

i. Abandoned signs and/or sign structures must be removed from the property within 15 days of notification by the City that the sign needs to be removed.

ii. Signs in disrepair must either be repaired or removed with fifteen (15) days of notification by the City that the sign needs to be repaired or removed.

b. Displays containing statements, words or pictures of an obscene, indecent or immoral nature, misleading, erroneous or false information and advertising;

c. Illumination of such brilliance and/or position that would be hazardous to vehicular traffic or a nuisance to adjacent property;

d. The use of a semi-tractor trailer or other vehicle for advertising purposes, parked in a stationary position on a public or private property, is prohibited.

3. **Prohibited Sign and Display Locations.** No display shall be located or placed in any of the following locations:

a. Within the existing or proposed rights-of-way of any road, street, highway, or overhanging public right-of-way without an encroachment permit from the Director of Public Works;

b. Within any stream or drainage channel;

c. Above or upon a roof;

d. No sign shall be so erected as to interfere with any traffic control device or to prevent a traveler from obtaining a clear view of approaching traffic or traffic signals;

e. Signs not permanently attached to a building or the ground, such as mobile signs, portable signs, sandwich signs, or other movable objects, (unless approved as a Temporary Special Event Sign) and temporary, portable or mobile commercial signs, such as those temporarily attached to vehicles or vehicle trailers parked on public or private property;

f. Signs supported in whole or in part from any public utility installations, any tree, traffic control device, or any other type of sign placed on public or private property not expressly permitted or exempted are prohibited in the City.

4. **Joint Use of Signs.** When an abutting group of parcels of land is developed for uses that share common facilities, such as, without limitation, off-street parking or driveways, the group of parcels shall be considered as a single parcel in applying the sign regulations for a directory sign.

D. **Signs Permitted in All Districts.**

1. All signs not requiring permits; in Section 17.24.150.B

2. One construction sign for each street frontage of a construction site, not to exceed thirty-two (32) square feet in area in a residential zone or sixty-four (64) square feet in area in all other such zones. Such signs may be erected thirty (30) days prior to beginning of construction and shall be removed five days following completion of construction;

3. One nameplate sign per occupancy, not to exceed two square feet in area, advertising the service or profession at that premises, except that home occupations may not provide on-site advertising;

E. **Freestanding Signs.** Freestanding signs may be allowed in all zoning districts subject to the following provisions herein:

1. **Sign Area.**

a. No sign shall exceed the following:

TABLE 17.24.150-1: MAXIMUM SIGN AREA FOR FREESTANDING SIGNS

Commercial Redevelopment and Industrial Districts	Maximum Sign Area
All businesses in the Commercial Professional (CP) District	100 square feet

Businesses with floor areas under 25,000 square feet	125 square feet
Businesses with floor areas between 25,000—50,000 square feet	175 square feet
Businesses with floor areas exceeding 50,000 square feet	250 square feet
Directory signs for shopping and business centers under 15 acres	250 square feet
Directory signs for shopping and business centers 15 acres or more	400 square feet
Residential Districts	Maximum Sign Area
Single-Family Neighborhood Identification	24 square feet
Multi-family Developments	150 square feet

- b. Businesses complexes or shopping centers may have one directory sign per arterial street. The sign area permitted for shopping or business complexes (of two or more businesses) where frontage is combined for purposes of determining sign area must be allocated between the businesses, as reflected in a unified sign plan for freestanding signs submitted for administrative approval, by the Community Development Department, before sign permit applications are submitted for any business within the complex.
2. **Number of Signs.** In single-family residential districts, one subdivision identification sign at each entrance to a subdivision, on each side of the roadway entering the subdivision may be permitted if incorporated into a decorative landscaped entry feature. In multifamily districts, one per driveway entrance, on each side of a major entry driveway may be permitted if incorporated into a decorative landscaped entry feature. Each freestanding pad in a multiple-business commercial or industrial development shall be entitled to one sign.
3. **Spacing.** Freestanding signs shall maintain a minimum spacing of one hundred fifty (150) feet, on streets with a right-of-way of eighty (80) feet or more, and two hundred (200) feet on streets with a right-of-way width less than eighty (80) feet. The spacing may be reduced to comply with 17.24.150.E.2. (Number of signs).
4. **Sign Height.**
- a. The maximum overall height shall not exceed the following:

TABLE 17.24.150-2: MAXIMUM HEIGHT OF SIGNS

Commercial Industrial and Redevelopment Districts	Maximum Height
Businesses in the CP District	8 feet
Stand alone businesses with floor areas under 25,000 square feet	18 feet
Stand alone businesses with floor areas between 25,000—50,000 square feet	28 feet
Stand alone businesses with floor areas exceeding 50,000 square feet	35 feet
Commercial Pads w/in a commercial or industrial center	8 feet

Directory signs:

In CP zones

8 feet

In C-1, M-1, R-A zones

35 feet

In M-2, M-3, C-2, C-3 zones

45 feet

Residential Districts

Maximum Height

Single-Family Uses

6 feet

Multi-family Uses

10 feet

- b. Sign heights for commercial and industrial developments adjacent to residential areas is as follows:
- c. Any sign located within twenty-five (25) feet of property used for a single-family residential use, or that has a recorded subdivision map for single-family residential use, shall be a monument sign and be limited to a height of eight feet. Such signs shall be non-illuminated, or the illumination shall be oriented so as not to have direct illumination toward the single-family residential property.
- d. Any sign located within one hundred (100) feet of property used for a single-family residential use, or that has a recorded subdivision map for single-family residential use, shall be limited in height to not exceed one-third of the distance of the nearest edge of the sign to the nearest point on any property used for single-family residential or has a recorded subdivision map for single-family residential use, and shall not exceed the maximum height as described in Table 17.24.150-2. Such signs shall be non-illuminated, or the illumination shall be oriented so as not to have direct illumination toward the single-family residential property.
- e. Signs located along Interstate 15 may be established at a greater height, not to exceed sixty (60) feet, if they meet the following conditions:
- No such sign shall be located more than one thousand five hundred (1,500) feet from the center of the Craig Road interchange, the Cheyenne Avenue interchange, Hollywood Boulevard interchange, Lamb Boulevard interchange, or the CC-215 interchange.
 - Such signs shall only be for commercial or industrial uses located in commercial and industrial districts;
 - Such signs shall not be located in a redevelopment area; and
 - Each sign shall only identify, by name or symbol, establishments located on-site.
5. **Setback.** The minimum setback of a freestanding sign shall be two feet, for signs at a height of eight feet or less (providing that such sign is located outside of any sight visibility zone), and ten feet from the front lot line for signs at a height exceeding eight feet. Signs shall be a minimum of five feet from any side lot line.
6. **Sight Visibility Zones at Intersections.** No visual obstructions may be maintained above the height of twenty-four (24) inches within the area at street intersections or intersections of a driveway and a street, depicted in the Uniform Standard Clark County Area Drawings, available in the Public Works Department.
7. **Design Guidelines.** All freestanding with structural poles or columns, other than directional or regulatory signs, shall comply with the following design guidelines:
- Such signs shall utilize a decorative cover to conceal the poles or columns. Each cover shall be at least as wide as twenty-five (25) percent of the sign width.
 - The decorative cover on such signs shall utilize, or be complementary to, distinctive architectural features or elements, if any, used on the principal buildings on the same site.
 -

The decorative cover shall utilize materials, colors, textures or finishes that are complementary or similar to the materials, colors, textures or finishes utilized on the façade of the principal buildings on the same site.

8. **Freestanding Sign Landscaping.** Freestanding signs shall only be erected in landscaped areas.
9. **Directional and Informational Signs.** Two directional signs per entry/exit, limited to ten square feet in area and six feet in height, and setback a minimum of two feet from the front lot line (providing such signs are located outside of the sight visibility zone). Such signs may, in addition to directional copy, such as "ENTRANCE", "EXIT", or directional arrows, include business identification or logo. There shall be no limit on the number of directional signs permitted within a development strictly for on-site circulation.
10. **Manually Changed Copy Signage.** Manually Changed copy signage is permitted, subject to the following:
 - a. Manually-changed message boards shall not exceed fifty (50) percent of the sign area on any sign;
 - b. Signs are typically limited to display price for gas sales, theater movie listings, and other similar or appropriate signage.
11. **Electronic Message Center.** Electronic Message Center signage is permitted, subject to the following:



Fig. 17.24.150-A: lower sign shows a typical example of an Electronic Message Center sign.

- a. The electronic message center component of a sign shall not exceed thirty (30) percent of the sign's total sign area;
 - b. Brightness - Lamp size may not exceed fifty-four (54) watts of incandescent lighting for daytime use. An automatic dimmer must be installed to reduce nighttime wattage to a maximum of thirty (30) watts. LED's (light emitting diodes) and magnetic discs may be used, provided that light intensity is not greater than allowed for incandescent lighting;
 - c. Special effects such as flashing, strobing, or simulated moving graphics are not allowed;
 - d. Signs shall be factory certified not to exceed a maximum illumination of fifty-four (54) watts during daylight hours and a maximum illumination of thirty (30) watts between dusk to dawn;
 - e. Electronic message centers are prohibited within two hundred (200) feet of a building containing a residential dwelling unit or a residential zoning district. This minimum distance requirement may be reduced with approval of a special use permit. In considering a reduction in the separation requirement, it must be determined that views of the sign will be obscured by an intervening building or other feature or adequate protection is in place to protect nearby residential areas from possible adverse effects;
 - f. Electronic message centers are prohibited within fifty (50) feet of an electronic graphic display sign and within two hundred fifty (250) feet of another electronic message center.
12. **Electronic Graphic Display.** Electronic Graphic Display is permitted, subject to the following:
 - a. The electronic graphic display's shall not exceed a maximum area of one hundred twenty-five (125) square feet and/or fifty (50) percent of the sign area on any sign;
 - b. Orientation - The sign face must be oriented away from residential uses and districts;

- c. Electronic graphic displays are prohibited within two hundred (200) feet of a building containing a residential dwelling unit or a residential zoning district. This minimum distance requirement may be reduced with approval of a special use permit. In considering a reduction in the separation requirement, it must be determined that views of the sign will be obscured by an intervening building or other feature or adequate protection is in place to protect nearby residential areas from possible adverse effects;



Fig. 17.24.150-B: Center signs shows a typical example of an Electronic Graphic Display sign.

- d. An electronic graphic display is prohibited within fifty (50) feet of an electronic message center and within two hundred fifty (250) feet of another electronic graphic display sign;
- e. Off-premise advertising shall be prohibited and advertising messages and displays shall be limited to advertisements for tenants within the commercial center or business;
- f. The electronic graphic display unit shall not change more than once every eight seconds, except changes to correct hour-and-minute or temperature information (if used), may change no more often than once every three seconds;
- g. Images and messages displayed must be static with the exception of transitions. The transition from one display to another shall be made within two seconds, and may include dissolve, fade, framing, scrolling, or other transition effects that do not have the appearance of animated text or images;
- h. Flashing, strobing, or varying of light intensity shall be prohibited;
- i. The use of audio speakers shall be prohibited;
- j. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message. However, this does not preclude a business from displaying consecutive advertisements provided each advertisement is complete without leading viewers to wait for a continuation or ending of the advertisement within the next display;

- k. Every line of copy and graphics shown within a static display must be at least twelve (12) inches in height;
- l. The electronic graphic display unit shall be designed and equipped to freeze the device in one position if a malfunction occurs. If a partial or incomplete message freezes or remains static on the sign due to a technical malfunction or a portion of the display face malfunctions, the sign's illumination must be turned off until the sign is repaired;
- m. Brightness - Electronic graphic display signs may not exceed a maximum illumination of five thousand (5,000) nits (candelas per square meter) during daylight hours or more than five hundred (500) nits during nighttime hours (between dusk and dawn), as measured from the sign's face at maximum brightness. Signs shall be factory-certified to not exceed a maximum illumination of five thousand (5,000) nits during daylight hours and a maximum illumination of five hundred (500) nits between dusk to dawn. Signs shall be equipped with an automatic dimmer device to reduce nighttime wattage to a maximum of five hundred (500) nits.

F. Wall Signs. Wall signs shall be permitted in all districts, subject to the following:

- 1. Wall signs for address numerals shall not be included in the calculation of the permitted wall sign area.
- 2. Wall signs for multi-family residential uses, and for nonresidential uses in a residential zone (including, but not limited to, schools and religious facilities), shall cover not more than ten percent of the area of the building elevation upon which the sign is to be placed.
- 3. Wall signs for commercial and industrial uses shall cover not more than fifteen (15) percent of the area of the building elevation upon which the sign is to be placed. Corporate logos, emblems, or text on overhead canopies for gas stations, banks or similar uses shall cover not more than twenty (20) percent of the area of the elevation of the canopy on which the sign is to be placed; corporate colors and embellishments shall not cover more than an additional fifty (50) percent of the area of the elevation of the canopy.

G. Deviations from Standards.

- 1. Deviations from the freestanding or wall sign requirements may be approved by the Planning Commission subject to a special use permit and provided the Commission finds the following:
 - a. That upon the granting of the deviation, the proposed sign will substantially meet the intent of these requirements.
 - b. That the granting of the request will have no material detrimental effect upon the health, safety or general welfare.
 - c. That there are special circumstances or conditions applicable to the property referred to in the application that do not prevail on other property within the area.
 - d. That the granting of such application will not detrimentally affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.
- 2. When reviewing an application for a deviation, the following evidence or criteria may not be considered by the Planning Commission when establishing the merits of a waiver request:
 - a. The financial situation of the applicant or costs of land, infrastructure, site or building improvements, or general development;
 - b. Any circumstances created knowingly or unknowingly by the current or previous owner(s) of the property.

H. Applicability. A sign approved by a waiver, variance, special use permit, PUD, or sign plan is not subject to the provisions contained in this chapter, so long as the sign continues to comply with the originally approved height and area.

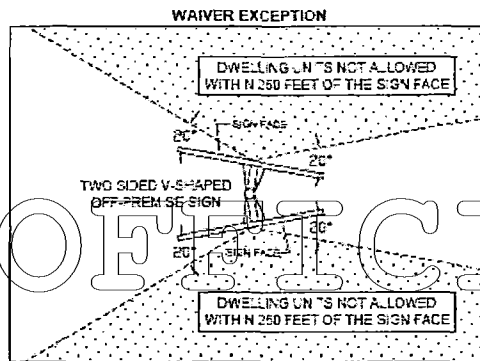
I. Off-Premises Advertising Signs or Structures.

- 1. **Purpose.** The intent of the prior provisions governing off-premises advertising signs was to regulate the location and design of off-premises advertising signs in order to maintain the City's aesthetic environment, to enhance the City's ability to attract sources of economic development, to improve pedestrian and vehicular safety and to minimize possible adverse effects on property from the off-premises advertising signs.

The City Council found that the prior rules were not achieving the City's primary objectives. The ordinance codified in this chapter similarly intends to promote and protect the public health, safety and welfare by preventing the unreasonable distraction of the operators of motor vehicles by such signs or structures; by making the City visually attractive to residents, tourists and businesses; by protecting the public and private investment in land improvements; and by preserving and enhancing the natural scenic beauty and aesthetic features of the City from the date of adoption into the future. The City Council hereby declares that these objectives will be further advanced and finally achieved on a going-forward basis by a complete prohibition of any and all new off-premises advertising signs or structures within the boundaries of this City.

2. **Off-Premises Advertising Signs or Structures Prohibited; Limited Exceptions.** Any new construction or use of off-premises advertising signs or structures is hereby prohibited, except as delineated herein. The City shall not issue any building or other land use permit allowing the use, construction or reconstruction of any off-premises advertising sign or structure, except under the following limited circumstances:
- The off-premises advertising sign and/or structure qualifies as legal non-conforming sign pursuant to NLVMC 17.24.150(j);
 - For the partial reconstruction of damaged or deteriorated legally non-conforming off-premises advertising signs pursuant to NLVMC § 17.24.150(j);
 - Pursuant to the relocation provision as provided specifically herein.
 - Existing legally non-conforming off-premise advertising sign may be converted to a digital display subject to NLVMC § 17.24.150(i)(4).
 - Adjustments and modifications of legally non-conforming off-premise advertising signs may be permitted subject to NLVMC § 17.24.150(i)(5).
3. Relocation required by operation of NRS § 278.0215. Provided that, and only upon the circumstance pursuant to which the City requires the removal of a legally non-conforming advertising sign or structure, and such action triggers a City requirement to pay "just compensation" pursuant to NRS § 278.0215, an applicant may request relocation of the legally non-conforming advertising structure. The location must be within three hundred (300) feet of Interstate 15 edge of right-of-way, upon property zoned M-2 and C-2, and at least seven hundred fifty (750) feet away from another off-premise advertising sign or structure. Such request shall be in the form of an application for a special use permit, and such process is to be governed by NLVMC § 17.12.070, except that such application shall be acted upon by the City Council without a hearing before the Planning Commission.
4. **Digital Display Off-Premise Sign Conversion.**
- The owner of an existing legally non-conforming off-premise advertising sign may convert the sign to a digital display subject to the following conditions:
 - Permitted only when the sign is within three hundred (300) feet of Interstate 15 edge of right-of-way, and upon property zoned for non-residential uses;
 - The sign may not be relocated;
 - Must display messages a minimum six seconds and messages cannot travel, flash or contain motion;
 - The transition from one static display to another must be instantaneous without any special effects or movement;
 - Consecutive signs facing the same direction of travel shall not display sequential messages;
 - Consecutive signs facing the same direction of travel shall not display messages at the same rate of synchronization;
 - Every line of copy and graphics in a digital display must be at least fifteen (15) inches in height, with the exception of any symbol designating a federal or state registration of an intellectual property right;
 - Off-premise digital sign face shall not exceed six hundred seventy-two (672) square feet in size;
 - If NDOT approval is required, it must be received prior to permit issuance;
 -

Digital displays are prohibited within two hundred fifty (250) feet of an existing building containing a residential dwelling unit or an existing developed residential district. For purposes of this section, "developed residential district" means a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for a building permit.



Exception: This distance separation may be waived if the applicant can demonstrate the illuminated sign face is angled so that no dwelling unit is located at an angle greater than twenty (20) degrees measured from the center of the front plane of the illuminated sign face.

xi. Digital display must conform to the following luminance standards:

- (A) Signs shall not exceed a maximum illumination of five thousand (5,000) nits (candelas per square meter) during daylight hours or more than five hundred (500) nits during nighttime hours (between dusk and dawn), as measured from the sign's face at maximum brightness;
- (B) Signs shall be factory-certified to not exceed a maximum illumination of five thousand (5,000) nits during daylight hours and a maximum illumination of five hundred (500) nits between dusk to dawn;
- (C) Signs shall be equipped with an automatic dimmer device to reduce nighttime wattage to a maximum of five hundred (500) nits;
- (D) Signs shall not interfere with any traffic control devices;
- (E) Sign display must immobilize in the event of a screen malfunction.

5. Adjustments or Modifications.

a. The owner of an existing legally non-conforming off-premise advertising sign may make adjustments and/or modifications to a sign subject to the following conditions:

- i. Adjustments may only be made when the construction of a noise abatement or highway improvement project decrease the visibility of the sign;
- ii. The sign may not be relocated;
- iii. Adjustments may only be made to the height or angle of the sign.

Adjustments:

- (A) Shall restore the visibility of the sign to the same or comparable visibility as before the construction of a noise abatement or highway improvement project;
- (B) Shall not be more than forty-five (45) feet above the noise abatement or highway improvement project, measured from the tallest point of the noise abatement or highway improvement project to the top of the sign and may not be more than sixty-five (65) feet from the existing grade at the base of the sign to the top of the sign.

iv. The sign must be located within three hundred (300) feet of Interstate 15 edge of right-of-way or a highway improvement project.

J. Nonconforming Signs.

1. **Scope of provisions.** The following provisions specifically govern the status of non-conforming signs,

notwithstanding any other "non-conforming uses and structures" language found at NLVMC 17.20.050

2. Existing signs or sign structures which do not conform to the specific provisions in this chapter may be considered "legally non-conforming" and continue to exist without conforming to the current code provided that:

- a. Such signs or structures are properly maintained and do not endanger the public;
- b. The sign or structure pre-existed an adopted ordinance regulating that sign or structure; and
- c. There exists a valid sign permit and/ or other proper land use approval authorizing the sign or structure.

3. A legal nonconforming sign or structure shall lose its legal non-conforming status and must conform to all current code requirements for the use to continue if:

- a. Such sign or structure is relocated, replaced, or the sign or structure is reconstructed without a validly issued building permit. Regarding reconstruction, provided that the sign or structure is damaged, and the cost to partially reconstruct such sign or structure is less than fifty (50) percent of its material value, the sign does not lose its legal nonconforming status, and the City may issue a building permit for the partial reconstruction of such sign or structure. However, if a legal nonconforming sign or structure is destroyed, damaged or deteriorates in excess of fifty (50) percent of its material value, the City shall not issue such building permit and the sign or structure loses its legally non-conforming status. For purposes of this subsection (a), the term "material value" is defined as it is at Nevada Revised Statutes Section 278.0215(7) (c).

- b. The structure or size of the sign is altered in any way except towards compliance with the code. This does not refer to change of panels, normal maintenance, digital conversion, or adjustments to height or angle of the sign; or
- c. When the sign, display or structure has been abandoned or the use has been discontinued for a period of six consecutive months.

K. Subdivision Development Sale Signs.

1. Subdivision development sale signs are subject to the provisions and limitations contained in this section.
2. For each separately identified residential subdivision or master planned community, one on-site temporary subdivision development sale sign is permitted per arterial or collector street fronted by the subdivision, with a maximum of two such signs per subdivision. In addition all such signs must comply with the following:
 - a. The application must be accompanied by a plot or location plan that clearly depicts the location of the proposed sign; a description, drawing or picture of the proposed sign and a description of the means by which it will be secured; and written authorization for the placement of the sign from the owner of the property on which the sign is to be located or from the owner's duly authorized agent.
 - b. Approval valid for twenty-four (24) months or until the last unit or lot is sold, whichever occurs first. At that time, the sign(s) must be removed unless an extension of time has been obtained. The property owner and the applicant, if the latter is not the property owner, shall each be responsible for the maintenance and removal of the sign(s).
 - c. The maximum size of any one sign shall not exceed three hundred (300) square feet.
 - d. The height of the sign shall not exceed twelve (12) feet above the height of the nearest property line wall. If the sign is not located behind a property line wall, then the height of the sign must not exceed eighteen (18) feet and the distance from the bottom of the sign to the ground must not exceed eight feet.
 - e. Any such sign must be set back at least ten feet from any public right-of-way and must be set back from any street intersection in a manner that does not unsafely restrict sight distances, subject to the review and approval by the North Las Vegas Traffic Engineer.
 - f. The sign must be no closer than fifty (50) feet to any other on-premises sign, off-premises sign or subdivision development sale sign.
 - g. The sign must be a freestanding sign that is firmly secured in the ground, as subject to review and approval of a building permit.

L.

Subdivision Directional Signs. Subdivision directional signs are not considered "on-premises" signs or "off-premises" signs and are permitted in accordance with the provisions of this chapter. For the purpose of this chapter, subdivision directional signs shall be allowed for the sale or lease of dwellings.

1. A maximum of eight subdivision development directional signs are permitted for each separately identified residential subdivision or master planned community. Signs for two separately identified residential subdivisions mounted on the same sign structure shall be counted as two signs.
2. A maximum of three such signs may be up to one hundred twenty-eight (128) square feet in size. A maximum of three such signs may be up to ninety-six (96) square feet in size. All other such signs shall not exceed forty (40) square feet in size. An embellishment, not to exceed twenty (20) percent of the surface area of a sign, may be added.

3. Subdivision development directional signs are permitted only in accordance with the following:

- a. The height of any such sign must not exceed fourteen (14) feet, except that any such sign that exceeds forty (40) square feet in size, as authorized by this chapter, may be permitted to a maximum height of twenty-two (22) feet.
- b. The distance from the bottom of any sign to the ground must not exceed eight feet.
- c. Any such sign must be set back at least ten feet from any public right-of-way and must be set back from any street intersection in a manner that does not unsafely restrict sight distances, subject to the review and approval by the North Las Vegas Traffic Engineer.
- d. No such sign may be located on any lot that has been developed for residential or commercial use or within one hundred fifty (150) feet of any existing residence. However, a sign may be located one hundred (100) feet from a residence with written consent of all landowners and renters within one hundred fifty (150) feet of the sign.
- e. No such sign may be closer than one hundred (100) feet to any other such sign or to any on-premises or off-premises sign.
- f. No such sign shall be located more than four miles from the subdivision to which it is providing direction.
- g. Each such sign must be a pole sign that is firmly secured in the ground, as approved by the building official.
- h. The name, address and telephone number of the permit holder and the permit number must be securely affixed to a pole of each sign.
- i. A building permit is required for each sign. The application must be accompanied by a plot plan that shows where the sign will be placed on the property and a master location plan that indicates where all other subdivision development directional signs (not including weekend directional signs) for the subdivision will be placed; a description, drawing or picture of the proposed sign and a description of the means by which it will be secured; and written authorization for the placement of the sign from the owner of the property on which the approved sign is to be located or from the owner's duly authorized agent.
- j. The application shall be valid for twenty-four (24) months or until the last unit or lot is sold or leased, whichever occurs first. At that time, the sign must be removed unless an extension of time has been obtained.

M. Weekend Directional Signs. Weekend directional signs shall be permitted in accordance with the following provisions:

1. Weekend directional signs, as defined in this section, shall be used to direct traffic to residential projects only and shall not be employed for nonresidential purposes of any kind.
2. No weekend directional sign shall be installed unless it has been approved as a part of a master weekend directional sign plan. An application and sign map shall be presented for each development for which weekend directional signs are to be employed. The application and map must be in a form and include such exhibits as specified by the Community Development Department. The map must indicate the approximate location on each street of each sign to be installed and must include a statement that at the time of installation no sign is to be installed in violation of the spacing requirements of this chapter or cause any

already-in-place weekend directional sign to be in violation of the spacing requirements. The application shall state the name and mailing address of the party to be notified in the event of any violations of this chapter. A master weekend directional sign application shall be issued for all signs shown on the approved plan.

3. Weekend directional signs may be placed along any major or secondary street. No weekend directional sign shall block or overhang any sidewalk or other established pedestrian walkway. No sign shall be placed within twenty-five (25) feet of a street intersection or driveway. In order to place weekend directional signs on private property, written authorization from the owner of the property or the owner's duly authorized agent is required.
4. Weekend directional signs that are not part of an approved application; that are placed within twenty-five (25) feet of a street intersection or driveway; that block or overhang sidewalks and other public pedestrian walkways; or that are left remaining after the time limitations set forth in this subsection may be impounded immediately. Signs may be recovered only after payment of the following fees:

TABLE 17.24.150-3: FEES FOR RECLAIMING WEEKEND DIRECTIONAL SIGNAGE

Violation Number	Fee
1st violation	\$10.00 per sign if [unpermitted]. The fee shall be waived if the owner obtains the proper approval. If approved, warning only.
2nd violation	\$10.00 per sign.
3rd violation	\$15.00 per sign and misdemeanor citation.
4th violation	Revocation of the weekend directional sign certificate.

5. A maximum of seventy (70) weekend directional signs may be permitted per subdivision and/or master planned community; provided, however, that no such sign shall be installed unless it has been approved as a part of a master weekend directional sign plan.
6. The maximum size of weekend directional signs shall be six square feet. Such signs shall be made of plastic or shall be of some other weather-resistant material approved by the Director and shall be attached to a single metal stake. Signs mounted on wooden stakes are prohibited.
7. The maximum height of weekend directional signs shall be forty-eight (48) inches above the nearest street curb, except that within fifty (50) feet of any street intersection or driveway opening the maximum height shall be thirty-two (32) inches above the nearest street curb. Where no curb exists, the maximum height of weekend directional signs shall be measured from the edge of the adjacent road or street.
8. The maximum distance for placement of any weekend directional sign from its respective project shall be four miles. Such four-mile distance shall be measured along a radial line whose axis shall be located at a single point on the subject property, such point to be determined by the applicant. The minimum spacing between weekend directional signs shall be one hundred (100) feet for signs of the same project, and no sign shall be installed closer than ten feet to any other project's weekend directional sign, except that two signs may be installed side-by-side for each required turning movement at each intersection or driveway where traffic is being directed to turn.
9. No weekend directional sign shall be installed before 6:00 p.m. on Friday, and all signs shall be removed by 6:00 a.m. on Monday (6:00 a.m. on Tuesday due to a holiday on Monday).

N. Removal of Signs.

1. The City of North Las Vegas is authorized to remove the following types of signs with no prior notice. The signs may be removed or impounded by an authorized City of North Las Vegas employee or its agent.
 - a. Within the existing or proposed rights-of-way of any road, street, highway, or overhanging public right-of-

way without an encroachment permit from the Director of Public Works.

- b. Within any stream or drainage channel.
- c. Signs erected so as to interfere with any traffic control device or to prevent a traveler from obtaining a clear view of approaching traffic or traffic signals.
- d. Signs not permanently attached to a building or the ground, such as mobile signs, portable signs, sandwich signs, or other movable objects without a permit. Temporary, portable or mobile commercial signs on public or private property.
- e. Signs supported in whole or in part from any public utility installation, any tree, traffic control device, or any other type of sign placed on public or private property not expressly permitted or exempted are prohibited in the City.
- f. Signs removed by order of the city manager or a City enforcement official and replaced in an illegal manner or location without a permit.
- g. Signs found to be unsafe and of immediate peril to persons or property on public or private property.

2. Thereafter, within seventy-two (72) hours, notice shall be sent by first-class mail to the sign company, the property owner and the beneficial user of the sign, if such user can reasonably be identified, informing them of the action taken and that the sign may be reclaimed. The City shall have the right to recover from the owner or installer of such a sign the full costs of removal and storage of such sign. The City shall certify such removal and storage and charge the owner or installer of the sign for such removal and storage, payable within ten days after receipt of a statement of charges. Removal and storage charges are:

TABLE 17.24.150-4: REMOVAL AND STORAGE CHARGES FOR SIGNS

Violation Number	Charge
1st violation	\$10.00 per sign.
2nd violation	\$15.00 per sign.
3rd violation	\$25.00 per sign and misdemeanor citation.

3. Any sign placed on private property in violation of this section may also be removed by the City of North Las Vegas, or its agents, provided that the owner of the property and the beneficial user of the sign, if such user can reasonably be identified, have been either served personally or by first-class mail and order to abate ten days in advance of the pending removal action. The notice shall provide a statement informing the owner or responsible party of the right to appeal as provided in Title 8, Chapter 8.32 of this code. Such notice shall be valid for a period of one year from the date of the notice. If a sign advertising the same product is placed on the same property within one year of the date of the notice, it is subject to immediate removal by virtue of the prior notice.
 4. It is presumed that the person or entity whose identity is represented on the sign is the person responsible for installing the sign, which presumption may be rebutted by affidavit of the entity or person to whom the charges are presented.
- O. Temporary Special Event and Coming-Soon Signs.** Temporary special event or civic event signs may be approved by the Director for a limited time period as a means of publicizing special events such as grand openings. Such signs shall be limited by the following provisions:
1. Approval of a temporary sign application is required.
 2. Approval allows the holder to display a maximum of two temporary event signs on the parcel where the event is to occur. Up to four temporary special event sign approvals may be issued to the same business license holder on the same parcel in any one calendar year and the total of all temporary sign displays shall not exceed sixty (60) days in any one calendar year.

3. Special event signs may include balloons, inflated devices, pennants, portable signs, streamers, searchlights, and other attention-gaining devices as approved by the Director.
4. Coming-Soon signs are permitted as a means of promoting the future opening or development of a new business. Such signs are restricted to a maximum size of sixty-four (64) square feet, if located on the ground, or a maximum size of forty-five (45) square feet if attached as a banner to the building. Such signs may not be placed upon property more than sixty (60) days prior to construction or start of the business.
5. All temporary signs must be set back from any street intersection or otherwise located in order not to create a sight restriction.

P. Temporary Real Estate Signs. Temporary Real Estate Signs are allowed in all zoning districts subject to the following provisions:

1. General Provisions.

- a. All signs must be located on the parcel or development offered for sale, rental or lease;
- b. Signs shall be non-illuminated;
- c. Shall be removed within five days following the sale, rental, or lease of the lot or development;
- d. A maximum of one sign shall be permitted per street frontage or building;
- e. Sign shall be setback a minimum of ten feet from the front lot line and five feet from the side lot line.

2. Sign Area.

- a. Single-family Residential Developments - Sixteen (16) square feet
- b. Multi-family / Commercial / Industrial Developments - Sixty-four (64) square feet for freestanding signs or ten percent of the area of the building elevation upon which the sign is to be placed up to a maximum of three hundred (300) square feet

3. Sign Height.

- a. Single-family Residential Developments - Six feet.
- b. Multi-family / Commercial / Industrial Developments - Eighteen (18) feet.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.160 - Political signs.

A. Portable Political Signs.

1. Portable political signs are permitted in any land use district subject to the provisions and limitations contained in this chapter provided a fee of one hundred twenty-five dollars (\$125.00) per candidate, issue or ballot question is first remitted to the City of North Las Vegas City Clerk's Office, regardless of the number of signs placed. The purpose of the fee is to provide the City with the name and pertinent information about the campaign manager or party responsible for repair of damaged or hazardous signs and to monitor and remove all unclaimed signs following the election. Signs placed within the North Las Vegas City limits without first submitting the proper fee shall be removed and impounded until the said fee is paid in full.
2. Portable political signs may be placed on private property only.
3. No portable political sign may be placed at any location where it may interfere or be confused with a traffic control signal or sign, or obstruct the vision of traffic.
4. No portable political sign may be placed on any:
 - a. Public property or right-of-way within the City;
 - b. Utility pole or device; or
 - c. Semi-tractor trailer parked in a stationary position on private property, other than and excluding semi-tractor trailers bearing characters, designs, figures, letters, marks, words, or other symbols identifying the nature of the owner's business, activity, or service and parked or stored temporarily in the course of the owner's activities.
5. Portable political signs that do not exceed one hundred twenty-eight (128) square feet in size are permitted within a commercial or industrial zoning district.
6. Portable political signs placed in any residential zoning district may not exceed thirty-two (32) square feet in size.

7. The person or persons placing or causing the placement of any portable political sign, including the person whose candidacy the sign supports, the owner of such sign, and the owner of the property upon which the sign is located are jointly and severally responsible for removing the sign.

8. All portable political signs must be removed within fifteen (15) days after the election to which they pertain.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2689, § 1, 11-19-2014)

17.24.170 - Signs in the downtown redevelopment area.

- A. **Purpose and Intent.** The purpose of this section is to coordinate the type, placement and physical dimensions of signs within the downtown redevelopment area of the City, recognizing that due to the concentrated commercial nature of the area, some sign provisions may be more restrictive and/or more relaxed than in other areas of the City. All the provisions of Section 17.24.150 also apply in the downtown redevelopment area. When a conflict with this section occurs, Section 17.24.170 shall apply.

B. **Prohibited Signs.**

1. Signs made of paper, cloth or any matter of similar material, except when located inside a building as part of a window sign meeting all other provisions of this section.
2. Signs not permanently attached to a building or the ground, such as mobile signs, portable signs, sandwich signs or other movable objects (unless approved as a Temporary Special Event Sign). Temporary, portable or mobile commercial signs, such as those temporarily attached to vehicles or vehicle trailers parked on public or private property;
3. Signs attached to or on top of any freestanding wall or fence, except required directional signs;
4. Abandoned signs and signs in disrepair must either be repaired or removed from the property within thirty (30) days of notification by the City that the sign needs repair or removal;
5. Any sign not exempted or permitted by this section;
6. Signs supported in whole or in part from any public utility installation or on any tree, except for those special event signs in the right-of-way approved by the City Council;
7. Aerial signs displayed on tethered balloons (unless approved as a Temporary Special Event Sign);
8. Any sign on public property or within the existing or proposed rights-of-way of any road, street, highway or overhanging any public right-of-way without an encroachment permit from the Director of Public Works, or, in the case of a designated state highway, from the Nevada Department of Transportation and the Director of Public Works;

C. **Signs Exempt from Permit Requirements.**

1. Bulletin boards not exceeding twelve (12) square feet in area for civic, public, charitable or religious institutions when located on the premises thereof;
2. Signs within buildings and not visible from any existing or proposed right-of-way;
3. Address numbers, "no trespassing," "no parking" and other similar warning signs located on the site to which the sign is appurtenant to and not exceeding four square feet in area. Such signs must be professionally manufactured and installed;
4. Memorial signs on tablets, names of buildings and dates of erection, when cut in any masonry surface or when constructed of bronze or other noncombustible material.

- D. **Signs Exempt from this Section.** Signs for casinos with nonrestricted gaming licenses are exempt from restrictions and regulations of this title, except that such signs are subject to permit and inspection requirements to ensure public health and safety in regard to their installation, maintenance, and operation.

E. **Construction, Installation, Maintenance and Colors.**

1. All signage shall be professionally constructed and/or painted, and installed by a licensed, bonded sign contractor;
2. No signage shall incorporate the use of day-glow or fluorescent colors;
3. All signs, including real estate signs, must be adequately maintained or removed from the property. Once notified by the City that maintenance of an existing sign is required, the tenant, or property owner in the absence of a tenant, shall be required to repair or remove such sign within thirty (30) days.

F. Window Signs.

1. Window displays of merchandise and/or products are not considered window signage. On the ground level, window sign coverage may not exceed twenty-five (25) percent of the total translucent or transparent window or door area visible from the exterior of the building. On the second level, coverage may not exceed ten percent per window. Window signs are prohibited in windows above the second story level. Window signs are prohibited from being made with the use of chalk, felt pen, tempera, grease pencil or similar medium. Paper or paint may be used inside the window provided the sign appears to have been professionally rendered, but no paper or paint may be applied outside the window. Neon light signs will count toward the total window signage allowance.
2. Total window coverage is allowed two or four times a year as described pursuant to subsection Q, "Temporary and Special Events Signs," of this section.

G. Awning and Canopy Signs.

1. Signs on awning valances identifying a business name may not exceed a height of six inches.
2. Signs hanging under a canopy surface shall be small pedestrian-oriented signs of not more than four and one-half square feet in area.

- H. Highrise Building Identification Signs.** Highrise building identification signs may be attached to the exterior walls of buildings three or more stories in height, provided the sign is affixed in the area between the top floor of the structure and the roof line. Such signs may display only the name of the building or its major occupant and any associated logos. The total area allowed for such signs shall not exceed one square foot per linear foot of the building wall to which the sign is attached, and the area may not be accumulated from one side of the building for application to another side of the building.

I. Temporary and Special Events Signs.**1. Signs and Decorations in the Right-of-Way.**

- a. Temporary signage and decorations of a noncommercial nature are allowed by Redevelopment Agency approval to be attached to utility poles in the right-of-way provided the signs and/or decorations are sponsored by the City or an incorporated civic or charitable organization to celebrate a recognized holiday or special event of community-wide interest. In addition, applicants seeking to attach signage or decorations to private utility poles, such as power or phone poles, must submit documentation to the City from the appropriate utility company authorizing such placement.
- b. Permits for temporary special events signs in the right-of-way shall be subject to the review and approval of the City to ensure that the decorations will be mounted in a manner in conformance with the lateral wind resistance requirements of the International Building Code. Issuance of such permits shall be subject to the applicant obtaining an encroachment permit from the City or Nevada Department of Transportation (NDOT) if the right-of-way is a designated state highway. Permit issuance also shall be conditional upon the applicant obtaining liability insurance in an amount deemed sufficient by the Redevelopment Agency or NDOT to adequately protect the City or the state should a mishap occur that causes damage or loss to life or property as a result of the decorations being placed in the right-of-way. The Redevelopment Agency and/or NDOT also shall determine the duration of the display.
- c. Signage or decorations placed in the right-of-way shall be installed and removed by a licensed and bonded sign contractor, but the sponsoring organization shall be responsible for ensuring that signage and/or decorations are removed within the timelines approved by the Redevelopment Agency or NDOT. Decorations in the right-of-way that cannot be considered signage shall be subject to plan review for structural integrity.

J. Enforcement.

1. Abandoned signs and signs that are constructed, placed or maintained in violation of this section of the code are declared to be a public nuisance and injurious to neighboring property and to the health and welfare of residents. The City shall remove or cause to be removed any such sign(s) if the sign has not been removed or brought into conformance within thirty (30) days of receipt of notice to correct or remove. The notice shall set forth the conditions of the sign that make it in violation of the sign code and shall be sent by certified or registered mail to the owner of the sign, if known, at his or her last known address; or to the owner of the

property as shown on the last tax assessment roll; or to the occupant of the property. If the sign is not brought into compliance with the code or removed within thirty (30) days, the City shall remove it and place it in storage for thirty (30) days, during which time the sign may be recovered by the owner upon payment of the removal and storage costs. If not claimed in thirty (30) days, the sign is declared abandoned, title vests in the City, and the City shall bill the owner for removal, storage and disposal costs. If costs are not paid by the owner within ninety (90) days, the costs shall be assessed as a tax lien against the property. If the assessment is recorded, it shall be collected at the same time and in the same manner as ordinary county property taxes, and shall be subject to the same penalties and same procedures for sale in case of delinquency as provided for the collection of ordinary county property taxes. Persons having an interest in the sign or the property may appeal to the redevelopment agency the determination by the City that the sign is in violation of the code and his or her order to remove or correct same.

2. The following types of signs may be removed by the City with no prior notice:

- a. Signs removed by order of a City Code Enforcement Officer and replaced in an illegal manner or location without a permit;
- b. Signs found to be unsafe and of immediate peril to persons or property;
- c. Signs erected upon public property in violation of the provisions of this section;
- d. Signs not permanently attached to a building or the ground, such as mobile signs, portable signs, sandwich signs (unless approved as a Temporary Special Event Sign) or other movable objects.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.24.180 - Projects of regional significance.

- A. **Determination of Projects of Regional Significance.** Determination of whether site specific projects meets the criteria established under the definition of projects of regional significance shall be made at the earliest stage feasible by the planning and zoning department. Specifically, such determination should be made at the time of application of a zoning map amendment, a tentative map, master plan development, planned unit development, special use permit, or any other development request that requires review at a public meeting.
- B. **Assessment of Impacts and Referral of Projects of Regional Significance.** If it is determined that the threshold criteria for a site specific projects of regional significance, as defined in Chapter 17.12.020, is met, the Planning and Development Department shall immediately notify the affected jurisdiction(s) (affected local government) and provide the affected local government with copies of any application materials, as well as an impact assessment that includes at a minimum:
 1. The number of vehicle trips that the project will generate, estimated by applying to the proposed project the average trip rates for the peak days and hours established by the Institute of Transportation Engineers or its successor.
 2. The estimated number of additional pupils for each elementary school, junior high or middle school, and high school that the project will cause to be enrolled in local schools.
 3. The distance from the site on which the project will be located to the nearest facilities from which fire-fighting, police and emergency services are provided, including, without limitation, facilities that are planned, but not yet constructed, and facilities that have been included in a plan for capital improvements prepared by the appropriate local government pursuant to NRS 278.0226.
 4. A brief statement setting forth the anticipated effect of the project on housing, mass transit, open space and recreation.
 5. In addition, all notification requirements that relate to distance from proposed sites shall be interpreted to apply to property owners in adjacent jurisdictions.
- C. **Comment by Affected Local Government.** Upon receipt of the referral, the affected local government shall have fifteen (15) calendar days within which to provide comments (mitigation comments) to the project local government. The mitigation comments may propose ways in which the affected local government believes any negative impacts of the project on the affected local government can be mitigated.
- D.

Mitigation by Project Local Government or Proposing Agency. The Planning Department, within its discretion, shall give consideration to the mitigation comments and require mitigation of potential negative impacts on the affected local government to the maximum practical extent. Maximum practical extent means that, under the circumstances, reasonable efforts have been undertaken to comply with the regulations, that the cost of compliance clearly outweighs the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulations. The planning department shall make written findings of the way in which the mitigation comments were addressed and include such within the staff report for each project.

- E. **Adjacent Jurisdictions.** In addition, all local regulatory provisions that relate to separations of certain types of land uses from others shall be interpreted to apply to land uses in adjacent jurisdictions.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

Chapter 17.28 - ENFORCEMENT, VIOLATIONS, AND PENALTIES
Sections:

17.28.190 - Enforcement.

The Director shall:

1. Direct inspections, observations, and analyses of any and all erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land within the City relating to the regulations and restrictions as set forth by this Code;
2. Take such action as is necessary for the enforcement of this Code relating to violations of the regulations and restrictions;
3. Pass upon all building permits to determine if the proposed construction, remodeling, or alterations are in conformity with the provisions of this Code.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.28.200 - Violations and penalties.

No person shall locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building, structure, or land in violation of this Code.

1. The Director shall order, in writing, the correction of any violation. The order shall state the nature of the violation, the Code provision violated, and the time by which the violation must be corrected. After an order has been served, no work shall proceed on any structure or tract of land covered by such an order except to correct the violation or to comply with the order.
2. Decisions of the Director may be appealed to the Planning Commission in accordance with Section 17.12.040.G.
3. In addition to or in lieu of the procedures outlined above, this Code shall be enforceable in a court of proper jurisdiction, and any or all appropriate remedies at law or in equity shall be available for the enforcement thereof.
4. Any and all persons who violate or fail to comply with any of the provisions of this Code or who shall fail to comply with any lawful order or regulation made thereunder shall be deemed guilty of a misdemeanor for each and every such violation and noncompliance. Upon conviction thereof, they shall be punished by a fine and sum not more than one thousand dollars (\$1,000.00) or by imprisonment in the City jail for a term not to exceed six months, or by both such fine and imprisonment. In addition, the costs of any such action may be imposed at the discretion of the court. The imposition of one penalty for any violation of this Code shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations and defects within a reasonable time. Each day that the prohibited condition is not corrected or remedied shall constitute a separate offense. The court may impose a fine on a per diem basis for each day that the violation is maintained. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.
- 5.

This Code shall not be construed to hold the City, its Building Official, Director, Director of Public Works, or any other City official responsible for any damage to persons or property by reason of any inspection or reinspection authorized herein or the failure to so inspect or reinspect or by reason of the issuance of a building permit as herein required.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

Chapter 17.32 - DEFINITIONS

Sections:

17.32.010 - Rules of construction.

The following words, terms and phrases, when used in this Code, shall have the meanings ascribed to them in this chapter, except where the context clearly indicates a different meaning. The term "building" shall include the term "structure." The term "lot" shall indicate an area that has been platted or mapped, and may include the term "plot" or "parcel." The term "zone" shall mean "district." In addition, the following general rules of construction shall apply:

- A. **Meanings and Intent.** All provisions, terms, phrases, and expressions contained in this Code shall be construed according to this Code's stated purpose and intent. All provisions, terms, phrases, and expressions contained in this Code shall be construed according to the general purposes set forth in Section 17.04.010 and the specific purpose statements set forth throughout this Code. When, in a specific section of this Code, a different meaning is given for a term defined for general purposes in this chapter, the specific section's meaning and application of the term shall control.
- B. **Headings, Illustrations, and Text.** In the event of a conflict or inconsistency between the text of this Code and any heading, caption, figure, illustration, table, or map, the text shall control.
- C. **Lists and Examples.** Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and shall not be interpreted as exhaustive lists of all possibilities.
- D. **Computation of Time.** The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the City. References to days are calendar days unless otherwise stated.
- E. **References to Other Regulations/Publications.** Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.
- F. **Delegation of Authority.** Any act authorized by this Code to be carried out by a specific official of the City may be carried out by a designee of such official.
- G. **Technical and Nontechnical Terms.** Words and phrases not otherwise defined in this Code shall be construed according to the common and approved usage of the language, but technical words and phrases not otherwise defined in this Code that may have acquired a particular and appropriate meaning in law shall be construed and understood according to such meaning.
- H. **Public Officials and Agencies.** All public officials, bodies, and agencies to which references are made are those of the City of North Las Vegas unless otherwise indicated.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.32.020 - Interpretation.

- A. **Mandatory and Discretionary Terms.** The words "shall," "must," or "will" are always mandatory, and the words "may" or "should" are always discretionary.
- B. **Conjunctions.** Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:
 1. "And" indicates that all connected items, conditions, provisions, or events shall apply; and
 2. "Or" indicates that one or more of the connected items, conditions, provisions, or events shall apply.
- C. **Tenses and Plurals.** Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular shall include the plural, and the plural shall include the singular.

D. **Interpretation.** The Director has authority to determine the interpretation or usage of terms used in this Code. Appeal of an interpretation made by the Director shall be to the Planning Commission.

E. **Undefined Terms.** The Director has the authority to provide the definition for a term where it is not defined in this Code. Appeal of a definition provided by the Director shall be to the Planning Commission.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011)

17.32.030 - Definition of terms.

Abut

Two adjoining parcels of property with a common property line are considered as one parcel abutting the other, except where two or more lots adjoin only at a corner or corners.

Access or Access Way

A way by which pedestrians and vehicles have adequate and useable ingress and egress to and from a property or use as required by this title.

Accessory Building or Use

A subordinate building, or portion of the principal building, located on the same lot as the principal building, or a subordinate use of land, either of which is customarily incidental to the principal building or to the principal use of land. Where part of an accessory building is connected to part of the principal building in a substantial manner as by a roof, such accessory building shall be counted as part of the principal building.

Adjacent

Near, close, or abutting; for example, an industrial district across the street or highway from a residential district shall be considered as adjacent.

Adjoin

See "abut."

Adult Uses (Use Category)

The adult use category is comprised of uses that are of a sexual nature, intended for adults only.

Aggrieved Person

The applicant, or any person who attended a public hearing and offered written or verbal comments on the application, or any person who submitted written comments on the application on or before the date of the public hearing, or any person defined as an aggrieved person by NRS 278.3195 or under applicable Nevada court decisions.

Agricultural Activity

The cultivation of the soil or the raising of livestock and all activities incidental thereto. The terms "farming" and "ranching" shall be interchangeable for the purposes of this title.

Agriculture and Agricultural Support Services (Use Category)

The agriculture and agricultural support services use category is comprised of uses characterized by general active and on-going agricultural uses, activities, and related uses. An agricultural use, in general, means the use of land for the growing and/or production of field crops, livestock, aquatic, and animal products for the production of income.

Air Cooling System

Air conditioners, heating, ventilation, and other systems related to the heating and cooling of a structure.

Airport

Runways and related facilities for aircraft, including rotary-winged and ultralight aircraft, take-off and landing.

Alley

A permanent public thoroughfare providing a secondary means of access to abutting lands.

Alter

Alter shall mean any change in the structural members or other features of the building; or any change to allow the building to be used for purposes other than those for which it was originally intended.

Amendment

A change in the wording, context, or substance of this title; an addition, deletion, or change in the district boundaries or district classification upon the zoning map.

Amusement Park or Water Park

A commercially operated park with a predominance of outdoors games and activities, including motorized rides and/or water slides.

Animal Care (Use Category)

The animal care use category is comprised of uses characterized by the caring, grooming, and treatment of animals, including vet services.

Animal Hospital or Clinic

A place where small animals (such as dogs, cats, birds, hamsters, ferrets, fish, and domestic pets) are given medical or surgical treatment, and are cared for during and following the time of such treatment. Such facility shall be operated by a Nevada-licensed veterinarian and shall have the primary use dedicated to the out-patient treatment of small animals. Outside pens, kennels, or runs are not permitted as part of an animal hospital. The short-term boarding of no more than ten (10) days is permitted. A maximum twenty-five (25) percent of the total floor area of the facility may be devoted to boarding.

Apartment Building

A building other than a hotel, motel, rooming house, boarding house, or group home, containing three or more dwelling units.

Appliance Repair Facility

Establishments providing appliance repair, that may include major or minor appliances, and office machine repair.

Architectural Embellishment

Ornamental or decorative features attached to or protruding from an exterior wall of a structure.

Athletic Club

A facility privately owned or operated by a corporation, associates, or person for recreational purposes associated with sports and athletics that may include, but are not limited to: fields and related areas for tennis, soccer, swimming, gymnastics, basketball, or any combination of these or other sports.

Auto Title Loan Establishment

Any establishment that loans money on a personal vehicle by taking a security interest on the title of the vehicle. This shall not include "Automobile Pawnbroker."

Automobile Impound Yard

See Vehicle Impound Yard.

Automobile Parking Lot or Parking Garage

Surface parking lot or structure offering short or long term vehicle parking services to the public. A fee may or may not be associated with this use.

Automobile Pawnbroker

Any business that loans money on the security of pledges, deposits, or other secured transactions in personal vehicles. This shall not include "Auto Title Loan."

Automobile Washing Establishment

A building or portion thereof containing facilities for washing automobiles, light trucks, and vans, but not commercial fleets.

Automobile Wrecking Yard

The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts.

Auto Salvage Yard

A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging vehicles or parts thereof.

Aviary

An enclosure specially constructed to hold live birds in confinement.

Awning

A roof-like cover, often made of fabric, metal, or glass, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, sidewalk, door, or similar feature. Awnings are supported entirely from the exterior wall of a building and do not have support systems, such as posts, that extend to the ground. See also "canopy."

Bakery for On-Site Sales

An establishment for preparing, cooking, and baking of products that are sold on-site.

Balcony

A horizontal flat surface that projects from the wall of a building, is enclosed by a parapet or railing, and is entirely supported by the building. Balconies may be covered or uncovered by a canopy or awning.

Bank or Financial Institution

Establishments engaged in deposit banking. Banks and financial institutions may include, but are not limited to, commercial banks, loan or mortgage companies, stockbrokers, savings institutions, credit unions, and other similar uses. For the purposes of this Code, a bank and financial institution shall not include short-term or deferred deposit loan establishments or auto title loan establishments.

Base Flood, One Hundred Year

The flood having a one percent chance of being equaled or exceeded in any given year.

Basement

A portion of a building located partly underground but having at least half its floor-to-ceiling height below the average grade of the adjoining ground.

Batch Plant (Concrete or Asphalt)

A plant for the manufacture or mixing of asphalt, concrete, cement, and concrete and cement products, including any apparatus and uses incidental to such manufacturing.

Bicycle Facilities

Bicycle facilities shall serve as a general term that includes, but is not limited to: bicycle racks, parking spots designated for the parking of bicycles, and storage facilities designed for bicycles.

Bicycle Racks

An apparatus that is attached to the ground or a structure to which a person can attach a lock to in order to secure a bicycle.

Block Frontage

All of the property of a given lot or any portion thereof lying adjacent to a public street or highway.

Bowling Alley

An establishment that devotes more than fifty (50) percent of its gross floor area to bowling lanes, equipment, and playing area. Accessory uses may include snack bar, video games, billiards tables, and other incidental recreational uses.

Breezeway

A roofed passageway, open on at least one side, that provides a connection between any combination of two buildings and/or structures.

BRT

Bus Rapid Transit

Buffer Wall

A freestanding exterior wall constructed of smooth block with integrated color and pilasters at least every fifty (50) feet.

Building

Any structure having enclosed space and a roof for the housing and/or enclosure of persons, animals, or chattels, except mobile homes, recreational vehicles, and mobile offices.

Building Area

The maximum horizontal projected area of the principal and accessory building, excluding open steps, terraces, unenclosed porches of one story, and architectural appurtenances projecting not more than two feet. Building area, as that portion of a lot upon which construction is permitted, is as follows: that area of a lot that lies within the boundaries of the front, side, and rear yard setback requirements measured from the actual lot line.

Building Envelope

That area of a lot lying between the front, rear, and side yard setback lines and between ground level and the maximum allowable building height, amounting to the three-dimensional area available for potential building construction.

Building Line

The building line is the inner edge of any required yard or required setback to the corresponding outer edge of the buildable area.

Building Material Sales, Wholesale

An establishment engaged in the wholesaling of building supplies or equipment, and that typically includes lumber yards and tool and equipment sales or rental establishments, but excludes establishments exclusively devoted to retail sales of paint and hardware, and activities classified under Vehicle/Equipment Sales and Services, including vehicle towing services.

Building Permit

A written document issued by the building department permitting the construction, alteration, or expansion of a development.

Building, Front Line of

The line of the face of a building nearest the front lot line.

Building, Nonconforming

A legally existing building that fails to comply with the regulations set forth in this title applicable to the zone in which the building is located.

Building, Principal

A building in which is conducted the main, or principal, use of the lot on which the building is situated.

Building, Public

A building, supported by government funds, to be used in an official capacity on behalf of the entire community.

Building, Setback

See "setback."

Building, Temporary

Any building that is established for temporary occupancy and meets the requirements of this title for a temporary building. Such a building is not ICBO approved and may or may not be placed on a permanent foundation.

Building, Value of

The latest value as appraised by the Clark County assessor.

Bus Terminal

A lot and related building that is a designated location where bus or coach services start or end. A bus terminal shall not include a location where the bus stops to drop off or take on passengers where there are no operational facilities related to the bus or coach operation.

Business

The engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise, or service; the maintenance or operation of offices, recreational, or amusement enterprises.

Caliper

The diameter of a tree trunk measured six inches above ground level for trees up to four inches caliper and twelve (12) inches above the ground for larger sizes. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

Canopy

A roofed structure constructed of fabric or other materials, supported by the building and including a support system that extends to the ground directly under the canopy. See also "awning."

Carport

A structure, open on at least two sides, consisting of a roof and either walls or columns for the purpose of housing automotive vehicles and other chattels. The structure shall be considered as an accessory building when detached from the principal building, and as a part of the principal building when attached to the principal building along one or more sides of the carport or principal building.

Casino

Any place where gambling is operated or maintained as defined by Section 5.20.020, definition of "non-restricted license."

Cemetery

Land used for the burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Child Care Facility

Pursuant to NRS 432A.024, a child care facility is: "(a) an establishment operated and maintained for the purpose of furnishing care on a temporary or permanent basis, during the day or overnight, to five or more children under eighteen (18) years of age, if compensation is received for the care of any of those children; (b) an on-site child care facility; (c) a child care institution; or (d) an outdoor youth program.

"Child care facility" does not include: (a) The home of a natural parent or guardian, foster home as defined in N.R.S. 424.014 or maternity home; (b) a home in which the only children received, cared for and maintained are related within the third degree of consanguinity or affinity by blood, adoption or marriage to the person operating the facility; or (c) a home in which a person provides care for the children of a friend or neighbor for not more than four weeks if the person who provides the care does not regularly engage in that activity."

For the purposes of this title, a "child care facility" is subdivided into four categories:

1. Family day care home: capacity of one to four children.
2. Family home: capacity of five to six children.
3. Group home: capacity of seven to twelve (12) children.
4. Child care center: capacity of more than twelve (12) children.

Child Care Institution

Pursuant to NRS 432A.0245, a child care institution is: "a facility which provides care and shelter during the day and night and provides developmental guidance to sixteen (16) or more children who do not routinely return to the homes of their parents or guardians. Such an institution may also provide, without limitation: 1. education to the children according to a curriculum approved by the department of education; 2. Services to children who have been diagnosed

as severely emotionally disturbed as defined in NRS 433B.045, including, without limitation, services relating to mental health and education; or 3. emergency shelter to children who have been placed in protective custody pursuant to 432B.594 of NRS."

Chimney

A vertical shaft of reinforced concrete, masonry, or other approved material, enclosing one or more flues, for the purpose of removing products of combustion from solid, liquid, or gaseous fuels.

City

The City of North Las Vegas, Nevada

City Attorney

The Attorney of the City of North Las Vegas or any assistant or special Council of the City.

College or University

An educational institution, other than a trade school, that provides full-time or part-time education beyond high school.

Commercial and Office Uses (Use Category)

The commercial and office uses use classification comprises use categories and use types that involve commerce such as the purchase, sale, or other transactions involving the handling or disposition of any article, substance, or commodity for profit or livelihood.

Commission

The City of North Las Vegas Planning Commission

Common Area

Any area or space designed for joint use of the tenants or residents in a development, whether it be residential, commercial, or industrial.

Community Center or Meeting Hall

A building to be used as a place of meeting, recreation, or social activity that is designed to accommodate and serve significant segments of the community.

Community Center or Recreational Facility, Private or Jointly Owned

A building used for the meeting, recreation, or social activity designed to accommodate and serve the residents of a subdivision or development to which the use is associated with and that may be privately owned or jointly owned by property owners.

Community Facility

Shall have the meaning ascribed to it in NRS Chapter 453A.322(7), which includes a facility that provides daycare to children, public park, playground, public swimming pool, a center or facility where the primary purpose is to provide recreational opportunities or services to children or adolescents, and a place of worship or religious purpose.

Community Garden

A single piece of land that is gardened collectively by a group of people that may include individual garden plots designated for individual gardens. Community gardens may be a principal or accessory use and may include related accessory uses as allowed for in this Code.

Comprehensive Plan

The most recently adopted Comprehensive Master Plan, including any amendments thereof.

Condominium

A building or group of buildings, in which units are owned individually and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. By definition, a condominium has common areas and facilities and there is an association of owners organized for the purpose of maintaining, administering, and operating the common areas and facilities. It is a legal form of ownership of real estate and not a specific building style. The purchaser has title to his or her interior space in the building and an undivided interest in parts of the interior, the

exterior, and other common elements. The property is identified in a master deed and recorded on a plat with the local jurisdiction. The common elements usually include the land underneath and surrounding the building, certain improvements on the land, and such items as plumbing, wiring, and major utility systems, the interior areas between walls, the public interior spaces, exterior walls, streets, and recreational facilities.

Construction Dumpster

A container used for the temporary storage of rubbish or materials related to a construction site or project.

Construction Sign

A temporary sign erected on the parcel on which construction is taking place, limited to the duration of the construction, indicating the names of the architects, engineers, contractors, or similar artisans, the owner, financial supporters, leasing agents, sponsors, and similar individuals or firms having a major role or interest with respect to the structure or project or any future uses or activities to be conducted on the site.

Construction Trailer

A mobile home, trailer, or similar temporary structure that is used as an office or for storage in conjunction with a construction project.

Contiguous

See "abut."

Contractors Office and Storage

A facility including an outdoor area for the repair, maintenance, or storage of a contractors vehicles, equipment, or materials and/or a room or group of rooms used for conducting business affairs that does not use any existing storage area.

Convenience Food Store

A small retail self-service store selling a limited line of fast-moving food and nonfood items, usually with extended hours of operation and usually with a high volume of customer traffic comprised of quick transactions of a small number of items.

Convenience Food Store with Gas Pumps

A "convenience food store" that also includes facilities for retail "fuel sales" utilized for the operation of vehicles.

Council

The City Council of the City of North Las Vegas, Nevada; also referred to as the governing body.

County

Clark County, Nevada

Court or Courtyard

An open, unoccupied space, other than a yard, on the same lot as building or buildings and bounded on two or more sides by such buildings.

Covered Deck

A covered but non-enclosed deck.

Crematorium

A building or structure designed for the purpose of cremating the remains of the dead.

Dancing or Theatrical Studio

A building or portion thereof that has as its purpose the promotion, instruction, study, and production of dance and theater as an art form.

Day Care (Use Category)

Uses where the primary activity is the provision of care, protection, and supervision for children on a regular basis away from their primary residence.

Deck

A projecting non-enclosed portion of a house located at a height of less than eight feet above the ground. Decks may be covered or uncovered by a canopy or awning.

Deferred Deposit Loan

Any establishment that provides to the customer an amount of money that is equal to the face value of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specified period of time. This term does not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks, issue money orders or money transfers for a minimum flat fee as a service that is incidental to its main purpose or business.

Delicatessen or Catering Establishment

A use that involves the preparation and service or delivery of food and beverages for off-site consumption without provision for on-site consumption; excludes grocers and supermarkets.

Density, Gross

The number of residential dwelling units per gross unit of land.

Development

Any man-made change to improve or alter real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Development Entry Statement Sign

Any permanent on-premises architectural design statement or feature sign at the entrance of a development that provides location information to a subdivision, condominium, or apartment complex that serves to announce the identity of the development where the sign is located. In order to qualify as this type of sign, a sign may not contain the name of the developer or contractor of the project or subdivision.

Director

The Director of the Community Development Department of the City of North Las Vegas, Nevada or his or her designee.

Distribution Center

A warehouse or a complex of warehouses primarily engaged in the sale or distribution of goods and materials in large quantity to retailers or other businesses for resale to individual or business customers. Each building containing a minimum of forty-nine thousand (49,000) square feet of gross floor area, having a minimum overhead clearance of twenty-four (24) feet within the building, with dock high loading doors either in a depressed dock well or at a flat truck apron, and with no drop ceiling constructed within the building outside of accessory office area, which may not exceed twenty-five (25) percent of gross floor area. This use shall not include heavy manufacturing, resource extraction, bulk storage of hazardous materials, or scrap, or salvage operations

Domestic Animal

A dog, cat, or similar small animal, customarily housed in or adjacent to the family living quarters.

Dormitory

A building or a group of rooms in a building used for institutional or group living and sleeping purposes by one or more purposes that are typically associated with a public or institutional use.

Drainage-Way

Any waterway, ditch, or course, either natural or artificial, that collects and drains surface water.

Drive Access

That area between the curb of a street, or edge of the traveled portion of a street when no curb exists, and the right-of-way/property line over which the City will permit vehicular travel from the traveled portion of a street to an individual property, or off-street parking space(s).

Drive-Through Establishment

A building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a service or product.

Driveway

A vehicular accessway or series of accessways providing ingress or egress to a use or development from a public street, private street, or vehicular use area associated with another use.

Driveway, Shared

A "driveway" that provides a single point of access to two or more buildings or lots.

Dwelling

A building, or portion thereof, used primarily for residential occupancy, including single-family, two-family, multiple-family dwellings, and group living facility, but not including hotels, motels, or tourist homes.

Dwelling Unit

A single unit of one or more rooms providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation but not including a tent, cabin, hotel, motel, recreational vehicle, or other temporary or transient structure or facility.

Dwelling Unit, Accessory

A separate, complete dwelling unit that is accessory and clearly incidental to a principal dwelling unit.

Dwelling, Attached

Any dwelling unit that has a wall, roof, and/or floor in common with any other dwelling unit.

Dwelling, Detached

Any dwelling unit that does not have a wall, roof and/or floor in common with any other dwelling unit.

Dwelling, Multiple-Family (3+)

A building, or portion thereof, used for occupancy by three or more families living independently of each other, with the units completely separated by a common wall, floor and/or ceiling, not including hotels, motels, or group care facility.

Dwelling, Single-Family

A building or manufactured home as defined in NRS 489.113 used for residential occupancy by one family.

Dwelling, Three- and Four-Family

A building designed as a single structure containing three or four separate living and housekeeping units, each of which is designed to be occupied as a separate permanent residence for one family.

Dwelling, Two-Family

A building, or portion thereof, used for occupancy by two families living independently of each other with the units completely separated by a common wall, floor and/or ceiling.

Easement

A right to use a portion of the land of another for a special purpose or public use such as, by way of example only, vehicular or transportation access, drainage, or public utilities.

Eating and Drinking Establishments (Use Category)

The eating and drinking establishments use category is comprised of uses characterized by the preparation and selling of food and beverages for immediate or direct on- or off-premise consumption.

Eave

The underside of a roof that extends beyond the external walls or façade of a building.

Electrical Power Transmission Poles and Lines

Support structures and electrical lines used for the distribution of electricity.

Electronic Graphic Display

A sign or portion thereof that displays electronic, static images, static graphics, or static pictures, with or without text information, defined by a small number of matrix elements using light emitting diodes (LED's), fiber optics, light bulbs, or other illumination devices, or a combination thereof. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays.

Electronic Message Center

A sign or component of a sign that uses changing lights to form a message or series of messages that are electronically programmed or modified by electronic processes.

Encroachment

The portion of a structure that intrudes into a required setback.

Enhanced Pavement

Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass pavers, exposed aggregate concrete, and stamped and colored concrete.

Essential Public Service or Utility Installation

The provision, installation, and service of overhead or underground electrical, gas, steam or water distribution systems and structures or collection, communication, supply, or disposal systems and structures used by public utilities or governmental departments or Commissions or as are required for the protection of the public health, safety, or general welfare, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police callboxes, and accessories.

Establishment

A place of business, industry, or professional office with its furnishings and staff.

Establishment Requiring an "Off-Sale" Liquor License

Any establishment holding liquor licenses for the retail sale or distribution of alcoholic beverages in original sealed or corked containers for consumption off the premises where the same are sold or given away as outlined in Section 5.26 of the City Code.

Establishment Requiring an "On-Sale" Liquor License

Any establishment holding the following liquor licenses as outlined in Section 5.26 of the City Code including beer-wine, spirit-based products on-sale, full liquor on-sale, nonprofit club liquor, or restricted gaming liquor.

Excavation or Cut

The removal, stripping, or disturbance of soil, earth, sand, rock, gravel or other similar substances from the ground.

Exterior Storage of Goods and Materials

An outdoor arrangement or stockpiling of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of a business. Exterior storage shall not include car lots, equipment rental establishments, or other uses where the use is specifically identified as a separate use type in Table 17.20-1.

Facility for Transitional Living for Released Offenders

Pursuant to NRS 449.055, a facility for transitional living for released offenders is: "a residence that provides housing and a living environment for persons who have been released from prison and who require assistance with reintegration into the community, other than such a residence that is operated or maintained by a state or local government or an agency thereof. The term does not include a halfway house for recovering alcohol and drug abusers or a facility for the treatment of abuse of alcohol or drugs."

Family

Includes the following if living together as a single housekeeping unit within a dwelling unit: (1) an individual living alone; (2) two or more persons related by blood or marriage, adoption or legal guardianship; (3) one or more handicapped persons together with caretakers or house parents; or (4) a group of not more than six unrelated individuals.

Feed Store (Including Yard)

A retail store selling primarily agriculture products, including the bulk storage of animal feeds, fertilizers, and related agriculture products.

Fence

A barrier constructed of materials erected for the purpose of protection, confinement, enclosure or privacy.

Filling

The depositing or dumping of any matter on or into the ground, except the deposits resulting from common household gardening or deposits on farms for agricultural use.

Floodplain

That area encompassing the floodway area and the floodway fringe.

Floodway, One Hundred Year

The channel of a river or other watercourse and the adjacent land areas which must be kept free of encroachment in order to carry and discharge a flood of 100-year magnitude without substantial increases in flood height.

Floor Area Ratio

The gross floor area of all buildings on a lot divided by the lot area.

Floor Area, Gross

The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.

Floor Area, Net

The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading, and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

Fraternity or Sorority House

A building used for a meeting place for a women's or men's organization that has been officially recognized by a college, university, or seminary, in which sleeping accommodations are provided for members.

Freight Terminal

A facility for either light or heavy rail, or any premises used by a motor freight company as a carrier of goods, that is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

Fuel Sales

An establishment with the primary business function of the retail sale of fuel for passenger vehicle use with or without minor service and repair work incidental to the operation of passenger automobiles.

Funeral Home and Mortuary

Establishments primarily engaged in the provision of services involving the care, preparation, or disposition of human dead other than in cemeteries or religious assembly uses. This use includes mortuaries, which are facilities in which dead bodies are prepared for burial or cremation; crematoriums; and columbariums.

Game Room or Pool Hall

A place or facility with one or more pool or billiard tables or other games for the use of patrons to be played for amusement only.

Gaming Enterprise Overlay District

An area that is suitable for operating an establishment that has been or may be issued a non-restricted license as defined by Section 5.20.020.

Garage Conversion

The conversion of a garage to living space as part of an established dwelling unit.

Garage, Offset

A form of a split garage where the front of one or more of the garage doors or openings is offset from another garage door or opening.

Garage, Private

A detached accessory building or portion of a main building used for the storage of vehicles for the family housed in the building to which such garage is accessory; not more than one-third of the total number of vehicles stored in such garage shall be commercial vehicles.

Garage, Public

Any building or premises, except those defined herein as a private garage, used for the storage or care of motor vehicles; or where such vehicles are equipped for operation, repaired, or kept for rental, hire, or sale.

Garage, Side-Loading

A garage that faces the side of the lot for the purpose of parking vehicles.

Garage, Split

A garage that accommodates two or more vehicles but is split so that there are two or more garage doors or openings.

Garbage

Putrescible animal and vegetable wastes resulting from the handling, storage, sale, preparation, cooking, and serving of food.

Garden Supply Store

A place of business where retail and wholesale products are sold to the consumer that may include a nursery and/or greenhouses, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

Golf Course

A tract of land, either public or private, laid out for at least nine holes for playing the game of golf and improved with tee boxes, greens, fairways, and hazards, and may include related facilities such as clubhouses, golf schools, driving ranges, and accessory uses such as restaurants/bars, pro shops, and related facilities.

Golf Driving Range

A limited area on which golf players drive golf balls from a central driving tee, such area to include the driving tee, and other incidental activities pertaining to this activity.

Grade Elevations

The average elevation of the ground at the corners of the perimeter walls of the building or structure for the purpose of determining the height requirements of this title.

Grading

Any excavation or filling or combination thereof.

Greenhouse

An enclosed building, permanent or portable, that is largely constructed of glass, glasslike or translucent material, cloth, or lath, that is devoted to the protection or cultivation of flowers and other small plants.

Groundcover

Turf, vines, or any other species of plant generally considered groundcover by the nursery trade, or decorative rock or other decorative landscaping material.

Group Foster Home

Pursuant to NRS 424.015, "a natural person, partnership, firm, corporation or association who provides full-time care for seven to fifteen (15) children who are: (1) Under eighteen (18) years of age or who remain under the jurisdiction of a court pursuant to NRS 432B.594; (2) Not related within the first degree of consanguinity or affinity to any natural person maintaining or operating the home; and (3) Received, cared for and maintained for compensation or otherwise, including the provision of permanent free care."

Group Living (Use Category)

Residential uses characterized by a group of unrelated persons living in a group setting where there are shared bedroom, kitchen, and/or bathroom facilities and where the group is not living as a single family.

Guest House / Casita

Living quarters within a portion of a main building or in an accessory building that does not have kitchen facilities, located on the same lot with the main building, used for guests or servants employed on the premises. The term does not include a structure that is available on a rental basis.

Halfway House for Recovering Alcohol and Drug Abusers

Pursuant to NRS 449.008, "a residence that provides housing and a living environment for recovering alcohol and drug abusers and is operated to facilitate their reintegration into the community, but does not provide any treatment for alcohol or drug abuse. The term does not include a facility for transitional living for released offenders."

Hardscape

Solid, non-permeable surface or treatment that includes, but is not limited to, brick pavers, colored concrete, enhanced pavement, seat walls, and retaining walls.

Hazard to Air Navigation

An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.

Hazardous Materials

Any chemical, biological, or radiological compound, gas, oil, gasoline lubricant, or other petroleum products, substance, solution, or mixture that because of its quality, quantity, concentration, physical, or infectious characteristics, or any combination thereof, when released into the environment, presents or may present harmful or potentially harmful effects to human health or welfare of the environment. Hazardous materials shall include those hazardous substances identified by the U.S. Environmental Protection Agency as listed in the latest published edition of 40 C.F.R. and by 29 C.F.R. and solutions in concentration greater than one percent by volume of any regulated material, unless another concentration is specifically noted. Hazardous materials shall also include anything identified as hazardous in N.R.S. Chapter 459. Additionally, oil and oil-based derivatives as listed in 40 C.F.R. shall be classified as hazardous materials.

Hazardous Waste, Household

Leftover household products that contain corrosive, toxic, ignitable, or reactive ingredients that is generated by a typical household, including a single-family or multiple family residences. These may include products such as paints, cleaners, oils, batteries, and pesticides that contain potentially hazardous ingredients and require special care when disposed of.

Health and Fitness Center

A facility where members or non-members use equipment or space within a building for the purpose of physical fitness, improved circulation or flexibility, and/or weight control.

Heavy Equipment Rental Facility

An establishment providing for the rental of large-scale tools, construction equipment, farm implements, or similar equipment typically used for business, construction, and farming businesses and not generally used by individual residents.

Heavy-Weight Ordnance

Ordnance that is similar in design, weight, and aerodynamic characteristics to live ordnance, except an inert filling is used (non-explosive filling of the same weight as the explosive filling).

Helipad

Pads and facilities enabling takeoffs and landings by helicopters and air ambulances.

Heliport

Heliports contain helipads, fueling facilities, and supporting apparatus.

High Canopy

Crown foliage is no lower than seven feet above ground.

Highway Improvement Project

Any bridge or overpass, including any off and on ramps or embankments associated with the bridge or overpass.

Home for Individual Residential Care

Pursuant to NRS 449.0105, "a home in which a natural person furnishes food, shelter, assistance and limited supervision, for compensation, to not more than two persons with mental retardation or with disabilities or who are aged or infirm, unless the persons receiving those services are related within the third degree of consanguinity or affinity to the person providing those services. The term does not include: a halfway house for recovering alcohol and drug abusers; or a home in which supported living arrangement services are provided by a provider of supported living arrangement services during any period in which the provider of supported living arrangement services is engaged in providing supported living arrangement services."

Home Occupation

A business, profession, occupation, or trade that is conducted within a residential dwelling unit for the economic gain or support of a resident of the dwelling and is incidental and secondary to the residential use of the lot and does not adversely or perceptively affect the character of the lot or surrounding area.

Home Occupation, Offices as a

A home occupation that is restricted to an office use that does not include any retail sales or the provision of personal services.

Horizontal Mixed Use

The development of a building or structure with two or more different uses, such as residential and commercial or residential and office.

Horse Stable, Private

A building constructed for the keeping of equine animals that is accessory to a residential use.

Hospital/Medical Center

An institution for the diagnosis, treatment, or other cure of human ailments on an in-patient and/or out-patient basis, including sanitariums, provided such institution is operated by, or treatment is given under direct supervision of a physician licensed by the State of Nevada.

Hotel or Motel

A building or portion thereof, or a group of buildings, having six or more guest rooms, in which lodging is provided and offered to transient guests for compensation; shall not include a lodging house.

Household Living (Use Category)

Residential uses characterized by the occupancy of a dwelling unit by a family.

Indoor Food Sales

The sale of prepared food products as an accessory use within a structure that contains a different principal use. This may include accessory restaurants, cafeterias, or kiosks for sale of food and beverages.

Indoor Recreation and Entertainment (Use Category)

The indoor recreation and entertainment use category is comprised of uses characterized by public or commercial indoor activities and recreation including, but not limited to, pool halls, athletic clubs, theaters, video arcades, and bowling alleys.

Industrial and Business Support Service Establishment

An establishment providing services to business or industrial establishments on a fee or contract basis that may include, but are not limited to, business equipment repair and service, employment agency, copying services, business equipment rental, security services, and related services. This term does not include maintenance, repair, and office uses such as accounting, advertising, insurance, design, investment, legal, and other primarily office related services.

Industrial Services (Use Category)

The industrial uses use category is comprised of use characterized by the manufacturing, processing, fabrication, packaging, or assembly of goods. Use types also may include those uses that involve the repair or servicing of industrial, business, or consumer machinery equipment, products, or by-products.

Institutions (Use Category)

The institutions use category is comprised of uses characterized by the provision of a variety of facilities, including buildings that provide meeting areas for religious activities, civic or fraternal club activities, convention centers or auditoriums, or institutions for preserving a community's culture and heritage.

Junk

Any motor vehicle, machinery, appliance, product, or merchandise with parts missing, scrap metal, or other scrap materials that are damaged, deteriorated, or are in a condition that prevents their use for the purpose for which the product was manufactured.

Junkyard

Any place at which personal property is or may be salvaged for reuse, resale, reduction, or similar disposition and is owned, possessed, collected, accumulated, dismantled, or sorted including, but not limited to: use of salvaged base metal or metals, their compounds or combinations; used or salvaged rope, bags, rags, glass, rubber, lumber, millwork, brick, automobiles, and similar property that are used, owned, or possessed for the purpose of wrecking or salvaging parts therefrom. An establishment with the primary function of collecting, sorting, and distribution of ferrous and nonferrous metals or other related materials and may include screened, outdoor storage of materials.

Keeping of Domesticated Farm Animals

The non-commercial raising and caring of livestock such as horses, cows, sheep, goats, rabbits, ducks, geese, or chickens that are typically considered farm animals and that does not include "domestic animals."

Kitchen or Kitchenette

Any room or area intended or designed to be used or maintained for cooking and preparation of food, normally within a dwelling unit.

Landscape Architect

A person licensed to practice landscape architecture in the State of Nevada.

Landscape Area

An area set aside from structures and parking that is developed with natural materials (e.g., lawns, trees, shrubs, hedges, bedding plants, or rocks) and decorative features such as fences or walls.

Landscape Buffer Strip

A landscape area that serves a buffer function on the perimeter of the building site.

Landscaping

The provision of planting and related improvements for the purpose of beautifying and enhancing a property and for the control of erosion and the reduction of glare, dust and noise. Rocks or gravel, by itself, or artificial trees, plants, and turf shall not constitute landscaping.

Laundromat, Self-Service

Facilities where patrons wash, dry, or dry clean clothing or other fabric items in machines operated by the patron.

Laundry and Dry Cleaning Establishment

A business that launders and dry-cleans clothing and other fabric articles in bulk.

Laundry or Dry Cleaning, Commercial Plant

A building, portion of a building, or premises used or intended to be for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not limited to solvents of the petroleum distillate type, and/or hydrocarbon type, and the process incidental thereto.

Less Visible Site

A lot or parcel, or portion of a lot or parcel that is not located within 500 feet of I-15, US 93, or SR 604.

Library

An establishment for the loan or display of books or other types of media that is sponsored by a public or quasi-public agency in which the institution is open and available to the general public.

License

A written document issued by a licensing department allowing a person to operate and maintain a business in accordance with the provisions of this title.

Light Equipment Rental with Exterior Storage and Display

An establishment providing for the rental of small-scale tools, lawn and garden equipment, repair equipment, party supplies, and similar goods and equipment. Such establishment may have exterior storage and display of the equipment.

Light Equipment Rental with No Exterior Storage and Display

An establishment providing for the rental of small-scale tools, lawn and garden equipment, repair equipment, party supplies, and similar goods and equipment. Such establishment shall not have exterior storage and display of the equipment or other materials.

Liquor License, Beer-Wine "Off-Sale"

See [Chapter 5.26](#).

Liquor License, Beer-Wine-Spirit Based Products "On-Sale"

See [Chapter 5.26](#).

Liquor License, Full "Off-Sale"

See [Chapter 5.26](#).

Liquor License, Full "On-Sale"

See [Chapter 5.26](#).

Liquor License, Non-Profit Club

See [Chapter 5.26](#).

Liquor License, Restricted Gambling

See [Chapter 5.26](#).

Live Ordinance

Ordinance that is in a de-armed (safety) status which must be armed by the pilot in order to be employed.

Live/Work Units

A use:

- That combines a commercial activity allowed in the zone with a residential living space for the owner of the commercial business or the owner's employee and that person's household;
- Where the resident owner or their employee is responsible for the commercial activity performed; and
- Where the commercial activity conducted takes place subject to a valid business license associated with the

premises.

Loading Berth or Bay

The off-street area required for the receipt of or distribution of material or merchandise by vehicles

Lot

A piece, parcel, plot, tract, or area of land occupied or capable of being occupied by one or more principal buildings and the accessory buildings or uses customarily incidental to them, including the open spaces required by this Code, and having its principal lot frontage on a street.

Lot Area

The total area, as measured in square feet or acreage, within the boundary lines of a lot or parcel. See Section

17.24.010.E

Lot Coverage

The percentage of the lot area covered by buildings.

Lot Depth

The horizontal distance of a line measured at a right angle to the front lot line and running between the front lot line and rear lot line of a lot.

Lot Line, Front

In the case of an interior lot (lots with a single road frontage), a line separating the lot from the street; in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street; and in the case of a through lot, a line separating the lot from the street from which a drive access may be permitted by the City.

Lot Line, Rear

A lot line that is opposite and most distant from the front lot line and, in the case of an irregular or triangular shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot Line, Side

Any lot boundary line that is not a front lot line or a rear lot line.

Lot of Record

A lot shown upon a plan of a subdivision or on a plat that is: (1) attached or to which reference is made, (2) in a deed legally described, or (3) in a deed recorded in the office of the Recorder of Deeds of Clark County, Nevada.

Lot Width

The distance between side lot lines measured parallel to the front lot line and behind the required front yard where the principal building is to be located.

Lot, Corner

A lot at a junction of and fronting on two or more intersecting streets.

Lot, Double Frontage (Through)

A lot having frontage on two parallel or approximately parallel streets.

Lot, Interior

A lot other than a corner or through lot.

LRT

Light Rail Transit

Manually Changed Copy Signage

A sign on which temporary messages can be placed and the messages are changed manually.

Manufactured Home

Pursuant to NRS 489.113, a structure that is: (a) built on a permanent chassis; (b) designed to be used with or without a permanent foundation as a dwelling when connected to utilities; (c) transportable in one or more sections; and (d) eight feet or more in body width or forty (40) feet or more in body length when transported, or, when erected on site,

contains three hundred twenty (320) square feet or more. The term includes: (a) the plumbing, heating, air-conditioning and electrical systems of the structure; (b) any structure (1) which meets the requirements of paragraphs (a) to (c), inclusive of subsection (1), and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sections 5401 et seq.); or (2) built in compliance with the requirements of NRS Chapter 461.

Manufacturing and Production

Establishments engaged in the mechanical or chemical transformations of materials or substances into new products including the assembling of components, parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors

Massage Establishment

Any establishment having its main source of income or compensation derived from the practice of massage or where two or more independent massage therapists practice, and which has a fixed place of business. The standards in this subsection shall not apply to massage therapists operating as a home occupation.

Material Structural Value

The cost of labor and materials necessary to erect an outdoor advertising structure. The term does not include any revenue or expenses related to the lease of real property upon which the outdoor advertising structure is located.

Materials Recovery Facility

A solid waste management facility that provides for the extraction from solid waste of recyclable materials, materials suitable for use as a fuel or soil amendment, or any combination of those materials. The term does not include: (1) a facility that receives only recyclable materials that have been separated at the source of waste generation; (2) a salvage yard for the recovery of used motor vehicle parts; (3) a facility that receives, processes, or stores only concrete, masonry waste, asphalt pavement, brick, uncontaminated soil or stone for the recovery of recyclable materials; or (4) a facility that receives, processes, or stores hazardous waste unless it may be classified as household hazardous waste.

Media Niche

An ornamental recess in an interior wall for audio/visual and media equipment that forces a projection of the exterior wall into a yard on the exterior of the building.

Medical, Dental, or Health Clinic

An establishment where patient care is administered on an out-patient basis by one or more licensed physicians and/or dentists and their professional associates.

Medical Marijuana Establishment

Means one of the following:

"Cultivation Facility" shall have the meaning ascribed to it in NRS Chapter 453A.056.

"Dispensary" shall have the meaning ascribed to a "medical marijuana dispensary" as defined in NRS Chapter 453A.115.

"Independent Testing Laboratory" shall have the meaning ascribed to it in NRS Chapter 453A.107.

"Production Facility" shall have the meaning ascribed to a "facility for the production of edible marijuana products and marijuana-infused products" as defined in NRS Chapter 453A.105.

Miniature Golf Course

A theme-oriented recreational facility that is typically comprised of nine to eighteen (18) holes where patrons pay a fee to move in consecutive order from the first hole to the last.

Mini-Warehousing Establishment

A building or group of buildings in a controlled access and fenced or screened compound that contains relatively small storage spaces of varying sizes and/or spaces for recreational vehicles or boats having individual, compartmentalized,

and controlled access for the dead storage of excess personal property of an individual or family that is generally stored in residential accessory structures, when such building or group of buildings are not located on the lot of the residence.

Mobile Home or Mobile Home Subdivision

A factory-assembled structure or structures, a minimum of eight feet in width, originally equipped with the necessary service connections and originally made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit(s) without a permanent foundation, whether or not said running gear has been removed.

More Visible Site

A lot or parcel, or portion of a lot or parcel, that is located within five hundred (500) feet of I-15, US 93, or SR 604.

New Construction

Structures for which the "start of construction" commenced on or after the effective date of the ordinance codified in this title.

Noise Abatement Project

Any man-made object that serves as a barrier which interrupts the path of sound, producing a reduction in sound levels (degree of sound intensity). A barrier could be a wall, an earth berm, or a combination of both.

Nonconforming Building or Structure

A building or structure whose height and yards complied with zoning regulations at the time of the building's or structure's establishment but does not now comply with the zoning ordinance by reason of the ordinance's adoption or subsequent amendments thereto or due to the acquisition of a portion of a yard by a government entity.

Nonconforming Lot

Any lot that conformed to the minimum lot area, lot width, and/or lot depth requirement at the time it was platted or mapped but no longer meets the minimum lot area, lot width, and/or lot depth requirements of the applicable zoning district.

Nonconforming Use

A use of land or building that was permitted by zoning regulations at the time the use was established but is not now allowed by the zoning ordinance by reason of the ordinance's adoption or subsequent amendments thereto.

Non-Permeable Coverage

Coverage with non-permeable pavement. "Non-permeable pavement" means any pavement that is not "permeable pavement" as defined in this section.

Non-Putrescible

Waste not capable of being decomposed by microorganisms, bacteria, or fungi as to cause nuisances from odors or gases.

Noxious Matter or Material

Material capable of causing injury to living organisms by chemical reaction or capable of causing detrimental effects on the physical or economic well-being of individuals.

Nursery Sales

Establishments selling plants and garden supplies in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

Offices (Use Category)

The offices use category is comprised of uses characterized by activities that are conducted in an office setting and generally focus on business, professional, or financial services.

One Hundred-Year Flood

The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a one percent chance of occurring in any given year).

On-Site Child Care Facility

Pursuant to N.R.S. 432A.0275, an on-site child care facility is: 1. licensed pursuant to the Nevada Revised Statutes; 2. provides care to the children of employees of a business at the place of employment; 3. provides care on a temporary or permanent basis, during the day or overnight, to five or more children who are under the age of 18 years and who are not related within the third degree of consanguinity or affinity to an owner or manager of the business; and 4. is owned, operated, subsidized, managed, contracted for or staffed by the business.

Operator

Includes the words manager, agent, and/or employee and shall mean the person who is in continuous, responsible charge of the facility.

Ordinance

All munitions containing explosives, propellants, pyrotechnics, and similar stores, e.g., bombs, ammunition, flares, smoke, for use in military operations.

Other Uses (Use Category)

The other uses use category is comprised of unique use types that cannot otherwise be categorized under one of the standardized uses found in Table 17.20-1.

Outdoor Recreation and Entertainment (Use Category)

The outdoor recreation and entertainment use category is comprised of uses characterized by public or commercial outdoor activities and recreation including, but not limited to, golf courses, athletic clubs, and drive-in theaters.

Overlay Zone

A zone superimposed upon an underlying zone that establishes special requirements in addition to, or in lieu of, those of the underlying zone. Development or use of land or structures must conform to the requirements of both zones or the more restrictive of the two, if in conflict.

Owner

When applied to a building or land, owner includes any part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or tenant by entirety, of the whole or part of such building or land.

Package Liquor Store

Any establishment where the primary business is the sale of alcoholic beverages for off-premises consumption.

Parking Area, Public

An open area other than a street or alley designated for or used as temporary parking for vehicles when available for public use, whether free or for compensation, or as an accommodation for clients or customers.

Parking Demand Study

An analysis of the total number of parking spaces required in order to accommodate the maximum number of vehicles for parking purposes by a particular use or site at any given time, including the parking requirements for all employees, occupants, clients, and visitors.

Parking Lot

The portion of a site or development dedicated to vehicular ingress and egress, off-street parking, parking aisles, internal travel ways, fire lanes, and other areas dedicated to vehicular use, but not including vehicular storage or display areas.

Parking Space or Surface

An area covered by an impervious dust-free surface of asphalt or concrete designated for the temporary parking of a motor vehicle.

Parking Space, Bicycle

An off-street parking space designed specifically for bicycles.

Parking Space, Compact

An off-street parking space with reduced dimensions that is specifically designed for use by small or compact cars.

Parking Space, Handicapped

An off-street parking space that is designed to accommodate handicapped accessible vehicles and related loading and unloading areas that are in compliance with the guidelines of the Americans with Disabilities Act.

Parking Space, Off-Street

A space that is designated for the parking or temporary storage of one motor vehicle located outside of a dedicated street right-of-way, vehicular travel way, or parking aisle.

Parking Structure

A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes parking garages and deck parking.

Parking, On-Street

Designated parking spaces that are provided on a public street.

Parking, Preferential

The provisions of parking spaces in close proximity to a building's entrance or to the subject use that are designated for cars used in carpools or vanpools and/or parking for hybrid/alternative fuel vehicles.

Parking, Shared

Off-street parking facilities shared by two or more uses that are in close proximity to one another and the parking area, and that have different operational characteristics such that utilization of the parking facilities by one use will not generally overlap with the utilization of the parking area by the other use(s).

Party Wall

Any wall of a building or structure that is common to two or more buildings.

Patio, Uncovered

An uncovered, non-enclosed outdoor hard surfaced area no higher than eighteen (18) inches above the ground.

Patio, Covered

A covered but non-enclosed patio.

Pawnshop

Any business that loans money on the security of pledges, deposits, or other secured transactions in personal property. This shall also include "Automobile Pawnbroker" but shall not include "Auto Title Loan."

Permeable Pavement

Paving material that permits water penetration to a soil depth of eighteen (18) inches or more. Permeable pavement may consist of nonporous surface materials poured or laid in sections not exceeding one square foot in an area and collectively comprising less than two-thirds of the total surface area.

Personal Services

The provision of services generally involving the care of a person or a person's possessions. Personal services may include, but are not limited to, laundry and dry-cleaning services, barber shops, beauty salons, health and fitness studios, music schools, informational and instructional services, tanning salons, and portrait studios.

Persons

Includes any individual or group of individuals, corporations, partnerships, associations, or any other organized group of persons, including state and local governments and agencies thereof.

Pet Care and Boarding Facility

A place where small animals (such as dogs, cats, birds, hamsters, ferrets, and domestic pets) are given regular care and boarding for the time of stay. The total floor area of the facility may be devoted to care and boarding.

Pilaster

An upright architectural member that is rectangular in plan and is structurally a pier, but architecturally treated as a column and that usually projects a third of its width or less from the wall.

Planned Development

A single parcel or contiguous parcels of land intended to be developed in accordance with an overall design plan which may or may not have a mixture of land uses.

Porch

A covered but non-enclosed portion of a house, excluding carport.

Private Club or Lodge

Meeting, recreational, or social facilities of a private or non-profit organization primarily for use by members or guests. This use type includes union halls, social clubs, youth centers, fraternal, and veteran's organizations.

Professional Office

Structure, or portions of structures, in which commercial activities take place but where goods are not produced or stored, sold, displayed, or repaired. These include: general offices, governmental offices, insurance offices, real estate offices, travel agency or transportation ticket offices, telephone exchange, utility offices, radio broadcasting, and similar uses.

Projects of Regional Significance

A site specific building or development that because of size, scope, or use may have regional significance because of the potential impact on the historic, archaeological, paleontological, cultural, scenic and natural resources, or public facilities, including without limitation schools and public services within the region. Projects of Regional Significance shall include any of the following:

1. Site specific building or development projects of either a private, public, or quasi-public nature (Site Specific Project) that satisfy one of the following criteria and occur within a half mile of the boundary of an adjacent municipal corporation or unincorporated area:
 - a. Tentative maps or planned unit developments of five hundred (500) units or more;
 - b. Tourist accommodations of three hundred (300) units or more;
 - c. A commercial or industrial facility generating more than six thousand two hundred fifty (6,250) average daily vehicle trips, as defined by the Institute of Transportation Engineers or its successor; or
 - d. A non-residential development encompassing more than one hundred sixty (160) acres.
2. Zoning map amendments or local land use plan amendments that could result in development that exceeds the threshold criteria identified above and that occurs within a half mile of the boundary of an adjacent municipal corporation or unincorporated area, or
3. Any Special Use Permit request that involves property within five hundred (500) feet of the boundary of an adjacent municipal corporation or unincorporated area.

Property, Personal

Property, other than real property, consisting of things temporal and movable.

Property, Real

Property consisting of buildings and/or land.

Public

Belonging and open to and enjoyed, controlled, used, and maintained by and for the public generally.

Public and Civic Uses (Use Category)

The public and civic uses use category is comprised of uses characterized by the provision of non-commercial or governmental services to the public including, but not limited to, schools, libraries, museums, government offices, and utilities. The services may be privately or publically funded.

Public Park or Open Space

Any publicly owned land that is predominately open space, primarily used for the active or passive recreational uses. The park may include other cultural, educational, or aesthetic uses. For the purposes of this chapter a public park does not include any City trails or Clark County School District property.

Public Utility Building, Structure, or Equipment

A person or local government that: (1) provides electric energy, gas, or water, whether or not the person or local government is subject to regulation by the Public Utilities Commission of Nevada; (2) is a telecommunication carrier as that term is defined in 47 U.S.C. section 153 on July 16, 1997, if the person or local government holds a certificate of public convenience and necessity issued by the Public Utilities Commission of Nevada and derives intrastate revenue from the provision of telecommunication service to retail customers; (3) sells or resells personal wireless services; or (4) is a community antenna television company as that term is defined in NRS 711.030.

Public Utility Service Yard

Any land or buildings used primarily for the storage of equipment, vehicles, machinery, or materials used by a public utility.

Public, Semi-Public Use or Building

Any governmental or nongovernment organizations or uses that are devoted to public service or welfare. Semi-public shall include fraternal or civic organizations such as Boy Scouts of America, YMCA, veterans' organizations, etc.

Putrescible

Solid waste capable of being decomposed by microorganisms, bacteria, or fungi with sufficient rapidity as to cause nuisances because of odors, gases, or other offensive conditions, and includes materials such as food wastes, offal, and dead animals.

Racetracks (Dog, Horse, or Vehicle)

A measured course where animals or machines are entered in competition against one another or against time, including tracks used only in the training of animals.

Radio and Television Studio without Transmission Towers

An establishment containing one or more broadcasting studios for over-the-air, cable, or satellite delivery of radio or television programs. This use does not include any transmission tower.

Radio and Transmission Towers

Towers, satellite dishes, and other transmission devices used to broadcast radio, cable, satellite, television programs, and services.

Recreation Center

An establishment with the primary function of providing a climate-controlled fully-enclosed environment for such indoor activities as, but not limited to: batting cages, golf driving ranges, swimming natatorium, bicycling velodrome, gymnastics training facility, shooting range, skateboard facility, or roller rink. All activities including spectator seating and participant waiting areas shall take place within the building.

Recreational Use

Outdoor public or private recreational facilities including, but not limited to: jogging, cycling, tot lots, play-fields, playgrounds, outdoor swimming pools, and tennis courts.

Recreational Vehicle Park/Overnight Campground

A plot of ground upon which two or more sites are located, established, or maintained for the placement of recreational vehicles by the general public as temporary living quarters for recreation, education, or vacation purposes.

Recyclable Material

Solid waste that can be processed and returned to the economic mainstream in the form of raw materials or products. Recyclable material includes, but is not limited to newspaper, corrugated cardboard, aluminum, office paper, glass, tin and steel cans, metal, plastic, and wood.

Recycling Center (Indoor)

An establishment with the primary function of collecting, sorting, and distribution of nonferrous metal products or other recyclable materials for recycling such as aluminum, glass, paper, plastic, and other related items. All operations such as collection, sorting, distributing, and storage shall be conducted totally within an enclosed building and there shall be no outside storage or processing.

Recycling Center (Outdoor)

A facility for household and consumer use for the drop-off and temporary holding of materials such as paper, cardboard, glass, metal, plastic, batteries, and motor oil. This facility is not a junkyard or salvage yard/center.

Redevelopment Agency

The City of North Las Vegas Redevelopment Agency established by the City Council on September 19, 1990. Also referred to as the "agency."

Religious Institution

Facilities for religious worship and incidental religious education, but not including private schools as defined by this Code.

Required Front Yard

The area of a lot located between the front property line and the minimum front yard (or corner side) yard setback line.

Research Laboratory

An establishment or facility for carrying on investigation in the natural, physical, or social sciences, engineering, and/or development as an extension of investigation with the objective of creating end products.

Residential Facility for Groups

Pursuant to NRS 449.017, "an establishment that furnishes food, shelter, assistance and limited supervision to a person with mental retardation or with a disability or a person who is aged or infirm. The term includes, without limitation, an assisted living facility, as described in NRS 449.0302. The term does not include: an establishment which provides care only during the day; a natural person who provides care for no more than two persons in his or her own home; a natural person who provides care for one or more persons related to him or her within the third degree of consanguinity or affinity; a halfway house for recovering alcohol and drug abusers; or a facility funded by a division or program of the department of health and human services."

Residential Health Care Facility

A residential facility, for more than ten people, that provides medical and personal services to individuals in need of assistance to deal with essential daily activities.

Residential Storage for Excess Personal Property of Residents

Structures designed for the storage of personal property that cannot be stored within the principal dwelling.

Residential Uses (Use Category)

The residential uses use classification is comprised of use categories and use types that relate to human habitation.

Restaurant

Any restaurant (except a drive-in restaurant or a fast food restaurant as defined in this section), coffee shop, cafeteria, short-order café, luncheonette, sandwich stand, drugstore, and soda fountain that serves food; all other eating or drinking establishments provided that at least one-half of the total sales are derived from the sale of food.

Restaurant, Fast Food

An establishment whose principal business is the retail sale of food or beverages in a ready-to-eat state for consumption whether within the premises or for carry-out, with vehicular drive-through facilities, that includes both of the following characteristics: (1) foods, frozen desserts, or beverages are usually served in paper, plastic, or other disposable containers; and (2) the customer is not served food at his/her table by an employee but receives it at a counter, window, or similar facility.

Retail Sales and Service (Use Category)

The retail sales and service use category is comprised of uses characterized by the sale, lease, or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.

Retail Sales Establishment

Establishments primarily engaged in the sale of goods and materials to the general public. Retail commercial uses may include, but are not limited to, bookstores, antique stores, grocery stores, and other similar uses.

Right-of-Way (ROW)

A public way established or dedicated for public purposes by duly recorded plat, map, deed, grant, governmental authority, or by operation of the law.

Rooming/Boarding House

A single-family dwelling which contains more than two but less than ten rooms of sleeping accommodations for compensation on a periodic basis, for more than six unrelated individuals.

Runway

A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Runway Protection Zone (Runway Clear Zone)

A trapezoidal area at ground level for the purpose of protecting the safety of approaches and keeping the area clear of the congregation of people.

Salvage Yard/Center

An establishment with the primary function of collecting, sorting, and distribution of ferrous and nonferrous metals or other related materials and may include screened, outside storage of materials.

School: Business, Technical, Trade, and Vocations

Schools offering instruction in special business, technical, trade, and vocational skills such as real estate schools, business colleges, electronic schools, automotive and aircraft technician schools, and similar commercial establishments operated by non-governmental organizations.

School: Technical and Trade (I-A Apex Overlay District)

Schools offering instruction in special technical, emergency or industrial skills in which heavy and specialized equipment is employed as a means of instruction. Industrial trades include but are not limited to the operation of machinery, power tools, construction, welding, and truck driving.

School: Elementary or Secondary

Any pre-primary, primary or grammar, public, parochial or private school, high school, preparatory school or academy, public or founded, or owned or conducted by or under the sponsorship of a religious or charitable organization; private preparatory school or academy furnishing courses of instruction substantially equivalent to the courses offered by public high schools for preparation of admission to college or universities which award B.A. or B.S. degrees; junior college or university, public or founded or conducted by or under the sponsorship of a religious or charitable organization; or private school area.

Screening

A solid or nearly solid barrier (i.e., wall, plantings) constructed or installed for the purpose of visual separation.

Seasonal Agricultural Sales

The temporary sale of agricultural products such as fruits, vegetables, and juices where such facilities may sell agricultural products not grown on site. Seasonal sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products.

Setback

The area of a lot located between a lot line and setback line.

Setback Line

That line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be placed.

Setback, Corner Side/Other R-O-W

The minimum distance required between a building, structure, or improvement and a lot line along a street or right-of-way that is not considered the front lot line.

Setback, Front

The minimum distance required between a building, structure, or improvement and the front lot line.

Setback, Interior Side

The minimum distance required between a building, structure, or improvement and a lot line that is shared with another lot.

Setback, Rear Yard

The minimum distance required between a building, structure, or improvement and the rear lot line.

Sewer, Public

Any sanitary sewer line owned and maintained by the City of North Las Vegas, whether or not installed by the City.

Sexually Oriented Business

"Sexually oriented businesses" are limited to the following: adult arcades, adult bookstores, adult cabarets, adult motels, nude modeling studios, adult motion picture theaters, adult novelty businesses, dating and escort services, outcall promoter and outcall entertainer businesses and sexual encounter businesses.

Short-Term Loan Establishment

An establishment providing loans to individuals that charges an annual percentage rate of more than forty (40) percent and requires the loan to be paid in full in less than one year. This term does not include a loan offered or made to a person based on the person's anticipated federal income tax refund.

Shrub, Large

A shrub which normally reaches a height of six feet or more upon maturity.

Shrub, Small

A shrub which normally reaches a height of less than six feet upon maturity.

Sign

Any device providing identification, advertising, or directional information for a specific business, service, product, person, organization, place, or building. Included in this definition are graphic devices such as logos, attention attracting media such as banners or logo, sculpture, and obtrusive colored fascia or architectural elements.

Sign Area

That area as determined by circumscribing the exterior limits of the mass of each display erected on one sign structure with a circle, triangle, or quadrangle connecting all extreme points. The structure supporting a sign is not included in determining the area unless the structure is designed in a way to form an integral background for the display. Only one face of a double-faced sign is used to measure the area.

Sign, Banner

A sign constructed of cloth, flexible plastic, or fabric of any kind without rigid backing or permanent attachment to a building.

Sign, Community Interior Directional

An incidental sign designed to guide or direct pedestrian or vehicular traffic, to specify procedures or to warn of hazards. Directional/informational signs contain no commercial message, but may contain a company name or logo if such name or logo enhances the directional or informational message of the sign. For example, a small logo combined with a directional arrow may reduce confusion for drivers looking for a certain driveway entrance.

Sign, Construction

A temporary sign erected on the parcel on which construction is taking place, limited to the duration of the construction, indicating the names of the architects, engineers, contractors, or similar artisans, the owner, financial supporters, leasing agents, sponsors, and similar individuals or firms having a major role or interest with respect to the structure or project or any future uses or activities to be conducted on the site.

Sign, Development Entry Statement

Any permanent on-premises architectural design statement or feature sign at the entrance of the development that provides location information to a subdivision, condominium, or apartment complex that serves to announce the identity of the development where the sign is located. In order to qualify as this type of sign, a sign may not contain the name of the developer or contractor of the project or subdivision.

Sign, Directory

A sign structure that contains the names of businesses and services that are located within a shopping center, office, or business complex.

Sign, Freestanding

Any non-movable sign not affixed to a building.

Sign, Illegal

Any of the following: a sign erected without first complying with all ordinances and regulations in effect at the time of its construction, erection, or use; a sign that was legally erected, but whose advertised use has ceased; a structure that has been abandoned by its owner or not maintained; a sign that advertises completed developments rather than products currently for sale; a sign that has not been properly approved by the City; a sign that is a danger to the public or is unsafe; a sign that is a traffic hazard; or any sign or advertisement attached to a utility pole or similar structure located in public right-of-way.

Sign, Master Planned Community

For the purposes of subdivision signage, a contiguous development of forty (40) or greater acres containing a combination of planned land uses such as single-family residential, multifamily residential, commercial, and open space recreation area.

Sign, Mobile

A sign attached to or suspended from any type of vehicle.

Sign, Monument

A freestanding sign where the base of the sign structure is on the ground. The base of such sign shall be at least as wide as ninety (90) percent of the width of the sign.

Sign, Nonconforming

Any sign that conformed to existing sign regulations at the time it was erected but that would no longer be permitted by virtue of the adoption of this Code or an amendment thereto.

Sign, Off-Premises

Any sign that advertises products or services that are not sold on the premises upon which the sign is constructed. This definition does not include temporary election signs, temporary directional, or master development signs.

Sign, Off-Premise Digital Display

An off-premise sign, display, or device which changes the "static" message or copy on the sign by electronic means.

Sign, Pole

Any freestanding sign supported by a single pole or column that does not comply with the freestanding sign design guidelines set forth herein.

Sign, Political

Any sign advertising the candidacy for office of any person or any sign advertising support or non-support of a candidate for office or of an action on a ballot in a primary, general, or special election.

Sign, Portable

Any sign not permanently attached to the ground or other permanent structure, or other commercial sign designed to be transported including, but not limited to, signs designed to be transported by means of wheels; signs on "A" or "T" frames; moveable menu and sandwich board signs, tethered balloons used as signs; or vehicles used with the express intent of advertising a product, goods or services.

Sign, Real Estate

Any on-premises sign placed upon or adjacent to a building, lot, subdivision or parcel of land advertising the lease, rent, or sale of the building, lot, or parcel of land on which the sign is located.

Sign, Subdivision Development Sales

Any temporary on-premises subdivision sign that advertises or informs the public of the existence, location, or sale of lots, model units, or new dwelling units within a residential subdivision.

Sign, Subdivision Directional

Any temporary sign that advertises or informs the public of the existence, direction to, or sale of lots or dwelling units in a residential subdivision and/or a master planned community.

Sign, Wall

A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign. A wall sign may not project more than twelve (12) inches from such building or structure.

Site Plan

A drawing to a scale not less than one inch equals one hundred (100) feet showing the accurate location of all structures, streets, alleys, and parking areas existing and proposed on subject property, or any other information as may be required by this title.

Skating Rink (Ice or Roller)

An establishment that provides facilities for participant skating.

Soil

A medium in which plants will grow.

Solar Panel

A panel that produces either electricity or heat when light shines on it as well as the frame on which it is mounted as well as connections to electricity or water systems.

Solar Equipment

Any solar collector, skylight, or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, cooling, water heating, or for power generation.

Solid Waste

All putrescible and non-putrescible refuse in solid or semisolid form including, but not limited to: garbage, rubbish, junk vehicles, ashes or incinerator residue, street refuse, dead animals, demolition waste, construction waste, and solid or semisolid commercial and industrial waste. The term does not include hazardous waste managed pursuant to NRS 459.400 to NRS 459.600.

Solid Waste, Industrial

Solid waste derived from industrial or manufacturing sources.

Stable, Commercial

A building or lot where horses or ponies are sheltered, fed, or kept for hire. See also "horse stable, private."

Staff

Staff of the Community Development Department of the City of North Las Vegas unless otherwise defined in this Code.

Steps, Open

A set of stairs providing access to a building that are on the exterior of a building and open to the elements.

Story

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above.

Street

A right-of-way, other than an alley, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property.

Street Frontage

Any property line separating a lot from a street; the front lot line.

Street Furniture

A variety of materials designed to be placed within public and pedestrian areas, including rights-of-way, that are intended to enhance the visual character of an area and to promote or support pedestrian activity. Street furniture may include but is not limited to benches, tree grates, bicycle racks, telephone booths, bus waiting shelters, directory/information kiosks, trash receptacles, drinking fountains, bollards with or without integral pedestrian level lighting, and street lighting, both at pedestrian level (twelve (12) feet to eighteen (18) feet in height) and roadway level (twenty-five (25) feet to thirty (30) feet in height).

Street, Arterial

A street with access control, signals at important intersections and stop signs on the side streets and restricted parking designed to primarily carry "through" traffic having a one hundred-foot right-of-way or more.

Street, Collector

A street that carries (collects) traffic from local streets and connects with minor or major arterial streets having an eighty-foot to ninety-foot right-of-way.

Street, Local

A street designed to provide vehicular access to abutting properties and to discourage through traffic having a sixty-foot right-of-way or less.

Street, Public

Any street that has been dedicated or is otherwise publicly owned by the City.

Streetscape Area

The area between the roadway curb and the nearest front property line, lying within the public right-of-way, also referred to as boulevard.

Structure

Anything constructed or erected that requires location on the ground, but not including a tent or motor vehicle.

Swap Meet or Flea Market

Any indoor or outdoor place, location, or activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces; and where a fee may be charged to prospective buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise.

Swimming Pool

Either a portable or permanent water container used for recreational purposes that at its deepest point is over eighteen (18) inches and has a volume in excess of one hundred fifty (150) cubic feet of water.

Telecommunication Towers and Facilities

Any telecommunication tower or facility and its accessory uses and structures utilized for the broadcast or reception of electro-magnetically transmitted information.

Telecommunication Towers and Facilities - Multiple Tower Facility

A single parcel that contains more than one, but no greater than five telecommunication towers with supporting structures designed to enhance compatibility with adjacent land uses constructed using stealth methods.

Temporary Real Estate Sales Offices and Model Homes

A dwelling unit temporarily converted into a sales and display office or a temporary sales trailer/office established in a development or subdivision for the purpose of providing an example of the units in the development.

Temporary Storage in a Portable Container

The temporary storage of materials in a large metal or wooden container, typically intended for transport by large truck, train, or ship.

Theater, Drive-In

An open lot devoted primarily to the showing of motion pictures or theatrical productions on a paid-admission basis to patrons seated in automobiles.

Theater, Movie

An indoor theatre for the showing of motion pictures, including a lobby and refreshment stand.

Tire Sales, Repair, and Mounting

A place where the principal business is the sale or installation of new, used, or retread tires and tubes.

Tourism (Use Category)

The tourism use category is comprised of uses characterized by the attraction of large numbers of persons (e.g., racetracks and casinos) or the provision of lodging units or space for short-term stays of less than 30 days for rent, lease, or interval occupancy.

Townhouse Cluster

A building consisting of three or more attached single-family dwelling units placed side by side and/or back to back having a common wall between each two adjacent dwelling units.

Trail

The linear areas not adjacent to a street that may follow natural features such as washes, ridge lines, flood control facilities, and utility rights-of-way designed for and used by cyclists, pedestrians, and equestrians. A trail may contain but is not limited to, trailheads, walkways, landscaping, lighting, benches, recreational nodes, dog stations, and trash receptacles.

Trailer

A structure standing on wheels that is towed toward or hauled by another vehicle and used for short-term human occupancy, carrying materials, goods, objects, or as a temporary office.

Transit Stops

Stations or designated stopping points for a public transport system such as a bus stop or light rail transit stop.

Transportation (Use Category)

The transportation use category is comprised of uses characterized by the provision of long-distance transport services (e.g., airports, heliports, and freight terminals) or local and regional transit services such as bus or light rail terminals.

Tree or Shrub, Evergreen

A tree or shrub of a species that normally retains its leaves/needles throughout the year.

Truck Stop/Truck Wash

An establishment that provides for the servicing of trucks with incidental operations similar to those permitted for automobile service stations and/or washing semi-tractor trailers. A truck wash facility shall be considered incidental to truck service stations if not more than one semi-tractor trailer may be washed at one time and if the service station is clearly the principal use.

Use

The employment or occupation of a building, structure, or land for a person's service, benefit, or enjoyment.

Use Category

Use categories are major sub-groups of use classifications based on common characteristics of uses. See [Section 17.20.010](#)

Use Type

Specific land uses that are listed in the permitted use table of [Section 17.20.010](#) which are defined in this chapter.

Use, Accessory

A use incidental to and customarily associated with a specific principal use that is located on the same lot or parcel.

Use, Accessory Convenience

Commercial uses that are established specifically for the convenience of and exclusive access by residents living within an approved recreational vehicle park, multi-family development, or multi-family portion of an overall larger development. Accessory convenience uses may include but are not limited to: food and miscellaneous household product sales, sundries, barber shop, beauty parlor, snack bars, video rental, and daycare centers, but do not include the sale of beer, wine, liquor, or tobacco, nor any type of gaming or massage establishment (even when incidental to a beauty parlor). In those instances where a requested use is not listed above, the planning and zoning director shall determine whether the requested use meets the purpose and intent of an accessory convenience use and is similar to other uses mentioned above.

Use, Conditional

A use that because of special requirements or characteristics may be allowed in a particular zoning district only after review of the impact the use presents on neighboring properties and demonstrated compliance with certain conditions.

Use, Permitted

A use that is lawfully established in a particular district or districts and which conforms with all requirements, regulations and performance standards of such district. A permitted use may be a principal use or an accessory use.

Use, Principal

A use or structure that determines the predominant or major use of the lot on which it is located. A principal use may be either a permitted or a special use.

Use, Special

Either a public or private use as listed herein that, because of its unique characteristics, cannot be properly classified as an otherwise principal use in a particular district. After consideration of the impact of such use upon neighboring land and of the public need for the particular use at the particular location, a special use may or may not be granted, subject to all conditions for special uses as listed in this title and any other reasonable conditions established by the Planning Commission, including time limits, pursuant to the requirements of this title.

Use, Temporary

A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Variance

A modification or variation of the provisions of this title as applied to a specific piece of property regarding building or parking setbacks or fence/wall heights.

Vehicle Impound Yard/Automobile Impound Yard

Any improved lot, structure, or the use of any portion of such lot or structure for the temporary outdoor storage of towed vehicles that are to be claimed by the titleholders or their agents. Any vehicle stored shall remain mechanically operable and licensed at all times.

Vehicle Sales and Services (Use Category)

The vehicle sales and services use category is comprised of uses characterized by the direct sale and/or service of passenger vehicles, trucks, motorcycles, farm machinery, and other consumer motor vehicles intended for transport of goods or persons over land, water, or in the air; whether for recreation, commerce, or personal transport.

Vehicle Stacking Space

A portion of the vehicular use area on a site that is dedicated to the temporary storage or "standing" of vehicles engaged in drive-through use of the site or development. Parking or storage of vehicles is not permitted within the vehicle stacking area.

Vehicle Washing Establishment

A building that has its primary purpose as washing automobiles. Such facilities shall be considered incidental to automobile service stations if not more than one auto may be washed at one time and if the service station is clearly the principal use.

Vehicle, Boat, or Recreational Vehicles Sales, Service, and Rental Lot

Rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats, and similar equipment, including incidental storage and incidental maintenance.

Vehicle, Boat, or RV Repair Facility

An establishment with the primary business function of providing major service and repair work on vehicles such as automobiles, boats, trucks, vans, or recreational vehicles. Major service and repair includes body work, engine and transmission rebuilding, and major painting services.

Vehicle, Boat, or RV Service Facility

An establishment where the primary business function is minor service and repair work incidental to the operation of the vehicle with or without retail fuel sales.

Vehicle, Commercial Use

Vehicles whose primary function is other than the transportation of passengers and does not exceed a gross vehicle weight rating of twelve thousand (12,000) pounds or have more than two axles. Commercial use vehicles are not to include forklifts, backhoes, tractors, and similar types of construction and industrial equipment, other than equipment used for noncommercial gardening purposes.

Vehicle, Recreational

A vehicular type portable structure without permanent foundation that can be towed, hauled, or driven primarily designed as temporary living accommodation for recreational, camping, and travel use and including but not limited to travel trailers, truck campers, camping trailers, and motor homes.

Vertical Mixed Use

A building designed to encourage a diversity of compatible land uses that may include a mixture of two or more of the following land uses within the building: residential, office, retail, recreational, light industrial, and other miscellaneous uses.

Vending Facility

Any trailer, cart, or other conveyance that is not self propelled, which is located outdoors, from which a vendor displays, sells, offers for sale, gives away, or offers to give away anything of value including food, beverages, or merchandise.

Vending, Portable

An area occupied by a vending facility that is used exclusively for the sale or display of merchandise, when the merchandise is displayed or sold in the open area and there are no permanent physical structures or facilities used as integral parts of the sales operation.

Video Arcade

A place or facility where video games or other electric or electronic games are provided for amusement purposes only.

Visual Obstruction

Any fence, hedge, tree, shrub, wall, or structure exceeding three feet in height measured from the curb of the intersecting streets, alleys, or driveways, that limit the visibility of persons in motor vehicles on streets, alleys, or driveways. This does not include trees kept trimmed of branches below the minimum height as specified in this Code.

Waiver, Development Regulation

An authorization for deviation from the requirements of this Code that is necessary to fulfill and implement the adopted goals and objectives of the redevelopment plan when strict adherence to the requirements of this Code would otherwise be detrimental to the development and use of the redevelopment plan.

Wall, Retaining

A structure designed and constructed to contain and/or support the content of the soil and to withstand the lateral earth and hydrostatic pressures and surcharge loads where the grade on one side is higher than the grade on the opposite side. For the purposes of this title, a "retaining wall" shall not be considered when incorporated as an integral part of any required drainage structure.

Wall, Screen

A structure designed and constructed with the purpose of limiting, obscuring, or prohibiting the visibility of the contents and/or activities from an adjacent, nearby, or abutting property or right-of-way.

Warehouse

An enclosed building designed and used primarily for the storage of goods and materials.

Wholesale Sales Establishment

An establishment for the sale of merchandise to retail and service commercial uses, office uses, or institutional uses, or to other wholesalers. Wholesale commercial uses may also mean acting as an agent or broker in the buying or selling of merchandise; but not selling to the general public.

Yard

A space on the same lot with a principal building that is open and unoccupied other than by steps, walks, terraces, driveways, lampposts, and similar structures, and unobstructed by structures, except as otherwise provided in this Code.

Yard, Corner Side/Other ROW

A yard on a corner lot the area of that is bounded by a line extending from the front of the principal building (the front building line) to a point intersecting the side street right-of-way line (side lot line), then along said side lot line to a point intersecting the rear lot line, then along said rear lot line to a point intersecting the line formed by extending the wall of the nearest principal building paralleling the side lot line.

Yard, Required Front

A yard extending across the full width of the lot between the required front setback and the front lot line.

Yard, Required Rear

A yard extending across the full width of the lot between the required rear setback and the rear building line.

Yard, Required Side

A yard extending between the front building line and the rear building line, the width of which is the least distance between the side lot line and the required side setback nearest part of the principal building.

Zoning District Map

A map or maps with all notations, dimensions, references, and symbols shown thereon depicting individual zoned districts in accordance with this Code.

(Ord. No. 2591, § 1, 6-15-2011, eff. 10-1-2011; Ord. No. 2611, §§ 2, 3, 5-16-2012; Ord. No. 2655, § 1, 5-21-2014; Ord. No. 2669, § 4, 6-18-2014; Ord. No. 2685, § 4, 8-6-2014)

EXHIBIT F
Parks and Trails Agreement.

A copy is on file with the City of North Las Vegas Clerk.

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NOVEMBER 2005 PARKS AND TRAILS AGREEMENT

This NOVEMBER 2005 PARKS AND TRAILS AGREEMENT (this "Parks Agreement"), made and entered into this 3rd day of May, 2006, by and between the CITY OF NORTH LAS VEGAS, NEVADA, a municipal corporation ("City"), and NOVEMBER 2005 LAND INVESTORS, L.L.C. and DRHI, INC. (referred to herein as the "Developer"), is entered into with respect to the following recitals:

PRELIMINARY STATEMENTS:

WHEREAS, the City's Municipal Code, Section 16.20.120 requires the dedication of community facility sites, and Section 15.52.020 requires the payment of a Residential Construction Tax, enabled by NRS 278.4983; the proceeds of which are to provide for the acquisition, improvement or expansion of neighborhood parks or the installation of facilities in existing parks within the respective park district located in the City; and

WHEREAS, Developer is the master developer and planner of the master planned community of +/- 600 acres (West Parcel) and +/- 2,074 acres (East Parcel) within the City of North Las Vegas (the "Master Planned Community"); and

WHEREAS, Developer and City are entering into a Development Agreement dated of even date herewith (as now or hereafter in effect, the "Development Agreement") to provide for orderly development of the Master Planned Community to meet public needs and are entering into this Agreement to provide the terms and conditions to fulfill the City's requirements for parks and recreational facilities as a condition of the development of the Master Planned Community. This Agreement shall be attached as an exhibit to the Development Agreement; and

WHEREAS, the Parties, for themselves and their successors and assigns, have agreed that the full performance of this Agreement shall satisfy the obligations of the Developer regarding any and all park dedications and payment of the Residential Construction Tax; and

WHEREAS, the City and Developer desire to enter into this Agreement to accomplish the foregoing.

NOW, THEREFORE, in and for consideration of the mutual promises and agreements contained herein and satisfaction of applicable ordinances of the City pertaining hereto, the receipt, sufficiency and compliance of which are hereby acknowledged by the Parties, Developer and City agree as follows:

ARTICLE 1 DEFINITIONS

For all purposes of this Agreement, the following terms shall have the following meanings:

"Association" means the Homeowners Association or Master Association of the Master Planned Community or Homeowners Associations within the Master Planned Community.

"Association Parks" means an improved public park or parks of less than ten (10) acres which are designed and built by the Developer as approved by the City and dedicated to the Association to provide maintenance and operation and to be available for Public Use.

"Builder" means an entity that is improving any discrete area depicted on the Land Use Plan within the Property.

"Community Parks" means an improved public park or parks ten (10) acres or greater which are designed and built by the Developer as approved by the City and dedicated to the Association or City to provide maintenance and operation and to be available for Public Use.

"Developer" means November 2005 Land Investors, L.L.C., a Nevada limited-liability company, and DRHI, Inc., a Delaware corporation, and their permitted successors and assigns.

"Effective Date" means the date, after the adoption by the City of an ordinance approving the execution of this Agreement, and after the subsequent execution by both parties, that the ordinance is published as required by the ordinance.

"LOS" means a Level of Service which establishes the minimum number of recreational amenities required in the Master Planned Community based on the proposed population of 50,000 residents. The required LOS for the Master Planned Community is attached hereto as Exhibit "A".

"Park Design Standards" means the development standards and design guidelines and any other applicable regulation, standard, specification or ordinance adopted by the City for the design and development of parks and recreational areas within the City including the definitions of dog parks, skate parks, community gardens and water play/spray pools, as in effect from time to time. A copy of the current Park Design Standards and definitions is attached to this Agreement as Exhibit "B".

"Preserve Area" means that area owned by the Bureau of Land Management as identified in the Conservation Agreement.

"Public Use" means park improvements that are available for general recreational use by all residents of the City.

"Tax" means the Residential Construction Tax as defined by NRS 278.4983 and North Las Vegas Municipal Code 15.52.020.

"Trails" means the linear areas not adjacent to a street, except when part of the trail system along Grand Teton Drive, that may follow natural features such as washes, ridge lines, flood control facilities and utility rights of way. A Trail consists of, but is not limited to, minimum 12 foot concrete walkways, landscaping on both sides of the walkway and trail amenities such as signage, lighting, benches, recreational nodes, drinking fountains, dog stations and trash receptacles. The width of the Trail shall be a minimum of fifty (50) feet wide, except as otherwise provided in this Parks and Trails Agreement.

"Trailheads" means an improved recreation area or areas which are located at the start or end of a Trail as identified as such on Land Use Plan.

All other capitalized terms not defined herein shall have the meaning given to them in the Development Agreement.

ARTICLE 2

SATISFACTION OF REQUIREMENT FOR PARK LAND DEDICATION AND THE PAYMENT OF TAX

- 2.01 The recreational needs of the residents of the Master Planned Community shall be met by the dedication and improvement of Community Parks, Association Parks, Trails and Trailheads.
- 2.02 To satisfy the requirements of the Code for the dedication of park land and the payment of the Tax, the Developer agrees to provide the Community Parks, Association Parks, Trails and Trailheads as identified in this Agreement.
- 2.03 The City has enacted the Tax in Code Section 15.52.020. The Code provides for a refund or exemption from the Tax if a developer provides developed park area or its equivalency.
- 2.04 City and Developer acknowledge that the refund or exemption from the Tax for providing developed park area is discretionary with the City and is to be utilized when the value of the improvements completed and dedicated to City is greater than the Tax that would otherwise be payable.
- 2.05 City acknowledges and agrees that the Developer's contribution, in accordance with this Agreement, provides developed park area for use by the public, valued at equal to or greater than the amount of Tax revenue the Master Planned Community would generate. The value contributed by Developer shall include, without limitation, land costs, development costs, design fees, management fees, consulting fees, etc., incurred by Developer with respect to the subject matter herein.
- 2.06 City and Developer have agreed that the full performance of this Agreement shall satisfy the

obligations of the Developer regarding any and all park dedications, and any and all park related obligations, including, without limitation, the Tax, relating to the development of the Master Planned Community. By the actions recited herein, Developer and Builders shall have no further obligations for the Tax or acts or contributions in lieu thereof with respect to the Master Planned Community.

ARTICLE 3 DESCRIPTION OF COMMUNITY PARK SITES

- 3.01 The Community Parks are larger destination parks that house amenities, including but not limited to, lighted sports fields and game courts and other specialized recreational facilities such as lighted picnic facilities, skate parks and playgrounds, dog parks, community gardens and spray parks. The Master Planned Community has six (6) Community Park sites ranging from approximately ten (10) acres to approximately forty (40) acres. The Community Parks shall be available for Public Use.
- 3.02 The Community Park locations are shown on the Land Use Plan attached as Exhibit "B" to the Development Agreement. The Community Park sites will be established as legal lots or parcels.
- 3.03 The six (6) Community Park sites shall be designed, built and completed by Developer, at City's approval, and dedicated to, operated, and maintained by City or the Association upon mutual agreement. The Community Park sites on Parcels 2.6 and 3.2 on the West Parcel and the Community Park site on Parcel 1.08 on the East Parcel shall be maintained by the Association.
- 3.04 As identified on the Land Use Plan, the Community Park sites will consist of the following:

WEST PARCEL:

Parcel 2.6	10 acres
Parcel 3.2	10 acres

EAST PARCEL:

Parcel 1.08	10 acres
Parcel 2.06	14.5 acres
Parcel 3.15	40 acres
Parcel 5.05	13.2 acres

TOTAL: 97.7 acres

- 3.05 Developer and City have agreed to a minimum LOS attached hereto as Exhibit "A". Each of the Community Park sites will have a variety of amenities including, but not limited to, those amenities set forth in Exhibit "A". As set forth in Exhibit "A", Developer agrees that it will provide at least the minimum number of each required amenity in the Community Park sites. Any amenities set forth in Exhibit "A" not provided in the Community Park sites shall be located in the Association Park sites. The exact amenities to be provided by Developer in each Community Park shall be as agreed to by the Developer and the City Manager.
- 3.06 City and Developer may mutually agree to amend the LOS based on changes in the City's recreational needs or an update to the Parks and Recreation Master Plan of the City as in effect from time to time ("Master Plan"). If the parties cannot mutually agree, the LOS attached hereto shall govern.
- 3.07 Developer will have the ability to name each Community Park by submitting a minimum of three (3) selections to the Parks and Recreation Advisory Board. The Parks and Recreation Advisory Board shall review the selections and make a recommendation to City Council. City Council shall have final approval.
- 3.08 Developer shall construct a lake and water features on Parcel 2.06. The design of the lake and water features is subject to review and approval by the City Manager as provided in Section 7.02.
- 3.09 The Developer and the Association are not responsible for security of the Community Parks.

ARTICLE 4 DESCRIPTION OF ASSOCIATION PARK SITES

- 4.01 The Association Park sites are less than ten (10) acres. Association Park sites house amenities, including but not limited to, lighted sports fields and game courts and other specialized recreational facilities such as lighted picnic facilities, skate parks and playgrounds, dog parks, community gardens and spray parks. The Master Planned Community has three (3) Association Park sites ranging from approximately three (3) to approximately seven (7) acres. The Association Parks shall be available for Public Use.
- 4.02 The Association Park site locations are shown on the Land Use Plan attached as Exhibit "B" to the Development Agreement. The Association Park sites will be established as legal lots or parcels.
- 4.03 The three (3) Association Park sites shall be designed, built, and completed by Developer and dedicated to, operated, and maintained by the Association.

- 4.04 As identified on the Land Use Plan, the Association Park sites will consist of the following:

WEST PARCEL:

Parcel 3.6 7 acres

EAST PARCEL:

Parcel 4.06 3.4 acres

Parcel 6.03 7.1 acres

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TOTAL: 17.1 acres

- 4.06 Each of the Association Park sites provides a variety of amenities designed to meet the needs of the surrounding residents. Developer and City have agreed to a minimum LOS as identified in Exhibit A". As set forth in Exhibit "A", Developer agrees that it will provide at least the minimum number of each required amenity in the Association Park sites. Any amenities set forth in Exhibit "A" not provided in the Association Park sites shall be located in the Community Park sites. The exact amenities to be provided by Developer in each Association Park site shall be as agreed to by the Developer and the City Manager.
- 4.07 City and Developer may agree to amend the LOS based on changes in the City's recreational needs or an update to the Master Plan. If the parties cannot mutually agree, the LOS attached hereto shall govern.
- 4.08 The name for each Association Park shall be at the sole discretion of the Developer.
- 4.09 The Developer and the Association are not responsible for security of the Association Parks.

ARTICLE 5 DESCRIPTION OF TRAILS

- 5.01 The Trails proposed for the Master Planned Community are pedestrian corridors that link the Master Planned Community together and provide access to a variety of residential, commercial, and recreational locations within the Master Planned Community. The Trails shall accommodate pedestrians, joggers and bicyclists. In addition to their role in providing access and linking the Master Planned Community together, they also provide an opportunity to exercise and interact with neighbors. Trails shall be available for Public Use.

- 5.02 As identified on the Land Use Plan attached to the Development Agreement as Exhibit "B", the Trail sites will consist of the following:

WEST PARCEL:

Parcel 1.0 .50 miles (part of Grand Teton Drive Trail)

Parcel 1.5 .53 miles

Parcel 2.0 .50 miles (part of Grand Teton Drive Trail)

Parcel 3.7 .41 miles

EAST PARCEL:

Parcel 1.03 .26 miles (part of Grand Teton Drive Trail)

Parcel 1.09 .36 miles

Parcel 2.01 .35 miles (part of Grand Teton Drive Trail)

Parcel 2.08 .37 miles (part of Grand Teton Drive Trail)

Parcel 3.01 .45 miles (part of Grand Teton Drive Trail)

Parcel 3.02 .49 miles (part of Grand Teton Drive Trail)

Parcel 3.05A .21 miles

Parcel 3.09 .26 miles

Parcel 3.12 .13 miles

Parcel 3.16 2.75 miles (Trail along detention facility and in-flow channel)

Parcel 5.08 .38 miles

Parcel 6.01A .26 miles

TOTAL: 8.21 miles

- 5.03 The Trails shall be designed, built, and completed by Developer and dedicated to, operated, and maintained by the Association.

- 5.04 The design for each Trail, identified in this Parks and Trails Agreement, shall be agreed to by the Developer and the City Manager in the manner set forth in Section 7.02.
- 5.05 The name of each Trail shall be at the sole discretion of the Developer with the exception of any regional trail or Trail that connects to a regional trail.
- 5.06 The Developer and the Association are not responsible for the security of the Trails.

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ARTICLE 6 DESCRIPTION OF TRAILHEADS

- 6.01 Trailhead sites are located at the start and end of trails and provide recreational amenities for the Master Planned Community. The Trailhead sites include parking areas, restrooms, drinking fountains, picnic areas, recreational activities and directional and information signs. Trailhead sites shall be available for the Public Use.
- 6.02 The Trailhead sites shall be designed, built, and completed by Developer. The Trailhead on parcel 6.01 on the East Parcel shall be conveyed to and operated by the Association. Upon dedication from the Developer to the City and upon completion of the trails within the Preserve Area by the BLM, the City shall operate and maintain the Trailheads on Parcels 1.01, 2.04 and 2.13 on the East Parcel. Until such time, the Association will operate and maintain these Trailheads.
- 6.03 As identified on the Land Use Plan attached to the Development Agreement as Exhibit "B", the Trailhead sites will consist of the following:

WEST PARCEL:

None.

EAST PARCEL:

Parcel 1.01 2.1 acres

Parcel 2.04 1.6 acres

Parcel 2.13 1.5 acres

Parcel 6.01 1.5 acres

TOTAL: 6.7 acres

- 6.04 Each of the Trailhead sites shall provide parking areas, restroom facilities, water, picnic areas and informational and directional signs. The Trailhead sites may also provide other

recreational amenities. The exact amenities to be provided by Developer in each Trailhead site shall be agreed to by the Developer and the City Manager in the manner set forth in Section 7.02.

- 6.05 Developer will have the ability to name each Trailhead by submitting a minimum of three (3) selections to the Parks and Recreation Advisory Board. The Parks and Recreation Advisory Board shall review the selections and make a recommendation to City Council. City Council shall have final approval.

6.06 The Developer and the Association are not responsible for the security of the Trailheads.

ARTICLE 7

PREPARATION AND APPROVAL OF IMPROVEMENTS

- 7.01 Developer shall be responsible for engaging a Nevada licensed landscape architect(s) to prepare the respective plans for the Community Parks, Association Parks, Trails and Trailheads.
- 7.02 Developer agrees to submit plans for each of the Community Park sites, Association Park sites, Trails and Trailheads to the City Manager for approval. The City Manager will advise Developer, in writing, of approval or any requested change(s) to the proposed plans within forty-five (45) calendar days. If there are requests for change(s) by the City Manager, then Developer will review the request(s) and respond to the City Manager within thirty (30) calendar days either agreeing to make the change(s) requested by the City Manager or providing a statement regarding Developer's position regarding the requested change(s). If Developer and City Manager cannot resolve the differences with respect to the plans, Developer may appeal the City Manager's determination to the City Council.
- 7.03 Developer shall not commence construction on any of the Community Parks, Association Parks, Trails or Trailheads until it obtains City approval of such Community Park, Association Park, Trail or Trailhead as provided in Section 7.02.

ARTICLE 8

COMMENCEMENT AND COMPLETION OF COMMUNITY PARKS, ASSOCIATION PARKS AND TRAILS ON THE WEST PARCEL

- 8.01 Construction of the Community Parks and Association Park on the West Parcel will proceed according to the following schedule:
- 8.01(a) Parcel 2.6 Developer shall commence construction of the Community Park located on Parcel 2.6 no later than the date that the City issues the 1,000th residential building permit on the West Parcel. Construction of the Community Park on Parcel 2.6 must be completed no later than nine (9) months after the commencement of construction.

8.01(b) Parcel 3.6 Developer shall commence construction of the Association Park located on Parcel 3.6 no later than the date that the City issues the 2,000th residential building permit on the West Parcel. Construction of the Association Park on Parcel 3.6 must be completed no later than nine (9) months after the commencement of construction.

8.01(c) Parcel 3.2 Developer shall commence construction on the Community Park located on Parcel 3.2 no later than the date that the City issues the 3,000th residential building permit on the West Parcel. Construction of the Community Park on Parcel 3.2 must be completed no later than nine (9) months after the commencement of construction.

8.01(d) Developer reserves the right to change the sequence of the design and construction of the Association Park in Parcel 3.6 and the Community Parks on Parcel 2.6 or 3.2, with advance written notice to City.

8.02 Construction of the Trails on the West Parcel will proceed according to the following schedule:

8.02(a) Parcel 1.5 Developer shall commence construction of the Trail on Parcel 1.5 when a total of 150 residential building permits have been issued in Parcel 1.2 and Parcel 1.4 combined or when a total of 150 residential building permits have been issued in either Parcel 1.2 or Parcel 1.4. Construction of the Trail must be completed within six (6) months after the commencement of construction.

8.02(b) Parcel 3.7 Developer shall commence construction of the Trail on Parcel 3.7 within sixty (60) days after the commencement of construction of the Community Park located on Parcel 3.2. Construction of the Trail must be completed within thirty (30) days of the date that the Community Park on Parcel 3.2 is completed.

8.02(c) Parcels 1.0 and 2.0 Developer shall construct the portions of the Grand Teton Drive Trail in Parcels 1.0 and 2.0 at the same time as adjacent roadway improvements on Grand Teton Drive are constructed.

8.03 Developer may accelerate the construction of any of the Community Parks, Association Parks or Trails in the West Parcel. However, the City is not required to accept the dedication of any such improvement prior to the dates set forth in Sections 8.01 and Section 8.02.

8.04 Developer agrees that the design and construction of all improvements shall meet or exceed the standards set forth in the Development Standards and Design Guidelines and the City's Park Design Standards attached hereto as Exhibit "B".

8.05 Developer's failure to substantially comply with the completion dates set forth in this Section, without consent from the City, may result in the City withholding issuance of building permits for the parcels immediately adjacent to the Community Parks, Association Park or Trails on the West Parcel. Should the City opt to withhold issuance of any building permits, the Developer shall have the right to appeal such decision, in writing, to the City Manager. The City Manager shall render a decision within five (5) business days. Any decision by the City Manager may be appealed to the City Council for final determination.

8.06 The City shall not withhold issuance of building permits if it is determined that the City unjustifiably caused a delay in the Developer's ability to comply with the completion dates.

8.07 The commencement and completion dates set forth in this section for the Community Parks, Association Parks, Trails and Trailheads on the West Parcel shall be amended to the extent of any delays set forth in Section 14.05 of the Development Agreement.

ARTICLE 9

COMMENCEMENT AND COMPLETION OF COMMUNITY PARKS, ASSOCIATION PARKS, TRAILS AND TRAILHEADS ON THE EAST PARCEL

9.01 The East Parcel shall be divided into five (5) quadrants as defined below:

Quadrant One: Quadrant One is the property East of the western boundary of the East Parcel, West of Revere, North of the Beltway and South of Grand Teton. Quadrant One shall include parcels 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09, 1.09A, 1.09B, 1.10, 1.11, 1.12 and 1.13.

Quadrant Two: Quadrant Two is the property East of the western boundary of the East Parcel, West of Revere, North of Deer Springs and South of the Beltway. Quadrant Two shall include parcels 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10 and 5.11.

Quadrant Three: Quadrant Three is the property East of Revere, West of North 5th, North of the Beltway and South of Grand Teton. Quadrant Three shall include parcels 2.01, 2.01A, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.14, 2.15A, 2.15B and 2.16.

Quadrant Four: Quadrant Four is the property East of Donna, West of Lawrence, North of the Deer Springs and South of the Beltway. Quadrant Four shall include parcels 6.01, 6.01A, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07, 6.08, 6.09 and 6.10.

Quadrant Five: Quadrant Five is the property East of North 5th, West of Losee, North of the Beltway and South of the Grand Teton. Quadrant Five shall include parcels 3.01, 3.02, 3.03, 3.04, 3.05, 3.05A, 3.06, 3.07, 3.08, 3.09, 3.10, 3.11, 3.12, 3.13A, 3.13B, 3.14, 3.15, 3.16, 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09 and 4.10.

- 9.02 Construction of the Community Park, Trail and Trailhead in Quadrant One of the East Parcel will proceed according to the following schedule:

9.02(a) Parcel 1.08: Developer shall commence construction of the Community Park located on Parcel 1.08 no later than the date that the City issues the 1,000th residential building permit in Quadrant One. Construction of the Community Park on Parcel 1.08 must be completed no later than nine (9) months after the commencement of construction.

9.02(b) Parcel 1.09: Developer shall commence construction of the Trail on Parcel 1.09 when a total of 150 residential building permits have been issued in Parcel 1.09A, and Parcel 1.09B combined or when a total of 150 residential building permits have been issued in either Parcel 1.09A or 1.09B. Construction of the Trail must be completed no later than six (6) months after the commencement of construction.

9.02(c) Parcel 1.01: Upon written notification from the BLM or City that the trails within the Preserve Area will be built, Developer agrees to develop and construct the Trailhead on Parcel 1.01 so that the Trailhead is completed as close to the same time that the BLM finishes its trail as possible.

If BLM has not commenced construction of the trails within the Preserve Area by the date which is seven (7) years from the Effective Date, Parcel 1.01 will be developed by Developer as open space as provided for in the Development Standards and Design Guidelines.

9.02(d) Parcel 1.03: Developer shall construct the portions of the Grand Teton Drive Trail in Parcel 1.03 at the same time as adjacent roadway improvements on Grand Teton Drive are constructed.

- 9.03 Construction of the Community Park and Trail in Quadrant Two of the East Parcel will proceed according to the following schedule:

9.03(a) Parcel 5.05: Developer shall commence construction of the Community Park located on Parcel 5.05 no later than the date that the City issues the 1,000th residential building permit in Quadrant Two. Construction of the Community Park on Parcel 5.05 must be completed no later than nine (9) months after the commencement of construction.

9.03(b) Parcel 5.08: Developer shall commence construction of the Trail on Parcel 5.08 when a total of 150 residential building permits have been issued in Parcel 5.07, and 5.09 combined or when a total of 150 residential building permits have been issued in either Parcel 5.07 or Parcel 5.09. Construction of the Trail must be completed within six (6) months of the date of final approval of the trail plan by the City.

- 9.04 Construction of the Community Park, Trails and Trailheads in Quadrant Three will proceed according to the following schedule:

9.04(a) Parcel 2.06: Developer shall commence construction for the Community Park located on Parcel 2.06 no later than the date that the City issues the 1,000th residential building permit in Quadrant Three. Construction of the Community Park on Parcel 2.06 must be completed no later than nine (9) months after the commencement of construction.

9.04(b) Parcel 2.04: Upon written notification from the BLM or City that the trails within the Preserve Area will be built, Developer agrees to develop and construct the Trailhead on Parcel 2.04 so that the Trailhead is completed as close to the same time that the BLM finishes its trail as possible.

If BLM has not commenced construction of the trails within the Preserve Area by the date which is seven (7) years from the Effective Date, Parcel 2.04 will be developed as open space as provided for in the Development Standards and Design Guidelines.

9.04(c) Parcel 2.13: Upon written notification from the BLM or City that the trails within the Preserve Area will be built, Developer agrees to develop and construct the Trailhead on Parcel 2.13 so that the Trailhead is completed as close to the same time that the BLM finishes its trail as possible.

If BLM has not commenced construction of the trails within the Preserve Area by the date which is seven (7) years from the Effective Date, Parcel 2.13 will be developed as open space as provided for in the Development Standards and Design Guidelines.

9.04(d) Parcels 2.01 and 2.08: Developer shall construct the portions of the Grand Teton Drive Trail in Parcels 2.01 and 2.08 at the same time as adjacent roadway improvements on Grand Teton Drive are constructed.

- 9.05 Construction of the Association Park, Trail and Trailhead in Quadrant Four will proceed according to the following schedule:

9.05(a) Parcel 6.03: Developer shall commence construction of the Association Park located in Parcel 6.03 no later than the date that the City issues the 1,000th residential building permit on Quadrant Four. Construction of the Association Park on Parcel 6.03 must be completed no later than nine (9) months after the commencement of construction.

9.05(b) Parcel 6.01A: Developer shall commence construction of the Trail on Parcel 6.01A within sixty (60) days of the commencement of construction of the Association Park located on Parcel 6.03. Construction of the Trail must be completed no later than

thirty (30) days after the completion of the Association Park located on Parcel 6.03. The City and Developer agree that the Trail in 6.01A shall be twenty five feet (25') wide which will include a twelve foot (12') wide concrete walkway and landscaping.

- 9.05(c) Parcel 6.01: Developer shall commence construction of the Trailhead on Parcel 6.01 within sixty (60) days of the commencement of construction of the Association Park located on Parcel 6.03. Construction of the Trailhead must be completed no later than thirty (30) days after the completion of the Association Park located on Parcel 6.03.

9.06 Construction of the Community Park, Association Park and Trails in Quadrant Five will proceed according to the following schedule:

- 9.06(a) Parcel 3.15: Developer shall commence construction of the Community Park located on Parcel 3.15 no later than the date that the City issues the 100th (one-hundredth) residential building permit in Quadrant Five. Construction of the Community Park on Parcel 3.15 must be completed no later than one (1) year after the commencement of construction.

- 9.06(b) Parcel 3.05A: Developer shall commence construction of the Trail on Parcel 3.05A when a total of 150 residential building permits have been issued in Parcels 3.05 and 3.06 combined or when a total of 150 residential building permits have been issued in either Parcel 3.05 or 3.06. Construction of the Trail must be completed no later than six (6) months after the commencement of construction.

- 9.06(c) Parcel 3.09: Developer shall commence construction of the Trail on Parcel 3.09 when a total of 150 residential building permits have been issued in Parcels 3.08 and 3.10 combined or a total of 150 residential building permits has been issued in either Parcel 3.08 or 3.10. Construction of the Trail must be completed no later than six (6) months after the commencement of construction.

- 9.06(d) Parcel 3.12: Developer shall commence construction of the Trail on Parcel 3.12 when a total of 150 residential building permits have been issued in Parcels 3.13A and 3.13B combined or a total of 150 residential building permits has been issued in either Parcel 3.13A or 3.13B. Construction of the Trail must be completed no later than six (6) months after the commencement of construction.

- 9.06(e) Parcel 4.06: Developer retains complete discretion as to the timing of the construction and completion of the Association Park located on Parcel 4.06.

- 9.06(f) Parcels 3.01 and 3.02: Developer shall construct the portions of the Grand Teton Drive Trail in Parcels 3.01 and 3.02 at the same time as adjacent roadway improvements on Grand Teton Drive are constructed.

9.06(g) Parcel 3.16: The width of the Trail along the detention facility and in-flow channel may be less than fifty feet (50') wide. Developer shall construct the Trail in Parcel 3.16 at the same time it constructs the Community Park in Parcel 3.15.

9.07 Developer may accelerate the construction of any of the Community Parks, Association Parks, Trails or Trailheads in the East Parcel. However, the City is not required to accept the dedication of any such improvement prior to the dates set forth in Sections 9.02, 9.03, 9.04, 9.05 and 9.06.

9.08 Developer agrees that the design and construction of all improvements shall meet or exceed the Development Standards and Design Guidelines and the standards set forth City's Park Design Standards attached hereto as Exhibit "B".

9.09 Developer's failure to substantially comply with the completion dates set forth in this section for the Community Park, Trail and Trailhead in Quadrant One of the East Parcel, without consent from the City, may result in the City withholding issuance of building permits as follows:

9.09(a) Parcel 1.08: The City may withhold issuance of building permits in Quadrant One until such time as the Community Park is completed.

9.09(b) Parcel 1.09: The City may withhold issuance of building permits in either Parcel 1.09A or Parcel 1.09B until such time as the Trail is completed.

9.09(c) Parcel 1.01: The City shall not withhold issuance of any building permits pending the completion of the Trailhead on Parcel 1.01.

9.10 Developer's failure to substantially comply with the completion dates set forth in this section for the Community Park and Trail in Quadrant Two of the East Parcel, without consent from the City, may result in the City withholding issuance of building permits as follows:

9.10(a) Parcel 5.05: The City may withhold issuance of building permits in Quadrant Two until such time as the Community Park is completed.

9.10(b) Parcel 5.08: The City may withhold issuance of building permits in either Parcel 5.07 or 5.09 until such time as the Trail is completed.

9.11 Developer's failure to substantially comply with the completion dates set forth in this section for the Community Park and Trailheads in Quadrant Three of the East Parcel, without consent from the City, may result in the City withholding issuance of building permits as follows:

9.11(a) Parcel 2.06: The City may withhold issuance of building permits in Quadrant Three until such time as the Community Park is completed.

9.11(b) Parcel 2.04: The City shall not withhold issuance of any building permits pending completion of the Trailhead on Parcel 2.04.

9.11(c) Parcel 2.13: The City shall not withhold issuance of any building permits pending completion of the Trailhead on Parcel 2.13.

9.12 Developer's failure to substantially comply with the completion dates set forth in this section for the Association Park, Trail and Trailhead in Quadrant Four of the East Parcel, without consent from the City, may result in the City withholding issuance of building permits as follows:

9.12(a) Parcel 6.03: The City may withhold issuance of building permits on Parcel 6.06 until such time as the Association Park is completed.

9.12(b) Parcel 6.01A: The City may withhold issuance of building permits on Parcel 6.06 until such time as the Trail is completed.

9.12(c) Parcel 6.01: The City shall not withhold issuance of any building permits pending completion of the Trailhead on Parcel 6.01.

9.13 Developer's failure to substantially comply with the completion dates set forth in this section for the Community Park, Association Park and Trails in Quadrant Five of the East Parcel, without consent from the City, may result in the City withholding issuance of building permits as follows:

9.13(a) Parcel 3.15: The City may withhold issuance of building permits in Quadrant Five until such time as the Community Park is completed.

9.13(b) Parcel 3.05A: The City may withhold issuance of building permits in either Parcel 3.05 or Parcel 3.06 until such time as the Trail is completed.

9.13(c) Parcel 3.09: The City may withhold issuance of building permits in either Parcel 3.08 or Parcel 3.10 until such time as the Trail is completed.

9.13(d) Parcel 3.12: The City may withhold issuance of building permits in either Parcel 3.13A or Parcel 3.13B until such time as the Trail is completed.

9.13(e) Parcel 4.06: The City shall not withhold issuance of building permits pending the completion of the Association Park.

9.14 Should the City opt to withhold issuance of building permits, Developer shall have the right to appeal such decision, in writing, to the City Manager. The City Manager shall render a decision within five (5) business days. Any decision by the City Manager may be appealed

to the City Council for final determination.

- 9.15 The City shall not withhold issuance of building permits if it is determined that the City unjustifiably caused a delay in the Developer's ability to comply with the completion dates.
- 9.16 The commencement and completion dates set forth in this section for the Community Parks, Association Parks, Trails and Trailheads on the East Parcel shall be amended to the extent of any delays set forth in Section 14.05 of the Development Agreement.

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ARTICLE 10 ACCEPTANCE AND DEDICATION OF IMPROVEMENTS

- 10.01 Developer shall perform and complete all improvements required under this Agreement in substantial accordance with the City's Park Design Standards. Upon completion of construction of any Community Park, Association Park, Trail and Trailhead, Developer may present same to the City for acceptance. Prior to acceptance by the City, a final inspection will be performed and a final punch-list will be created. Any punch-list items required by the City shall be completed by the Developer prior to acceptance of any Community Park, Association Park, Trail and/or Trailhead.
- 10.02 Upon acceptance of each Community Park site, Developer agrees to dedicate and convey the Community Park site and all improvements to City by Grant, Bargain and Sale Deed, free and clear from any mortgages, deeds of trust, liens or other monetary encumbrances of any type whatsoever. By mutual agreement of the City and Developer, Developer may convey one or more Association Parks, Trails and/or Trailheads to City in the same manner as for a Community Park.
- 10.03 Developer agrees to provide City with a copy of final "as built" plans for each Community Park site which must include information concerning all of the materials installed at the site and any warranty information.
- 10.04 Developer hereby guarantees all workmanship and materials installed at the Community Park sites, Association Park sites, Trails and Trailheads for a period of twelve (12) months after final acceptance (as set out above) of the improvements thereof by the City except (i) for those items covered under a third party warranty or guaranty which is transferred to City, and (ii) for any damage thereto caused by neglect or negligence of the City or any of its employees or agents.

ARTICLE 11 GENERAL PROVISIONS

The provisions of Section 14 of the Development Agreement are hereby adopted as and for the provisions of this Article 11.

IN WITNESS WHEREOF, this Agreement has been executed by the parties on the day and year first above written.

CITY:
CITY OF NORTH LAS VEGAS,
STATE OF NEVADA

By: [Signature]
Michael L. Montandon, Mayor

Attest: [Signature]
Karen Storms, City Clerk
City of North Las Vegas

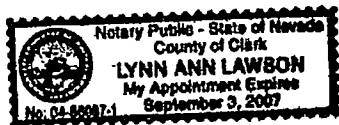
DEVELOPER:
NOVEMBER 2005 LAND INVESTORS, L.L.C.,
a Nevada limited-liability company

By: Summerset Development Services, L.L.C.,
a Nevada limited-liability company
Its: Manager

By: [Signature]
Name: Guy Inzalaco
Title: MANAGER

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

This instrument was acknowledged before me on the 4th day of May, 2006, by Guy INZALACO as authorized representative of Summerset Development Services, L.L.C., the Manager of November 2005 Land Investors L.L.C.



[Signature]
NOTARY PUBLIC

DEVELOPER:

DRHI, INC., a Delaware corporation:

By: James Frasure

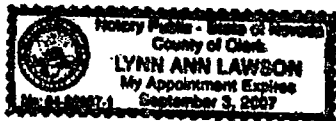
Name: JAMES FRASURE

Title: VP

UNOFFICIAL COPY

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

This instrument was acknowledged before me on the 4th day of May, 2006, by
JAMES FRASURE as an authorized representative of DRHI, Inc.



Lynn Ann Lawson
NOTARY PUBLIC

DEVELOPER:

DRHI, INC., a Delaware corporation:

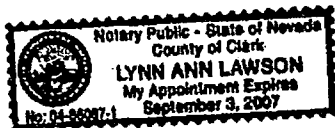
By: Ted I. Harbour

Name: TED I. HARBOUR

Title: Senior Vice President

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

This instrument was acknowledged before me on the 4th day of May, 2006, by
TED I. HARBOUR as an authorized representative of DRHI, Inc.



Lynn Ann Lawson
NOTARY PUBLIC

NOVEMBER 2005 PARKS AND TRAILS AGREEMENT

EXHIBITS

EXHIBIT A: Level of Service for the Master Planned Community

EXHIBIT B: Park Design Standards and Definitions

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NOVEMBER 2005 PARKS AND TRAILS AGREEMENT

EXHIBIT A
Level of Service
for the Master Planned Community

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LEVEL OF SERVICE

The following analysis is based upon Exhibit "C": CNLV Composite Level of Service (L.O.S.) Indicators for Selected Recreational Facilities, of the Master Plan Update, dated June 2004.

<u>ENTERTAINMENT FACILITY</u>	<u>CNLV L.O.S. 2002</u> <u>(Population 50,000)</u>	<u>FACILITY</u> <u>NEED</u>
<u>SPORTSFIELDS</u>		
▪ Lighted Baseball/Softball	1 per 6,500 People	8
▪ Lighted Soccer/ Football	1 per 7,500 People	7
<u>GAME COURTS</u>		
▪ Lighted Tennis Courts	1 per 5,000 People	10
▪ Lighted Basketball Courts	1 per 4,000 People	13
▪ Lighted Volleyball Courts	1 per 6,250 People	8
<u>SPECIALIZED REC. FACILITIES</u>		
▪ Sports Complex	1 per 100,000 People	1
▪ Lighted Group Picnic/ Shelters/ Ramadas	1 per 8,000 People	7
▪ Lighted Skate Parks	1 per 60,000 People	1
▪ Lighted Playgrounds	1 per 7,000 People	8
▪ Dog Parks	1 per 60,000 People	1
▪ Community Gardens	1 per 20,000 People	3
▪ Water Play/ Spray Pools on Padded Service *	1 per 25,000 People	4

- * (3) small water play features will have rubber surfacing.
 (1) large water play feature will include a 12" deep wading pool.

NOVEMBER 2005 PARKS AND TRAILS AGREEMENT

EXHIBIT B
Park Design Standards
and Definitions

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Park Standards
North Las Vegas Parks and Recreation Department

Specifications

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Scope of Project:

The purpose of this document is to set forth Park Standards for the development of public parks in North Las Vegas. These standards are consistent with standards dictated for private Developed Open Space within Planned Urban Developments (PUD). Although not everything discussed in these standards might be found in a Developed Open Space, e.g. restrooms, such parks may be referred to this document for guidance.

The proposed standards will include, without limitation, utilities and related equipment, on-site improvements, construction of structures and all their appurtenances, landscape and irrigation, electrical, retaining walls, hardscape, parking facilities, sports and play facilities, and all other appurtenance work. All work shall be performed in strict conformance with plans, specifications, contract documents and regulations of all public authorities having jurisdiction over the project.

Goal of Project:

The goal of this project is to have a clear statement of standards for development of parks and recreation facilities, that will meet the needs of North Las Vegas residents. These standards will be in effect for both publicly financed parks and those Developed Open Spaces built by developers for the City. These standards will also be in accord with the Parks and Recreation Master Plan, local conditions and national standards.

Rationale:

Park standards are a tangible statement of expectation as well as a yardstick for measuring to what degree those expectations have been met. The willingness of the community to adhere to these standards is also an expression of the importance of parks and recreation facilities to the development of the City.

Parks and Recreation Master Plan:

This document is governed by the Parks and Recreation Master Plan and is meant to be used in conjunction with that Plan. Both documents should be in complete agreement; should there be a discrepancy, the Master Plan shall be the primary document.

ADA Accessibility: (See Appendices B and C)

All new and altered play areas shall conform to the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities; Play Areas RIN 3014-AA21, including ground level and elevated play components, accessible routes, ramps and transfer systems, ground surfaces, and soft contained play structures. All new and altered recreation, including amusement rides, boating facilities, fishing piers and platforms, golf courses, miniature golf, sports facilities, and swimming pools and spas, shall conform to the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities; Recreation Facilities, RIN 3014-AA16. Refer to Appendix C.

Section 01010-Summary of Park Designation:

Each park type may be classified by acreage. Each type also has its own list of possible amenities and its zone of service. The list of amenities may be further categorized according to the purpose of the park, thereby permitting some variety between various parks. When establishing parkland standards, several factors should be considered, including the following:

- The existing amount of park land within the community, how that land is being utilized, and how the residents perceive it.
- The amount of land dedicated to different types of recreational uses and public demand.
- The availability of nearby parks and other recreational facilities.
- The amount and types of park land provided by other communities.

North Las Vegas has experienced rapid growth over the last two decades. In an effort to keep pace with that growth, the system must evolve to provide a balanced, diversified system capable of meeting the needs of an ever-growing and diverse population. The system may be broken down into the following five main categories:

- A. Tot lots and mini-parks
- B. Neighborhood parks
- C. Community parks
- D. Regional parks
- E. Open space and trails
- F. Special Use Recreational Facility

01011-Tot Lots and Mini-Parks: One acre or less in size

These are the smallest sized parks in the system and are used to address concentrated or limited populations or specific groups such as tots or senior citizens. These lots are usually found within neighborhoods and in close proximity to apartment complexes or senior citizen housing. They are set up for foot traffic and have a limited service area. Landscaped areas and amenities are designed for passive use, with no space provided for more structured activities. Access to these sites is normally through trails or sidewalks, with no off-street parking provided.

Currently, there are two public Tot Lots, Rotary and Brooks, and one Mini-Park, Tonopah. The various HOA parks provided by developers as requirements for Planned Urban Developments help to fill the need for smaller parks.

List of Amenities Common to Tot Lots and Mini-Parks: (Some amenities may be common to other types of parks as well)

- Open Space
- Landscaping
- ADA accessibility, equipment to meet ASTM and CPSC standards
- Access paths
- Shade trees
- Water fountains
- Playground units for toddlers and the 5 to 12 age group, adjacent to a lighted shade ramada.
- Benches
- Security lighting
- Park signage

Optional Amenities:

- Water features
- Picnic shelter with ADA accessible tables and grills
- Bocce court
- ½ court basketball
- Pavement games
- Shuffle board

01012-Neighborhood Parks: From one to ten acres in size.

Neighborhood parks are the basic unit of almost any park system. They serve a larger area than the mini-parks, but are still reliant on foot traffic. The neighborhood park will have both active and passive elements, aimed at a wide variety of age groups. These parks have a service radius of about ½ to ¾ of a mile, unencumbered by major thoroughfares or other barriers. Neighborhood parks should reflect the character and interests of the community that they serve, so that one park may be designed around soccer or a senior population, while another may be designed to serve a younger population more dedicated to individual exercise and activity.

Neighborhood parks are frequently associated with elementary schools and may share amenities with the school. Intended uses of active recreation facilities may be informal and unstructured, although ballfields may be used for some organized activities. With the exception of the limited use by youth sports leagues, neighborhood parks are not intended to be used for programmed activities that may result in over-use, noise, parking problems, and other nuisances. As a general rule, active recreation areas should consume 50% of the site, with the balance used for passive activities or ornamental areas. Many HOA owned parks also fall into this category. This is the smallest park the City will accept for dedication.

List of Amenities Common to Neighborhood Parks:(Some amenities may be common to other types of parks as well)

- Open Space
- Landscaping
- ADA accessible, equipment to meet ASTM and CPSC standards
- Access paths
- Shade trees
- Water fountain
- Benches
- Security lighting
- Playground equipment for toddlers and the 5 to 12 age group, adjacent to a lighted shade ramada.
- EPDM safety surface over a non-porous base
- Picnic shelters with ADA accessible tables and grills
- Park signage

Optional amenities:

- Bocce
- Restroom
- ½ court or full court basketball
- Pavement games
- Baseball/softball, unlit
- Soccer, unlit
- Volleyball
- Skate park
- Tennis courts
- Shuffleboard
- Horseshoe pits
- Demonstration gardens
- Off-street parking

01013-Community Parks: From 10 to 50 acres in size.

Community Parks are areas of diverse environmental quality. They are larger in size than Neighborhood Parks and serve a broader purpose, allowing for a range of opportunities to unmet needs in the smaller parks. The service radius for Community Parks is 1.5 to 2.5 miles.

Community Parks may include all the activities normally associated with Neighborhood Parks. They may include areas suited for intense recreational facilities, such as athletic complexes and swimming pools, but may also include passive areas, playgrounds, picnic sites, and sitting areas. Park lighting will also have more variety, used not only for security and safety, but also for sports and other high light level needs. Special use recreation facilities such as the Cheyenne Sports Complex fall into this category. This size park may be dedicated to the City, depending on the amenities and the City need for the park.

List of Amenities Common to Community Parks:(Some amenities may be common to other types of parks as well)

- Open Space
- Landscaping
- ADA accessibility, equipment to meet ASTM and CPSC standards
- Access paths
- Shade trees
- Water fountains
- Benches
- Security lighting
- Playground units for toddlers and the 5 to 12 age group, adjacent to a lighted shade ramada.
- Picnic shelter with ADA accessible tables and grills, group and family sized as well as individual sites
- Restroom
- Sports Fields
- Off Street Parking

Optional amenities:

- Pavement games
- Frisbee golf
- Shuffle board
- Baseball/softball, lighted
- Soccer, lighted
- Full court basketball
- Volleyball
- Skate park
- Tennis courts
- Bocce
- Horseshoes
- Demonstration gardens
- Recreation center

01014-Regional Parks: From 50 to 200 acres in size.

Regional Parks are the largest category of all, and may include such things as Special Use Parks, Nature Parks, and Conservation areas. As the name implies, these parks have a regional interest and may draw from anywhere in the valley.

Regional Parks fill a need that cannot be met within smaller parks. This need may be for nature study areas, special events areas, Equestrian parks, and such special needs as camping or other special activities. The Regional Park may also be used for other purposes, such as a sports complex or other features found in smaller parks.

List of Amenities Common to Regional Parks:(Some amenities may be common to other types of parks as well)

- Open space
- Landscaping
- ADA accessible, equipment to meet ASTM and CPSC standards
- Access paths
- Shade trees
- Water fountains
- Benches
- Security lighting
- Playground units for toddlers and the 5 to 12 age group, adjacent to a lighted shade ramada.
- Picnic shelters with ADA accessible tables and grills, group and family size as well as individual sites
- Restroom
- Off Street Parking
- Sports fields or special use fields

Optional amenities:

- Pavement games
- Frisbee golf
- Amphitheater
- Baseball/softball, lighted
- Full court basketball
- Volleyball
- Skate park
- Tennis courts
- Special events area
- Equestrian area
- Recreation Center
- Golf/driving range
- Model airplane flying field
- Demonstration gardens & Large ponds
- Hiking trails
- Camping

01015-Open Space, Linear Parks and Trails: Variable in size.

Open Space, Linear Parks and Trails depend on the quality of the sites chosen. They may be for transportation purposes, such as Linear Parks into a village center, they may be for scenic purposes such as Trails, through some nature features, or they may be just a place for residents to enjoy, such as Open Spaces.

01015-Open Space, Linear Parks and Trails, continued:

Open Space, Linear Parks and Trails take the form of trails that will link up with other trail systems throughout the valley, or they can be local trails from one park site to another. Open Space can encompass large areas such as those to be found in the north of the City, or smaller areas, such as

the Kiel Ranch. These sites can also be used as demonstration areas for drought tolerant materials. Linear Parks can take the form of trails next to streets, that are wide enough for bicycle traffic as well as foot traffic.

List of Amenities Common to Open Space and Trails:

- Trail of sufficient width to protect the natural resource and provide maximum use
- Small park sites that provide shelter, rest stops, and water fountains
- Trail signage
- Informational signage
- Benches and sun shades outside of park areas
- Plant signage
- ADA accessibility where feasible, equipment to meet ASTM and CPSC standards

Optional Amenities:

- Special features such as land forms, labyrinths, conversation pits, etc.
- Viewing areas
- Interactive features
- Art work
- Off Street Parking as required

Section 01015.1-Special Use Recreation Facility: Variable in size.

Special Use Recreational Facilities (SURF) is a term used to describe particular sites, to designate miscellaneous public recreation buildings, areas or unique resources (natural, educational, cultural, historical and archaeological), etc. that are generally for a single purpose or activity. May include examples such as Neighborhood Recreation Center, Silver Mesa Recreation Center, Municipal Golf Course, or the unique Desert Demonstration Garden.

Section 01015.2-Multiple Use Facilities*: variable in size

In rapidly growing urban areas, the creative use and identification of open space opportunities is important. In many cases, linear and block flood control facilities can provide opportunities for trails, parks, environmental preserves, and many other recreational uses.

The policy of the Clark County Regional Flood Control District shall be to encourage early planning to identify and take advantage of multiple use opportunities afforded by flood control facilities included on the master plan.

If a master plan facility is to incorporate multiple uses, then the following policy statements must be met:

Section 01015b-Multiple Use Facilities, continued:

1. Public safety and the proper functioning of the drainage facilities are of the highest concern and cannot be compromised by other uses.
2. Flood control facilities must be clearly signed to identify them as areas subject to

flooding, and as areas that should not be used during rainfall or floods. Signs must include a 24-hour emergency telephone number. Signs should be bilingual and pictorial signs should be spaced at all ingress and egress points and not more than one hundred fifty feet (150) apart along or around the perimeter of a flood control facility.

3. The use of benching or tiering to create areas which would not be subject to flooding during more frequent events is encouraged. Consideration must be given to storm water flow across these benched areas to lower lying areas.
4. The use of those portions of detention basins subject to flooding during a 10-year or more frequent event, other than as wildlife habitat, should not be encouraged in any way. This includes locating recreational amenities, the creation of trails/paths, or the use of turf in those areas.
5. In general, passive recreation zones, picnic areas, soccer fields and ball fields may be suitable uses for the lower elevated tiers located above the 10-year pool.
6. Tot lots, play areas and court games should be located in the higher elevated tiers located above the 25-year pool.
7. Parking areas, rest rooms, concession stands, habitable structures, and swimming pools must be located outside of the 100-year pool elevation.
8. The establishment of wetlands, passive vegetation zones, or other desirable habitat will require co-ordination with and approval by appropriate local, State and Federal agencies, as well as the development of a workable habitat management plan that allows for the periodic maintenance of the drainage facilities.
9. Detention basin embankments should have gentle slopes (3:1 or less) on the impoundment area side to allow the public to exit multiple use facilities.
10. Picnic tables, benches, trash receptacles and other amenities located in flood control facilities must be securely fastened in place.
11. Channel bottoms are often subject to unhealthy conditions due to the presence of untreated nuisance flows and the accumulation of litter, as well as to high velocity flows during storms. The use of channel bottoms for recreational uses should be avoided. Channels that have a depth velocity product greater than 6 ($DV > 6$) should not be considered for recreational uses.

Section 01015b-Multiple Use Facilities, continued:

12. Access and maintenance roads along channels may be suitable for pedestrian and biking access. A pedestrian separation device separating the channel from the road

is required. The pedestrian separation device must be designed and installed in a manner that does not impair normal operations and maintenance activities, or emergency response and rescue activities.

13. Facilities, particularly those which are intended to be used for organized recreational activities, must have use-plans developed which clearly state the conditions under which these facilities will be closed to the public, as well as an implementation plan to ensure that the facilities are not being used under those conditions. The development nor the implementation of these use-plans is the responsibility of the Regional Flood Control District. As a condition of the District's acceptance of the use-plan, the entities will indemnify and hold the District harmless from damages resulting from the use of flood control facilities for recreational activities.

*Clark County Flood Control District Hydrological Criteria and Drainage Design Manual, sect. 304.8

Section 01016-Park Themes:

To further define the Park System, there are park themes that can be emphasized to create variety in the recreational offerings and to integrate parks into neighborhoods. There are four initial themes that can be expanded to fit the particular needs of the system. Each theme has a list of potential features or requirements:

- A. Sports Theme: baseball, softball, soccer fields, tennis courts, playgrounds, volleyball courts, frisbee golf courses, themed sports complex, fitness stations.
These in turn will need some of the following features: large parking areas, restrooms, concession areas, bleachers, sports lighting, security lighting, access road, fencing, satellite controlled irrigation systems, score boards, maintenance storage areas, etc.
- B. Family Theme: playgrounds, covered picnic sites with tables and grills, horseshoe pits, bocce courts, shuffleboard, water play features, etc.
These in turn will need some of the following features: shade ramadas, grass play areas, restrooms, etc.
- C. Cultural Theme: amphitheater, statuary or other public art, stages, picturesque settings and landscaping, electricity for sound and presentations, demonstration garden areas, etc. These in turn will need some of the following features: restrooms, meandering pathways, benches, shade shelters, parking, etc.
- D. Special Interest Theme: dog parks, skate board parks, water themes, senior parks, equestrian parks, etc. These in turn will need some of the following: shade shelters, special activity surfaces, specialized trails or pathways, restrooms, parking, etc.

Section 02010-General Site Requirements:

Although there is interest in creating a series of unique and interesting parks, there are also general site requirements that will apply across the board in any park with any theme. Those requirements

are as follows:

- All park site planning shall be approved by the Director of Parks and Recreation (Director)
- Lighted flagpole
- Park name sign (see "Park Signage Specifications")
- Off Street Parking (depending on size and use of park)
- Shaded Picnic Areas-two (2) or more per acre
- Restrooms (depending on size and use of park)
- Site Circulation/walking and jogging paths/exercise stations/park benches
- Drinking fountains
- Site lighting
- Communication telephone/data capabilities
- Landscaping
- Concrete mow curbs
- Automatic irrigation systems
- Playground equipment (depending on size and use of park)

Section 02011-Lighted/Electronic Flag Poles and Park Signage:

Two items that are supposed to be in every park are lighted or electronic flag poles and park name signs.

A. Lighted/Electronic Flag Poles

- Up-lighting of flags is permitted with a limit of two fixtures per flag pole with a combined maximum of 1300 lumens. The fixtures must be shielded such that the point source is not visible outside of a 15-ft. radius.

B. Park signage(identification of park)

- Signs to be solid concrete with a wood grain finish on front and edges. The sign is to be minimum 12' x 1.5' x 7", with two 7.8 mounting holes at either end, 1' from edge and 5" from top and bottom edges. Signs are to be natural or grey concrete unless otherwise specified. Concrete mix shall be a six sack per yard mix of Portland cement, with a non-exposed aggregate size of 3/4" maximum. Concrete is to be reinforced with #4 rebar (or better) grid and supplied with integrated hooks, coil inserts or other integrated elements to facilitate lifting and placement. Rebar grid to be defined by provider for comparison purposes. All formed surfaces and edges to be fully rounded and smooth finished. Signs are to have a graffiti resistant surface applied to all sides.
- Signs are to have the City seal, as provided by staff, embossed approximately 1/2" into the surface of the concrete, set off to sign's own right side, next to lettering. Seal is to be approximately 14" wide by approximately 10" tall. Looking at the sign, the seal

Section 02011-Lighted/Electronic Flag Poles and Park Signage, continued:

is to be set 18" from the left side, and centered top to bottom. Embossed logo to be painted according to sample logo. Sign lettering to be cast-in letters, approximately 1/2" deep, upper and lower case; font to be Helvetica Demi. Letter height to be 3" for "City of North Las Vegas", 5" for name of the park, to be supplied by staff. Space for lettering to be offset from top and bottom edges by 3-1/2" and centered between logo and right hand support.

C. Informational Signs

Signs to be on light weight aluminum, with reflective coating. Legend, any symbols, color schemes and so forth, are to be provided by the Parks and Recreation Department. Multilingual signage to be provided as required.

Section 02012-Off Street Parking:

- Parking shall be at a ratio of fifty (50) spaces per sports field.
- Handicapped parking will be provided at the rate of 1 to 25 parking spaces, with no less than one space and no less than one van accessible parking space.
- Parking Dimensions. The following shall be the minimum parking space dimensions:

Angle	Width ¹			Length ²			Aisle Width ³
	Standard	Handicapped	Compact ⁵	Standard	Handicapped	Compact ⁵	
90 degrees	9 feet	13 feet	8 feet	18 feet	18 feet	16 feet	24 feet
60 degrees	9 feet	13 feet	8 feet	18 feet	18 feet	16 feet	20 feet
45 degrees	9 feet	13 feet	8 feet	18 feet	18 feet	16 feet	15 feet ⁴

¹ As measured by a line perpendicular to the stall line at a point on the outside end of the stall, except when the stall is on the inside edge of a curve, in which case the point of measurement

shall be on the inside end of the stall.

² As measured from required curb on the inside edge of the stall. Stall length variations are subject to approval by the planning commission.

Section 02012-Off Street Parking, continued:

³ For 90° parking, aisles are two-way; for 60° and 45° parking, aisles are one-way.

⁴ Except where needed as a fire lane in which case a 20-foot minimum is required.

⁵ Unless otherwise approved all parking spaces shall be of standard width, but in no case shall

compact spaces exceed 15% of the total required spaces.

• **Surfacing.** All areas intended to be utilized for parking space and driveways shall be paved with concrete or asphaltic concrete to control dust and drainage. All proposed parking areas and driveway improvements shall require a grading and drainage plan approved in accordance with provision of the Drainage Control Uniform Regulation

• **Section Design.** Parking lot section design shall be determined by a soil report conducted by a registered professional engineer. The soil report shall be based on soil analysis such as R values or CBR values determined by soil testing. The report shall be submitted to the building and safety department for their approval. Under no circumstances shall a parking lot section fail to meet the following minimum standards: At least one and one-half inches of pavement over at least four inches of aggregate base.

• **Striping.** All parking stalls shall be marked with painted lines not less than four inches wide.

• **Lighting.** Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjoining property, abutting residential uses and public rights-of-way and be in compliance with title 17.24.200 of the Municipal Code.

• All other parking lot matters such as curbing and landscaping, shall be referred to Municipal Code 17.24.200

Section 02013-Shaded Picnic Areas:

Number and size to be determined by use of park, colors, sizes and shapes to be approved by Director. Shaded picnic shelters shall be provided at the minimum rate of two (2) per acre. In addition, a minimum of one group shelter shall be provided at each playground area. Shelters may be either single unit with or without built in picnic table, or larger. Shelters are to be metal unless an alternative is negotiated with the Director of Parks and Recreation.

A. Metal Shelters:

- All shelters to have structural steel columns and frames, minimum .120 wall thickness, ASTM A500 grade B, columns and frames to be prime painted. "T" beams, tapered columns, open channels, or wood products shall not be accepted.
- Roofs to be minimum 24 gauge steel with standing seam, painted with 20-year

Section 02013-Shaded Picnic Areas, continued:

warranted paint on top and bottom, 24 gauge fascia trim to match roof. Ribs shall be minimum 1-3/16" high, 12" O.C. Panels shall be minimum 3 feet wide and angles shall be factory cut. Ribs shall run with the pitch of the roof for proper drainage. Colors shall be selected by City from manufacturer's color chart.

- Compression ring: structural channel or welded plate minimum ASTM A36.
- Fasteners: ASTM A325 structural bolts, ASTM A307 anchor bolts, self tapping screws, rivets.
- Engineering Calculations Design Loads: (per current applicable building code) 30 pounds per s.f. snow load, 100 mph wind speed, seismic zone 4. All calculations shall be supplied by provider and stamped by engineer licensed to practice in the State of Nevada. Submit 3 sets shop drawings, stamped by a Nevada Structural Engineer, for group ramada roof system and single ramadas (paid for by Contractor).
- Design Method: per current applicable building code. The pre-engineered package shall be shipped as a pre-cut and pre-fabricated package that shall include the structural frame members, roof materials, fasteners, trim and installation instructions. Structure shall be shipped in knocked down for minimum shipping charges.
- Field labor will be kept to a minimum by pre-manufactured parts. No onsite welding is to be required
- Connection bolts shall be concealed within the tubing where possible. All base plates, stiffener plates, U-clips, and end plates shall be factory welded into place and bolt connection holes shall be factory cut.
- Single unit picnic shelters shall be free standing on a concrete pad, either with or without picnic table attached to columns. Concrete pad to accommodate grill and trash receptacle. Where appropriate, table should be ADA accessible, concrete path leading to shelter, and shelter to be marked with accessibility sign.
- Larger unit picnic shelters shall be mounted on a concrete pad and shall accommodate two or more picnic tables and at least one grill and one trash receptacle. A minimum of one table to be ADA accessible, with appropriate signage.

B. Membrane Shelters

- To be manufactured to highest standards and certified by qualified Structural Engineer. All calculations shall be supplied by provider and stamped by engineer licensed to practice in the State of Nevada. Submit 3 sets shop drawings, stamped by a Nevada Structural Engineer, paid for by Supplier.
- Product stability to be insured by use of corrosion resistant metals and coatings, such as powder-coating on all steel parts. All painted surfaces to be protected with anti-graffiti coating. Fabrics shall include UV-stabilizers for longevity and safety.
- All welded parts to be factory-welded to American Welding Society specifications. The structure shall be shipped in knocked down for minimum shipping charges.

Field labor will be kept to a minimum by pre-manufactured parts. No onsite welding is to be required.

• All tubing used shall be cold-formed and milled per ASTM A-135 and ASTM A-500

Section 02013-Shaded Picnic Areas, continued:

minimum. Minimum yield shall be 50,000 psi, with a minimum tensile strength of 55,000 psi on all posts. All fastening hardware shall be stainless steel.

• Where applicable, all powder-coated parts are to be completely cleaned and a hot zinc phosphate pretreatment with non-chromatic sealer to be applied. Powder-coating to be electrostatically applied and oven cured at 375 to 425 degrees Fahrenheit. Polyester powders shall meet or exceed ASTM standards for Adhesion, Hardness, Impact, Flexibility, Overbake Resistance, and Salt Spray Resistance. Colors to be specified by Director of Parks and Recreation.

• Footings shall be designed per most stringent building codes for the specific structure.

• Columns will be provided as standard direct embedment or optional surface mount, details to be provided by supplier.

• Manufacturer to provide warranties for posts and other supporting framework, fabric, and cables, moving parts, or any other product or part not covered in this description, due to deterioration or workmanship.

C. Planting Shelter:

• In some cases, it may be desirable to use trees and shrubbery to shelter a picnic site, rather than a structure. When this is recommended, site plans must reflect direction of sun, prevailing wind patterns, and a list of plants that will be used to shelter the site. All such plans must be approved by the Director of Parks and Recreation.

Section 02014-Restrooms:

The addition of a restroom depends on the size and the purpose or use of the park. The size and purpose of the park will also determine the size of the restroom to be installed. Temporary restrooms shall only be permitted either as a temporary measure or in those locations without utility services. This will also determine if there will be a maintenance bay attached to the restroom building. The decision to install a restroom, portable or otherwise, will rest with the Director.

- A. Mini-Parks and Tot Lots do not need restrooms, especially if there is no apparent parking or special attraction.
- B. Neighborhood Parks need to be looked at on an individual basis. Generally, any park of less than 5 acres should not have restroom facilities. Those of 5 acres or more should be seriously considered to have either a portable or permanent restrooms, with direct involvement from the neighborhoods they serve. Portable restrooms have a limited use time before they have to be removed or hooked up to a permanent system.
- C. Community Parks should have a restroom facility, either a permanent structure or portable restrooms. See above note on portable restrooms.
- D. Regional Parks should have permanent restrooms.

- E. All special use parks, such as the Sports Complex, the Radio Controlled Model Flying Field, etc. should have restrooms if possible. Any park that is likely to attract visitors from outside the neighborhood, or any size park that is in a remote location, should have a restroom designed according to its needs.

Section 02015-Site Circulation/Walking, Jogging Paths/Exercise Stations/Park Benches:

Each park will require access to the site and circulation between points of interest. Pathways may be used for walking or jogging, depending on their design. All paths are to be lighted with either bollards or overhead lighting, depending on the location and design of the park. Path/trail lighting is to be a minimum of 0.2 footcandle across the walk. Exercise stations may be set at intervals along the pathway, as well as benches. All pathways are to be ADA accessible.

Section 02015.1-Site Circulation:

Site circulation should include a system of safe and attractive bicycle paths, footpaths, and/or sidewalks, with special attention to connection for residents to facilities, recreation areas, and other points of interest. From a parks and recreation stand point, site circulation does not include paseos and other passageways whose primary purpose is to provide access to homes or parking areas.

Section 02015.2-Walking and Jogging Paths:

Walking and jogging paths are to be concrete unless otherwise approved by the Director of Parks and Recreation. Concrete paths shall have a light broom finish to prevent slipping. A ten-foot wide path can accommodate a diverse group of users. This path width would also allow enough room for two bikes pulling child trailers to pass each other safely.

There is to be a 2' minimum clearing width adjacent to both sides of all bike paths from any vertical object, except where water or utility maintenance access is needed. Variances may be given from this minimum clear zone. An additional vertical clear zone of 7 feet for foot trails, 8 feet for biking trails, and 10 feet for equestrian trails, is also needed.

Section 02015.3-Exercise Stations:

Exercise stations are to be installed according to manufacturer's specifications. Any structure that will be used by children, must have fall protection to ASTM standards. Fitness equipment intended for users over the age of 12 will be exempt from ASTM fall protection standards (ASTM Handbook, Designation F 1487-01).

Section 02015.4-Park Benches:

Park benches are to be placed on concrete pads with space and access to provide ADA accessibility. Benches may be in-ground or surface mounted, depending on site conditions. Concrete pads are to be arranged for minimum interference in grass mowing and irrigation systems. Concrete benches are preferred over plastic coated expanded metal benches. Quick-Crete benches with skate stops, or an equivalent product, are the standard for park use.

Section 02015.5-Trash Receptacles:

Trash receptacles are to be ultra violet stabilized vinyl coated expanded steel mesh. Use Webcoat

TR-32 with Dome cover, or an equivalent product. If a solid product is used, such as a concrete receptacle, there must be clean-out holes in bottom of container.

Section 02016-Playgrounds:

All playground equipment and installations shall comply with requirements of ASTM Standard Consumer Safety Specifications for Playground Equipment for Public Use, June 10, 2001 edition or later. Playground equipment should be organized into separate areas, based on activity levels and age groups, e.g. active, physical activities should be separated from passive or quiet activities; major age grouping (2-5 years, 5-12 years), with playground equipment for younger children being in a separate areas from the older child play areas. All playgrounds are to be ADA accessible, with equipment suitable for handicapped children.

Section 02016.1-Fall Zones:

Fall zones are the safety areas around play equipment, where a child may fall through use or mis-use of the equipment. Fall zones may be established through consultation with equipment suppliers. Fall heights (Critical Height) of equipment will determine the amount or depth of surfacing materials to be used around equipment (Critical Height Value). The surfacing material used under and around

a particular piece of playground equipment should have a Critical Height value of at least the height of the highest designated play surface on the equipment; this height is the fall height for the equipment.

Section 02016.2-Safety Surfaces:

Acceptable playground safety surfaces are available in two basic types, unitary or loose-fill. The City of North Las Vegas requires safety surfaces to be of the unitary type. All materials used must conform to ASTM standards for playground use.

Section 02016.2a- Rubber Playground Surfacing (Unitary System)

Rubber surfacing shall consist of a poured-in-place polyurethane resin-based post consumer recycled rubber shred material derived from recycled tires or a thermo-plastic rubber system. Provide a non-flammable, non-shrinking, one part moisture cured polyurethane adhesive as recommended by the manufacturer and capable of bonding to concrete or asphalt. Thermo-plastic rubber systems will require aliphatic urethane binder.

Section 02016.2b-Performance Requirements:

A. Area Safety: Safety surfacing within playground equipment use zones shall meet or exceed the performance requirements of CPSC, ASTM F 1292-99 and CSA Z614- 98 that a surface yield both a peak deceleration of no more than 200 g's and a Head Injury Criteria {HI C} value of no more than 1,000 for a head-first fall from the highest accessible portion of play equipment being installed as shown on drawings.

B. Manufactured Safety Surface: For surfaces manufactured for the purpose of playground safety surface, the impact attenuation performance shall be documented by a certificate of compliance.

C. Accessibility: NOTE: Children's outdoor play areas shall be in compliance with the Uniform Federal Accessibility Standards (UFAS) FED-STD-795 and the Architectural and Engineer Instructions (9AEI) Design Criteria. The requirements of the Americans with

Section 02016.2b-Performance Requirements, continued:

Disabilities Act Accessibility Guidelines (9ADAAG) 28 DFR Part 36 that provide equal or greater accessibility than the requirements of UFAS must also be met in children's outdoor play areas.

Safety surfaces intended to serve as accessible paths of travel for persons with

disabilities shall be stable and slip resistant, and shall meet the requirements of FED-STD-795, 28 CFR Part 36, ASTM F 1487, ASTM F 1292-99 and CSA Z614-98.

D. Submittals: The following shall be submitted:

1. Manufacturer's descriptive data and installation instructions, including cleaning and preventative maintenance instructions.

2. Drawings showing shop details of the safety surfacing system, including depths of Safety material, sub-base materials, anchoring systems and edge details.

3. A list of all materials and components to be installed as part of the system, by weight, and/or volume and recommended coverage, including manufacturers name, shipment date, storage requirements, and precautions, and shall state chemical composition and test results to which material has been subjected in compliance with these specifications.

4. A listing of at least five installations where products similar to those proposed for use have been installed and have been in successful service for a minimum period of three years. This list shall include owner or purchaser, address of installation, service or maintenance organization, date of installation, contact person, and phone number. Alternative, provide an AM's Best Surety Rating, A level.

5. Statement signed by an official authorized to certify on behalf of the manufacturer of the synthetic safety surfacing attesting that the surfacing meets the requirements of ASTM F 1292-99 for a head-first fall from the highest accessible portion of specified playground equipment.

6. Statement signed by the Manufacturer of the synthetic safety surfacing attesting that all materials under this section shall be installed by the Manufacturer's employees and that playground surfacing installation shall not be performed by anyone other than the Manufacturer. Manufacturer shall provide, upon request, payroll records from previous installations to document compliance.

7. A certificate of Insurance shall be provided by manufacturers of synthetic safety surfacing for use as playground safety surfacing, covering both general and product liability, of not less than \$5,000,000. The issuing underwrite shall be AA rated.

8. Sample of safety surface, minimum of 6 inches x 6 inches (150 mm x 150 mm) proposed for this project.

E. Delivery, Storage and Handling: Materials and equipment shall be delivered and stored in accordance with the manufacturer's recommendations.

F. Project Site Conditions: Synthetic safety surfacing shall be installed on a dry

Section 02016.2b-Performance Requirements, continued:

subsurface, with no prospect of rain within the initial drying period, at temperatures recommended by the manufacturer.

G. Sequencing and Scheduling: Safety surfacing shall be installed after the playground equipment is installed. Surface installation shall be coordinated by designated individual playground sub-equipment and sub-base installation.

H. Warranty: Surfacing shall maintain required impact attenuation characteristics and be guaranteed against defects in workmanship or material for a period of two years.

Section 02016.2c-Products

Safety surfacing shall consist of synthetic safety surfacing meeting requirements of this specification. The type of safety surfacing shall be Tot Turf, Pebble-Flex, or equivalent products.

Section 02016.2d-Base (EPDM)

A. Safety Surface: Safety surfacing shall consist of an impact attenuating substrate and wear surface bonded to produce unified system. It shall consist of a uniform material manufactured in such a way that the top portion meets the requirements specified herein for wear surface.

B. The type of safety surfacing shall be a poured-in-place system and shall be indicated on the drawings.

C. Impact Attenuating Cushion Layer: Substrate shall consist of shredded styrene butadiene rubber (SBR) adhered with a 100 percent solids polyurethane binder to form a resilient porous material. Strands of SBR may vary from 0.5 mm - 2.0 mm in thickness by 3.0 mm - 20 mm in length. Foam or granular rubber is not be permitted in substrate. The substrate shall be compatible with the wearing surface and shall meet requirements herein for impact attenuation.

D. Binder shall be not less than 14 percent, nor more than 16 percent, of the total weight of rubber, and shall provide 100 percent coating of the particles.

Section 02016.2e- EPDM Performance Requirements:

A. Wear Surface: Wear surface shall consist of ethylene propylene diene monomer (EPDM) particles adhered With polyurethane binder formulated to produce an even, uniform surface.

B. EPDM particles shall meet requirements of ASTM D 412 and CSA Z614-98 for

strength and elongation and ASTM D 2240 (Shore A) hardness of 50-70, not less than 25 percent rubber hydrocarbons. EPDM shall be peroxide cured with an EPDM content of 26 percent and shall include a processing aid to prevent hardness.

C. Size of rubber particles shall be not less than 1.00 mm, nor greater than 3.0 mm across. Binder shall be not less than 20 percent of total weight of rubber used in the wear surface, and shall provide 100 percent coating of the particles.

D. Thickness of wear surface shall be a minimum 1/2 inch (2.5 mm). The wear surface shall be porous.

Section 02016.2f-Binder:

A. Binder: Binder for safety surfacing shall be 88-M-41, which is specifically designed for use with rubber granule material for outdoor installations. 88-M-41 is a single component polyurethane prepolymer formulated using a polymeric foam of Diphenylmethane 4, 4' Diisocyanate (MDI). No toluene diphenyl isocyanate (TDI) shall be used.

B. No filler materials shall be used in urethane such as plasticizers and the catalyzing agent shall contain no heavy metals.

Section 02016.2g-Installation:

A. Safety Surface System: Components of the safety surface system shall be mixed on site in a rotating tumbler to ensure components are thoroughly mixed and are in accordance with manufactures recommendations. Installation of surfacing shall be seamless and completely bonded to subsurface. Material shall cover all foundations and fill around all elements penetrating the surface.

B. Substrate: Whenever practical, substrate layer of surfacing material shall be installed in one continuous pour on the same day. When a second pour is required, fully coat the edge of the previous work with polyurethane binder to ensure 100 percent bond with new work. Apply adhesive in small quantities so that new substrate can be placed before the adhesive dries.

C. Wear Surface: Wearing surface must be of high quality peroxide cured EPDM rubber provided by either BRG or RTH. Wearing surface shall be bonded to substrate. Apply adhesive to substrate in small quantities so that wearing surface can be applied before adhesive dries. Surface shall be hand troweled to a smooth, even finish. Except where wearing surface is composed of differing color patterns, pour shall be continuous and seamless. Where seams are required due to color change, adjacent color shall be placed as soon as possible, before initial pour has cured. The edge of initial pour shall be coated with adhesive and wearing surface mixture shall be immediately applied.

D. Perimeter: Concrete/asphalt perimeter must be saw cut to size indicated on plans, or formed during pour, with surfacing rolled down in void. Adhesive must be used in the void.

E. Thickness: Construction methods, such as use of measured screeds 1 1/16 inch (1.0 mm) thicker than the required surfacing depth, shall be employed to ensure that full depth of specified surfacing material is installed. Surfacing system thickness throughout the playground equipment use zone shall be as required to meet the impact attenuation

requirements specified herein.

F. Clean up: Do not allow adhesive on adjacent surface. Immediately clean up spills of excess Adhesive.

G. Protection: The synthetic safety surface shall be allowed to fully cure in accordance with Manufacturer's instructions. The surface shall be protected by the owner from all traffic during the curing period of 48 hours or as instructed by the manufacturer.

H. Manufacturer's Services: For safety surfacing, service of the manufacturer's representative who is experienced in installation of playground safety surface shall be provided. The representative shall supervise the installation to ensure that the safety surfacing meets the impact attenuation requirements as per ASTM standards.

Section 02016.3-Equipment Installation:

All playground equipment shall be installed by a reputable contractor licensed and trained to install such equipment. All equipment is to be installed according to manufacturer's specifications. All attachments are to be complete and secure, without protrusions or undesigned looseness. All pinch points and possible choke locations are to be corrected or removed. Prior to final acceptance, all playground equipment is to be inspected for installation and problem areas by trained personnel.

Section 02016.4-Swings, Spring Animals, Moving Equipment:

Swings should be restricted in use to prevent accidents. Tire swings are preferable to standard back-and-forth swings. Swings are not to be connected to other pieces of play equipment. A fall zone must be established around a swing, with appropriate safety surface.

Spring animals/riding units are to have a fall zone established, with appropriate safety surface. The unit is to be examined for proper installation and for pinch points.

Moving equipment is to be geared or mechanically controlled so that the possibility of children being thrown off or hit by the equipment is minimized.

Section 02017-Sports Fields/Courts:

Sports fields and courts include baseball/softball fields, soccer/football fields, tennis courts, bocce, shuffleboard, horseshoe courts, and other activity areas apart from running or jogging courses. The fields/courts may be lighted or unlighted, depending on the level, location, and form of activity. Lighting for various sports fields will be dictated by industry standards for that particular activity.

A. Siting: All sports fields/courts shall be sited for maximum convenience of the owner and users. Proximity to other structures, natural features, and nearby housing that may limit the use of a field are some of the concerns that must be considered in the siting of a sport field/court.

B. Set Backs and Buffers: All sports fields/courts shall have a minimum set back from streets and property lines. The final distances shall be dictated by the sport and the space available. Trees and shrubs shall be used to as buffers between fields/courts and nearby buildings or houses.

C. Orientation: Whenever possible, fields/courts shall be oriented with consideration for sun and other factors that might affect play. For example, whenever possible, a baseball/softball field should avoid a southwest orientation.

Section 02017.1-Baseball/Softball Fields:

Baseball and softball fields are to be constructed according to the needs of the game. Infields may be grassed or skinned; and the base paths and outfield fences are to be set according to the level of play. Play may be from youth baseball and softball, to adult softball. The dimensions of the field will be dictated by the level of play expected on the field. Dedicated fields will be used for baseball, and will have grassed infields.

- A. Backstops: Hooded backstops are to be provided in all ballfields. Backstops are to be off-set 25' behind home plate; a 16' 7" section of 20' high fence is to be centered behind home plate, with a 32' extension on either side. A 10' high fence is to extend from the 20' portion, across the dugout area, for another 48', and a 6' fence is to extend from that point to the outfield fence. The fence is to have gates for entry of maintenance vehicles, and single fences to allow foot traffic.
- B. Infields: Fields dedicated to baseball shall have grassed infields, grass to be hybrid Bermuda. Non-dedicated and multi-purpose fields are to have skinned infields, with 2mm minus decomposed granite, Valentine Red, as provided by Kalamazoo Materials. Skinned infields shall have a system to dampen down the decomposed granite between games. The system shall utilize 3-valves, activated by push buttons. The first valve controls three heads behind home plate; the second valve controls one head behind the pitchers rubber, while the third valve controls an arc of heads around the outside edge of the infield. The control buttons are on timers.

Section 02017.1-Baseball/Softball Fields, Backstops, continued:

- C. Bases, Base paths & Warning Tracks: Hollywood bases shall be the standard for use on all fields. Base paths for Slow Pitch Softball shall be 65', Fast Pitch shall be 60', Youth Baseball shall be 60', Adult and older Little League shall be 90'. Base paths and warning tracks, where used, shall be 2mm minus decomposed granite, Valentine Red.
- D. Lighting: Fields to be lighted with Musco TLC or equal, controller to be Rain Bird 12 station ESP-SAT w/ccu and telephone line. Lighting to be designed either by Musco representative or lighting consultant.

Section 02017.2-Tennis Courts:

Tennis courts to be installed with no less than two courts per location. Courts are to have 6 inch (6") post tension concrete, using an IQAC approved type V mix, with tennis court surfacing and lining. 10' perimeter fencing with 6' windscreen, lighting with timer and warning device, and 4' double gate access for light maintenance, if needed. Nets to be commercially made chain link material with heavy canvas headband. Windscreens to be polyethylene with heavy duty reinforced hems, UV stabilized, with a shade factor of at least 73%.

Section 02017.5-Basketball Courts:

Basketball courts to be either half court or full court with side baskets. Court to have 6 inch (6") post tension concrete, with no less than two courts per location. Courts are to have 6 inch (6") post tension concrete, using an IQAC approved type V mix, with basketball court surfacing and lining. Lighting to have timer and warning device, with access for lighting maintenance. Goals are to have 5-1/2 in. O.D. posts with heavy duty steel fan backboards and heavy duty rims.

Section 02017.6-Volleyball Courts:

Volleyball courts are to have concrete curbs for sand containment, bunker sand for play surface, sprinkler system on timer to provide cooling and dampening of sand. Sand shall be PGA grade bunker sand. Sprinkler system shall be Rainbird 640 heads installed inside volleyball standards. Pushbutton timer shall be on a 10 minute demand with a 15 minute delay switch to prevent repeated usage.

Section 02018-Swimming Pools:

Municipal swimming pools have to be designed to fulfill several roles: a place for swimming lessons, recreational swimming for all ages, a place for competitive swim meets. Pools are to be 25 yards minimum in length by 8 swimming lanes wide, if pool is to be used for competitive purposes; the lanes are to be narrow tiled, 8' wide race lanes. Each pool must have a structure for restrooms/showers, office space and storage space. Pools are to have exit rails with wall steps. If

the pool is to be used for diving, it is to have a dive tank 10' minimum depth, with a one-meter Durafirm diving board, or an equivalent product. Wind-A-Line storage reels, and wake mitigating racing lines are to be provided. Use Paragon starting blocks or equivalent product, only if pool is minimum 5' deep.

Section 02018.1-Deck Equipment:

Decks are to have deck drains and to be cool decking, not coating. All pools shall be provided with KDI Paragon portable guard stands or equivalent product, line storage reels with racing lines, Durafirm diving board stands or equivalent product, a portable deck vacuum system and a full pool cover.

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Section 02018.2-Water Treatment Equipment:

All pools are to be equipped with Strantrol system 6 controller with voice modem and auto backwash. Sensor probes are to have automated probe rinse system. The filtration system is to be US Filter System, automatic operating, or equivalent product. Chemical system is to have Stenner Chemical Pump m85 for chlorine, and m45 for acid, or equivalent product, along with bulk storage tanks for chlorine and chemical spill containment pallet. Where carbon dioxide system is used, equipment is to be Eko3 System PH-MTS carbon dioxide feed system, or equivalent product, with 650 lb. Co2 stainless steel tanks. Water recycling to be industry standard, with a Clay valve auto fill valve or equivalent product, using skimmers, not scum gutters. Storage area to contain surge pit and gas heater to fit size of pool. Area to be large enough for miscellaneous pool equipment, vacuum poles and heads, hoses, and reels for hoses.

Section 02019-Golf Courses:

Golf courses fall into three broad categories: Par 3 (Pitch and Putt), Executive, and Tournament. The area dedicated to each category is approximately 12 to 20 acres for a Par-3 course, 60 to 75 acres for an Executive course, and a minimum of 115 acres for a Tournament Play course.

Section 02019.1-Greens and Fairways:

(Technical details from Saddlebrooke Golf Standards)

Greens, fairways and aprons to be hybrid Bermuda, with an over-seeding of Rye grass during winters. Roughs may be either standard Bermuda or desert landscaping. Greens will be verticut on a monthly basis during the growing season and occasionally during the winter season. Greens will be fertilized as needed withing budget constraints. Organic forms of fertilizer shall be used whenever possible.

Chemicals, herbicides, fungicides, and insecticides will be applied under manufacturer's specifications by a certified spray technician. Non-pest chemicals are budgeted to improve pH and the visual appearance of the course. They include iron, wetting agents, humates, etc.

Section 02020-Recreation Light Standards:

This section deals with parks lighting issues, as well as parking lots and trails.

Section 02020.1- Areas of Concerns:

1. Light levels (illumination levels expressed as horizontal or vertical foot candles)
2. Light trespass

3. Light time usage/availability
4. Off-sight visibility/Glare

Section 02020.2-Types of Park Lighting:

1. Sports/Activity Areas
2. Walks/Trails
3. Park, Parking Lots, & Security

Section 02020.3-Definitions:

1. Foot candles (fc): a measure of the intensity of light (illuminance) falling on a surface, equal to one lumen per square foot. (Full moonlight is about a tenth of a footcandle, the average industrial stairway is five footcandles.)
2. Glare:
 - A. Direct: caused by light coming directly to the eye from the light source. (Direct Glare should not be observable outside the originating property at an angle greater than 85 degrees from the light source)
 - B. Indirect: light reflected from a surface to the eye, e.g. light reflected from a wall (Indirect Glare should be mitigated by louvers or masks to shield light source in field of view)
3. Lamp: a device that generates light, may be incandescent, fluorescent, etc.
4. Illumination levels: the amount of light necessary for a particular sport or task~ measured as either horizontal foot candle (hfc) or vertical foot candle (vfc).
5. Light fixture: the complete unit, including lamp, reflector, housing, connection to power source, etc.
6. Light trespass: light spill beyond the target area, expressed in horizontal foot candles (hfc)
7. Louver: any type of "screen", translucent to opaque, that limits lamps from being observed with a given angle. For this discussion, down-lighting and shielded lighting, which both restrict light trespass and focus light where needed, may be considered in the same definition.
8. Luminance: the amount of light reflected from a surface

Section 02020.5-Lighting Levels:

There are so many types of sports fields, sports lighting, and pole height to fixture ratios, that it is difficult to regulate outdoor lighting in a manner that is perfect for all applications and locations. In many cases, the lighting level is not critical if the light is at least minimal, such as in parking lots and walking trails. But in the case of sports fields/courts, the need for consistent lighting requires that systems be designed for a particular site by an engineer trained in lighting.

1. Sports/Activity Area Lighting: Sports lighting shall be designed by a lighting professional trained in sports field lighting and stamped by a Nevada Structural Engineer as may be required. There should be no shadows, glare, or irregular bright patches on the playing field. All light poles are to be located outside the playing area, but as close to the field as possible. Lighting levels shall be determined by sport, by use of field (single purpose, multipurpose, single field, multi-field complex, etc.), and by location, including proximity to residential areas, schools, roadways, etc. All playing field/court lighting plans shall be approved by the Director of Parks and Recreation prior to construction.

General Levels: While there are many factors involved in sports lighting, there are some general light levels that may be considered applicable to recreation level sports activities:

Basketball: 20-30 vfc

Softball/baseball: 10-15 vfc

Soccer: 20 vfc

Tennis: 20-30 vfc

2. Walks/Trails: Illumination is to be a minimum of 0.2 fc measured 1.3 meters above surface, in both longitudinal directions parallel to the walk. The lighting may be bollards with protective grill over lens and lamp or overhead lighting with house side shields where lights are near residences. Product should be similar to LSI bollard BVRF-EL-70-MH-CP-MT-BLK or an equivalent product. Overhead lighting to be JJ Lighting Group HB-20-2-MH-400-240-DBZ-TZ, or an equivalent product, on a 20' pole.

Section 02020.5-Lighting Levels, continued:

Note: Horizontal Foot Candle illumination is to be a maximum of 0.5 hfc at 25 feet from the property line, with no light output emitted above 90 degrees at any lateral angle around the fixture. Design to take into consideration mature trees and other obstructions.

3. Park, Parking Lots, & Security: Parking lot lighting may vary from 2.4 hfc under the light source, to 0.6 hfc, depending on the activity level and/or the size of the parking lot. Lighting to be JJ Lighting Group HB-20-2-MH-400-240-DBZ-TZ, or an equivalent product, on a 20' pole.

Note: Horizontal Foot Candle illumination is to be a maximum of 0.5 hfc at 25 feet from the property line, with no light output emitted above 90 degrees at any lateral angle around the fixture. Design to take into consideration mature trees and other obstructions.

Section 02020.6-Light Trespass:

Increased interest in lighting exterior areas will lead to more frequent light trespass, especially with the uses generated by parks and sports area lighting associated with them. Many areas have sufficient play fields to accommodate the increasing demand if it occurred in the middle of the day. Because the demand is for evening play, many parks are not used because they do not have lighting. In some cases the lack of lighted fields is a result of community resistance to lights more than the costs associated with their development.

Any recommendations should include provisions for the governing body to grant exceptions. Any approach to use of lighting and regulation of illumination should be made carefully, with full regard to the recommendations of the Illuminating Engineering Society of North America (IESNA).

1. All playing field/court lighting shall use full cut-off or Directionally Shielded lighting fixtures, aimed toward the playing field/court and shielded in directions away from the playing field/court so as to minimize glare and light trespass onto adjacent properties. Direct Glare should not be observable outside the originating property at an angle greater than 85 degrees from the nadir of the vertical axis of the light source. Sports field lighting shall not be used for security purposes.
2. Walks/trails: All outdoor security lighting fixtures other than sports or parking lot lights, shall be shielded so that the edge of the shield shall be level with or below the light source, so that direct light emitted above the horizontal plane is not seen. Non-sports or parking lot lighting fixtures shall be fitted with louvers or screens to prevent direct glare from the fixtures.
3. Park, Parking Lots, & Security: Parking lots that are near residences should use house side shields to prevent unnecessary light trespass. Security lights may need a type of "screen", translucent to opaque, to limit lamps from being observed within a given angle.

Section 02020.7-Light Time Usage/Availability:

Lighting may be required in public parks but when provided in private parks, may be to the discretion of developer or the HOA, except where required by PUD Developed Open Space needs. Lighting required in Developed Open Space shall conform to City Standards. Times that lighting is available shall be in accordance with City Policy.

1. Sports/Activity Areas: All playing field/court lighting shall have a timer and warning device, or where practical, shall have a computer connection for remote control and shall have access for light maintenance. Use of outdoor playing field/court lighting shall not be permitted between the hours of 11 :00 PM and 7:00 AM, unless other hours specifically approved by Director of Parks and Recreation.

Section 02020.7-Light Time Usage/Availability, continued:

2. Walks/Trails: Lighting to be available from dusk to dawn, and controlled by either photocell or timer
3. Park, Parking Lots, & Security: Parking and security lighting shall be available from dusk until dawn and controlled by photocell units. Lighting for structures such as picnic gazebos and playground units shall be controlled by photocell and timer or by push button demand and timer. Lights are to have shut-off warning devices.

Section 02020.8-Other Considerations:

Along with the usages and needs of Parks and Recreation lighting, there are other considerations that must be taken into account. Nearby residents, locations and availability, and the need for the facility are some of those considerations.

1. Residents: Before a public sport field is lighted, or built, residents near a proposed field need to be included in the planning process to address concerns. Planning should include, wherever possible, that homes should face into the park, rather than having the park surrounded by a fence. Residents near PUD parks are to be notified of the park's existence and any lighting issues as a condition of sales.
2. Location: Location will be dictated by several factors, some of which are land availability, nearness of other supporting/conflicting entities, and space available.
3. Land availability: land that is available for acquisition or is suitable for no other purposes than for a sports field. A site might also be dictated by Municipal Code Developed Open Space requirements for PUD development.
4. Space available: all playing fields/courts shall be built to accepted maximum or minimum dimensions. Dimensions may not change, however, perimeter areas may be added to any play area. The City of Fairfax, Virginia recommends that the following perimeter areas for sports fields:
 - Baseball/Softball fields: thirty feet in a direction perpendicular to the foul line and away from the fields. Ballfields are to be set 100' away from buildings and 40' from curbs, and will need spectator seating areas. Light spill is to be confined in these areas. Ballfields will typically take a minimum of 2 acres per field.
 - Rectangular fields such as soccer/football: twenty feet from the side lines and thirty feet from the end lines. Soccer fields and other rectangular fields are to be set 100' from nearest buildings and 40' from curb. A full sized field will be 225' x 360', with additional area set aside for spectators and teams. Light spill is to be confined in these areas.
 - All other playing fields/courts: ten feet beyond the playing field/court boundaries

5. Need: The level of service for future recreation fields/courts will be established through the City of North Las Vegas Parks and Recreation Master Plan. The need will be met by providing fields/courts on public parkland as well as developed open spaces within PUD's. Conditions also effecting the decision to require fields or courts may include, but are not limited to, existing or planned fields/courts at public schools located adjacent to the new development.

Section 02020.8a-Other Considerations: Private Parks

Any lighted fields/courts built in Small Lot PUD's will be located in the larger central park required by the Small Lot Ordinance. This placement should provide adequate mitigation for sound and lighting to adjacent property. Where lighted fields/courts are established in non-Small Lot PUD's, they are to be sited on Developed Open Space parcels no smaller than the smallest central park calculated for Small Lot PUD's. (3.74 acres).

Small lot PUDs are defined as developments with 80 or more acres, with residential lots of less than 4,500 s.f. , and with an overall density of 5.8 units per acre. 50% of the required Developed Open Space must be in one park site, the smallest site acceptable would be a minimum of 3.74 acres.*

Section 02020.8b-Other Considerations: Field Needs

Although a 3.74 acre Developed Open Space appears to have enough for one softball field (2.0 ac.) or one full sized soccer field (2.1 ac.), the park should probably be closer to a full 4 acres, due to required setbacks from curbs and buildings. Of course, not all Developed Open Space will be the optimal shape, and so, in some cases, even a 4 acre site may not be suitable for a soccer or a softball field.

*80 acres is the minimum size eligible for Small Lot PUD classification. The standard for deriving Developed Open Space is based on six acres per thousand residents, with each residence being calculated at 3.25 persons per unit. 83% of the six acres is to be used for parkland or Developed Open Space, with 50% of that acreage being located in one park. Example: 80 acres x 5.8 Dwelling Units per Acre (DUA) = 464 units in the development. 464 x 3.25 = 1,508 residents. 1.5 x 6 acres = 9 acres of Developed Open Space, 9 x 83% = 7.47 acres for parkland, 3.74 acres of which must be located in one park.

The formula for calculating Developed Open Space for non-Small Lot PUDs is Density (DUA) x 1.65 = % of gross acre that must be set aside for recreation use by future residents. Currently, there are no requirements for central parks in non-Small Lot PUDs.

See Appendix A for typical site lighting.

Section 02021-Irrigation

There are various needs for irrigation with accompanying means to deliver water. This section will list the desired products and other information pertaining to the installation of an irrigation system.

Section 02021.1-Submittals:

The following items shall be submitted with the initial design and subsequent installation of an irrigation system:

- A. **Product Data:** A detailed lists of materials proposed for use. Prepare typewritten material list using the following format. Double space between each item:

ITEM NO. DESCRIPTION MANUFACTURER MODEL NO.

- B. **Project Record Documents:** Record information on a daily basis

1. Dimensions from 2 permanent reference points, such as building corners, sidewalks, or curbs to the location of the following items:

Section 02021.1-Submittals, continued:

- a. Routing of main pressure lines, at a maximum of 100 feet intervals.
- b. The routing of 24 volt control and common wiring.
- c. Point of connection to electrical power.
- d. Automatic control valves.
- e. Point of water connection.
- f. Ball valves.
- g. Quick coupling valves.
- h. Other related equipment.
- C. **Controller Charts**
1. Prepare charts after Project Record Drawings have been approved by Landscape Architect.
2. Provide 1 controller chart as follows:
- a. Chart shall be a reproduction of the Record Drawings, if the scale permits fitting the controller door. If photo reduction prints are required, keep reduction to maximum size possible to retain full legibility.
- b. Chart shall be blackline print of the actual "As Built" system, showing the area covered by that controller.
- c. Provide 1 chart for each controller with instructions to set program.
3. Identify the area of coverage for each remote control valve, using a distinctly different translucent pastel color, drawn over the entire area of coverage.
4. Following approval, hermetically seal charts between 2 layers of 20-mil plastic sheet, and mount using velcro or similar fastening.
5. Charts shall be completed and approved prior to final review of irrigation system.
- D. **Checklist:** Provide a signed and dated checklist and submit prior to final review of the work.
1. Use the following format:
- a. Plumbing Permits: If not required, so note.
- b. Material Approvals: Approved by and date.

- c. Pressure Line Tests: By whom and date.
- d. Record Drawings: Received by and date.
- e. Controller Charts: Received by and date.
- f. Materials and Equipment Furnished: Received by and date.
- g. Operating and Maintenance Data: Received by and date.
- h. System/Equipment Operation Instructions: Received by and date.
- i. Manufacturer's Warranties, (if required): Received by and date.
- j. Written Guaranty: Received by and date.

Section 02021.1-Submittals, continued:

- k. Lowering of heads in Lawn Areas: If incomplete, state so.
 - 2. Provide catalog and part sheets on materials and equipment installed.
 - 3. Include index sheet stating contractor's and equipment manufacturer's name, address and phone number.
 - 4. Water Audit to be performed prior to any acceptance by City.
- E. Miscellaneous Items: Furnish the following tools as a part of the work:
 - 1. Two sets of keys for each automatic controller cabinet and each controller enclosure cabinet lock.
 - 2. Two wrenches for disassembly and assembly, or adjustment of, each type of sprinkler head requiring such tools, used in the installation of the system.
 - 3. One 30-inch sprinkler key for every 12 lock lid valve boxes used in installation.
 - 4. Six quick-coupler keys and matching hose swivels for each type of quick coupling valve.
 - 5. Four keys total for loose key hose bibs.
- F. Test Reports: Submit test reports of pressure testing.
- G. Instructions: Provide maintenance manuals, instructions, and demonstrations to Owner's maintenance personnel.
 - 1. Maintenance manuals shall include sufficient detail to permit operating personnel to understand, operated, and maintain equipment.
 - 2. Irrigation charts listing all controllers and stations. Run times are to meet 6 hour watering window for July ET rates.

Section 02021.2-Products:

- A. Piping and Fittings: All pipes and fittings to be sized to provide times that meet 6 hour watering window for July ET rates.
 - 1. Pressure supply line from point of connection through backflow prevention unit shall be copper or brass.
 - a. Copper Pipe and Fittings
 - 1) Pipe: Type K, hard tempered
 - 2) Fittings: Wrought copper, solder joint type

- 3) Joints shall be soldered with silver solder, 45 % silver, 15% copper, 16 % zinc, and 24 % cadmium. Solid at 1125 F. And liquid at 1145 F.

b. Brass Pipe and Fittings:

- 1) Brass pipe shall be 85 % red brass, ANSI Schedule 40 screwed pipe.
- 2) Fitting shall be medium brass, screwed 125 pound class.

Section 02021.2-Products, continued:

2. Pressure supply lines 1-1/2 inches and smaller downstream of backflow prevention unit shall be ASTM D 1785 Schedule 40 PVC. Pressure lines 2 inches and larger shall be Class 315 PVC.
- a. Identification Markings: Identify all pipe and fittings with the following indelible markings:
 - 1). Manufacturer's name
 - 2) Nominal pipe size
 - 3) Schedule or class
 - 4) Pressure rating, in PSI
 - 5) NSF Seal of Approval
 - b. Pipe (Solvent Weld Type): Manufacture from virgin polyvinyl chloride compound in accordance with ASTM D 2241 or ASTM D 1784, Class 12454-B (formerly Type I, Grade 1). Hydrostatic design stress rating 2,000 psi.
 - c. Fittings: Standard weight, ASTM D 1785 Schedule 40, injection molded solvent-weld PVC. Comply with ASTM D 1784, Class 13454-B.
 - 1) Threads, where required, to be injection molded type.
 - 2) Tees & Ells: Side gated.
 - d. Threaded Nipples: Standard weight, ASTM D 1785 Schedule 80 with molded threads.
3. Non-pressure lines: ASTM D 1784 Class 14333-D (formerly Type II, Grade 1) PVC with solvent-weld joints. Comply with general requirements for pressure lines.
4. Visible Pipe and Fittings:
- a. General: Integral gray color
 - b. Threaded Risers and Nipples: ASTM D 1785 Schedule 80 PVC
 - c. Other Fittings: ASTM D 1785 Schedule 40 PVC, solvent weld
5. Sleeves:
- a. 4 inches and smaller: ASTM D 1785 Schedule 40 PVC

- b. Larger than 4 inches: ASTMD 1784 Class 12454-C (formerly Type I, Grade 2, Class 415).
- 6. Conduit: ASTMD 1785 Schedule 80 PVC
- 7. Identification:
 - a. Tags: Polyurethane Behr Desopaid, yellow in color with black letters 2-3/4 inches b 2-1/4 inches, as manufactured by Christy's or equal.
 - b. Attach identification tag showing valve number on each solenoid pigtail.

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Section 02021.2-Products-Piping and Fittings, continued:

B. Joint Cement and Primer:

- 1. Pressure and Non-pressure plastic pipe and fittings shall be coated with primer and then cemented using a 100 % active solvent, grey in color.
- 2. Both primer and solvent shall be similar in all respects to that manufactured by I.P.S.-Primer P-70, Solvent #711.

C. Valves:

1. Ball Valves:

- a. 2 inches and smaller shall have non-union, thermoplastic body, with a schedule 80 wall thickness, and self lubricating teflon (or similar product) ball, seat, and seal. Handle may be tee, lever or wedge design.
- b. 2-1/2 inches and greater shall be constructed with Teflon seats for reliable 2-way operation, chrome plated ball for durability, coupled with steel handle with vinyl grip for durable service. Body material: Bronze conforming to ASTM B62, Bronze ball with NPT threaded ends.

2. Quick Coupling Valves:

- a. Two-piece type brass body, 150 pound class, with 3/4 inch female threads opening at base, permitting operation with a special connecting device (coupler) designed for this purpose.
 - 1). Coupler threads: Lug Type, #RC Model.
 - 2). Hinged cover: Brass with a yellow vinyl cover and locking top

3. Remote Control Valves:

- a. Valve Type: Spring loaded, self cleaning, packless diaphragm activated, normally closed type. 700 Series Hardy or Irritrol no pressure regulation with internal bleed is preferred. All valves are to have a plastic ball valve for isolation and union placed on down stream side of valve, for maintenance.]

- b. Valve Solenoid: 24 volt AC 4.5-watt maximum, 500 milliamp maximum surge, corrosion proof, stainless steel construction, epoxy encapsulated to form a single integral unit.
- c. Provide manual bleeder valve to permit operation in the field without power at the controller.

D. Valve Boxes:

- 1. Non-Traffic Type: Plastic box with locking cover.
 - a. Remote Control Valves: 9 ½ inches by 16 inches by 11 inches Model 1419-12B. Emboss valve station numbers on top of cover.
 - b. Ball Valves: 10-1/4 inch diameter by 10 inches Model 910-12B.
- 2. Fill area under box with minimum of 1 cubic feet of ¾-inch crushed gravel before box is installed.

Section 02021.3-Heads:

A. Heads:

- 1. Small Turf Heads: Rain-Bird Pop-Ups, 188 SAM-PRS Series with specific nozzles to be specified by area requirements, or 3500 Series with Rain-Curtain nozzles sized according to area requirements. Nozzles shall rise a minimum of 4 inches.
- 2. Mid-Range Turf Heads: Rain-Bird 5000 Plus Series with Rain-Curtain nozzles sized according to area requirements. minimum of 4 inches.
- 3. Shrubbery Irrigation: Olson #1824 1 gph or 2 gph emitters on flexible risers.
- 4. Large Turf Heads: Rain-Bird 7000, 8005, or Talon Series with Rain-Curtain nozzles sized according to area requirements.

B. Drip and Tree Irrigation:

- 1. Tree Irrigation: Olson #1824 1 gph or 2 gph emitters on flexible risers, installed below grade level in 2 inch perforated pipe, filled 2/3 with gravel, and capped with vented cover. Number of emitters and spacing to be determined by type of tree.
- 2. Drip Irrigation: Use ½ inch Excaliber flexible tubing, (NO DRIP TUBING) and Olson #1824 1 gph or 2 gph, emitters on flexible, threaded risers: ASTM D 1785 Schedule 80 PVC, other Fittings: ASTM D 1785 Schedule 40 PVC, solvent weld All fittings to be glue type.
- 3. In-Line Wye filter, Agriculture Products RBY-075-200x. Pressure regulator to be according to needs of site. All lateral piping to be Schedule 40 PVC, mainline to be determined by needs of site. All valves are to have a plastic ball valve for isolation and union placed on down stream side of valve, for maintenance.

Section 02021.4-Backflow Prevention Units:

- A. Febco units are to be used, size and designation to be determined by site needs.

- B. Wye strainers at backflow prevention units shall be Class 125 cast iron with 20 mesh monel screen and shall be similar to Bailey No. 100A or equal.

Section 02021.5-Automatic Controllers:

- A. Rain-Bird ESP-SAT w/CCU, sized according to needs. Provide phone line for Central Control Operations. Bermad 400 Series sized accordingly, Rain-Bird FS Series, with Flow Meter by Data Industrial or Pulse Decoder, if needed.

Section 02021.6-Electrical Wiring and Service:

- A. High Voltage: Electrical service to automatic controller shall be in accordance with industry standards for the equipment installed.

- B. Low Voltage:

1. Connections between controller and remote control valve shall be made with direct burial AWG-UF, 600 volt wire, 16 gauge or larger,

Section 02021.6-Electrical Wiring and Service, continued:

insulation thickness 3/64-inch, utilizing low density high molecular weight polyethylene insulation.

2. Splices, where permitted, shall be waterproofed using Rain-Bird, Snap Tite, Scotch-Lok No. 3576 connectors, or fusible heat shrink tubing.
3. Pilot wires shall be a different color for each controller. Common wires shall be white with a different color stripe for each controller. Minimum size shall be No. 14 gauge. There shall be one extra common wire and two extra station wires per controller, for entire run.
4. Place wiring in the same trench and along the same routing as the pressure supply lines, unless otherwise approved. Install wiring prior to main line whenever possible. When more than one wire is placed in a trench, tape wires together at a maximum of 10 feet on centers.
5. Provide a 18-inch expansion loop at each connection and directional change. Provide a sufficient length at each splice to allow valve bonnet to be brought to the surface without disconnection.
6. Use a continuous wire between controller and remote control valves. Except as otherwise approved, do not splice wire at any point. Where approved, splices shall be enclosed in a box.

Section 02021.7-Preparation and Execution:

Prior to work commencing, a conference between Landscape Architect, contractor and City Staff. Work shall not proceed if field obstructions, grade differences or discrepancies in area dimensions exist that may not have been considered in the original design.

- A. Examine surfaces for conditions that shall adversely affect execution, permanence, and quality of work.

1. Verify grading has been completed and that work can proceed.

2. Exercise care in excavating and working near existing utilities. Contractor will be responsible for damages to utilities which are caused by operations or neglect.
3. Landscape Architect shall be notified of existing conditions that are not shown, or that differ from those shown on drawings. Do not proceed with work until discrepancies are corrected or existing utilities are located.
4. Lay out each system using staking method as approved by Landscape Architect. Maintain and protect approved staking layout. Piping or equipment shown diagrammatically on Drawings outside of planting areas shall be installed inside planting areas wherever possible.
5. Lay out sprinkler heads and make any minor adjustments required due to differences between actual site conditions and the Drawings. Minor adjustments shall be maintained within the original design intent in order to avoid conflicts between planting and architectural features.

Section 02021.7-Preparation and Execution, continued:

6. Protect the installed work and materials of other trades from damage during irrigation installation system operations.

Section 02021.8-Trenching and Backfilling:

A. Trenching:

1. Excavate trenches in straight lines to required depths. Follow approved layout for each system. Bottom of trench shall be flat to insure piping is supported continuously on an even grade.
2. Provide not less than 4 inches clearance between each line and not less than 6 inches clearance between unless otherwise noted in details on Drawings. Protect materials to prevent intrusion of dirt and moisture.

B. Backfilling:

1. Test all systems prior to backfilling. If the only piping installed is over 20 feet, pressure testing is required for that section at the time of installation. Upon completion of piping installation, the entire system is to be tested.
2. Backfill material shall be clean, fine granular material, free of rocks and debris, under 1" in size.
3. Compact backfill with mechanical devices to a dry density equal to adjacent grade, free of dips, depressions, humps, or other irregularities. Compaction by truck or other vehicle is not permitted.

4. Under paving, backfill with sand, one layer 6 inches below pipe and one layer 3 inches above pipe, and compact in layers to 95 percent compaction using mechanical tamping devices. Set in place, cap, and pressure test piping under paving prior to installation of paving work.
5. Install piping under existing walks by jacking, boring, or hydraulic driving. Cutting or breaking of sidewalks or concrete is not allowed without Architect's approval. No hydraulic driving will be permitted under concrete paving.
6. Provide for a minimum cover of 18 inches between top of pipe and bottom of aggregate base for pressure and non-pressure piping installed under asphaltic concrete paving.

Section 02021.9-Installation:

- A. Plastic Pipe and Fitting shall be installed in accordance with manufacturer's instructions.
- B. Install Backflow Assemblies in shrub areas at minimum height permitted by local code.

Section 02021.9-Installation, continued:

- C. Brass Pipe and Fittings: assemble using Teflon tape applied to male threads only.
- D. Plastic Pipe and Threaded Fittings: assemble using Teflon tape applied to male threads only.
- E. Quick Coupling Valves: unless otherwise indicated, locate valves within 6 to 12 inches of nearest hardscape.
- F. Tree Irrigation: install in perforated pipes set at grade level and filled 2/3 with washed gravel, pipes to have vented caps.
Backflow Prevention Units and Automatic Controllers: verify location with Landscape Architect. Install in accordance with manufacturer's instructions.
- G. Sprinkler Heads:
 1. Elevate full heads in lawn areas to grade.
 2. Install heads along curbs, walks, and paving level with grade in lawn areas. Heads to be 2" from walks, curbs, and paving.
 3. Lower raised heads within 10 days after notification by the Owner.
 4. Set all heads perpendicular to finished grade, unless otherwise directed by Landscape Architect.
- I. Remote Control Valve: install valves in shrub or ground cover areas wherever possible, or where shown on Drawings. When grouped together, allow at least 12 inches between valves. Install each control valve in a separate valve box.

Section 02021.10-Utility Services:

- A. Connect to existing water outlet or gate valve at locations indicated on Drawings and make minor changes in location necessary due to actual site conditions.

- B. Connect to existing electrical service. Make minor changes in location as necessary due to actual site conditions.

Section 02021.11-Field Quality Control:

A. Contractor's Responsibility:

1. Notify Landscape Architect for the following reviews, with 48 hours minimum notice:
 - a. Pressure supply line installation and testing
 - b. System layout
 - c. Automatic controller installation
 - d. Control wire installation
 - e. Lateral line and sprinkler head installation
 - f. Emitter tubing and emitter, including tree irrigation, installation
 - g. Coverage tests prior to landscape planting
2. Provide 7 days notice for Final Review
3. Provide "walkie-talkie" equipment and/or personnel to maintain communications from review area to automatic controllers.

Section 02021.11-Field Quality Control, continued:

4. Provide up-to-date Project Record Drawings at each review.

B. Pressure Tests:

1. Do not install remote control valves, quick couplers, or any other valve assembly until testing of pressure main lines is completed and approved.
2. Do not backfill trenches more than necessary until testing has been reviewed, tested, and approved
3. Provide equipment necessary to test systems, including force pump.
4. Perform hydrostatic tests in presence of Architect.
5. Test pressure supply lines under hydrostatic pressure of 150 pounds per square inch for a period of 2 hours, unless otherwise directed by Landscape Architect, in writing.

C. System Flushing:

After sprinkler pipe lines and risers are in place and connected, and prior to installation of sprinkler heads, thoroughly flush all lines with a full head of water. Install sprinkler heads after lines have been flushed to the satisfaction of the Landscape Architect.

D. Coverage Tests:

1. Perform coverage tests after sprinkler system is complete, but prior to any planting, in the presence of the Landscape Architect.

2. Test system to ensure that planting areas are watered adequately and uniformly. Test to be performed by certified Water Auditor.
3. Make necessary adjustments, including realignment of heads, to provide required coverage as directed by Landscape Architect.
4. If it is determined that coverage can be improved by a nozzle change, make such changes, or arrange with the manufacturer to have such changes made.
5. Provide water audit prior to acceptance of system by City.

Section 02021.12-Cleaning:

- A. Upon completion of the work, restore ground surface to required elevations and remove excess materials, debris and equipment from the site to satisfaction of Landscape Architect.

Section 02021.13-Flow Monitor and Master Valve:

- A. Master valve & flow monitor shall be installed per manufacturer's recommendations

Section 02021.14-Demonstration:

- A. Provide instruction to Maintenance personnel in proper operation of equipment.

Section 02022-Landscape, Plant Materials, Ground Covers:

Generally, Landscaping requirements as set forth in the North Las Vegas Municipal Code, have been established to provide visual open space and passive recreational areas to serve the needs of the residents of the city; to encourage quality development within the city, to screen parking lots and other areas which tend to be unsightly to improve erosion and storm water runoff control; to reduce the particulate matter in the air; and to provide for the health, safety and general welfare of the residents of the city.

Section 02022.1- Definitions:

1. "Groundcover" means turf, vines, or any other species of plant generally considered groundcover by the nursery trade or decorative rock or other decorative landscaping material.
2. "Landscaping" means the provision of planting and related improvements for the purpose of beautifying and enhancing a property and for the control of erosion and the reduction of glare, dust and noise. Rocks and/or gravel, by itself, or artificial trees, plants and turf shall not constitute landscaping.

Section 02022.2-Landscaping Plan:

1. A landscaping plan shall be submitted in conjunction with any required site plan prior to the construction of a park, and shall be reviewed and approved, denied or modified by the Director of Parks and Recreation.

2. Landscaping plans shall be properly dimensioned and clearly drawn to a scale of one inch equals thirty (30) feet or less, and shall include the following information:

a. Location of existing and proposed structures, driveways, paved areas, etc. on the subject property;

b. Location of washes or other natural prominent features;

c. Location, types and sizes of all landscaping and automatic irrigation systems;

d. Street and utility easements;

e. Any other pertinent information which may be required.

Section 02022.3- General Landscaping Requirements:

- A. **Landscaped Areas.** All exposed ground areas surrounding or within a park area, including adjacent, unpaved street rights-of-way, which are not devoted to drives, parking lots, sidewalks, patios or other such uses shall be landscaped.
- B. **Percentage Landscaped.** At minimum, at least thirty (30) percent of the landscaped area shall be covered by plant materials or a plant canopy at the end of the first year and sixty (60) percent of the area shall be being covered within two years.
- C. **Visibility of Landscaping.** When possible, areas of any particular site allocated to landscaping shall be located on that site in such a way so as to provide substantial benefit to the general public as well as to the site itself.
- D. **Parking Lot Landscaping.** Where practical, landscaping shall also be provided within parking lots in a manner which will serve to visually reduce the expanse of paved areas.
- F. **Irrigation.** Landscaping shall be irrigated with an automatic irrigation system.
- G. **Traffic Sight Visibility.** Landscaping shall be maintained so that it will not interfere with traffic sight distance, street signs or traffic signs/lights.
- H. **If conifers are used to satisfy the requirement for trees of one and one-half inch caliper, they shall be a minimum of four feet tall.**

- I. No tree whose mature height exceeds fifteen (15) feet shall be planted under an electric utility line.
- J. The turf limitations contained in this section are intended to increase the use of water efficient vegetation. Landscaping shall be designed, and landscaping materials shall be chosen and installed, so as to insure that within three years of normal growth, at least fifty (50) percent of the area covered by non-turf landscaping will consist of water-efficient vegetation. The use of turf shall be limited as follows:

1. Golf courses shall be limited to the minimum turf required for the design of the course. Golf courses will use hybrid Bermuda grass, with a winter over-seeding of rye.

2. Parks shall limit turf to sports fields and other activity areas. Non-essential turf shall be limited or eliminated.

3. Sports fields shall be limited to regulation size field plus 10% for run-out to facilitate changing field, allowing space for spectators and teams, etc.

- K. Groundcover is required in all unpaved open areas not devoted to other landscaping;

Section 02022.4-Suggested Plant Material:

The following plant materials listed by hedges and screens, deciduous, evergreen and ornamental trees, groundcovers, perennials, vines, rock garden plants, and bulbs are preferred for landscaping purposes by the city. In an effort to conserve limited water resources, the provision of drought-tolerant landscaping is encouraged. Although other materials may be permitted, these plants tend to be low water using plants as they are indigenous to Nevada or other arid regions of the world.

Deciduous Shrub

Botanical Name	Common Name	Type of Shrub	H. x W.
Anisacanthus thurberi	Desert Honeysuckle	Deciduous	4'x3'
Anisacanthus quadrifidus wrightii	Mexican Flame	Deciduous	3'x3'
Caesalpinia gilliesii	Yellow Bird of Paradise	Deciduous	5'x5'
Caesalpinia pulcherrima	Red Bird of Paradise	Deciduous	4'x4'
Calliandra californica	Baja Fairy Duster	Deciduous	5'x4'
Calliandra eriophylla	Fairy Duster	Deciduous	3'x4'
Cordia parviflora	Little Leaf Cordia	Deciduous	4'x8'
Fouquieria splendens	Ocotillo	Deciduous	10'x8'
Fraxinus greggii	Gregg Ash	Deciduous	10'x8'
Lagerstroemia indica	Crape Myrtle	Deciduous	12'x6'
Punica granatum 'Nana'	Pomegranate	Deciduous	4'x3'

Tecoma stans 'Angusta'

Yellow Bells

Deciduous

6'x6'

Evergreen Shrub
Botanical Name

Common Name

Type of Shrub

H. x W.

Abelia grandiflora 'Edward Goucher'	Glossy Abelia	Evergreen	3'x4'
Artemesia tridentata	Big Sagebrush	Evergreen	8'x6'
Atriplex canescens	Four-Wing Saltbush	Evergreen	5'x8'
Baccharis sarothroides	Desert Broom	Evergreen	5'x5'
Baccharis hybrid 'Starn Thompson'	Starn Thompson Baccharis	Evergreen	4'x5'
Buxus microphylla japonica	Japanese Boxwood	Evergreen	4'x5'
Buxus microphylla japonica 'compacta'	Dwarf Japanese Boxwood	Evergreen	2'x2'
Cassia artemsioides	Feathery Cassia	Evergreen	6'x6'
Cassia phyllodenia	Silvery Cassia	Evergreen	5'x5'
Cassia wislizenii	Shrubby Cassia	Evergreen	6'x6'
Convolvulus cneorum	Bush Morning Glory	Evergreen	2'x3'
Cordia boissieri	Texas Olive	Evergreen	10'x10'
Cotoneaster pameyi	Red Clusterberry	Evergreen	6'x6'
Cowania mexicana	Cliff Rose	Evergreen	6'x4'
Dalea frutescens 'Sierra Negra'	Black Dalea	Evergreen	4'x5'
Dalea pulchra	Bush Purple Dalea	Evergreen	4'x5'
Encelia farinosa	Brittlebush	Evergreen	3'x4'
Ephedra virdis	Morman Tea	Evergreen	3'x3'
Ericameria laricifolia 'Texas Canyon'	Texas Canyon Turpentine Bush	Evergreen	2'x3'
Euonymus japonica	Japanese Euonymous	Evergreen	6'x6'
Euonymus japonica microphylla	Boxleaf Euonymous	Evergreen	2'x1'
Euryops pectinatus 'Virdis'	Green Bush Daisy	Evergreen	3'x3'
Fallugia paradoxa	Apache Plume	Evergreen	6'x4'
Feijoa sellowiana	Pineapple Guava	Evergreen	6'x4'
Ilex cornuta 'Dwarf Burfordii'	Dwarf Burford Holly	Evergreen	3'x3'
Ilex vomitoria 'Compacta'	Compact Yaupon	Evergreen	4'x4'
Ilex vomitoria 'Nana'	Dwarf Yaupon	Evergreen	2'x2'
Juniperus species	Shrub Junipers	Evergreen	Varies
Lantana camara	Bush Lantana	Evergreen	3'x3'
Larrea tridentata	Creosote Bush	Evergreen	6'x6'
Leucophyllum candidum 'Silver Cloud'	Silver ranger	Evergreen	4'x4'
Leucophyllum candidum 'Thunder Cloud'	Thunder Cloud Ranger	Evergreen	3'x3'
Leucophyllum frutescens 'Compacta'	Compact Texas Ranger	Evergreen	5'x5'
Leucophyllum frutescens 'Green Cloud'	Green Cloud Ranger	Evergreen	6'x6'
Leucophyllum frutescens 'White Cloud'	White Cloud Texas Ranger	Evergreen	6'x6'
Leucophyllum laviegatum	Chihuahuan Sage	Evergreen	6'x6'
Leucophyllum langmaniae 'Rio Bravo'	Rio Bravo Sage	Evergreen	5'x5'
Leucophyllum pruinsum 'Sierra Bouquet'	Sierra Bouquet Sage	Evergreen	6'x6'

Leucophyllum zygophyllum
Ligustrum japonicum 'Texanum'

Blue Ranger
Texas Privet

Evergreen 3'x3'
Evergreen 8'x6'

Evergreen Shrub Botanical Name

Common Name

Type of Shrub H. x W.

Mahonia aquifolium 'Compacta'

Compact Oregon Grape

Evergreen 2'x3'

Myrtus communis 'Compacta'

Compact Myrtle

Evergreen 3'x3'

Nandina domestica

Heavenly Bamboo

Evergreen 5'x4'

Nandina domestica 'Compacta'

Dwarf Heavenly Bamboo

Evergreen 4'x2'

Rhodinia fraseri

Fraser's Photinia

Evergreen 10'x10'

Pittosporum tobira

Mock Orange

Evergreen 6'x6'

Platycladus orientalis 'Aureus'

Golden Arborvitae

Evergreen 3'x2'

Pyracantha hybrids

Hybrid Pyracantha

Evergreen 8'x8'

Rhaphiolepis indica 'Ballerina'

Dwarf Indian Hawthorne

Evergreen 2'x3'

Rhaphiolepis indica 'Jack Evans'

Jack Evans Indian Hawthorne

Evergreen 4'x4'

Rhus ovata

Sugar Bush

Evergreen 10'x10'

Rosmarinus officinalis

Upright Rosemary

Evergreen 4'x4'

Salvia chamaedryoides

Mexican Blue Sage

Evergreen 2'x2'

Salvia clevelandii

Chaparral Salvia

Evergreen 3'x5'

Salvia greggii

Autumn Sage

Evergreen 2'x2'

Vauquelinia californica

Arizona Rosewood

Evergreen 10'x8'

Viburnum tinus 'Compacta'

Dwarf Tinus Viburnum

Evergreen 4'x3'

Xylosma congestum

Shiny Xylosma

Evergreen 15'x15'

Deciduous Trees Botanical Name

Common Name

Type/Tree H. x W.

Acacia greggii

Cat Claw Acacia

Deciduous 10'x12'

Acacia shaffneri

Twisted Acacia

Deciduous 20'x20'

Albizia julibrissin

Silk Tree

Deciduous 15'x20'

Bauhinia congesta

White Orchid Tree

Deciduous 20'x20'

Celtis occidentalis

Western Hackberry

Deciduous 30'x30'

Celtis reticulata

Canyon Hackberry

Deciduous 25'x25'

Cercis occidentalis

Western Redbud

Deciduous 15'x15'

Chilopsis linariis

Desert Willow

Deciduous 20'x15'

Chilitalpa tashkentensis

Chilitalpa

Deciduous 25'x25'

Elaeagnus angustifolia

Russian Olive

Deciduous 25'x25'

Fraxinus greggii

Little Leaf Ash

Deciduous 10'x12'

Fraxinus oxycarpa 'raywood'

Raywood Ash

Deciduous 25'x20'

Fraxinus velutina

Modesto Ash

Deciduous 30'x30'

Fraxinus velutina 'Rio Grande'

Fan Tex Ash

Deciduous 25'x25'

Glesitsia triacanthos 'inermis'

Thornless Honey Locust

Deciduous 30'x40'

Glesitsia triacanthos 'Shademaster'

Shademaster Honey Locust

Deciduous 40'x40'

Koelreuteria paniculata

Goldenrain Tree

Deciduous 25'x20'

Lagerstroemia indica

Leucaena retusa

Deciduous Trees

Botanical Name

Parkinsonia floridum

Parkinsonia microphyllum

Pistacia chinensis

Prosopis alba 'Colorado'

Prosopis chilensis

Prosopis glandulosa 'Glandulosa'

Prosopis glandulosa 'Maverick'

Prosopis pubescens

Prunus caroliniana

Prunus cerasifera 'Atropurpurea'

Pyrus calleryana 'Bradford'

Pyrus kawakamii

Quercus buckleyi 'Redrock'

Robinia ambigua 'Idahoensis'

Robinia ambigua 'Purple Robe'

Sophora secundiflora

Ulmus parviflora

Vitex agnus-castus

Crape Myrtle

Golden Ball Lead Tree

Common Name

Blue Palo Verde

Little Leaf Palo Verde

Chinese Pistache

Colorado Mesquite

Chilean Mesquite

Texas Honey Mesquite

Maverick Honey Mesquite

Screwbean Mesquite

Carolina Cherry Laurel

Purple Leaf Plum

Bradford Pear

Evergreen Pear

Red Rock Oak

Idaho Locust

Purple Robe Locust

Texas Mountain Laurel

Lacebark Elm

Chaste Tree

Deciduous

Deciduous

Type/Tree

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

Deciduous

15'x12'

20'x20'

H. x W.

30'x30'

20'x20'

40'x40'

30'x30'

30'x30'

30'x30'

20'x20'

20'x15'

20'x20'

20'x20'

25'x15'

20'x20'

30'x25'

40'x30'

40'x30'

15'x10'

40'x40'

20'x25'

Evergreen Trees

Botanical Name

Acacia aneura

Acacia smallii

Acacia stenophylla

Arbutus unedo

Cedrus atlantica 'Glauca'

Cedrus deodara

Eriobotrya japonica

Eucalyptus fromanii

Eucalyptus microtheca

Feijoa sellowiana

Laurus nobilis

Ligustrum lucidum

Olea europaea 'Swan Hill'

Olea europaea 'Wilsonii'

Pinus eldarica

Pinus halepensis

Pinus pinea

Pinus thunbergiana

Common Name

Mulga Tree

Sweet Acacia

Shoestring Acacia

Strawberry Tree

Blue Atlas Cedar

Deodar Cedar

Loquat

Forman's Eucalyptus

Coolibah Tree

Pineapple Guava

Bay Laurel

Glossy Privet

Swan Hill Fruitless Olive

Wilson Fruitless Olive

Mondel Pine

Aleppo Pine

Italian Stone Pine

Japanese Black Pine

Type/Tree

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

H. x W.

20'x12'

25'x25'

20'x15'

15'x15'

30'x30'

40'x20'

20'x20'

20'x20'

30'x30'

15'x15'

20'x20'

20'x20'

25'x35'

25'x35'

50'x25'

40'x30'

40'x30'

20'x20'

Pittosporum phillyraeoides
Podocarpus macrophyllus

Evergreen Trees

Botanical Name

Quercus virginiana 'Heritage'

Raphiolepis 'Majestic Beauty'

Rhus lancea

Thuja occidentalis

Xylosma congestum

Willow Pittosporum

Yew Pine

Common Name

Heritage Live Oak

Standard Majestic Beauty

African Sumac

American Arborvitae

Shiny Xylosma

Evergreen

Evergreen

Type/Tree

Evergreen

Evergreen

Evergreen

Evergreen

Evergreen

18'x12'

10'x3'

H. x W.

40'x40'

13'x10'

15'x20'

25'x25'

10'x10'

UNOFFICIAL COPY

Deciduous Groundcover & Vines

Botanical Name

Cotoneaster congestus

Lantana montevidensis

Common Name

Rockspray

Trailing Lantana

Type/ G. C. H. x W.

Deciduous 2'x6'

Deciduous 2'x3'

Evergreen Groundcover & Vines

Botanical Name

Acacia redolens 'Desert Carpet'

Baccharis hybrid 'Stam Thompson'

Convolvulus mauritanicus

Campis radicans

Dalea capitata 'Sierra Gold'

Dalea greggii

Euonymus fortunei 'Colorata'

Gazania rigens

Gazania rigens leucolaena

Gelsemium sempervirens

Hedera varieties

Juniperous species

Liriope muscari

Macfadyena unguis-castus

Myoporum parvifolium

Nandina domestica 'Harbor Dwarf'

Nandina domestica 'Nana purpurea'

Oenothera berlandieri

Oenothera caespitosa

Rosa banksiae

Rosmarinus officinalis 'Huntington Carpet'

Rosmarinus officinalis 'Prostratus'

Teucrium chamaedrys

Teucrium chamaedrys 'Prostratum'

Common Name

Creeping Acacia

Thompson Baccharis

Ground Morning Glory

Trumpet Creeper Vine

Sierra Gold Dalea

Trailing Indigo Bush

Purple Leaf Winter Creeper

Gazania

Trailing Gazania

Carolina Jasmine

Ivy varieties

Groundcover Juniper

Lily Turf

Cat's Claw Vine

Prostrate Myoporum

Spreading Heavenly Bamboo

Dwarf Sacred Bamboo

Mexican Primrose

White Evening Primrose

Lady Bank's Rose

Prostrate Rosemary

Spreading Rosemary

Germander

Prostrate Germander

Type/G. C. H. x W.

Evergreen 2'x12'

Evergreen 3'x5'

Evergreen 1'x2'

Evergreen 20'x20'

Evergreen 18'x3'

Evergreen 3'x4'

Evergreen 1'x10'

Evergreen 18"x18"

Evergreen 18"x18"

Evergreen 2'x10'

Evergreen varies

Evergreen varies

Evergreen 12"x18"

Evergreen 25'x15'

Evergreen 6"x9'

Evergreen 2'x2'

Evergreen 1'x2'

Evergreen 1'x2'

Evergreen 6"x1'

Evergreen 20'x15'

Evergreen 18'x3'

Evergreen 2'x4'

Evergreen 1'x3'

Evergreen 6"x3'

Trachelospermum asiaticum	Asiatic Jasmine	Evergreen	6"x2'
Evergreen Groundcover & Vines			
Botanical Name	Common Name	Type/G. C.	H. x W.
Verbena peruviana	Verbena	Evergreen	6"x3'
Verbena rigida	Verbena	Evergreen	2"x3'
Vinca major	Large-Leaf Periwinkle	Evergreen	18"x18"
Vinca minor	Dwarf Periwinkle	Evergreen	10"x12"

Accents, Vines and Ornamental

Grasses

Botanical Name	Common Name	H. x W.
Aganpanthus orientalis	Lily of the Nile	3'x18"
Agave parviflora	Agave	12"x18"
Agave parryi 'Huachucensis'	Parry's Agave	3'x2'
Agave victoriae-reginae	Victoria Agave	6"x12"
Baileya multiradiata	Desert Marigold	12"x12"
Carnegiea gigantea	Saguaro	20'x10'
Cortaderia selloana 'Compacta'	Dwarf Pampas Grass	10'x10'
Dasyllirion wheeleri	Desert Spoon	5'x6'
Dietes bicolor	Fortnight Lily	2'x2'
Echinocactus grusonii	Golden Barrel Cactus	2'x2'
Echinocereus engelmanni	Strawberry Hedgehog	18"x12"
Ferocactus acanthodes	Barrel Cactus	3'x2'
Ferocactus wislizenii	Fish Hook	3'x2'
Festuca ovina 'Glaucia'	Blue Fescue	4-10" x 4-10"
Fouquieria splendens	Ocotillo	15'x8'
Heimerocallis hybrid	Day Lily	3'x2'
Hesperaloe parviflora	Red Hesperaloe	2'x3'
Hesperaloe parviflora 'Yellow'	Yellow Hesperaloe	2'x6'
Hymenoxys acaulis	Angelita Daisy	12"x12"
Muhlenbergia capillaris 'Regal Mist'	Regal Mist	3'x3'
Muhlenbergia lindheimeri 'Autumn Glow'	Autumn Glow	4'x4'
Muhlenbergia rigens	Dear Grass	3'x3'
Muhlenbergia rigens 'Nashville'	Nashville Dear Grass	3'x3'
Nolina bigelovii	Bear Grass	4'x4'
Ophiopogon japonicus	Mondo Grass	6"x6"
Opuntia species	Prickly Pear Species	varies
Pennisetum setaceum	Fountain Grass	4'x4'
Pennisetum setaceum 'Rubrum'	Red Fountain Grass	4'x4'
Penstemon species	Penstemon	varies
Sphaeralcea ambigua	Globe Mallow	3'x3'
Yucca brevifolia	Joshua Tree	15'x10'
Yucca elata	Soap Tree	10'x8'
Yucca recurvifolia	Weeping Yucca	3'x3'

Yucca shidigera

Mojave Yucca

8'x6'

Accents

Botanical Name	Common Name	H. x W.
Brahea armata	Mexican Blue Palm	25'x8'
Brahea edulis	Guadalupe Island Palm	10'x8'
Chamaerops humilis	Mediterranean Fan Palm	10'x15'
Cycas revoluta	Japanese Sago Palm	5'x8'
Phoenix carariensis	Canary Island Date Palm	40'x40'
Phoenix dactylifera	Date Palm	50'x25'
Trachycarpus fortunei	Windmill Palm	20'x6'
Washingtonia filifera	California Fan Palm	60'x15'
Washingtonia robusta	Mexican Fan Palm	100'x10'

Section 02023-Water Conservation Measures:

All park developments, both public and private, are required to use only the suggested plant materials and comply with the following design guidelines.

A. Required landscaping shall be irrigated, contain live plant materials, and be maintained in a living, growing condition.

B. The use of turf is to be limited wherever possible. An exception is permitted for the

Section 02023-Water Conservation Measures, continued:

landscaping of public facilities, where the turf area has a min. width of at least ten (10) feet.

C. Non-functional turf areas shall not exceed fifteen (15) percent of the net lot area, exclusive of public rights-of-way.

D. To provide for the efficient use of water and to minimize the run-off of water onto adjacent non-permeable surfaces, the minimum width of any turf area shall be ten (10) feet.

E. A certificate of compliance stating that landscape materials have been installed according to industry standards, shall be signed by landscape contractor and submitted to the city Parks and Recreation Department prior to acceptance by the City.

Section 02024- General Landscaping Requirements:

This section deals with the handling and installation of plant materials listed above

Section 02024.1-Standards and Installation Summary

A. Section Includes:

1. Trees.

2. Shrubs.
3. Plants.
4. Ground cover.
5. Soil amendments.
6. Initial maintenance of landscape materials.
7. Accessories required for a complete installation.

B. Related Work:

1. Section 02021 Irrigation Systems.

Section 02024.2-References:

- A. Federal Specifications O-F-241 - Fertilizers, Mixed, Commercial.
- B. American Standard for Nursery Stock, ANSI Z60.1, latest edition.
- C. Arizona Nursery Association Committee Recommended Tree Specifications.

Section 02024.3 Quality Assurance:

A. Regulatory Requirements, Codes, and Standards:

1. Comply with appropriate regulatory agencies for fertilizer and herbicide composition.

Section 02024.3 Quality Assurance, continued:

B. Source Quality Control:

1. Ship landscape materials with certificates of inspection required by governing authorities. Comply with regulations applicable to landscape materials.
2. Do not make substitutions. If specified landscape material is not obtainable, submit proof of non-availability to Construction Manager, together with proposal for use of equivalent material.
3. Analysis and Standards: Package standard products with manufacturer's certified analysis. For other materials, provide analysis by recognized laboratory made in accordance with methods established by the Association of Official Agriculture Chemists, wherever applicable.
4. Topsoil: Before delivery of topsoil, furnish Construction Manager with written statement giving location from which topsoil is to be obtained and an agricultural analysis of the topsoil to be used.

5. Trees, Shrubs and Plants: Provide trees, shrubs, and plants of quantity, size, genus, species, and variety shown and scheduled for landscape work and complying with recommendations and requirements of ANSI Z60.1 *American Standard for Nursery Stock and/or Arizona Nursery Association Committee Recommended Tree Specifications*. Provide healthy, vigorous stock, grown in recognized nursery in accordance with good horticultural practice and free of disease, insects, eggs, larvae, and defects such as knots, sun scald, injuries, abrasions, or disfigurement.

6. Label at least ten percent of the trees and ten percent of the shrubs of each variety with a securely attached waterproof tag bearing legible designation of botanical and common name. Any patented or trademarked plant varieties must all be identified with the appropriate, identification tag.

a. Where formal arrangements or consecutive order of trees or shrubs are shown, select stock for uniform height and spread, and label with number to assure symmetry in planting.

7. Inspection: Trees and Shrubs: The Construction Manager and other City representatives may inspect trees and shrubs either at place of growth or at site before planting, for compliance with requirements for genus, species, variety, size, and quality. Construction Manager retains right to further inspect trees and shrubs for size and condition of balls and root systems, insects, injuries and latent defects, and to reject unsatisfactory or defective material at any time during progress of work. Remove rejected trees or shrubs immediately from project site.

Section 02024.3-Quality Assurance, continued:

C. Sole Source Responsibility: Landscape installation shall be performed by a single firm specializing in landscape work. Trees and other plants may be obtained from more than one Nursery/Grower.

1. Nursery/Grower(s): Firm(s) specializing in growing and cultivating plants with minimum 3 years documented experience, as approved by City of North Las Vegas.

2. Tree, Plant, Ground Cover Installer: Firm specializing in installing and planting landscape plants with minimum 3 years documented experience, as approved by City of North Las Vegas.

D. Coordinate with installation of underground sprinkler system piping and watering heads.

02024.04 Field Quality Control:

A. Walk Though Substantial Completion:

1. Contractor will be reasonable for all maintenance during the substantial completion time period. This includes all trash, receptacle, ash trays, curb and gutters, grounds, and landscaped areas.

2. Contractor will provide this maintenance on all street/median landscape areas and public facilities grounds on Monday, Wednesday, and Fridays.

3. All complaints or request for service will be required to be done via e-mail. The point of contact for complaints or work request will go through the project manager until final acceptance and beginning of warranty period.

B. Landscape Maintenance Requirements:

1. All areas will be maintained according to predetermined schedule, e.g. All street/median landscape areas will be maintained Monday, Wednesday, and Friday. All Park sites will be maintained seven days a week.

2. Maintenance includes all trash, receptacles, gutters, bathrooms, hardscapes, grounds, mowing, weed eating, edging, weeds, graffiti removal, irrigation or debris within parking lot areas.

Section 02024.5 Submittals:

A. Plant and Material Certifications:

1. Certificates of inspection required by governmental authorities.

2. Manufacturer's or vendor's certified analysis for soil amendments and fertilizer materials.

3. Label data substantiating that plants, trees, shrubs and planting materials comply with specified requirements.

B. Maintenance Instructions: Submit typewritten instructions recommending procedures to be established by Owner for maintenance of landscape work for one full year. Submit prior to expiration of required maintenance period.

C. Upon request by Construction Manager, submit copies of invoices or receipts for materials delivered to the project which cannot be visually verified to conform with the Contract Documents. These include, but are not limited to, backfill mix material, fertilizer, fertilizer tablets, mulches, seed, soil stabilizers, water holding agent, herbicides, etc. All invoices or receipts must list the item, quantity, job location, delivery date and the supplier.

D. Agricultural Soil Analysis: Contractor shall obtain an agricultural soil analysis of the import soil from an independent soil testing lab specializing in agricultural soil analysis. The analysis shall also recommend specific soil amendments and fertilizer applications. Submit the results to the Landscape Architect for review. The soil mix noted on the plans will be changed or altered according to the recommendations of the soil lab and the instructions of the Landscape Architect at no additional cost to the Owner. Provide a U.S. Standard Sieve analysis including 3/8", #4, #8, #16, #30, #50, #100, #200.

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Section 02024.6-Delivery, Storage and Handling:

A. Packaged Materials: Deliver packaged materials in containers showing weight, analysis, and name of manufacturer. Protect materials from deterioration during delivery, and while stored at site.

B. Trees and Shrubs: Provide freshly dug trees and shrubs. Do not prune prior to delivery unless otherwise approved by Construction Manager. Do not bend or bind-tie trees or shrubs in such manner as to damage bark, break branches, or destroy natural shape. Provide protective covering during delivery. Do not drop balled and burlapped stock during delivery.

C. Deliver trees and shrubs after preparations for planting have been completed and plant immediately. If planting is delayed more than 6 hours after delivery, set trees and shrubs in

shade, protect from weather and mechanical damage, and keep roots moist by covering with mulch, burlap or other acceptable means of retaining moisture.

D. Do not remove container grown stock from containers until planting time.

Section 02024.7-Project Conditions:

A. Utilities: Determine location of underground utilities and perform work in a manner which will avoid possible damage. Hand excavate, as required. Maintain grade stakes set by others until removal is mutually agreed upon by parties concerned.

B. Excavation: When conditions detrimental to plant growth are encountered, such as rubble fill, adverse drainage conditions, or obstructions, notify Construction Manager before planting.

C. Weather Conditions:

1. Do not install plant life when ambient temperatures may drop below 35 degrees F or above 100 degrees F.
2. Do not install plants when wind velocity exceeds 25 mph.

Section 02024.8 Warranty:

A. Warranty all plant material and related landscape work for a period of twelve (12) months after date of substantial completion against all defects including death, disease, unsatisfactory growth, abuse, and damage. The Contractor shall replace all trees and other plants significantly damaged by wind during the warranty period. Significant wind damage justifying replacement shall be in the sole determination of the Construction Manager and may include one or more of the following: broken trunks or branches, serious bark abrasions, and toppled or badly leaning plants.

B. Remove and replace trees, shrubs, or other plants found to be dead or in unhealthy condition during warranty period. Make replacements during growth season following end of warranty period. Replace trees and shrubs which are in doubtful condition at end of warranty period; unless, in opinion of Construction Manager, it is advisable to extend warranty period for a full growing season.

1. Another warranty inspection will be conducted at end of extended warranty period, if any, to determine acceptance or rejection.

Section 02024.9- Maintenance Service:

A. Maintain plant life for twelve (12) months after Date of Substantial Completion.

B. Maintenance Services shall include (but not limited to):

1. Cultivation and weeding plant beds and tree pits.
2. Fertilizing trees and shrubs every 90 days.
3. Applying herbicides for weed control in accordance with manufacturer's instructions. Remedy damage resulting from use of herbicides.

Section 02024.9- Maintenance Service, continued:

4. Remedy damage from use of insecticides.
5. Irrigating sufficient to saturate root system.
6. Pruning, including removal of dead or broken branches, and treatment of pruned areas or other wounds.
7. Disease control.
8. Maintaining wrapping, guys, and stakes. Repair or replace accessories when required.
9. Once weekly litter cleanup.

Section 02025-Landscape Products:

Section 02025.1 Top Soil:

A. Topsoil for landscape work shall be reject sand or silt from local pits.

1. Sandy Loam or Loamy Sand according to the USDA soil texture classification system, from well drained sites.
2. Free from refuse, roots, heavy clay, stones larger than one-quarter inch in largest direction, gravel, sticks, brush, litter and other deleterious substances.
3. Less than ten percent clay content.
4. Salinity - ECe no greater than four mmhos/cm.
5. Boron - Less than one ppm.
6. pH - Less than 8.5
7. Sodium - less than 10%

B. Provide a complete soil report/analysis in accordance with 1.4.D. above.

C. The Landscape Architect may reject proposed topsoil if the soil report shows any soil chemistry conditions that may limit plant growth and/or vigor.

Section 02025.2 Soil Amendments:

A. Fertilizer: Granular, Synthetic, with micronutrients.

B. Organic Amendment: composed of 1/4" minus ground fir bark or pine bark and no animal waste or biosolids. PH: less than 8.5. EcE: less than 3 parts per million. Boron: less than 1 part per million. Dry Matter: 425 pounds per cubic yard. Percent Organic Matter: 70% or greater. Sodium: 1/5 of a percent or less. Nitrolized Mulch from Nevada Forest Products, 223 Loretta Way, Calimesa, CA 92320, or equivalent

C. Soil Sulphur: In quantities necessary to eliminate any deficiencies of topsoil as indicated in the soil analysis.

Section 02025.2 Soil Amendments, continued:

D. Iron Sulfate: In quantities necessary to eliminate any deficiencies of topsoil as indicated in the soil analysis.

E. Miscellaneous Amendments: Types and quantities necessary for proper plant growth as determined and recommended in the agricultural soil analysis.

F. Water: Clean, fresh and free of substances or matter which could inhibit vigorous growth of plants.

G. Herbicide: As needed. Pre-emergence are to be applied to areas of decomposed granite both before and after installation of the stone material.

H. Pesticide: As needed.

Section 02025.3-Plant Materials:

A. Quality: Provide trees, shrubs, and other plants of size, genus, species, and variety shown and scheduled for landscape work, grown in climatic conditions similar to those in locality of the work.

B. Ground Covers: Provide plants established and well rooted in removable containers or integral peat pots.

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Section 02025.4-Miscellaneous Landscape Materials:

A. Granite Ground Cover: Hard, durable granite, washed free of loam, sand, clay, and other foreign substances. Size, color and type as specified on the drawings. Where applicable, to have less than 1% sulfate.

B. Stakes and Guys; Provide stakes and deadmen of sound new hardwood, treated softwood, or redwood, free of knot holes and other defects. Provide wire ties and guys as shown on the planting details.

Section 02025.5-Execution:

A. All work to be performed to industry standards. Refer to Arizona Nursery Association Grower's Committee handbook on Recommended Average Tree Specifications and the American Association of Nurserymen handbook American Standard for Nursery Stock

Section 02025.5a Preparation:

A. Layout individual tree and shrub locations and areas for multiple plantings. Stake locations and outline areas and secure Construction Manager's acceptance before start of planting work. Make minor adjustments as may be required.

Section 02025.5b-Preparation of Planting Soil:

A. Before mixing, clean topsoil of roots, plants, sods, stones, clay lumps, and other extraneous materials over ½ inch diameter, and other materials harmful or toxic to plant growth.

B. Mix specified soil amendments and fertilizers with topsoil at rates specified. Delay mixing of fertilizer if planting will not follow placing of planting soil within a few days.

C. For pit and trench type backfill, mix planting soil prior to backfilling, and stockpile at site.

D. For planting beds, mix planting soil either prior to planting or apply on surface of topsoil and mix thoroughly before planting.

Section 02025.5c-Excavation for Trees and Shrubs:

A. Excavate pits, beds, and trenches with sloped sides.

B. Dispose of excess subsoil removed from planting excavations.

C. With the observation of the Construction Manager, fill excavations for trees and shrubs with water and allow water to percolate out prior to planting. If water does not percolate out within 24 hours, notify the Construction Manager and delay planting until the Construction Manager resolves the issue.

Section 02025.5d Planting Trees and Shrubs:

A. Place plants for best appearance.

B. Set top of existing rootball flush with or slightly higher than finish grade.

C. Set plants vertical unless otherwise specified.

D. Remove non-biodegradable root containers.

E. Set plants in pits or beds in manner shown on planting details, Appendix B. Remove burlap, ropes, and wires from the top 1/3 of root ball.

Section 02025.5d -Planting Trees and Shrubs, continued

F. Saturate soil with water when the pit or bed is half full of backfill mix and again when full.

G. Guy and stake trees immediately after planting, only if needed. Install stakes in pits prior to backfilling. See Appendix B

Section 02025.5e-Planting Ground Cover:

A. Space ground cover plants as indicated or scheduled.

B. Dig holes large enough to allow for spreading of roots and thoroughly mix backfill amendments into the tilled native soil as specified above for trees, shrubs and vines. Work soil around roots to eliminate air pockets and leave a slight saucer indentation around plants to hold water. Water thoroughly after planting, taking care not to cover crowns of plants with wet soils.

Section 02025.5f -Miscellaneous Landscape Work:

A. Place decomposed granite or crushed rock as specified under all trees and shrubs. Do not allow decomposed granite or crushed rock to pile against trunks of plants.

Section 02025.5g-Maintenance:

A. Begin maintenance immediately after planting.

B. Maintain trees, shrubs, and other plants until final acceptance.

C. Maintain trees, shrubs, and other plants by pruning, cultivating, and weeding as required for healthy growth. Restore planting saucers. Tighten and repair stakes and guy supports and reset trees and shrubs to proper grades or vertical position as required. Spray as required to keep trees and shrubs free of insects and disease.

Section 02025.5f-Cleanup and Protection:

A. During landscape work, keep pavements clean and work area in an orderly condition.

B. Protect landscape work and materials from damage due to landscape operations, operations by other contractors and trades, and trespassers. Maintain protection during installation and maintenance periods. Treat, repair, or replace damaged landscape work as directed.

Section 02025.5i- Inspection and Acceptance:

A. When landscape work is completed, including maintenance, Construction Manager will, upon request, make an inspection to determine acceptability.

1. Landscape work may be inspected for acceptance in portions as agreeable to Construction Manager, provided each portion of work offered for inspection is complete, including maintenance.

B. When inspected landscape work does not comply with requirements, replace rejected work and continue specified maintenance until re-inspected by Construction Manager and found to be acceptable. Remove rejected plants and materials promptly from project site.

EXHIBIT G
Conservation Agreement.

A copy is on file with the City of North Las Vegas Clerk.

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**A Conservation Agreement for the
Management of Special Resources on
Bureau of Land Management Parcels**

Nominated for Disposal by the

City of North Las Vegas

UNOFFICIAL COPY

Entered into by:

Bureau of Land Management

Las Vegas Field Office

Nevada State Office

U.S. Fish and Wildlife Service

Nevada Fish and Wildlife Office

California-Nevada Operations Office

Nevada Division of Forestry

City of North Las Vegas

June 2005

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Figure 4. Preservation Area.....10

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A Conservation Agreement for the Management of Special Resources on Bureau of Land Management Parcels Nominated for Disposal by the City of North Las Vegas

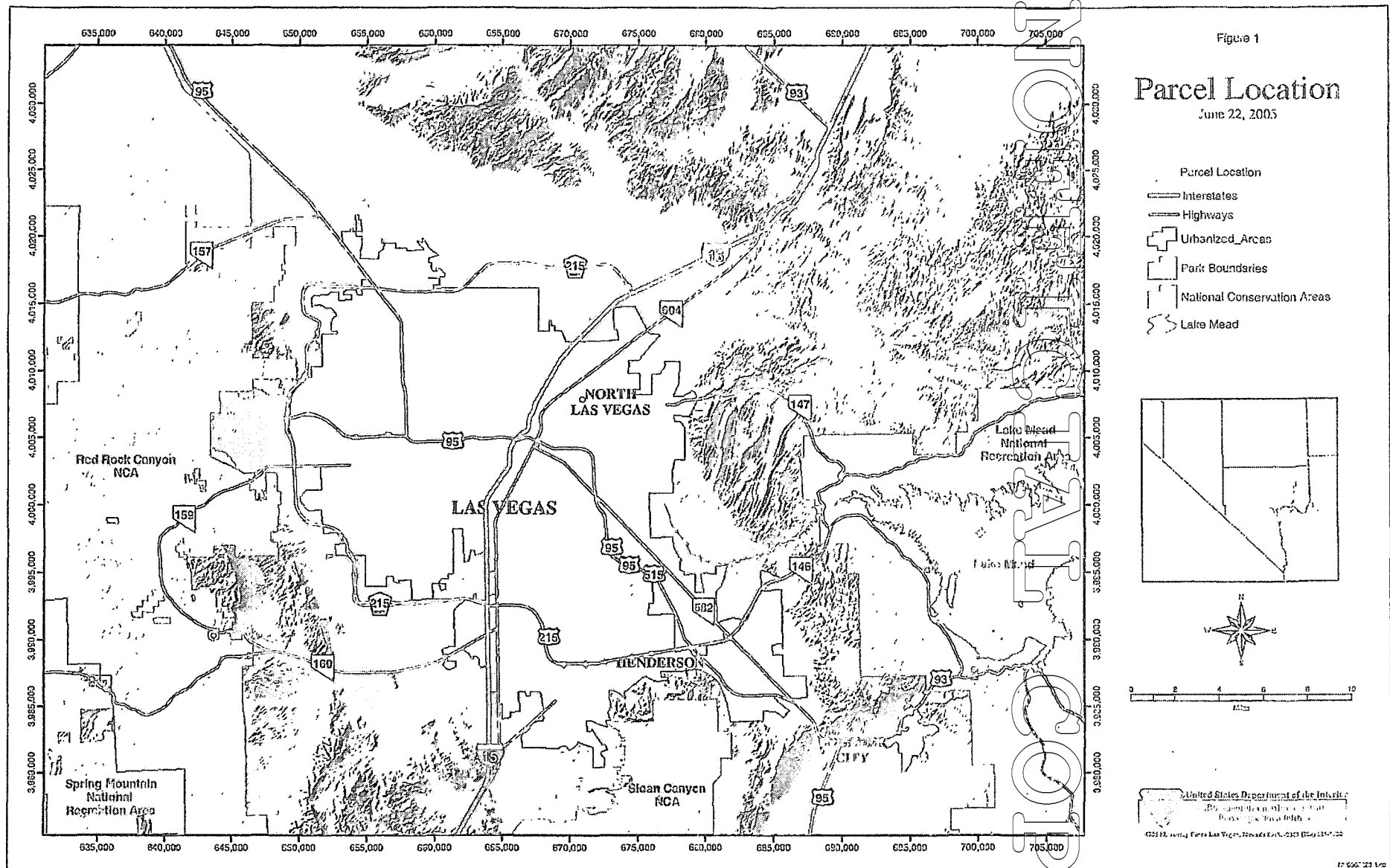
I. INTRODUCTION

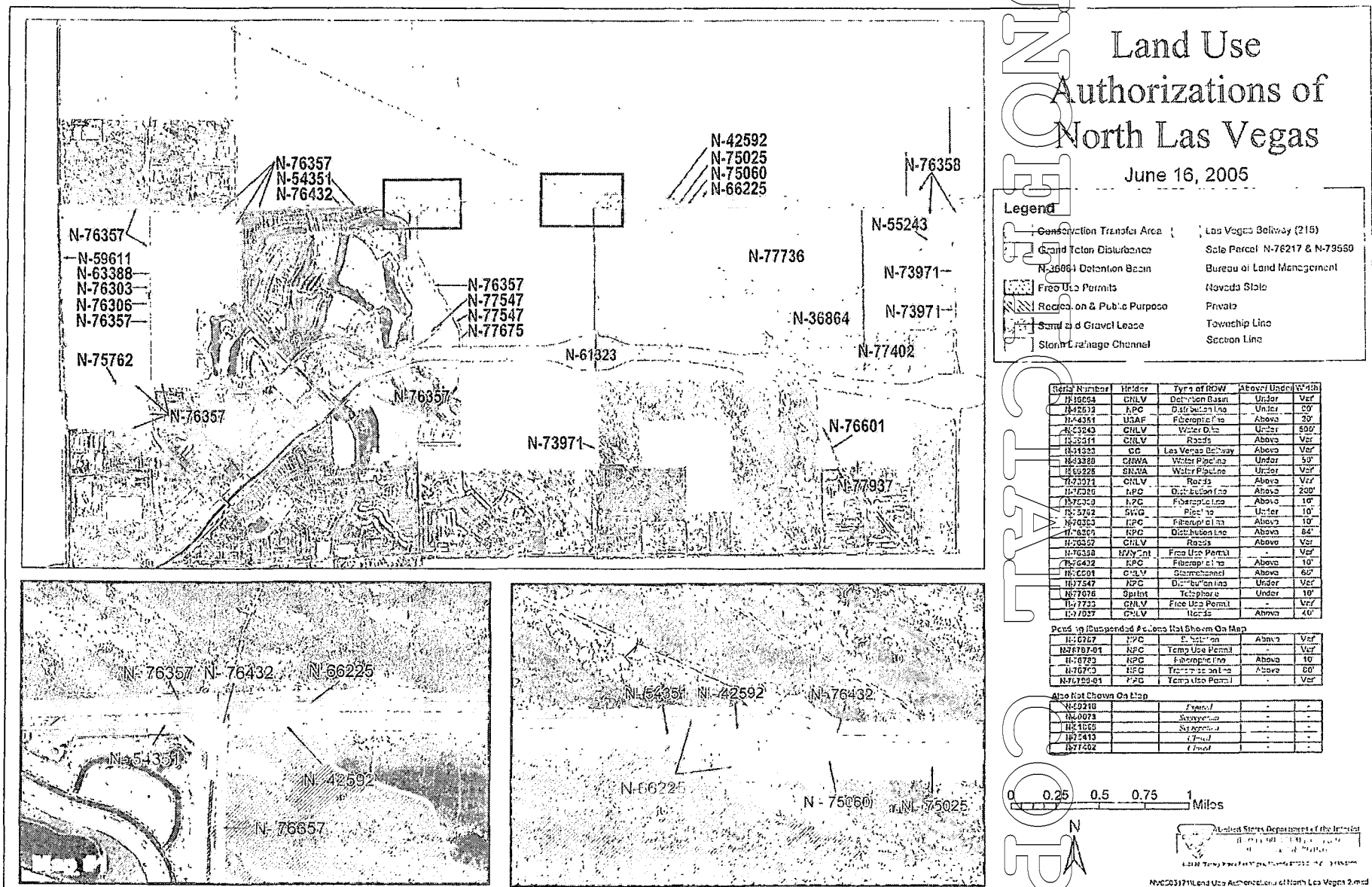
Pursuant to the Southern Nevada Public Land Management Act of 1998, 112 Stat. 2343, as amended by Section IV of the Clark County Conservation of Public Lands and Natural Resources Act of 2002, 116 Stat. 1994 (SNPLMA), the City of North Las Vegas (the City) has nominated approximately 3,000 acres of Federal public lands for disposal (the "Parcel"). The Parcel is located within the designated city limits of the City of North Las Vegas and includes all or portions of sections 14, 15, 16, 18, 19, 21, and 23 in Township 19 South, Range 61 East. Figure 1 depicts the general location of the Parcel within the Las Vegas Valley. Figures 2 and 3a, b, and c identify land-use authorizations and the Master Title Plat, respectively, of these lands.

The Bureau of Land Management (BLM) has completed the Las Vegas Valley Disposal Boundary Final Environmental Impact Statement, December 2004 (Disposal FEIS), and has consulted with the U.S. Fish and Wildlife Service (Service) regarding disposal of the Parcel. As a result of the Disposal FEIS and Service consultation processes, two special plant species, and special paleontological and cultural resources were discovered within the Parcel. This Conservation Agreement is intended to facilitate protection of paleontological and cultural resources and to satisfy mitigation requirements in the Disposal FEIS and commitments BLM made for an avoidance and minimization strategy for the plant species depicted in the Service's December 20, 2004, Biological and Conference Opinion for disposal of the Parcel. This Conservation Agreement provides for BLM to retain ownership of approximately 300 acres of land within the Parcel, referred to as the "Preserve"¹ area.

The two special plant species found within the Parcel are: the Las Vegas bearpoppy (*Arctomecon californica*) and the Las Vegas buckwheat (*Eriogonum corymbosum* var. *nilesii*). The bearpoppy is listed by the State of Nevada as critically endangered, and is a covered species under the Service's approved Clark County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP provides for protection of bearpoppy habitat on public lands while allowing for development on private lands that contain bearpoppy under the Nevada Division of Forestry (NDF) 2001 "Conditional Permit for Disturbance or Destruction of Critically Endangered Species in Clark County, Nevada, Las Vegas bearpoppy *Arctomecon californica*" (also known as the "Master Permit"). The NDF is currently considering the buckwheat for listing as a State critically endangered species. The Las Vegas bearpoppy and Las Vegas buckwheat are BLM sensitive species. Though the buckwheat is not a listed, proposed, or candidate species under the Federal Endangered Species Act (ESA), BLM and the Service agreed to conference in order to identify conservation measures to reduce impacts to the

¹ For the purposes of this agreement, the term "Preserve" is used to describe the area within the Parcel where the protected resources are most significant, and is not intended to be a "preserve" as may be specifically defined by any law or regulation.





CLARK COUNTY
LAS VEGAS GR DIST

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

INDEX TO SEGREGATED TRACTS

[illegible]

FOR CLOSURE, STOP-TIME DISPOSAL OR USE OF
UNIDENTIFIED LANDS WITHIN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES.
SEEKS TO MAKE OF MISCELLANEOUS DOCUMENTS.

[illegible]

RE: JAMES EARL RAY, AKA; ALIASES; FUGITIVE; ET AL.

See 47:21/2, 48:1/4, 51:1/4, 52:1/4

301 10/16/94 11/2/94 11/14/94 11/14/94

NY 89-102 RUCR - 75149 HQ49-C

50112 9514 9514

100-443886-100

Year	United States (%)	Mexico (%)
1980	85	45
1985	90	55
1990	95	65
1995	98	75
2000	100	85

Under the General Mining Law

RECEIVED BY THE DIRECTOR 12-14-13

SECRET

100

DEPENDENT RELATIVES AND SUBORDINATES

0

DATE	BY
1/15/77	110

10/8/04	MS
12/30/03	MS

12/22/14	MS
12/29/14	MS

2/24/05	MS
2/28/05	MS

N-050
T. 19 S.
R. 61 E.

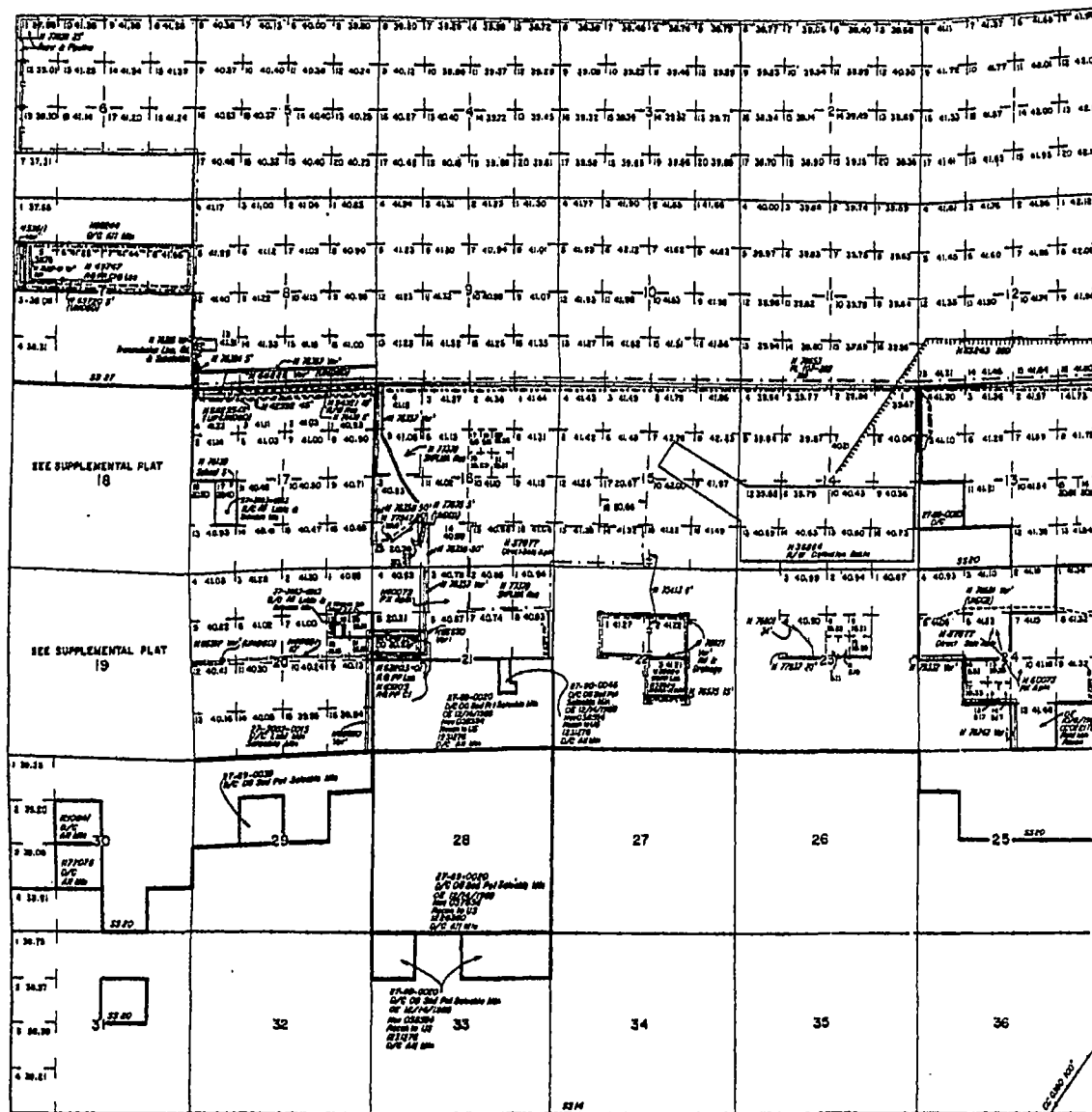


Figure 3a. Master Title Plat

SCALE
10 20 30 40 50 60
30 chains to the inch

WARNING STATEMENT

This plot is the Bureau's Record of Title and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

NEVADA

**MTP
SUPPL Sec 18**

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS WITHDRAWN FOR
CLASSIFICATION, MINERALS, WATER AND/OR
OTHER PUBLIC PURPOSES REFER TO INDEX
OF MISCELLANEOUS DOCUMENTS

PL 102-282 March 16, 1990

SUPPLEMENTAL PLAT OF SECTION 13 AGPT
11/17/1982

CURRENT TO	BY
5/7/03	MS
5/14/03	SL
6/1/04	MS
12/21/04	MS
3/1/05	MS
3/16/05	MS

N-050
T. 195
R. 61E

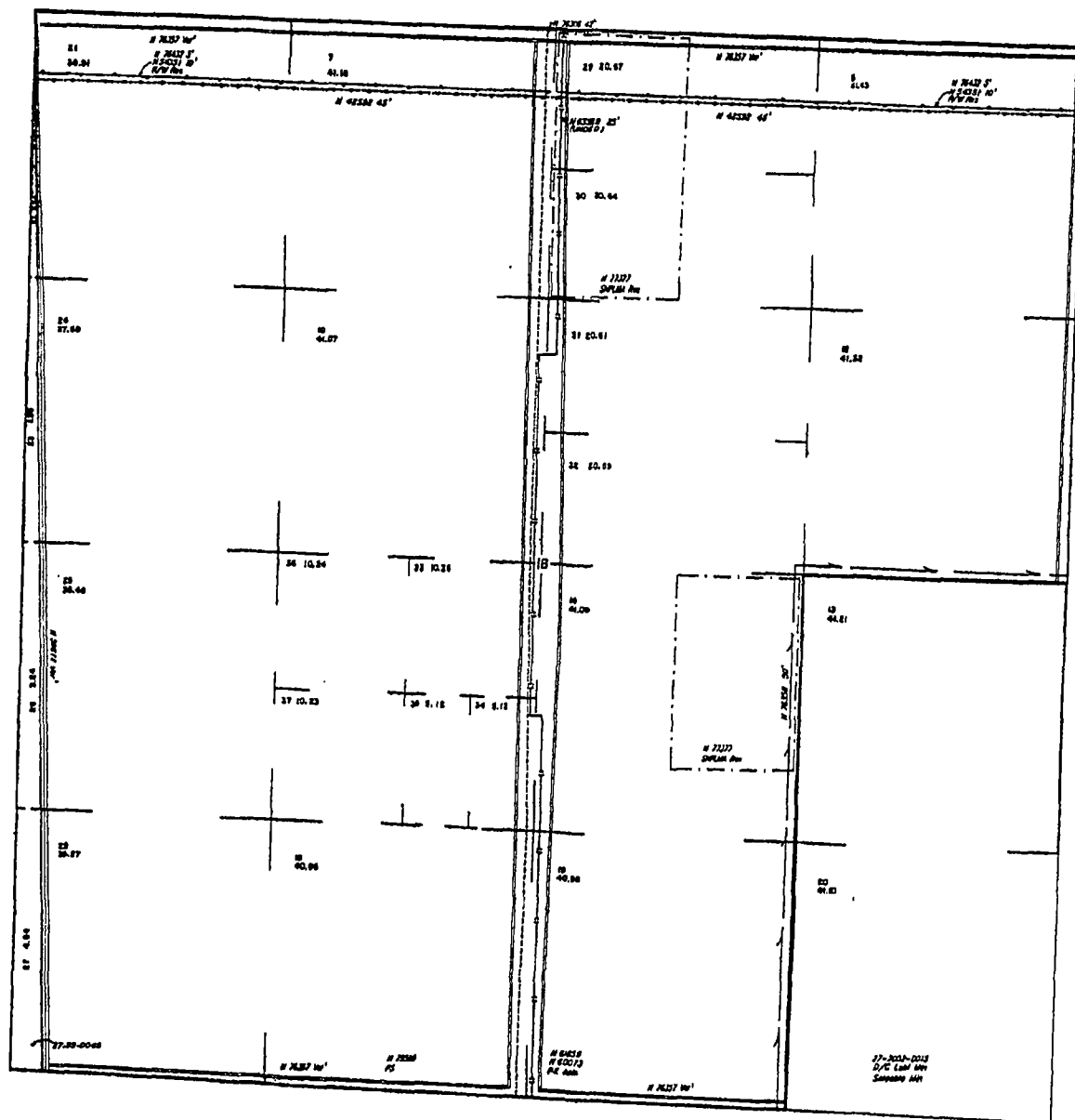
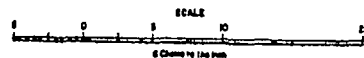


Figure 3b. Master Title Plat



WARNING STATEMENT

This list is the Bureau's Record of Title and should be used only as a guide to display of the borrower's current data. Records herein do not reflect title changes which may have been effected.

TOWNSHIP 19 SOUTH RANGE 61 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 19

INDEX TO SEGREGATED TRACTS	
TRACT NO.	SECTION
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FOR CONVEYANCE DISPOSAL OR USE OF
UNDEVELOPED LANDS WITHIN THE
CLASSIFICATION, MINERALS, WATER AND/OR
OTHER PUBLIC PURPOSES REFER TO INDEX
OF DISSEMINATION DOCUMENT

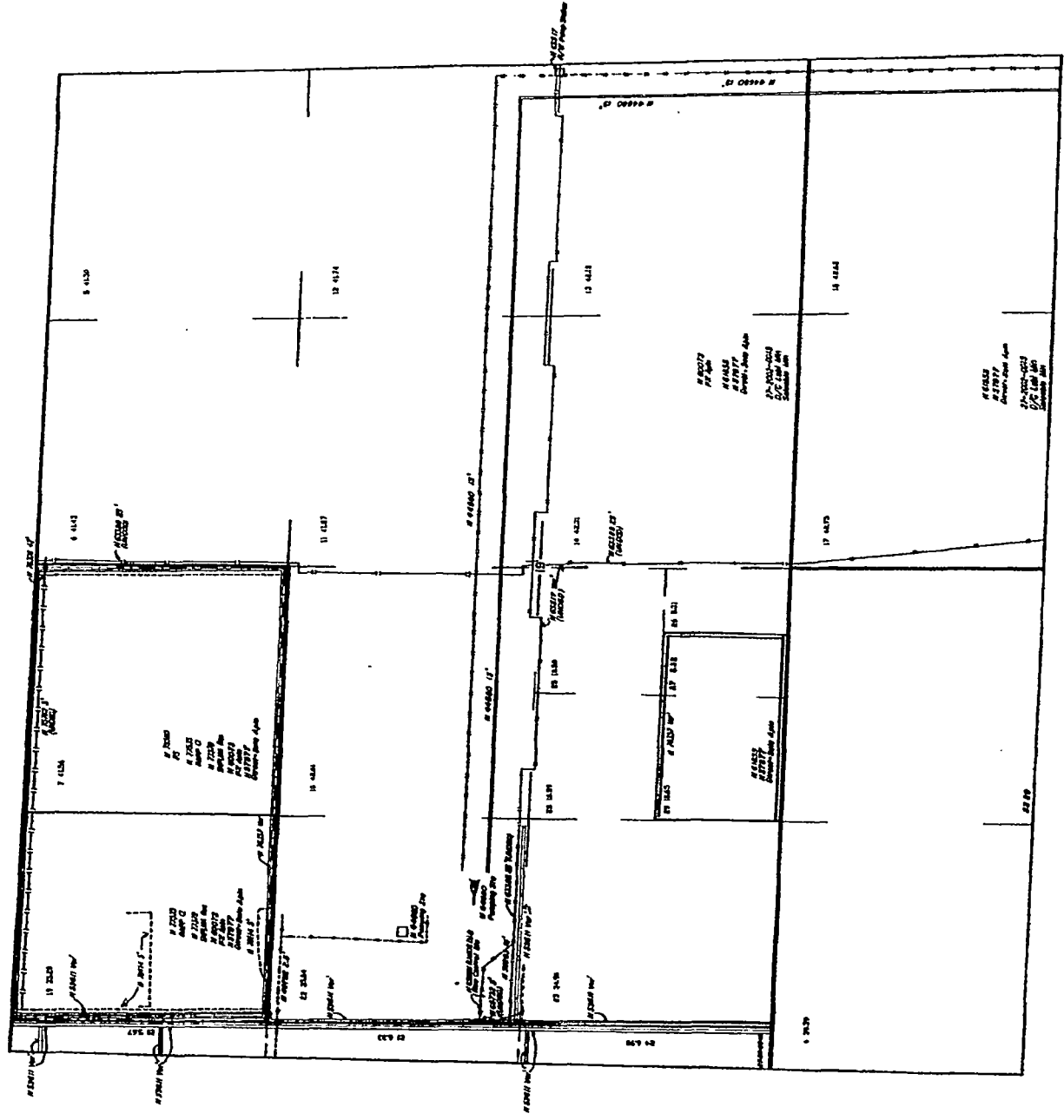
IN THE MOUNT DIABLO MERIDIAN

CLALLCO

SUPPLEMENTAL PLAT OF SECTION 19 ADST
10/1/1992

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N-050
T. 19S
R. 61E



WARNING STATEMENT
This plat is the basis for the survey and should be used only
as a guide. The survey is subject to change and the surveyor
does not warrant the accuracy of the survey. The surveyor
is not responsible for any errors or omissions in the
survey or for any consequences thereof.

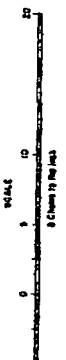


Figure 3c. Master Title Plat

buckwheat that are likely to occur from implementation of the proposed Las Vegas Valley land disposal and subsequent activities.

This Conservation Agreement addresses each of the special resource issues identified: Las Vegas buckwheat, Las Vegas bearpoppy, paleontological localities, and cultural resource sites. The overall objective for the plants within the Parcel is preservation. The occurrence of these plants on the Parcel is part of a larger, though still limited, distribution within Las Vegas Valley. These plants occur in greater number and over greater acreage within the adjacent Conservation Transfer Area (CTA), as depicted in BLM's Disposal FEIS.

II. PURPOSE

The purpose of this Conservation Agreement is for the parties to agree on the portion of the Parcel to be retained in Federal ownership for protection and preservation of resources, and to ensure that disposal of the remaining portions of the Parcel under SNPLMA will minimize impacts to these resources. It is agreed that approximately 300 acres, as later defined herein, will be retained in Federal ownership. It is intended that this Conservation Agreement facilitate protection of paleontological and cultural resources and to satisfy mitigation requirements in the Disposal FEIS and commitments made by BLM for an avoidance and minimization strategy for the plant species depicted in the Service's December 20, 2004 Biological and Conference Opinion for disposal of the Parcel. It is also intended that this Conservation Agreement facilitate compliance with the MSHCP and the NDF Master Permit.

The following goals and objectives define the management direction for these resources within the Parcel:

- To the greatest extent possible, provide for *in situ* preservation of the Las Vegas buckwheat and Las Vegas bearpoppy, protect existing occurrences, and minimize habitat fragmentation;
- To provide for continuation of ecological processes as defined by the species-specific biology (e.g., pollination ecology) of the buckwheat and bearpoppy;
- To provide ecological connectivity to the CTA to increase the effective ecological context of the plant populations within the Parcel;
- To provide for the natural function and processes associated with the Upper Las Vegas Wash ecosystem, including maintenance and/or restoration of natural hydrologic function to the extent possible;
- To provide opportunities for pedestrian trails within the Parcel and linkages to the regional trail system where compatible with conservation;
- To develop opportunities for habitat restoration and mitigation of buckwheat and bearpoppy plants to enhance the long-term viability of plant populations within the Las Vegas Valley;

- To maximize the opportunities for scientific research on the paleontological resources, and buckwheat and bearpoppy ecology, natural history, and restoration techniques;
- To meet all conditions for no net unmitigated loss of Las Vegas bearpoppy on public lands as specified in the NDF Master Permit;
- To provide adequate protection, management, and mitigation actions for Las Vegas buckwheat within the Parcel so as not to contribute to the need for listing under the ESA;
- To provide for field recovery of exposed paleontological and cultural resources, as appropriate;
- To provide protection and stabilization of selected paleontological specimens where *in situ* preservation is warranted;
- To provide opportunities for public education and outreach concerning the conservation of Las Vegas buckwheat and Las Vegas bearpoppy, and the preservation of paleontological resources;
- To implement short-term conservation actions (e.g., fencing) to stabilize Las Vegas buckwheat and Las Vegas bearpoppy populations and protect habitat by reducing immediate threats that inhibit growth, reproduction, and seedling establishment, and contribute to mortality; and
- To implement a long-term plant conservation program while allowing for compatible residential and commercial development, and recreational activities.

III. CONSERVATION STRATEGY

This Conservation Agreement integrates an effective strategy for the protection of biological, paleontological, and cultural resources with the existing and future human-based activities within and adjacent to the Parcel. Following is a description of the natural and cultural resources protected by this Agreement, as well as a description of road and utility alignments, storm water management facilities, and other development infrastructure anticipated by the City.

A. Natural and Cultural Resources

Key resources within the Parcel that require special management attention, as identified by BLM and the Service, are the Las Vegas bearpoppy, Las Vegas buckwheat, and paleontological and cultural resource sites.

1. Las Vegas Bearpoppy

The Las Vegas bearpoppy is a perennial, evergreen herb that generally lives 4-5 years. Its distribution is limited to areas of the Mojave Desert of Nevada and Arizona where certain soil conditions occur within an elevation range of 1,036 and 3,585 feet. It is

generally found in barren, gravelly desert flats and hummocks associated with gypsum soil deposits. Flower stalks, often reaching to over 24 inches high, emerge from a basal rosette (cluster) of leaves that are three-toothed at the tip and have long shaggy white hairs. The yellow flowers are up to three inches in diameter and bloom in April and May. Cross-pollination is required to produce viable seed. Ground dwelling solitary bees (Hymenoptera : Apidae : Anthophorinae) are the primary pollinators of the bearpoppy. The bearpoppy has a deep taproot that is extremely fragile and vulnerable to water loss if broken. Precipitation patterns influence germination, seedling survival, and the number and vigor of plants in a population. Bearpoppy populations cycle through periods of exceptional growth and large-scale die-off (Mistretta, Pant, Ross, Porter, and Morefield. 1996. *Current knowledge and conservation status of the California bearpoppy*. Report to Service).

Bearpoppies occur in the Parcel and the adjacent CTA where appropriate soil conditions are found. The largest and most dense stand of bearpoppies in the Parcel is located just south of the Grand Teton Drive alignment and east of the Southern Nevada Water Authority (SNWA) surge tank station (see Figure 4). Additional clusters of bearpoppies are found south of the SNWA surge tank station on gypsum soil exposures generally associated with minor drainages. At approximately the Commerce Street alignment south of Highway 215 another cluster of bearpoppies is located. Small, widely scattered clusters of bearpoppies are found on the Parcel north of Highway 215 and east of the Eglington Escarpment (a shallow, north-south trending ridge west of the Commerce Street alignment). Following the record setting winter rainfall in early 2005, thousands of previously unrecorded bearpoppies in the Parcel were newly germinated or more evident by their profuse showy blossoms.

A study conducted by Von K. Winkel at the Las Vegas Valley Water District's Springs Preserve titled *Rare Plant Research at the Springs Preserve 2000-2004*, investigated the transplant and seedbank salvage potential for the bearpoppy. Transplant techniques included tree spade method, box method, and pipe method. The stovepipe transplant method appeared the preferred option, though bearpoppy survivorship from transplanting established plants by all methods was limited (less than 50 percent) even under intensive management in a plant nursery setting. However, survivorship of transplanted seedlings was nearly 80 percent at 19 months after transplanting. The study found there is a substantial bearpoppy seedbank in the soils surrounding individual plants with somewhat higher numbers of seeds associated with larger plants, and seeds often occurring deep into the soil. The seedbank was found to be larger and deeper than originally anticipated. Soil removal and salvage of the seedbank may be a viable mitigation option for occupied bearpoppy habitat that would be lost to development. However, successful germination of seeds following soil salvage is unknown.

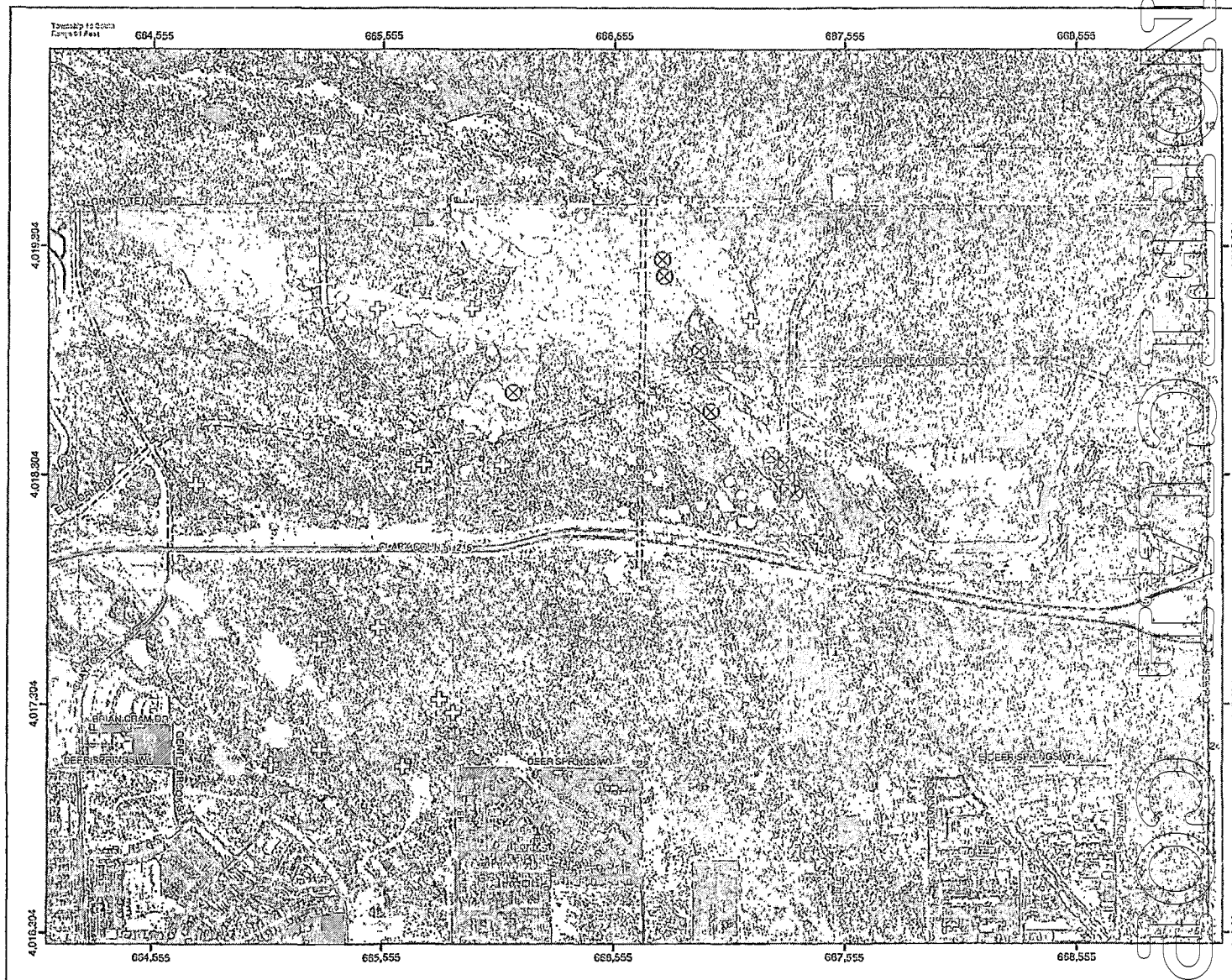
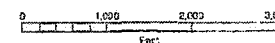
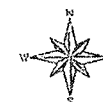
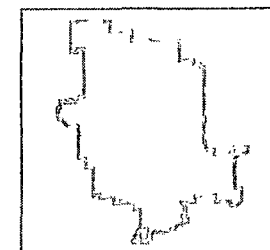


Figure 4

Preservation Area

June 22, 2005

- Las Vegas Valley Bearpoppy
- Las Vegas Valley Buckwheat
- Area of High Buckwheat Concentration
- Cultural Sites
- Paleontological Sites
- Preserved Area Boundary
- Planned Roads
- Wash Structures



United States Department of the Interior
Bureau of Land Management
4324 N. Twenty-Ninth Avenue, Suite 200, Colorado Springs, CO 80909
4324 N. Twenty-Ninth Avenue, Suite 200, Colorado Springs, CO 80909

2. Las Vegas Buckwheat

The Las Vegas buckwheat is a large shrub (to several feet in diameter and height) with oval leaves and, in fall, numerous small yellow flowers forming a dense layer over the top of the plant. It depends on wind and a variety of insects (e.g., wasps, flies, and bees) for pollination. The Las Vegas buckwheat is distinguished from other yellow-flowered shrubby buckwheat by the sparse silvery tufts of cobwebby hairs on the flowering branches and upper leaf surfaces. This buckwheat is largely confined to Clark County, Nevada. It is generally found on or near gypsum soils at elevations between 1,900 feet and 3,839 feet, often on eroded hills and along drainages, but also on sparsely vegetated flats (Service's Biological and Conference Opinion to BLM for disposal of the Parcel). BLM survey data, as of the date of this Conservation Agreement, has documented approximately 6,800 buckwheat plants on BLM lands within the Parcel and CTA.

There are three major clusters of Las Vegas buckwheat within the transfer Parcel (see Figure 4). Approximately 600 plants are found in section 18 just east of Decatur Boulevard. This site has been highly degraded and isolated from other buckwheat due to surrounding development activities on private property and rights-of-way construction within the section. A concentration of approximately 700 buckwheat plants is found south of Highway 215 just east of Clayton Street, on low rolling hills that are dissected by several narrow, highly incised drainages. The plants and habitat at this site are severely impacted by off-road vehicle activities. However, some of the largest buckwheat plants are found within the washes in this area. Just south of the Grand Teton Drive alignment and east of the Clayton Street alignment approximately 300 buckwheat plants occur in an area where the topography is primarily flat. Las Vegas buckwheat plants at this site are contiguous with the population that extends north across the Grand Teton Drive alignment into the CTA. No buckwheat plants are known to occur on the Parcel east of the Revere Street alignment. A total of approximately 1,600 buckwheat plants are known from the Parcel as a result of intensive surveys, or about 24 percent of the combined number of plants in the Parcel and CTA.

The study by Von K. Winkel at the Las Vegas Springs Preserve also investigated the transplant and seedbank salvage potential for the buckwheat. Transplant techniques included the bag method, tree-spade method, and box method. All plants in the study were salvaged during the dormant period. All salvage methods produced high (over 80 percent) transplant survivorship, though the spaded and boxed plants method proved superior to the bagged method resulting in higher survivorship and larger plants after 20 months following transplant. According to the study, "Las Vegas buckwheat plants are easy to salvage as long as care is taken during salvaging and planting to keep the above-ground plant and rootball intact, and that supplemental irrigation is provided to the plant during the establishment period of several months." Las Vegas buckwheat is a prolific seed producer that appears to have good seed viability and moderate germination rates.

3. Paleontological Resources

Thirteen vertebrate paleontological localities have been recorded within the Parcel based on a systematic pedestrian inventory of the Parcel. These paleontological resource sites within the Parcel are concentrated within the Las Vegas formation where the fossil bearing E-unit is exposed along the Upper Las Vegas Wash and near the detention basin in the eastern portion of the Parcel.

4. Cultural Resources

Three eligible cultural resource sites are located within the Parcel.

B. City Infrastructure and Existing Developments

The Parcel is located within the City limits, adjacent to new developments and roadways, some of which are currently under construction. Providing municipal services (e.g., transportation, utilities, and protection from floods) to these and future developments has been part of long-term City and Regional planning efforts. Each new development is fundamentally connected to others through City infrastructure (e.g., roads and utilities). The expectations for future development, based on long-term master plans, are integrated into the planning and implementation of current developments and infrastructure (e.g., roadways, utilities, and flood control features).

1. Transportation Infrastructure

A large segment of the Parcel lies roughly between the north-south roadway alignments of Clayton Street on the west and past North Fifth Street on the east (to approximately Losee Road); and between the east-west roadway alignments of Grand Teton Drive on the north and approximately the Deer Springs Way alignment on the south—an area of approximately 2 miles by 2 miles. The Parcel is bisected east-west by the beltway highway—Clark County Highway 215—a restricted access multi-lane freeway that is currently under construction. The Revere Street alignment runs north-south through the middle of the Parcel, and the east-west Elkhorn Road/Farm Road alignment runs north of the beltway. The Commerce Street alignment follows the half-section line between Revere Street and North Fifth Street. Integrated into Highway 215 are interchanges at North Fifth Street and Revere Street, an overpass at Clayton, and a possible overpass at Commerce Street. North Fifth Street is to be a restricted access arterial highway and mass transit corridor, ultimately connecting with the anticipated Mountain Edge Parkway to the north. Commerce Street (one-half mile west of North Fifth Street) and Revere Street are intended to provide for movement of local traffic and transportation connections to future anticipated developments north of the Upper Las Vegas Wash. Clayton Street parallels the Aliante Master Planned community to the west. The Grand Teton Drive alignment is an existing major alignment for utilities (see below).

2. Utilities Infrastructure

The Aliante Master Planned Community is just west of the Clayton Street alignment and extends north to the Grand Teton Drive alignment. Concurrent with the development of Aliante, residential sewer and water system connection points for future anticipated developments have been provided at the intersection of the Clayton Street and Elkhorn Road alignments. Along the Grand Teton Drive alignment, BLM granted rights-of-way for two Nevada Power overhead power-lines and for a 72-inch diameter SNWA buried water pipeline. The SNWA also has an approximately one and one-half acre surge tank station on the south side of the Grand Teton Drive alignment, and several large pipes extending vertically to the surface near where the Grand Teton Drive alignment crosses the Upper Las Vegas Wash. Two overhead power-lines parallel the Grand Teton Drive alignment, entering the Parcel from the east at approximately the crossing of Upper Las Vegas Wash. Just east of the SNWA surge tank station the overhead power-lines diverge. A 230-kilovolt line continues along Grand Teton Drive. A second right-of-way alignment for a 500-kilovolt overhead power-line veers to the northwest roughly paralleling the Upper Las Vegas Wash. The construction of these various facilities with the adjoining dirt roadways has resulted in a band of ground disturbance along the Grand Teton Drive alignment extending approximately from 88 to 200 feet in width.

3. Flood Control Facilities

The Clark County Regional Flood Control District's *Master Plan Update for the Las Vegas Valley* identifies the need for a flood control channel parallel to Grand Teton Drive. This channel is intended to capture flows from the north side of the Grand Teton Drive alignment originating west of Decatur Boulevard, and to convey the flows into the existing North Las Vegas Wash Detention Basin east of the North Fifth Street alignment and north of Highway 215. The channel is preliminarily sized as a 32-foot wide, concrete-lined trapezoidal channel to be constructed along the north side of the Grand Teton Drive alignment to prevent storm runoff from the north from having to cross the roadway before entering the facility. To accommodate channel maintenance and rescue crew access, 12-foot wide access roads are also necessary along both sides of the channel, for a total facility width of 58 feet.

C. **Preserve Delineation**

The special plant species and paleontological resources protected by this Agreement within the Parcel are clustered at particular locations. Therefore, it was determined that a portion of the Parcel should be retained in Federal ownership for protection and preservation of these resources. The remaining portion of the Parcel could be disposed of under SNPLMA. The signatories to this Conservation Agreement have determined a Preserve area to be retained by BLM. To define the Preserve boundary, all known locations of Las Vegas buckwheat, Las Vegas bearpoppy, and cultural and paleontological sites within the Parcel were mapped, as were existing development infrastructure, (e.g., electric power-lines, water lines, and sewer lines) the City planned streets and highway system, and anticipated floodwater conveyance

facilities. Preserve boundaries were developed with special consideration given to the following parameters:

- The presence of occupied and suitable habitat for Las Vegas buckwheat, and the degree of habitat degradation and the likelihood of successful habitat restoration;
- The presence of occupied and suitable habitat for Las Vegas bearpoppy;
- That ecological connectivity is provided within the Preserve and with the CTA north of the Grand Teton Drive alignment;
- That ecological continuity and diversity are provided within the Preserve to maintain required ecological process as required by the biology of the buckwheat and bearpoppy, with a strong focus on the pollination ecology of each species (e.g., support of appropriate insect populations and natural wind, precipitation, and solar exposure patterns);
- That topography and other natural features (e.g., washes, ridges, soil exposure, and vegetation) are incorporated into the Preserve to provide a defensible boundary for occupied buckwheat and bearpoppy sites;
- That the Preserve boundary line is well defined on the ground and can be efficiently incorporated into development planning and protection (i.e., fencing) of the Preserve;
- That the Preserve includes appropriate locations for inclusion of an anticipated trail system that minimizes or avoids impacts to special resources;
- That the Preserve incorporates, as appropriate, the known cultural and paleontological sites, including major exposures of the Las Vegas formation and E-unit, which exhibits the highest probability for the occurrence of vertebrate Pleistocene megafauna; and
- That the City has the capability to provide utilities and flood control, transportation, and public health and safety services to existing and future developments within and surrounding the Parcel consistent with the protection of the special resources.

The resulting Preserve (Figure 4) includes approximately 300 acres of land, and centers on existing populations of Las Vegas buckwheat and Las Vegas bearpoppy within the Parcel. The boundary of the Preserve adjacent to the CTA provides for ecological continuity between the plant populations within the Parcel and the CTA. The Preserve maximizes biodiversity by including washes and stands of mesquite and acacia. Portions of existing dirt roads are included within the Preserve to provide potential locations for trails without additional impacts to rare plant habitat. The known cultural and paleontological sites north of Highway 215 are within the Preserve boundaries or on lands previously set aside for the detention basin.

The isolated buckwheat stand in section 18 (just east of Decatur Boulevard) includes a large number of the buckwheat plants within the Parcel, but did not provide any reasonable expectations of ecological sustainability due to its existing severely degraded conditions. Therefore this location was not included as part of the Preserve. BLM and the Service determined that the buckwheat stand south of Highway 215, which also includes a large number of the buckwheat in the Parcel, was also not suitable for protection due to its separation from other buckwheat sites by Highway 215, the doubtful long-term sustainability of the isolated habitat surrounded by intense development, and its existing degraded condition due primarily to illegal off-road vehicle use. Regardless of the disposition of the Parcel, the viability of Las Vegas buckwheat at these two locations has been severely compromised.

Recent surveys by BLM documented about 5,200 buckwheat plants in a contiguous, relatively unfragmented population in the CTA (clustered in T19S, R61E section 6, 7, 8, and 9), a greater number of buckwheat than previously known. Approximately one-fifth of the known buckwheat plants from within the Parcel have been included in the Preserve. For the bearpoppy, approximately three-quarters of the known plants within the Parcel and many non-tallied bearpoppy plants have been included within the Preserve. A large number of bearpoppy plants occur in the CTA. Cultural and paleontological sites will be subject to data recovery and buckwheat and bearpoppy plants that may be lost or impaired due to development are required to be mitigated under sections III. D. 6. of this Agreement.

D. Preserve Management

The integrity of the Preserve for the conservation of the Las Vegas buckwheat and Las Vegas bearpoppy, and the protection of paleontological and cultural resources is influenced by management actions and development activities within and adjacent to the Preserve.

1. Preserve Ownership

BLM will retain ownership of the approximately 300-acre Preserve, and dispose of the remaining portion of the Parcel under the authority of SNPLMA. BLM will retain full regulatory authority over the Preserve.

2. Proposed Transportation Alignments Crossing or Adjacent to the Preserve

Transportation needs of the City require that certain essential roadways cross the Preserve. It is the City's intent to minimize impacts within the Preserve from these activities through all reasonable means available while still providing essential municipal services. The following roadway alignments have been identified as requiring rights-of-way authorizations from BLM to cross the Preserve:

▪ Revere Street

From the Revere Street interchange with Highway 215, the proposed north-south Revere Street roadway shifts west approximately one-half mile to cross the

Preserve where the Preserve boundary narrows to follow the course of a small wash and where potential impacts to special resources would be minimized. Revere Street is proposed to meet Grand Teton Drive.

Where Revere Street is proposed to cross the Preserve (approximate UTM Zone 11 $65^{300m}E$, $40^{19^{100m}}N$; see Figure 4), the roadway is to bridge the full span of the wash, without the placement of any structures (e.g., culvert, pilings, or bridge supports) within the wash.

The proposed width of Revere Street (including street, curb, and sidewalk/shoulder) through the Preserve is to be as narrow as feasible as to be determined through a traffic study, and shall not exceed 100 feet.

Construction impacts within the Preserve are proposed to be limited to an additional 10 feet on each side of the road, subject to the terms and conditions of a temporary-use permit issued by BLM, and rehabilitation of disturbed habitat following construction.

- **Commerce Street**

Commerce Street is proposed to follow the north-south half-section line alignment near the eastern end of the Preserve, entering the Preserve approximately one-half mile north of Highway 215 and passing through the Preserve for a distance of approximately one-half mile. Commerce Street is proposed to meet Grand Teton Drive.

The proposed width of Commerce Street (including street, curb, and sidewalk/shoulder) through the Preserve is to be as narrow as feasible as to be determined through a traffic study, and shall not exceed 80 feet.

Where Commerce Street is anticipated to cross a deeply incised wash within the Preserve (approximate UTM coordinates Zone 11, $40^{19^{100m}}N$, $66^{670m}E$; see Figure 4) the roadway would be engineered in such a manner as to protect the current functions of the wash. The crossing structure may be similar in design to a "bottomless culvert" that leaves the bottom of the wash in a natural state.

Construction impacts within the Preserve are proposed to be limited to an additional 10 feet on each side of the road, subject to the terms and conditions of a temporary-use permit issued by BLM, and rehabilitation of disturbed habitat following construction.

- **North Fifth Street**

North Fifth Street is proposed to be a major north-south restricted access arterial highway and mass transit corridor (right-of-way width to 150 feet), extending north from Highway 215, curving slightly to the west and then to the north to cross the wing dike and detention basin on the far east end of the Preserve.

North Fifth Street would not enter the Preserve; the western edge of the road right-of-way would define the eastern boundary of the Preserve between Highway 215 and the detention basin.

Final alignment of North Fifth Street would be determined following recovery of adjacent paleontological sites and determination of *in situ* preservation requirements.

■ Elkhorn Road

Elkhorn Road is proposed to enter the Preserve (west to east) at approximately the Commerce Street alignment, crossing a narrow portion of the Preserve and detention basin at approximately the end of the west wing dike and meeting with the Farm Road alignment.

Elkhorn Road would pass immediately adjacent to the southern extent of the central portion of the Preserve and so exclude development restrictions at this site.

The proposed width of Elkhorn Road (including street, curb, and sidewalk/shoulder) through the Preserve is to be as narrow as feasible as to be determined through a traffic study, and shall not exceed 100 feet.

Construction impacts within the Preserve are proposed to be limited to an additional 10 feet on each side of the road, subject to the terms and conditions of a temporary use permit issued by BLM, and rehabilitation of disturbed habitat following construction.

■ Grand Teton Drive

Grand Teton Drive is planned as a major arterial roadway that runs east-west on the north side of the Preserve adjacent to the CTA. Included within the Grand Teton Drive alignment are the roadway, sidewalk/shoulder, overhead power-lines, buried water pipeline, and floodwater conveyance facilities.

The proposed width of Grand Teton Drive (including street, curb, and sidewalk/shoulder) adjacent to the Preserve and CTA is to be as narrow as feasible as to be determined through a traffic study. The road and all utility features are to be contained, to the maximum extent practicable, to those lands along the Grand Teton Drive alignment that have been previously disturbed, and shall not exceed a total width of 123 feet. Between the SNWA surge tank station and the main channel of Las Vegas Wash, between 0.75 to 1.0-acre of previously undisturbed land on the south side of the alignment is expected to be impacted by the roadway. West of the SNWA surge tank station, the roadway and all facilities will be north of the 230-kilovolt power-line.

Construction impacts within the Preserve are proposed to be limited to an additional 10 feet on each side of the roadway, subject to the terms and conditions of a temporary use permit issued by BLM, and rehabilitation following construction. The construction zone is to be intensively surveyed prior to construction for the presence of Las Vegas bearpoppy and Las Vegas buckwheat. Locations where these plants and/or suitable habitat are present will be staked/fenced to minimize construction impacts to the greatest extent practicable while allowing for the necessary construction activities.

Grand Teton Drive will be engineered to protect and/or enhance to the greatest extent feasible, the natural function of the drainage channels crossing the Grand Teton Drive alignment. Structures are to be provided to allow for water flow under the roadway for three drainage channels: 1) the main channel of the Upper Las Vegas Wash (approximate UTM Zone 11 ⁶⁶800mE, ⁴⁰19^{500m}N; 2) about 400 yards west of the main channel of the Upper Las Vegas Wash (approximate UTM Zone 11 ⁶⁶400mE, ⁴⁰19^{500m}N); and 3) approximately 200 yards east of the SNWA surge tank station (approximate UTM Zone 11 ⁶⁵900mE, ⁴⁰19^{500m}N) (see Figure 4). The roadway is to span the main channel of the Upper Las Vegas Wash. The structures at the other two locations may be similar in design to a low-rise box culvert. The flow containment dikes, headwalls, abutments, and/or other pertinent structural features associated with the drainage crossing structures are to be designed to minimize intrusion into non-disturbed areas, though any new disturbances associated with the design or construction of these facilities will not be tallied against the 0.75 to 1.0-acre limit on new disturbance along Grand Teton Drive.

3. Proposed Utility Alignments Crossing or Adjacent to the Preserve

Utility infrastructure needs of the City require that certain essential utility alignments cross the Preserve. It is the City's intent to minimize impacts within the Preserve from these activities through all reasonable means available while still providing essential municipal services. The following utility alignments have been identified as requiring rights-of-way authorizations from BLM to cross the Preserve:

- **Utility Alignments**

Utility alignments (e.g., residential sewer, water, and telecommunications cables) may need to cross the Preserve at currently unknown locations. These alignments are proposed to be the minimum number necessary as required to provide services. Any utility alignment proposed to cross the Preserve would be the minimum necessary width and sited to avoid/minimize impacts to buckwheat, bearpoppy, paleontological sites, and native vegetation. These proposed utility lines would follow proposed roads that cross the Preserve where possible, and/or would be buried and the alignment rehabilitated. Access to utility alignments would be allowed in order to conduct maintenance activities; however, any resulting disturbance would be restored. Utilities infrastructure across the

Preserve would require granting of rights-of-way by BLM, subject to terms and conditions.

- **Overhead Power-lines**

If an electric utility substation is proposed by Nevada Power in the vicinity of the Preserve (as is currently identified in Nevada Power planning documents), the overhead power-lines may follow either the Commerce Street or Revere Street alignments, overlapping the road right-of-way as much as possible and preferably spanning the Preserve at its narrowest point (i.e., the proposed Revere Street crossing), subject to the issuance of a right-of-way authorization by BLM. The substation and any associated facilities would be located outside the Preserve.

4. Proposed Flood Control Facilities Crossing the Preserve

To provide protection to developments from floodwaters, as well as preventing storm water drainage that passes through developments from entering the Preserve due to the potential presence of contaminants (e.g., oils, insecticides, herbicides, and/or seeds from non-native plants), special water discharge facilities would be needed.

- **Floodwater Conveyance Facilities**

To eliminate the discharge of storm runoff from the development island surrounded by the proposed Preserve immediately south of Grand Teton Drive, a storm sewer system (with a main pipe size estimated to be 48 to 60 inches in diameter), would be required to convey the runoff beneath the Preserve for discharge into downstream receiving facilities, subject to issuance of right-of-way authorization by BLM and associated terms and conditions.

5. Trail System

Proposed pedestrian trail through the Preserve would be integrated into the regional trail system. A trail would enter the Preserve at the southeast corner of the Preserve near the North Fifth Street and Highway 215 interchange. Road crossings for the trail would be provided for Elkhorn Road, Commerce Street, and Revere Street. The exact placement of a trail is to be determined by BLM as the Preserve owner. The intent is to provide trail access through the Preserve with parking areas and associated facilities located outside the Preserve. The trail would not exceed 10 feet in width and is expected to have a hardened surface, in part, to encourage non-motorized wheeled vehicles (e.g., bicycles and strollers) to remain on the designated trail. The proposed trail would be designed to avoid or minimize impacts to sensitive resources within the Preserve.

6. Mitigation and Restoration for Las Vegas Buckwheat and Las Vegas Bearpoppy

In situ conservation of Las Vegas bearpoppy within the Parcel provides significant mitigation for impacts to this special plant species. Bearpoppy plants and salvaged soils

from the Parcel outside of the Preserve that are subject to potential destruction or disturbance may be collected and used to rehabilitate disturbed areas of suitable habitat within the Preserve and/or CTA, as appropriate. In addition to *in situ* conservation of Las Vegas buckwheat, seed collection, plant and soil salvage, and restoration measures are needed to mitigate for buckwheat losses. Mature buckwheat seed and/or cuttings may be collected from plants that are subject to disturbance or loss prior to salvage or destruction. The seed would be properly stored by BLM for propagation and restoration. Once all available seed has been collected, individual plants may be salvaged and relocated to the Preserve, CTA, or other protected area with appropriate levels of maintenance and monitoring. Voucher specimens are to be collected from any population to be extirpated and accessioned into a herbarium, such as the University of Nevada, Las Vegas, with the extirpation documentation. Copies of the extirpation documentation are to be provided to the Nevada Natural Heritage Program, in Carson City. Stockpiling of topsoil from buckwheat sites that would be lost is also to be considered. A detailed mitigation and monitoring plan, consistent with conservation actions directed by the Service's December 20, 2004, Biological and Conference Opinion (pages 49-51), is to be prepared by BLM and reviewed by the Service, NDF, and Clark County, with final approval by the Service.

7. Development Restrictions Adjacent to the Preserve

Lands within the Parcel that are immediately adjacent to the Preserve and parallel to and west of the Eglington Escarpment are to be subject to certain development restrictions in order to minimize potential impacts to the Preserve. These restrictions are not applied to lands east of the Eglington Escarpment due to the absence of both buckwheat and bearpoppy in the area, and the geographic extent of the overall Preserve width in these areas. These restrictions include:

- All buildings would be limited to single family, detached housing, with a minimum lot size of 5,000 square feet;
- The developer would be required to provide fencing adjacent to the Preserve boundary, and these fences would be "view fences" (e.g., wrought iron or bars, except for footings, corners, supports, and grade separations), providing open air connectivity with the Preserve for the passage of air flow and insect pollinators;
- Landscaping with native species of plants would be emphasized, using buckwheat and/or bearpoppy as appropriate;
- Grass lawns would be restricted to back and side yards;
- Nuisance storm water management would be designed to prevent waters draining from developed areas (e.g., streets and housing) that may potentially be carrying contaminants (e.g., oils, insecticides, herbicides, and/or seeds from non-native plants) from entering the Preserve;

- Construction monitors would be required to be on-site during any construction activities adjacent to or within the Preserve that requires the use of heavy equipment or surface disturbing activities. Monitors are to periodically check for unauthorized intrusion of construction-related impacts into the Preserve during the period that any construction activities are occurring adjacent to or within the Preserve. Monitors are to provide a brief explanation to construction workers working adjacent to the Preserve of the importance of avoiding impacts within the Preserve. The monitors are to be paid for by the developers, approved by BLM, the Service, and NDF, and hired/provided by NDF, the City, or other entity not affiliated with the developer to maintain third-party neutrality; and
- These development restrictions, with the exception of the construction monitors, do not apply adjacent to the Preserve where Elkhorn Road passes along the southern edge of the Preserve just east of the Eglington Escarpment.
- Development adjacent to the south side of Grand Teton Drive between the westernmost boundary of the Preserve and the east side of the main channel of the Upper Las Vegas Wash is to preclude commercial businesses that have the potential of creating an environmental hazard within the Preserve (e.g., gas station).

8. Cooperative Management Agreement

BLM, the Service, NDF, and City may work to develop a Cooperative Management Agreement that further identifies management responsibilities within the Preserve, assists in the coordination of funding opportunities, and identifies a process to resolve issues not addressed within this Conservation Agreement.

IV. AUTHORITY

A. Involved Parties

1. U.S. Department of Interior, Bureau of Land Management

Bureau of Land Management
Nevada State Office
1340 Financial Boulevard
Reno, Nevada 89520
(775) 861-6500

Bureau of Land Management
Las Vegas Field Office
4701 N. Torrey Pines Drive
Las Vegas, Nevada 89130
(702) 515-5000

2. U.S. Department of Interior, Fish and Wildlife Service

U.S. Fish and Wildlife Service
Nevada Fish and Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, Nevada 89502
(775) 861-6300

U.S. Fish and Wildlife Service
California/Nevada Operations Office
2800 Cottage Way, Room W
Sacramento, California 95825
(916) 414-6464

3. Nevada Division of Forestry

Nevada Division of Forestry
2525 South Carson Street
Carson City, Nevada 89701
(775) 684-2500

Nevada Division of Forestry
Southern Region Office
4747 W. Vegas Drive
Las Vegas, Nevada 89108
(702) 486-5123

4. City of North Las Vegas

City of North Las Vegas
Planning and Development Department
2266 Civic Center Drive
North Las Vegas, Nevada 89030
(702) 633-1518

B. Authorities

BLM enters this agreement under the authority of the Federal Land Policy and Management Act of 1976, 43 U.S.C. § 1701 et seq. (FLPMA). Section 1737(b) of FLPMA allows the Secretary of the Interior to enter into contracts and cooperative agreements involving the management, protection, development and sale of public lands.

The Service is a signatory to this Conservation Agreement in an advisory capacity. The Service has regulatory responsibility, among other responsibilities, for the implementation of the ESA and coordination with other Federal and State agencies in an effort to conserve

species listed as threatened or endangered under the ESA and to preclude the need to list other species.

Nevada Division of Forestry is a State agency responsible for, among other things, the conservation, protection, restoration and propagation of selected species of flora and the perpetuation of the habitats of such species. Nevada Revised Statutes (NRS) 527.260 through 527.300 authorizes the State Forester Firewarden, after consultation with competent authorities, to declare a species to be threatened with extinction and to maintain a list of such endangered species. The NRS 527.300 specifically authorized the State Forester Firewarden to enter into agreements with other legal entities for the administration and management of any area established for the conservation, protection, restoration and propagation of species of native flora which are threatened with extinction. The NRS 527.050 authorizes the State Forester Firewarden to establish regulations for enforcement, including the issuance of collecting permits.

The City of North Las Vegas has the authority to enter into this Conservation Agreement pursuant to NRS 277.180(1), which grants public agencies in Nevada the authority to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the public agencies entering into the contract is authorized by law to perform.

This Agreement is subject to and is intended to be consistent with all applicable Federal and State laws, interstate compacts, and international treaties.

V. STATEMENT OF MUTUAL BENEFIT

It is mutually beneficial for the parties involved in this agreement to secure the conservation of Las Vegas buckwheat and Las Vegas bearpoppy, and to provide for the protection of paleontological and cultural resources within BLM land nominated for disposal by the City of North Las Vegas.

VI. RESPONSIBILITIES

Each signatory agency to this Conservation Agreement commits to implement specific actions for the conservation of the Las Vegas buckwheat and Las Vegas bearpoppy, and the protection of paleontological and cultural resources within the Parcel.

A. The Bureau of Land Management shall:

1. Retain ownership of and management authority for the Preserve. It is understood by the signatories to this Conservation Agreement that while BLM commits to process certain right-of-way applications by the City, BLM retains its full discretionary authority to grant or deny any requested right-of-way through the Preserve.

2. Define appropriate management of the Preserve, however, BLM agrees to process the following:

- a. To process the rights-of-way applications for the following anticipated specific transportation alignments to cross and/or pass adjacent to the Preserve as detailed in above section III.D.2.

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- Revere Street
- Commerce Street
- North Fifth Street
- Elkhorn Road
- Grand Teton Drive

- b. To process the rights-of-way applications for the following anticipated specific utility alignments to cross the Preserve as detailed in above section III.D.3.

- Buried utilities
- Overhead Power-lines

- c. To process the rights-of-way applications for the anticipated floodwater conveyance facilities as detailed above in section III.D.4.

- d. To process the rights-of-way applications for the anticipated regional pedestrian trail system as detailed above in section III.D.5.

3. Have primary responsibility for implementation of specific conservation actions to protect and restore Las Vegas buckwheat and Las Vegas bearpoppy populations and habitat within the Preserve, to include, but not be limited to the following:

- a. Fencing around the perimeter of the Preserve to preclude further impacts as a result of unauthorized activities including off-road vehicle use, dumping of trash, and intrusion into the Preserve as a result of development activities adjacent to the Preserve.
- b. Developing and implementing a mitigation and monitoring plan that details actions to reduce the impacts of buckwheat and bearpoppy habitat loss, to be substantially in compliance with section III.D.6. of this Conservation Agreement.

4. Assist in identifying educational and outreach opportunities concerning sensitive resources within the Preserve.

B. U.S. Fish and Wildlife Service shall:

1. Assist BLM in development and implementation of the buckwheat and bearpoppy mitigation and monitoring plan.
2. Assist in identifying specific conservation actions to protect and restore Las Vegas buckwheat and Las Vegas bearpoppy populations and habitat within the Preserve by:
 - a. Providing technical assistance in the salvage, as appropriate, of buckwheat and bearpoppy plants, soils and seedbank, and the harvesting of seeds from plants and habitat that is expected to be lost as a result of development.

- b. Providing technical assistance in rehabilitation of degraded buckwheat and bearpoppy habitat within the Preserve, as appropriate.

3. Assist in identifying educational and outreach opportunities concerning sensitive plant species on the Preserve.

C. Nevada Division of Forestry shall:

1. Assist BLM in development and implementation of the buckwheat and bearpoppy mitigation and monitoring plan.
2. Assist in identifying specific conservation actions to protect and restore Las Vegas buckwheat and Las Vegas bearpoppy populations and habitat within the Preserve by:
 - a. Providing technical assistance in the salvage, as appropriate, of buckwheat and bearpoppy plants, soils and seedbank, and the harvesting of seeds from plants and habitat that is expected to be lost as a result of development.
 - b. Providing technical assistance in rehabilitation of degraded buckwheat and bearpoppy habitat within the Preserve, as appropriate.
 - c. Providing for storage of sensitive plant materials at the NDF plant nursery at Floyd Lamb State Park to the extent possible.
3. Ensure that State regulatory requirements for State-listed endangered plant species are followed in support of this agreement.
4. Assist in identifying educational and outreach opportunities concerning State-listed endangered plant species.

D. City of North Las Vegas shall:

1. Require development restrictions adjacent to the Preserve boundary west of, and adjacent to the Eglington Escarpment as detailed in above section III.C.7.

2. Assist in identifying educational and outreach opportunities concerning sensitive resources within the Preserve.
3. Allow for the trail system to cross the Elkhorn Road, Commerce Street, and Revere Street transportation alignments.
4. Submit right-of-way applications or other land-use authorizations to BLM as needed in support of development activities within the Preserve.

VII. AGREEMENT TERM

This Conservation Agreement shall remain in full force and effect until terminated by the signatories as set forth in section IX.A. below.

VIII. COMPLIANCE WITH ADDITIONAL LAWS MAY BE REQUIRED


The understandings and commitments of the parties under this Conservation Agreement are subject to full compliance of the following: the Federal National Environmental Policy Act; the Federal ESA; FLPMA, and other applicable Federal and State laws.

IX. SPECIAL PROVISIONS


- A. This Agreement may be modified or amended as necessary upon review of the proposed amendments and written consent of all parties. Any party may terminate this agreement with a 60-day written notice to all other parties.
- B. This Agreement is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds among the parties of this agreement is to be handled in accordance with applicable laws, regulations, and procedures. The commitments and obligations of BLM and the Service under this Conservation Agreement are subject to the availability of appropriated funds pursuant to the Federal Anti-Deficiency Act (31 U.S.C. § 1341). The parties acknowledge that this Conservation Agreement does not require any Federal agency to expend its appropriated funds unless and until an authorized officer of that agency affirmatively acts to commit to such expenditures as evidenced in writing.
- C. During the implementation of this Agreement, the participants agree to abide by the terms of Federal Executive Order 11246 on non-discrimination and will not discriminate against any person because of race, color, national origin, age, religion, gender, disability, familial status, or political affiliation.
- D. No member or delegate to Congress or resident Commissioner shall be admitted to any share or part of this Agreement, or to any benefit that may arise there from, but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.

X. APPROVAL SIGNATURES

In Witness Whereof, the parties have caused this Conservation Agreement for the Management of Special Resources on Bureau of Land Management Parcels Nominated for Disposal by the City of North Las Vegas to be executed as of the date of the last signature below:


Mr. Juan Palma, Field Manager
Bureau of Land Management, Las Vegas Field Office
Las Vegas, Nevada

6-25-05
Date


Mr. Robert V. Abbey, State Director
Bureau of Land Management, Nevada State Office
Reno, Nevada

6-26-05
Date

Mr. Robert D. Williams, Field Supervisor
U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office
Reno, Nevada

Date

Mr. Steve Thompson, Manager
U.S. Fish and Wildlife Service, California/Nevada Operations Office
Sacramento, California

Date

Mr. Pete Anderson, State Forester Firewarden
Nevada Division of Forestry
Carson City, Nevada

Date

Mr. Michael L. Montandon, Mayor
City of North Las Vegas
North Las Vegas, Nevada

Date

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Bureau of Land Management, Las Vegas Field Office
Las Vegas, Nevada

Date

Mr. Robert V. Abbey, State Director
Bureau of Land Management, Nevada State Office
Reno, Nevada

Date



Mr. Robert D. Williams, Field Supervisor
U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office
Reno, Nevada

6/29/05

Date

Not Applicable; see Fish and Wildlife Service signature above

Mr. Steve Thompson, Manager
U.S. Fish and Wildlife Service, California/Nevada Operations Office
Sacramento, California

Date

Mr. Pete Anderson, State Forester Firewarden
Nevada Division of Forestry
Carson City, Nevada

Date

Mr. Michael L. Montandon, Mayor
City of North Las Vegas
North Las Vegas, Nevada

Date

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Las Vegas, Nevada

Date

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Bureau of Land Management, Nevada State Office
Reno, Nevada

Date

Mr. Robert D. Williams, Field Supervisor
U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office
Reno, Nevada

Date

Mr. Steve Thompson, Manager
U.S. Fish and Wildlife Service, California/Nevada Operations Office
Sacramento, California

Date



Mr. Pete Anderson, State Forester Firewarden
Nevada Division of Forestry
Carson City, Nevada

6/27/05
Date

Mr. Michael L. Montandon, Mayor
City of North Las Vegas
North Las Vegas, Nevada

Date

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Mr. Juan Palma, Field Manager
Bureau of Land Management, Las Vegas Field Office
Las Vegas, Nevada

Date

Mr. Robert V. Abbey, State Director
Bureau of Land Management, Nevada State Office
Reno, Nevada

Date

Mr. Robert D. Williams, Field Supervisor
U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office
Reno, Nevada

Date

Mr. Steve Thompson, Manager
U.S. Fish and Wildlife Service, California/Nevada Operations Office
Sacramento, California

Date

Mr. Pete Anderson, State Forester Firewarden
Nevada Division of Forestry
Carson City, Nevada

Date

Mr. Michael L. Montandon, Mayor
City of North Las Vegas
North Las Vegas, Nevada

July 6, 2005
Date

ATTEST:

Karen L. Storms, CMC
City Clerk

EXHIBIT H

Easement for Police Area Command & Maintenance Building

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June 17, 2014 Version

APN: _____

When Recorded Mail To:

Name _____
Address _____
City, State, Zip _____

Mail Tax Bills to:

Name _____
Address _____
City, State, Zip _____

RPTT: _____

EASEMENT AGREEMENT

(Construction of Police Area Command and Maintenance Building)

THIS EASEMENT AGREEMENT (this "Agreement") is made as of this ____ day of June, 2014, by and between KBS SOR Park Highlands, LLC, a Delaware limited liability company ("Grantor"), as grantor, and Highlands Park Holdings LLC, a Delaware limited liability company; Amber Owl Holdings, L.L.C., a Delaware limited liability company; AG/RW – Park Highlands 2, LLC, a Delaware limited liability company; Standard Pacific of Las Vegas, Inc., a Delaware corporation; NIM, LLC, a Nevada limited liability company; AG/RW – Park Highlands 4, LLC, a Delaware limited liability company; AG/RW – Park Highlands 3, LLC, a Delaware limited liability company (collectively, "Grantee"), as grantee. Grantor and Grantee are collectively referred to as the Parties.

PRELIMINARY STATEMENT:

A. Grantee in the aggregate owns approximately 601 acres of real property known as "Park Highlands West" and more particularly described in Exhibit A attached hereto and made a part hereof (the "West Parcel").

B. Grantor is the owner of approximately 45.11 acres of real property known as "Parcel 5.09" and more particularly described in Exhibit B attached hereto and made a part hereto ("Parcel 5.09"). Parcel 5.09 is located within the master planned community known as "Park Highlands East" (the "East Parcel").

C. On or about even date herewith, the owners of the West Parcel and the owners of the East Parcel are entering two separate development agreements with the City of North Las Vegas (the "City"). The East Parcel will be governed by an Amended and Restated Development Agreement for Park Highlands East (the "East Development Agreement"). The West Parcel will be governed by an Amended and Restated Development Agreement for Park Highlands West (the "West Development Agreement").

D. Pursuant to Section 3.03(b) of the West Development Agreement ("Section 3.03(b)"), a Police Department Area Command and Maintenance Building and related improvements, such as parking areas (the "Police Department Building Improvements") is to be constructed by the owners of the West Parcel on approximately five (5) acres of Parcel 5.09 as and when required by Section 3.03(b).

E. In order to enable the owners of the West Parcel to comply with Section 3.03(b), Grantor has agreed to grant an easement over Parcel 5.09, as more particularly described herein.

AGREEMENT:

NOW, THEREFORE, in consideration of the premises and covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Preliminary Statement. The Preliminary Statement set forth above is incorporated herein as a substantive part of this Agreement.

2. Designation of Constructing Party. While this Agreement and the easements granted herein are for the benefit of Grantee and the West Parcel, the Parties acknowledge that Grantee shall have the right to designate a single entity to construct the Police Department Building Improvements on behalf of Grantee (the "Constructing Party"). The Constructing Party shall be an owner of the West Parcel or the "Developer" of the West Parcel under the West Development Agreement (the "West Parcel Developer"). Grantee may designate the Constructing Party at any time prior to or concurrent with the delivery of the Commencement Notice (defined below) by delivering written notice to Grantor (the "Constructing Party Designation Notice"). The Constructing Party Designation Notice shall be executed by the Grantee or by the West Parcel Developer on behalf of the Grantee and shall include written evidence that the designated Constructing Party has agreed to serve as the Constructing Party under this Agreement. If no Constructing Party is designated pursuant to this Section 2, the Constructing Party shall mean the Grantee.

3. Grant of Easement. Subject to the terms and conditions of this Agreement, Grantor hereby grants to Grantee an exclusive right of way and easement for the purpose of designing, planning and constructing the Police Department Building Improvements for the City over a to-be-determined portion of Parcel 5.09 of at least five (5) acres (such area is referred to as the "Easement Area") and to perform such other grading, utility and other construction work within the Easement Area and over other portions of Parcel 5.09 as may be necessary to complete the Police Department Building Improvements in accordance with City requirements and the West Development Agreement (the "Easement"). Subject to the terms and conditions of

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this Agreement, the Easement shall also include a non-exclusive right of way and easement to enter Parcel 5.09 for the purpose of preparing and performing such plans, studies and tests as may be necessary for the design and planning of the Police Department Building Improvements. Prior to receiving a Constructing Party Designation Notice and without limiting the Easement in favor of Grantee granted hereby, Grantor agrees that the West Parcel Developer and its respective agents, invitees and contractors, shall have the right to enter Parcel 5.09 on behalf of Grantee, subject to the terms and conditions of this Agreement, for the purposes of undertaking and coordinating such plans, studies and tests. While the City will ultimately determine and approve the size and location of the actual Easement Area, the current proposed location of the Easement Area is the five (5) acre area generally shown on Exhibit C attached hereto. Grantor shall request that the Developer for the East Parcel (the "East Parcel Developer") continue its efforts to obtain the City's approval of the final size and location of the Easement Area. Once the City approves the final size and location of the Easement Area, the Parties shall execute and record an amendment to this Agreement (the "Amendment") for the purpose of establishing the final Easement Area, which Amendment may be executed by the West Parcel Developer on behalf of Grantee. It is contemplated that access and utilities for the Police Department Building Improvements will come from and through Deer Springs Road (as it may be extended in the future), which is generally shown in Exhibit C attached hereto. However, if Grantee determines, in its reasonable discretion, that Grantee will require access to other portions of Parcel 5.09 for grading and/or the installation and construction of access to and utilities for the Police Department Building Improvements, then, subject to the terms and conditions of this Agreement, the Easement shall also include an exclusive right of way and easement over such other portions of Parcel 5.09 for temporary grading and the permanent installation of utilities and, if necessary, an access road for the Police Department Building Improvements; provided that such additional areas shall be limited solely to such other portions of Parcel 5.09 that are reasonably necessary for the completion and use of the Police Department Building Improvements. Once the final size and location of the Easement Area is approved by the City, the Parties shall work together to have the Amendment identify, to the extent possible, the extent and scope of the other portions of Parcel 5.09 that would be affected by the Easement, if any (such as the limits of any necessary grading easement and the proposed location of any utilities and access to the Police Department Building Improvements if not within the Easement Area and Deer Springs Road).

4. Conditions of Construction Easement. The Easement is subject to the following conditions:

A. Grantor makes no representations or warranties, express or implied, as to the condition of Parcel 5.09, the availability of access, the availability and capacity of utilities for the Police Department Building Improvements, and/or the feasibility or cost of constructing the Police Department Building Improvements within the Easement Area. Grantor shall have no responsibility or liability for the design, planning or construction of the Police Department Building Improvements or the provision of any warranties required by the City after completion of such construction. All costs of preparing the plans and specifications, obtaining any required permits, approvals and bonds (or posting other financial assurances required by the City), constructing the Police Department Building Improvements (hard and soft costs), and restoring Parcel 5.09 as provided herein shall be borne solely by Grantee.

B. Grantee (or the Constructing Party if a Constructing Party Designation Notice has been delivered) shall deliver to Grantor at least thirty (30) days prior written notice of its desire to commence construction of the Police Department Building Improvements (the "Commencement Notice"). No work shall be performed on Parcel 5.09 unless the party performing such work has first obtained all necessary permits and approvals therefor. The Constructing Party shall construct the Police Department Building Improvements pursuant to construction plans approved by the City, all applicable governmental permits and approvals, and the West Development Agreement.

C. The Easement shall be used in such a manner as to reasonably minimize interference with and disruption to the operation and use of any other portions of Parcel 5.09 if such other portions are developed prior to the construction of the Police Department Building Improvements.

D. The Constructing Party and, if applicable, the West Parcel Developer and any Grantee that uses the Easement to enter Parcel 5.09, shall protect Parcel 5.09 from damage caused in whole or in part by its acts or omissions and the acts and omissions of its employees, agents, contractors and subcontractors in connection with the exercise of the Easement, except for such damage to the Construction Area as is unavoidable in constructing the Police Department Building Improvements. Any such damage, if in the Easement Area, shall be repaired during the course of restoring the Easement Area as part of the completion of the Police Department Building Improvements, and if on any other portion of Parcel 5.09, shall be repaired as and when it occurs.

E. The Constructing Party and, if applicable, the West Parcel Developer and any Grantee that uses the Easement to enter Parcel 5.09, and each of their respective employees, agents, contractors, and subcontractors shall enter Parcel 5.09 and utilize the Easement at their own risk and they further assume all risks related to the same. Grantor shall have no liability to the Constructing Party, the West Parcel Developer, or Grantee or any of their employees, agents, contractors, and subcontractors for any Losses (defined below) related to or arising from entry onto Parcel 5.09 and use of the Easement, and Grantor is hereby irrevocably and forever released from the same, except to the extent that any such Losses result from (i) the gross negligence or willful misconduct of Grantor, and (ii) a breach of this Agreement by Grantor.

F. All work performed on Parcel 5.09 pursuant to this Agreement shall be completed in a good and workmanlike manner, free of all liens (including mechanic's liens) and encumbrances on Parcel 5.09, and in accordance with the plans approved by the City, all applicable governmental permits and approvals, and the West Development Agreement.

G. Grantor reserves the right to make every use of Parcel 5.09 outside of the Easement Area, provided that such reserved right does not materially interfere with the rights and the Easement granted to Grantee and does not prevent Grantee from constructing the Police Department Building Improvements in the manner required by the City or from the City operating the Police Department Building Improvements. The Easement granted in this Agreement is subject to all easements, non-monetary encumbrances and other non-monetary matters of record as of the date this Agreement is recorded. Grantor makes no representations or

warranties as to the Easement Area, or Parcel 5.09 as a whole. Grantee acknowledges and agrees that Parcel 5.09 is AS IS, WHERE IS, WITH ALL FAULTS.

5. Subdivision and Dedication of Easement Area. The parties acknowledge and agree that the West Development Agreement requires that the Police Department Building Improvements and the underlying land within the Easement Area be dedicated and conveyed to the City upon completion of the Police Department Building Improvements. In connection with the East Parcel Developer's continuing efforts to obtain the City's approval of the size and location of the Easement Area (which is necessary for the overall planning of Parcel 5.09, which will among other things include a regional park), Grantor will also pursue, or cause the East Parcel Developer to pursue, the City's approval of the subdivision of the Easement Area so the Easement Area (once approved by the City) can become a separate legal lot that is capable of being legally conveyed in the manner contemplated by this Agreement (the "Subdivision"). Grantor and Grantee agree, as applicable, to execute and deliver such dedication and conveyance documents as may be necessary to convey the Police Department Building Improvements and, if the Subdivision has been completed (unless the Subdivision is not required to legally convey the Easement Area to the City), the underlying land within the Easement Area to the City; provided that any such conveyance from Grantor shall be without representation or warranty (other than with respect to Grantor's ownership free and clear of monetary liens, mortgages and deeds of trust). In addition, at any time from and after the Subdivision, Grantor shall have the right to elect to convey fee title to the Easement Area to Grantee, or to such entity as Grantee may designate (including the Constructing Party), at any time prior to the completion of the Police Department Building Improvements. If Grantor so elects to convey fee title, Grantor shall deliver written notice to Grantee of its election and fee title to the Easement Area shall be conveyed pursuant to a customary Nevada form Grant, Bargain, Sale Deed, without consideration (but at no expense to Grantor) and without representation and warranty (other than with respect to Grantor's ownership free and clear of monetary liens, mortgages and deeds of trust). If Grantor makes such election and Grantee shall not designate a grantee for such conveyance, Grantor shall convey fee title to Grantee. Grantee shall be responsible for all transfer and recording fees and charges, if any, associated with the conveyance of the Easement Area and the Police Department Building Improvements, as applicable. This Agreement and the Easement shall terminate upon the completion of the Police Department Building Improvements, the dedication to and acceptance by the City of the Police Department Building Improvements, and the transfer of fee title to the Easement Area to the City. If the Subdivision does not occur for any reason and the Easement Area is not otherwise capable of being legally conveyed to the City, the Easement over the Easement Area shall remain as an exclusive and permanent easement, though the City shall be the beneficiary from and after the date the Police Department Building Improvements are dedicated to and accepted by the City and Grantee shall thereafter be released from any liability or obligation under this Agreement accruing subsequent to such date.

6. Indemnification. The Constructing Party, and to the extent the West Parcel Developer and/or any Grantee uses the Easement to enter Parcel 5.09 (individually, an "Indemnitor", and collectively, the "Indemnitors"), shall indemnify, protect, hold harmless and, in Grantor's sole discretion, defend Grantor, and its members, managers, directors, officers, owners, partners, employees, agents, attorneys and affiliates and their successors and assigns (collectively, the "Indemnitees") from and against any and all claims, damages, losses, liens, costs, liabilities, fines, and expenses (including reasonable attorneys' fees and court costs),

damage to or destruction of property, and death of or injury to any person (collectively, "Losses"), caused by, arising out of or resulting from any such exercise of Easement rights by such Indemnitor (such exercise and performance being collectively referred to herein as the "Indemnity Matters"), or arising out of any third party claim made regarding such Indemnitor's failure to comply with this Agreement, or any damage caused by such Indemnitor to the Parcel 5.09 in connection with any Indemnity Matter, or mechanics' liens filed against Parcel 5.09 as a result of the actions or inactions of such Indemnitor.

7. Insurance. The Constructing Party and, if applicable, the West Parcel Developer and any Grantee that uses the Easement to enter Parcel 5.09 (or their respective agents or contractors who actually enter Parcel 5.09 on their behalf) shall carry and maintain, at their own expense, at all times such insurance, including commercial general liability insurance with broad form commercial general liability coverage or its equivalent covering claims for personal injury, bodily injury and property damage, as is customary and reasonable. Grantee's insurance shall name Grantor as an additional insured solely to extent Grantee has liability to the Grantor. Grantee shall provide Grantor evidence of such insurance prior to each such entity's first entry onto Parcel 5.09.

8. Enforcement. If any action or proceeding is brought by any Party against another Party pertaining to or arising out of this Agreement, the finally prevailing Party shall be entitled to recover all reasonable costs and expenses (including, without limitation, reasonable attorneys' fees), incurred on account of such action or proceeding. This Agreement may be enforced by injunctive and other equitable relief, in addition to all other legal remedies. Notwithstanding the foregoing, in no event shall any Party be entitled to any lien or claim against any property of another (other than a judgment lien properly entered after applicable proceedings) arising out of this Agreement.

9. Covenant Running with the Land. The terms of this Agreement are covenants running with the land and inure to the benefit of the Parties and are binding upon their successors and assigns. Nothing in this Agreement shall prevent Grantor from transferring (including to the master association) or mortgaging all or any part of Parcel 5.09 so long as (i) any such transfer or mortgage is subject to this Agreement, and (ii) any loan documents affecting Parcel 5.09 must expressly (A) permit the conveyance of the Easement Area free and clear of the lien of the applicable mortgage or deed of trust without cost or penalty and (B) provide that the applicable lender must execute and deliver such documents and instruments as may be necessary to convey the Easement Area free and clear of such mortgage or deed of trust as and when required by this Agreement.

10. Further Assurances. The Parties shall execute such further documents or instruments and take such additional actions as may be reasonably necessary or appropriate to accomplish or further the purposes of this Agreement. Such further assurances shall include Grantor's agreement to grant to the City and/or the applicable utility company(ies) such easements over portions of the remainder of Parcel 5.09 for the benefit of the new Easement Area parcel that may be necessary to enable the City to use and operate the Police Department Building Improvements in the manner contemplated by this Agreement. Such easements shall each be on customary forms and contain customary and reasonable terms and conditions.

11. Invalidity and Waiver. If any portion of this Agreement is held invalid or inoperative, then so far as is reasonable and possible the remainder of this Agreement shall be deemed valid and operative, and effect shall be given to the intent manifested by the portion held invalid or inoperative. The failure by a Party to enforce against any other Party any term or provision of this Agreement shall not be deemed to be a waiver of such Party's right to enforce against the other Party the same or any other such term or provision in the future.

12. Governing Law. This Agreement shall in all respects be governed, construed, applied and enforced in accordance with the law of the State of Nevada.

13. Amendments. This Agreement may be amended or supplemented only by an instrument in writing executed by the party against whom enforcement is sought and filed in the land records.

14. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall constitute an original and all of which when taken together shall constitute one instrument.

[Signature Pages Follow]

GRANTOR:

KBS SOR Park Highlands, LLC,
a Delaware limited liability company

By: CRESCENT BAY LAND FUND 2, LLC,
a Delaware limited liability company,
its Managing Member

By: Crescent Bay Holdings, LLC,
a Delaware limited liability company,
its Managing Member

By: *Greg N. Wolin*
Name: CO-MANAGER OF MANAGER
Title: GREGB N. WOLIN

By: *Geoffrey Beer*
Name: CO-MANAGER OF MANAGER
Title: GEOFFREY BEER

GRANTEE:

Highlands Park Holdings LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 3, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

Standard Pacific of Las Vegas, Inc.
a Delaware corporation

By: _____
Name: _____
Its: _____

Amber Owl Holdings, L.L.C.,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

NIM, LLC,
a Nevada limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 2, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

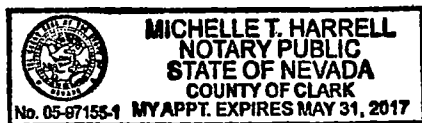
AG/RW – Park Highlands 4, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

[Acknowledgment pages follow]

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

UNOFFICIAL COPY
This instrument was acknowledged before me on the 18th day of June, 2014, by Gregg N. Ulin & Geoffrey Bee as authorized representative of KBS SOR Park Highlands, LLC, a Delaware limited liability company. MB



Michelle T. Harrell
NOTARY PUBLIC

This instrument was acknowledged before me on the ____ day of _____, 2014, by _____ as authorized representative of Amber Owl Holdings, L.L.C., a Delaware limited liability company.

NOTARY PUBLIC

This instrument was acknowledged before me on the ____ day of _____, 2014, by _____ as authorized representative of Highlands Park Holdings LLC, a limited liability company.

NOTARY PUBLIC

This instrument was acknowledged before me on the ____ day of _____, 2014, by _____ as authorized representative of AG/RW – Park Highlands 2, LLC, a Delaware limited liability company.

NOTARY PUBLIC

This instrument was acknowledged before me on the ____ day of _____, 2014, by _____ as authorized representative of AG/RW – Park Highlands 3, LLC, a Delaware limited liability company.

NOTARY PUBLIC

GRANTEE:

Highlands Park Holdings LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 3, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

Standard Pacific of Las Vegas, Inc.
a Delaware corporation

By: _____
Name: _____
Its: _____

Amber Owl Holdings, L.L.C.,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

NHM, LLC, --
a Nevada limited liability company - MW

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 2, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 4, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

[Acknowledgment pages follow]

GRANTEE:

Highlands Park Holdings LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 3, LLC,
a Delaware limited liability company

By: _____
Name: LOUIS FRIEDEL
Its: VICE PRESIDENT

Standard Pacific of Las Vegas, Inc.
a Delaware corporation

By: _____
Name: _____
Its: _____

Amber Owl Holdings, L.L.C.,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

NIM, LLC,
a Nevada limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 2, LLC,
a Delaware limited liability company

By: _____
Name: LOUIS FRIEDEL
Its: VICE PRESIDENT

AG/RW – Park Highlands 4, LLC,
a Delaware limited liability company

By: _____
Name: LOUIS FRIEDEL
Its: VICE PRESIDENT

[Acknowledgment pages follow]

~~California~~
STATE OF ~~NEVADA~~
COUNTY OF ~~CLARK~~) ss.
~~Los Angeles~~

UNOFFICIAL COPY
This instrument was acknowledged before me on the _____ day of _____, 2014, by _____ as authorized representative of KBS SOR Park Highlands, LLC, a Delaware limited liability company.

NOTARY PUBLIC

This instrument was acknowledged before me on the _____ day of _____, 2014, by _____ as authorized representative of Amber Owl Holdings, L.L.C., a Delaware limited liability company.

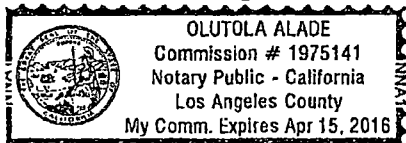
NOTARY PUBLIC

This instrument was acknowledged before me on the _____ day of _____, 2014, by _____ as authorized representative of Highlands Park Holdings LLC, a limited liability company.

NOTARY PUBLIC

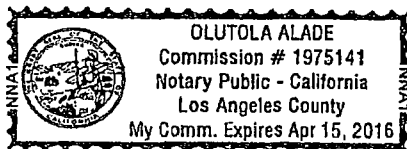
This instrument was acknowledged before me on the 18th day of June, 2014, by Louis Friedel as authorized representative of AG/RW - Park Highlands 2, LLC, a Delaware limited liability company.

[Signature]
NOTARY PUBLIC

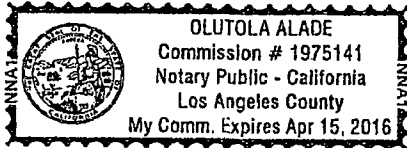


This instrument was acknowledged before me on the 18th day of June, 2014, by Louis Friedel as authorized representative of AG/RW - Park Highlands 3, LLC, a Delaware limited liability company.

[Signature]
NOTARY PUBLIC



This instrument was acknowledged before me on the 18th day of June, 2014, by Louis Friedel as authorized representative of AG/RW - Park Highlands 4, LLC, a Delaware limited liability company.



[Signature]
NOTARY PUBLIC

This instrument was acknowledged before me on the ____ day of ____, 2014, by ____ as authorized representative of Standard Pacific of Las Vegas, Inc., a Delaware corporation.

UNOFFICIAL COPY

NOTARY PUBLIC

This instrument was acknowledged before me on the ____ day of ____, 2014, by ____ as authorized representative of NIM, LLC, a Nevada limited liability company.

NOTARY PUBLIC

GRANTEE:

Highlands Park Holdings LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 3, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

Standard Pacific of Las Vegas, Inc.
a Delaware corporation

By: *[Signature]*
Name: *Paul McKillop*
Its: *Regional President*

Amber Owl Holdings, L.L.C.,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

NIM, LLC,
a Nevada limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 2, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 4, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

[Acknowledgment pages follow]

STATE OF CALIFORNIA)

COUNTY OF ORANGE)

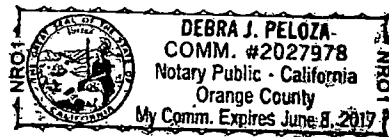
On **June 18, 2014** before me, **Debra J. Pelozo, Notary Public**, personally appeared **Ted McKibbin** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Debra J. Pelozo



(Seal)

GRANTEE:

Highlands Park Holdings LLC,
a Delaware limited liability company

By: [Signature]
Name: ET Hunter
Its: Keith Gentry

AG/RW – Park Highlands 3, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

Standard Pacific of Las Vegas, Inc.
a Delaware corporation

By: _____
Name: _____
Its: _____

Amber Owl Holdings, L.L.C.,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

NIM, LLC,
a Nevada limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 2, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 4, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

[Acknowledgment pages follow]

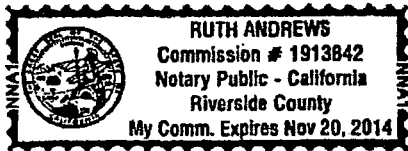
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of California

County of Riverside

On June 18, 2014 before me, Ruth Andrews, Notary Public
Date Name and Title of the Officer

personally appeared Edward Manley
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Ruth Andrews
Signature of Notary Public

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

GRANTEE:

Highlands Park Holdings LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 3, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

Standard Pacific of Las Vegas, Inc.
a Delaware corporation

By: _____
Name: _____
Its: _____

Amber Owl Holdings, L.L.C.,
a Delaware limited liability company

By: Bruce Cook
Name: Bruce Cook
Its: Authorized Signatory

NIM, LLC,
a Nevada limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 2, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

AG/RW – Park Highlands 4, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

[Acknowledgment pages follow]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California }

County of Orange }

On June 17, 2014 before me,

Elizabeth Menicucci, Notary Public

Here Insert Name and Title of the Officer

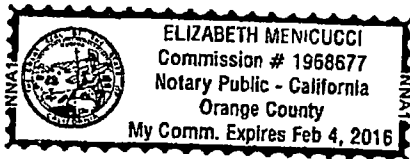
personally appeared _____

***** Bruce Cook *****

Name(s) of Signer(s)

UNOFFICIAL COPY

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Elizabeth Menicucci
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Easement Agreement

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer - Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Attorney In Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer - Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Attorney In Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

under this Agreement and enter Parcel 5.09 on behalf of Grantee.
Argent Management LLC,

Argent Management LLC,
a Delaware limited liability company

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

This instrument was acknowledged before me on the ____ day of _____, 2014, by _____ as authorized representative of Argent Management LLC, a Delaware limited liability company.

NOTARY PUBLIC

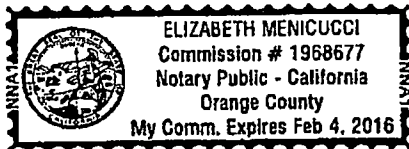
CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California }
County of Orange

On June 17, 2014 before me, Elizabeth Menicucci, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared *** Bruce Cook ***
Name(s) of Signer(s)

UNOFFICIAL COPY

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature Elizabeth Menicucci
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Joinder to Easement Agreement

Document Date: _____ Number of Pages: _____

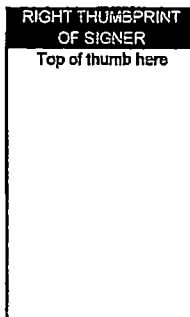
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer - Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Attorney In Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____



Signer's Name: _____

- ☐ Individual
☐ Corporate Officer - Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Attorney In Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

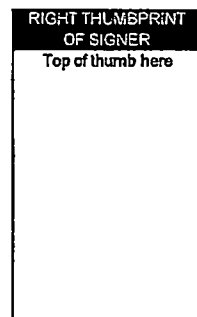


EXHIBIT A

Legal Description of West Parcel

UNOFFICIAL COPY

EXHIBIT B

Legal Description of Parcel 5.09

UNOFFICIAL COPY

EXHIBIT C

Depiction of Proposed Easement Area

UNOFFICIAL COPY



Office of the County Recorder

Debbie Conway

Clark County Recorder

LEGIBILITY NOTICE

The Clark County Recorder's Office has determined that the attached document may not be suitable for recording by the method used by the Recorder to preserve the Recorder's records. The customer was advised that copies produced from the recorded document would not be legible and may affect legal rights and entitlements. However, the customer demanded that the document be recorded without delay, as the parties' rights may be adversely affected because of a delay in recording. Therefore, pursuant to NRS 247.120 (3), the County Recorder accepted the document conditionally. Subject to the undersigned's representation that, (1) a suitable copy will be submitted at a later date, or (2) it is impossible or impracticable to submit a more suitable copy. Standard recording fees will apply at the time of recording of the clarification.

By my signing below, I acknowledge that I have been advised that once the document has been microfilmed, it may not reproduce a legible copy and may therefore adversely affect legal rights and entitlements.

Tracee D Hales
Signature

1/27/16
Date

Tracee D Hales
Printed Name