

ORDINANCE NO. 3194

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 3099 BY AMENDING A PREVIOUSLY APPROVED 4.5 ± ACRE PUD / PID, PLANNED UNIT DEVELOPMENT / PLANNED INFILL DEVELOPMENT DISTRICT, (ZN-24-2021, DORRELL AND COMMERCE) TO ALLOW A 30-LOT, SINGLE-FAMILY RESIDENTIAL DEVELOPMENT WITH AN EXISTING MULTI-TOWER TELECOMMUNICATION FACILITY FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF DORRELL LANE AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

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

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

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

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

SECTION 1: In accordance with the provisions of Ordinance No. 3099, the following described parcel of land shall be reclassified and Ordinance No. 3194 amended as follows:

LEGAL DECRIPTION

APN'S 124-22-101-014 AND 015

ALL THAT LAND SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M.

EXCEPTING THEREFROM THOSE CERTAIN PORTIONS GRANTED TO THE COUNTY OF CLARK BY DEED RECORDED FEBRUARY 27, 1990 IN BOOK 900227 AS INSTRUMENT NO. 01231, OFFICIAL RECORDS.

SAID LAND BEING FURTHER DESCRIBED AS LOT THREE (3) OF LAND DIVISION 2-90 RECORDED FEBRUARY 27, 1990 IN BOOK 900227 AS INSTRUMENT NO. 01230, OFFICIAL RECORDS.

PARCEL 2:

THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M.

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EXCEPTING THEREFROM THOSE CERTAIN PORTIONS GRANTED TO THE COUNTY OF CLARK BY DEED RECORDED FEBRUARY 27, 1990 IN BOOK 900227 AS INSTRUMENT NO. 01231, OFFICIAL RECORDS.

SAID LAND BEING FURTHER DESCRIBED AS LOT FOUR (4) OF LAND DIVISION 2-90 RECORDED FEBRUARY 27, 1990 IN BOOK 900227 AS INSTRUMENT NO. 01230, OFFICIAL RECORDS.

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

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The total number of lots shall not exceed 30.
3. The existing non-conforming cell towers are prohibited from adding additional height. Any future expansion to cell tower antenna arrays shall comply with the requirements and standards for cell towers.
4. The perimeter landscaped area shall be 15 feet of landscaping including a five (5) foot sidewalk centered within the landscaping.
5. The perimeter block wall and landscaping along with the cell tower block wall and landscaping shall be submitted as one (1) landscape plan and shall be completed as one (1) development all at the same time
6. The Development Standards shall comply with the following requirements:
 - a. Setbacks:
 - i. Front: 20 feet
 - ii. Garage: 20 feet
 - iii. Side: 5 feet
 - iv. Corner side: 10 feet
 - v. Rear: 10 feet
 - vi. Rear to patio cover: 5 feet
7. Open space areas shall contain the following amenities:
 - a. Four (4) benches; two (2) in common lot "E" and two (2) in common lot "G".
 - b. Open play turf area.
 - c. Picnic table, dog stations, and trash receptacles.
8. Applicant shall submit for an approval of a Final Development Plan (FDP).
9. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map, which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed

structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.

10. Approval of a drainage study is required prior to the civil improvement plans.
11. Approval of a traffic study traffic study waiver is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope. A queuing analysis may be required.
12. The size and number of access points and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040. Conformance may require modifications to the site.
13. All driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Numbers 222.1.
14. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Elaine Street
 - b. Dorrell Lane
 - c. Commerce Street
15. The public streets geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
16. All Nevada Energy, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.
17. All common elements shall be labeled and are to be maintained by the HOA.
18. A revocable encroachment permit for landscaping within the public right of way is required.
19. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
20. A roadway easement may be required from the property owner to the west for any over paving of Elaine Street.
21. The property owner shall apply for a vacation of the westerly ten (10) feet of Commerce Street. The vacation pre-application shall be submitted to Real Property Services.

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

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

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

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

PASSED AND ADOPTED THIS _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED:

PAMELA A. GOYNES-BROWN, MAYOR

ATTEST:

JACKIE RODGERS
CITY CLERK