

ORDINANCE NO. 3062

AN ORDINANCE RELATED TO ZONING; AMENDING AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-22-17, SEDONA RANCH), BY ALLOWING A 257-LOT SINGLE-FAMILY SUBDIVISION ON 24.59 ACRES AND A 2.6 ACRES COMMERCIAL DEVELOPMENT CONTAINING A CONVENIENCE FOOD STORE WITH GAS PUMPS LOCATED ON THE EAST AND WEST SIDE OF NORTH 5TH STREET BETWEEN ANN ROAD AND EL CAMPO GRANDE AVENUE 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. 3062 the following described parcel of land shall be reclassified as follows:

AMENDING AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A LAND USE MODIFICATION (ZN-22-17), THE FOLLOWING PROPERTY DESCRIBED TO WIT:

APN: 124-26-401-003 AND 004

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS THE BOUNDARY OF THE "SEDONA 30" PROJECT. 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 THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 26;

THENCE ALONG THE WESTERLY LINE OF SAID SECTION 26, NORTH 00°52'57" WEST, 327.55 FEET;

THENCE DEPARTING THE WESTERLY LINE OF SAID SECTION 26, NORTH 89°07'04" EAST, 75.00 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 00°52'57" WEST, 693.61 FEET;

THENCE NORTH 89°08'36" EAST, 583.07 FEET;

THENCE NORTH 00°48'36" WEST, 309.96 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EL CAMPO GRANDE AVENUE;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EL CAMPO GRANDE AVENUE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°10'53" EAST, 613.45 FEET;
- 2) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 15.00 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 90°04'54", AN ARC LENGTH OF 23.58 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF DONNA STREET;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID DONNA STREET, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 00°44'13" EAST, 1238.26 FEET;
- 2) THENCE CURVING TO THE RIGHT ALONG AN ARC HAVING A RADIUS OF 25.00 FEET, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 89°45'57", AN ARC LENGTH OF 39.17 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ANN ROAD;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID ANN ROAD, THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 89°01'44" WEST, 653.87 FEET;
- 2) THENCE NORTH 89°41'53" WEST, 225.06 FEET;
- 3) THENCE SOUTH 89°01'44" WEST, 24.91 FEET;

THENCE DEPARTING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID ANN ROAD, NORTH 00°52'57" WEST, 272.00 FEET;

THENCE SOUTH 89°07'04" WEST, 280.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 29.60 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 89°01'44" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN FILE 122, PAGE 83 OF PARCEL MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

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

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver, or another method, development shall comply with all applicable codes and ordinances.
2. The Commercial Components shall conform to the C-2 District standards and the Commercial Design Standards.
3. Only permitted uses of the C-2 District shall be allowed. Uses requiring a special use permit may also be permitted if a special use permit is approved by the Planning Commission or City Council as prescribed by the Zoning Ordinance. However, the following uses are allowed as principally permitted uses:
 - a. Banks
 - b. Health and Fitness Center
 - c. Child Care Facilities
 - d. Seasonal Agricultural Sales (Farmer's Markets, etc.)
 - e. Accessory uses provided for in Title 17, Section 17.20.040 may be allowed as prescribed according to Table 17.20-4.
 - f. Convenience food store with gas pumps on Parcel 3.2
4. The incineration, screening, sorting, processing and stockpiling of on-site materials and all related uses, equipment and activity related to the "clean-up" of the functioning RC Farms and food waste may be permitted subject to the following:
 - a. All processing as indicated above shall not occur within 250 feet of any perimeter property line, or developed residential within the development.
 - b. All processed materials must be removed from the site.
 - c. Hours of operation will be allowed between 6 a.m. and 6 p.m., Monday through Friday. Furthermore, hours of operation shall be limited to 7 a.m. through 6 p.m. on Saturday, Sunday, and holidays. However, should the City receive complaints regarding these activities, the hours and days of operation could be altered by the Director of Public Works or their designee.
 - d. The incineration of materials shall be prohibited on Saturdays, Sundays, and holidays.
 - e. Rock crushing shall be prohibited.
 - f. Stockpiles must not exceed six (6) feet in height and must be located at least 100 feet away from all property lines and rights-of-way. For stockpiles in place longer than three (3) months, a separate permit is required from Public Works.
 - g. The City of North Las Vegas reserves the right to monitor stated "clean-up" activities to ensure safe and sanitary measures are in place. Such activities shall not create a nuisance to existing homeowners.
 - h. Incineration equipment must be approved by the Southern Nevada Health District and Clark County Department of Air Quality and comply with all emission and odor requirements.
5. Lower density single-family may be developed within the areas designated as multi-family. However, should that occur, the minimum lot size must be 3,600 square feet, with a minimum lot width of 40 feet. Furthermore, appropriate open space, perimeter landscaping, and trail connections must also be provided and shown on the tentative map.
6. All perimeter landscaped areas next to Ann Road, Commerce Street, El Campo Grande

Avenue, Goldfield Street, Donna Street, and Bruce Street must incorporate detached sidewalks within the perimeter landscaping.

7. The Single-Family Components shall conform to the following:
 - a. Building setbacks and height shall conform to the standards of the R-CL District.
 - b. The minimum lot size and dimensions shall generally conform to the typical standards shown on the preliminary development plan.
 - c. Trail connections shall be provided for each component as shown on the preliminary development plan. Furthermore, additional trail connections for P-2.1 and P-3.3 shall be developed to provide access to Ann Road in close proximity to the adjacent commercial components. All trail connections shall be shown on the respective Tentative Map.
 - d. Open space shall generally comply with the table shown on the preliminary development plan.
 - e. Each component shall comply with the open space requirements, perimeter landscaping, and corner side yard landscaping for the particular component as shown on the preliminary development plan.
 - f. Perimeter walls shall be constructed as depicted on the preliminary landscaping plans submitted as part of this application.
 - g. Detailed landscaping plans shall be submitted for each phase of development in conjunction with the final map for each phase of development. Furthermore, each landscaping plan shall generally comply with the preliminary landscaping plan submitted as part of this application.
 - h. Individual neighborhood signage shall be submitted for Planning Commission review and approval with each Final Development Plan.
 - i. Open space and trail amenities shall be shown with the associated Final Development Plans. Furthermore, at a minimum each component shall contain the following amenities:
 - (1) One, covered tot lot with play structure for children and EDM resilient fall protection or one shaded ramada with a minimum dimension of 12' X 12', or a splash pad.
 - (2) Open play turf area.
 - (3) Picnic tables, benches, dog stations, and bar-b-que area(s).
 - (4) Perimeter landscaped areas shall contain benches and dog stations.
8. The Multi-Family Components shall conform to the R-3 District standards and Multi-Family Standards.
 - a. The maximum density shall not exceed 25 dwelling units per acre.
9. Parcel 3.2 is reduced to 2.6 acres to accommodate a convenience food store with gas pumps.
10. Parcel 3.1 is increased to 12.7 acres in area and may contain a maximum of 93 lots. Parcel 3.3 may contain a maximum of 164 lots. All lots on Parcels 3.1 and 3.3 shall be a minimum of 3,045 square feet in area with a minimum of lot width of 35 feet.

Public Works:

11. The applicant is required to construct a bus turnout within the exclusive right turn lane for the proposed commercial parcel on N. 5th Street per *Clark County Area Uniform Standard Drawing* number 234.4.
12. Per the *Master Plan of Streets and Highways* North 5th Street is the main arterial connecting the Northern Beltway to downtown; incidentally, access points are limited to maintain an optimum level of service while accommodating significant traffic volumes and transit, in accordance with the *North 5th Street Transit Supportive Concept Plan*. Approved driveway locations along North 5th Street, between Ann Road and El Campo Grande Avenue, shall be right-in / right-out.
13. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements* which includes a raised median within North 5th Street from Ann Road to El Campo Grande Ave. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb; the median shall be landscaped in compliance with the North 5th Street standards.
14. All development along North 5th Street shall provide a twenty foot landscape and pedestrian access easement/common element adjacent to the right-of-way.
15. 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. Commerce Street
 - b. Goldfield Street
 - c. Donna Street
 - d. Bruce Street
 - e. Ann Road
 - f. El Campo Grande Avenue
 - g. North 5th Street
16. The civil improvements required of the developer will maintain full movement at the intersection of El Campo Grande Avenue and North 5th Street; however, as North 5th Street is a limited access arterial, the City of North Las Vegas reserves the right to restrict this access point to right-in/right-out in the future.
17. Right-of-way dedication for a CAT bus turn-out is required on Commerce Street near Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1 or 234.4.
18. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Ann Road and Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1, or as otherwise approved by the city traffic engineer.

- 19 Right-of-way dedication and construction of a flared intersection, including a right turn lane is required at Ann Road and North 5th Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
- 20 Right-of-way dedication and construction of a flared intersection is required at North 5th Street and Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
- 21 The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
- 22 Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope. A queuing analysis may be required.
- 23 The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040; Conformance may require modifications to the site.
- 24 Approval of a drainage study is required prior to submittal of the civil improvement plans.
- 25 Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
- 26 All known geologic hazards must 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 building locations and require the submission of revised maps/plans requiring approval 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.
- 27 Interior local residential streets shall be designed per *Clark County Area Uniform Standard Drawing* No. 206.S1 Option A (sidewalks on both sides of the street).
- 28 All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
- 29 Proposed residential driveway slopes shall not exceed twelve percent (12%).
- 30 Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval.

- 31 The Department of Public Works has no objection to processing the requested parcel maps to create builder sized parcels (nominal 20 + acres) except for maps associated with APN 124-26-401-004. To process map(s) for this parcel the applicant shall provide civil improvement plans (bonded and approved) for the perimeter streets and infrastructure surrounding APN 124-26-401-001 (1.99 acres), 124-26-401-002 (2.34 acres) and 124-26-401-003 (4.75 acres), the remaining six hundred sixty (660+/-) feet of North 5th Street frontage and westerly six hundred sixty (660+/-) feet of Ann Road adjacent to APN 124-26-401-004.
- 32 A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval of the phasing plan by the Department of Public Works is required prior to submitting onsite civil improvement plans for review.
- 33 Interior streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in *City of North Las Vegas Municipal Code* section 16.20.050.
- 34 All common elements shall be labeled and are to be maintained by the Home Owners Association.
- 35 The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards, and must be approved by the City of Las Vegas Central Fire Alarm Office.
- 36 The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
- 37 A revocable encroachment permit for landscaping within the public right of way is required.
- 38 All lots shall comply with the *City of North Las Vegas Municipal Code* section 16.20.02.B which states: "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."
- 39 All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.
- 40 Commercial driveways fronting any residential collector (60') streets within this development shall be prohibited.

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 Councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS _____ day of _____, 2021.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

JOHN J. LEE, MAYOR

ATTEST:

CATHERINE A. RAYNOR, MMC
CITY CLERK