

ORDINANCE NO. 3118

AN ORDINANCE RELATED TO ZONING; RECLASSIFYING APPROXIMATELY 15.19 ± ACRES FROM A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, (ZN-06-2022, TROPICAL LOSEE) CONSISTING OF A 196-LOT, MULTI-FAMILY (TOWNHOME) SUBDIVISION, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY 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. 3118, the following described parcel of land shall be reclassified as follows:

THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-06-2022), THE FOLLOWING PROPERTY DESCRIBED TO WIT:

LEGAL DECRIPTION

APN:124-26-701-009

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, AND DESCRIBED AS FOLLOWS:
THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SE 1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.B & M., DESCRIBED AS FOLLOWS:
PARCEL 2 (TWO) AS SHOWN BY MAP THEREOF ON FILE 106 PARCEL MAPS, PAGE 98, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO CITY OF NORTH LAS VEGAS BY GRANT, BARGAIN, SALE DEED RECORDED JULY 24, 2014, IN BOOK 20140724, AS INSTRUMENT NUMBER 02043, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA

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

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A Final Development Plan for the 196-lot attached multi-family (townhome) residential development is required.
3. Pedestrian connections shall be added to the easement/open space areas between lots 12 and 13 for access onto Tropical Parkway. Pedestrian connections shall include a pedestrian gate and a five (5) foot wide sidewalk.
4. Pedestrian connections shall be added to the easement/open space areas between lots 156 and 157 and 1 and 196 for access onto Losee Road. Pedestrian connections shall include a pedestrian gate and a five (5) foot wide sidewalk.
5. The applicant shall provide a secondary access for Fire Department access requirement.
6. The following amenities shall be provided within the open space areas: age appropriate playground equipment with EPDM surfacing; turfed open play areas; shaded picnic areas; and dog stations.
7. Setbacks for the lots are as follows:
 - Front setback (not including patio) – 6 feet
 - Side yard setback building (interior) – 0 feet
 - Building corner setback – 4 feet
 - Rear setback – garage – 5 feet

Public Works:

8. 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.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. 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.
11. 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. Losee Road (sidewalk, streetlights)
 - b. Tropical Pkwy
12. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
 13. The property owner is required to grant roadway easements where public and private streets intersect.
 14. A revocable encroachment permit for landscaping within the public right of way is required
 15. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way. (Shown as a Pedestrian Access Easement granted on the map usually for residential subdivisions; condo projects provide as a separate document using a Sidewalk Easement).
 16. All common elements shall be labeled and are to be maintained by the Home Owners Association.
 17. A revocable encroachment permit for landscaping within the public right of way is required.
 18. All off-site improvements must be completed prior to final inspection of the first building.
 19. Proposed residential driveway slopes shall not exceed twelve percent (12%).
 20. This development shall comply with the CNLV Private Street Policy for residential development; however, in lieu of a five foot wide sidewalk on both sides of the street, the applicant shall provide a seven foot wide sidewalk within a twenty foot wide (minimum) common element throughout the development and between the buildings. Modifications to the preliminary development plan are required to achieve compliance.
 21. All dry utility facilities serving the units, except gas, shall be placed within a public utility easement outside of the internal street pavement / curb.
 22. A five foot wide public utility easement shall be provided adjacent to all streets.
 23. The applicant shall provide an exhibit that confirms adequate guest parking is provided as required by the CNLV Private Streets Policy.
 24. A conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works and Land Development & Community Services prior to submittal of the project's drainage study.

25. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

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

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

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

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

PASSED AND ADOPTED THIS _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED:

JOHN J. LEE, MAYOR

ATTEST:

JACKIE RODGERS
CITY CLERK