

ORDINANCE NO. 3720
(ZCA-2020005359 – Black Mountain Business Park / Las Palmas Entrada Mini Storage)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, AMENDING ORDINANCE NO. 2870, THE ZONING MAP, TO RECLASSIFY CERTAIN REAL PROPERTY WITHIN THE CITY LIMITS OF THE CITY, DESCRIBED AS A PORTION OF SECTIONS 13 AND 14, TOWNSHIP 22 SOUTH, RANGE 62 EAST, M.D. & M., CLARK COUNTY, NEVADA, GENERALLY LOCATED SOUTHEAST OF LAS PALMAS ENTRADA AVENUE AND SATILLO WAY, IN THE MCCULLOUGH HILLS PLANNING AREA FROM RH-24-PUD (HIGH-DENSITY RESIDENTIAL WITH PLANNED UNIT DEVELOPMENT OVERLAY) TO CN (NEIGHBORHOOD COMMERCIAL).

WHEREAS, the City Council of the City of Henderson, Nevada, on September 1, 2020, committed to the rezoning of certain real property totaling 4.0 acres, more or less, located in a portion of Sections 13 and 14, Township 22 South, Range 62 East, located southeast of Las Palmas Entrada Avenue and Satillo Way from RH-24-PUD (High-Density Residential with Planned Unit Development Overlay) to CN (Neighborhood Commercial); and

WHEREAS, Durango Square, LLC, has made application for a zone change; and

WHEREAS, the City Council finds that all of the following criteria have been met:

- a. Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact.
- b. Whether the proposed amendment is consistent with the Comprehensive Plan and the stated purposes of Section 19.1.4, Purpose and Intent.
- c. Whether the proposed amendment will protect the health, safety, morals, or general welfare of the public.
- d. Whether the City and other service providers will be able to provide sufficient public safety, transportation and utility facilities, and services to the subject property, while maintaining sufficient levels of service to existing development.
- e. Whether the proposed rezoning will have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation.
- f. Whether the proposed amendment will have significant adverse impacts on other property in the vicinity of the subject property.
- g. The suitability of the subject property for the existing zoning classification and proposed zoning classification.
- h. There is a need for the proposed use at this proposed location.

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Ordinance No. 2870 of the City of Henderson, Nevada, entitled "Zoning Map update" is hereby amended as follows:

The Zoning Map, adopted by reference as an integral part of the title that outlines and defines the various zoning districts that are described in detail and that indicate which land uses are permitted and which are prohibited, shall be amended to reclassify certain real property within the city limits of the City of Henderson, Nevada, as more particularly described below and as depicted in Exhibit A attached hereto, consisting of one page:

BEING A PORTION OF SOUTHWEST QUARTER (SW ¼) OF SECTION 13 AND A PORTION OF SOUTH HALF (S ½) OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 62 EAST, M.D.M., CITY OF HENDERSON, COUNTY OF CLARK, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 6 OF LAKE MEAD SOUTH PHASE TWO, PARENT FINAL MAP, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 79 OF PLATS, PAGE 3, AND IS AMENDED BY CERTIFICATE OF AMENDMENT RECORDED OCTOBER 26, 1998 IN BOOK 981026 AS INSTRUMENT NO. 01292 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

Containing four (4.0) acres, more or less, from RH-24-PUD (High-Density Residential with Planned Unit Development Overlay) to CN (Neighborhood Commercial).

SECTION 2. That the above-described amendment to the zoning map is subject to the following conditions:

PUBLIC WORKS CONDITION

1. The acceptance or approval of this item does not authorize or entitle the applicant to construct the project referred to in such application or to receive further development approvals, grading permits or building permits, nor does it infer approval for final lot configuration, geometry, or roadway layout.

COMMUNITY DEVELOPMENT PLANNING SERVICES CONDITION

2. Approval of this application requires the applicant to comply with all Code requirements not specifically listed as a condition of approval but required by Title 19 of the Henderson Municipal Code, compliance with all plans and exhibits presented and amended as part of the final approval.

SECTION 3. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

SECTION 4. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 5. A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title in the Las Vegas Review-Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance (Initial Publication). Following adoption by the City Council, this Ordinance shall be published by title together with the names of the Council members voting for or against passage (Final Publication). This Ordinance is scheduled for Final Publication on September 18, 2020, in the Las Vegas Review-Journal, at which time it will become effective.

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PASSED, ADOPTED, AND APPROVED THIS 15TH DAY OF SEPTEMBER, 2020.

John F. Marz, Mayor Pro Tem

ATTEST:

Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on September 1, 2020, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on September 15, 2020, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held September 15, 2020, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

John F. Marz, Mayor Pro Tem
Councilmembers:
Michelle Romero
Dan K. Shaw
Dan H. Stewart

Those voting nay: None
Those abstaining: None
Those absent: Debra March,
Mayor

John F. Marz, Mayor Pro Tem

ATTEST:

Sabrina Mercadante, MMC, City Clerk

EXHIBIT A

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