

ORDINANCE NO. 4015
(ZCA-2023013181-A1 – Casa Del Sol Land Use and Zoning)

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 SECTION 17, TOWNSHIP 23 SOUTH, RANGE 61 EAST, M.D. & M., CLARK COUNTY, NEVADA, GENERALLY LOCATED SOUTHEAST OF LAS VEGAS BOULEVARD AND LARSON LANE, IN THE WEST HENDERSON PLANNING AREA, TO APPLY CITY OF HENDERSON RH-36 (HIGH-DENSITY RESIDENTIAL) ZONING DESIGNATION ON 5 ACRES OF PROPERTY WITH NO ESTABLISHED ZONING.

WHEREAS, the City Council of the City of Henderson, Nevada, on March 5, 2024, committed to the rezoning of certain real property totaling 5 acres, more or less, located in a portion of Section 17, Township 23 South, Range 61 East, generally located southeast of Las Vegas Boulevard and Larson Lane, to apply City of Henderson RH-36 (High-Density Residential) zoning designation on property with no established zoning; and

WHEREAS, The City of Henderson has made application for a zone change; and

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

- a. The proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact.
- b. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of Section 19.1.4.
- c. The proposed amendment will protect the health, safety, morals or general welfare of the public.
- d. 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. The proposed rezoning will not have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation.
- f. The proposed amendment will not have significant adverse impacts on other property in the vicinity of the subject tract.
- g. The subject property is suitable for the proposed zoning classification.
- h. There is a need for the proposed use at the 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:

THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 16, LYING SOUTHWESTERLY OF BLM GRANT N- 96903 (LARSON LANE);

TOGETHER WITH THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 16, LYING SOUTHWESTERLY OF BLM GRANT N-96903 (LARSON LANE AND CASA DEL SOL DRIVE);

TOGETHER WITH THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 17, LYING EASTERLY OF BLM GRANT N- 96625 (LAS VEGAS BOULEVARD) AND SOUTHWESTERLY OF BLM GRANT N-96903 (LARSON LANE);

TOGETHER WITH THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 17, LYING EASTERLY OF BLM GRANT N-96625 (LAS VEGAS BOULEVARD).

Containing 5 acres, more or less, to apply City of Henderson RH-36 (High-Density Residential) zoning designation on property with no established zoning;

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. Public Works Department approval is based upon review of the civil improvement plans and associated studies, not planning documents.

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, and compliance with all additional items required to fulfill conditions of approval. Subsequent changes or revisions to any of these plans and/or exhibits are subject to an amendment to this application for 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 March 22, 2024, in the Las Vegas Review-Journal, at which time it will become effective.

PASSED, ADOPTED, AND APPROVED THIS 19th DAY OF MARCH, 2024.

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on March 5, 2024, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on March 19, 2024, 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 March 19, 2024, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Michelle Romero, Mayor
Councilmembers:
Carrie Cox
Jim Seebock
Dan H. Stewart
Dan K. Shaw

Those voting nay: None
Those abstaining: None
Those absent: None

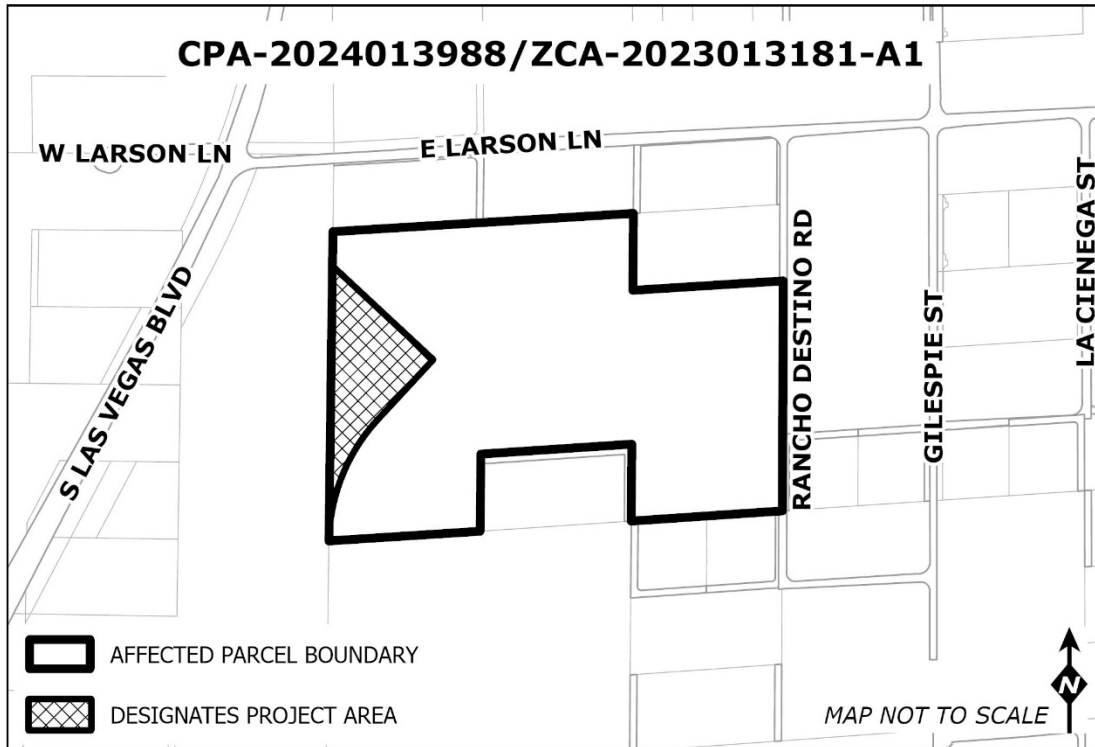
Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is red and enclosed in [brackets], and language proposed to be added is in *blue italics and underlined*.

EXHIBIT A
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