

ORDINANCE NO. 4032
(ZCA-2023013635 – Equestrian and Weeks Bay)

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 28, TOWNSHIP 22 SOUTH, RANGE 63 EAST, M.D. & M., CLARK COUNTY, NEVADA, ON 35.9 ACRES, GENERALLY LOCATED APPROXIMATELY 1,100 FEET SOUTHWEST OF THE INTERSECTION OF BOULDER HIGHWAY AND EQUESTRIAN DRIVE, EAST OF THE UNION PACIFIC RAILROAD, IN THE HIGHLAND HILLS PLANNING AREA, FROM IP (INDUSTRIAL PARK) TO RM-10 (MEDIUM-DENSITY RESIDENTIAL).

WHEREAS, the City Council of the City of Henderson, Nevada, June 4, 2024, committed to the rezoning of certain real property totaling 35.9 acres, more or less, located in a portion of Section 28, Township 22 South, Range 63 East, located at generally located approximately 1,100 feet southwest of the intersection of Boulder Highway and Equestrian Drive, east of the Union Pacific Railroad, from IP (Industrial Park) to RM-10 (Medium-Density Residential); and

WHEREAS, Henderski, LLC, 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 HMC Section 19.1.4, Purpose and Intent.
- 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 zone change 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 property.
- G. The suitability of the subject property for the existing zoning classification and proposed zoning classification.

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:

A PORTION OF THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 28;

THENCE NORTH 89°48'52" EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 28, 1319.25 FEET TO THE WEST 1/16th CORNER OF SAID SECTION 28;

THENCE NORTH 89°46'34" EAST, CONTINUING ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 28, 101.95 FEET TO A POINT AT THE INTERSECTION OF THE LATITUDINAL CENTERLINE OF SECTION 28 AND THE EASTERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD, NORTH 34°39'09" WEST 1193.45 FEET, MORE OR LESS, TO A POINT BEING THE POINT OF CURVATURE FOR A CONVEX CURVE TO THE SOUTHWEST;

THENCE ALONG SAID CURVE, 413.58 FEET, MORE OR LESS, TO A POINT WHERE THE EASTERLY RIGHT-OF-WAY OF SAID UNION PACIFIC RAILROAD INTERSECTS THE NORTH 1/16TH LINE OF SAID SECTION 28, SAID CURVE HAVING A RADIUS OF 11,559.16 FEET, THE RADIUS POINT OF WHICH BEARS SOUTH 55°29'52" WEST, A DELTA OF 02°03'00" AND A CHORD LENGTH OF 413.56 FEET, MORE OR LESS, TO A POINT;

THENCE ALONG THE NORTH 1/16TH LINE OF SAID SECTION 28, AS SHOWN ON THE FINAL MAP OF BOULDER CREEK-UNIT 1 AS RECORDED IN BOOK 111 OF PLATS, PAGE 63, NORTH 89°48'44" EAST 1073.97 FEET TO THE NORTHWEST ANGLE POINT OF LOT 500 AS SHOWN ON THE FINAL MAP OF BOULDER CREEK-UNIT 5 AS RECORDED IN BOOK 120 OF PLATS, PAGE 35;

THENCE SOUTH 42°24'45" EAST, ALONG THE SOUTHWESTERLY BOUNDARY OF THE AFOREMENTIONED FINAL MAP OF BOULDER CREEK - UNIT 5, 245.76 FEET, TO A POINT LYING AT THE WESTERLY RIGHT--WAY OF EQUESTRIAN DRIVE, AS DEDICATED BY GRANT, BARGAIN, SALE DEED RECORDED AS BOOK 20021205, INSTRUMENT NO. 0153;

THENCE SOUTH 47°35'35" WEST 30.00 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY OF WEEKS BAY RIVER ROAD, AS DEDICATED BY GRANT, BARGAIN, SALE DEED RECORDED AS BOOK 20030624, INSTRUMENT NO. 01967;

THENCE, SOUTH 42°24'45" WEST, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID WEEKS BAY RIVER ROAD, 1363.13 FEET TO THE NORTHWEST CORNER OF COMMON ELEMENT 1A-2 AS SHOWN ON THE FINAL MAP OF BOULDER CREEK - UNIT 1A AS RECORDED AT BOOK 112 OF PLATS, PAGE 71;

THENCE SOUTH 00°07'32" WEST, ALONG THE WEST LINE OF SAID FINAL MAP OF BOULDER CREEK-UNIT 1A, ALSO BEING THE MERIDIONAL CENTERLINE OF SAID SECTION 28, 109.05 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 28;

THENCE SOUTH 89°46'19" WEST, ALONG THE NORTHERLY LINE OF THE SAID BOULDER CREEK-UNIT 1A, ALONG THE NORTHERLY LINE OF BOULDER CREEK-UNIT 2A AS RECORDED IN BOOK 113 OF PLATS, PAGE 23, AND THE NORTH LINE OF THE FINAL MAP OF BOULDER CREEK-UNIT 3A AS RECORDED IN BOOK 113 OF PLATS, PAGE 92, 1217.83, FEET MORE OR LESS, TO THE POINT OF BEGINNING.

Containing 35.9 acres, more or less, from IP (Industrial Park) to RM-10 (Medium-Density Residential).

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 June 21, 2024, in the Las Vegas Review-Journal, at which time it will become effective.

PASSED, ADOPTED, AND APPROVED THIS 18th DAY OF JUNE, 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 June 4, 2024, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on June 18, 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 June 18, 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

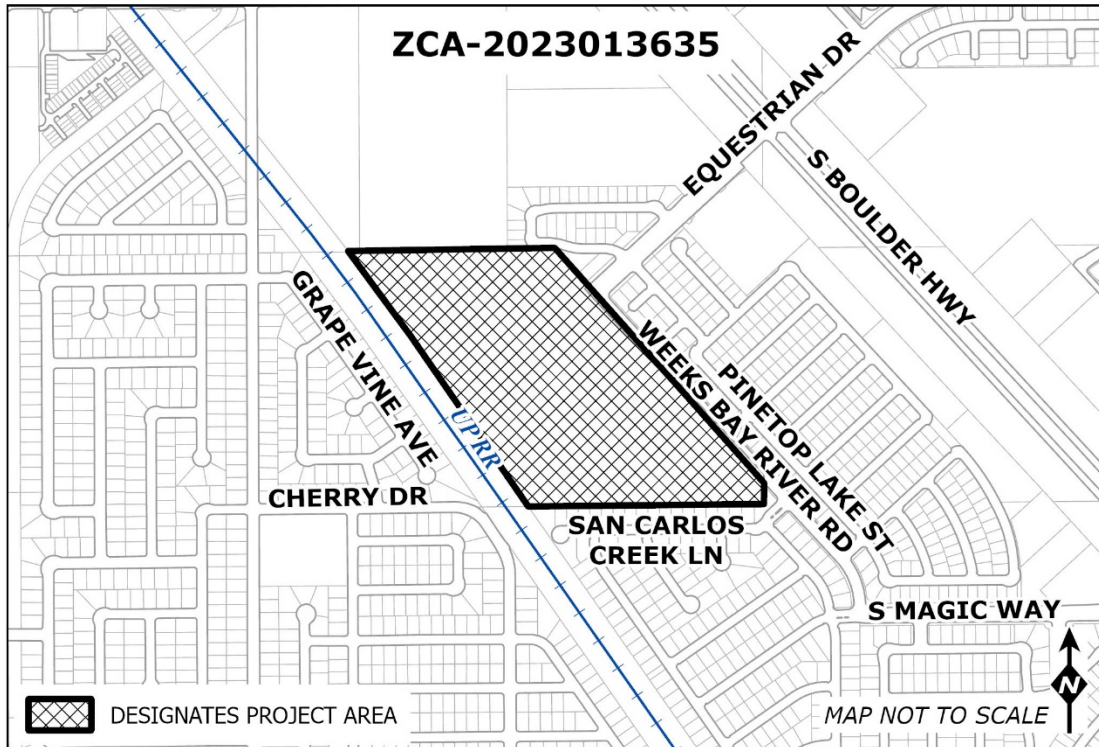
Michelle Romero, Mayor

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
ZCA-2023013635 – Horizon-Henderson



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