

ORDINANCE NO. 3366
(ZCA-16-500345 – Coronado 10)

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 36, TOWNSHIP 22 SOUTH, RANGE 61 EAST, M.D.B. & M., CLARK COUNTY, NEVADA, ON 10.7 ACRES, LOCATED WEST OF RICH PEREZ JR. DRIVE APPROXIMATELY 800 FEET NORTH OF ITS INTERSECTION WITH SUNRIDGE HEIGHTS PARKWAY, IN THE WESTGATE PLANNING AREA FROM RS-2 (LOW-DENSITY RESIDENTIAL) TO RS-8 (LOW-DENSITY RESIDENTIAL).

WHEREAS, the City Council of the City of Henderson, Nevada, on October 4, 2016, committed to the rezoning of certain real property totaling 10.7 acres, more or less, located in a portion of Section 36, Township 22 South, Range 61 East, located west of Rich Perez Jr. Drive approximately 800 feet north of its intersection with Sunridge Heights Parkway from RS-2 (Low-Density Residential) to RS-8 (Low-Density Residential); and

WHEREAS, D. R. Horton 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, and 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:

SITUATED IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 36,
TOWNSHIP 22 SOUTH, RANGE 61 EAST, M. D. M., CITY OF
HENDERSON, CLARK COUNTY NEVADA, DESCRIBED AS FOLLOWS:

PARCELS 1 AND 2 AS SHOWN BY MAP ON FILE IN FILE 28 OF PARCEL
MAPS, PAGE 25, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

Containing 10.7 acres, more or less, from RS-2 (Low-Density Residential) to
RS-8 (Low-Density Residential).

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

PUBLIC WORKS CONDITIONS

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.
2. Applicant shall submit a traffic impact analysis to address traffic concerns and to determine the proportionate share of this development's local participation in the cost of traffic signals and/or intersection improvements. Applicant shall comply with conditions of the traffic study.

COMMUNITY DEVELOPMENT PLANNING SERVICES CONDITION

3. 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.

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 Review Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on October 21, 2016, in the Review Journal.

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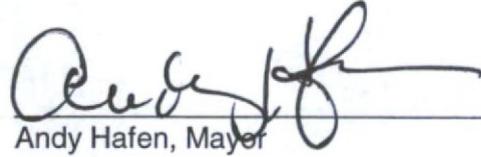
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PASSED, ADOPTED, AND APPROVED THIS 18TH DAY OF OCTOBER, 2016.




Andy Hafen, Mayor

ATTEST:


Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on October 4, 2016, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on October 18, 2016, 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 October 18, 2016, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye: Andy Hafen, Mayor
 Councilmembers:
 Sam Bateman
 John F. Marz
 Gerri Schroder

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

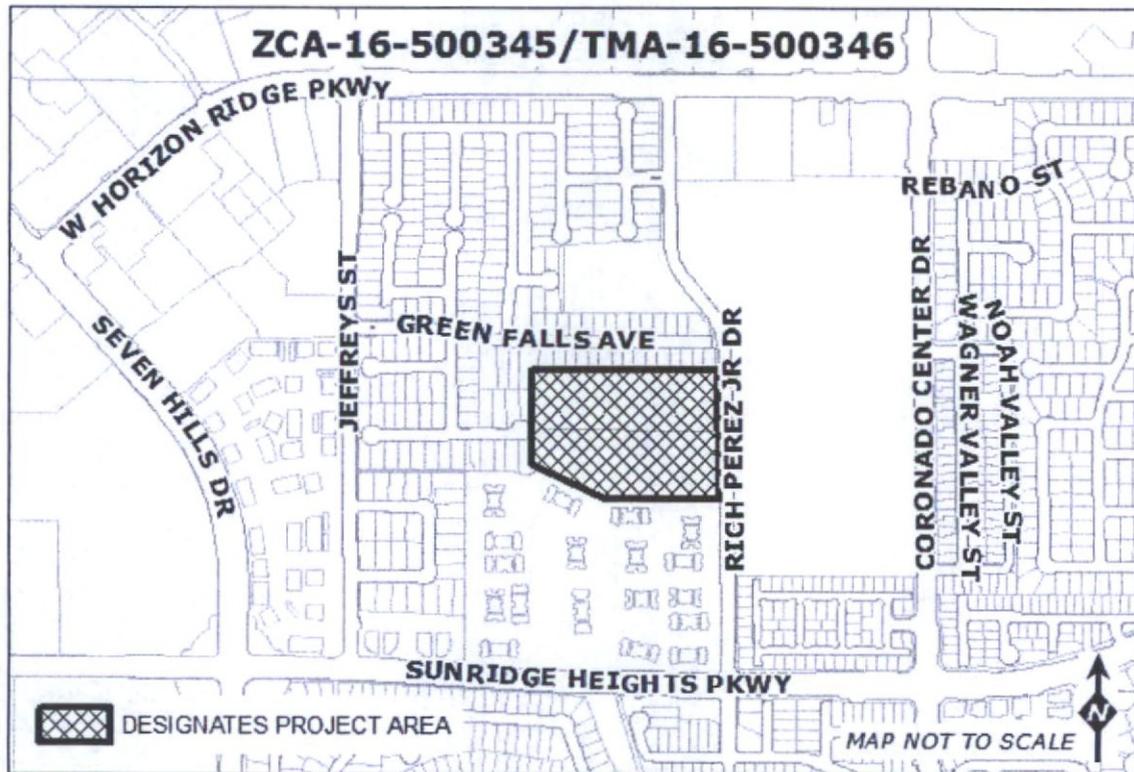



Andy Hafen, Mayor

ATTEST:


Sabrina Mercadante, MMC, City Clerk

EXHIBIT A
ZCA-16-500345- Coronado 10



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.