

City of Henderson

# Development Code Update

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*Administrative Draft*

## Citywide Standards, Pt. 1

(Presented as part of Module 4 of the Development Code Update)

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# Introduction

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This report presents draft provisions for Citywide Standards in the Development Code. The Development Code will be organized into five parts, in the following order:

Part I – Introductory Provisions

Part II – District Regulations

Part III – Citywide Standards

Part IV – Administration and Enforcement

Part V – Interpretations and Definitions

This report includes two chapters (Chapter 19.13, Subdivision Design and Improvements and Chapter 19.14, Nonconformities) of Part III – Citywide Standards. The chapters provided in this report serve as part of Module 4 and are being submitted to City staff ahead of the other chapters included in Module 4 (Chapter 19.9, General Site and Development Regulations; Chapter 19.10, Landscaping and Screening Standards; Chapter 19.11, Parking and Loading Standards; and Chapter 19.2, Signs).

## Subdivision Design and Improvements

Regulations related to subdivision design and improvements have generally been carried forward and refined, maintaining their location in one discrete chapter. Additional regulations for building addressing have been added consistent with direction from City staff. Additionally, standards for condominium conversions have been moved to this Chapter for clarity.

## Nonconformities

Regulations related to nonconformities have been carried forward with minor refinements, maintaining their location in one discrete chapter. Comments and questions have been posed to City staff in order to provide more clarity and consistency if deemed appropriate.



# Citywide Standards, Pt. 1

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## Chapter 19.13 Subdivision Design and Improvements

### Sections:

- 19.13.1 General
- 19.13.2 Required Dedications and Improvements
- 19.13.3 Resource Preservation
- 19.13.4 Lots
- 19.13.5 Access
- 19.13.6 Drainage
- 19.13.7 Streets
- 19.13.8 Sidewalks
- 19.13.9 Street Lights
- 19.13.10 Water Supply and Fire Hydrants
- 19.13.11 Easements
- 19.13.12 Monuments
- 19.13.13 Reservations for Parks and School Sites
- 19.13.14 Street Naming and Addressing
- 19.13.15 Building Addressing
- 19.13.16 Condominium Conversions

### 19.13.1 General

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- A. **Applicability.** This Chapter applies to all development in the City including, building permits, grading permits, encroachment permits, offsite permits, subdivisions, resubdivisions, minor subdivisions, or other divisions of land for any purpose within the City, and the preparation of subdivision maps and other maps provided for by NRS 278 and this Code. All subdivisions and

any part of a subdivision located within the City limits must be constructed, and all subdivision maps must be prepared and presented for approval, as provided for in this Code.

B. **Exemptions.** This Chapter does not apply to any of the following:

1. Creation or realignment of a public right-of-way by a public agency;
2. Creation or realignment of an easement;
3. Adjustment of the boundary line or the transfer of land between two adjacent property owners that does not result in the creation of any additional parcels;
4. Purchase, transfer, or development of space within an apartment building or an industrial or commercial building;
5. Carrying out an order of any court or dividing land as a result of an operation of law;
6. Creation of a lien, mortgage, deed of trust, or any other security instrument;
7. Creation of a security or unit of interest in any investment trust regulated under the laws of Nevada or any other interest in an investment entity;
8. Conveying an interest in oil, gas, minerals, or building materials that is severed from the surface ownership of real property;
9. Conveying an interest in land acquired by the Nevada Department of Transportation under NRS; or
10. Filing a certificate of amendment under NRS.

C. **Improvement Plans.** Subdividers must file with the Public Works Parks and Recreation Director complete plans covering the improvement of alleys, streets (including all appurtenances), curbs, gutters, sidewalks, street lights, driveways, sewer mains, and house laterals within the public right-of-way, water mains, gas mains, fire hydrants, parking areas, subsurface drainage, utility easement location, and such other plans and documents as may be required by the Public Works Parks and Recreation Director. The subdivider must enter into a contract with the City, approved as to form and legality by the City Attorney, to make, install, and complete all required improvements.

D. **Standard Drawings and Standard Specifications.**

1. All improvements and construction must conform to all standards and specifications of the Public Works Parks and Recreation Director and all applicable master plans.



2. All references to “Standard Specifications” are to the most recent edition of the Uniform Standard Specifications for Public Works Construction Off-Site Improvements, Clark County Area, Nevada.
3. All references to “Standard Drawings” refer to the most recent edition of the Uniform Standard Drawings for Public Works Construction Off Site Improvements, Clark County Area, Nevada.

### 19.13.2 Required Dedications and Improvements

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#### A. **Dedications.**

1. As a condition of approval of a tentative map or parcel map, the subdivider must dedicate, or make an irrevocable offer to dedicate, all parcels of land within the subdivision that are needed for improvements required by this Chapter.
2. All dedications of property to the City for public purposes must be made in fee title except that, at the City’s discretion, the grant of an easement may be taken for the following purposes: recreational easements, emergency access easements, municipal easements, or public utility easements.
3. All dedications in fee and grants of easements must be free of liens and encumbrances except for those that the City, in its discretion, determines would not conflict with the intended ownership and use.

#### B. **Installation of Public Facilities and Improvements.**

1. ***General.*** In addition to required dedications, the subdivider must construct, or cause to be constructed or installed, all public facilities and improvements required by this Chapter.
2. ***Supplemental Improvement Capacity (Over-sizing).***
  - a. As a condition of approval of a tentative map, the City may impose a requirement that improvements installed by the subdivider for the benefit of the subdivision contain supplemental size, capacity, number, or length for the benefit of property not within the subdivision and that those improvements be dedicated to the public.
  - b. When the supplemental size, capacity, number, or length is solely for the benefit of property not within the subdivision, the City may enter into an agreement with the subdivider to reimburse the subdivider for that portion of

the cost of such improvements equal to the difference between the amount it would have cost the subdivider to install the improvements to serve the subdivision only and the actual cost of such improvements. The City will determine the method for payment of the costs required by a reimbursement agreement that may include, but is not limited to, the establishment and maintenance of local benefit districts for the levy and collection of the charge or costs from the property benefited.

C. **Performance Guarantees.**

1. ***Types Allowed.*** The subdivider must provide a performance guarantee to ensure the completion of required improvements in the form of a performance or surety bond, cash deposit, agreement in lieu of bond, or a letter of credit.
  - a. ***Performance and Surety Bonds.*** Performance or surety bonds, if used, must be posted in the amount of 100 percent of the total cost of improvements, plus 10 percent for engineering and contingencies. The performance or surety bond must be written by a company on the approved federal list and authorized to do business in the State of Nevada.
  - b. ***Cash Deposits.*** If the performance guarantee is in the form of a cash deposit with the City, proportional parts thereof are refundable in relation to progress payments less retainage, subject to approval of the Public Works Parks and Recreation Director and subject to a minimum deposit balance of \$15,000.
  - c. ***Agreement In Lieu of Bond.***
    - i. If the performance guarantee is in the form of an agreement in lieu of bond, two options are available:
      - (a) **Separate account:** If a separate account is established, it must be designated an “offsite improvement account” in which there has been deposited a sum equal to the amount that would otherwise have been required for a performance or surety bond.
      - (b) **Segregated account:** If a segregated account is established, it must be in a sum equal to the amount that would otherwise have been required for a performance or surety bond. It must include a pledge by the lending institution that the funds necessary to carry out the agreement are on deposit.

- ii. An agreement in lieu of bond must further provide that any funds on deposit may be withdrawn only upon draft or request for withdrawal signed jointly by the Public Works Parks and Recreation Director, by some person designated by the subdivider, and a representative of the lending institution. The agreement must also provide for progress payments to be made to the subdivider, or directly to contractors if acceptable lien releases are submitted, based on a percentage of the work completed by line item, provided that at all times there must be a 10 percent retention of the funds deposited by line item of the bond estimate form, until all offsite improvements have been completed and accepted by the City. The agreement must further include such additional terms and conditions as the Council may deem necessary to ensure the completion of offsite improvements. Agreements must be on a form provided by the City.
- iii. Any subdivider wishing to provide the necessary performance guarantee for improvements in the form of an agreement in lieu of bond must submit financial background information concerning the financial institution to the Director of Finance for approval. Said request for approval of the institution must include:
  - (a) The most recent annual statement of the institution.
  - (b) A copy of the institution's current quarterly report or a current unaudited statement of the institution if applicable.
- iv. If the institution's financial status is approved by the Director of Finance, then a recommendation will be forwarded to the Council for approval to place the institution on the list of approved financial institutions for participation in agreements in lieu of bonds under this Code. The approval by the Council must be for one calendar year or until the subsequent January, at which time the financial institution's approval may be renewed for an additional one calendar year upon the submission of the information set forth in this subsection. A financial institution will be annually renewed unless the institution fails to submit the requested information by January 30, specifically requests its name be removed from the list or the Director of Finance recommends denial. The list of approved institutions must be maintained by the City Clerk and updated annually.

**D. Maintenance Guarantees.**

1. If the subdivider completes all required improvements and complies with all conditions of the subdivision agreement as determined by the Public Works Parks and Recreation Director, the remainder of monies retained by a financial institution or by the City may be released to the subdivider or the subdivider's successor in title.
2. Prior to release, the subdivider must provide the City, prior to the issuance of any building permit, a performance bond, surety bond, or cash deposit equal to the amount determined by the Public Works Parks and Recreation Director that would ensure the repair of any damage to the existing improvements during the course of any construction, but in no case will the amount of the security be less than \$1,000 for each individual building lot.
3. Prior to the issuance of any certificate of occupancy, the Public Works Parks and Recreation Director must determine whether any breakage or damage has occurred. If no damage to any offsite improvements has occurred, then the Public Works Parks and Recreation Director may release the security to the subdivider or the subdivider's successor in title. If damages have occurred, they must be repaired or the City may draw on the security before it is released.

**E. Inspection of Improvements.**

1. The subdivider must notify the Public Works Parks and Recreation Director at least 24 hours in advance of commencing work on any of the following items:
  - a. Laying of sewage and construction of manholes;
  - b. Backfilling of sewage;
  - c. Placing of water lines, fire hydrants, and valves;
  - d. Backfilling around water lines, fire hydrants, and lateral connections;
  - e. Laying of storm drainage lines and facilities;
  - f. Backfilling of storm drainage lines and facilities;
  - g. Preparing the base and placing concrete for curbs, gutters, sidewalks, or valley gutters;
  - h. Placing of Type I base course;
  - i. Placing of Type II base course;
  - j. Priming base course;

- k. Placing surfacing;
  - l. Sealing surfacing;
  - m. Installing street lights;
  - n. Painting curbs red and installing “No Parking” identification; and
  - o. Other offsite improvement construction.
2. If the start of the work will be delayed, the subdivider must notify the Public Works Parks and Recreation Director of the delay at least two hours before work is scheduled to begin. Signed construction plans must be maintained at all times on the job site by the subdivider.

### 19.13.3 Resource Preservation

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In reviewing subdivision layout and lot configuration, the Commission is authorized to encourage preservation of natural features and historic landmarks. The Commission must also ensure that the proposal complies with the resource-related standards of Chapter XX.

### 19.13.4 Lots

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A. **Dimensions and Configuration.**

- 1. Lot sizes and dimensions must comply with the standards of the underlying zoning district, provided that the net area of lots to be served by individual sewage disposal and water supply installations must comply with Clark County Health District standards.
- 2. Lots may not be divided by another lot, street, alley, or any other thoroughfare or property.
- 3. Lots may not be divided by City boundary lines. City boundary lines may be coterminous with lot lines or centerlines of streets and alleys.
- 4. No public or private street, alley, or sidewalk shall be included in the measurement of lot area.

- B. **Setbacks.** Building setbacks must comply with the standards of the underlying zoning district. Required setbacks must be shown on the final map.

### 19.13.5 Access

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The subdivision of land must ensure that each lot, park, or public grounds is provided with satisfactory means of ingress and egress to a public street.

- A. The City may require, as a condition of approval of a tentative map, that dedications or offers of dedication of streets include a waiver of direct access rights from any lot within the subdivision to any such street within or abutting the subdivision. Upon acceptance of the dedication, such waiver must be reflected in an appropriate title document, which must be recorded and become effective in compliance with its provisions.
- B. Lots abutting a major collector or minor arterial or highway (as designated on the approved Master Transportation Plan) may be denied vehicular access to such street.
- C. Vehicular access to lots denied direct access from a major collector or minor arterial or highway (as designated on the approved Master Transportation Plan) must be provided from a minor street or alley.
- D. The paving materials, widths, and locations of driveways must conform to the Standard Drawings. In residential districts, all driveways must be at least 6 feet from the point of curvature of any intersection, per Standard Drawing Nos. 222 and 222A, unless this requirement is waived by the Public Works Parks and Recreation Director.
- E. Parcels classified in the RN overlay with access solely via a roadway listed on the adopted Master Transportation Plan must have a circular driveway, cul-de-sac, or any other acceptable design that eliminates backing into the roadway for egress. Parcels with dual frontage must use the frontage adjacent to the roadway that is not listed on the Master Transportation Plan.

#### 19.13.6 Drainage

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- A. **Drainage System.** The subdivider must provide the necessary means to assure complete drainage in and adjacent to the subject property by making use of state or City storm drains, natural watercourses, or constructed channels. The subdivider must submit to the Public Works Parks and Recreation Director sufficient information in the form of maps and profiles prepared by a surveyor or engineer to indicate the proper drainage of the surface water to natural drainage courses or into City or state drain systems. If surface water drainage is proposed across lands intended to be used as private lots, rights-of-way and easements must be indicated on the proposed plat. The location and width of easements must be indicated on the plat to be recorded and marked "easements reserved for drainage." If deemed necessary by the Public Works Parks and Recreation Director, ditching must be provided. The Public Works Director may also require that the drain be enclosed in pipe made to designed size and specifications and laid to the grade and depth required by governmental authority.

- B. **Valley Gutters and Under-Drains.** Valley gutters with a minimum width of eight feet or under-drains are required across intersections. The construction of valley gutters or under-drains must comply with the Standard Drawings. Alley gutters must be constructed across alleys in conformance with the Standard Drawings. Valley gutters may not cross streets with a width of a major collector or greater. Drainage must be placed in appropriately sized pipes at those points and drained to daylight.
- C. **Drainage Channel Design.** Drainage channels must be designed to maintain a minimum velocity of two feet per second and a maximum velocity of eight feet per second where possible.
- D. **Drainage Pipe.** No public storm water drainage pipe may be less than 18 inches in diameter. All public storm water drainage pipes must be corrosive-resistant pipe and have a design life of at least 50 years.

### 19.13.7 Streets

- A. **Alignment.** Streets must be aligned in compliance with the Master Transportation Plan. Street layouts and alignments are subject to the transportation and circulation standards of this Code and the HMC.
- B. **Street and Right-of-Way Widths.**
  - 1. **Minimum Standards.** Public and private streets must comply with the right-of-way and pavement standards in Table XX, Street and Right-of-Way Widths. More detailed Master Transportation Plan Complete Streets Configurations may be found in Appendix B of this Code:

**TABLE XX: STREET AND RIGHT-OF-WAY WIDTHS**

Street Type	Right-of-Way Width (Feet)	Pavement Width <sup>1</sup> (Feet)	
		No On-Street Parking	On-Street Parking
Cul-de-Sac	See Section XX, Options for Minor Local/Interior Subdivision Streets		
Minor Local/Interior Subdivision			
Minor Collector	50-58	36	49
Major Collector	84-91 <sup>2</sup>	Per Standard Drawings/Specifications and Master Transportation Plan	
Minor Arterial	95-100 <sup>3</sup>	Per Standard Drawings/Specifications and Master Transportation Plan	

Major Arterial	120 ± <sup>4</sup>	Per Standard Drawings/Specifications and Master Transportation Plan
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Notes:

1 Pavement width measured from face-of-curb to face-of-curb.

2 Where a major collector street intersects another major collector or larger street, each major collector or larger street right-of-way must be increased in width, as specified in the Standard Drawings/Specifications.

3 Where a minor arterial street intersects a major collector or larger street, each arterial right-of-way must be increased to a 120-foot width for 660 feet in each direction from the intersection, as specified in the Standard Drawings/Specifications.

4 Where a controlled access arterial street intersects a major collector or larger street, each arterial right-of-way must be increased to a 140-foot width for 660 feet in each direction from the intersection as specified in the Standard Drawings/Specifications.

2. ***Options for Minor Local/Interior Subdivision Streets.*** The design options in Table XX, Street Options, and Figure XX, Minor Local and Internal Street Layouts, are allowed for minor local streets and interior subdivision streets, including cul-de-sacs:

**TABLE XX: STREET OPTIONS**

Right-of-Way Width (Feet)	Pavement Width <sup>1</sup> (Feet)	Parking Lanes		Sidewalks	
		Sides of Street	Width <sup>1</sup>	Sides of Street	Width
47	36	2	8	2	5

Notes:

1 Pavement and parking lane widths measured from face-of-curb.

- a. In addition to the street width design options described above, a single-family subdivision with attached or detached housing product is permitted to have streets that provide a minimum 24-foot-wide flowline when all of the following are provided:
- i. Fire lanes (including signage, curb painting, and stenciling) are complete before the issuance of any certificates of occupancy.
  - ii. The subdivision is gated.
  - iii. The streets are privately owned and maintained.
  - iv. The project does not contain cul-de-sacs, dead-ends or “stub” streets.



- v. Guest parking is provided in locations approved by the Fire Chief and the Community Development and Services Director.
  - vi. All purchasers sign a disclaimer at the close of escrow acknowledging the prohibition of on-street parking.
  - vii. The CC&Rs are irrevocably written and recorded so that the maintenance and enforcement of the on-street parking prohibition is the responsibility of the HOA for the life of the project. The CC&Rs must clearly state that the HOA officers are responsible for the enforcement of the on-street parking prohibition and are personally liable for any penalties, including citations, for the failure to follow through with their responsibilities.
- b. *Subdivision Boundary Streets.* Subdivision boundary streets shown on the Master Transportation Plan must be dedicated for one-half of the otherwise required width, and one-half of the otherwise required street improvement section.
- c. *Half-Streets.* Half-streets are prohibited within the interior of a subdivision. They are permitted along the exterior boundaries of subdivisions when they are major streets or when the need is dictated by traffic, topography, or drainage factors. Where a dedicated half-street or alley abutting the proposed subdivision exists, the other half must be dedicated to make the street or alley complete. In the event that the abutting half-street is unimproved or partially unimproved, the developer is required to construct a half-street or complete the partially improved half-street, which for the purposes of this Section must consist of:
- i. Curb and gutter, street lights, sidewalk, one eight-foot-wide parking lane, and two 12-foot-wide travel lanes for 51-foot and narrower rights-of-way.
  - ii. Curb and gutter, street lights, sidewalk, one nine-foot-wide parking lane, and two 15-foot-wide travel lanes for 52- to 80-foot rights-of-way.
  - iii. As prescribed by the Public Works Parks and Recreation Director for all other rights-of-way.
3. ***Waiver of Street Width Standards.*** The Council, upon recommendation of the Public Works Parks and Recreation Director, Fire Chief, and the Commission, may waive or

modify otherwise required street width standards upon finding that such waivers or modifications are justified by compensating benefits, such as public open space, recreational amenities or enhanced landscaping, and that adequate provision for utilities service and emergency vehicle access are provided.

4. ***Private Driveways and Drive Aisles.*** Multifamily, commercial, and industrial developments served by private driveways or drive aisles must comply with the paving materials, width, and location standards of this Section. In nonresidential districts, driveways approaching an intersection must comply with the driveway standards in this Code. In residential districts, all driveways must be at least 26 feet from the point of curvature of any intersection, per Standard Drawing Nos. 222 and 222A, unless this requirement is waived by the Public Works Parks and Recreation Director. Private driveways and drive aisles must comply with the Fire Code when the Fire Chief determines that they are necessary for fire apparatus access.
5. ***Direct Access to Collector and Larger Streets Restricted.*** Unless otherwise approved by the Public Works Parks and Recreation Director, no direct vehicular access onto any minor or major collector, minor arterial or major arterial, or larger street is permitted from any lot zoned RS-1, RS-2, RS-4, RS-6, RS-8, or RM-10. Access to lots zoned RS-1, RS-2, RS-4, RS-6, RS-8, or RM-10 must come from minor local or interior subdivision streets or alleys only. Unless otherwise approved by the Public Works Parks and Recreation Director, each RS-1 and RS-2 lot existing prior to adoption of this Development Code that fronts on and directly accesses a street shown on the Master Transportation Plan must provide a circular drive to access that street.
- C. **Street Centerline Offsets.** Streets may not have centerline offsets of less than 125 feet unless approved by the Public Works Parks and Recreation Director.
- D. **Reverse or Compound Curves.** The minimum tangent on reverse or compound curves on all streets, except local streets, must be 100 feet.
- E. **Cul-de-sacs.** In addition to the right-of-way and pavement width standards of this Section, cul-de-sac streets must comply with the following standards.
  1. ***Length.*** The maximum length of a cul-de-sac is 600 feet, measured from the center of the intersection to the center of the turnaround. Cul-de-sac lengths in excess of 600 feet require approval of the Fire Chief.
  2. ***Number of Lots.*** No more than 20 lots may be located on a cul-de-sac street. Cul-de-sacs that serve more than 20 lots require approval of the Fire Chief.

F. **Block Length.**

1. Blocks may not exceed 1,200 feet in length between intersections except where topography, traffic, or other conditions necessitate longer blocks. The Community Development and Services Director is authorized to require that long blocks—those longer than 800 feet between intersections—include mid-block pedestrian access.
2. Neighborhood streets must be designed with elements to reduce cut-through traffic and speeding. Design elements such as curved streets, traffic circles, and short block lengths must be used.

G. **Intersections.**

1. Minimum tangent distances between right-of-way lines must comply with the Standard Drawings.
2. At intersections of major streets or a major and minor street, sight visibility zones must be provided in compliance with Standard Drawing No. 201.2.
3. Any median opening providing access to a public or private street may be closed or channelized with a median in order to restrict the public or private street to right-turn-only movements, as determined by the Public Works Parks and Recreation Director to reduce the risk of any potential traffic hazards.

H. **Curb and Gutter.**

1. **General.** Curbs and gutters must conform to the Standard Drawings and Standard Specifications.
2. **Rolled Curbs and Gutters—Private Streets.** A 30-inch rolled curb and gutter may be used on privately owned and maintained streets, provided that all sidewalks abutting the rolled curb and gutter are constructed with a minimum thickness of five inches of Class B concrete, and all meter covers in the sidewalk area are the traffic-bearing type.

I. **Alleys.**

1. Alleys not less than 20 feet in width may be provided in commercial and industrial districts except where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking that is adequate for the proposed uses. Alleys designated as fire lanes must be at least 24 feet in width.
2. If alleys are provided in residential developments, they must be a minimum of 20 feet in width and not exceed a maximum of 24 feet in width. In all cases, a minimum building to building separation of 30 feet is required. Alternative alley dimensions may be

considered by the Development Review Committee. Guest parking and off-street parking shall not be allowed within the required alley width. Alleys designated as fire lanes must be at least 24 feet in width.

J. **Street Names.**

1. All street names and addresses must conform to the Henderson Standard for Street Naming and Addressing, as adopted by the Council.
2. The subdivider must purchase and install street signs in compliance with City standards.

K. **Access Streets.** All access streets must be constructed in compliance with the Standard Drawings and Standard Specifications, as approved by the Public Works Parks and Recreation Director and Fire Chief.

L. **Gates and Restrictions on Access to Streets, Driveways, or Alleys.** The standards of this subsection apply to all residential, commercial, and industrial development. They do not apply to individual detached houses with gated private driveways.

1. ***Gates on Public Streets.*** Public streets and public alleys may not be gated.
2. ***Approval Required.*** No other street, driveway, or alley may be gated and no vehicular or pedestrian (traffic) access may be otherwise restricted along any street without the City's express written approval, in compliance with the standards of this Section.
3. ***New Streets and Alleys.*** Permission to restrict access from public streets to private streets or to gate or otherwise restrict access to private streets, driveways, and alleys may be granted by the Public Works Parks and Recreation Director in conjunction with Community Development and Services Director, provided that the proposed design does not result in a restriction of access to any existing street. Before approval of any restriction on access to a newly created street or alley, the Public Works Parks and Recreation Director in conjunction with the Community Development and Services Director must forward the request to the Fire Department and any other relevant agencies for their review and comment.
4. ***Existing Streets.***
  - a. In the event that one or more property owners wish to restrict access on an existing public street or alley, the property owners must submit a design review application to the Community Development and Services Department. The Community Development and Services Department must forward the

application to the Council for acceptance or rejection. The application must be signed by each property owner whose lot or condominium directly abuts the subject street and each owner of property on any cul-de-sacs or loop streets that are primarily accessed by the subject street. The fee for such application is the same as for an application for vacation of street rights-of-way.

- b. If accepted, the Council must remand the application to the Citizens Traffic Advisory Board and Commission for their reviews. The applicants must cause a traffic study to be performed in compliance with the specifications of the City's Traffic Engineer, and the results of the study, along with any Police and Fire Department requirements, must be included in a plan presented to the Citizens Traffic Advisory Board. The Citizens Traffic Advisory Board must forward the results of their review to the Commission, which must then make a recommendation to the Council.
- c. Upon receipt of the Commission's recommendation, the Council must conduct a public hearing and make its final determination to approve or deny the request.

5. ***Decision-Making Criteria.***

- a. Access to either public or private streets, driveways, and alleys may be restricted using a permanent barrier if approved by the Public Works Parks and Recreation Director and Fire Chief. This restriction applies to all vehicles with the exception of emergency vehicles that may require passage as an option. All decisions on proposed access restrictions must be based on a determination of whether the restriction will enhance the health, safety, and welfare of the general public, and not solely serve to isolate or segregate a segment of the population or an organization from access.
- b. It is also the intent of this subsection that no street, driveway, or alley access restriction may be authorized until all traffic and emergency access studies and all functional and aesthetic designs are completed, reviewed by the Commission, and approved by the Council. Furthermore, the Citizens Traffic Advisory Board must also review all such proposals for streets already in existence at the time of the application.

- A. **Where Required.** Concrete sidewalks are required on all streets in compliance with the Standard Specifications, except as noted elsewhere in this Code. Sidewalks must be provided on both sides of streets, unless specified elsewhere in this Code.
- B. **Where Not Required.** If a trail is designated in accordance with the City’s Master Bicycle and Trails Plan, sidewalks may not also be required along the same frontage if approved by the Community Development and Services Director and Public Works Parks and Recreation Director.
- C. **Width.**
  1. **Residential.** Sidewalks in residential zoning districts must be provided in compliance with the standards of Section XX, Options for Minor Local/Interior Subdivision Streets.
  2. **Nonresidential.** Sidewalks in nonresidential zoning districts must be constructed in compliance with the Standard Specifications and Standard Drawings or as otherwise approved by the Public Works Parks and Recreation Director. Except the DP zone district must comply with Table XX, Sidewalk Width.
  3. **Downtown.** Sidewalks in downtown zoning districts must be provided in compliance with Table XX, Sidewalk Width.

**TABLE XX: SIDEWALK WIDTH**

Zoning District	100-Foot or Greater ROW	Less than 100-foot ROW
DP	10 ft. <sup>1,3</sup>	12-15 ft. <sup>2,3,4</sup>

Notes:

Lake Mead Parkway and Boulder Highway have a right-of-way in excess of 100 feet. All other streets within the downtown area regardless of actual dedicated right-of-way are considered to have a right-of-way width of less than 100 feet.

1 Lake Mead Parkway includes a 10-foot detached sidewalk located 6 feet from the back-of-curb.

2 A 12-foot attached sidewalk measured from back-of-curb is required adjacent to all streets except Water Street. Water Street sidewalk width varies per the approved improvement plans.

3 Sidewalks must as a minimum be finished concrete with a salt or acid wash and have rounded edges and scoring as needed to prevent cracking. The use of color integral concrete, pavers, stamped concrete, granite, or tile is encouraged.

4 Sidewalk width includes a minimum of one 36-inch box shade tree per 30 feet of linear street frontage in compliance with the City of Henderson Community Development Plant Palette. Shade trees must be located in tree wells measuring 5 feet by 5 feet and include iron grates. Location and type of shade trees and grates must be as approved by design review.

- D. **Location.** Sidewalks along local streets shall be detached from the back of curb. Sidewalks along all other streets must be detached and separated from the back of curb and any site perimeter fencing or wall by a minimum distance of four feet unless otherwise approved by the Public Works Parks and Recreation Director because the right-of-way width is inadequate to the otherwise required curb-sidewalk separation distance.
- E. **Construction.** Unless expressly approved by the Council, construction details must be in compliance with the Standard Specifications and Standard Drawings.
- F. **Pedestrian Connections Between Developments.** Pedestrian connections between developments must comply with the provisions of Section XX, Circulation and Mobility.

#### 19.13.9 Street Lights

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- A. The electricity supply must be adequate for domestic use and street lighting.
- B. The subdivider must furnish a statement from the electric supply company certifying that the company will furnish necessary electricity.
- C. Street lights must be located and installed in conformance with the Standard Specifications and Standard Drawings.
- D. The cost of making the connections to existing street lighting circuits is the responsibility of the subdivider.

#### 19.13.10 Water Supply and Fire Hydrants

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- A. Water lines to fire hydrants must comply with the Standard Specifications and Standard Drawings.
- B. The following information must be provided for subdivisions to be supplied by a source of water other than the City or the Las Vegas Valley Water District:
  - 1. A copy of the state well permit.
  - 2. A statement showing capacity of the well, pressure, the population that can be served from the well or wells, and the state certificate number issued for each well.
  - 3. Provisions to comply with the Fire Code.
  - 4. An agreement, approved by the City Attorney, guaranteeing continued water supply for the subdivision.

### 19.13.11 Easements

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- A. **Utility Easements.** Uniform and continuous easements must be provided along lot lines for utility service in compliance with Section 14 of the Henderson Municipal Code (HMC). Easements for water and sewer must comply with the currently adopted versions of the Uniform Design and Construction Standards for Potable Water Systems (UDACS) and the Design and Construction Standards for Wastewater Collection Systems, respectively. Easements for storm sewer lines must be at least 20 feet in width unless otherwise waived by the Public Works Parks and Recreation Director. Other utility easements (for other than water, sewer, and storm sewer lines) must be a minimum of five feet in width when abutting the street lot lines and at least three feet in width when abutting interior lot lines.
- B. **Emergency Access Easements.** Emergency access easements must be at least 24 feet in width. Emergency access easements may not be divided by lot lines. In residential subdivisions, emergency access easements shall be common elements.
- C. **Cross-Access Easements.** If a proposed subdivision will accommodate cross-access from abutting parcels or subdivisions, the developer may be required to dedicate a cross-access easement in a format determined by the City. Also see Section XX, Cross-Access Between Adjacent Uses.

### 19.13.12 Monuments

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- A. **General.**
  - 1. Permanent survey monuments must be furnished, constructed, and set in compliance with the types illustrated in the Standard Drawings and located as shown on the plans or as directed by the City Surveyor. Prior approval of alternate survey monuments is required. All alternate types of survey monuments must equal or surpass the requirements in the Standard Drawings regarding quality, durability, and conformance with applicable laws and ordinances.
  - 2. Only a land surveyor, duly licensed by the State of Nevada, is authorized to determine or establish the exact location for a survey monument, and only such registered land surveyors is authorized to perpetuate and reference existing survey monuments located within the limits of construction. The contractor will coordinate the work with the licensed professional land surveyor.



3. All monuments must be set in such a manner that the accuracy of their relative positions is not less than second-order Class II, in compliance with the specifications established by the U.S. Federal Geodetic Control Committee.

B. **Monument Types.** Only monument types illustrated in the Standard Drawings may be used. All final maps must de-scribe the monuments in detail and not simply refer to a type.

1. ***Type I Monument.*** Type I monuments must be installed as section corner or one-quarter section corner surface monuments in a street or road section that is paved with Portland cement concrete or asphaltic concrete. Construction must be in compliance with Standard Drawing No. 239.
2. ***Type II Monument.*** Type II monuments must be installed as surface monuments within a street or road section that is paved with Portland cement concrete or asphaltic concrete at one-sixteenth section corner points. Type II monuments must also be used as subsurface section corner and one-quarter section corner monuments in an unpaved street or road section where maintenance would preclude the use of surface monuments. Construction must be in compliance with Standard Drawing 240.
3. ***Type III Monument.*** Type III monuments must be installed at all other survey control points on the plans, such as secondary street intersections, center of hammerhead turnarounds or circular cul-de-sacs, points of curvature or tangency, points of intersection, and points of reverse or compound curvature. Construction must be in compliance with Standard Drawing No. 241.
4. ***Type IV Monument.*** Type IV monuments are reference monuments. They must be placed in compliance with Standard Drawing No. D-33A and with a tie-to-tie angle as close to 90 degrees as possible. Construction must be in compliance with Standard Drawing No. 242.

C. **Determination of Monument Location.**

1. In situations where street centerlines are obstructed by median islands, plantings, street lights, or other structures, consideration should be given to placing clearly identified monuments on an off-set baseline.
2. Monumentation at a point of intersection that falls within the street limits will be preferred over setting monuments at points of curvature or points of tangency unless the point of intersection falls within an unpaved area.

D. **Alternate Monument Types.**

1. Other types of monuments, such as “Berntsen” monuments, will be considered as an approved equal for all types of monuments except Type I monuments.
  2. Where hard rock or other physical obstructions are encountered, monument length sufficient to resist removal may vary within reasonable limits.
  3. Alternate types of survey monuments that do not meet or exceed the requirements of the Standard Drawings regarding quality, durability, and conformance with applicable laws or ordinances must be removed and reconstructed.
- E. **Construction.** Monuments must be constructed in compliance with the Standard Specifications and under the surveyor’s direction. Poor workmanship or substandard materials will not be accepted.
- F. **Survey Requirements.**
1. ***Survey Required.*** A complete and accurate boundary survey of the land to be divided or subdivided must be made by a Nevada professional land surveyor in compliance with the standard practices and principles of land surveying. Unless an alternate method of property line verification is approved by the building official, no foundation or footing for any structure or addition may be constructed or approved for construction by the building official unless the property’s corner markers are in place and the property boundaries identified.
  2. ***Error Limit for Traverse.*** The traverse of the exterior boundaries of the subdivision and of each block must close within a limit of error of one foot to 10,000 feet.
  3. ***Tying in Monuments.*** All centerlines of streets, property lines, monuments, alleys, and easements within or adjacent to the subdivision must be tied into the survey.
  4. ***Monuments.***
    - a. Monuments must be placed at:
      - i. All angle points in the subdivision boundary;
      - ii. All angle points of tangency and points of curvature in the subdivision boundary;
      - iii. All street centerline intersections;
      - iv. All angle points of tangency and points of curvature in street centerlines;
      - v. All intersections of street centerlines with the subdivision boundary;

- vi. All section corners, quarter corners, and sixteenth corners;
  - vii. All intersections of prolonged subdivision boundary lines with the centerline of the adjoining street; and
  - viii. All other locations determined by the City Surveyor's office.
  - b. All monuments shall have a nonferrous metal cap made from one-piece cast virgin metal, free from casting imperfection. This cap shall be securely attached to the top of the monument and permanently punched for marking the location. The Surveyor's registration or license number shall be stamped on the cap.
  - c. Monuments may be set after approval of the final map but must be set prior to the final acceptance of the subdivision improvements. If the monuments are to be set after recordation and approval of the final map, a cash deposit or approved bond in an amount set by the Public Works Parks and Recreation Director must be filed with the City to guarantee performance of such work.
  - d. All monuments shall conform to the Clark County Area Standard Drawings. In addition, surface points shall be set carrying a registered Land Surveyor's tag at all the above locations. All the above established points that fall within the limits of public or private rights-of-way shall be referenced to four firmly established ties within a radius of 20 to 100 feet. The angle from tie-to-tie shall be as close to 90 degrees as possible, radiating from the established intersection.
- G. **Subdivision Lots.** All rear lot corners must be set with a nail and tag with PLS number on block walls. All front or side lot corners adjoining public rights-of-way and private streets must be marked by saw-cutting the back-of-curb.

### 19.13.13 Reservations for Parks and School Sites

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A. **Parks and Recreation Sites.**

1. The Commission is authorized to review proposed subdivisions in relation to park and recreation facility needs identified in adopted plans and recommend that sites within those subdivisions be reserved for such facilities when deemed essential to provide adequate public facilities and services for residents of the area. Reserved sites may not abut major collector or minor arterial streets, unless such sites are shown on the Master Parks and Recreation Plan.

2. Unless otherwise approved by the Commission, City parks must be surrounded by public streets or other nonresidential features such as schools, washes with rim trails, rail-road or powerline rights-of-way, other approved uninhabited property, or any combination thereof. The Parks and Recreation Board must be the first board to review all proposed plans for parks and recreational facilities.

**B. School Sites.**

1. ***Notification of Plans for School Construction.*** When the Board of Trustees of a school district develops a plan for the future construction of one or more schools within the City, it must notify the Commission. The notice must include the grades to be taught, the number of pupils to be accommodated, and the area to be served. The Board of Trustees must notify the Commission of any change in or abandonment of its plan.
2. ***School District Review of Tentative Map Applications.*** The Community Development and Services Director must forward a copy of the tentative map applications to the Board of Trustees of the school district within which the proposed subdivision is located. Within 15 days after receipt of the tentative map application, the Board of Trustees must, if a school site is needed within the area, notify the Community Development and Services Director that a school site is requested.
3. ***Reservation of Land.*** If the Board of Trustees requests a site, the person proposing the subdivision must set aside a site of the size determined by the Board of Trustees. The person proposing the subdivision and the Board of Trustees must negotiate a sales price for the site, which must not exceed the fair market value of the land, as determined by an independent appraisal paid for by the Board of Trustees.
4. ***Disposal of Unused Land.***
  - a. If any land purchased by a school district consistent with the provisions of this Section has not been placed in use as a school site at the end of 10 years from the date of purchase, the land must be offered to the subdivider or the subdivider's successor in interest at a sales price equal to the fair market value. If such person does not accept the offer, then the Board of Trustees may:
    - i. Sell or lease such property in the manner provided in NRS 277.050 or 393.220 to 393.320, inclusive.
    - ii. Exchange such property in the manner provided in NRS 277.050 or 393.326 to 393.3293, inclusive.

- iii. Retain such property, if such retention is determined to be in the best interests of the school district.
- b. Except as provided in this Section, when any land dedicated to the use of the public school system or any land purchased and used as a school site becomes unsuitable, undesirable, or impractical for any school uses or purposes, the Board of Trustees of the school district in which the land is located may dispose of the land as provided in this Section.
- c. Land dedicated under the provisions of former NRS 116.020, as it read before April 6, 1961, that the Board of Trustees determines is unsuitable, undesirable or impractical for school purposes may be reconvened without cost to the dedicator or the dedicator's successors in interest.

#### 19.13.14 Street Naming and Addressing

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- A. **Street Naming.** All street names within the City must be approved by the Community Development and Services Director.
  - 1. ***Submittal of Street Names.***
    - a. Proposed street names must be submitted prior to submittal of a final map application. The list of street names will be reviewed by the Community Development and Services Director.
    - b. Proposed street names must be submitted to the Community Development and Services Director in alphabetical order and only after the applicant has eliminated duplicate street names by checking the street names against an established local map book.
    - c. If foreign names are requested, the applicant must provide the English translation of each name.
  - 2. ***Street Name Guidelines.***
    - a. Street names may only be used once and may not be used in any other alignment.
    - b. Once a street name is assigned to any alignment, it may not change anywhere along the extension of that alignment regardless of jurisdiction.
    - c. Names that are the same or pronounced the same (homonyms) or similarly with different spellings may only be used once.

- d. Only the common or correct spelling of street names will be accepted. (Example: Allen not Alan)
- e. Street names in a foreign language will be accepted provided their meaning is polite and reasonable.
- f. Names that tend to be slurred or phonetically difficult to pronounce may not be used.
- g. Primary street names are restricted to a maximum of 13 characters.
- h. Directional prefixes may not be used unless the street actually crosses a zero grid line.

3. ***Suffixes.***

- a. "Avenue" represents a generally east/west street.
- b. "Street" represents a generally north/south street.
- c. "Boulevard" represents a 100-foot-wide street.
- d. "Road" represents an 80-foot-wide street.
- e. "Lane" represents a generally northeast/southwest street.
- f. "Place" represents a generally northwest/southeast street.
- g. "Drive" represents a multi-directional curved street.
- h. "Way" represents an "L"-shaped street with either leg 200 feet.
- i. "Circle" represents a street starting and ending on the same street or itself.
- j. "Court" or "Square" represents a cul-de-sac with no side streets.
- k. Other suffixes not shown on this list may be used as approved by the Community Development and Services Director. Proposed suffixes may not replace one of the above suffixes but must address a special situation.
- l. Foreign street names with suffixes at the beginning of the street name do not require an additional suffix. (Example: Calle Cantar not Calle Cantar Street).

4. ***Alignments.***

- a. A new street must assume the name of the street in which it aligns unless the new street does not and cannot in the future connect to an existing street segment along the alignment.

- b. Once a street name is assigned to a particular alignment, it may not be assigned to any other alignment.
  - c. A knuckle, less than 100 feet in length and located off any given street, must assume the name and numbering of the street that it adjoins.
  - d. A motor court for accessing cluster lot or small lot development will be addressed off of the main street. The motor court may not be named.
  - e. A horseshoe-shaped street may maintain its own street name. Whenever possible, a name change must occur at natural breaking points such as intersections and knuckles.
5. ***Exceptions.*** Any exception to these requirements must be approved by the Community Development and Services Director. Decisions will be based on consistency and issues related to life safety.
6. ***Street Name Changes.***
- a. ***Applicability.*** A street name change application is required for all proposed street name changes except for those roadways on the Master Transportation Plan. Master Streets and Highways Amendments must be filed in compliance with Section XX, Comprehensive Plan Amendments.
  - b. ***Application Filing.*** Applications for street name changes must be submitted to the Community Development and Services Director.
  - c. ***Community Development and Services Director's Review and Decision.*** The Community Development and Services Director must review each proposed street name change in light of the approval criteria of this subsection. Upon completion of the review, the Community Development and Services Director must prepare a letter of decision for the applicant.
  - d. ***Approval Criteria.***
    - i. Applicant must own property with access to the roadway proposed for the street name change.
    - ii. Applicant must provide signed and notarized letter(s) of approval from every property owner with access to the street proposed for change.
    - iii. The proposed change may not have any adverse impacts on vehicular or pedestrian traffic.

- iv. The proposed change may not have a negative effect on the routing or response time of emergency services.
- v. The applicant is responsible for replacing all existing street name signs in compliance with Public Works requirements.

**B. Addressing.**

1. ***General Standards.*** All lots, buildings, and structures within the City must be numbered in compliance with the provisions Section XX, Building Addressing.
  - a. ***Address Assignment and Record Keeping.*** The Community Development and Services Director must assign numbers to all structures and lots within the City and must maintain a database containing those numbers.
    - i. For the purpose of address assignment, curved streets must be treated as if they were straight.
    - ii. Lots fronting on a loop street must be addressed without regard to the change of direction. The numbers assigned must be within the address range available within the appropriate hundred blocks along the primary direction of the loop. The addresses must be assigned starting at the entrance to the loop and continuing counter-clockwise around the outside. The opposite even or odd numbers must be assigned continuously around the inside of the loop.
  - b. ***Addressing Grid.*** Generally speaking, the intersection of Lake Mead Parkway and Boulder Highway represents the initial point. However, the City of Henderson Address Grid Map must be used when determining location of properties within the grid.
  - c. ***Odd and Even Numbers.*** Even numbers must be located on the north and east sides of streets and odd numbers must be located on the south and west sides.
2. ***Exceptions.*** Any exception to these requirements must be approved by the Community Development and Services Director. Decisions will be based on consistency and issues related to life safety.
3. ***Address Number Changes.***
  - a. ***Applicability.*** An address number change application is required for all proposed changes to the assigned address number.



- b. *Application Filing.* Applications for address number changes must be submitted to the Community Development and Services Director.
- c. *Community Development and Services Director's Review and Discretion.* The Community Development and Services Director must review each proposed address number change based on the approval criteria of this subsection. Upon completion of the review, the Community Development and Services Director must prepare a letter of decision for the applicant.
- d. *Approval Criteria.*
  - i. Applicant must be the owner or represent the owner of the parcel proposed for the address number change.
  - ii. The proposed change may not have any adverse impacts on vehicular or pedestrian traffic.
  - iii. The proposed change may not have any adverse effect on emergency service routing or response time.

4. ***Residential Addressing.***

- a. *Single-Family.* Addresses must be assigned by the Community Development and Services Director either as part of the final map process (for a subdivision) or when applying for a building permit (for other lots).
  - i. Addressing Application. A conformed copy of the final map along with an addressing application must be filed with the Development Services Center in order to obtain addresses. The Community Development and Services Director must provide a copy of the address numbers on the conformed copy of the recorded map and a list of the addresses to the applicant.
  - ii. Early Addresses. Addresses may be obtained prior to final map recordation for the purpose of securing model home, retaining wall, or perimeter wall permits only, provided the following criteria is met:
    - (a) An application is filed in the Development Services Center.
    - (b) The final map has gone through one complete review.
    - (c) The street names and suffixes are approved.
    - (d) Fees are paid.

- b. *Multifamily.* Addresses for apartments may be obtained upon submittal of building permits or as part of the entitlement process. Addresses for condominiums or townhomes may be obtained after recordation of the final map or as part of the early addressing process described in this Section.
- i. Multiple buildings on one parcel must receive one common address and use unit number for specific identification of units. This standard applies to apartments and condominiums. Townhomes may have individual addresses for each unit provided the townhome subdivision is not mapped as a condominium subdivision with limited use common elements.
  - ii. Multiple-unit buildings located along privately dedicated, named streets must be given one address for each building with individual unit numbers assigned to each unit within the building.
  - iii. Unit Numbers and Building Numbers.
    - (a) Assigned building numbers must begin with the number one at the primary entrance and continue counterclockwise. Building numbers may not use letters of the alphabet.
    - (b) All units of all buildings shall be provided with a unique unit number.
      - (1) If single story, the units shall be numbered in numeric sequence, beginning with number one and continuing in a counterclockwise direction from the primary entrance.
      - (2) If multi-story, with less than 100 total units per story for the entire development, a three digit number shall be assigned to each unit starting at the primary entrance and continuing counterclockwise with the first digit representing the floor of the building as follows:
        - B100-B199 for the first level below grade
        - 101-199 for first floor units
        - 201-299 for second floor units
        - 301-399 for third floor units, etc.

- (3) If multi-story, with more than 100 or more total units per story for the entire development, four digit numbers shall be assigned to each unit starting at the primary entrance and continuing counterclockwise with the first digit representing the floor of the building as follows:

B1000-B1099 for the first level below grade

1001-1999 for the first floor units

2001-2999 for the second floor units

3001-3999 for the third units, etc.

- (4) Projects which are large enough to create an address that cannot conform to the unit addressing system shall have addresses assigned on a case-by case basis while holding to as many established standards as possible.

5. ***Nonresidential Addressing.*** Addresses may be obtained upon submittal of building permits or as part of the entitlement process.

- a. Each building within a nonresidential subdivision must be assigned an individual address.
- b. *Suite Numbering for In-Line Retail/Commercial Centers and "Spec" Warehouse Buildings.*
  - i. All units within buildings must be assigned a suite number.
  - ii. No alphabetic suite designators are allowed.
  - iii. Suites must be in the "100s" format and increase by 10s where possible.
  - iv. The first digit of a suite must always be the number of the floor on which the suite is situated (most in-line retail and warehouse buildings will only have suites in the 100s).
  - v. Suite numbers must be pre-assigned to all possible lease spaces first. For tenants who occupy more than one minimum-sized lease space, use the lowest number.
  - vi. Suite numbers must increase from left to right as one stands in front of a building looking at the building.

- vii. Suite numbering restarts from 100 for each individually addressed building segment.
- viii. Reserving suite numbers in cases where tenants occupy more than one lease space leaves numbers available should the tenant ever move or split into smaller lease spaces.

6. ***Suite Numbering for “Pad” Buildings and Office Buildings.***

- a. No alphabetical suite designators allowed.
- b. Suites must be in the “100s” format and increase by 10s where possible.
- c. New buildings constructed on parcels with buildings that do not comply with this ordinance are subject to this ordinance provided new suite numbers do not create confusion for emergency services.
- d. The first digit of a suite must always be the number of the floor on which the suite is situated.
- e. Even- and odd-numbered suites must be on opposite sides of internal corridors from one another. Where possible, even-numbered suites must be on the north/east side of internal corridors and odd-numbered suites on the south/west side of internal corridors.
- f. Pad and office buildings will be assigned their own individual street addresses. A central address with multiple building numbers is not acceptable.
- g. If a pad building is divided into suites with entrances on more than one side of the building, suites must be numbered in a counter-clockwise manner, starting from the left side of what would reasonably be considered the front of the building, or the side facing the main vehicular access to the building.

### 19.13.15 Building Addressing

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A. **Color, Style, and Height Specifications.**

- 1. Color of numbers and letters shall be of a contrasting color to the background to which they are attached and must be visible at all times.
- 2. Building and suite numbers and letters shall conform to the following:
  - a. Single-family homes shall be a minimum of six-inch numbers and letters.

- b. All commercial, industrial, and semipublic buildings shall be a minimum of eight-inch numbers and letters when less than 50 feet from the curb line, a minimum of 12-inch numbers and letters when more than 50 but less than 100 feet from the curb line, and a minimum of 18-inch numbers and letters when located farther than 100 feet from curb line.
  - c. Multiple-story commercial, industrial, and semipublic buildings shall be a minimum of 18-inch numbers and letters.
  - d. All commercial, industrial, and semipublic suite numbers shall be a minimum of six inches.
3. Multifamily unit numbers shall be a minimum of three inches in height. Building numbers shall be a minimum of 18 inches in height.
4. All numbers and letters shall be illuminated from dusk to dawn. Commercial, semipublic, or industrial rear-door suite numbers are exempt from the illumination requirement.
5. Each number, character, and letter must be a minimum stroke width of 0.5 inch.

**B. Location.**

1. The identification signs and addresses for commercial, industrial, semipublic, and multifamily developments shall be mounted in a permanent and durable manner and shall be visible at all times from public access to the property. Placement shall not conflict with mature trees or plants.
2. No other number shall be affixed to a building that might be mistaken for, or confused with, the number assigned to that building.
3. The address for single-family and attached dwellings shall be placed as follows:
  - a. The number for each house shall be placed on the front of the house.
  - b. If the dwelling is adjacent to an alley, the number shall be placed on or adjacent to the rear gate accessing the alley.
  - c. If the house is not viewable from the street frontage, a permanent monument with the site address shall be placed in a conspicuous place, or the site address may be placed on a curbside postal mailbox. The house number shall be placed on both the permanent monument or the mailbox and the building structure.
4. The building and unit number for multifamily buildings shall be placed as follows:

- a. Each principal building shall display the number assigned on each side of the building. Additional display of numbers and letters shall be placed at the midpoint of the structures.
  - b. Illuminated building and unit numbers shall be placed adjacent to the entry door to each unit. See Figure XX, Sample Illuminated Unit Numbering Adjacent to Unit Entry Door, below. For buildings with recessed entryways, the illuminated unit number shall be placed in the entryway to the recessed area, and an additional unit number may be required adjacent to the entry door to each unit. If the recessed area provides access to more than one dwelling unit, each unit's number shall be displayed.
- 5. The address for commercial, industrial, and semipublic developments shall be placed as follows:
  - a. Each building shall display the number or letter assigned on each side. Additional display of numbers or letters shall be at the midpoint of the structure for structures over 200 feet in length.
  - b. The numbers or letters assigned to each individual suite in a commercial, industrial, or semipublic building shall be displayed at both the front and rear entrances.
  - c. All non-residential buildings and multifamily developments shall have placed and maintained on their uppermost flat roof the numerals of their street address. The numerals shall contrast in color with their background and be no less than three feet in height, with appropriate width and spacing to make them plainly legible from the air. Numerals shall be placed on the roof parallel to the street of legal address and shall not be visible from the street. In shopping centers with multi-tenant structures, individual businesses will not be required to display the numerals, provided the largest building displays one set of numerals; multifamily developments with a single site address are only required to display the numerals on one flat roof legible from the air but not from ground level.

### 19.13.16 Condominium Conversions

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- A. **Purpose.** The purpose of this subsection is to safeguard the public health, safety, convenience, and general welfare, and to bring about orderly, coordinated development by establishing minimum standards of design and improvement of any condominium conversion in the City.

B. **Application.**

1. Applications for condominium conversion shall be submitted to the Community Development and Services Director. Concept plan review in compliance with Section XX, Concept Plans, is required prior to application submittal.
2. The filing of a tentative subdivision map for the conversion of apartments to condominium ownership shall follow the procedures in Section XX, Tentative Maps.
3. Condominium conversions of more than six units shall also require the filing of an application for a PUD overlay district consistent with Section XX, To MP or PUD Overlay. The following information shall be incorporated into the application for review:
  - a. Number of stories and height of each building.
  - b. Density in dwelling units per acre.
  - c. Total number of parking spaces and stall and aisle sizes.
  - d. Area of site to be covered by structures and area to be landscaped.
  - e. Floor area per unit.
  - f. Type of construction.
  - g. Location of trash enclosures.
  - h. Rental history and project profile.
  - i. Building and Grounds Condition Report.

C. **Condominium Conversion Standards.**

1. ***Parking Requirements.*** The project shall conform to all applicable parking requirements of Section XX, Parking and Loading.
2. ***Utilities, Location, and Metering.*** The purpose of this subsection is to ensure that the utility services are provided in compliance with all local utility requirements and the following:
  - a. ***Location.*** Each dwelling unit shall be served by gas and/or electric services. No common gas or electrical connection or service shall be allowed. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place.

- b. *Undergrounding.* All new onsite and offsite minor utilities except switch boxes, transformer boxes, and cap banks across property frontage shall be underground.
  - c. *Metering.* Each dwelling unit that provides gas and/or electric service shall be separately metered for gas and/or electricity. A plan for the equitable sharing of communal water metering and other shared utilities shall be included in the covenants, conditions, and restrictions.
- 3. ***Refurbishing, Restoration, and Fire Protection.***
  - a. All main buildings, structures, fences, patio enclosures, carports, accessory buildings, sidewalks, and driveways shall be refurbished and restored to meet the minimum standards of the Building Code at the time the building was constructed. Landscaping shall comply with current Code requirements as practical.
  - b. Smoke alarms shall be installed within dwelling units and designed to operate in compliance with the applicable Code. Smoke alarms shall be interconnected, shall receive their primary power from the building wiring, and shall be equipped with a battery backup. Within sleeping rooms in accessible units or within designated accessible units, smoke alarms shall include a visual notification device to notify hearing-impaired occupants.
- 4. ***Contingency Fees.***
  - a. As required by NRS 116.310395, the developer shall create a contingency or reserve fund for condominium conversions to provide a surety or performance guarantee for unexpected or emergency repairs to common areas in the interest of the economic, aesthetic, and environmental maintenance of the community, as well as to protect the general welfare, public health, and safety of the community.
  - b. Upon the close of escrow for each unit, the applicant shall convey to the property owners' association's contingency fund a minimum fee of \$200 per dwelling unit. When 50 percent or more of the total units in the project have been sold, the applicant, within 30 days, shall convey such fee for each of the unsold units. Such funds shall be used solely and exclusively as a contingency fund for emergencies that may arise relating to common open space, exterior portions of dwelling units, and such other restoration or repairs as may be assumed by the property owners' association.



5. ***Property Owner's Association.*** Prior to recordation of a final map, the applicant shall submit a copy of the owner's association's (i.e., Property Owners' Association or Landscape Maintenance Association) articles of incorporation to include association name, officers, addresses, and (if applicable), resident agent to the Community Development and Services Departments.
- D. **Conversions.** In addition to the requirements and procedures set forth in other sections of this Code, applicants for conversions shall provide the following information and comply with the following regulations:
1. ***Rental History and Project Profile.*** A statement of specific information concerning characteristics of the project, consisting of the following:
    - a. Monthly vacancy rate for the development during the preceding three years.
    - b. Proposed sale price of each unit.
    - c. Proposed property owners' association fee.
    - d. Summary of units that meet the extended lease arrangements criteria set forth in this subsection.
  2. ***Building and Grounds Condition Report.*** The applicant shall provide, at his or her own expense and in a format acceptable to the City, a Building and Grounds Condition Report prepared by a licensed civil engineer or licensed architect. The Building and Grounds Condition Report shall be provided to the building official and the Community Development and Services Director and shall contain the following information:
    - a. An evaluation of the condition of each building in the project, to include estimate of life expectancy of building components and systems (roof, exterior finishes, mechanical equipment, and appliances). Building components and systems with less than a five-year life expectancy shall be replaced prior to occupancy by the purchasing tenant.
    - b. An evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences, and utility systems.
    - c. Certification that all electrical, mechanical, plumbing, and fire/life safety systems are maintained in safe working order under the Building Codes that were applicable when the buildings were constructed. The report shall also include any notices of manufacturer recall(s).

- d. A copy of this report shall be provided to each prospective buyer of a converted unit prior to opening an escrow account. Any deficiencies shall be corrected prior to recordation of a final map.

3. ***Recommendation.***

- a. The Community Development and Services Director, in conjunction with the Public Works Parks and Recreation Director and the building official, then shall evaluate the structures and grounds and make a recommendation as to what alterations to the buildings and grounds are necessary to ensure that any converted complex does not place an undue financial burden on the property owners' association.
- b. Alterations that are required immediately shall be performed prior to final subdivision map approval. In the event an alteration does not require immediate completion, but will be necessary within three years of the date of final subdivision map approval, the Community Development and Services Director, in consultation with the Public Works Parks and Recreation Department, shall deposit in an account the estimated cost of the alteration in an amount sufficient to cover the cost for the use of the property owners' association.
- c. This information and evaluation will be incorporated into the planned unit development permit review process for Council evaluation.

4. ***Noticing Requirements.***

- a. A notice of intent to convert shall be delivered to each tenant by certified mail within 15 days after the planned unit development application is filed with the Community Development and Services Director.
- b. The form of the notice shall be approved by the Community Development and Services Director and shall contain the following information:
  - i. Name and address of current owner.
  - ii. Name and address of proposed applicant.
  - iii. Approximate date on which the final subdivision map is to be filed.
  - iv. Notice of tenant's right of first refusal.
  - v. Notice of tenant's approximate vacation date.
  - vi. Notice of tenant's right to receive a relocation cost payment.

- vii. Notice of special cases for extended lease arrangements.
    - viii. Notice of tenant's right to vacate the unit 120 days from the recordation of the final map.
  - c. The applicant shall submit a notarized certificate of mailing, including a list of all tenants that were noticed, to the Community Development and Services Director within 15 days after the planned unit development application is filed.
  - d. Any and all subsequent tenants shall be notified prior to lease signing of all items listed in the subsection above.
- 5. ***Tenant's Right of First Refusal.*** Any present tenant(s) of any unit shall be given a nontransferable right of first refusal to purchase the unit occupied, at the price offered the public. The right of first refusal shall extend for a period of at least 90 days after final map approval or initial offering for sale, whichever is later in time.
- 6. ***Vacation of Units.*** Each non-purchasing tenant not in default under the obligation of the rental agreement or lease under which the unit is occupied shall have not less than 120 days from the recordation of the final map to vacate the premises.
- 7. ***Extended Lease Agreements.***
  - a. Any non-purchasing tenant age 62 or older, or handicapped, shall be offered in writing an extended lease of six months for each year he or she has resided in the project, not to exceed five years. This lease will stipulate that the monthly rent on the unit so leased will increase only as much as the Consumer Price Index for the Western States, U.S. city average, all goods, all urban consumers, as calculated by the Bureau of Labor Statistics of the U.S. Department of Labor, or its successor index, herein referred to as CPI. Any non-purchasing tenant with two or more children under the age of 18 residing in the unit shall be offered in writing the same lease arrangements. The offer in writing shall be sent to the applicable non-purchasing tenants with the NRS-required, 120-day notice to vacate.
  - b. A tenant's rent shall not be increased within two months prior to a project application, nor shall rent be increased by more than the CPI for two years from the time of the filing of the project application or until relocation takes place.
- 8. ***Relocation Cost Payment.***

- a. The applicant shall provide a one-time relocation cost payment of two times the monthly rent or \$2,000, whichever is greater, per unit, for all existing tenants whose tenancies have been terminated for the purpose of converting or selling their units, after receipt of the NRS-required, 120-day notice to vacate from the applicant.
  - b. Nothing in this Section shall serve to excuse a landlord from any obligation to reimburse a tenant security deposit. Relocation fees shall be paid to tenants no later than 90 days following the NRS-required, 120-day notice to vacate.
9. ***Tenant Incentives.*** The following incentives shall be offered by the applicant to tenants of the affected conversion:
- a. The developer shall not penalize those tenants who wish to break their lease following receipt of the NRS-required, 120-day notice to vacate.
  - b. The developer shall refund the security deposits of all tenants who relocate from the property following receipt of the NRS-required, 120-day notice to vacate. However, the refund is subject to all lease provisions excluding any penalties for tenant-initiated termination. Developers shall comply with all requirements regarding refunding as provided by NRS. If the tenant enters a lease at one of the developer's other rental properties, the security deposit will be applied towards the new apartment home subject to any deductions allowed by the lease.
  - c. No later than 90 days following the NRS-required, 120-day notice to vacate, the developer shall provide to the tenants a current list of City apartment rental properties that have vacancies within the same general price range as the proposed conversion.
  - d. The developer shall contribute two percent of the sales price towards closing costs for any existing tenants who purchase a unit within the development.
  - e. For those tenants who are disabled, the developer shall establish a program where the units occupied by disabled tenants shall be offered to investor purchasers. Rents shall not increase until the end of the lease and then could only be increased at a rate no greater than the rate of increase of the CPI. This will allow the tenants to continue to occupy their units while paying rent to the new owner.

- f. Working with Neighborhood Services, the developer shall host a “Home-Buyer Fair” at the property no later than 30 days after the NRS-required, 120-day notice to vacate has been issued. This event shall give tenants the opportunity to meet with various lenders and City representatives to learn about the programs available.
  - g. The developer shall reserve a minimum of 10 percent of the total number of units being converted to condominiums within the project boundaries as affordable/workforce attainable units (units affordable to households earning less than 120 percent of the Clark County Area Median Income). No less than 50 percent of these units shall be affordable as defined by HUD. Affordable units shall be distributed throughout the buildings within the project. The developer shall record a deed restriction on these affordable units to ensure their continued affordability.
  - h. The developer shall provide \$200 for each unit being converted to a condominium to the Condominium Incentive Fund (CIF) with the Neighborhood Services Department for its costs incurred in monitoring compliance with the obligations set forth within this Section and in providing technical assistance to non-purchasing tenants in their relocation. This fee is to be paid to the City at the sale of each unit.
- 10. ***Required Findings of Fact.*** The Council shall not approve an application, nor shall applications be accepted for, the conversion of apartments to condominiums unless the Council finds that the current rental housing vacancy rate is above five percent in the Clark County area, as determined by the Center for Business and Economic Research (CBER) Quarterly Report.
- 11. ***Considerations for Approval.*** Council approval of an application for the conversion of apartments to condominiums shall be based upon consideration of all the following criteria:
  - a. Compliance with all provisions of this Section.
  - b. Consistency with the policies of the Comprehensive Plan.
  - c. Determination that the proposed conversion will not create a shortage of rental housing such that an imbalance between rental and ownership housing exists.

- d. Determination that the overall design and physical condition of the condominium conversion does not adversely impact the health, safety, and welfare of the community.

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## Chapter 19.14 Nonconformities

### Sections:

- 19.14.1 Purpose and Applicability
- 19.14.2 General to all Nonconformities
- 19.14.3 Nonconforming Uses
- 19.14.4 Nonconforming Lots
- 19.14.5 Nonconforming Structures
- 19.14.6 Nonconforming Signs
- 19.14.7 Nonconforming Site Features

### 19.14.1 Purpose and Applicability

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- A. **Purpose.** This Chapter establishes rules for uses, structures, lots, signs, and other situations that came into existence legally, but do not comply with one or more requirements of this Code.
- B. **Applicability.** This Chapter applies to nonconformities created by initial adoption of or amendments to this Code. It also applies to nonconformities that were legal nonconformities under previously applicable ordinances, even if the type or extent of nonconformity is different.

### 19.14.2 General to All Nonconformities

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- A. **Continuation Permitted.** Any nonconformity that legally existed on March 1, 2010, or that becomes nonconforming upon the adoption of any amendment to this Code may be continued in compliance with the provisions of this article.
- B. **Determination of Nonconformity Status.** The burden of establishing that any nonconformity is a legal nonconformity shall, in all cases, be solely upon the owner of such nonconformity.
- C. **Repairs and Maintenance.** Incidental repairs and normal maintenance of nonconformities shall be permitted unless the repairs increase the extent of the nonconformity or are otherwise expressly prohibited by this Code. Nothing in this Chapter shall be construed to prevent structures from being structurally strengthened or restored to a safe condition, in compliance with an official order of a public official.

- D. **Tenancy and Ownership.** The status of a nonconformity is not affected by changes of tenancy, ownership, or management.

### 19.14.3 Nonconforming Uses

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A. **Expansion.**

1. **General.** A nonconforming use may be enlarged or expanded only if reviewed and approved in compliance with the conditional use permit procedures of Section XX, Conditional Use Permits.
2. **Single-Family Homes.** Existing single-family homes located in the CO, CC, CH, CT, and CA districts may be expanded or accessory structures added without obtaining a conditional use permit, provided the expansion or accessory structure is developed in compliance with the standards of Section XX, Accessory Uses and Structures, and the previous density and dimensional standards of the original zoning district in which the single-family home was constructed.

B. **Change of Use.**

1. A nonconforming use may only be changed to a use allowed in the zoning district in which it is located, except in the DX district, an existing single-family residential dwelling unit may be converted to a commercial use, subject to compliance with all provisions of the Building Code, Fire Code, and this Code.
2. Once a nonconforming use is converted to a conforming use, it shall not be changed back to a nonconforming use.

- C. **Compliance with Performance Standards Required.** A use that does not comply with the performance standards of Section XX, Operational Performance, shall not be enlarged or extended unless the enlargement or extension increases the degree of compliance with the performance standards.

D. **Loss of Legal Nonconformity Status.**

1. **Abandonment.** Except for single-family dwelling units, if a nonconforming use ceases for any reason for a period of more than 180 days or other period of time as specified by the Council as part of a closure plan, the use shall be considered abandoned. Once abandoned, the use shall lose its legal nonconforming status which cannot be renewed or reestablished. Any subsequent use of the property shall comply with the regulations of the zoning district in which it is located.



2. ***Damage or Destruction.***

- a. If a building or structure housing a nonconforming use is destroyed by a fire or other natural cause, the nonconforming use may be reestablished within six months after the fire or other natural cause. The reestablishment of the building or structure must occur after design review approval and shall begin within six months of the date of the destruction or damage. Any new structure shall be reviewed for compliance with all applicable regulations of the Code.
- b. This damage or destruction provision shall not apply to single-family dwelling units in residential zoning districts or for single-family dwelling units in the Downtown Redevelopment Area, which may be reconstructed with substantially the same floor area, provided there is no increase in any other nonconformity.
- c. The extent of damage or destruction shall be based on the ratio of the estimated cost of restoring the structure to its condition prior to such damage or destruction to the estimated cost of duplicating the entire structure. Estimates for this purpose shall be made by, or shall be reviewed and approved by, the building official.

#### 19.14.4 Nonconforming Lots

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A. **Residential Lots.**

1. ***General.***

- a. In the residential zoning districts a single-family dwelling and customary accessory structures may be developed on any single lawfully-established nonconforming lot existing on March 1, 2010 subject to any applicable provisions of this Code. This provision applies even if the lot fails to comply with the standards for area or width in the district in which it is located.
- b. The lot shall be in separate ownership and not of continuous frontage with other lots in the same ownership.
- c. Development of a single-family dwelling on the lot shall comply with the other zoning district standards, to the maximum practical extent.

2. ***Combination of Lots.*** If two or more nonconforming lots of record are in single ownership on March 1, 2010, or on the date they become nonconforming, and if all or

part of these lots do not comply with the lot area standards for the zoning district where located, the lots involved shall be considered to be an individual lot for the purposes of this Code. No portion of these lots shall be used or sold that does not comply with the lot area standards in this Code, nor shall any division of the lots be made that leaves remaining any lot that fails to comply with this Code's lot area standards.

- B. **Nonresidential Districts.** In the nonresidential districts, and subject to any applicable provisions of this Code, a permitted use may be developed on any single nonconforming lot existing on March 1, 2010, or the date the lot of record became nonconforming, subject to approval of a conditional use permit in compliance with Section XX, Conditional Use Permits. This provision shall apply even if the lot of record fails to comply with the standards for lot widths and area that are applicable in the district. In considering the application for a conditional use permit, the Commission shall ensure the design and location of the proposed use is compatible with surrounding uses. Development of the permitted use on a nonconforming lot shall comply with the other intensity and dimensional standards of the district, to the maximum practical extent.

#### 19.14.5 Nonconforming Structures

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- A. **Use.** Except where prohibited by this Chapter, a nonconforming structure may be used for any use allowed in the underlying zoning district, including a legal nonconforming use.
- B. **Expansion.** A nonconforming structure may be expanded as long as the expansion does not increase the degree of nonconformity.
- C. **Moving.** A nonconforming structure shall not be moved in whole or in part to any other location unless the move results in the entire structure being brought into compliance with all applicable zoning district regulations and development standards of this Code.
- D. **Loss of Nonconforming Status; Damage or Destruction.**
1. If a nonconforming structure is destroyed by any means to the extent of more than 50 percent of its current replacement value, it may not be re-established except in compliance with all regulations applicable to the zoning district in which it is located. This provision shall not apply to single-family dwelling units in residential or DR zoning districts, which may be reconstructed with substantially the same floor area, provided there is no increase in any other nonconformity.
  2. The extent of damage or destruction shall be based on the ratio of the estimated cost of restoring the structure to its condition prior to such damage or destruction to the

estimated cost of duplicating the entire structure. Estimates for this purpose shall be made by or shall be reviewed and approved by the building official.

#### 19.14.6 Nonconforming Signs

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A. **Determination of Nonconforming Status.**

1. **Criteria.** Existing signs that do not conform to the specific provisions of this Code are considered “nonconforming” and will be permitted to remain, provided that:
  - a. The sign was lawfully installed in conformance with any required permit and complied with all regulations and laws in effect at the time of installation; and
  - b. The Community Development and Services Director determines that such signs are properly maintained and do not endanger the public in any way.
2. **Burden of Proof.** In any matter in which a property owner, sign owner, sign user, or other person seeks the protection provided to nonconforming signs under this Section, the burden of proof is on the person seeking such protection to prove:
  - a. The date of erection or installation of the sign;
  - b. That the sign fully conformed to the sign ordinance then in effect;
  - c. That the person erecting the sign obtained all necessary permits for the erection of the sign; and
  - d. That any changes to the sign have been made in compliance with the requirements of this Chapter and in compliance with all applicable permit requirements.

B. **Ownership.** The status of a nonconforming sign or sign structure is not affected by changes in ownership.

C. **Maintenance and Repair.** Sign maintenance, sign repair, and changing of permanent sign faces are allowed provided structural alterations are not made and the sign is not increased in size.

D. **Loss of Nonconforming Status.** A nonconforming sign must be removed or otherwise brought into conformance with this Code if:

1. The sign is relocated or replaced;
2. The structure or size of the sign is altered in any way except toward compliance with the sign regulations of this Chapter;

3. The sign is damaged or deteriorated by more than 50 percent of its material structural value, as determined by the Community Development and Services Director; or
  4. A nonconforming billboard sign fails to meet the requirements of Section XX, Billboards.
- E. **Alterations.** Except for message changes authorized by this Development Code, no nonconforming sign may be altered unless a building permit to do so is issued and the sign is brought into conformance with the requirements of this Development Code at the time of alteration.

#### 19.14.7 Nonconforming Site Features

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- A. **Purpose.** The purpose of this Section is to provide a means by which the City may require certain nonconforming site features to come into compliance with the standards of this Code as part of major reinvestment on the site.
- B. **Applicability.**
1. For purposes of this Section, the term “nonconforming site features” includes the following:
    - a. Nonconforming signs;
    - b. Nonconforming screening of mechanical equipment;
    - c. Nonconforming screening walls or fences;
    - d. Nonconforming driveway surfacing;
    - e. Nonconforming landscaping; and
    - f. Nonconforming urban design and architecture standards in the DX, DR, and DP zoning districts.
  2. If an application is filed for a building permit(s) for the reconstruction, remodeling, expansion, or other improvements of a building or site that has one or more nonconforming site features, and the value of the proposed improvements totals at least 25 percent of the assessed value of the existing structure as listed on the latest tax rolls, the applicant shall be required to address the nonconforming site features as provided in this Section.
  3. The Community Development and Services Director may develop administrative guidelines to assist in the implementation of this Section, including guidelines for the

resolution of conflicts when it may not be possible for one or more types of nonconforming site features to be brought into conformance with the requirements of this Code because of particular site constraints or impacts upon adjacent properties.

C. **Exterior Remodeling of Buildings.**

1. ***Off-Street Parking, Driveway Surface, Landscaping, Perimeter Buffers, and Screening.***
  - a. *More Than 25 Percent but Less Than 75 Percent of Structure Value.* Remodeling in any continuous 12-month period that costs more than 25 percent but less than 75 percent of the current assessed value of the structure shall require that a corresponding percentage of the off-street parking, driveway surface, landscaping, perimeter buffer, and screening standards of this Code be installed or upgraded on the site, until the site achieves 100 percent compliance.
  - b. *75 Percent or More of Structure Value.* Remodeling projects that cost 75 percent or more of the current assessed value of the structure shall require 100 percent compliance with the off-street parking, driveway surface landscaping, perimeter buffer, and screening standards of this Code.
  - c. *One Additional Parking Space Required.* When only one additional off-street parking space is required under this subsection as a result of a remodeling project, such additional off-street parking is not required to be installed.
2. ***Signage.*** Remodeling in any continuous 12-month period that costs more than 25 percent of the current assessed value of the structure (at the option of the applicant) shall require full compliance with the sign standards of this Code.
3. ***Physically Constrained Properties- Comply to Maximum Practical Extent.***
  - a. Lands that are physically constrained (due to limited size, topography, or other environmental considerations) from complying with these provisions shall comply, to the maximum practical extent, as determined by the Community Development and Services Director.
  - b. For purposes of determining when a correction is required, the cost of the remodeling shall be as shown on the approved building permit application. Assessed value shall be based upon Clark County Assessor information.

- D. **Additions and Expansions.** Additions and expansions to structures on nonconforming sites shall require correction of existing onsite nonconforming off-street parking, driveway surface, landscaping, perimeter buffer, screening, and signage standards in compliance with this Section.
1. ***Off-Street Parking, Driveway Surface, Landscaping, Perimeter Buffers, and Screening.***
    - a. *Expansion of 50 Percent or Less of Gross Square Footage Over Five Years.* Expansions that result in a 50 percent or less increase in the gross square footage of the existing structure require that a corresponding percentage of the off-street parking, driveway surface, landscaping, perimeter buffer, and screening standards of this Code be installed or upgraded on the site, until the site achieves 100 percent compliance. Existing landscaping on the site shall be retained or replaced but shall not count toward the required percentage of new landscaping.
    - b. *Expansion of Greater Than 50 Percent of Gross Square Footage Over Five Years.* Expansions that result in a greater than 50 percent increase of the gross square footage of the existing structure, require the entire property to meet all of the off-street parking, driveway surface, landscaping, perimeter buffer, and screening standards of this Code.
  2. ***Signage.*** Any expansion shall require full compliance with the signage standards of this Code or an approved master sign plan.
  3. ***Physically Constrained Properties- Comply to Maximum Extent Practical.*** Lands that are physically constrained (due to limited size, topography, or other environmental considerations) from complying with these provisions shall comply to the maximum practical extent as determined by the Community Development and Services Director.
  4. ***Addition of Outdoor Storage Area Only.*** When only outdoor operations/storage/display areas are being added or increased on a site, the percentage increase in outdoor operations area shall require a corresponding percentage increase in perimeter buffers and screening. Perimeter buffer and screening augmentation shall be located so as to achieve the performance objectives in Section XX, Landscaping and Screening, with priority given to screening the impacts of outdoor operations.

5. ***Building Design/Architecture Standards.*** Additions or expansions to nonresidential buildings in the DX, DR, and DP zoning districts shall require compliance with the building design standards for the opportunity districts where located.

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