

ORDINANCE NO. 2259
(ZOA-03-680002 – Hillside Overlay District Update)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA,
TO AMEND CHAPTERS 6 AND 14 OF THE HENDERSON MUNICIPAL CODE TITLE
19 BY UPDATING THE EXISTING HILLSIDE OVERLAY DISTRICT AND OTHER
MATTERS RELATED THERETO.

WHEREAS, the City Council finds that the existing Hillside Overlay District needs to be updated; and

WHEREAS, it is the intent of the City Council to update the existing Hillside Overlay District to clarify development, grading, and driveway standards and to provide additional wall and road grade standards; and

WHEREAS, it is the intent of the City Council to protect and promote public health, safety, and welfare by updating the existing Hillside Overlay District.

THEREFORE, the City Council of the City of Henderson, Nevada, does ordain as follows:

SECTION 1. Section 19.6.9/ H, Hillside Overlay District, is hereby amended as follows:

B. Applicability and Zoning Map Designator

The Hillside Development Plan Overlay District may be combined with any base district located within the area identified on the ~~[h]Hillside~~ ~~[r]Regulation~~ ~~[m]Map~~.

C. Land Use Regulations

Land use regulations shall be those of the base district with which the H District is combined, provided that no land division or new construction shall occur without ~~[new or expanded use may be approved unless]~~ approval of a Hillside Development Plan. ~~[has been approved by the City Council.]~~

D. Development Regulations

The hillside design guidelines and the following development regulations shall apply to the Hillside Development Plan Overlay District. A lot or parcel subject to the Hillside Development Plan Overlay District shall be subject to all provisions of the district. A slope analysis shall be prepared to determine if a parcel or lot is subject to the provisions of this ordinance. A lot or parcel that will be further divided prior to development shall be subject to the Hillside Development Plan Overlay District only in the areas with 15 percent slope or greater. A lot or parcel that will not be further divided prior to development shall be subject to the Hillside Development Plan Overlay District on the entire parcel or lot.

1. Density Allocation and Maximum Site Disturbance

[a.]For all areas of the lot or parcel with less than a 15 percent slope and outside a sensitive ridgeline, 100 percent site disturbance may occur. For areas of slope greater than 15 percent, the standards of this chapter shall apply. For property that is currently zoned ~~DH-H~~, all residential districts with the H overlay (with the exception of RS-1A-H and RS-2-H), and PS-H, the location of density and site disturbance shall be specific to the slope category in which it is located. Density and site disturbance shall be determined in accordance with a slope analysis and the following table.

Table 19.6.9.1

Slope Category (%)	Density (Units per Acre)	Site Disturbance (%)
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[b.] Property currently zoned RS-2-H or RS-1A-H that is proposed to be rezoned or subdivided shall be subject to Table 19.6.9.1. [Property] Existing lots of record that were created prior to July 1, 1997, that [is]are currently zoned RS-2 (Single-Family Residential) District may be developed at a maximum of 2 dwelling units per gross acre with a maximum of 50 percent site disturbance[,] and those currently zoned RS-1A-H may be developed at a maximum of 1 dwelling unit per gross acre with a maximum of 50 percent site disturbance prior to subdividing.

[c.] Property that is currently zoned RS-1A may be developed at a maximum of 1 dwelling unit per gross acre with a maximum of 50 percent site disturbance, prior to subdividing.]

[d.] Site disturbance shall include all grading for the development of the property, but shall not include any public or private street on existing lots of record that were created prior to July 1, 1997, zoned RS-1A-H and RS-2-H.

[e.] A maximum of 10 percent increase in site disturbance shall be allowed for the construction of a driveway subject to staff level approval on such lots. Any increase in excess of 10 percent shall be subject to Planning Commission approval.

2. Density and Site Disturbance Transfer

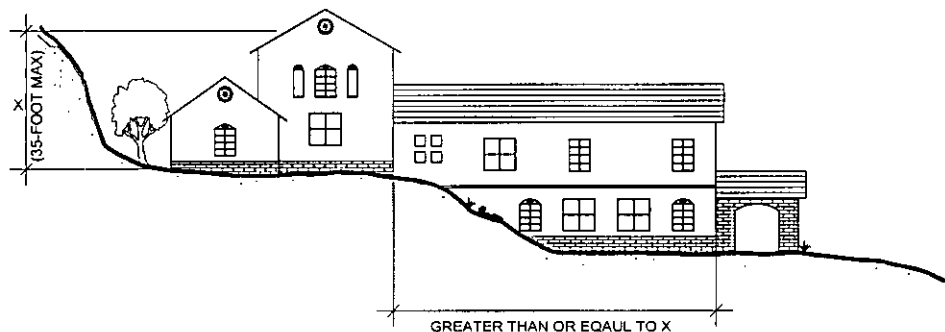
Density and site disturbance may be transferred from portions of a lot or parcel with a slope [greater than] 15 percent or greater to any area of the Hillside Development Plan, regardless of slope. Areas from which density and site disturbance are transferred shall be designated as natural areas in accordance with this chapter. Density and site disturbance shall be transferred only within the boundaries of the Hillside Development Plan. In no case shall the gross density exceed the base zoning of the property.

Density and site disturbance transfer within a master plan shall be permitted in accordance with Table 19.6.9.1 and shall be determined by a slope analysis for each planning area with slopes of 15 percent or greater. Site disturbance shall be tracked for each planning area of the hillside development submitted for review within the master plan. As each planning area is developed, the site disturbance will be tracked through the tentative map review process to ensure compliance with site disturbance limitations for the overall master plan.

3. Minimum Lot Area

The minimum lot area for parcels zoned single-family residential shall be 4,500 square feet. The minimum lot area for parcels zoned other than single-family residential shall be as required by the underlying zoning district.

- [5]. Sensitive Ridgeline Setback
All development, excluding perpendicular road crossings, is subject to a 100-foot setback from each sensitive ridgeline as depicted on the Hillside Regulation Map. The 100-foot setback is measured horizontally on each side of the center of the ridgeline.]
- [6]5. Setbacks, Commercial, Industrial, and Multifamily
- [7]6. Setbacks, Single-Family Residential
- [8]7. Building Height
No structure shall exceed a height of 35 feet unless the structure is stepped or terraced. For the purposes of this section, a stepped or terraced building that exceeds an overall height of 35 feet must have a horizontal offset that is equal to, or greater than, the corresponding vertical height of each "step." The height of each step or terrace shall not exceed 35 feet as measured from lowest finished grade elevation or the maximum peak roof height on the lower step to the maximum peak roof height on the upper step. [If the area is also subject to the AE, Airport Environs Overlay District, the more restrictive shall apply.]



Hillside Building Height

- [9]8. Grading Standards
All development subject to the provisions of the hillside development regulations shall have a grading plan approved by the Community Development Director and Public Works Director. The review process for the grading plan shall coincide with the [hillside development plan] tentative map, planned unit development, or design review process. When none of the above are required, it will coincide with the building permit review. The grading scheme shall be shown as a separate grading plan. All development shall meet all of the following criteria:
- [b. The site or grading plan shall be approved by the Community Development Director and the Public Works Director prior to any grubbing, grading or clearing. Grubbing, grading, and clearing are to occur only within the areas identified on the approved grading plan.]

- b. The site or preliminary grading plan shall be approved by the Community Development Director and the Public Works Director prior to Planning Commission approval.
- c. Unless approved jointly by the Public Works Director and the Community Development Director, there shall be no grubbing, grading or clearing prior to approval of civil improvement plans and final grading plans by the Public Works Director and issuance of a grading permit. Grubbing, grading, and clearing are to occur only within the areas identified on the approved grading plan.
- [c]d. All portions of the site or lot to be left ungraded are to remain undisturbed areas and are not to be used for stockpiling of materials or excess fill.
- [d]e. If natural areas are designated on a site or lot, temporary fencing shall be installed where they abut construction areas in order to prevent encroachment into the natural areas.
- [e]f. With the exception of roadways and driveways, [T]the maximum height of a[n exposed] vertical cut or fill shall not exceed 35 feet, the maximum length of a[n exposed] vertical cut or fill shall not exceed 150 feet, and:
 - (1) The cut or fill shall be [is either] revegetated and/or varnished.
 - (2) The back-filled area [is] shall be compacted per the approved grading plan and revegetated/varnished in compliance with this section.
 - (3) The edges of the cut or fill [are] shall be shaped to conform with the natural topography of the land.
- [f]g. [The vertical distance of retained material shall not exceed 35 feet and a width of 150 feet.] Roadways and driveways shall be revegetated and/or revarnished.
- [g. Exposed cut and fill slopes shall be revegetated/varnished in accordance with this chapter.]
- [10]9. Revegetation and Preservation of Desert Varnish
 - [a.]All [exposed] cut and fill areas including public or private streets and driveways shall be revegetated and varnished according to the following.
 - [b]a. All disturbed areas shall be revegetated, landscaped or varnished.
 - [c]b. Seeds for trees, desert shrubs, and grasses shall be planted with a density adequate to control erosion and may use one of the following methods of planting:
 - [d]c. A temporary watering system shall be installed, activated, and maintained until the revegetated materials are established.
 - [e]d. The desert varnish shall be restored in a hue similar to the surrounding undisturbed area using eonite, permeon or a similar approved process.
- [11]10. Slope Stabilization
 - a. All cut slopes steeper than a ratio of 3-horizontal to 1-vertical or as approved by a geotechnical report, with the exception of retaining walls, shall be stabilized with properly engineered stone riprapping or sculptured rock if necessary as follows:
 - b. All fill slopes steeper than a ratio of 3-horizontal to 1-vertical or as approved by a geotechnical report, with the exception of retaining

walls, shall be stabilized with properly engineered stone riprapping or sculptured rock if necessary as follows:

[12]11. Natural Areas

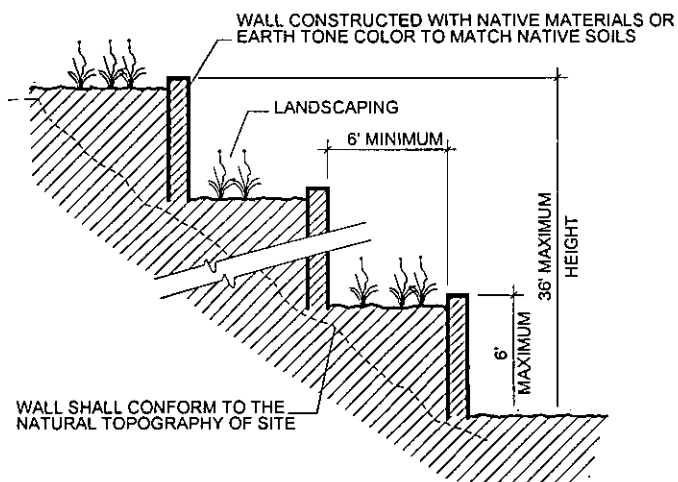
- d. Natural areas may be designated as a deed-restricted portion of a privately owned lot or as a separate parcel. Such parcel may be under the ownership of a property owners' association or deeded to any organization that accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the City of Henderson. To protect the natural areas, covenants that run with the land shall be recorded in favor of the City of Henderson and of all owners with record interest in the natural area. Any covenant for the deed-restricted portion of the natural area must be filed/recorded with the County Recorder before or concurrently with the filing/recording of the final map.

[13]12. Wall Standards

The intent of wall standards is to reduce the visual impact of screening and retaining methods used on hillside developments. Specific criteria for design includes:

- a. The maximum height of retaining walls is 36 feet. [For each 6 feet of vertical height, a 6-foot horizontal offset shall be provided.]

(1) Masonry walls for each 6 feet of vertical height, a 6-foot horizontal offset shall be provided. (See Exhibit 1)



Hillside Wall Standards

Exhibit 1

- (2) Mortarless and groutless concrete masonry retaining walls for each 18-foot vertical maximum height a 6 foot horizontal offset shall be provided. (See Exhibit 2)

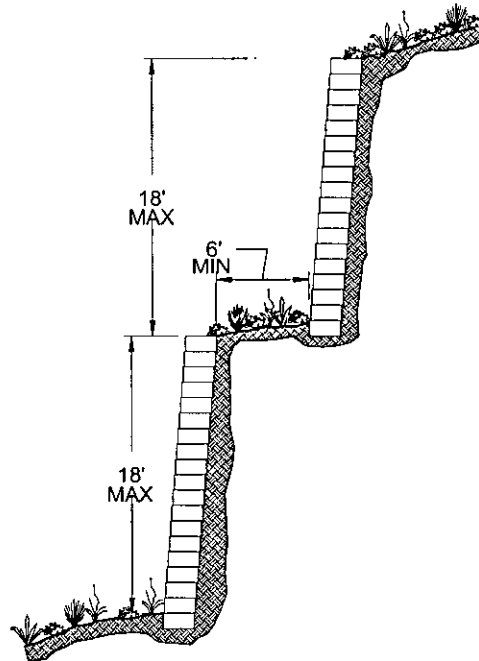


Exhibit 2

- (3) Rock wall for each 12-foot vertical maximum height a 6-foot horizontal offset shall be provided. (See Exhibit 3)

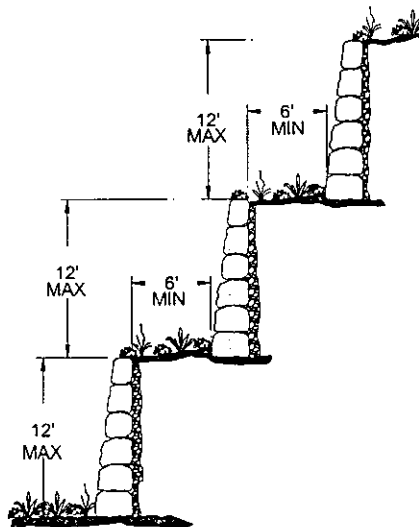


Exhibit 3

- d. Walls shall either incorporate the use of native materials or be earth-tone colors to match the native soils. All rockery walls must be varnished unless it can be demonstrated to the satisfaction of the Community Development Director that revarnishing would not fulfill the intent of this subsection.

~~[14]~~13. Color

~~[15]~~14. Building Materials

~~[16]~~15. Building Pad

~~[17]~~16. Mechanical Equipment, Residential

~~[18]~~17. Mechanical Equipment, Commercial and Industrial

~~[19]~~18. Planned Unit Development

~~[20]~~19. Landscaping

- a. Plant materials shall be those per ~~[Exhibit 4]~~ the City of Henderson plant list.
- b. Turf areas shall not exceed 50 percent of the site disturbance area and in no case shall turf areas violate applicable drought standards in effect at the time of development approval; additionally, turf areas shall be located within an enclosed area and not be visible from a lower elevation. Public or private parks and golf courses shall be exempt from this requirement.

~~[21]~~20. Improvements

a. Water (~~[Public Works Department]~~Utility Services)

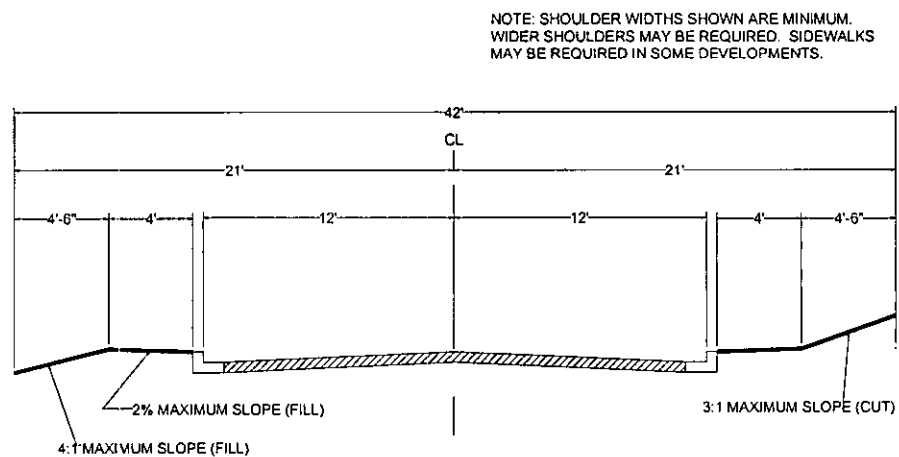
b. Water (Fire Department)

- (1) Water System Design Flow. The water mains and the distribution system shall be designed to deliver a minimum residual pressure of 20 pounds per square inch (psi) at the fire hydrants in service during maximum day demand plus the required fire flow demand. Minimum fire flow shall be as prescribed by the Fire Code. The system shall be designed in accordance with the requirements of the Department of Utility Services and the Fire Department, and assessed on a case-by-case basis. The system shall be designed to provide a minimum of 40 psi at the finish floor elevation of the structure during peak hour conditions without fire flow. A maximum pressure delivery at the point of service shall not exceed 120 psi.
- (2) Building Fire Sprinkler Systems. All buildings shall be provided with an approved automatic fire sprinkler system in accordance with the Fire Code. The onsite private water system design shall accommodate the requirements for building fire sprinkler systems. The building fire sprinkler system shall meet City requirements, in addition to the Fire Code requirements. (Based upon steeper road grades, reduced roadway design speeds, reduced roadway width, longer dead-ends and cul-de-sacs, reduced water system design requirements, and relaxed secondary access requirements, the response time for emergency vehicles is increased above that of conventional development patterns within the city. Given the increased response time, a waiver of the requirement for building sprinkler systems is subject to review and approval by the Fire Chief.)

- (1) Right-of-way 42 feet (no parking or parking on one side);
see Exhibits [1 and 2] 4 and 5
45 (parking on both sides); see Exhibit [3] 6
- (10) Minimum vertical curve length 100 feet
- (11) Maximum cross slope in curve 4 %
- ~~(11)~~12 Minimum grade 0.4%

- ([12])13 Maximum grade 15% except [with] when a fire apparatus road is within 50 feet of a structure, the grade shall not exceed 8%. [In lieu of providing an 8% roadway grade within 50 feet of a structure, the structure shall have a full building fire sprinkler system per Fire Department requirements.]
- ([13])14 Maximum grade length
Option A
[7-]9% = [1,400] 3,180 feet
9-12% = [700] 1,400 feet
12-15% = [350] 700 feet
Option B
8% average, never to exceed 15%
- ([14])15 Vertical clearance 13[.6] feet 6 inches
- ([15])16 Sidewalks
- ([16])17 Cul-de-sacs Radius: 45 feet measured to the face-of-curb
[Maximum units served: 25]
- ([17])18 Vertical curves
- (19) Grade change Maximum of 6% change over 25 feet
- ([18])20 Roadway aprons
- ([19])21 Right-of-way slope
- ([20])22 Cross-slopes
- ([21])23 Streetlighting
- ([22])24 Intersection spacing

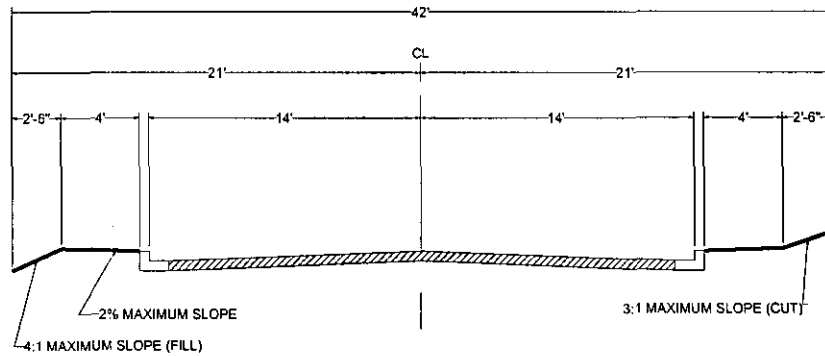
The following design options shall be allowed for interior subdivision streets, including cul-de-sacs:



Hillside (No Parking)

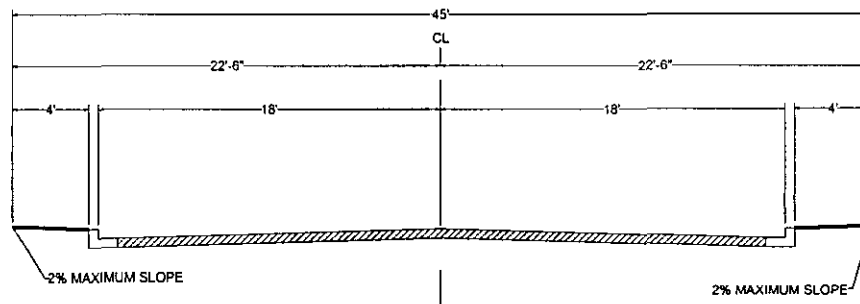
(EXHIBIT 4)

NOTE: SHOULDER WIDTHS SHOWN ARE MINIMUM.
WIDER SHOULDERS MAY BE REQUIRED. SIDEWALKS
MAY BE REQUIRED IN SOME DEVELOPMENTS.



Hillside (Parking on One Side of Street)
(EXHIBIT 5)

NOTE: SHOULDER WIDTHS SHOWN ARE MINIMUM.
WIDER SHOULDERS MAY BE REQUIRED. SIDEWALKS
MAY BE REQUIRED IN SOME DEVELOPMENTS.



Hillside (Parking Both Sides of Street)
(EXHIBIT 6)

f. Driveways

For the purposes of this section, driveways are private drives providing access from a roadway to a home or homes.

(1) A maximum of four homes are permitted per driveway.

(2) Driveways shall be kept to a maximum of one per residence. Exception: Additional driveways to a single residence, including circular driveways, may be permitted provided they do not adversely disrupt the surrounding environment, subject to Director of Public Works approval.

(3) Driveways shall meet the following criteria:

Table 19.6.9.2

	<u>Minimum Width</u>	<u>Maximum Width</u>	<u>Maximum Grade</u>	<u>Shoulder**</u>
<u>Driveways serving a single residence*</u>	<u>14 feet</u>	<u>20 feet</u>	<u>12 %</u>	<u>5 feet both sides</u>
<u>Driveways serving multiple residences*</u>	<u>20 feet</u>	<u>24 feet</u>	<u>12 %</u>	<u>5 feet both sides</u>

* Driveways greater in length than 150 feet shall meet the requirements for fire department access roads (i.e. 24 feet minimum width, 52 feet/28 feet radius, 13 feet 6 inches vertical clearance, 15% maximum slope with no more than 4% slope through curves, and prior approval from the fire safety division).

** Additional safety measures may be needed and will be reviewed on a case-by-case basis.

[22. Driveways

Driveways in the hillside area should be kept to one per residence. Additional driveways to include circular driveways shall be permitted provided they do not adversely disrupt the surrounding environment. The minimum driveway width is 14 feet. A single driveway may serve more than one residence; however, the minimum width is 20 feet. In no case shall a driveway exceed 20 feet in width.

In special cases, driveways with a maximum length of 400 feet may serve up to four single-family lots. Driveways greater in length than 150 feet or with grades steeper than 12 percent must receive prior approval from the Fire Department. Driveways in excess of 150 feet in length and driveways that serve more than a single residence shall meet the requirements for fire apparatus access roads. An exception to this requirement can be granted if turnarounds are provided and the driveway meets minimum width requirements. Driveways and parking areas shall be designed for adequate vehicle maneuvering and turnaround for a single unit truck (SU) as defined by AASHTO.

Driveways must be located a minimum of 100 feet from the right-of-way line of the intersecting street and a minimum of 25 feet from the side property line except for flag lots, which shall be 5 feet from the property line.]

[23]22. Homeowners Association

[24]23. Sensitive Ridgeline Development

a. Sensitive Ridgeline Setback

All development, excluding perpendicular road crossings, is subject to a 100-foot setback from each sensitive ridgeline as depicted on the Hillside Regulation Map. The 100-foot setback is measured horizontally on each side of the center of the ridgeline unless taking advantage of exemption in subsection b. The applicant shall designate the sensitive ridgeline setback area as a natural area in accordance with Sec. 19.6.9.D.12.

- [b.] c. Development Within Sensitive Ridgeline Setback
[Requests for development within designated sensitive ridgeline setbacks shall be subject to review by the Planning Commission Hillside Development Committee. Following review by the committee, hillside development plans shall be processed in accordance with Sec. 19.6.9.D.25. Existing single-family homes and single-family lots created by parcel maps recorded]
Residential development on pre-existing lots of record created on or before July 1, 1997, [shall be exempt from the provisions of this subsection. In addition to the requirements of Sec. 19.6.9.D, the following shall apply] not being further subdivided are subject to the following:
- [a]b. Transfer of Development Outside Sensitive Ridgeline Setback
Hillside development plans that include property within a sensitive ridgeline setback are permitted transfer of [increased] density and site disturbance outside the area of a sensitive ridgeline setback, [if no development occurs within the sensitive ridgeline setback area. Specifically, the following shall apply:]
- (1) Calculate density and site disturbance per Sec. 19.6.9.D.1 for the area within the sensitive ridgeline setback.
 - [(2)] Double the permitted density and site disturbance within the sensitive ridgeline setback.]
 - [(3)]2 Transfer all density and site disturbance outside the sensitive ridgeline setback.
 - [(4)]3 Designate the sensitive ridgeline setback area as a natural area in accordance with Sec. 19.6.9.D.12.
 - [(5)]4 All transfers must occur within the subject property. Transfers cannot be to any other property that is not a part of a hillside development plan.

- [25. Approval of a Hillside Development Plan
Within the Hillside Development Plan Overlay District are six different options by which a hillside development plan can be approved. The six options and corresponding processes are:
- a. Request for a single-family home on a single lot or parcel of record, or the division of land into four or fewer parcels to include development within a sensitive ridgeline setback, the design of which meets all requirements of this ordinance. Approval is subject to architectural review/parcel map approval.
 - b. Request for unsubdivided multifamily that meets all requirements of the City's multifamily ordinance and this ordinance; request for commercial or industrial buildings that meet all requirements of this ordinance: Approval is subject to approval of an architectural review.

- c. Request for subdivision of land into more than four lots, the design of which meets all requirements of this ordinance: Approval is subject to approval of a tentative and final map.
- d. Request for a single-family home on a single lot or parcel of record, the division of land into four or fewer parcels, commercial or industrial buildings, the design of which does not meet all requirements of this ordinance or golf courses, churches, schools, and parks, conforming and nonconforming to this ordinance: Approval is subject to approval of a variance and architectural review.
- e. Request for subdivided multifamily, conforming and nonconforming to the City's multifamily ordinance, and this ordinance or subdivision of land into more than four lots, the design of which does not meet all requirements of this ordinance: Approval is subject to approval of a tentative map/planned unit development and final map.
- f. Request for approval of development standards on property that meets the size requirements of Sec. 19.6.3 Master Development Plan Overlay District, including requests to deviate from this ordinance: Approval is subject to approval of a zone change.]

[26]24. Findings of Fact

[27]25. Application Requirements

Each application for approval of a hillside development plan shall be initiated by all property owners or their authorized agent. The form of the application and submittal requirements including additional submittal requirements required by the hillside checklist, shall be as established by the Director of Community Development.

[28]26. Amendment

[29]27. Expiration and Renewal

[30]28. Exemptions

[31]29. Lot Development Standards

Table 19.6.9.3

Lot Features	Requirements
Minimum Lot Width	45 feet
Maximum Lot Width	3 times the lot depth
Maximum Lot Depth	3 times the lot width
Maximum Flagpole or Panhandle Depth on Flag Lot	150 feet
Minimum Flagpole or Panhandle Width at Street	24 feet
Minimum Corner Side-Yard Setback	10 feet
Minimum Side Setback	5 feet
Minimum Setback when Yard Sizes are Transferred	5 feet
Maximum Height	35 feet*
Minimum Dwelling and Garage Setback	15 feet for dwelling 20 feet for garage

SECTION 2. Section 19.14.2/ Terms Defined, is hereby amended as follows:

[Community Vantage Point

Means the intersection of any arterial identified on the City's Master Streets and Highways Plan with Lake Mead Drive, the intersection of any arterial identified on the City's Master Streets and Highways Plan with US 93-95, the intersection of Lake Mead

Drive with US 93-95, or the intersection of any two arterial streets identified on the City's Master Streets and Highways Plan. As applied to hillside regulations, community vantage points are characterized by higher traffic volumes, generally have clear views of the mountains, and are easy to identify. The intersections also allow for larger concentrations of residents and visitors to view the natural scenic beauty of the mountains.]

Hillside Development Plan

Means a series of written words and graphic depictions describing the proposed development of property located within the Hillside Overlay District. Hillside Development Plans [may] shall include, but are not limited to, a slope analysis map, grading plans, tentative [and] or final maps, or parcel maps (if subdividing), and architecture of proposed structures, as well as other written and pictorial concepts regarding the physical development of property located within the Hillside Overlay District.

Hillside Regulation Map

Means a graphic display depicting properties subject to the requirements of the Hillside Overlay District, including parcels with 15 percent or greater slope[, community vantage points,] and sensitive ridgelines that may be incorporated into the City of Henderson Zoning Map.

Sensitive Ridgeline

Means a line designated on the Hillside Regulation Map meeting all the following characteristics as viewed from vantage points below the 15% slope line that are one mile or more apart [two or more community vantage points]:

- C. A starting point [that shall be a point at which] where three side slopes intersect at a definable point, which shall be a point at which the elevation is a minimum of 200 vertical feet higher than the closest [community vantage point] parcels outside of the 15% slope line as designated on the Hillside Regulation Map.

[A ridgeline shall not be considered for sensitive identification if all of the following pertain:

- A. The intersecting side slopes create a top on the ridgeline that has a slope of less than 15 percent.
- B. The ridgeline has a minimum width of 200 feet.
- C. The ridgeline has an average width of 400 feet.
- D. The ridgeline has a minimum length of 1,000 feet.]

Slope Analysis Map

SLOPE CATEGORY (%)	COLOR SYMBOL
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- E. In addition, the map must contain:

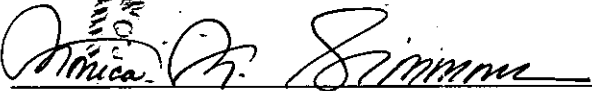
- 10. A label on each [100] 50-foot contour line.
- 12. The 15% slope line as shown on the Hillside Regulation Map.
- 13. An adjusted 15% slope line that more accurately delineates a separation between parcels or portions of parcels deemed to contain slopes of 15% or greater versus those that contain slopes of less than 15%. The adjusted slope line is estimated from slope data depicted by the slope colors referenced in the table above. The location of the adjusted slope line on the Slope Analysis Map must be designated or approved by the Community Development Director.

- SECTION 3. If any section, subsection, paragraph, clause or provision of this Ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section or subsection, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.
- SECTION 4. All ordinances, or parts of ordinances, sections, subsection, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.
- SECTION 5. A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title in the Henderson Home News, a newspaper having general circulation in the City of Henderson at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on April 22, 2004 in the Henderson Home News.

PASSED, ADOPTED, AND APPROVED THIS 20th DAY OF April 2004.


Steven D. Kirk, Mayor Pro Tem

ATTEST:


Monica M. Simmons, CMC, City Clerk

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The above and foregoing Ordinance was first proposed and read in title to the City Council on April 6, 2004, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

"COUNCIL AS A WHOLE"

Thereafter on April 20, 2004, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held April 20, 2004, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye: Steven D. Kirk, Mayor Pro Tem
Councilmembers:
Amanda Cyphers
Arthur "Andy" Hafen

Those voting nay: None
Those abstaining: None
Those absent: James B. Gibson, Mayor
Jack Clark


Steven D. Kirk, Mayor Pro Tem

ATTEST:


Monica M. Simmons, CMC, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

Doreen Reynolds, being first duly sworn, deposes and says: That she is LEGAL REPRESENTATIVE of the Henderson Home News, a weekly newspaper of general circulation,

printed in Las Vegas, Nevada, and published in Henderson, Nevada in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time(s).

From 04/08/04 to 04/08/04 inclusive, being the issues of said newspaper for the following date(s) to wit:

04/08/2004

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed

Doreen Reynolds

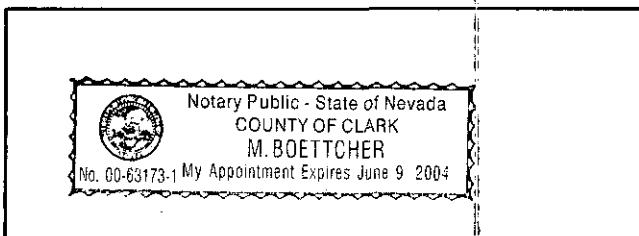
Sworn to and subscribed before me this
8th day of April, 2004

Notary Public in and for
Clark County, Nevada

[Signature]

M.BOETTCHER

My commission expires June 09, 2004



1941

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of Henderson proposed by reading in title the following Ordinance at its Regular Meeting, held April 6, 2004, entitled:

BILL NO. 1941

ZOA-03-680002 -

Hillside Overlay District

Update

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND CHAPTERS 6 AND 14 OF THE HENDERSON MUNICIPAL CODE TITLE 19 BY UPDATING THE EXISTING HILLSIDE OVERLAY DISTRICT AND OTHER MATTERS RELATED THERETO.

which has been referred to a Committee of the Council as a Whole for study and recommendation and a copy of said Ordinance has been filed with the City Clerk for general public scrutiny. The Committee Meeting will be held April 20, 2004, at 6:45 p.m. The Council will consider this Ordinance for adoption at the Regular Meeting of the City Council on April 20, 2004; and in any case will adopt or reject this Ordinance within 30 days.

DATED April 6, 2004, and published April 8, 2004, in the Henderson Home News.

Monica M. Simmons, CMC

City Clerk

H-April 8, 2004

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

Doreen Reynolds, being first duly sworn, deposes and says: That she is LEGAL REPRESENTATIVE of the Henderson Home News, a weekly newspaper of general circulation,

printed in Las Vegas, Nevada, and published in Henderson, Nevada in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time(s).

From 04/22/04 to 04/22/04 inclusive, being the issues of said newspaper for the following date(s) to wit:

04/22/2004

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed Doreen Reynolds

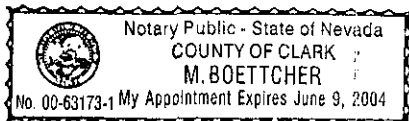
Sworn to and subscribed before me this
22nd day of April, 2004

Notary Public in and for
Clark County, Nevada



M.Boettcher

My commission expires June 09, 2004



Bill 1941
PUBLIC NOTICE
BILL NO. 1941
ORDINANCE NO. 2259
ZOA-03-680002 -
Hillside Overlay District
Update

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The above Bill No. 1941 and foregoing Ordinance was first proposed and read by title to the City Council of the City of Henderson, Nevada, on April 6, 2004, which was a Regular Meeting of the Council and referred to the following Committee:

"COMMITTEE OF THE WHOLE"

for recommendation.

PUBLIC NOTICE is hereby given that the typewritten copies of the above mentioned Ordinance are available for inspection by all interested parties at the Office of the City Clerk, 240 Water Street, Henderson, Nevada, and that said Ordinance No. 2259 was proposed for adoption by Councilmember Hafen on April 20, 2004; and adopted by the following roll call vote:

Voting AYE: Steven D. Kirk (Mayor Pro Tem)

Councilmembers Amanda M. Cyphers, and Arthur "Andy" Hafen

Voting NAY: None

Abstaining: None

Absent: Mayor James B. Gibson and Councilmember Clark /s/ Monica M. Simmons, CMC, City Clerk

H-April 22, 2004