

ORDINANCE NO. 3427
(ZOA-16-500601 – Development Code Update -- Master Transportation Plan)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 19 OF THE HENDERSON MUNICIPAL CODE BY AMENDING SECTIONS OF CHAPTERS 19.3, 19.5, 19.7, 19.9, AND 19.12, TO MAKE VARIOUS CORRECTIONS, REVISIONS AND UPDATES AS NECESSARY TO IMPLEMENT THE NEW MASTER TRANSPORTATION PLAN.

WHEREAS, it is the intent of the City of Henderson to maintain a Development Code for the safe and orderly development of property; and

WHEREAS, the City of Henderson adopted the current Development Code on January 19, 2010; and

WHEREAS, with the adoption of the updated Henderson Strong Comprehensive Plan, Development Code changes are necessary to implement the new plan, including the new Master Transportation Plan; and

WHEREAS, a Development Code is considered a “living document” and will invariably need amending to make minor corrections, revisions, and updates as necessary; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Sections of Chapters 19.3 – Nonresidential, Mixed-Use, and Special-Purpose Zoning Districts; 19.5 – Use Regulations; 19.7 – Development and Design Standards; 19.9 – Subdivision Design and Improvements; and 19.12 – Measurement and Definitions of the Henderson Development Code are hereby amended as represented in Exhibit A, hereto attached consisting of 30 pages.

SECTION 2. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

SECTION 3. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 4. A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title in the Review Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on August 18, 2017, in the Review Journal.

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PASSED, ADOPTED, AND APPROVED THIS 15TH DAY OF AUGUST, 2017.

Debra March, Mayor

ATTEST:

Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on August 1, 2017, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on August 15, 2017, 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 August 15, 2017, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:	Debra March, Mayor
	Councilmembers:
	John F. Marz
	Gerri Schroder
	Dan K. Shaw
	Dan H. Stewart

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

Debra March, Mayor

ATTEST:

Sabrina Mercadante, MMC, City Clerk

Exhibit A
Amendments to Title 19

19.3.15 MN: NEIGHBORHOOD MIXED-USE

The MN district is established for horizontal and vertical mixed-use development and/or buildings. Development shall include pedestrian-scaled, neighborhood-serving nonresidential uses and high-density residential uses in the same structure or in close proximity. Nonresidential uses may include small-scale retail, service, and professional offices that provide goods and services to the residents of the surrounding neighborhood. Nonresidential uses should typically have frontage along a ~~[80-foot]~~ minor collector or wider street. Residential uses are encouraged on the upper floors of nonresidential establishments. There are no minimum lot sizes, but residential densities are limited to a maximum of 16 units per gross acre.

19.5.4

E. DAY CARE FACILITY**1. General**

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C				
COMMERCIAL					INDUSTRIAL				MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	S	C	C	S	C	C	C	C	C	C	C	

(a) Definition

Any commercial facility that provides care for more than 12 children or adults on a less-than-24-hour basis. This use may include nursery schools, preschools, accommodation facilities, and day care centers offering non-medical care. This use must also comply with all local and state licensing requirements.

(b) Standards**(1) All Districts**

- i. Such uses shall include the minimum square footage of outdoor play space on the site (including trees or structures that provide adequate shade over the play space) and indoor space per State of Nevada requirements as listed in NAC 432A.250 (Building and Grounds);
- ii. When a day care abuts a residential use, additional buffering may be required to reduce adverse impacts to the residential use.

(2) All R Districts

General day care uses shall:

- i. If located within a residential base zoning district, maintain a minimum separation of 1,000 linear feet from any other general or group child-care day care use also located within a residential district;
- ii. Be located on lots that front ~~[an 80-foot-wide arterial]~~ a minor collector or greater street as indicated on the Henderson Master Streets and Highways Plan; and
- iii. Be located on a lot of at least 12,000 square feet in size.

(3) IG and IP Districts

General day care uses may only be permitted as an accessory use with a maximum size of up to 25 percent of a building's gross floor area.

19.5 – Use Regulations

(4) CO and CT Districts

A general day care use is required to obtain a conditional use permit, unless the following conditions can be met, in which case the use may be allowed by right:

- i. The primary purpose of the use is to serve employees of the office development in the district;
- ii. The use shall not be the principal use in any freestanding building;
- iii. The use shall not occupy more than 5,000 square feet in gross floor area or five percent of the principal office structure, whichever is less;
- iv. The use shall not have an entrance leading directly to the outside; and
- v. No freestanding sign shall be allowed in connection with such use.

(c) Off-Street Parking Requirement

A minimum of 1 space per 6-person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code. Adequate drop-off and pick-up lanes and areas must be provided.

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D)

U. YOUTH DROP-IN CENTER

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C			C	
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C			C		C	C	C	C	

1. Definition

An establishment in a dwelling of residential character or a commercial facility that provides services only during the day, furnishes food, temporary respite, financial assistance, assistance in obtaining permanent residence, counseling, limited medical care for unaccompanied minors. The facility must be operated by a nonprofit organization, as defined by Chapter 82 of the Nevada Revised Statutes. This use must comply with all local and state licensing requirements. This definition does not include a day care facility, a facility that provides immediate and short-term emergency medical care.

2. Standards

(a) All Districts

19.5 – Use Regulations

- (1) The facility must be located on a parcel with a minimum size of 6,000 square feet unless modified through the Conditional Use Permit process.
 - (2) Only the underlying property owner or qualified supervisor shall be permitted to live at the facility if located within a residence.
 - (3) A qualified supervisor shall be present at all times. A qualified supervisor shall be a minimum of 18-years old, and meet the State of Nevada requirements of NRS 244.
 - (4) The maximum age of a person who utilizes services at the facility shall not be older than 18 years of age.
 - (5) Youth Drop-In Center hours of operation shall be limited from 8:00 a.m. to 6:00 p.m. Those requiring assistance are not allowed to utilize the facility for no more than 2-hours at any given time. The hours of operation can be modified through the conditional use permit if the applicant demonstrates mitigation of potential impacts on other uses and/or surrounding properties.
 - (6) Such uses shall provide an outdoor open space within an enclosed area. Users of the facility shall not congregate outside without qualified supervision.
 - (7) No youth drop-in center may be located within a mile radius of any other youth drop-in center, or any parcel where a general day-care facility is established or approved. This separation requirement is measured by the shortest line between the parcel in the residential district or the occupied space in a nonresidential district to be occupied by the youth drop-in center and the property line of the nearest established youth drop-in center or general day care facility. Waivers or reductions of the separation requirement may be considered through the conditional use permit process.
 - (8) Waivers or reductions of the separation distance may be considered in cases where adequate barriers exist between the proposed use and youth drop-in center or day care use. An “adequate barrier” includes, but is not limited to, such items as an approved drainage channel, a freeway, constructed ~~[roadway with a minimum width of 100-feet]~~ minor arterial, or a topographical feature that prevents vehicular and pedestrian access.
 - (9) Loitering in the surrounding neighborhood is prohibited.
- (b) Off-Street Parking Requirement
- A minimum of 1 space per 6-person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code. Adequate drop-off and pick-up lanes and areas must be provided.
- (c) Off-Street Loading Group
- Group Two (Section 19.7.4.D)

19.5 – Use Regulations

19.5.5

A. GENERAL STANDARDS FOR ALCOHOL AND LIQUOR USES AND LIVE ENTERTAINMENT

1. Distance Limitations for Alcohol and Liquor Uses

Uses involved in the sale or offering of alcohol or liquor shall submit a distance separation analysis application, as defined in Section 19.6.10.C, for review and determination of site suitability; comply with the requirements in Section 4.36 of the Henderson Municipal Code (HMC), *Liquor – Regulations and Licensing*; and the following standards:

- (a) Except for establishments within any resort village (as defined in Title 19 of the HMC), such uses shall comply with the minimum separation requirements in Table 19.5.5-1, Minimum Separation:

TABLE 19.5.5-1: MINIMUM SEPARATION			
PROPOSED USE TYPE	REQUIRED BUFFER ZONE SEPARATION FROM EXISTING AND APPROVED USES {1} {2}		
	SCHOOL SITE	RELIGIOUS ASSEMBLY	GENERAL DAY CARE
	BUFFER ZONE (FEET) {3}		
Category I Uses (tavern, nonprofit club, billiard hall, liquor store, brewpub, microbrewery, craft distillery)	1,000	500	200
Category II Uses (restaurant with bar; beer, wine, and spirit-based products on or off-sale; full on-sale; full off-sale; convenience market; wine lounge; winery)	500	500	0
NOTES: {1} Buffer zone separation requirements shall be applied regardless of whether the school site, religious assembly, or general day care use is located inside or outside the City. {2} Catering, wholesale sale of alcohol or liquor, and retail sale of gift baskets containing alcohol or liquor are exempted from these separation requirements. {3} For purposes of the buffer zone measurement, accommodation facilities located within or operated as part of limited or non-restricted gaming locations are exempt.			

- (b) The foregoing distance separation requirements may be considered to be waived or reduced through the conditional use permit only if it can be shown by clear and convincing evidence by the applicant that a waiver or reduction of such buffer zone separation requirement will not compromise the purpose and the general intent of this Code and the HMC to protect the public health, safety, and general welfare of the citizens of the City.
- (c) In addition, the applicant must demonstrate the proposed use may be conducted in a manner that is harmonious and compatible with existing and/or approved protected uses.
- (d) Demonstration of “by clear and convincing evidence” may include the following:
- (1) Unique operating and/or locational characteristics of the proposed alcohol and liquor use;
 - (2) A freeway, railroad, or ~~other major roadway with a minimum width of 100 feet~~ roadway with a minimum width of a minor arterial;

- (3) A topographical feature that prevents vehicular and pedestrian access; or
- (4) An improved drainage facility that prevents vehicular and pedestrian access.
- (e) Sales, services, and distribution of alcohol or liquor is prohibited within a 1,000-foot buffer zone of a sexually oriented business.
- (f) Issuance of a conditional use permit does not guarantee or constitute approval of a liquor license.

N. DAILY LABOR SERVICE

1.

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C			C			C		C	

2. **Definition**

Any building or premises that serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned such employment in accordance with whatever employment is available on that particular day. For purposes of this definition, “daily labor” means manual labor, including, without limitation, construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting, and digging.

3. **Standards**

- (a) The use shall be located on a ~~[primary]major collector~~ or ~~[secondary]minor~~ arterial as designated on the ~~[Master Streets and Highways Plan]~~Master Transportation Plan.
- (b) The use shall not be located within 400 feet of any religious facility, school, general day care facility, city park, or residential zoning district.
- (c) The hours of operation shall be limited to the hours between sunrise and sunset.
- (d) Signage shall be posted on the premises indicating that loitering on the premises is not allowed. The signage may not exceed four square feet in size.
- (e) Persons who are seeking employment must wait for employment within a fully enclosed structure or an area screened from public view.

4. **Off-Street Parking Requirement**

1 space for each 250 square feet of gross floor area.

5. Off-Street Loading Group

None.

P. FINANCIAL INSTITUTION

2. Financial Institution with Drive-Through Service

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		C	C	C	S			S	C	C	C	

(a) Definition

Establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses, and that include one or more automobile lanes accessible to persons who remain in their automobiles. This use includes stand-alone automated teller machines.

(b) Standards

(1) All Districts

- i. Stand-alone automated teller machines not located on the same property as the primary financial institution shall require separate design review approval. The design shall be compatible with adjacent buildings.
- ii. A conditional use permit is required if the use will be located within 300 linear feet of a residential district boundary unless an intervening building or a ~~major or minor~~ major collector or minor arterial as shown on the ~~Master Street and Highways Plan~~ Master Transportation Plan, is located between the drive-through service and the residential district boundary.
- iii. Drive-through facilities (including the drive lanes and stacking spaces) are discouraged between a building and any adjacent street unless it can be demonstrated that the facilities are integrated into the site, screened from view of the adjacent street, and does not create negative impacts on pedestrian movement. Screening methods include landscaping, landscaping with a berm, a low screen wall with landscaping, or other similar feature(s).
- iv. The drive-through use may be subject to conditions imposed by the approving body to ensure compatibility with surrounding uses, efficient vehicular travel, efficient pedestrian movement, and

architectural compatibility with the principal structure and development.

- v. The above-listed conditions may be waived or modified through a request as part of a conditional use permit.

GG. RETAIL SALES AND SERVICE

5. Pharmacy with Drive-Through Service

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C	C					C	C	C	

(a) Definition

A pharmacy that includes service from a building to persons in vehicles through an outdoor service window.

(b) Standards

(1) All Districts

- i. A conditional use permit is required if the use will be located within 300 linear feet of a residential district boundary unless an intervening building or a ~~major or minor~~ major collector or minor arterial as shown on the ~~Master Street and Highways Plan~~ Master Transportation Plan, is located between the drive-through service and the residential district boundary.
- ii. Drive-through facilities (including the drive lanes and stacking spaces) are discouraged between a building and any adjacent street unless it can be demonstrated that the facilities are integrated into the site, screened from view of the adjacent street, and does not create negative impacts on pedestrian movement. Screening methods include landscaping, landscaping with a berm, a low screen wall with landscaping, or other similar feature(s).
- iii. The drive-through use may be subject to conditions imposed by the approving body to ensure compatibility with surrounding uses, efficient vehicular travel, efficient pedestrian movement, and architectural compatibility with the principal structure and development.
- iv. The above-listed conditions may be waived or modified through a request as part of a conditional use permit.

9. Smoke/Tobacco Shop Establishment

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		C	C	C		C	C	C	C	C	C	

(a) Definition

Establishment in which sales of tobacco products such as cigarettes, cigars, chewing tobacco, snuff, pipe tobacco, dipping tobacco, bidis, and tobacco paraphernalia and accessories consist of ten percent or more of the product display, sales, and storage areas of the space. Smoke/tobacco shop establishments include any person or business that operates a store, stand, booth concession, or other place at which the sales of tobacco products are made to purchasers for personal consumption. Smoke/tobacco shops shall prohibit minors to enter or remain upon the premises, unless the minor is accompanied by the minor's parent/guardian.

(b) Purpose

The purpose of regulating smoke/tobacco shops is to ensure compatibility with surrounding uses and properties and to avoid an unchecked proliferation of smoke/tobacco shop establishments that may result in the displacement of other necessary commercial services.

(c) Standards

A conditional use permit is required subject to, but not limited to, the following standards:

- (1)** No smoke/tobacco shop establishment may be located within 2,000 feet of any other smoke/tobacco shop establishment. This separation requirement is measured by the shortest line between the space to be occupied by the proposed smoke/tobacco shop establishment and the occupied space of the nearest existing or approved smoke/tobacco shop establishment.
- (2)** No smoke/tobacco shop establishment may be located within 1,000 feet of any parcel where a school, park, or library are established or approved; and 500 feet from any parcel with a residential land use category as designated by the Comprehensive Plan. This separation requirement is measured by the shortest line between the space to be occupied by the proposed smoke/tobacco shop establishment and the property line of the nearest established or approved school, park, library, or residential land use category as designated by the Comprehensive Plan.
- (3)** Waivers or reductions of the minimum separation requirements may be considered through the conditional use permit only if it can be shown by clear and convincing evidence by the applicant that a waiver or reduction of such separation requirements will not compromise the aforesaid

19.5 – Use Regulations

purpose and the general intent of this Code to protect the public health, safety, and general welfare of the citizens of the City. Demonstration of existing adequate physical barriers may be considered as such evidence. Adequate barriers include, but are not limited to, a freeway, railroad, or other major roadway with a minimum width of ~~[100-feet]~~ a minor arterial, or a drainage facility or topographical feature that prevents vehicular and pedestrian access.

- (4) A Smoke/Tobacco Shop Establishment may not be located within the same shopping center or development as a use that provides primarily child-oriented services or goods (i.e. doctors office, day care, recreational centers, retail stores, etc.). Such previously established smoke/tobacco shop establishments shall be exempt.
- (d) Off-Street Parking Requirement
1 space per 250 square feet.
- (e) Off-Street Loading Group
Group One (Section 19.7.4.D)

19.5.7.D.4

4. Drive-Through/Drop-Off Window Uses

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S		S	S	S	S				S	S	S	

(a) Definition

An outdoor service window or similar area that allows for a service to be provided from a building to persons in vehicles.

(b) Standards

This is an accessory use to the primary use of the building/tenant space where it is located. These standards are to be used for a use not specifically listed in the use section that includes a drive-through facility. The proposed drive-through must be approved by the Community Development and Services Director through design review process.

(1) All Districts

- i. A conditional use permit is required if the use will be located within 300 linear feet of a residential district boundary, unless an intervening building or a ~~[major or minor]~~ major collector or minor arterial as shown on the ~~[Master Street and Highways]~~

~~Plan~~Master Transportation Plan is located between the drive-through service and the residential district boundary.

- ii. Drive-through facilities (including the drive lanes and stacking spaces) are discouraged between a building and any adjacent street unless it can be demonstrated that the facilities are integrated into the site, screened from view of the adjacent street, and do not create negative impacts on pedestrian movement. Screening methods include landscaping, landscaping with a berm, a low screen wall with landscaping, or other similar feature(s).
- iii. The drive-through use may be subject to conditions imposed by the approving body to ensure compatibility with surrounding uses, efficient vehicular travel, efficient pedestrian movement, and architectural compatibility with the principal structure and development.
- iv. The above-listed conditions may be waived or modified through a request as part of a conditional use permit.

The twenty-nine references of Master Streets and Highways Plan within Title 19, Development Code shall be deleted and replaced with [Master Transportation Plan](#).

19.7.2. COMMON OPEN SPACE

C. STANDARDS

1. Amount of Common Area Required

Development subject to this section shall set aside at least the minimum amounts of common open space listed in Table 19.7.2-1, *Common Open Space Required*:

TABLE 19.7.2-1: COMMON OPEN SPACE REQUIRED	
DISTRICT TYPE	MINIMUM COMMON OPEN SPACE REQUIRED
RS-8, RM-10, RMH Districts	700 sq ft per dwelling unit
RM-16, RH-24, RH-36 Districts	500 sq ft per dwelling unit
Nonresidential Development (excluding the DCC and DHC districts)	For buildings exceeding 5,000 sq ft, 250 sq ft per 1,000 sq ft
Mixed-use Districts	1,000 sq ft per 25,000 sq ft of lot area or 65 sq ft per dwelling unit, whichever is greater.


2. Areas Counted as Common Open Space

The features and areas identified in Figure 19.7.2-A, *Common Open Space Configuration*, shall be credited towards the common open space requirements of this section:

FIGURE 19.7.2-A: COMMON OPEN SPACE CONFIGURATION

AREA COUNTED AS COMMON OPEN SPACE	DESCRIPTION	DESIGN REQUIREMENTS
NATURAL FEATURES 	<p>Includes any of the following:</p> <ol style="list-style-type: none"> 1. Undisturbed desert habitat; 2. Flood hazard and conveyance areas (either maintained in, or restored to, natural state); 3. Water features, including wetlands, drainage channels, lakes, dry stream beds, washes, and arroyos; 4. Hillsides and exposed slopes of 15% or more; and 5. Wildlife habitat areas for threatened and endangered species. 	<p>Where natural features exist, the subdivider, developer, or owner shall give priority to their preservation as common open space. Placement of a conservation easement over the protected natural feature areas is encouraged. In reviewing the proposed location of common open spaces, the Community Development and Services Director shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected.</p> <p>Maintenance is limited to a minimum removal and avoidance of hazards, nuisances, or unhealthy conditions.</p>
ACTIVE RECREATIONAL AREAS 	<p>Land occupied by active recreational uses such as pools, ball fields, playgrounds, tennis courts, and jogging trails.</p>	<p>Active recreation areas may occupy up to 100 percent of the common open space area in the downtown and mixed-use districts.</p> <p>Land shall be compact and contiguous unless the land is used to link or continue an existing or planned open space resource. Landscaping shall be planned along all rights-of-way to provide a buffer to surrounding areas.</p>
FORMAL PLANTINGS, PUBLIC ART, AND GARDENS 	<p>Formally planned and regularly maintained open areas that provide passive recreation opportunities including arranged plantings, gardens, gazebos or similar structures, sculpture, and other forms of public art.</p>	<p>Roof gardens are also acceptable.</p>
SQUARES, FORECOURTS, PLAZAS, AND PARKS 	<p>Squares, forecourts, plazas, and parks provide active and passive recreational opportunities as to emphasize important places, intersections, or centers. These spaces are intended to serve an entire neighborhood or group of neighborhoods or commercial development.</p>	<p>Where provided, such features shall have a minimum size of 200 square feet and a maximum size of one acre.</p> <p>Surrounding buildings shall be oriented toward the square, forecourt, or park when possible and a connection shall be made to surrounding development.</p>
REQUIRED LANDSCAPE AREAS 	<p>Required landscape areas serve as a buffer to surrounding areas. Except for landscaped areas within parking lots and areas occupied by street trees within sidewalks, and except within mixed-use zoning districts, all areas occupied by required landscaping may count as common open space, including landscaped areas located within a ROW allowed per Table 19.7.5-2.</p>	<p>See general landscape standards in Section 19.7.5.</p>

FIGURE 19.7.2-A: COMMON OPEN SPACE CONFIGURATION

AREA COUNTED AS COMMON OPEN SPACE	DESCRIPTION	DESIGN REQUIREMENTS
<p>PUBLIC ACCESS EASEMENTS</p> 	<p>Public access easements, which often combine utility easements with paths or trails, are available for recreational activities such as walking, running, and biking.</p>	<p>Must include at least one improved access from a public sidewalk, street, trail, or easement that includes signage designating the access point.</p> <p>A trail or other amenity/amenities must be provided in the full length of an easement to qualify under this category.</p> <p>A public access easement shall be recorded for pedestrian accesses.</p>

3. Areas Not Credited

Lands within the following areas shall not be counted towards required common open space:

- (a) Private yards not subject to a permanent open space or conservation easement acceptable to the City;
- (b) ~~[Street]~~Travel lane and sidewalk improvements within public or private rights-of-way;
- (c) Open parking areas and driveways for dwellings or commercial uses;
- (d) Land covered by structures not intended solely for recreational uses;
- (e) Designated outdoor storage areas; and
- (f) Balconies.

5. Ownership

(a) Method of Ownership

Common open space areas, which may include walkways with public access easements, shall be maintained as permanent open space through at least one of the following options: common ownership by a property owner's association, held in deed-restricted private ownership, or dedication to the City or to another appropriate public agency. All methods utilizing private ownership shall be in a form approved by the City Attorney, who shall review the documents to ensure perpetual maintenance, preservation, and restricted usage where applicable.

(d) Maintenance of Common Open Space

Common open space areas, which may include walkways with public access easements, shall be maintained per approved plans (i.e. civil plans or landscape plans). In the event that common open space areas are not maintained in reasonable order and condition in accordance with the approved site plan, then the City may serve written notice of the deficiencies upon the association or the owners or residents of the development. If the deficiencies cited by the City have not been corrected within 30 days after written notice, then the department shall have the authority to correct the deficiencies. The cost of the correction shall be assessed

jointly and severally against the properties within the development that have a right of enjoyment of the common open space. The entire cost of correction shall be a lien upon each of the properties from the date that the lien is filed in the County Recorder's office.

19.7.3. CIRCULATION AND MOBILITY

F. PEDESTRIAN CIRCULATION

Circulation plans shall address pedestrian circulation in accordance with the following standards:

1. Sidewalks Required

~~[Minimum five-foot sidewalks]~~ Sidewalks shall be installed on both sides of all arterials, collector streets, and local streets (including loop streets, cul-de-sacs, and private streets), and within and along the frontage of all new development or redevelopment, per the Master Transportation Plan or as approved by the Public Works Parks and Recreation Director. This requirement shall not apply within the MC district, where a larger sidewalk requirement applies; or to local streets in districts within the RN overlay, where an established cross-section without sidewalks has been approved; or in steep-slope areas where sidewalks on one side of the street may be approved by the Community Development and Services Director to reduce excessive slope disturbance, adverse impacts on natural resources, and potential soil erosion and drainage problems.

19.7.4. PARKING AND LOADING

J. PARKING LOCATION AND LAYOUT

7. Driveway Spacing

Driveways into commercial, business park, office complex, and warehouse developments that generate more than 500 vehicle trips per day must be spaced 200 feet centerline to centerline for driveways accessing ~~[80-foot-wide right-of-way]~~ major collector streets and 300 feet centerline to centerline for driveways accessing ~~[100-foot-wide]~~ minor arterial and greater right-of-way streets.

8. Right-Turn Lanes

~~[For streets 100 feet wide or greater, right-turn lanes may be required for driveways that are projected to have 50 to 99 entering vehicles during the development's peak hour, and right-turn lanes will be required for all driveways that are projected to have 100 entering vehicles or more during the development's peak hour. For streets 80 feet in width, right-turn lanes will be required at driveways that are projected to have 100 entering vehicles or more during the peak hour. Right-turn lanes may also be required as determined by the Public Works Parks and Recreation Director.]~~ For minor arterials or larger, right-turn lanes may be required for driveways that are projected to have 50 to 99 entering vehicles during the development's peak hour and right-turn lanes will be required for all driveways that are projected to have 100 entering vehicles or more during the development's peak hour. Right-turn lanes may also be required as determined by the Public Works Parks and Recreation Director.

9. Driveway Throat Depths

Driveway throat depths of at least 50 feet are required for all driveways on ~~[80-foot-wide rights-of-way]~~ major collectors. Driveway throat depths of 100 feet are required for all driveways on ~~[100-foot-wide]~~ minor arterial or greater rights-of-way. Exceptions to this

requirement must be approved by the Public Works Parks and Recreation Director. Additional throat depth may be required at each driveway generating 100 or more entering vehicles during the development's peak hour as determined by the Public Works Parks and Recreation Director.

19.7.5. LANDSCAPING AND SCREENING

C. PERIMETER LANDSCAPE BUFFERS

1. Applicability

Perimeter landscape buffers shall be provided abutting street rights-of-way and parcels abutting other sites in accordance with the standards of this subsection. If landscaping material is required in the right-of-way, onsite perimeter landscape buffers may be reduced adjacent to that right-of-way through a waiver with acceptable provision of compensating benefit.

2. Relationship to Other Landscaping Standards

Landscaping provided to meet a project's perimeter landscape buffer requirements of this section may be counted towards meeting the project's site landscaping requirements. Parking lot landscaping may also be counted towards meeting the project's site landscaping requirements.

3. Buffer Width

Except in the mixed-use districts, the minimum width of required landscape buffers shall be in accordance with Table 19.7.5-2, *Pedestrian and Amenity Zone*, and Figure 19.7.5-A, *Landscape Buffers*. Buffers in the mixed-use districts shall be provided pursuant to subsection C.4 below.

TABLE 19.7.5-2: MINIMUM BUFFER WIDTH					
DEVELOPING ZONING DISTRICT	STREET RIGHT-OF-WAY WIDTH (FEET) {1}			ABUTTING PARCEL (LAND USE DESIGNATION)	
	100+	61-80	60	RES	NONRESIDENTIAL OR MIXED-USE
Residential	20 {2}	15 {2}	10 {2}	10 {3}	N/A
Nonresidential	20	15	10 {2}	15 {3}	5
Downtown	16 {4}	N/A	N/A	N/A	N/A
Mixed-Use	See Section 19.7.5.C.4				

TABLE 19.7.5-2: MINIMUM BUFFER WIDTH

DEVELOPING ZONING DISTRICT	STREET RIGHT-OF-WAY WIDTH (FEET) {1}			ABUTTING PARCEL (LAND USE DESIGNATION)	
	100+	61-80	60	RES	NONRESIDENTIAL OR MIXED-USE

NOTES:

General: Buffer width may be reduced by the Community Development and Services Director when necessary to accommodate unique site conditions or physical constraints, provided the reduction is offset by greater buffer widths in unconstrained areas such that the "average" buffer width complies with the minimum width requirement. No reduction in width shall be administratively allowed below 50 percent of the required minimum (e.g., if 25 feet required, reduction cannot exceed 12.5 feet). The required on-site buffer width along a public ROW may be reduced by the Community Development and Services Director up to 50% where landscaping, trail, or open space improvements are required by the City to be provided within the ROW, so long as the total required buffer width is still provided. The buffer along Boulder Highway adjacent to the Boulder Highway linear park may be reduced to 0 feet.

{1} Buffer width measured from back of sidewalk. Required sidewalk is five feet unless a different sidewalk standard applies (i.e., in the mixed-use districts).

{2} Does not apply within Rural Neighborhood Overlay.

{3} Buffer requires large trees installed at 24-inch-box size planted an average of 15 feet on-center when adjacent land use is lower intensity.

{4} Lake Mead Parkway includes a 10-foot-wide detached sidewalk located six feet from the back-of-curb. Plant materials, and design shall be per the Lake Mead Parkway Improvement Program Manual.

Land Use Context {2}{4}{5}

Street Type	Pedestrian and Amenity Zone (Minimum width) {1}{6}	Compact Complete Communities	Suburban High Density/High Intensity	Suburban Low-Density/Low-Medium Intensity	Residential Low-Medium Density/Low Intensity	Residential Low Density Low Intensity
Minor Collector	Overall	17 feet	17 feet	16 feet	16 feet	13 feet
	Walkway	8 feet	8 feet	6 feet	6 feet	5 feet
	Amenity/Planting	9 feet	9 feet	10 feet	10 feet	8 feet
Major Collector	Overall	23 feet	23 feet	21 feet	21 feet	21 feet
	Walkway	8 feet	8 feet	6 feet	6 feet	6 feet
	Amenity/Planting	15 feet	15 feet	15 feet	15 feet	15 feet
Minor Arterial {3}	Overall	28 feet		30 feet		
	Walkway	8 feet		10 feet		
	Amenity/Planting	20 feet		20 feet		
Major Arterial	Overall	16 feet		20 feet		
	Walkway	8 feet		10 feet		
	Amenity/Planting	8 feet		10 feet		

NOTES:

General: Buffer width may be reduced by the Community Development and Services Director when necessary to accommodate unique site conditions or physical constraints, provided that reduction is offset by greater buffer widths in unconstrained areas such that the "average" buffer width complies with the minimum width requirement. No reduction in width shall be administratively allowed below 50 percent of the required minimum (e.g., if ~~[25]~~20 feet required, reduction cannot exceed ~~[12.5]~~ 10 feet). The required on-site buffer width along a public ROW may be reduced by the Community Development and Services Director up to 50% where landscaping, trail, or open space improvements are required by the City to be provided within the ROW, so long as the total required buffer width is still provided. The buffer along Boulder Highway adjacent to the Boulder Highway linear park may be reduced to 0 feet.

{1} ~~[Buffer]~~ Pedestrian and Amenity zone width measured from back of ~~[sidewalk]~~ curb. Required walkway width ~~[is five-feet-or]~~ as required by the Master Transportation Plan unless a different walkway standard applies (i.e., in the mixed-use districts).

{2} Does not apply within Rural Neighborhood Overlay, Very Low Density Land Use designations, Planned Community, Public/Semipublic and Downtown Public zoning districts.

~~{{3} Buffer requires large trees installed at 24-inch box size planted an average of 15 feet on-center when adjacent land use is lower intensity.}~~

{3} Lake Mead Parkway includes a 10-foot-wide detached sidewalk located six feet from the back-of-curb. Plants, materials, and design shall be per the Lake Mead Parkway Improvement Program Manual.

{4} See Comprehensive Plan for Land Use Context classifications.

{5} Infill development and retrofits to existing development are subject to Public Works Parks and Recreation Director approval.

{6} For Mixed-Use zoning districts, see 19.7.5.C.4 and 19.7.7.C

TABLE 19.7.5-3 ABUTTING PARCEL SITE BUFFER WIDTHS

Development Zoning District	Abutting Parcel (Land Use Designation)	
	RES	NONRESIDENTIAL OR MIXED-USE
Residential	10 {1}	N/A
Nonresidential	15 {1}	5
Downtown	N/A	N/A
Mixed-Use	See Section 19.7.5.C.4	

NOTES:

General: Buffer width may be reduced by the Community Development and Services Director when necessary to accommodate unique site conditions or physical constraints, provided that reduction is offset by greater buffer widths in unconstrained areas such that the "average" buffer width complies with the minimum width requirement. No reduction in width shall be administratively allowed below 50 percent of the required minimum (e.g., if 15 feet required, reduction cannot exceed 7.5 feet). The required on-site buffer width along a public ROW may be reduced by the Community Development and Services Director up to 50% where landscaping, trail, or open space improvements are required by the City to be provided within the ROW, so long as the total required buffer width is still provided. The buffer along Boulder Highway adjacent to the Boulder Highway linear park may be reduced to 0 feet.

{1} Buffer requires large trees installed at 24-inch box size planted an average of 15 feet on-center when adjacent land use is lower intensity.

4. Perimeter Landscape Buffers in Mixed-Use Districts**(a) Buffer Width**

Required perimeter landscape buffer widths vary by location within the mixed-use districts. The minimum width of required landscape buffers shall be as follows:

(1) MN District: See Table 19.7.5-3

~~[i. A 15-foot landscape buffer shall be provided adjacent to the street right-of-way.~~

~~ii. When single-family detached or single-family attached is proposed adjacent to residential, only a wall is required. However, when multifamily is proposed adjacent to residential, the~~

~~site is required to provide a wall with a 15-foot minimum landscape buffer.]~~

F. LANDSCAPE MATERIAL STANDARDS

6. Plant Sizes and Specifications

(a) Trees

- (1) Outside the downtown districts, trees planted to satisfy the standards of this section shall have a minimum box size of 24 inches. Within the downtown districts, trees planted to satisfy the standards of this section shall have a minimum box size of 36 inches.
- (2) At maturity, shade tree canopies in commercial, industrial, semipublic, multifamily, and mixed-use developments shall be pruned to provide a minimum clearance of seven feet from the ground.
- (3) Installed trees shall meet the minimum size and surface area size requirements in Table ~~[19.7.5-3]~~ 19.7.5-4.

(TABLE 19.7.5-3) TABLE 19.7.5-4: TREE CANOPY SIZE AND MINIMUM REQUIRED SURFACE AREA		
RECOMMENDED TREE SPECIES SIZE CATEGORIES	AVERAGE CANOPY SIZE (AT MATURITY)	MINIMUM REQUIRED SURFACE AREA (PER TREE)
Small Canopy	16 feet by 16 feet	81 square feet (9 feet by 9 feet)
Medium Canopy	22 feet by 22 feet	121 square feet (11 feet by 11 feet)
Large Canopy	28 feet by 28 feet	196 square feet (14 feet by 14 feet)

G. INSTALLATION, MAINTENANCE, AND IRRIGATION

1. Installation

(a) General

All landscaping shall be installed according to International Society of Arboriculture (ISA) in a manner designed to encourage vigorous growth. All landscape material and irrigation improvements shall be in place prior to issuance of the final certificate of occupancy unless the Community Development and Services Director approves an extension or the applicant provides a landscape bond satisfactory to the Community Development and Services Director prior to the extension being granted.

(b) Root Guards

Root guards shall protect hardscape from trees planted within ten feet of public improvements within the public right-of-way in accordance with Figure 19.7.5-E, *Required Root Guards*. Root guards shall be shown on final stamped landscape drawings submitted as part of the building permit process.

19.7.6. BUILDING DESIGN STANDARDS

B. SINGLE-FAMILY RESIDENTIAL DESIGN STANDARDS

1. Applicability

The standards in this subsection apply to the development of any single-family detached residential dwelling, any mansion apartment dwelling, and any building that contains up to six single-family attached dwellings.

2. Site Design and Building Orientation

(a) Primary Entrance Orientation

- (1) Mansion apartments and attached residential development on corner lots may include primary entrances that face primary and secondary streets as well as common open space.
- (2) In order to encourage the development of dwelling units that open directly onto the street, applicants for mansion apartments and single-family attached residential development may request that the front building setback requirements for such buildings be reduced or eliminated through the administrative adjustment process, if the primary entrances for the dwelling units will open directly onto a ~~[major or minor]~~ major collector or minor arterial as shown on the ~~[Master Street and Highways Plan]~~ Master Transportation Plan.

C. MULTIFAMILY RESIDENTIAL DESIGN STANDARDS

9. Perimeter Landscaping

- (a) Perimeter landscaping shall be provided around multifamily developments in accordance with the standards in Section 19.7.5, Landscaping and Screening, and the following:
 - (1) Landscape strips at least 20 feet deep (measured from ~~[back-of-sidewalk]~~ back of curb) shall be maintained along arterial streets. Sidewalks may be located within the landscape strips. In addition, a ten-foot-wide buffer yard planted with 24-inch-box trees, at a minimum spacing of 15 feet, shall be maintained adjacent to any residential land with a less intensive zoning district classification. See ~~[Table 19.7.5-2]~~ Table 19.7.5-3, Minimum Buffer Width.
 - (2) Perimeter landscaping areas may be counted as part of the overall common open space requirement in Section 19.7.2, Common Open Space.

19.7.7. DISTRICT-SPECIFIC STANDARDS

C. MIXED-USE DISTRICTS

1. General Standards for All Mixed-Use Districts

- (a) Mix of Uses Encouraged
-

A diverse mix of commercial, office, residential, and civic uses is desired within the mixed-use districts. The appropriate mix of uses for each district will vary by its location, size, and the surrounding development contexts. Generally, larger sites located in areas where higher levels of activity are desirable should have a greater mix of uses than smaller sites.

(b) Streetscape Design and Character

(1) Sidewalks Required

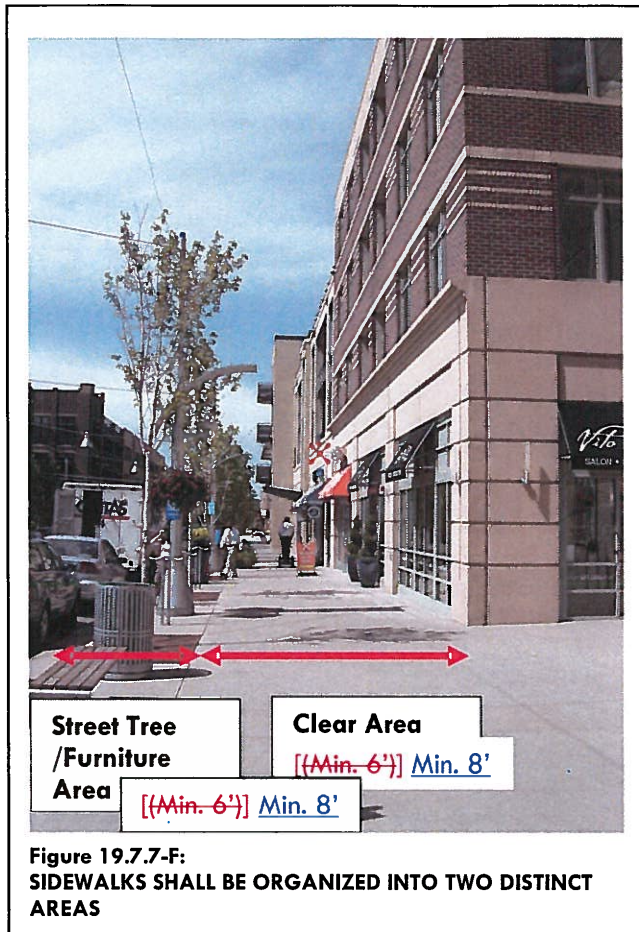
In order to create an environment that is supportive of transit and pedestrian mobility, public sidewalks shall be provided along both sides of all streets in the MR district and MC district. Such sidewalks shall be at least 16 feet in width and no more than 18 feet in width, unless otherwise approved as part of the design review process. The 16-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 16-foot minimum requirement with a sidewalk easement provided. Sidewalks shall be organized into two distinct areas: a street tree/furniture area located adjacent to the curb where applicable, and a clear area.

i. Street Tree/Furniture Area

The street tree/furniture area shall have a minimum width of ~~[six]~~ eight feet (from face-of-curb) and shall be continuous and located adjacent to the curb. The area shall be planted with street trees at an average spacing of 20 to 30 feet on center, based on the mature canopy width of the tree species selected. The area also is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility, and subject to applicable requirements of this Code and HMC.

ii. Clear Area

The clear area shall be a minimum width of ~~[six]~~ eight feet, shall be constructed of concrete or an alternative hardscape material as approved by the Community Development and Services Director, and shall be located adjacent to the street tree/furniture area. The clear area shall be unobstructed by any permanent or nonpermanent element for a minimum width of six feet and a minimum height of eight feet. Additional sidewalk width located between the clear area and the building may be used for outdoor dining, seating, or display areas. See Figure 19.7.7-F.



19.9 – Subdivision Design and Improvements

19.9.5. ACCESS

The subdividing of land must be such as to provide each lot, park, or public grounds 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 accordance with its provisions.
- B. Lots abutting a ~~[primary or secondary]~~ major collector or minor arterial or highway (as designated on the approved Master ~~[Streets and Highways]~~ Transportation Plan) may be denied vehicular access to such street.
- C. Vehicular access to lots denied direct access from a ~~[primary or secondary]~~ major collector or minor arterial or highway (as designated on the approved Master ~~[Streets and Highways]~~ Transportation Plan) must be by 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 ~~[Streets and Highways]~~ 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 ~~[Streets and Highways]~~ Transportation Plan.

19.9.6. DRAINAGE

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 ~~[80 feet or more]~~ a major collector or greater. Drainage must be placed in appropriately sized pipes at those points and drained to daylight.

19.9.7. STREETS

A. ALIGNMENT

Streets must be aligned in accordance with the ~~[Master Streets and Highways Plan]~~ Master Transportation Plan. Street layouts and alignments are subject to the transportation and circulation standards of this Code and the HMC.

19.9 – Subdivision Design and Improvements

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 19.9.7-1, *Street and Right-of-Way Widths*. [More detailed Master Transportation Plan Complete Streets Configurations may be found in Appendix B of this Code:](#)

TABLE 19.9.7-1: STREET AND RIGHT-OF-WAY WIDTHS			
STREET TYPE	RIGHT-OF-WAY WIDTH (FEET)	PAVEMENT WIDTH {1} (FEET)	
		NO ON-STREET PARKING	ON-STREET PARKING
Cul-de-Sac	See Section 19.9.7.B.2		
Minor Local/Interior Subdivision			
Minor [or Industrial] Collector	[60] 50-58	36	49
[Secondary Arterial] Major Collector	[80] 84-91 {3}	{2}	{2}
[Primary Arterial] Minor Arterial	[100±] 95-100 {4}	{2}	{2}
[Controlled Access Arterial] Major Arterial	120± {5}	{2}	{2}
NOTES:			
{1} Pavement width measured from face-of-curb to face-of-curb.			
{2} Per Standard Drawings/Specifications and [Master Streets and Highways Plan] Master Transportation Plan .			
{3} Where a [secondary arterial] major collector street intersects another [secondary arterial] major collector or larger street, each [secondary arterial] major collector or larger street right-of-way must be increased in width, as specified in the Standard Drawings/Specifications.			
{4} Where a [primary arterial] minor arterial street intersects a [secondary arterial] 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.			
{5} Where a controlled access arterial street intersects a [secondary arterial] 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 19.9.7-2 and Figure 19.9.7-A are allowed for minor local streets and interior subdivision streets, including cul-de-sacs:

TABLE 19.9.7-2: STREET OPTIONS					
RIGHT-OF-WAY WIDTH (FEET)	PAVEMENT WIDTH {1} (FEET)	PARKING LANES		SIDEWALKS	
		SIDES OF STREET	WIDTH {1}	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:

- (1) Fire lanes (including signage, curb painting, and stenciling) must be complete before the issuance of any certificates of occupancy.
- (2) The subdivision must be gated.
- (3) The streets must be privately owned and maintained.

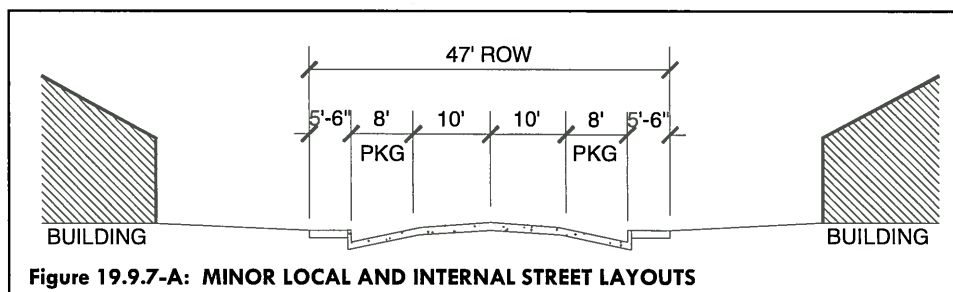


Figure 19.9.7-A: MINOR LOCAL AND INTERNAL STREET LAYOUTS

- (4) The project may not contain cul-de-sacs, dead-ends or “stub” streets.
- (5) Guest parking must be provided in locations approved by the Fire Chief and the Community Development and Services Director.
- (6) All purchasers must sign a disclaimer at the close of escrow acknowledging the prohibition of on-street parking.
- (7) The codes, covenants, and restrictions (CC&Rs) must be irrevocably written and recorded so that the maintenance and enforcement of the on-street parking prohibition is the responsibility of the homeowners' association (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.

19.9 – Subdivision Design and Improvements

(b) Subdivision Boundary Streets

Subdivision boundary streets shown on the ~~[Master Streets and Highways Plan]~~ 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:

- (1) 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.
- (2) 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.
- (3) As prescribed by the Public Works Parks and Recreation Director for all other rights-of-way.

3. Waiver of Street Width Standards

The City Council, upon recommendation of the Public Works Parks and Recreation Director, Fire Chief, and the Planning 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 ~~[industrial]~~major collector, ~~[secondary]~~minor arterial or ~~[primary]~~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

19.9 – Subdivision Design and Improvements

existing prior to adoption of this Development Code that fronts on and directly accesses a street shown on the ~~[Master Streets and Highways Plan]~~ Master Transportation Plan must provide a circular drive to access that street.

19.9.8. SIDEWALKS

A. WHERE REQUIRED

Concrete sidewalks are required on all streets in accordance with the Standard Specifications, except as noted elsewhere in this Code. Sidewalks must be provided on both sides of ~~[minor collector, industrial collector, minor local, interior subdivision streets, and cul-de-sac]~~ streets, unless specified elsewhere in this Code.

B. WHERE NOT REQUIRED

If a trail is designated per the City's Master ~~[Bike]~~Bicycle and Trails ~~[plan]~~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 accordance with the standards of Section 19.9.7.B.2, *Options for Minor Local/Interior Subdivision Streets*.

2. Nonresidential

Sidewalks in nonresidential zoning districts must be constructed in accordance 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 19.9.8-1.

3. Downtown

Sidewalks in downtown zoning districts must be provided in accordance with the Table 19.9.8-1:

TABLE 19.9.8-1: SIDEWALK WIDTH		
ZONING DISTRICT	100-FOOT OR GREATER ROW	LESS THAN 100-FOOT ROW
DP	10 ft {1,3}	12-15 ft {2,3,4}
NOTES: 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 accordance 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 ~~[may]~~ shall be ~~[attached]~~ detached ~~[to]~~ 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 ~~[seven]~~ 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.

19.9.13. RESERVATIONS FOR PARKS AND SCHOOL SITES

A. PARKS AND RECREATION SITES

1. The Planning 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 a ~~[primary or secondary]~~ major collector or minor arterial streets, unless such sites are shown on the Master Parks and Recreation Plan.
2. Unless otherwise approved by the Planning 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 facility development.

19.12.4. DEFINED TERMS

STREET

An improved vehicular passage within a right-of-way that affords the primary means of access to abutting lots. The term “street” includes avenue, drive, circle, road, roadway, parkway, boulevard, or any other similar term.

~~[STREET, COLLECTOR~~

~~A street that collects traffic from local streets and connects with minor or major arterials, and that is defined specifically as such on the City’s Master Streets and Highways Plan.]~~

STREET, CUL-DE-SAC

A minor street with only one outlet, which provides for an adequate turning area for vehicular traffic at its terminus.

STREET FRONTAGE

The frontage of the parcel or lot with access to the public right-of-way.

STREET, LOCAL

A street designed to provide vehicular access to abutting property and to discourage through-traffic, and that is defined specifically as such on the City’s Master ~~[Streets and Highways]~~ [Transportation](#) Plan.

STREET, MAJOR ARTERIAL

A street with access control, channelized intersections, and restricted parking that collects and distributes traffic to and from minor arterials, and that is defined specifically as such on the City’s Master ~~[Streets and Highways]~~ [Transportation](#) Plan.

STREET, MINOR ARTERIAL

A street with signals at important intersections and stop signs on the side streets and that collects and distributes traffic to and from collector streets, and that is defined specifically as such on the City’s Master ~~[Streets and Highways]~~ [Transportation](#) Plan.

STREET, [MAJOR](#) COLLECTOR

A street that collects traffic from local streets and connects with minor or major arterials, and that is defined specifically as such on the City’s Master ~~[Streets and Highways]~~ [Transportation](#) Plan.

STREET, [MINOR](#) COLLECTOR

A street that collects traffic from local streets and connects with minor or major arterials, and that is defined specifically as such on the City’s Master ~~[Streets and Highways]~~ [Transportation](#) Plan.

STREET, PRIVATE

A street that has not been accepted by the municipality or other governmental entity.

STREET, PUBLIC

A right-of-way intended to be used for travel by the public, improved for such purpose, and accepted by the City of Henderson for perpetual maintenance.

STREET STUB

19.12.4 – Defined Terms

A terminated street intended for future connection.

VISIBLE LIGHT TRANSMITTANCE

An optical property that indicates the amount of visible light transmitted. The higher the visible transmittance, the more light is transmitted. A high visible transmittance is desirable to maximize daylight.

WALKWAY

A hard-surface passage or path used for walking.

YARD

An open space on the same site as a structure, unoccupied and unobstructed by structures from the ground upward except as otherwise provided in this Code, including a front yard, side yard, or rear yard.