

TABLE OF CONTENTS

CHAPTER 19.06 SPECIAL PURPOSE DISTRICTS, OVERLAY DISTRICTS AND OTHER AREA-SPECIFIC STANDARDS AND GUIDELINES

19.06.010 PURPOSE AND INTENT	1
19.06.020 C-V CIVIC DISTRICT	1
A. Intent	1
B. Permitted Land Uses	1
C. Similar Uses	2
D. Uses Permitted by Special Use Permit	2
E. Development Standards	3
19.06.030 P-C PLANNED COMMUNITY DISTRICT	3
A. Intent and Objectives	3
B. Permitted Land Uses and Development Standards	4
C. Density	4
D. Minimum Site Area for Rezoning	4
E. Special Application Requirements	4
F. Review, Recommendation and Approval	5
G. Open Space and Landscape Area Requirements	6
H. Street and Subdivision Design Requirements	6
I. Non-applicability of Other Provisions-Analogous Applications	6
19.06.040 R-PD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT.....	6
A. Intent of R-PD District and Minimum Site Area	6
B. Pre-Submission Conference	7
C. Development Review	7
D. Development Standards	7
E. Permitted Land Uses	7
F. Plans Approval, Conditions, Conformance	8
G. Allocation of Open Space & Common Recreational Facilities	8

H. Subdivision Procedure Conformance	10
19.06.050 PD PLANNED DEVELOPMENT DISTRICT.....	10
A. Intent of District	10
B. Definitions	11
C. Rezoning and Minimum Site Area	11
D. Application Requirements	11
E. Permitted Uses and Standards	12
F. Approval of Master Development Plan and Development Standards	12
G. Modification of Master Development Plan and Development Standards	13
H. Site Development Plan Review	14
I. Issue Resolution — Analogous Standards	14
19.06.060 DOWNTOWN OVERLAY DISTRICT	14
A. Intent	14
B. Downtown Design Standards	14
C. Special Provisions	14
Downtown Overlay District Map.....	15
19.06.070 G-O GAMING ENTERPRISE OVERLAY DISTRICT.....	16
A. Intent	16
B. Change of Boundaries	16
19.06.080 A-O AIRPORT OVERLAY DISTRICT.....	16
A. Establishment	16
B. Airport Height Limitations	16
C. Aviation Easement	17
D. Planning Commission Review and Approval	17
E. Allowable Construction	17
F. Use Restrictions	18
G. Non-Conforming Uses	18
H. Special Use Permit	18

19.06.090 H HISTORIC DESIGNATION	19
A. Findings	19
B. Purpose and Intent	19
C. Historic Preservation Commission - Established	19
D. Historic Preservation Commission - Membership	19
E. Historic Preservation Commission - Qualifications	19
F. Historic Preservation Commission - Organization	20
G. Historic Preservation Commission - Powers, Etc.	21
H. Historic Preservation Officer	21
I. Designation of Landmarks, Historic Properties and Historic Districts	22
J. Historic Property Register	27
K. Guidelines, Standards and Process for Review of Alteration or New Construction	27
L. Demolition and Removal	28
M. Appeal and Review	31
N. Maintenance and Repair	31
O. Incentives	32
P. Violations	32
Q. Definitions	32
 19.06.100 DOWNTOWN CASINO OVERLAY DISTRICT.....	 34
A. Boundaries	34
B. Special Sign Standards - Background	35
C. Special Sign Standards	36
D. Special Sign Standards - Review and Approval Procedures	38
 19.06.110 T-C TOWN CENTER DISTRICT	 42
A. Intent and Objectives	42
B. Permitted Land Uses and Development Standards	42
C. Special Application Requirements	43
D. Development Review Recommendation and Approval	43
E. Open Space and Landscape Area Requirements	44
F. Street and Subdivision Design Requirements	44
G. Analogous Applications	44

19.06.120 DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT.....	45
A. Establishment of District.....	45
Downtown Entertainment Overlay District Map.....	45
B. Intent of District	46
C. Separation Requirements for Liquor Establishments	46
D. Parking Requirements	46
E. Signage Standards	46
F. Review and Approval Procedures (General)	46
G. Special Use Permits for Tavern-Limited Establishment	47
H. Relationship to Other Provisions	47
19.06.130 LIVE/WORK OVERLAY DISTRICT.....	47
A. Purpose.....	47
B. Intent.....	47
C. Boundaries.....	47
Live/Work Overlay District Map.....	48
D Approval Criteria.....	49
E. Approval Process.....	49
F. Applicability of Other Provisions.....	49
19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT..	50
A. Intent.....	50
B. Boundaries.....	50
Las Vegas Boulevard Scenic Byway Overlay District Map.....	51
C. Sign Standards.....	52
19.06.150 RURAL PRESERVATION OVERLAY DISTRICT.....	52
Establishment of District.....	52
A. Intent of District.....	53
B. Certain Rezoning Requests.....	53
19.06.160 T-D TRADITIONAL DEVELOPMENT DISTRICT.....	53
A. Intent and Objectives.....	53

B. Permitted Land Uses and Developments.....	54
C. Density.....	54
D. Minimum Site Area for Rezoning.....	54
E. Special Application Requirements.....	55
F. Review, Recommendation and Approval.....	55
G. Open Space and Landscape Area Requirements.....	56
H. Street and Subdivision Design Requirements.....	57
I. Nonapplicability of Other Provisions – Analogous Applications.....	57
 19.06.170 HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES.....	58
 A. Introduction.....	58
B. Adoption, Purpose and Intent.....	58
C. Standards and Guidelines.....	59
D. Hillside Development Design Review.....	67
E. Figures.....	70

CHAPTER 19.06 SPECIAL PURPOSE AND OVERLAY DISTRICT

19.06.010 PURPOSE AND INTENT

{Bill 2006-53 – 10/04/06}

The Special Purpose Districts, Overlay Districts and other area-specific standards and guidelines established in this Chapter:

- A. Are to be used in areas of the City which have special characteristics and require special zoning regulations to establish and maintain the character of those areas;
- B. May include, as applicable, special regulations regarding land use, buildings and structures, building height, building site areas, setback requirements, landscaping, streetscape and aesthetic characteristics, and any other item or concern regulated by this Title.

{Ord. 5923 – 08/15/07}

19.06.020 C-V CIVIC DISTRICT

{Ord 5649 – 12/03/03}

A. Intent

The C-V District is intended to provide for the continuation of existing public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District and other public utility facilities. In addition, the C-V District is intended to provide for other compatible uses, including public and quasi-public uses which are operated or controlled by any recognized religious, fraternal, veteran, civic or service organization.

B. Permitted Land Uses

The following uses are permitted in the C-V District:

1. Any use operated or controlled by the City, County, State or Federal government, other than those described in Section 19.06.020(D).
2. Any public or quasi-public use operated or controlled by a recognized religious, fraternal, veteran, civic or service organization, other than those described in Section 19.06.020(D).
3. Any public or private elementary school, middle school, high school, college or university, with the exception of private vocational schools.
4. Utility company facilities, including electrical power substation facilities, telephone switching stations and towers, water district facilities, cable TV lines and wireless communication facilities.

C. Similar Uses

1. **Additional Uses.** The uses permitted in Section B of this subchapter are classified on the basis of common operational characteristics and land use compatibility. Uses not specifically listed in this subchapter are prohibited. However additional uses may be permitted by the Director if the Director finds the use in each case to be similar to the other uses listed in Section B of this subchapter.
2. **Appeal of Decision.** An applicant who is aggrieved by the decision of the Director may appeal that decision to the City Council. The appeal shall be filed in the office of the City Clerk, with a copy to be filed in the office of the Department of Planning and Development. The appeal must be filed within ten days after the Director's decision is made. Unless otherwise stated, the Council's determination shall constitute a permanent and consistent interpretative decision, which the Director shall apply in all future instances.

D. Uses Permitted by Special Use Permit

{Ord 5500 – 08/07/02}

{Ord 5922 – 08/15/07}

1. The following uses may be permitted in the C-V District by means of Special Use Permit if in each case the parcel or use is operated or controlled by an agency or subdivision of local, state or federal government.
 - a. Custodial institution;
 - b. Publicly operated convention and stadium facility;
 - c. Liquefied petroleum gas installation;
 - d. General business related gaming establishment;
 - e. Liquor establishment (tavern);
 - f. Restaurant service bar;
 - g. Supper club;
 - h. Banquet facility (with alcoholic beverage sales);
 - i. On-sale beer/wine/cooler establishment; and
 - j. Social event with alcoholic beverage sales.
2. An off-premise sign may be permitted in the C-V District by means of Special Use Permit if in each case the parcel or use is operated or controlled by an agency of local, state or federal government, or by any fraternal, veteran, civic or service organization.
3. The following uses may be permitted in the C-V District by means of Special Use Permit without limitation as to the person or entity that operates or controls the parcel or use:

- a. Cemetery/mausoleum; and
- b. Mortuary or funeral chapel.

E. Development Standards

Minimum development standards for property in the C-V District shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area.

19.06.030 P-C PLANNED COMMUNITY DISTRICT

A. Intent and Objectives

1. The Planned Community (P-C) District is established to permit and encourage the development of comprehensively planned communities, with a minimum of 3,000 contiguous acres of land under one ownership or control, which can flourish as unique communities as a result of the comprehensive planning required for this large scale of development. The rezoning of property to the P-C District is appropriate only if the Planned Community Program, with respect to such property, will accomplish the objectives set forth in Subsection (2), below.
2. In order for property to qualify for P-C District zoning, the master developer must demonstrate the potential for achievement of the following specific objectives throughout the planning, design and development stages:
 - a. Providing for an orderly and creative arrangement of land uses with respect to each other, to the entire Planned Community and to all adjacent land;
 - b. Providing for a variety of housing types, employment opportunities and commercial services to achieve a balanced community for families of a wide variety of ages, sizes and levels of income;
 - c. Providing for a planned and integrated comprehensive transportation system for pedestrian and vehicular traffic, which may include provisions for mass transportation and roadways, bicycle or equestrian paths, pedestrian walkways and other similar transportation facilities;
 - d. Providing for cultural, educational, medical, religious and recreational facilities;
 - e. Locating and siting structures to take maximum advantage of the natural and manmade environment and to provide view corridors; and
 - f. Providing for adequate, well-located and well-designed open space and community facilities.

B. Permitted Land Uses And Development Standards

Development in the P-C District may consist of any use or combination of uses that are specifically approved for the property in the Planned Community program. The developer shall include in the Planned Community Program a listing of the uses proposed and the general arrangement for each land use category within the proposed P-C District. The listing and general arrangement of the approved land uses shall be shown in the Planned Community Program that is adopted as part of the P-C District approval.

C. Density

The approved Planned Community Program shall establish the maximum number of dwelling units per gross acre for each residential category, as well as for the entire property. The number of dwelling units permitted per gross acre on any parcel in the P-C District shall be determined at the time the Development Plan is approved.

D. Minimum Site Area For Rezoning

The minimum site area that is eligible for rezoning to the P-C District is 3,000 acres. Any additional tract which contains less than the minimum site area and which is contiguous to property previously zoned P-C may also be zoned P-C by the City Council if it otherwise qualifies for the P-C zoning designation and, at the time of such rezoning, is owned by or is under the control of the same property owner (including its successors and assigns) that applied for and obtained P-C zoning on the original property so zoned. The rezoning of any such additional property shall be made subject to an approved Planned Community Program applicable to that property.

E. Special Application Requirements

Plans and documentation which must accompany a rezoning application are as follows:

1. A conceptual development plan for the property, including general land use designations, transportation plans and plans for open space and community facilities. A general phasing plan shall be included to indicate the intended timing of development;
2. Development standards that set forth: densities; building height, bulk and setback requirements; requirements for signage, landscaping, parking and open space; and procedures for Development Plan review and for modifying and deviating from the Planned Community Program;
3. Storm drainage information, which shall consist of a preliminary drainage study completed by a registered professional engineer on a map with a minimum contour interval of five feet;
4. Conceptual utility layout that includes tentative sewer and water main corridors; and
5. Proposed conditions, covenants and restrictions, including design guidelines.

F. Review, Recommendation And Approval

- 1. Planned Community Program.** The initial zoning approval of a P-C District shall consist of a review and recommendation by the Planning Commission and approval by the City Council, in accordance with the provisions of Chapter 19.18.040 of this Title. The approval of a P-C District by the City Council shall be accomplished directly by ordinance and shall include the approval and adoption of a Planned Community Program. An approved Planned Community Program shall be a matter of record and shall be made available in the Department of Planning and Development.
- 2. Modified Planned Community Program.** The developer may develop property in the P-C District in accordance with, but only in accordance with, the approved Planned Community Program and any approved modifications thereof or deviations therefrom. No modification or deviation shall be effective unless it is approved in accordance with this subchapter and the procedures set forth in the Planned Community Program. The Director of the Department of Planning and Development may request modification of a program in accordance with the modification procedures set forth in the program.
- 3. Planned Community Program Procedures.** A Planned Community Program shall contain procedures to provide for modification of and deviation from the program pursuant to review by the Director of the Department of Planning and Development, the Planning Commission or the City Council, or any combination thereof, and such procedures shall be exclusive of any other procedure, other than the procedures for notification of public hearings, that is provided in this Title for the approval of any Rezoning, Variance or Special Use Permit. With respect to any modification or deviation that requires approval by the Planning Commission or City Council, or both, the modification or deviation may be approved only upon a finding by the Planning Commission or City Council, as the case may be, that:
 - a.** The requested modification or deviation, if approved, will not affect the rights of property owners or residents within the P-C District to maintain and enforce previously approved conditions, covenants and restrictions and other rights in the Planned Community Program; and
 - b.** The requested modification or deviation, if approved, will be consistent with the planning objectives and goals of the approved Planned Community Program.
- 4. Department of Planning and Development Conformance Review-Appeal.** Each Development Plan that is submitted in connection with the implementation of a Planned Community Program shall be reviewed for conformance therewith by the Director of the Department of Planning and Development. The Director may require modifications that bring the Development Plan or site plan into conformance with applicable standards of health, safety and welfare and may recommend design adjustments to better fulfill the intent of the Planned Community Program approval and the purposes of the P-C District.
- 5. Appeal of Director's Decision.** An applicant who is aggrieved by the decision of the Director with respect to a proposed Development Plan or site plan may request a review of such decision by the Planning Commission. An applicant who is aggrieved by the decision of the Planning Commission may appeal such decision to the City Council by filing a written request for appeal with the City Clerk within fifteen calendar days after the date of the Planning Commission's decision.

G. Open Space And Landscape Area Requirements

A minimum of 20 percent of the gross property area in the P-C District shall consist of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements shall be set forth in the Planned Community Program.

H. Street And Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in Title 18 of the Las Vegas Municipal Code, except as otherwise provided for specifically in an approved Planned Community Program.

I. Non-applicability Of Other Provisions- Analogous Applications

1. The Development Standards may contain provisions for the processing and review of Minor Exceptions, Deviations, Plot Plan Reviews, Development Plan Modifications and other land use control procedures. If such procedures are so provided, they supersede the corresponding procedures set forth in this Title.
2. With regard to any issue of land use regulation that may arise in connection with the PC District and that is not addressed or provided for specifically in this chapter or in an approved Planned Community Program, the Director of the Department of Planning and Development may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Planned Community Program.

19.06.040 R-PD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

A. Intent Of R-PD District And Minimum Site Area

The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. As with previous versions of this Title, the R-PD District represents an exercise of the City Council's general zoning power as set forth in NRS Chapter 278. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. (Example, R-PD4 allows up to four units per gross acre.)

The minimum site area that is eligible for rezoning to the R-PD zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD, may also be zoned R-PD by the City Council if it otherwise qualifies for the R-PD zoning designation. Both such properties must be owned by or be under the control of the same property owner.

B. Pre-Application Conference

Prior to the acceptance of a rezoning application to an R-PD District, a pre-application conference is required with the developer or an authorized representative and the staff of the Department of Planning and Development.

C. Development Review

1. Concurrently with the submission of a rezoning application to an R-PD District, the owner shall submit a Development Review application for the proposed project.
2. Site Development Plans shall show the following information:
 - a. The proposed uses for the property and the dimensions and locations of all proposed lots, setbacks, heights, open space and common areas, private drives, public streets and the exterior boundaries. In addition, the layout and design of all perimeter walls, landscaping, access control gates, and guard stations shall be provided. If the development is to be constructed in phases, each phase shall be delineated on the Site Development Plan. Each set of plans shall also include floor plans and elevations of the buildings.
 - b. Drainage and grading information which shall consist of either a contour map or sufficient information indicating the general flow pattern or percentage of slope.
 - c. For any development site where 20% or more of the aggregate site has a slope of natural grade above 4%, a cross section, which must extend a minimum of 100 feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials; and the elevations of existing and proposed conditions.
3. The conditions, covenants and restrictions proposed for the development shall also be submitted.

D. Development Standards

The development standards for a project, including minimum front, side and rear yard setbacks, grade changes, maximum building heights, maximum fence heights and fence design, parking standards, standards for any guest houses/casitas and other design and development criteria, shall be established by the Site Development Plans.

E. Permitted Land Uses

1. Single-family and multi-family residential and supporting uses are permitted in the R-PD District to the extent they are determined by the Director to be consistent with the density approved for the District and are compatible with surrounding uses. In addition, the following uses are permitted as indicated:
 - a. Home Occupations for which proper approvals have been secured.
 - b. Child Care-Family Home and Child Care-Group Home, to the extent the Director determines that such uses would be permitted in the equivalent standard residential district.

2. For any use which, pursuant to this Section, is deemed to be permitted within the R-PD District, the Director may apply the development standards and procedures which would apply to that use if it were located in the equivalent standard residential district.
3. For purposes of this Section, the “equivalent standard residential district” means a residential district listed in the Land Use Tables which, in the Director’s judgment, represents the (or a) district which is most comparable to the R-PD District in question, in terms of density and development type.

F. Plans Approval, Conditions, Conformance

Site Development Plans shall be reviewed and approved by the Planning Commission and the City Council during the rezoning public hearing. The Planning Commission and the City Council may attach to the Site Development Plans whatever conditions they deem necessary to ensure the proper amenities and to assure that the proposed development will be compatible with surrounding existing and proposed land uses.

G. Allocation of Open Space and Common Recreational Facilities

1. Each residential planned development containing 12 or more dwelling units shall allocate and provide open space and common recreational facilities which, at a minimum, comply with the following formula:

**DENSITY (UNITS PER ACRE, TO THE NEAREST TENTH) X 1.65 =
PERCENTAGE OF GROSS LAND REQUIRED FOR OPEN SPACE/
RECREATIONAL AREA**

2. Except as otherwise permitted under Subsection (4) of this Section (G), the following do not qualify as required open space or common recreational facilities:
 - a. Rights-of-way;
 - b. Required setback areas;
 - c. Drainage easements;
 - d. Vehicle parking areas;
 - e. Landscaped entry features;
 - f. Landscape planters located along major thoroughfares or collector streets; or
 - g. Any area which is not platted as a separate lot, unless it is made available for public use by means of an appropriate access and use easement.
3. Any area allocated for public multi-use trails may be counted toward the requirement for open space and common recreational facilities unless it is not intended for open space or common recreational facilities as indicated on the list of exclusions for the trail area.
4. Any area allocated for streetscape within a subdivision may be counted toward the requirement for open space and common recreational facilities if:

- a. The streetscape conforms to the following:
 - 1) A minimum of one (1) twenty four inch (24") box tree shall be provided for every thirty feet (30') of gross frontage, with a maximum distance of thirty feet (30') on-center between any such tree and the tree nearest to it, whether on the same or different lot;
 - 2) A minimum of four (4) shrubs, each with a minimum size of five (5) gallons, shall be provided for every tree; and
 - 3) Bare soil is not permitted. Any streetscape area not covered by vegetation must contain a minimum of two inches (2") of rock mulch or decomposed granite.
 - b. Where practical, such streetscape is provided on both sides of the street on all internal streets within the subdivision;
 - c. The area allocated for streetscape is not less than five feet (5') in width, and is directly adjacent to the sidewalk or curb; and
 - d. The area allocated for streetscape is dedicated as a common lot and maintained by an owners' association.
- 5. Open space and common recreational facilities shall be configured so as to permit optimal utilization and shall be more or less centrally located so as to be reasonable and readily accessible from all residences built or proposed for the development. A sidewalk system shall be provided to connect all residential areas to required open space and common recreational facilities. Easy and safe shortcut access to such facilities (or to any adjacent trail system, public park or public recreational facility) should be provided by means of alleyways or pathways that:
 - a. Are cleared and provide for the safe passage of pedestrians or bicycle traffic only, or both;
 - b. Are improved, either with or without paving;
 - c. Have minimum widths as follows:
 - 1) When lined on at least one side with a solid wall of a height not greater than forty-two (42) inches, a minimum width of five (5) feet;
 - 2) In any other case in which the alleyway or pathway does not exceed one hundred sixty (160) feet in length, a minimum width of ten (10) feet; or
 - 3) In the case of an alleyway or pathway that exceeds one hundred sixty (160) feet in length, a minimum width of ten (10) feet, plus one (1) additional foot in width for each additional eight (8) feet in length beyond one hundred sixty (160) feet.

H. Subdivision Procedure Conformance

A Residential Planned Development shall follow the standard subdivision procedure. The tentative map shall include the public and private street design and dimension, lot design and dimension, location of driveways, buildings, walls, fences, walkways, open space areas, parking areas, drainage information, street names and location of utilities. The final map shall indicate the use, location and dimension of all proposed structures, streets, easements, driveways, walkways, parking areas, recreational facilities, open spaces and landscaped areas.

19.06.050 PD PLANNED DEVELOPMENT DISTRICT

A. Intent of District

The intent of the Planned Development (PD) District is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. The rezoning of property to the PD District may be deemed appropriate if the development proposed for the District can accomplish one or more of the following goals:

1. Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community;
2. Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities;
3. Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts;
4. Providing for cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design;
5. Providing for the redevelopment of areas where depreciation of any type has occurred.
6. Providing for the revitalization of designated areas;
7. Promoting or allowing development to occur in accordance with a uniform set of standards which reflect the specific circumstances of the site;
8. Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities;
9. Encouraging area-sensitive site planning and design; and
10. Contributing to the health, safety and general welfare of the community and providing development which is compatible with the City's goals and objectives.

B. Definitions

For purposes of this subchapter:

1. “Master development plan” means a specific written plan and accompanying maps which identify, with respect to a PD District development, the proposed location and size of development parcels, land uses and zoning designations; transportation plans and a traffic impact analysis; open space, community facilities and amenity plans; and the applicable development regulations and design standards.
2. “Development standards” means the minimum standards for development in the Planned Development District, including but not limited to standards for intensity and type of use; densities; building design, layout, configuration, height, coverage, spacing, bulk and setback requirements; provision for utilities; topography and drainage patterns; signage; open space and landscaping; on-site vehicular and pedestrian circulation and parking; urban design elements and features; and site amenities.

C. Rezoning And Minimum Site Area

{Ord 6095 – 06/02/10}

Property may be rezoned to the Planned Development District by the City Council in accordance with the requirements of this Chapter and Chapter 19.18.040. Each rezoning parcel shall be described as a separate district, with distinct boundaries and specific design and development standards. Each district shall be assigned a district development project number or label, along with the designation “PD”. The rezoning shall include the adoption of a specific master development plan and development standards.

The minimum site area for a Planned Development District is five acres.

D. Application Requirements

1. In the case of property that is sought to be reclassified to the Planned Development District by the property owner, the owner or authorized representative must meet with the Director of Planning and Development, or the Director’s designee, before the City has any obligation to accept the rezoning application as complete.
2. In addition to the submittals required by Chapter 19.18, the following must accompany an application for rezoning submitted by a property owner:
 - a. A metes and bounds description of the proposed Planned Development District.
 - b. A proposed master development plan for the entire site.
 - c. Development standards that are proposed to be applied to the development. The development standards must include provisions regarding the installation of utility boxes and aboveground utilities that are at least as restrictive as those set forth in Section 19.12.050(D).
 - d. Any proposed conditions, covenants and restrictions for the development, including easements and grants for public utility purposes.

- e. The location of primary and secondary thoroughfares proposed for the development, including right-of-way widths and the location of access points to abutting streets.
- f. Identification of all rights-of-way, easements, open spaces or other areas to be dedicated, deeded or otherwise transferred to the City.
- g. A plan for the extension of any necessary public services and facilities, including sewer facilities and facilities for flood control and drainage.
- h. Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design, landscape, open space and signage concepts.
- i. The location and description of all buffering that is proposed between the development site and adjacent properties.
- j. Additional information and detail as may be required in order to respond to the unique characteristics of the site and its location.

E. Permitted Uses and Standards

Any combination of residential, commercial, industrial or public uses may be permitted within a specific Planned Development District to the extent they are consistent with the Master Development Plan for that District. The uses to be permitted within the District must be specified in the adopted Master Development Plan for the District. Because of the nature and purpose of the PD District, and notwithstanding any other provision of this Subchapter:

1. An application to rezone property to the PD District may be denied by the City Council, at its complete discretion, if it finds that the proposed development is incompatible or out of harmony with surrounding uses or the pattern of development within the area.
2. No use, type of development or development standard is presumptively permitted within the PD District unless it already has been included in the adopted plan for the District.
3. An application to allow within the PD District a particular use, type of development or development standard which has not already been included in the adopted plan for the District may be denied if it is incompatible or out of harmony with the surrounding uses or the pattern of development within the area.

F. Approval Of Master Development Plan and Development Standards

In connection with the approval of a Planned Development District, the City Council shall adopt a Master Development Plan and Development Standards, which will thereafter govern the development of property within the District. In considering the approval of a Master Development Plan and Development Standards for a Planned Development District, the Planning Commission and City Council shall be guided by the following objectives, and may impose such conditions and requirements deemed necessary to meet those objectives:

1. Consistency of the proposed development with the General Plan; this Title; the Design Standards Manual; the Landscape Wall, and Buffer Standards Manual; and other applicable plans, policies, standards and regulations.

2. Compatibility of the proposed development with adjacent and surrounding development.
3. Minimization of the development's impact upon adjacent roadways and neighborhood traffic, and upon other public facilities and infrastructure.
4. Protection of the public health, safety, and general welfare.

G. Modification of Master Development Plan and Development Standards

The development of property within the Planned Development District may proceed only in strict accordance with the approved Master Development Plan and Development Standards. Any request by or on behalf of the property owner, or any proposal by the City, to modify the approved Master Development Plan or Development Standards shall be filed with the Department of Planning and Development. In accordance with Subsections (1) and (2) of this Section, the Director shall determine if the proposed modification is "minor" or "major," and the request or proposal shall be processed accordingly.

1. **Minor Modification.** A Minor Modification is a modification which is requested or agreed to by the property owner and which is intended to accomplish one or more of the following:
 - a. A change in the location of a use from the location specified in the approved Master Development Plan, but only if the change in location will not have a significant impact on other uses in the area.
 - b. The addition of uses that are comparable in intensity to those permitted in connection with the rezoning approval or the approval of a Master Development Plan for the District.
 - c. A change in parking lot layout, building location or other similar change that conforms with the intent of the previously approved Master Development Plan and Development Standards.
 - d. A change in the species of plant material proposed for the District.
 - e. A decrease in the density or intensity of development from that previously approved for the District.
 - f. Any other change or modification of a similar nature which the Director determines will not have a significant impact on the District or its surroundings. A Minor Modification shall be reviewed and acted upon administratively by the Director. An applicant who is aggrieved by the Director's decision may appeal that decision to the Planning Commission by filing a written appeal with the Department no later than 10 days after the date the applicant receives notice of the administrative decision.
2. **Major Modification.** A Major Modification includes any modification which does not qualify as a Minor Modification. A Major Modification shall be processed in accordance with the procedures and standards applicable to a rezoning application, as set forth in Sections (H) to (M), inclusive, of Subchapter 19.18.040.

H. Site Development Plan Review

All development within a PD District is subject to the site development plan review procedures set forth in Subchapter 19.18.050.

I. Issue Resolution – Analogous Standards

With regard to any issue of land use regulation that may arise in connection with a Planned Development District and that is not addressed or provided for specifically in this subchapter or in the approved Master Development Plan and Development Standards for that District, the Director may apply by analogy the general definitions, principles, standards and procedures set forth in this Title, taking into consideration the intent of the approved Master Development Plan and Development Standards.

19.06.060 DCP-O DOWNTOWN CENTENNIAL PLAN OVERLAY DISTRICT

{Ord 6080 – 02/17/10}

A. Intent

The intent of the Downtown Centennial Plan Overlay District is to establish special design standards for development within the City's established urban core. The boundaries of the District shall be as indicated at the end of this Subchapter 19.06.060.

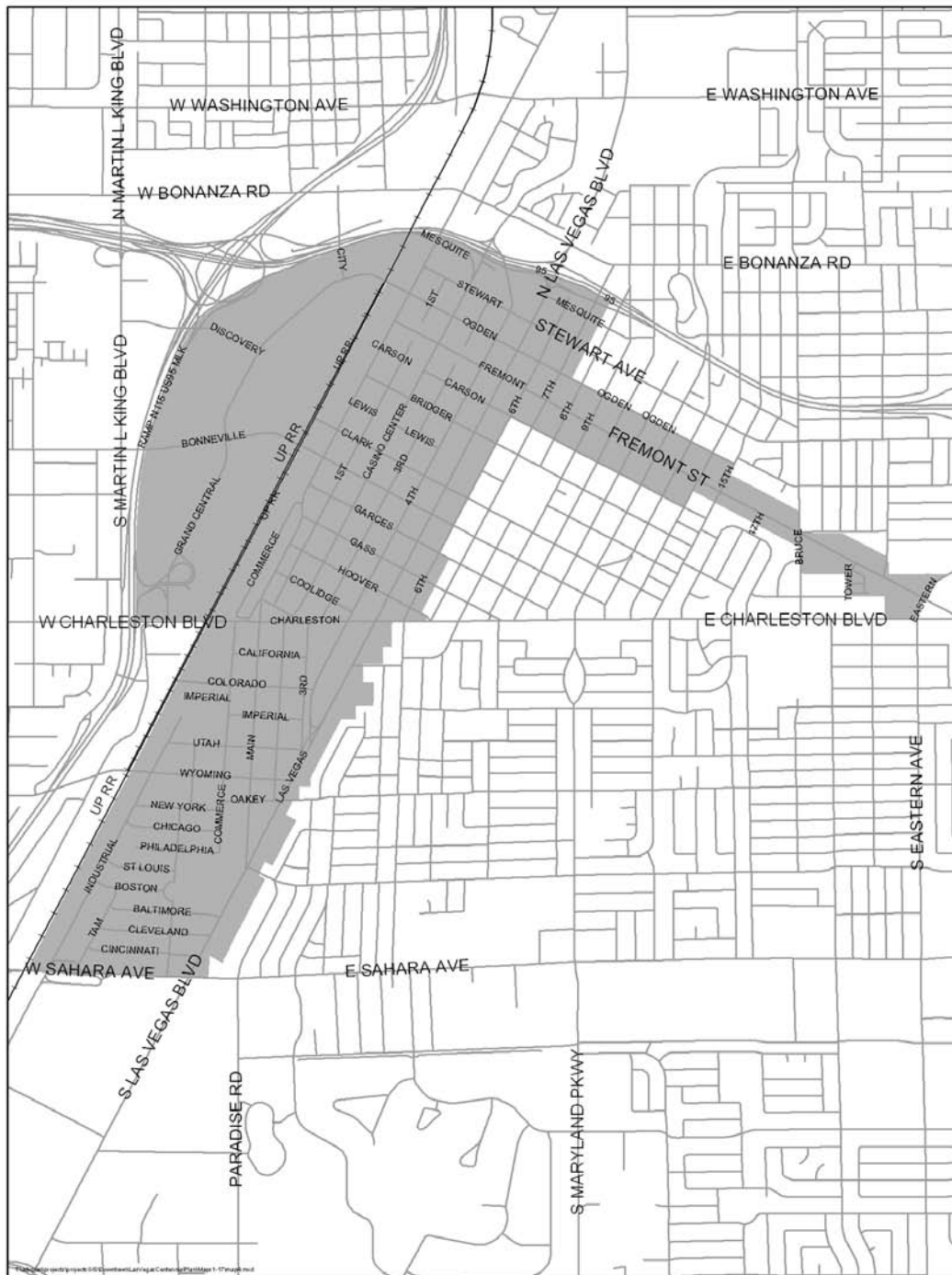
B. Design Standards

Development within the Downtown Centennial Plan Overlay District shall conform to the Design Standards that are included within the Las Vegas Downtown Centennial Plan. Those Design Standards are adopted and incorporated by this reference. In addition, development within the boundaries of any sub-districts within the Downtown Centennial Overlay District shall conform to applicable Design Standards that have been adopted for that sub-district. As and when such Design Standards for sub-districts are adopted, they shall be deemed to be Council (whether published separately or not) shall be on file in the Office of the City Clerk and in the Planning and Development Department. The Downtown Centennial Plan Design Standards are mandatory and shall apply to any property and zoning category within the District, and any Design Standards adopted to which they pertain. Design Standards referred to in this Subsection may be amended from time to time by ordinance or by resolution of the City Council. If the City Council adopts more restrictive design standards for one or more sub-districts within the Downtown Centennial Plan Overlay District, those more restrictive standards shall apply to the sub-district to which they pertain.

C. Special Provisions

In order to encourage the development of a complex, visually interesting and urbane walkable mixed-use environment, and to encourage transit-oriented development as future transit routes and stations develop within the Downtown area, properties within the Downtown Centennial Plan Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements in Subchapter 19.08.040, Subchapter 19.08.050, Subchapter 19.08.060, Chapter 19.10, and Chapter 19.12. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. Site Development Plan applications within the Downtown Centennial Plan Overlay District shall be evaluated on a case-by-case basis to determine the extent to which those standards shall be required.

DOWNTOWN CENTENNIAL PLAN OVERLAY DISTRICT



19.06.070 G-O GAMING ENTERPRISE OVERLAY DISTRICT**A. Intent**

The intent of the Gaming Enterprise Overlay District is to reflect the implementation of the provisions of LVMC Chapter 6.40 and State law that pertain to gaming enterprise districts. The boundaries of the Gaming Enterprise Overlay District are as set forth in the map or maps established under LVMC Chapter 6.40.

B. Change Of Boundaries

Any change to the boundaries of the Gaming Enterprise Overlay District shall be in accordance with the rezoning procedures established in LVMC 19.18.040, as well as the requirements of State law and LVMC 6.40.160.

19.06.080 A-O AIRPORT OVERLAY DISTRICT**A. Establishment**

1. There is hereby established an Airport Overlay District which consists of those certain areas that are delineated on the following maps:
 - a. The McCarran International Airport Official Airspace Zoning Map; sheet number three, prepared by the Clark County Airport Engineering Department, dated July 18, 1990; hereafter known as the "McCarran Airport Overlay Map" and;
 - b. The North Las Vegas Air Terminal Official Airspace Zoning Map, consisting of one sheet, prepared by the Clark County Airport Engineering Department, dated July 18, 1990; hereafter known as the "North Las Vegas Airport Overlay Map".
2. An area which is identified on more than one airport map is considered to be only in the map with the more restrictive height limitations.
3. Copies of the "McCarran Airport Overlay Map" and the "North Las Vegas Airport Overlay Map," are maintained in the Department of Planning and Development.
4. Although not included as part of the Airport Overlay District, consideration shall be given to the protection of the Nellis Air Force Base airspace.

B. Airport Height Limitations

Except as otherwise provided in this subchapter, no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted herewith. All development within the airspace above the height of 35 feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. However, nothing in this subchapter shall be construed as prohibiting the construction or maintenance of any structure to a height up to 35 feet above the surface of the land on any parcel.

C. Aviation Easement

The issuance of a building permit for construction on property within the Airport Overlay District may be conditioned upon the property owner's signing of an aviation easement.

D. Planning Commission Review And Approval

Except as provided in Section 19.06.080(E), any new construction or alteration of any existing structure on a parcel located within the Airport Overlay District must first be approved by the Planning Commission if such construction or alteration exceeds any of the following height standards:

1. Two hundred feet above the ground level at its site;
2. The plane of an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of any airport subject to the provisions of this subchapter;
3. For highways, railroads and other traverse ways for mobile objects; if construction or alteration is of greater height than the standards set forth in Subsection (1) or (2) above, after their height has been adjusted upward for the appropriate traverse way as follows:
 - a. For interstate highways: 17 feet;
 - b. For any other public roadways: 15 feet;
 - c. For any private road: 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater;
 - d. For any railroad: 23 feet;
 - e. For a waterway or any other unspecified traverse way: the height of the highest mobile object that would normally use the traverse way.
4. Any construction or alteration that would be in an instrument approach area and available information indicates the height might exceed any FAA obstruction standard.

E. Allowable Construction

Planning Commission review may be waived for construction or alteration of any of the following:

1. An object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographical features of equal or greater height, and would be located in the congested area of the City where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation;
2. An antenna structure of 20 feet or less in height above ground level;
3. An air navigation facility, airport visual approach or landing aid, aircraft arresting device or meteorological device of a type, the location and height of which is fixed by its functional purpose.

F. Use Restrictions

Notwithstanding any other provision of this subchapter, no use may be made of land or water within any zone established by this subchapter in such a manner as to create electrical interference with navigation signals or radio communication between the airport and aircraft; make it difficult for pilots to distinguish between airport lights and others; result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport; create bird strike hazards; or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport, or which in any way compromises public safety.

G. Non-Conforming Uses

1. The regulations prescribed by this subchapter shall not be construed to require the removal, lowering or other change or alteration of any structure not conforming to the regulations as of the effective date of this subchapter, or otherwise interfere with the continuance of a non-conforming use. Nothing contained in this subchapter shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this subchapter and is diligently prosecuted.
2. Notwithstanding the preceding provisions of this subchapter, the owner of any existing non-conforming structure may be required to install, operate and maintain thereon such markers and lights as may be deemed necessary by the aviation authority having jurisdiction to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction.

H. Special Use Permit

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter may apply to the Planning Commission for a Special Use Permit. The Special Use Permit application shall be processed in accordance with the Special Use Permit procedures set forth in Subchapter 19.18.060, except that:
 - a. The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and
 - b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. Notwithstanding the preceding provisions of this subchapter, no Special Use Permit shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto.

19.06.090 H HISTORIC DESIGNATION**A. Findings**

The City Council of the City of Las Vegas finds and declares that the spirit and direction of the City of Las Vegas are founded upon and reflected in its historical past, and that the historic and cultural foundations of the City should be preserved as a living part of its community life and development in order to give a sense of identity and orientation to the people of the City.

B. Purpose And Intent

The intent of this Subchapter is to promote the public welfare by providing protection for significant properties and archaeological sites which represent important aspects of the City's heritage; to enhance the character of the community by taking such properties and sites into account during development; and to assist owners in the preservation and restoration of their properties. This Subchapter is intended to balance two competing interests: the value to the community of these significant properties and sites, and the rights of the property owners whose interests are at stake. The designation of any property, district or site pursuant to this Subchapter shall be an overlay designation and shall not inhibit existing or potential uses permitted by this Title.

C. Historic Preservation Commission - Established

The Las Vegas Historic Preservation Commission (HPC) is hereby established. The principal role of the HPC is to act in an advisory capacity to the Planning Commission and the City Council in all matters concerning historic preservation. The HPC shall make recommendations to the Planning Commission regarding designation of Landmarks, Historic Properties and Historic Districts. Other actions of the HPC as set forth below shall be final, with appeal to the City Council as described in Section (M) of this Subchapter.

D. Historic Preservation Commission – Membership

{Ord 5747 – 02/02/05}

The HPC shall consist of eleven voting members who are appointed by the City Council and two ex-officio members.

1. Each voting member must have a demonstrated interest in or knowledge of:
 - a. The history of the City of Las Vegas;
 - b. Design, architecture, real estate and other matters relevant to judging the economic and cultural value of particular historic preservation activities.
2. The term of each voting member is four years.
3. Voting members may be reappointed.
4. Members serve at the pleasure of, and may be removed by, the City Council, including for failure to attend meetings regularly.
5. Members shall serve without compensation.

E. Historic Preservation Commission – Qualifications

{Ord 6079 – 02/17/10}

The membership of the HPC shall be as follows:

1. One member must be experienced in architecture (such as an architect, art historian or historic preservation architect).
2. One member must be experienced in urban design or planning (such as an urban designer, planner or landscape architect).
3. One member must be experienced in building construction (such as a building contractor or structural engineer).
4. One member must be experienced in the real estate profession (such as a real estate developer, appraiser or broker).
5. One member must be representative of a recognized local historic preservation association or historic preservation interest group.
6. One member must be experienced in Nevada history (such as an historian).
7. One member must be experienced in the archeological profession (such as an archeologist).
8. Four members must be members at-large. When one or more areas have been designated as “Historic Districts” pursuant to this Subchapter, one of the “at-large” positions shall pertain to each such Historic District. For any Historic District, the corresponding “at large” position shall be filled by a person who owns real property and resides within the Historic District, if a person so qualified is available to serve. If no such person is available, a person who owns real property within the Historic District may fill that position, if a person so qualified is available to serve. If no such person is available, any person may fill that position. If more than four Historic Districts have been designated as such pursuant to this Subchapter, the City Council shall determine which four of the Historic Districts are to be represented on the HPC.
9. The Director of Planning and Development, or the Director’s designee, shall serve as an ex-officio member, with no vote except as otherwise provided in this Subchapter.
10. The Director of the Nevada State Museum and Historical Society, or other designee of the State Historic Preservation Office (SHPO), shall serve as an ex-officio member, with no vote except as otherwise provided in this Subchapter.

F. Historic Preservation Commission - Organization

1. The HPC shall elect, from within its own membership, a chair, vice-chair and such other officers as it deems useful, and shall adopt such bylaws and rules of procedure consistent with this Subchapter as the Commission deems necessary.
2. The Department of Planning and Development shall provide administrative and clerical support for the HPC.
3. Regular and special meetings of the HPC shall be held as set forth in the bylaws and as necessitated by the Commission’s volume of business. If no meeting has been scheduled to occur within forty days after the Chairman has been notified by the Secretary of Business requiring action by the HPC, the Chairman shall call a special meeting to be held within that period.

4. The HPC shall maintain written minutes and records sufficient to inform the public of its business and shall report its business to the City Council as the Council from time to time may request.
5. Six members of the HPC constitute a quorum thereof for the purpose of conducting business. A majority vote of those present and voting shall be necessary to approve any item of business.
6. In the event that a quorum is not available for the conduct of business, an ex-officio member or the Historic Preservation Officer (or any combination thereof) may vote, but only concerning matters on the consent agenda and only to the extent necessary to create or maintain a quorum.

G. Historic Preservation Commission - Powers, Etc.

The powers, duties and activities of the HPC include the following:

1. Reviewing applications for the designation of Landmarks, Historic Properties and Historic Districts, and making recommendations to the Planning Commission concerning those applications. The review shall be in accordance with Section (I) of this Subchapter.
2. Reviewing and making decisions concerning applications for the proposed construction, alteration, demolition or removal of any structure associated with a Landmark or Historic Property or located on property within an Historic District. The review and decision making process shall be in accordance with Sections (K) and (L) of this Subchapter.
3. Making recommendations to the City Council concerning the use of public or private funds to promote the preservation properties and districts within the City, including the acquisition of property or interests in property.
4. Recommending appropriate changes to the General Plan and to local development regulations in order to promote the purposes of this Subchapter.
5. Cooperating with owners of property to formulate appropriate design guidelines for alteration and construction within Historic Districts.
6. Initiating and conducting detailed studies and surveys of properties, structures, and areas within the City to assess their potential for designation in order to formulate an Historic Preservation Plan for the City.
7. Developing and participating in public information activities in order to increase public awareness of the value of historic preservation.
8. Performing such other functions as will encourage or further the interests of historic preservation.

H. Historic Preservation Officer

{Ord 5794 – 12/21/05}

The Director of Planning and Development shall appoint an Historic Preservation Officer (HPO), who must have a demonstrated interest in historic preservation and be a qualified professional in one

or more pertinent fields such as architecture, urban design, archaeology, cultural geography, landscape architecture or land use planning. The duties of the HPO shall include:

1. Serving as Secretary to the HPC, facilitating its efforts and, with other City staff as necessary, providing administrative support.
2. Accepting applications under Paragraphs (1) and (2) of Subsection (G).
3. Acting as intermediary between the HPC and City departments.
4. Providing technical and background information to the HPC and the public, as required.
5. Acting as the approval authority concerning applications for the proposed construction, alteration, demolition or removal of structures associated with a Landmark, Historic Property or Historic District, when the proposed work is, in the HPO's judgment, minor in nature and impact or the need to act immediately is necessary to protect life or property. The review and decision making process shall be in accordance with Sections (K) and (L) of this Subchapter.
6. Reporting to the HPC any action taken pursuant to Subsection (5) of this Section.
7. Preparing annual written reports of HPC activities to be submitted to the State Historic Preservation Office (SHPO) and made available to the public. The reports should include, at a minimum, the minutes of meetings and attendance records of members; current resumes of members; and a listing of items reviewed, decisions rendered and other projects and activities undertaken.
8. Maintaining the Las Vegas Historic Property Register.

I. Designation of Landmarks, Historic Properties and Historic Districts

{Ord 5794 – 12/21/05}

1. An individual property, building, structure or archeological site may be designated as a Landmark if it demonstrates exceptional importance by qualifying under Subparagraphs (a) and (b) below:
 - a. It meets the criteria for listing on the State or National Register of Historic Places.
 - b. It is determined to be of exceptional significance and expresses a distinctive character because:
 - i) A significant portion of it is at least fifty (50) years old;
 - ii) It is reflective of the City's cultural, social, political or economic past; and
 - iii) Either:
 - (a) It is associated with a person or event significant in local, state or national history; or
 - (b) It represents an established and familiar visual feature of an area of the City because of its location or singular physical appearance.

2. An individual property, building, structure or archeological site may be designated as an Historic Property if it:
 - a. Qualifies under Subparagraph (a) or Subparagraph (b) of Paragraph (1) above; or
 - b. Is less than fifty years old, but is an integral and critical part of an Historic District or demonstrates exceptional importance by meeting or exceeding the other criteria described in Subparagraph (a) or Subparagraph (b) of Paragraph (1) above.
3. An area may be designated as an Historic District if:
 - a. The area:
 - i. Includes a substantial concentration of properties, buildings or structures which individually meet the criteria in Paragraph (1) of this Section, as well as other properties, buildings or structures which contribute generally to the overall distinctive character of the area and are united historically or visually by plan or physical development;
 - ii. Is bounded by documented historic boundaries such as early roadways, canals, subdivision plats or property lines, or by boundaries which coincide with logical physical or man-made features and reflect recognized neighborhood or area boundaries; and
 - iii. Includes non-contributing properties or vacant parcels only to the extent necessary to establish appropriate, logical or convenient boundaries; or
 - b. The area includes or is composed of one or more archeological sites.
4. Designation Process:
 - a. The designation of a Landmark, Historic Property or Historic District may be made upon application by the owner of any property proposed to be designated or included in such designation, or by an authorized representative of the City. Application shall be made to the HPO on such form(s) as may be established for the purpose, and the application shall be accompanied by such fee(s) as may be established by the City Council.
 - b. An application for designation shall also be accompanied by:
 - i. A vicinity ownership map showing all parcels which are adjacent to, include or surround the property proposed to be designated within a radius of three hundred (300) feet of the external boundaries of the property. Each such parcel shall be numbered so as to correspond to the ownership/tenant list described in Sub-subparagraph (ii) of this Subparagraph below.
 - ii. A typed or legibly printed list, compiled from an authoritative source, containing the names, mailing addresses and zip codes of the following, along with the corresponding identifying numbers referred to in Sub-subparagraph (i) of this Paragraph above:

- a) The owners of all parcels described in Sub-subparagraph (i) of this Paragraph above; and
 - b) Any tenants of the parcels described in Sub-subparagraph (i) of this Subparagraph above, to the extent their names and addresses can practicably be obtained.
 - (i) An accurate legal description and Assessor's Parcel Number (APN) for all parcels proposed for designation.
 - (ii) A written description of the manner in which the property proposed for designation is eligible and appropriate for designation under this Section.
 - c. Upon receipt of a complete application package, the HPO shall schedule the application for a public hearing on the next available agenda of the HPC. Upon the request of the applicant, a special meeting may be called at the discretion of the Chair of the HPC, or by at least four (4) voting members of the HPC.
 - d. In connection with the HPC's consideration of the application, the HPO shall compile and provide to the HPC a complete report concerning the property proposed for designation. The report shall address the location, condition, age, significance and integrity of historic features; identify potential contributing and non-contributing properties; provide other relevant information; and include a recommendation concerning the application and the basis therefore.
 - e. Based upon its consideration of the HPO's report concerning an application, along with any evidence or input offered at the public hearing, the HPC shall evaluate the application with reference to the applicable criteria set forth in Paragraphs (1), (2) and (3) of this Subsection and make a recommendation to the Planning Commission. A recommendation for approval may include any conditions the HPC deems appropriate in order to implement the provisions and intent of this Section.
 - f. Except as otherwise provided in this Section, the standards for consideration and action on an application by the HPC shall also apply to subsequent action by the Planning Commission and City Council, and the procedures for subsequent action on an application by the Planning Commission and City Council shall be consistent with the rezoning procedures described in Section 19.18.120.
 - g. A recommendation by the HPC for approval of a designation under this Section shall be void if the designation has not been approved by the City Council within one (1) year after the HPC's recommendation.
- 5. Public Notification Concerning Designation Applications:**
- At least fifteen (15) calendar days before the HPC holds a public hearing on an application for designation, the Planning and Development Department shall:
- a. Mail written notice of the date, time and place of the hearing, along with a summary of the application, to the persons whose names and addresses are provided by the applicant pursuant to Paragraph (4) of this Subsection. Such notice is complete upon mailing. The

HPC may delay a hearing for additional notification if it appears that the applicant or the City did not use reasonable diligence in providing a notification list or in mailing the notice.

- b.** Post notice of the hearing, visible from a public way and clearly legible, containing the date, time, and place of the hearing, and a summary of the application. For a Landmark or Historic Property application, the notice shall, wherever possible, be placed adjacent to the public right-of-way. For an Historic District, the notice shall, wherever possible, be placed at no fewer than four (4) conspicuous locations either within or at the external boundaries of the area. The posting of any such notice is complete upon initial posting.
 - c.** Publish notice of the date, time and place of the hearing, along with a summary of the application, in a newspaper of general circulation within the City.
- 6.** Planning Commission and City Council Action:
 - a.** Upon receipt of a recommendation from the HPC concerning a designation, the Planning Commission shall hold a public hearing to consider the application. If the date and time of the Planning Commission hearing are announced at the HPC hearing concerning the designation, no additional notification is required. Otherwise, notification for such hearing shall be as described in Paragraph (5) of this Subsection above. Following the public hearing, the Planning Commission may do any of the following:
 - i.** Adopt the recommendation of the HPC and forward that recommendation to the City Council;
 - ii.** Modify the recommendation of the HPC and forward that recommendation to the City Council as modified;
 - iii.** Recommend denial of the application to the City Council; or
 - iv.** Remand the request to the HPC for further proceedings.
 - b.** Upon receipt of a recommendation from the Planning Commission concerning a designation, the City Council shall hold a public hearing to consider the application. If the date and time of the City Council hearing are announced at the Planning Commission hearing concerning the designation, no additional notification is required. Otherwise, notification for such hearing shall be as described in Paragraph (5) of this Subsection above. Notwithstanding any other provision of this Subsection (b), the designation of an Historic District must be done in accordance with NRS 384.005. Following the public hearing, the City Council may do any of the following:
 - i.** Approve the designation in accordance with the recommendation of the Planning Commission;
 - ii.** Modify the recommendation of the Planning Commission and approve the designation in accordance with the modifications;
 - iii.** Deny the application; or

- iv. Remand the application to the Planning Commission or the HPC for further proceedings.
 - c. In the case of an application for designation of an Historic District, if the owners of twenty (20) percent or more of the area of the parcels included in the proposed district and those which are adjacent thereto protest the proposed designation in writing, the designation shall not become effective except by the favorable vote of three-fourths (3/4) of the entire membership of the City Council. If any member of the City Council is unable to vote on an application because of conflict of interest, the required number of favorable votes to approve the designation shall be three-fourths (3/4) of the remaining membership of the Council, but in no event shall the required number of votes be less than a majority of the entire membership of the Council. For purposes of this Subparagraph (c):
 - i. A parcel is “adjacent” to the proposed district if it is not separated from the boundary of the proposed district by a public right-of-way and is within one hundred fifty (150) feet of the boundary.
 - ii. A parcel is “adjacent” to the proposed district if it is separated from the boundary of the proposed district by a public right-of-way and is within one hundred fifty (150) feet of the frontage of the intervening right-of-way.
 - iii. In calculating “area” for protest purposes, the area of an “adjacent” parcel shall be deemed to include only the area located within the one hundred fifty (150) foot distances referred to in this Paragraph (c).
 - iv. A written protest is effective only if it is filed with the City Clerk prior to or at the time of the public hearing before the City Council.
7. Effect of Designation:
- a. The designation of a Landmark, Historic Property or Historic District shall be indicated by the “H” symbol on the zoning maps of the City. The use and development of property affected by a designation shall be governed by this Subchapter and applicable Design Guidelines adopted thereunder, as well as by the regulations pertaining to the underlying zoning classification(s) for the property, other provisions of the Zoning Code, the City’s subdivision regulations and the General Plan.
 - b. After the designation of an Historic District, and in order to preserve and enhance the distinctive character of that District, the HPC shall, after opportunity for input from property owners within the District, recommend for adoption by the City Council Design Guidelines to apply to alterations of contributing properties and to all new construction within the District.
 - i. Design Guidelines are intended to address exterior features and characteristics only, such as building materials, massing, scale and proportion of openings and other features, orientation and relative position of buildings and landscape character, as well as specific aspects such as roof forms, textures, color theme, character of signage, window and door types, and other details relative to architectural styles evident in the District.

- ii. Design Guidelines generally will not regulate maximum building height, maximum lot coverage, minimum setbacks, required landscaping, required parking, allowable signs, or other development aspects addressed elsewhere in the Zoning Code, except when compatibility with existing historical patterns requires specific design guidelines.
 - iii. Following designation of an Historic District, but before Design Guidelines can be established for the District, the HPC may require that development in the District conform to such established or recognized standards as the HPC deems appropriate.
8. Removal of designations established under this Subchapter shall be in accordance with the procedure set forth for designation.
9. No nomination for designation or removal of designation under this Subchapter shall be acted upon within one year after any previous such nomination.

J. Historic Property Register

The Las Vegas Historic Property Register is hereby established for the purpose of listing the Landmarks, Historic Properties, and Historic Districts designated under the provisions of this Subchapter. The Register, as it may be amended from time to time, shall serve as the official record of all such designations and shall be maintained by the HPO. Copies of the Register shall be made available for public inspection in the offices of the Planning and Development Department and the City Clerk.

K. Guidelines, Standards and Process for Review of Alteration or New Construction

{Ord 5794 – 12/21/05}

1. Whenever it is proposed to alter, remodel, build, or otherwise develop or landscape property that is designated as a Landmark or Historic Property, or that is located within a designated Historic District, and a building permit or other development or zoning permit is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Subchapter. In the case of proposed work which, in the HPO's judgment, is minor in nature and impact, the HPO shall be the approval authority. Approval pursuant to this Section indicates conformance with the provisions and intent of this Subchapter only and does not constitute or imply approval by any City department or other approval authority having jurisdiction.
2. In order to obtain review pursuant to this Section, the applicant must submit to the HPO the following:
 - a. An application, on such form(s) as may be established for the purpose;
 - b. Such fee(s) as may be established by the City Council for the application;
 - c. Drawings, to approximate scale, of the site plan, floor plan(s) and elevations of the proposed work of improvement, indicating materials and color scheme;

- d. If signage is part of the proposed work, drawings, to approximate scale, showing the size and location of proposed signage, type of lettering to be used and indication of color and type of illumination, if any; and
 - e. Other information which the applicant deems appropriate or which the HPO may reasonably deem necessary in connection with the review of the application.
- 3. An application for review under this Section, when deemed complete, shall be acted upon within a reasonable period of time. In the case of an application to be considered by the HPC as the approval authority, the application shall be included on the next available agenda.
- 4. The approval authority shall consider the application with reference to the objectives of this Subchapter. The approval authority may deny an application upon determining any of the following:
 - a. That proposed work on any portion of a Landmark or Historic Property will not be compatible with the recognized distinctive character of the overall property.
 - b. That proposed work on any portion of a contributing property within an Historic District will not be compatible with the recognized distinctive character of the property itself, with the character of the entire District, or with the Design Guidelines that have been adopted for the District.
 - c. That major new construction proposed for non-contributing properties within an Historic District will not be compatible with the recognized distinctive character of the entire District or with the Design Guidelines that have been adopted for the District. For purposes of this Paragraph, new construction is “major” if such construction, including general landscape character, equals or exceeds twenty-five (25%) percent of the land area of a parcel without a building or of the building ground floor area of a parcel with a building, at the time of the property’s identification as non-contributing.
 - d. That, in cases where Federal funds, in the form of grants, tax incentives or other programs, are to be employed, directly or indirectly, in financing the proposed work, the work will not comply with the Standards for the Treatment of Historic Properties, as promulgated by the U.S. Secretary of the Interior.
- 5. The approval authority may approve, conditionally approve or deny an application, or continue consideration thereof for further study. The HPO shall provide the applicant with notice of action taken, along with an explanation of any reasons therefore and conditions attached thereto.
- 6. An approval pursuant to this Section shall be valid for a period of one year, unless otherwise specified in the approval.

L. Demolition and Removal

- 1. Whenever it is proposed to demolish or remove a structure or feature constituting or associated with a Landmark or Historic Property, or one that is located within a designated Historic District, and a demolition or other permit or approval is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Subchapter. In the case of proposed work which, in the HPO’s judgment, is minor in nature and impact, or is

- necessary immediately in order to protect life or property, the HPO shall be the approval authority. Approval pursuant to this Section indicates conformance with the provisions and intent of this Subchapter only and does not constitute or imply approval by any City department or other approval authority having jurisdiction.
2. In order to obtain review pursuant to this Section, the applicant must submit to the HPO the following:
 - a. An application, on such form(s) as may be established for the purpose;
 - b. Such fee(s) as may be established by the City Council for the application;
 - c. Photographs of the property depicting its current appearance;
 - d. A preliminary plan of redevelopment for the parcel indicating an intended use that is in compliance with the General Plan, existing or proposed zoning, other applicable regulations and Section (K) of this Subchapter;
 - e. If economic hardship relief is requested, documentation in support of the request; and
 - f. Other information which the applicant deems appropriate or which the HPO may reasonably deem necessary in connection with the review of the application.
 3. An application for review under this Section, when deemed complete, shall be acted upon within a reasonable period of time. In the case of an application to be considered by the HPC as the approval authority, the application shall be included on the next available agenda.
 4. The approval authority shall consider the application with reference to the objectives of this Subchapter. The approval authority may deny an application upon determining either of the following:
 - a. That the structure or feature proposed for demolition or removal is of historic or architectural value or significance and contributes to the distinctive character of the property;
 - b. That loss of the structure or feature would adversely affect the integrity or diminish the distinctive character of an Historic District.
 5. The approval authority may approve, conditionally approve or deny an application, or continue consideration thereof for further study. The HPO shall provide the applicant with notice of action taken, along with an explanation of any reasons therefore and conditions attached thereto.
 6. Economic Hardship:
 - a. An application for demolition or removal may be accompanied by a request for economic hardship relief which, if granted, allows demolition or removal which otherwise would not be permitted.
 - b. Economic hardship relief may be granted by the approval authority as follows:

- 1) In the case of income producing property, when the applicant demonstrates that requiring the property to retain the features that contribute to its distinctive character, whether the property is left in its present condition or is rehabilitated by the owner or a potential buyer, will not permit the owner a reasonable rate of return.
 - 2) In the case of non-income producing property, when the applicant demonstrates that the property has no reasonable use as a single-family dwelling or for an institutional use in its present condition, or if rehabilitated, either by the current owner or a potential buyer.
- c. For purposes of Paragraph (b) above:
 - 1) Non-income producing property consists of owner-occupied single-family dwellings and non-income producing institutional properties; and
 - 2) Income producing property consists of all other properties.
- d. Economic hardship relief is not available to an owner who has:
 - 1) Engaged in willful or negligent acts destructive to the property;
 - 2) Purchased the property for substantially more than the market value;
 - 3) Failed to perform ordinary maintenance and repair; or
 - 4) Where applicable, failed to diligently solicit and retain tenants or provide normal tenant improvements.
7. An approval pursuant to this Section shall be valid for a period of one year, unless otherwise specified in the approval.
8. If an application for demolition or removal is denied by the HPC, the City may deny a permit for such activity for up to one hundred eighty (180) days from the date on which the application was denied. It is unlawful to demolish or remove a structure or feature which is subject to this Section (L) without a permit to do so under this Subchapter and other applicable ordinances.
 - a. During the period of restraint on demolition or removal, the HPC and HPO will endeavor to secure whatever assistance may be feasible to effect the preservation of the property, including economic assistance, acquisition, purchase of a preservation easement; or location of a buyer who, upon purchase at terms agreeable to the owner, will enter into a preservation covenant with the City for a period of at least five years.
 - b. If the HPC or HPO is unable to secure such assistance within the period of restraint, the proposed demolition or removal will be allowed, subject to the issuance of appropriate permits by the Building Official.
9. If the Building Official finds that a designated property is an imminent hazard to life or property and, after consultation with the HPO and the SHPO, determines that repairs or relocation would not be appropriate or feasible, the HPO shall approve the necessary demolition or removal, subject to issuance of appropriate permits by the Building Official.

M. Appeal and Review

1. The applicant for an approval under Section (K) or Section (L) of this Subchapter may appeal any decision of the HPC to the City Council by filing written notice of appeal with the City Clerk within ten (10) working days after the date of the HPC's action. The appeal must be accompanied by the fee, if any, which has been established by the City Council.
2. In addition, with respect to any approval by the HPC of an application under Section (K) or Section (L) of this Subchapter, the Director of Planning and Development or any member of the City Council may file a request for review within that 10-day period.
3. The City Clerk shall set the date for a public hearing on the appeal or review, and notice of the hearing shall be published in a newspaper of general circulation at least seven (7) days before the hearing.

N. Maintenance and Repair

1. The owner is responsible for ordinary maintenance and repair of a designated property. Such maintenance and repair may be performed without specific approval from the HPO or the HPC if such maintenance or repair does not significantly alter the features which contribute to the distinctive character of such a designated property.
2. The owner of a designated property shall not permit the property to fall into a state of disrepair so as to result in the deterioration of any significant exterior feature which would have a detrimental effect on the distinctive character of the property itself or that of an Historic District in which the property is located.
3. Examples of deterioration which the owner of the designated property is responsible under this Section to prevent include, but are not limited to, the following:
 - a. Excessive erosion, reverse drainage, and other preventable site conditions which may adversely affect significant buildings and structures;
 - b. Loss of structural integrity due to deterioration of footings, load-bearing walls or columns, beams, trusses, or other support members;
 - c. Weathering or damage to exterior elements such as wall and roof surfaces, chimneys, balustrades, doors, windows, and other architectural features;
 - d. Loss of weather-tightness or security due to any of the above;
 - e. Deterioration resulting in a hazardous condition which would warrant demolition in the interest of public safety.
4. In order to avoid demolition necessitated by the failure to prevent any deterioration described in Subsection (3) of this Section, the City may effect repairs to a Landmark, Historic Property or contributing property within an Historic District and assess the cost of such repairs to the property in the same manner and with the same effect as is available for the abatement of nuisances in Section 9.04.080 et seq.

5. For purposes of evaluating deterioration under this Section, the condition of the property at the time of its designation shall be the standard of reference.
6. Enforcement of this Section shall be the responsibility of the City Manager or designee.

O. Incentives

It is the intent of the City that Landmarks, Historic Properties and properties within an Historic District be beneficial to their respective owners, as well as to the community. In addition to the intangible benefits of owning a property recognized as an important community resource, other potential benefits can be made available by the City. The HPO and the HPC are authorized, when possible and appropriate, to provide such owners with the following:

1. Assistance in locating potential sources of financial assistance and tax credits;
2. Assistance in preparing grant applications and seeking potential third party sponsorship;
3. Technical information and referrals;
4. Assistance in locating buyers and sellers;
5. Assistance, through the Neighborhood Services Department, in the formulation and operation of a neighborhood association;
6. Assistance in obtaining other benefits as may become available through the City or other sources.

P. Violations

1. It is unlawful for any person to construct, alter, demolish, remove or fail to maintain a structure, property or portion thereof in violation of this Subchapter.
2. In addition to and independent of a misdemeanor prosecution for violations under this Subchapter, the City may pursue any available civil remedy to enforce compliance.
3. In connection with any criminal prosecution or civil remedy, the person responsible for a violation may be required to restore a structure or property to its condition just previous to the violation.

Q. Definitions

{Ord 5794 – 12/21/05}

For purposes of this Section, the following terms have the meanings ascribed to them:

Alteration: Any aesthetic, architectural, mechanical, or structural change or addition to the exterior surface of any significant part of a designated property.

Approval authority: The HPC or the HPO, as indicated in this Section.

Compatibility: A pleasing visual relationship between elements of a property, building or structure; among properties, buildings and structures; or with their surroundings. Aspects of compatibility may

include, but are not limited to, proportion, rhythm, detail, texture, material, reflectance and architectural style.

Demolition: The act or process that destroys a structure or feature associated with a designated property.

Distinctive Character: The distinguishing architectural and aesthetic characteristics of a Landmark or Historic Property, or those generally found throughout an Historic District, which fulfill the criteria for designation.

Ordinary Maintenance and Repair: Regular or usual care, upkeep, repair or replacement of any portion of an existing property, building or structure in order to maintain a safe, sanitary and stable condition.

Owner: The person(s) listed in the property records of Clark County as having fee ownership of an individual parcel or property.

Property: One or more structures or other improvements, or an archeological site, associated with a particular parcel or location.

Significant: With reference to a property, building or structure, means having aesthetic, architectural or historical qualities of critical importance to its consideration in connection with the designation of property under this Subchapter.

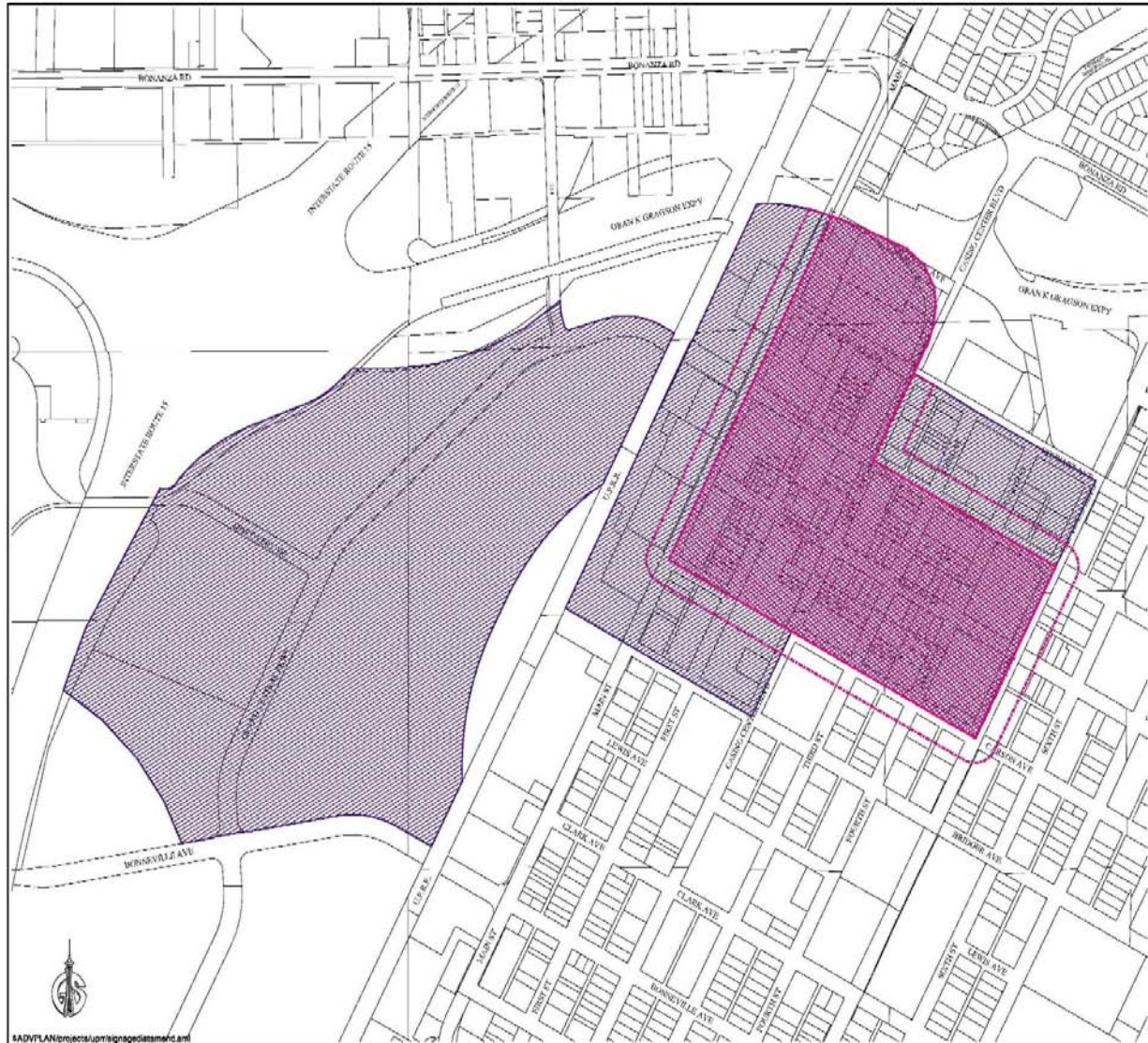
19.06.100 DOWNTOWN CASINO OVERLAY DISTRICT

{Ord 5408 – 01/02/02}

{Ord 5519 – 10/02/02}

A. Boundaries

There is hereby created the Downtown Casino Overlay District, whose boundaries are depicted in the map that appears below. Within the Downtown Casino Overlay District (referred to in this Subchapter as the “District”), a sub-district is created, to be referred to as the Special Signage Sub-district (or the “Sub-District”), whose boundaries are also depicted in the map that appears below.



**DOWNTOWN CASINO
OVERLAY DISTRICT**



Casino Overlay District



Special Signage Sub-District



125 ft. Buffer *

* Note: Buffer area contains building facades affected by a 125 ft. distance measured from each street centerline bounding the Special Signage Sub-District and the proposed expansion area.

B. Special Sign Standards-Background

The area encompassed by the Downtown Casino Overlay District contributes greatly to the international identity, historical significance, and economic welfare of the City of Las Vegas. One of the key characteristics of this area virtually since its inception is the prominence of neon and illuminated signage, especially within the area encompassed by the Sub-district. Recognizing the unique role of such signage in this context, it is important to provide sign standards that apply only within this District, in order to ensure that future sign development is consistent with the appearance of established signage themes within this District and generates excitement and positive visual interest. The sign standards that follow initially will apply only to property within the Sub-district, with the possibility of expanded application in the future. The sign standards that follow have been developed to promote the general health, safety and welfare of the citizens and visitors, to maintain and enhance the historic Fremont Street sign character, and specifically to address the following issues:

Encourage displays of signage to enhance the District as a nationally recognized place - Although Las Vegas is nationally and internationally renowned for its role as the world's gaming capital, possibly the most visible symbol of this role is the exuberant and abundant signage of its casinos and related businesses. The continued development of more and better signage will continue to enhance this role.

Preserve the tradition of neon art made famous by the casinos of Fremont Street - Of all the types of signage in Las Vegas, neon signage fixtures most prominently in the history of the City and generates the greatest affection of both visitors and local residents. It is important that not only new signage continue this tradition of neon art, but that the remaining and salvaged neon signs be refurbished, preserved and displayed in proximity to the Fremont Street Experience and surrounding area. Maintaining and preserving the history of "Glitter Gulch", which is unique to Las Vegas, is vital to the ongoing sense of community and pride for the City. There will, therefore, be a general expectation that future signage development within the area around the Fremont Street Experience will contribute to the sense of the area as a special place.

Celebrate the best of the sign makers' art - The neon and animated signage displayed within the District represents some of the most complex signage ever produced, and is the state of the sign makers' art at this point in time. It is important that this District continue to provide a forum for cutting-edge signage and displays, particularly in neon and animated forms, which will support and bolster the reputation of Las Vegas in these areas.

Strengthen the standing of the District as an integral and essential component of Downtown Las Vegas - The development of additional signage, particularly in relation to existing, new and future development along the Fremont Street corridor, can enhance the visually exciting character of the existing signage along Fremont Street, including the spectacular canopy shows, if it is illuminated, animated, or neon in character.

Preserve, protect and enhance the historic character of the District - Many of the historically significant signs and displays incorporate distinct and readily identifiable images, such as the famous "Vegas Vic" neon sign. It is important that the future advertising within this area consider the use of iconic images or three-dimensional representations that can be compatible with the established historical context of the District.

Improve the quality and appearance of new development within the District - Advertising signage, particularly that involving the use of neon displays or animated features, can be an excellent way of attracting attention in a positive way to new development within the District. Whereas some areas can be spoiled through signage, the established character of this District, much like Times Square in New York City, can only benefit through enhanced signage on new development and older buildings, provided that new signage is compatible with established, existing signage in the area.

Provide freedom of architectural and artistic expression within the District - One of the hallmarks of casino development in Las Vegas has been the flexibility with which a variety of architectural styles and features have been blended to create a unique urban form. It is important that signage can also be freely designed to create visual interest that matches and supports the architectural interest of the buildings themselves.

Encourage the redevelopment of the area - In order for properties within the District to compete successfully in the regional Las Vegas casino environment, it is vital that redevelopment of vacant or underutilized sites be encouraged by all available means. Although such expansion may include new casino development, redevelopment can also mean other forms of new development, such as retail and freestanding entertainment venues, including new signage that creates a visually exciting and vibrant atmosphere within the District.

C. Special Sign Standards

{Ord 5615 – 07/16/03}

{Ord 5868 – 12/06/06}

1. Signs on parcels within the Sub-district are exempt from the sign regulations contained in the Zoning Code (Chapter 19.14) to the extent that those regulations are inconsistent with the provisions of this Section 19.06.100. Provisions of Chapter 19.14 that are not inconsistent with the provisions of this Section shall continue to apply to signs within the District. Such provisions of Chapter 19.14 may be applied by the Director or be made applicable as part of the review and approval process set forth in this Section.
2. Any sign existing in the District as of January 2, 2002, that conforms to the provisions of Chapter 19.14 or has been allowed to continue under nonconforming status may continue under the provisions of this Section as long as a current permit is maintained, the sign is structurally sound and in good working order, and the sign does not create a public nuisance or otherwise violate any ordinance, regulation or statute. Except as otherwise provided by ordinance, any such sign shall not be subject to removal or modification by reason of any amendment to Chapter 19.14.
3. The sign standards contained in this Section shall:
 - a. Be interpreted and applied with reference to the background provisions set forth in Subsection (B) above;
 - b. Apply to all property, development, expansion and renovation within the Sub-district except property located within the boundaries of the Pedestrian Mall, as described in LVMC Chapter 11.68; and
 - c. Apply to any building facade within 125 feet of the centerline of the streets that border the Sub-district (referred to hereafter as the “buffer area.”). (See Illustration A)

4. The development, construction, expansion, or renovation of freestanding signs within the Sub-district is prohibited, except signs that:
 - a. Belong to or are within the Neon Museum collection;
 - b. Have been declared by the Las Vegas Historic Preservation Commission to be “historic” or “contributing”; or
 - c. Are components of a way finding system or identity program for the Sub-district.
5. Each wall-mounted sign within the Sub-district shall be a minimum of 10 feet vertically above the height of the finished sidewalk along public rights-of-way and public pedestrian pathways. (See Illustration B) On-premise signs that do not exceed 65 square feet in size are exempt from this requirement, provided that there is a separation between such signs of at least 50 linear feet along the right-of-way or pathway.
6. Of all signage to be placed along Fourth Street, or along any street that is adjacent and perpendicular to Fourth Street and is within 125 feet of the centerline of Fourth Street, at least 75% of the total sign surface areas must consist of neon signs or animated signs, or a combination thereof. (See Illustration C) Of all signage that is not within the areas described in the preceding sentence, the minimum percentage of neon or animated signage, or combination thereof, is 50%.
7. Individual sign surface areas shall not exceed a total of 1,500 square feet.
8. For any one wall, the maximum wall coverage for the composite total of all sign surface areas shall not exceed 50% of the eligible wall signage area, as depicted in Illustration D. This limitation does not apply to roof signs located above the roofline of the building facade nor to transparent “building wrap” signage.
9. The minimum separation distance between off-premise signs shall be 5 feet.
10. The total sign surface area of each wall mounted, roof mounted, or parapet mounted sign shall not exceed 1,500 square feet, and no such sign shall extend vertically more than 20 feet above the height of the parapet.
11. Animated signs must be fully operational and continuously animated 24 hours a day. Changes to the image or other animation feature must occur no less frequently than every 30 seconds, except when required maintenance or change of message dictates otherwise.
12. Each off-premise sign with at least two rotating or changing messages, images or contents, must change at least once every 30 seconds, and the sign must be framed by a decorative faceplate or frame that is at least 18 inches in width and that includes at least one band of illuminated neon tubing completely surrounding the sign.
13. At least 75% of off-premise signs are encouraged to be used to advertise places, products, goods, services, idea or statements whose subject is available or located within the District.
14. It is recommended that all signs be fully illuminated from at least one hour before dusk until one hour after dawn. Signs may be fully illuminated during daylight hours also.
15. Signs may not encroach into any public right-of-way, or any intersection more than 8 feet perpendicular to the building wall to which the sign is attached. (See Illustration E) Marquee signage along Fourth Street is exempt from this limitation. The city does not encourage

encroachment of signage into public rights-of-way, and the applicant or sign owner must obtain all necessary encroachment approvals before the installation of any sign.

- 16.** The owner and operator of each sign is responsible for ensuring that appropriate sign maintenance occurs and that repairs of damaged signs are accomplished promptly.

D. Special Sign Standards-Review and Approval Procedures

{Ord 5615 – 07/16/03}

{Ord 5868 – 12/06/06}

{Ord 6030 – 03/04/09}

- 1. Downtown Design Review Committee.** There is hereby created a Downtown Design Review Committee (DDRC) for the review of signs proposed to be located within the District. The DDRC shall be composed of:

- a. Two members of the Planning Commission appointed by the Commission;
- b. One representatives of the Department designated by the Director;
- c. One representative of the City’s Office of Business Development, designated by its Director; and
- d. Three owners of businesses located within the District, as appointed by the Mayor

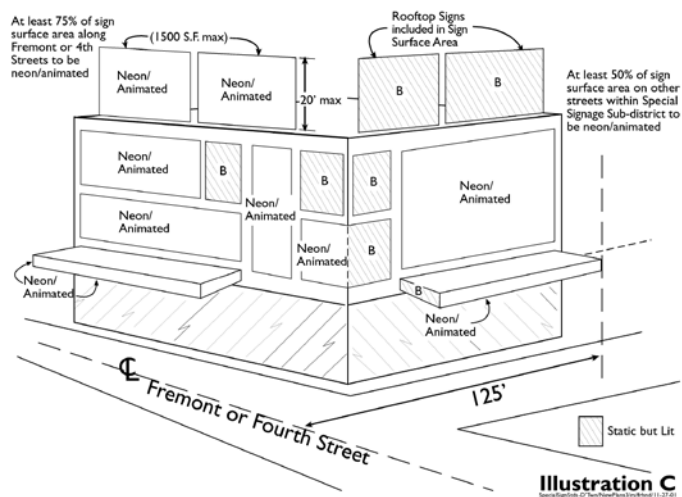
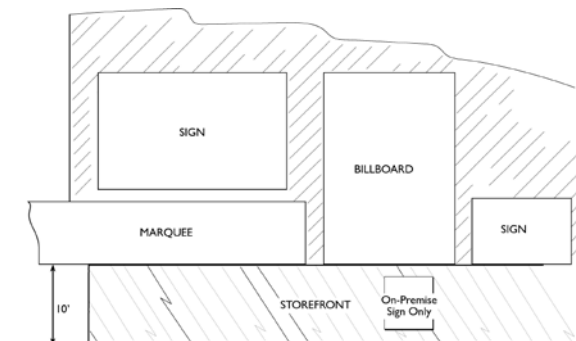
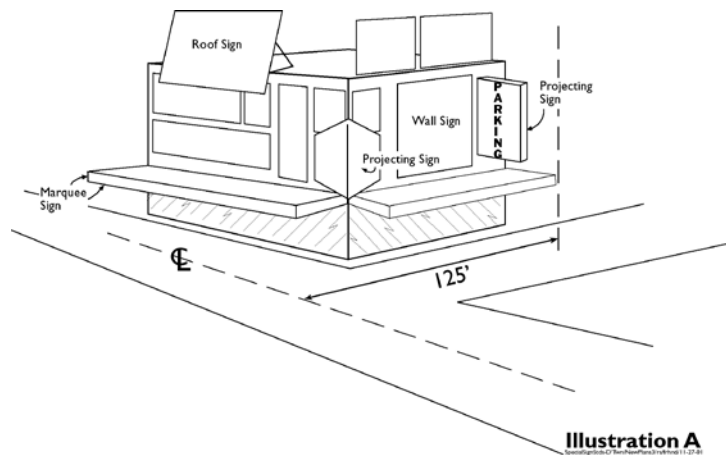
The DDRC shall have the authority to review and approve application for all signs, subject to the provisions of this Section. Members shall serve three-year terms and may be reappointed.

- 2. Application Process.** Sign applications shall be submitted to the Department. The Department shall forward the application to the DDRC for review and action. The DDRC shall review the application and shall approve, approve with conditions, or deny the application.

- 3. Design Review Provisions.** The following design review procedures shall apply:

- a. The DDRC may approve a sign application for single or multiple uses if it determines that each sign is compatible with the theme and overall character to be achieved in the area. The DDRC shall base its assessment of compatibility on the following criteria:
 - (i) The application’s compliance with the standards identified in this Section.
 - (ii) The relationship of the scale and placement of the sign to the building or premises upon which it is to be displayed.
 - (iii) The relationship of colors of the sign to the colors of adjacent buildings and nearby street graphics.
 - (iv) The similarity or dissimilarity of a sign’s size and shape to the size and shape of other signs in the area.
 - (v) The similarity or dissimilarity of the style of lettering on the sign to the style of lettering of nearby street graphics.
 - (vi) The compatibility of the type of illumination, if any, with the type of illumination in the area.

- (vii) The compatibility of the materials used in the construction of the sign with the material used in the construction of other signs in the area.
 - (viii) The aesthetic and architectural compatibility of the proposed sign with the building upon which the sign is suspended, including its signage, and with the surrounding buildings and their signage.
 - (ix) The sign's use of high quality, durable materials such as hardwoods, painted wood, metal, stainless steel, painted steel, brass or glass.
- b. Applications for the design review of signs shall be processed as follows:
 - (i) An application shall include: Ten complete sets of plans which contain visual representations of the lettering, illumination, color, area and height of graphics, and which also indicate the areas and building elevations where they are to be placed and located; photographic or drawn elevations of a minimum of 266 feet of frontage, with proposed signs superimposed, to show the context and perspective of the proposed signs; a drawing of each sign at one-half inch to one-inch scale; and any other items required by the Director or the DDRC.
 - (ii) Applications shall be forwarded to the DDRC by the Department at least 1 week prior to the regularly scheduled DDRC meeting.
 - (iii) Approval or denial of an application by the DDRC shall be made in writing with reasons for approval, denial, or approval with conditions, within 3 days following each DDRC meeting. In the event written notification of the action is not provided within that period, the application shall be deemed to have been denied. Decisions of the DDRC may be appealed to City Council in accordance with the provisions of Paragraph (5) below.
- 4. **Waivers.** The DDRC is authorized to waive any of the sign standards set forth in Subsection (C), other than the prohibitions contained in Paragraph (4) thereof, if:
 - a. The applicant establishes that a waiver is warranted based upon conditions specific to the parcel; and
 - b. The DDRC determines that the waiver:
 - (i) Will not compromise the design objectives of the sign standards; and
 - (ii) Will further the City's redevelopment efforts.
- 5. **Appeals.** The applicant may appeal a decision of the DDRC to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department. The appeal must be filed within 10 days after notification of the administrative decision has been given (or within 10 days after the deadline for notification has passed), and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.
- 6. **Rules and Regulations.** The DDRC shall have the authority to adopt rules and regulations concerning its administrative procedures.



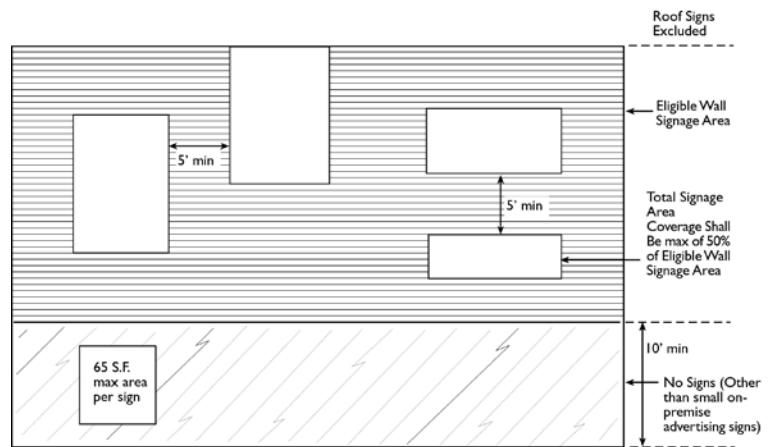


Illustration D

SpecialSignCode-OT-TreeHousePlans3/16/16.indd 11-12.01

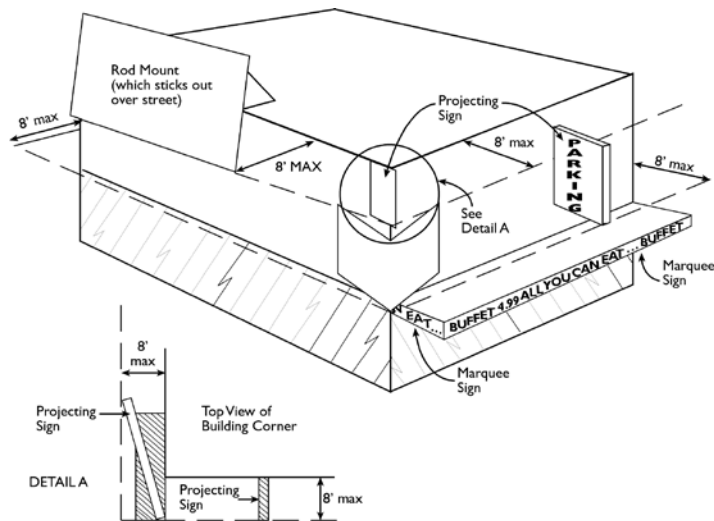


Illustration E

SpecialSignCode-OT-TreeHousePlans3/16/16.indd 11-12.01

19.06.110 T-C TOWN CENTER DISTRICT*{Bill 2006-52 – 10/04/06}***A. Intent and Objectives***{Ord 5620 – 08/06/03}**{Ord 5506 – 09/04/02}*

1. The Town Center (T-C) District is established to permit and encourage the development of a mixed-use employment center which will provide economic stability and diversification for the City of Las Vegas. The primary objective of the T-C District concept is to provide employment for in excess of 100,000 individuals while, at the same time, creating a unique blending of human habitation and economic activity. The rezoning of property to the T-C District is appropriate only if the Town Center concept will be followed and the objectives set forth in Subsection 2 below are adhered to.
2. In the T-C District, the developer must demonstrate the potential for achieving the following outlined objectives throughout the planning, design and development stages:
 - a. Providing for an orderly and creative arrangement of land uses with respect to each other, to the Town Center and to all adjacent properties;
 - b. Providing for a variety of housing types which are not found elsewhere in the City, as well as employment opportunities and commercial services to achieve a balanced community for individuals and families of wide variety of ages, sizes and levels of income;
 - c. Providing for a planned and integrated comprehensive transportation system for pedestrian and vehicular traffic, which may include provisions for mass transportation and roadways, bicycle paths, pedestrian walkways and other similar transportation facilities;
 - d. Providing for cultural, educational, medical, religious and recreational facilities;
 - e. Locating and siting structures to take maximum advantage of the natural and manmade environment and to establish new view corridors; and
 - f. Providing for adequate, well-located and well-designed open space and community facilities.

B. Permitted Land Uses and Development Standards

1. Development in the T-C District may consist of any use or appropriate combination of uses that are specifically approved for the property in the Town Center Land Use Matrix, as set forth in the Town Center Development Standards Manual. The developer shall identify in a written analysis the proposed uses for each project and shall specify how each proposed use is consistent with the Land Use Matrix.
2. Development in the T-C District shall conform to the Town Center Development Standards Manual, which is hereby adopted by this reference. The Town Center Development Standards Manual shall be on file in the Office of the City Clerk and in the Planning and Development Department. The Town Center Development Standards Manual may be amended from time to time by ordinance or by resolution of the City Council.

C. Special Application Requirements

Plans and documentation which must accompany a rezoning application are as follows:

1. A conceptual development plan for the property, including general land use designations, parking plans, transportation plans and plans for open space and community facilities. A general phasing plan shall be included to include the intended timing of development;
2. Proposed development standards that set forth architecture; densities; building height, bulk and setback requirements; requirements for signage, landscaping, parking and open space. The proposed standards should demonstrate consistency and compliance with the Town Center Development Standards Manual;
3. Storm drainage information, which shall consist of a preliminary drainage study completed by a registered professional engineer on a map with a minimum contour interval of five feet;
4. Conceptual utility layout that includes tentative sewer and water main corridors; and
5. Proposed conditions, covenants and restrictions, including architectural, design and other development guidelines to be followed.

D. Development Review, Recommendation, and Approval

1. **Zoning Approval.** The rezoning of property to the T-C District shall be by means of a review and recommendation by the Planning Commission and approval by the City Council, in accordance with the provisions of Chapter 19.18 of this Title. The approval of a T-C District by the City Council shall be accomplished directly by ordinance. The approval of a T-C District may include the approval of a Development Plan which shall thereafter govern the development of the property.
2. **Development Approval.**
 - a. Plans for proposed development within the T-C District must be submitted to the Planning and Development Department. The Director or the Director's designee shall review the plans for conformance with the provisions of the Subchapter, and may require modifications to the proposal in order to protect the public health, safety and welfare and to better fulfill the intent of the Town Center Land Use Plan and the Town Center Development Standards Manual.
 - b. Development of any project within the T-C District may be approved administratively if the proposed development:
 - i. Requires no additional approval by any board or the City Council; and
 - ii. Is in full compliance with the Town Center Development Standards Manual, any Development Plan which has been approved for the project, and the intent of the Town Center concept.

- c. For any other development, approval must be obtained in accordance with the procedural and substantive requirements set forth in the Town Center Development Standards Manual, this Subchapter, and the provisions of this Title.
3. **Appeal of Decision.** An applicant that is aggrieved by the decision of the Director or the Director's designee with respect to a proposed plan for development may appeal that decision to the Planning Commission. An applicant that is aggrieved by the decision of the Planning Commission may appeal such decision to the City Council by filing a written request for appeal with the City Clerk within fifteen calendar days after the date of the Planning Commission's decision.

E. Open Space and Landscape Area Requirements

A minimum of 20 percent of the gross property area proposed to be added to or developed within the T-C District shall consist of any combination of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements are as set forth in the Town Center Development Standards Manual.

F. Street and Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in Title 18 of the Las Vegas Municipal Code, except as otherwise provided for specifically in the Town Center Development Standards Manual.

G. Analogous Applications

With regard to any issue of land use regulation that may arise in connection with the T-C District and that is not addressed or provided for specifically in this Subchapter or in the Town Center Development Standards Manual, the Director of Planning and Development may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Town Center Land Use Plan.

19.06.120 DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT

A. Establishment of District

{Ord 5521 – 10/02/02}

There is hereby created the Downtown Entertainment Overlay District (the “District”), consisting of that area of the City bounded by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east. The boundaries are depicted on the map that appears below.



DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT

 Entertainment Overlay District

0 105 210 420 630 840 Feet

Adopted October 2, 2002 by Ordinance No. 5521

B. Intent of District

The creation of the District is intended to further the City's downtown redevelopment plans in the spirit of restoring downtown Las Vegas as a dynamic, vibrant center for the entire Las Vegas Valley. Creation of the District is also intended to:

1. Create a safe and secure environment;
2. Eliminate urban blight;
3. Revitalize surrounding neighborhoods;
4. Foster economic development opportunities and expand free enterprise;
5. Eliminate criminal activities;
6. Make the East Fremont area a community of choice for business and citizens;
7. Adjust the zoning and licensing restrictions to encourage non-gaming blues and jazz nightclubs, comedy clubs, and other musical entertainment venues;
8. Leverage the popularity of the nearby Neonopolis and Fremont Street Experience attractions with the proposed physical proximity of the new district;
9. Encourage and facilitate the creation of an improvement district for a commercial area vitalization project for the District.

C. Separation Requirements for Liquor Establishments

For any liquor establishment (tavern), supper clubs, restaurant service bar, or other liquor-serving establishment that is approved by means of Special Use Permit for a parcel located within the District, the distance separation requirements set forth in Chapter 19.04 shall not apply. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation.

D. Parking Requirements

Parking requirements shall be determined in accordance with the provisions of LVMC 19.06.060 and any design standards adopted thereunder.

{Ord 6080 – 02/17/10}

E. Signage Standards

All new signage shall incorporate exposed neon, LED, animation, or any combination thereof, in at least fifty percent of the total surface area of such signage.

{Ord 6030 – 03/04/09}

F. Review and Approval Procedures (General)

Except as otherwise provided in this Subsection (F), any application for development within the Downtown Entertainment Overlay District shall be processed in accordance with the normal review and approval processes set forth in Chapter 19.18. Any application for new signage shall be processed in accordance with the procedures described in Subsection (D) of Section 19.06.100.

{Ord 6030 – 03/04/09}

G. Special Use Permits for Tavern-Limited Establishment

1. A Special Use Permit for a tavern-limited establishment shall be processed in accordance with the Special Use Permit provisions of LVMC 19.18.060. A Special Use Permit for this use may be approved if it meets the Special Use Permit criteria generally, the criteria for a tavern-limited establishment, and the criteria set forth in this Subsection (G).
2. The approval of a Special Use Permit for a tavern-limited establishment may include such conditions as may be recommended by City staff and the Planning Commission, and imposed by the City Council.

{Ord 6030 – 03/04/09}

H. Relationship to Other Provisions

All provisions of this Title shall apply to property within the District except to the extent that they conflict with the provision of this Section.

{Ord 6030 – 03/04/09}

19.06.130 LIVE/WORK OVERLAY DISTRICT

- A. Purpose.** The purpose of the Live/Work Overlay District is to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live/Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the City.

{Ord 5671 – 03/03/04}

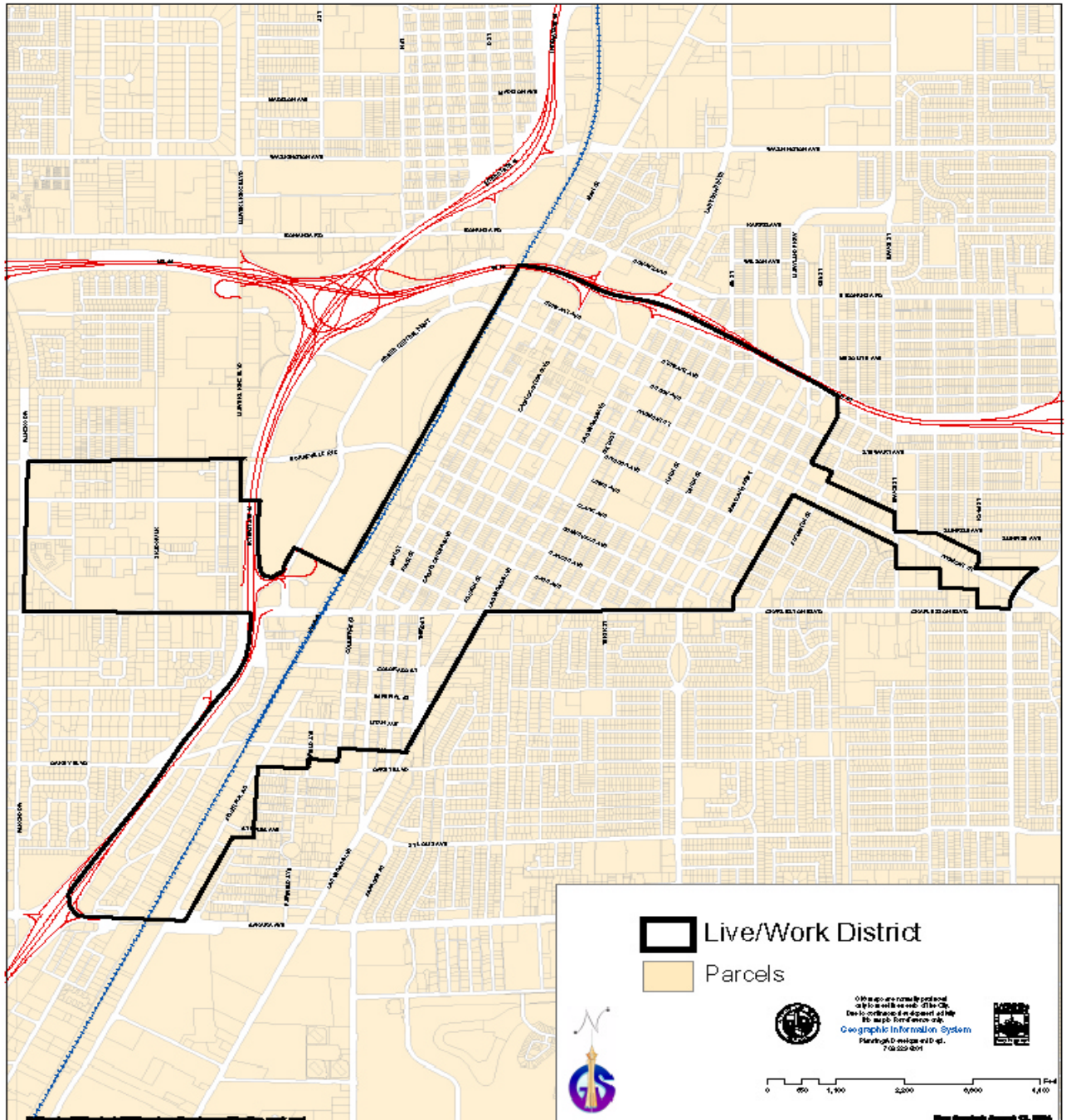
- B. Intent.** It is intended that Live/Work units will function as follows:

1. The owner or lessee of the space will reside and work in the Live/Work unit.
2. The commercial or nonresidential uses of the Life/Work unit will be limited to low-intensity commercial and arts-related uses.
3. No activity that uses hazardous materials or generates excessive noise will be permitted.
4. The number of employees will be limited.
5. Clientele generally will arrive by appointment, with walk-in trade anticipated to be minimal.
6. The residential component of the use shall be accessory to the commercial or nonresidential component.
7. Residents of Live/Work units will be presumed to acknowledge the existence and operation of uses that are permitted on nearby parcels that are zoned for commercial and industrial uses.

- C. Boundaries.** The Live/Work Overlay District is established within the City. Its boundaries are depicted on the map that appears on the following page.

City of Las Vegas

LIVE/WORK OVERLAY DISTRICT



D. Approval Criteria. All Live/Work units within the Live/Work Overlay District must meet the following criteria in order to be approved:

{Ord 5734 – 12/01/04}

1. **Zoning.** Live/Work units may be located in the C-1, C-2, C-M, M and PD Zoning Districts only.
2. **Permissible Nonresidential Uses.** Because of the residential component, only the following nonresidential uses are permitted:
 - a. Office uses.
 - b. Desktop publishing.
 - c. Arts activities, including painting, sculpture, printmaking, ceramics, photography, film, video, graphic design, jewelry, and textiles, but excluding any activity that involves welding or open flame work. The sale of artwork is permitted as an ancillary use.
3. **Nonresidential Use Criteria.** Nonresidential activities must generally conform to the intent of the Live/Work Overlay District as described in Section (B) of this Section.
4. **Residential Use Criteria.** The residential component of a Live/Work unit must contain sleeping space, cooking facilities, and complete sanitary facilities. No more than fifty percent of the total floor area of a Live/Work unit shall be designed or used for residential purposes. The residential occupancy of a Live/Work unit must include at least one person who is employed or carries out an occupation in the unit.
5. **Emergency Access and Parking.** Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services. The amount of required onsite parking shall be calculated in accordance with Chapter 19.10, based upon the gross square footage of the unit and the nonresidential use or uses occurring therein.
6. **Signage.** Permissible signage shall be in accordance with the requirements and limitations of Chapter 19.14 and those that pertain to any other overlay district in which the property is located.

E. Approval Process

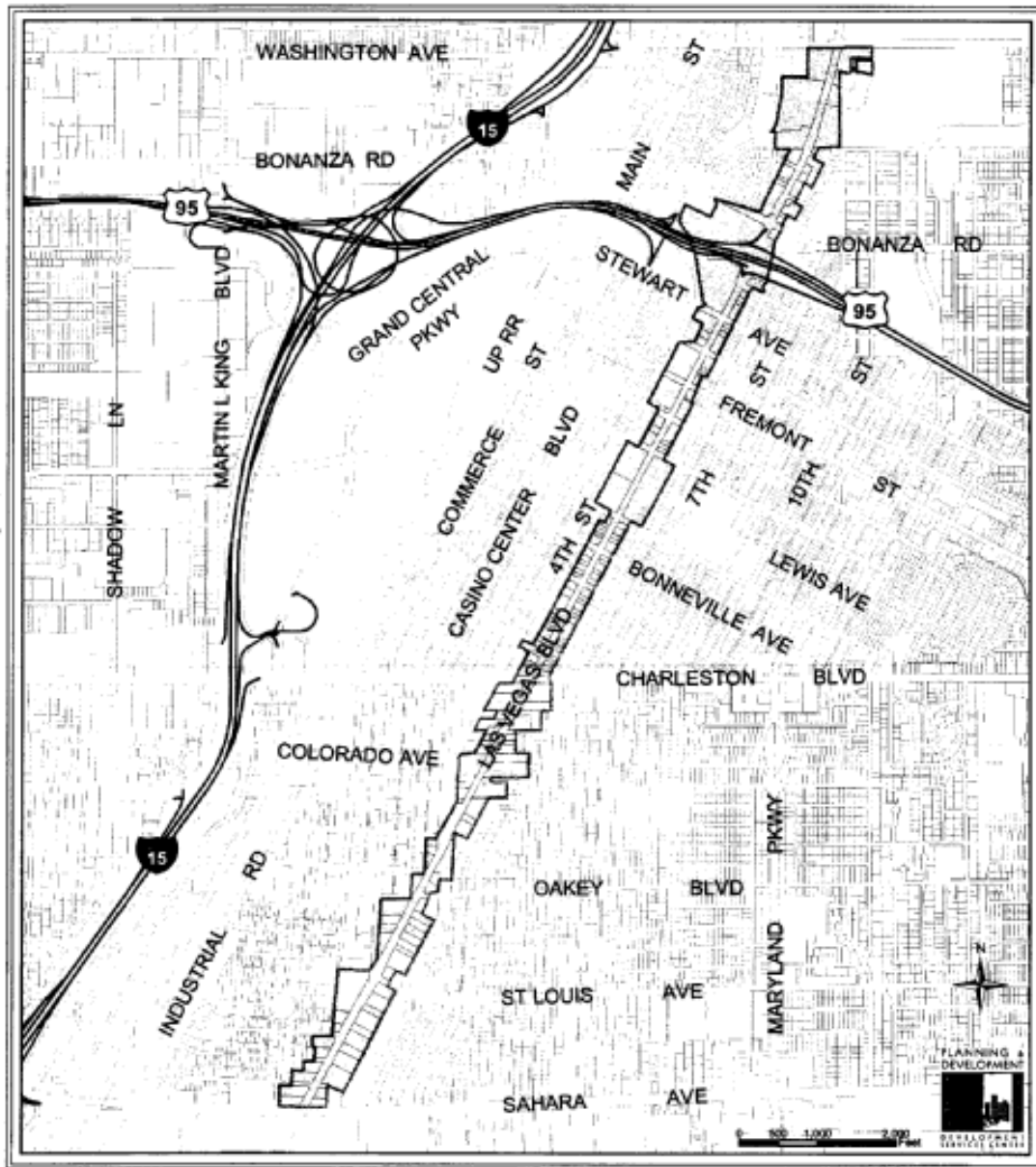
1. **Arts District.** Within the Arts District (as identified in the Downtown Centennial Plan), a Live/Work unit proposed within a new structure may be approved as part of a Site Development Plan Review. Live/Work units proposed within an existing structure may be approved administratively, subject to compliance with this Section 19.06.130 and all applicable building-related codes.
2. **Other Locations.** At locations other than the Arts District (as identified in the Downtown Centennial Plan), a Live/Work unit proposed within a new or existing structure may be approved only by means of a Special Use Permit.

F. Applicability of Other Provisions. This Section 19.06.130 is intended to operate and apply independently of any other provision in this Title that allows residential and nonresidential uses on the same parcel. An applicant may proceed under this Section or under any other provision that applies to a proposed use.

19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT*{Ord 5694 – 05/05/04}*

- A. Intent.** In 2001 the State of Nevada designated as a scenic byway the Las Vegas Boulevard Scenic Byway in order to preserve its character as a nighttime urban scenic byway. The intent of the Las Vegas Boulevard Scenic Byway Overlay District is to provide signage standards that will maintain and enhance the scenic qualities of this historic highway in accordance with the “scenic byway” designation.
- B. Boundaries.** The Las Vegas Boulevard Scenic Byway Overlay District is established within the City. Its boundaries are generally described as the portion of Las Vegas Boulevard between Sahara Avenue on the south and Washington Avenue on the north. The Overlay District includes only those properties that have direct frontage on Las Vegas Boulevard. Because of ongoing development activity along Las Vegas Boulevard, the list of properties with direct frontage on Las Vegas Boulevard may change from time to time, and the above textual description of the boundaries of the Overlay District shall control over any map to the contrary. However, for the sake of convenience and reference, the boundaries of the Overlay District are generally depicted on the map that appears on the following page:

SCENIC BYWAY OVERLAY DISTRICT



Created by: Mark House on Jan 22 2004

Due to continuous development activity this map is for reference only.

SCENIC BYWAY CORRIDOR

C. Sign Standards

1. **Relationship to Other Provisions.** Except as otherwise modified, required or prohibited by this Section, all signage within the Las Vegas Boulevard Scenic Byway Overlay District shall be governed by and subject to:
 - a. All applicable standards and procedures in Chapter 19.14;
 - b. All applicable standards and procedures in Chapter 19.06 and that govern the Downtown Centennial Plan Overlay District, for properties that are located within the district;
 - c. All applicable standards and procedures in Chapter 19.06 that govern the Downtown Entertainment Overlay District, for properties that are located within that district; and
 - d. The review and approval procedures set forth in Subsection (D) of Section 19.06.100, irrespective of where in the Las Vegas Boulevard Scenic Byway Overlay District the signage will be located.
- {Ord 6030 – 03/04/09}{Ord 6080 – 02/17/10}*
2. **Illumination.** For any development within the Las Vegas Boulevard Scenic Byway Overlay District, at least 75% of the total sign surface areas for that development (excluding awning signs) must consist of illuminated signage, in the form of neon signs, animated signs, or a combination thereof.
 3. **Off-premise Signs.** Off-premise signs are not permitted within the Las Vegas Boulevard Scenic Byway Overlay District.
 4. **Maintenance.** The owner and operator of each sign are jointed and severally responsible for ensuring that appropriate sign maintenance occurs and that damaged or nonfunctional signs and lighting are promptly repaired and made functional.

19.06.150 RURAL PRESERVATION OVERLAY DISTRICT

{Ord 5827 – 04/05/06}{Ord 5791 – 10/05/05}

- A. **Establishment of District.** There is hereby created the Rural Preservation Overlay District, consisting of those areas that are deemed consistent with the definition and intent of a rural preservation neighborhood. In order to provide a description of those areas, the City shall maintain a Rural Preservation Overlay District Map, which shall indicate the areas that, at a particular point in time, are deemed consistent with the definition and intent of a rural preservation neighborhood. The Overlay District map shall be maintained on file in the Department. In order to keep the Overlay District Map as current as reasonably possible, the Map shall be amended from time to time, at a frequency deemed appropriate by the Department, to add areas to, or remove areas from, the Overlay District in order to reflect the fact that particular properties have come to qualify, or no longer qualify, for inclusion within a rural preservation neighborhood. As deemed appropriate, the Department may, after taking into account input from interested parties:
 1. Make any such amendment to the Overlay District Map administratively; or
 2. Request City Council approval or ratification of any such amendment.

- B. Intent of District.** It is the intent of the Rural Preservation Overlay District to:
1. Ensure that the rural character of each rural preservation neighborhood is preserved.
 2. Unless a rural preservation neighborhood is located within three hundred thirty feet of an existing or proposed street or highway that is more than ninety-nine feet wide, maintain the rural character of the area developed as a low density residential development.
 3. Provide adequate buffer areas, adequate screening and an orderly and efficient transition of land uses, excluding raising or keeping animals commercially or noncommercially.
 4. Establish a basis for the modification of standards for the development of infrastructure to maintain the rural character of the rural preservation neighborhood.
- C. Certain Rezoning Requests.** For any rezoning request for vacant property that is located within three hundred thirty feet of a parcel within the Overlay District, the City Council, for good cause shown, may approve a greater density or intensity of use than that which exists within the Overlay District.

19.06.160 T-D TRADITIONAL DEVELOPMENT DISTRICT

{Ord 5811 – 01/18/06}

- A. Intent and Objectives**
1. **Purpose.** The Traditional Development (T-D) District is established to permit and encourage the development comprehensively planned mixed-use communities, with a minimum of eighty contiguous acres of land under one ownership or control, which can generally exist as a self-contained community. The rezoning of the property to the T-D District is appropriate only if the Development Standards and Design Guidelines document that is proposed for such property will accomplish the objectives set forth in Paragraph 2 below.
 2. **Minimum Qualifications.** In order for property to qualify for T-D District zoning, the master developer must demonstrate the potential for achievement of the following specific objectives throughout the planning, design and development stages:
 - a. Providing for an orderly arrangement of land uses with respect to each other, to the entire area within the proposed district, and to all adjacent land;
 - b. Providing for a balanced mix of housing types, commercial uses and civic amenities to provide a self-contained community for families of a wide variety of ages, compositions, and levels of income;
 - c. Providing for a hierarchical transportation system of interconnected streets, with facilities for transit, pedestrians, bicycles, recreational paths and vehicles;

- d. Providing for the means by which the needs of daily living can be met within proximity of dwellings;
- e. Providing a strong relationship between buildings and street type, with emphasis on the pedestrian nature of the community, and de-emphasizing gated private streets and cul-de-sacs;
- f. Locating development to take maximum advantage of the natural environment;
- g. Providing for adequate, well-located and well-designed open space and community facilities;
- h. Providing for a variety of architecture, landscape architecture and overall image that considers local climate and topography;
- i. Providing for a center focus that combines commercial, civic, residential, cultural and recreational uses;
- j. Providing for the preservation of natural terrain drainageways (arroyos and desert washes), and of area vegetation, emphasizing these features within developed parks and natural open space; and
- k. Providing for the wise use of water and energy. Water should be conserved through participation in appropriate local water conservation programs. Energy should be conserved through the efficient and responsible design of environmentally-friendly homes and other buildings, and participation in appropriate local or national energy conservation programs.

B. Permitted Land Uses and Development Standards

Development in the T-D District shall include residential uses, commercial uses, and civic uses. Within a proposed Development Standards and Design Guidelines document to be submitted in accordance with this Section, the developer shall include a listing of the uses proposed and the arrangement for each land use within the T-D District. The listing and arrangement of the approved land uses shall be show in the Development Standards and Design Guidelines document that is adopted as part of the T-D District approval.

C. Density

The approved Development Standards and Design Guidelines document shall establish the maximum number of dwelling units per gross acre for each residential and mixed-use category, as well as the overall number of residential units for the entire T-D District.

D. Minimum Site Area for Rezoning

The minimum site area that is eligible for rezoning to the T-D District is forty acres, which is the minimum area deemed necessary to accommodate a balanced mix of housing, commercial, and civic uses. Any additional tract which contains less than the minimum site area and which is contiguous to property previously zoned T-D may also be zoned T-D by the City Council if it otherwise qualifies for the T-D zoning designation and, at the time of such

rezoning, is owned by or is under the control of the same property owner (including its successors and assigns) that applied for and obtained T-D zoning on the original property so zoned. The rezoning of any such additional property shall be made subject to the approved Development Standards and Design Guidelines applicable to that property.

Ord. 6008 – 10/15/08}

E. Special Application Requirements

Plans and documentation which must accompany a rezoning application are as follows:

1. Proposed Development Standards and Design Guidelines that set forth:
 - a. A conceptual development plan for the property, including general land use designations, transportation plans, and plans for open space and civic facilities;
 - b. Densities;
 - c. Building height, bulk and setback requirements;
 - d. Requirements for signage, landscaping, parking and open space;
 - e. Grading, terracing and retain wall requirements;
 - f. A general phasing plan to indicate the intended timing of developments; and
 - g. Procedures for Development Plan review and for modifying and deviating from the Development Standards and Design Guidelines;
2. Storm drainage and grading information, which shall consist of a preliminary drainage study completed by a registered professional engineer on a map with a minimum contour interval of five feet;
3. Conceptual utility layout that includes tentative sewer and water main corridors; and
4. If required by the Director, a draft development agreement as contemplated by NRS 278.0201 to NRS 278.0207, the substance of which has been deemed acceptable by the Director.

F. Review, Recommendation and Approval

1. **Development Standards and Design Guidelines.** The initial zoning approval of a T-D District shall consist of a review and recommendation by the Planning Commission and approval by City Council, in accordance with the provisions of Section 19.18.040. The approval of a T-D District by the City Council shall be accomplished directly by ordinance and shall include the approval and adoption of a Development Standards and Design Guidelines document. An approved Development Standards and Design Guidelines document shall be a matter of record and shall be made available in the Department.
2. **Adherence to Development Standards and Design Guidelines.** The developer may develop property in the T-D District in accordance with, but only in accordance with,

the approved Development Standards and Design Guidelines and any approved modifications thereof or deviations therefrom. No modification or deviation shall be effective unless it is approved in accordance with this Section and the procedures set forth in the Development Standards and Design Guidelines. The Director may request modification of a program in accordance with the modification procedures set forth in the program.

3. **Modification/Deviation Procedures.** The Development Standards and Design Guidelines shall contain procedures to provide for modification of and deviation from the program pursuant to review by the Director, the Planning Commission or the City Council, or any combination thereof, and such procedures shall be exclusive of any other procedure, other than the procedures for notification of public hearings, that is provided in this Title for the approval of any Rezoning, Variance or Special Use Permit. With respect to any modification or deviation that requires approval by the Planning Commission or City Council, or both, the modification or deviation may be approved only upon a finding by the Planning Commission or City Council, as the case may be, that:
 - a. The requested modification or deviation, if approved, will not substantially affect the rights of property owners or residents within the T-D District to maintain and enforce any covenants, conditions and restrictions that have been approved by the City, or any other rights they might have in the Development Standards and Design Guidelines; and
 - b. The requested modification or deviation, if approved, will be consistent with the planning objectives and goals of the approved Development Standards and Design Guidelines; and
4. **Department Conformance Review.** Each Development Plan that is submitted in connection with the implementation of the Development Standards and Design Guidelines shall be reviewed for conformance therewith by the Director. The Director may require modifications that bring the Development Plan or site plan into conformance with applicable standards of health, safety and welfare, and may recommend design adjustments to better fulfill the intent of the Development Standards and Design Guidelines approval and the purposes of the T-D District.
5. **Appeal of Director's Decision.** An applicant who is aggrieved by the decision of the Director with respect to a proposed Development Plan or site plan may request a review of such decision by the Planning Commission. An applicant who is aggrieved by the decision of the Planning Commission may appeal such decision to the City Council by filing a written request for appeal with the City Clerk within fifteen calendar days after the date of the Planning Commission's decision.

G. Open Space and Landscape Area Requirements

The Development Standards and Design Guidelines shall identify a minimum percentage of the gross property area in the T-D District to be allocated for open space, recreational facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities, and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted towards the minimum requirement.

Specific open space and landscaped area development standards shall be set forth in the Development Standards and Design Guidelines.

H. Street and Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in LVMC Title 18, except as otherwise provided for specifically in the approved Development Standards and Design Guidelines.

I. Nonapplicability of Other Provisions – Analogous Applications

1. The Development Standards and Design Guidelines may contain provisions for the processing and review of Minor Exceptions, Deviations, Plot Plan Reviews, Development Plan Modifications and other land use control procedures. If such procedures are so provided in approved Development Standards and Design Guidelines, those procedures supersede the corresponding procedures set forth in this Title.
2. With regard to any issue of land use regulation that may arise in connection with the T-D District and that is not addressed or provided for specifically in this Section or in the approved Development Standards and Design Guidelines, the Director may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Development Standards and Design Guidelines.

19.06.170: HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES*{Ord. 5923 – 08/15/07}**{Ord. 6064 – 11/04/09}***A. Introduction.**

The west boundary of the City of Las Vegas abuts the Spring Mountain Range. A significant portion of the area along this boundary is designated as national conservation and wilderness area. Eventually the foothills leading up to this area will be affected by development and will require special consideration and a development style that will provide for the unique situations which result from the slope of the land.

B. Adoption, Purpose and Intent**1. The purposes of this Section are to:**

- a. Adopt criteria for the development of properties within hillside areas, which are defined as any portion of land with a vertical slope of fifteen percent or greater; and
- b. Ensure that development in hillside areas is in compliance with the goals, policies, and implementing strategies of the Las Vegas 2020 Master Plan, namely, Policy 3.5.3, which provides as follows:

Policy 3.5.3: That, where possible, development be designed and oriented to ensure that view sheds of the mountain ranges surrounding the Las Vegas Valley are preserved, possibly through the development of a foothills ordinance or a set of specific urban design guidelines.

2. This Section:

- a. Shall apply to development with natural slopes of fifteen percent or more;
- b. Is intended to encourage and guide low density, rural type, large lot or cluster, single family residential development that is designed to be compatible with the hillside terrain and its environment; and
- c. Is intended to guide the design of development to work with the land, rather than to alter the land to accommodate the development.

3. In general, all development in hillside areas shall be designed with the following considerations:

- a. Protect and conserve significant natural and visual resources, including major boulder outcrops, major ridges and peaks, prime wildlife habitat, and unique vegetation specimens;

- b. Protect people and property from potentially hazardous conditions that are particular to mountains and hillside areas, including rock falls, other unstable slopes, flooding, subsidence, erosion and sedimentation, range fires, soils with high shrink-swell capacity, foundation instability, and air pollution;
- c. Protect water quality, air quality, and other resources, such as soil and natural vegetation, from incompatible land uses;
- d. Minimize the public costs of providing public services and facilities such as streets, water, sewer, emergency services, sanitation services, parks and recreation;
- e. Ensure that decisions regarding development in hillside areas are based on complete and accurate information about the environmental conditions and probable development impacts;
- f. Minimize the impacts of development by controlling the location, intensity, pattern, design, construction techniques, and materials of development and construction;
- g. Maintain significant open spaces that provide view corridors and land-use buffers, and maintain the City's unique desert setting;
- h. Protect landmarks, prime wash area habitats, and environmentally sensitive lands, while also recognizing the legitimate expectations of property owners and the City's overall economic goals;
- i. Encourage innovative planning, design, and construction techniques for development in environmentally sensitive areas; and
- j. Minimize grading and site disturbance to maximize compatibility with the natural terrain.

C Standards and Guidelines

Development plans must demonstrate compliance with this Section. However, there is flexibility in the degree to which a requirement of this Section may be addressed by a development plan and the method used to comply. An applicant who believes that a particular standard does not or should not apply to the applicant's project has the burden to demonstrate why not, and to provide a solution that will meet the intent of the goals and objectives of this Section.

1. Density

- a. The maximum density for a proposed development shall be that permitted by the adopted plan for the area in which the proposed development is located. Where no specific plan for that area has been adopted, the maximum density shall be that established by the land use element of the General Plan.
- b. The maximum recommended density within hillside development is two units per acre. Large lot development is encouraged. Non-residential development other than public facilities is discouraged.

- c. One hundred percent site disturbance may occur on areas of a lot or parcel with a slope of less than fifteen percent. Sites with a slope of fifteen percent or greater are subject to the allowable maximum percentage of site disturbance as set forth below:

Slope	Maximum Site Disturbance	Minimum Undisturbed Area of Site
15% to 25%	50%	50%
Over 25%	35%	65%

- d. Density and site disturbance may be transferred from portions of a lot or parcel with a slope of fifteen percent or greater to any other portion of the lot, parcel or development site. The portions of the lot or parcel from which density and site disturbance are transferred shall be designated as natural areas. The gross density of the parcel(s) to which density is transferred shall not exceed that allowed by the zoning of the property.

2. Site Design (See Figures 1 and 2)

- a. Structures shall be sited in a manner that will fit into the hillside's contour and relate to the form of the terrain. This may be done through a variety of methods, such as varying setbacks and structure heights; the use of innovative building techniques (e.g., earth shelter or earth berm construction); and retaining walls.
- b. Site design should take into account the need to do the following, while maintaining the natural character of a hillside area:
- i. Preserve vistas of natural hillside areas and ridgelines from "key vantage points";
 - ii. Preserve views from existing development; and
 - iii. Allow new development access to views similar to those enjoyed from existing development.
- c. Site design should allow for different lot shapes and sizes, as well as split development pads, with the prime determinant being the natural terrain.

3. Grading, Slope Stabilization, Drainage Design

Disturbance to the natural landform should be minimized, should not destroy visual quality and community character, and should not create conditions that result in flooding or erosion. Grading design should address both safety and aesthetics, incorporating the following requirements and guidelines:

- a. Portions of a site or lot that are to be graded must be clearly shown on the grading plan.
- b. Landform or contour measures should be utilized to produce cut and fill slopes that are compatible with existing land character. Continuous unbroken slope surfaces that are visible from off the site are discouraged.
- c. Berms at top of slopes and other locations should be used to screen, vary profile, and insure drainage away from slopes.
- d. Where any cut or fill slope exceeds ten feet in horizontal length, the horizontal contours of the slope shall be developed to appear similar to the existing natural contours. (See Figure 3)
- e. Grading should be balanced on site whenever possible to avoid excessive cut and fill, and to avoid the unnecessary import or export of earth material.
- f. No grubbing, grading or clearing shall occur prior to the approval of civil improvement plans and final grading plans by the Director of Public Works and the issuance of a grading permit. Grubbing, grading, clearing and stockpiling are only to occur in areas identified for those activities on the approved grading plan.
- g. All portions of the site or lot that are to be left ungraded are to remain undisturbed, and are not to be used for stockpiling of materials or excess fill.
- h. Areas on a site that are designated as natural areas shall be temporarily fenced, or a barrier placed where they abut construction areas, in order to prevent any disturbance of the natural area.
- i. Disturbed areas shall be restored as close as possible to their natural condition by using eonite, permeon, or a similar approved process designed to restore natural color to the landscape.
- j. Sides of roadways and driveways that are disturbed shall be revegetated, revarnished, or both.
- k. Cut or fill design on slopes that encroach into a floodplain must be approved by the Director of Planning and Development and the Director of Public Works concurrent with final grading plan approval.
- l. Pad elevations above street level shall be varied to avoid the appearance associated with monotonous, flat, level pads.
- m. Unless addressed by means of a retaining wall, slopes that are steeper than thirty-three percent, and slopes for which such stabilization is recommended or required by a geotechnical report, shall be stabilized with properly engineered stone rip rapping, sculptured rock or other similar material as follows:
 - i. Stabilizing material shall blend with the natural appearance of the site or lot and its surrounding terrain.

- ii. Vegetation retention and revegetation shall be used in conjunction with rip rapping.
- iii. All site revegetation and varnishing shall be completed within ninety days after completion of work or prior to issuance of a final inspection approval, whichever occurs first.
- n. Project designs shall be in accordance with the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual, and shall maintain natural runoff characteristics where at all possible.

4. Architecture/Building Design

Development built within hillside areas shall conform to the following:

- a. Reflective building materials (i.e. mirror finishes or metal roofs) are not permitted unless treated to eliminate glare.
- b. Limited slab-on-grade, with staggered floor elevations, shall be utilized to avoid massive building forms, excessive cuts and fill, and surfaces which contrast with the surrounding terrain.
- c. All external mechanical equipment shall be screened, and required vents shall be architecturally compatible with the structure.
- d. Building architecture should have predominant horizontal features. Vertical features should be minimized and generally used to accentuate entryways, garages, main doors and any type of vertical embellishment.
- e. No portion of a structure shall exceed a height of two stories or thirty-five feet, and a minimum of twenty feet of the structure must be lower than the elevation of the primary ridgeline.
- f. Wall articulation (e.g., insets, pop-outs, etc.) and roof orientation shall be used as a means to prevent a massive look.
- g. Rooflines and elements shall reflect the naturally occurring ridgeline silhouettes and topographical variation in order to blend with the hillside. (See Figure 4)
- h. Building materials and colors shall be compatible with the natural setting. Whenever possible, exterior colors shall be limited to earthtones that are found in nearby natural vegetation or soil, that come from natural sources (e.g., rock, stone, wood), or that resemble a natural appearance.

5. Clustered Development

Clustered development is encouraged as a means of preserving the natural appearance of the hillside and maximizing the amount of open space. Under this concept, dwelling is grouped in the more level portions of the site, while steeper areas are preserved in a natural state. Clustering can enhance the environmental sensitivity of a development project, and facilitate the permanent protection of key features of the natural environment, such as biological habitats, open space areas, scenic areas, ridgelines, and steep slopes. (See Figure 5) Also, it is often more feasible to provide the needed infrastructure for a cluster development, since clustering results in shorter roads and water, sewer, and utility lines. Clustering does not allow an increase in the overall density of an area beyond that which is otherwise permitted by the General Plan.

- a. Clustered development shall occur in a staggered or stepped manner so that the visual impact is lessened.
- b. Clustered subdivisions shall be sited so they do not have a dominant presence within the hillside.
- c. The location of clustered units shall be restricted to the flatter portions of a site, unless another location better minimizes impacts as relates to public safety, visual impact or environmental issues.
- d. Clustered development must preserve open space in its undeveloped form. Appropriate documents must be recorded to ensure the preservation of the open space areas in perpetuity. Open space areas shall be identified on the final subdivision map or parcel map as common lots.

6. Walls and Fences

- a. The height of walls shall be in accordance with Section 9.12.075.
- b. Walls shall conform to the topography of the site. (See Figure 6)
- c. Walls shall either incorporate the use of native materials or be earthtone colors to match the native soils and rocks. Walls and fences (other than retaining walls) should be made of natural materials (e.g., stone, wood, split rail) whenever possible and, at a minimum, shall be a color that blends with the surrounding environment. Where retaining walls front on or are visible from public streets or public vantage points, they shall be constructed of (or faced with) materials that are appropriate in color and texture to help visually blend the wall into the terrain.
- d. The use of retaining walls and retaining structures is encouraged when it significantly reduces site grading. (See Figure 7)

- e. Large retaining walls in a uniform plane should be avoided. Retaining walls should be broken up into elements and terraces, with landscaping used to screen them from view. (See Figures 7 and 8)
- f. Retaining structures shall be located so that they do not become a dominating visual feature.
- g. Tall retaining structures that are absolutely necessary should be located behind development so as to be screened from view.
- h. Whenever possible, the location of walls and fences (other than retaining walls) should be limited to areas within fifty feet of primary buildings and accessory structures in order to limit their impact on hillside viewsheds.
- i. Solid walls and fences shall be prohibited within fifty vertical feet of a ridgeline in order to prevent impacts on wildlife corridors and maintain the natural area surrounding the ridgeline.
- j. Fences that have pointed vertical elements shall not be permitted.

7. Landscaping

Landscape improvements on the overall project site shall be integrated with the natural topography and existing or indigenous vegetation. Plant materials shall be used to mitigate development impacts on washes, slopes, and any other sensitive environmental features.

- a. The use of non-native or competitive species that could threaten the native flora within the area is prohibited.
- b. Landscape design for all development shall consist of plant materials similar in form and scale to the existing vegetation in the area.
- c. Each natural area shall contain only those species that are indigenous to the native desert or mountain elevation and climate zone in which it exists.
- d. The interface between new development and natural open space shall be designed to provide a gradual transition from manufactured slopes into natural slopes.
- e. Landscaping (which is compatible with natural vegetation) shall be designed so that it extends out from developed areas and forms a cohesive pattern with existing natural vegetation, arranged in random, informal groupings. (See Figure 9)
- f. Landscaping along the slope side of development shall be designed to maintain controlled views from the residences, yet screen and soften the architecture from community vantage points.
- g. Trees and shrubs shall be arranged in informal, randomly spaced masses, and shall be placed selectively to reduce the scale of and help to blend manufactured slopes.

- h.** Plant materials that are used to stabilize a graded slope shall blend with the surrounding native plant materials in color and texture to the greatest extent feasible.
- i.** Landscaping shall be designed so as to avoid invasive species that could negatively impact indigenous plant species. Invasive species shall be identified through a recognized resource, such as a local Cooperative Weed Management Area.

8. Trails

- a. Each subdivision shall provide and maintain pedestrian access for trails that are identified in the City's Trail Master Plan and that are located within the subdivision, including subdivisions that are to be established as gated communities.
- b. A trail system that is designed to preserve habitat and ensure public safety shall be provided to link new development to existing trails within hillside areas.
- c. New subdivisions shall prepare a trails plan to link new residential areas to existing and planned trails in the City that are shown in the Trails Elements of the City's Master Plan, including hiking, equestrian and multi-use trails. The subdivision's trails plan must be submitted to the City for review and approval.
- d. Once approved by the City, the trails identified in each subdivision's trails plan shall be constructed by the developer prior to the final inspection of residential units. Such trails shall be maintained as agreed to by the developer and the City.

9. Open Space/Natural Areas

- a. Portions of hillside areas will be retained in their natural state.
- b. Within areas designated as natural areas, site disturbance, other than for the construction of hiking trails, is not permitted.
- c. Any area designated as a natural area shall be shown on the tentative subdivision map with existing surveyed topographical information, and the area itself shall be identified with horizontal control data on the final subdivision map or parcel map.
- d. Any area designated as a natural area may be designated as a separate parcel or as a deed-restricted portion of a parcel. If designated as a separate parcel, such parcel:
 - i. May be under the ownership of a owners' association or may be deeded to any organization which accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the Directors of Planning and Development and Public Works; and
 - ii. Shall be mapped as a common lot in order to help protect natural areas.

10. Circulation/Roadways

- a.** All public or private roadways shall be designed according to the standards of this Section, the Master Plan of Streets and Highways (if applicable), the Municipal Code, current City Standards and, if required, an approved traffic study. These standards are intended to supplement the Public Works Department Review Guidelines. Streets in hillside areas should be constructed in areas that would have the least impact on the natural environment.
- b.** The following elements of road and sidewalk circulation shall be incorporated in hillside area developments:
 - i** Roadway design which generally follows existing contours, thereby minimizing grading and resulting in an informal, curving internal network;
 - ii** The provision of two major points of access to principal roads in developments exceeding one hundred fifty units or when required by the Department of Fire and Rescue in order to minimize fire hazards;
 - iii** Roadways with a maximum slope of seven percent; (See Figure 10 for illustration of a seven percent slope in comparison to other slopes;
 - iv** Preservation of existing trees and natural features by dividing or routing roads and sidewalks around these elements;
 - v** Provision of safe, convenient pedestrian access to schools, parks and other recreational facilities;
 - vi** Combinations of collective private driveways, cluster parking areas and off-street parking bays, which are encouraged in order to minimize paved areas;
 - vii** The location of all utilities underground in a common trench in the parkway or under the sidewalk;
 - viii** Rolled curbs as the preferred road edge along any paved roads, where such curbing will be adequate to contain drainage and prevent erosion;
 - ix** Roadway improvements that do not adversely affect other properties or create the need for extensive grading, flood control facilities, or other types of construction or support infrastructure;
 - x** Roadways that meet the requirements of the Department of Fire and Rescue, including roadway grades and curves to accommodate safety and emergency vehicles;

- xi** Streets that follow the natural contours of the hillside to minimize cut and fill;
- xii** Cul-de-sacs or loop roads, which are encouraged where they are necessary to fit the terrain;
- xiii** The elimination of on-street parking and sidewalks in order to reduce required grading, subject to approval thereof by the Planning Commission or City Council (or both) as a specific element of an approved Site Development Plan Review;
- xiv** The preferred use of driveways that serve more than one lot, as well as diagonal driveways running along contour lines, where:
 - A)** Such driveways will reduce the need for grading, paving, and site disturbance;
 - B)** Such driveways have been approved by the Department of Fire and Rescue;
 - C)** Sight visibility restriction zones will be maintained in accordance with the most recent version of the guidelines of the American Association of Street and Highway Transportation Officials; and
 - D)** The maximum change in grade between driveway slope and the cross-slope of roadways is twelve percent for local roadways, and ten percent for collector roadways; and
- xv** Street lighting that is limited to intersections and other locations where necessary in order to provide safe access or passage, as determined by the Director of Public Works. Facilities for other public street lighting will be stubbed out for later use, including all necessary underground conduit and pull boxes at each streetlight location, but the installation of the streetlights may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works.

D HILLSIDE DEVELOPMENT DESIGN REVIEW

- 1.** The objective of the Hillside Development Design Review under this Subsection (D) is to preserve significant natural features within hillside areas by encouraging design that minimizes disturbance to existing topographical forms. A development should be designed to fit into hillside areas rather than altering the earth forms to create a flatland type of development.

2. Project design should:

a. Initially identify the existing geographic, topographic, and environmental features of the site (such as geological hazards, steep slopes, ridges, valleys, streams, views, existing drainage patterns, significant biota, and outcroppings); and

b. Then determine the impact the proposed project will have on these elements.

3. Preparation of a site plan should be based upon a determination concerning how traffic circulation, fire protection and access, drainage, sound barriers, buffers, land alteration, and other measures will be employed to limit any negative impacts of the development. The final site plan should reflect how all of these impacts are successfully solved or mitigated.

4. Other elements that should be considered in a successful design and, where indicated, reflected in submittal documents are the following:

a. Preservation of distinctive natural features, the general existing topographical forms, significant trees, landscaping, natural water courses and wildlife corridors, with data and aerial maps to be provided showing the location, type and nature of existing major vegetation, including significant clusters or contiguous areas of dense growth and existing vegetation to be preserved;

b. Preservation of prominent skyline ridges, which must be shown by providing a graph or other visual analysis indicating rooftop in relation to ridgeline; (See Figure 11)

c. The location of roads and structures below the skyline ridge, with a visual analysis to be provided indicating circulation related to existing contours;

d. The location and construction of roadways, with drawings and explanations to be provided showing how roadways will be constructed in a manner compatible with the natural terrain and with scarring eliminated;

e. Incorporation of hiking, biking, walking and equestrian trails, where appropriate;

f. Variation in lot size, building placements, setbacks, and orientation;

g. Variable changes in elevation and siting of buildings to ensure views and avoid monotony;

h. Preservation of steep hillsides by clustering buildings or use of other innovative approaches;

i. Sensitivity to the project's appearance from lower or adjacent development;

j. Placement of equipment and other unsightly forms below ridgelines and in bermed and landscaped areas.

- k. Development design, with documentation to be provided indicating that significant effort has been made towards incorporating energy-conservation and water saving techniques;
- l. Maintenance of natural drainage/water runoff characteristics where possible;
 - m. The use of exterior lighting for buildings that is:
 - i. Of a “cut-off” type designed to ensure that excess light does not spill over; and
 - ii. Of the lowest intensity feasible so as to be adequate for the purposes intended but not likely to attract undue attention.
5. Prior to the submittal of an application for Site Development Plan Review, a grading plan and drainage plan must be submitted to and approved by the Department of Public Works. The plans must clearly identify the topography of the land and how it relates to the development. Areas known or suspected to be hazardous, as determined by the Department of Public Works, shall not be disturbed without a geological survey, other data and tests, or a combination thereof, as required by the Department of Public Works. The submittal must include or be accompanied by a topographic map of the area proposed for development and shall show the location of, and distinguish, each of the following slope categories:
 - a. Slope less than 15%
 - b. Slope between 15% - 20%
 - c. Slope between 20.01% - 25%
 - d. Slope greater than 25%
6. A grading plan must first be approved by the Director of Planning and Development before Site Development Plan Review is considered by the Planning Commission. The Director’s review shall coincide with staff review of the Site Development Plan and drainage study.
7. Site Development Plan Review for all hillside area development shall be processed as a public hearing item. In order to address the sensitive nature of hillside development, the final grading plan that was approved with the Drainage Study and by the Planning and Development Director shall be submitted with the design review applications.
8. The burden of proof is on the applicant to demonstrate that the proposed development:
 - a. Is located and designed so as to protect the safety of residents and will not create significant threats to life or property by reason of the presence of hazards relating to geology, slope instability, flood, fire or erosion;

- b. Is compatible with the natural, biotic, cultural, scenic and open space resources of the area;
 - c. Can be conveniently served by neighborhood shopping and provided essential public services without imposing significant costs on the total community;
 - d. Is consistent with the objectives and policies of the General Plan; and
 - e. Incorporates creative and imaginative design, resulting in a visual quality that will complement community character and benefit residents.
9. Any variance from or adjustment to any requirement set forth in this Section may be obtained by means of a Variance application in accordance with LVMC 19.18.070.

E FIGURES

Figures referred to in this Section are set forth below.

Figure 1

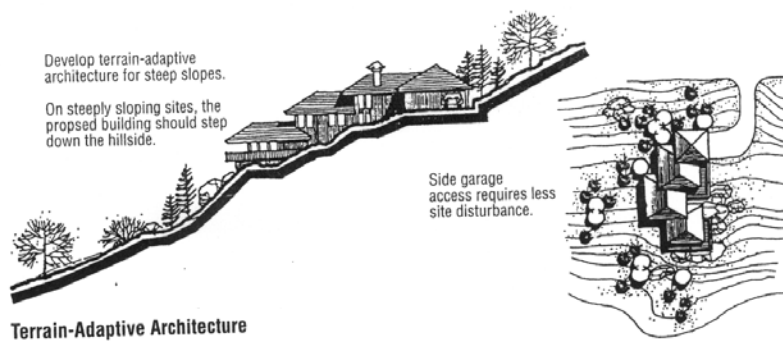


Figure 2

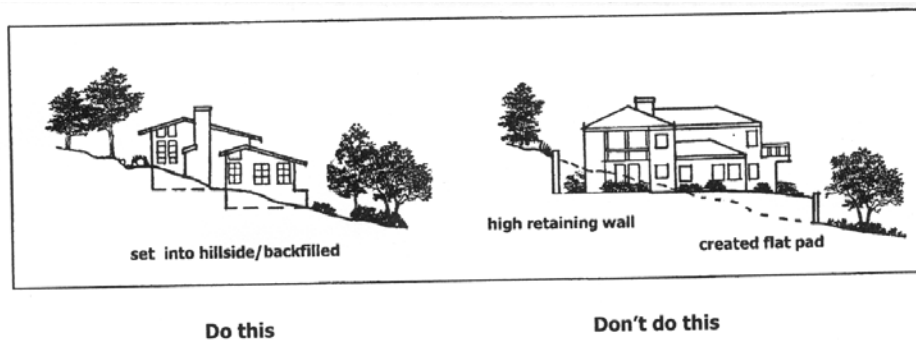


Figure 3

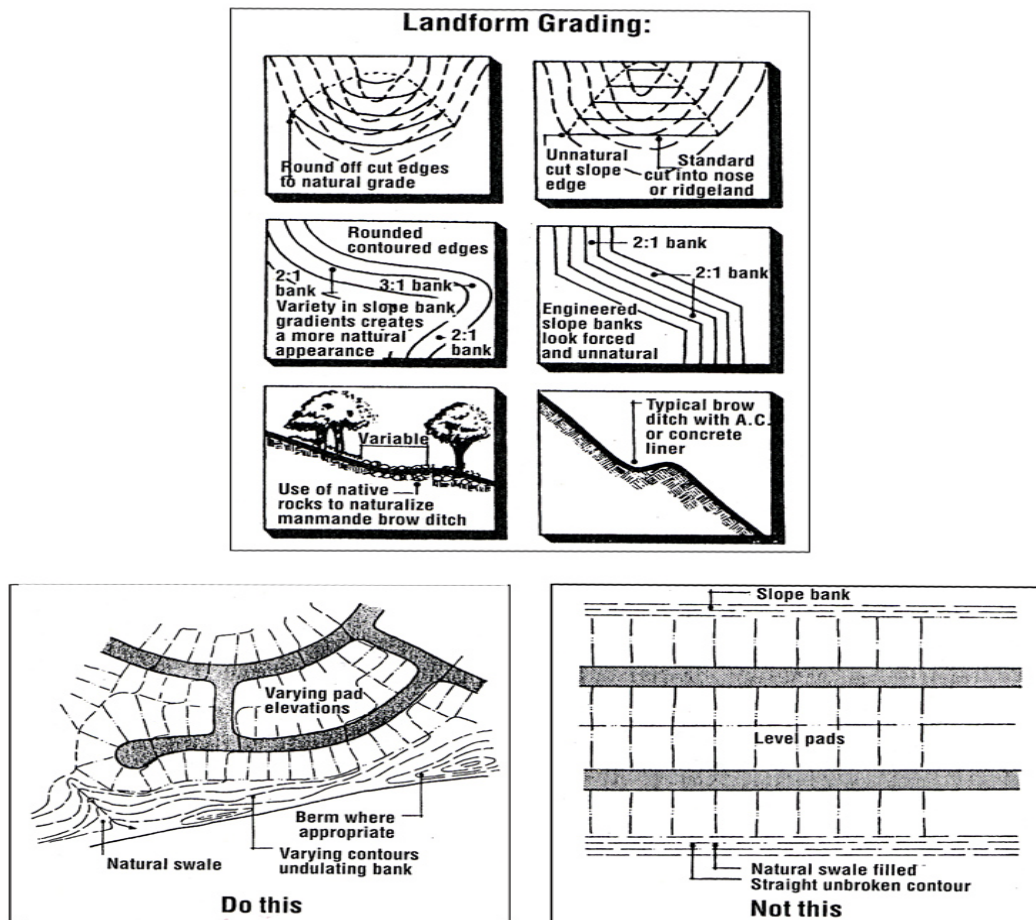


Figure 4

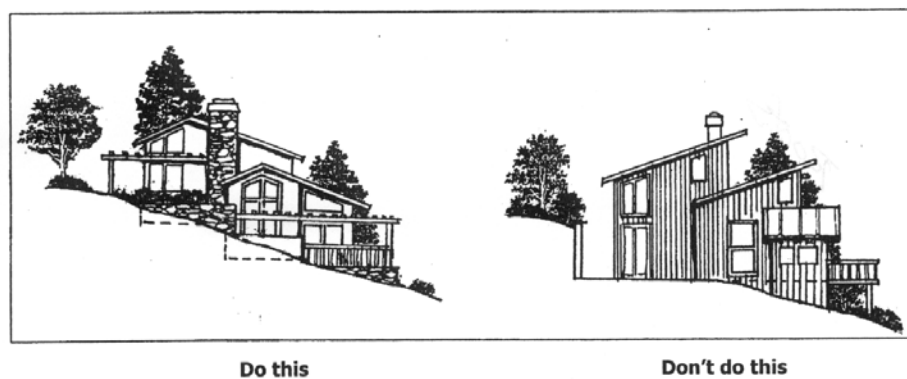


Figure 5

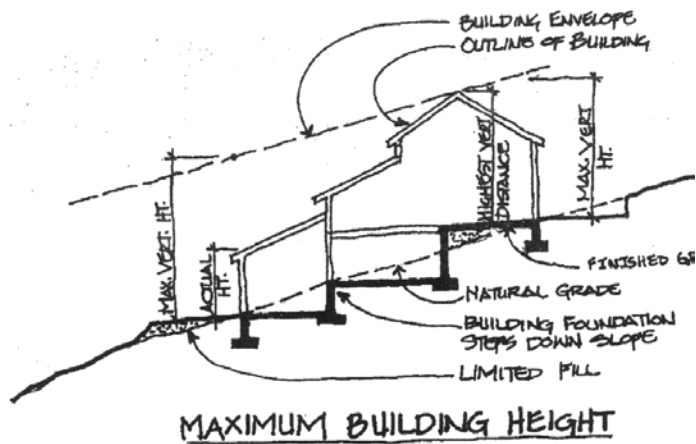


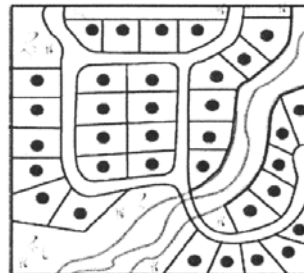
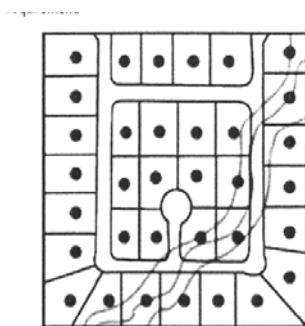
Figure 6



Roof forms are kept small and reflect the surrounding topography

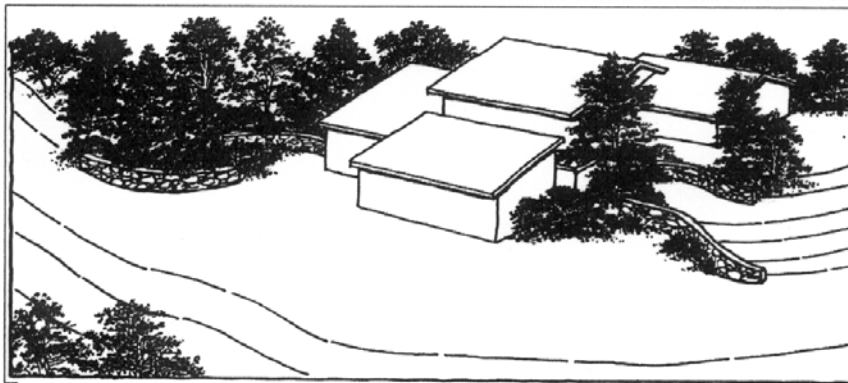
Figure 7

Not clustered



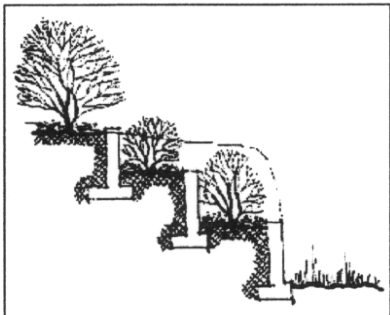
Clustered to preserve natural site features

Figure 8



Retaining walls blend with the natural topography

Figure 9



Use retaining walls and terraces to minimize cut and fill that would alter the perceived natural topography of the site. Screen retaining walls with plant materials, or face them with rock.

Figure 10

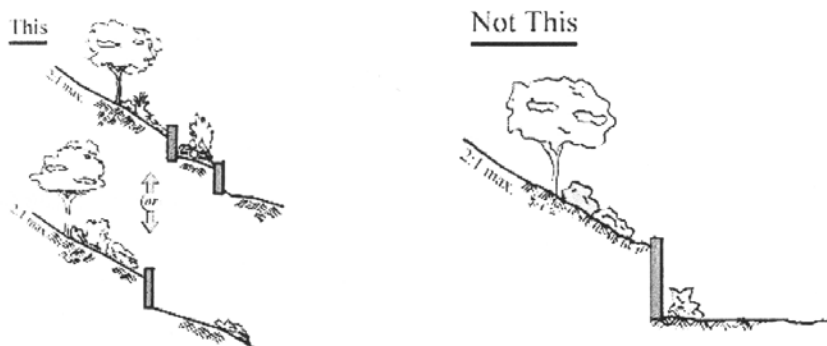


Figure 11

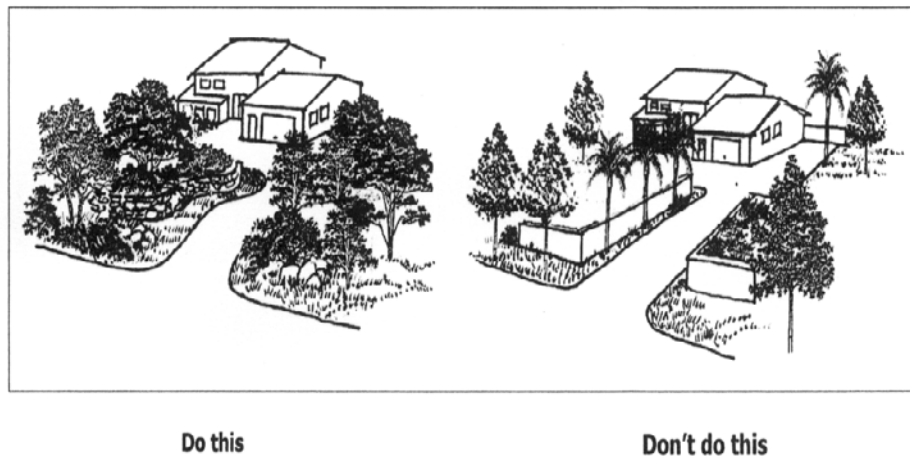
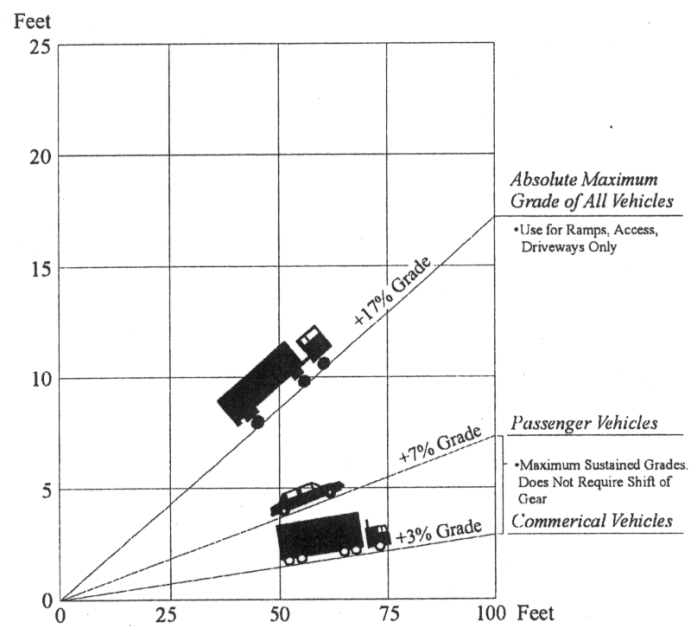
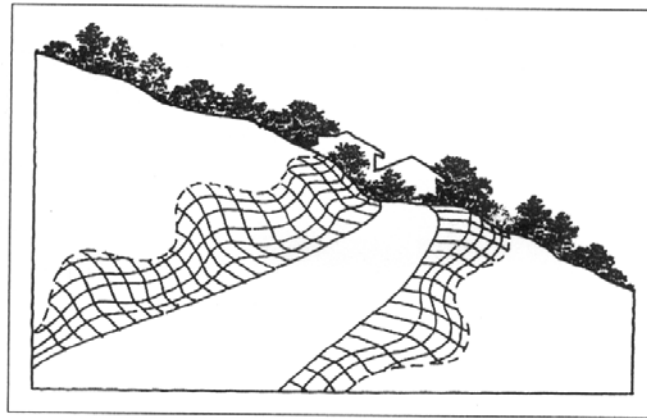


Figure 12



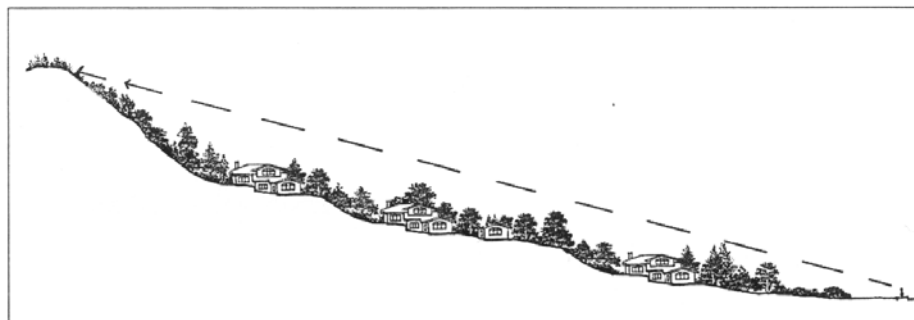
Source: Urban Planning and Design Criteria, Joseph Dechiara/Lee Koppelman 3rd edition, 1982

Figure 13



Modulate manufactured slopes to appear natural

Figure 14



Houses do not project above significant ridgeline

