

[Bracketed] and/or ~~strike through~~ material is that portion being deleted or amended  
Underlined material is that portion being added

**Adopted: 6/20/07**  
**Effective: 7/23/07**

BILL NO. \_\_\_\_\_

SUMMARY - An Ordinance to amend the Unified Development Code to allow a density bonus for mixed use development within one quarter mile of the University of Nevada Las Vegas campus.

ORDINANCE NO. 3530  
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 30, CHAPTERS 30.48, SECTION 30.48.770 TO ALLOW A DENSITY BONUS FOR MIXED USE DEVELOPMENT WITHIN ONE QUARTER MILE OF THE UNIVERSITY OF NEVADA LAS VEGAS CAMPUS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 30, Chapter 30.48, Sections 30.48.770, of the Clark County Code is hereby amended to read as follows:

**30.48.770 Evaluative Criteria.** In addition to satisfying the MUD subdistrict expectations, all proposed mixed use developments shall be further evaluated in terms of the criteria established in this subsection. (Note: mixed use developments located within the boundaries of the Major Flight Corridor delineated on Map 15a (Mixed Use Overlay District) are subject to additional sound attenuation requirements established in subsection (C) (9).

.....  
**C. Design and Development Standards.** Applications for a mixed use project shall demonstrate compliance with the standards established in this subsection, in addition to the standards generally required by this Title and including the residential proximity standards defined in Section 30.08.030. Standards shall only be modified with the approval of a special use permit per Table 30.16-4, as permitted in the subsections below and provided the applicant demonstrates the proposed modification is necessitated by an increased provision of amenities as described in this subsection (C). Where less restrictive alternative standards are established by this Part (J), the less restrictive standards shall apply, except signage in the CMA Area Design Overlay District shall comply with all applicable restrictions established in Section 30.48.680 (also see Table 30.56-2 for additional design standards). Where this subsection (C) does not address requests to modify standards, such modifications shall not be permitted. In no case shall the residential proximity standards be waived or varied; however the three to one (3:1) height setback ratio may be reduced if the single-family residential use is located in an area master planned for a non-single family residential use, subject to special use permit approval with public hearings before the Commission and the Board.

- 1. Density.**
  - a. Densities permitted within each Mixed Use Overlay subdistrict are established

in Table 30.48-J1 and do not include mixed use development incentives allowed per subsection (b) below. Density bonuses in accordance with subsection (b) below shall require special use permit approval with public hearings before the Commission and the Board.

<b>Table 30.48-J1 Development Standards for Mixed Use Development with U-V Zoning</b>				
<b>Subdistrict<sup>1</sup></b>	<b>MUD-1</b>	<b>MUD-2</b>	<b>MUD-3</b>	<b>MUD-4</b>
<b>Density (du/ac)<sup>2</sup></b>	as approved	up to 50	up to 32	up to 18
<b>Height<sup>3</sup></b>				
<b>Maximum</b>	up to 100'	up to 100'	up to 55'	up to 35'
<b>With Special Use Permit</b>	as approved	up to 200'	up to 100'	up to 55'
<b>Additional Requirements:</b>				
1. Regardless of MUD subdistrict, facades and garages that face existing single-family shall be designed to be compatible with the height and setbacks of the existing development.				
2. Density bonuses per subsection 30.48.770(C) (1) (b) require special use permit approval and hearings before the Commission and the Board.				
3. Architectural height intrusions up to ten percent (10%) are permitted without an Administrative Minor Deviation or letters of consent from adjacent property owners.				

**b. Mixed Use Development Incentives.** This subsection provides a list of incentives and corresponding density bonuses to encourage certain urban uses capable of producing a sustainable community and addressing community housing needs. Percentage increases for each incentive used will be calculated on the base density requirement for the subdistrict in which the proposed mixed use project is located. For the purpose of implementing the following incentives, “walking distance” shall generally be interpreted to mean one quarter (1/4) mile (plus or minus ten percent (10%) of one thousand three hundred twenty (1,320) linear feet), and the distance shall be measured from the exterior wall of the nearest mixed use building to the property line of the other specified use.

- i.** Developments located within walking distance along the nearest pedestrian access to a developed or planned transit stop (Regional Transportation Commission) may be eligible for a density bonus up to twenty percent (20%).
- ii.** Providing a minimum one hundred (100) space Park and Ride facility and program within walking distance along the nearest pedestrian access to a developed or planned ~~and funded~~ transit stop (Regional Transportation Commission) may be eligible for [permit] a density bonus up to ten percent (10%). The development may be eligible for An additional one percent (1%) bonus for every additional ten (10) Park and Ride spaces over the first one hundred (100) spaces ~~[may be permitted]~~ up to a maximum of twenty percent (20%) bonus (two hundred (200) Park and Ride spaces).
- iii.** A grocery store (or other similar retail use with six thousand (6,000) square feet or more of grocery sales area) within the project, or within walking distance along the nearest pedestrian access to an existing grocery store, may be eligible for [permit] a density bonus up to twenty percent (20%).
- iv.** A continuous street frontage from one intersecting street to another (minimum six hundred (600) linear feet) may be eligible for [permit] a density bonus up to twenty percent (20%).
- v.** In addition to the required open space, providing a publicly accessible plaza

area of one and one half (1.5) acres or more may be eligible for ~~[permit]~~ a density bonus up to one hundred (100) units for the first acre of project, and up to fifty (50) units for each additional acre up to two hundred fifty (250) units.

vi. Providing a fifteen (15) foot wide or larger supplemental pedestrian area (beyond what is required per Table 30.48-J2) may be eligible for ~~[permit]~~ a density bonus up to twenty percent (20%).

vii. Developments located within one thousand three hundred and twenty feet (1,320') of the University of Nevada Las Vegas campus may be eligible for a density bonus up to thirty percent (30%).

c. **Limitations.** In no case shall the maximum density within MUD-4 exceed thirty-two (32) dwelling units per acre.

SECTION 2. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks; on 7/23/07. A land use application approved prior to the effective date of this ordinance may be developed per the regulations in effect at the time of the application's approval.

PROPOSED on the \_\_\_\_\_ day of \_\_\_\_\_, 2007

PROPOSED By: \_\_\_\_\_

PASSED on the \_\_\_\_\_ day of \_\_\_\_\_, 2007

VOTE:

AYES: \_\_\_\_\_

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NAYS: \_\_\_\_\_

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ABSTAINING: \_\_\_\_\_

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ABSENT: \_\_\_\_\_  
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BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By \_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
SHIRLEY B. PARRAGUIRRE, County Clerk

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 2007.