

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

Adopted: 5/16/07
Effective: 6/04/07

BILL NO. _____

SUMMARY - An Ordinance to amend the Unified Development Code to establish a Moapa Valley Overlay District with special design and development standards for Moapa Valley within in unincorporated Clark County.

ORDINANCE NO. 3521
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 30, CHAPTERS 30.16, 30.36, 30.48, AND 30.72; SECTIONS 30.36.010, 30.36.080, 30.72.050, TABLE 30.16-9; AND TO ESTABLISH SECTIONS 30.48.900 THROUGH 30.48.935 AND APPENDIX G MAP 17; TO ESTABLISH A MOAPA VALLEY OVERLAY DISTRICT WITH SPECIAL DESIGN AND DEVELOPMENT STANDARDS FOR THE MOAPA VALLEY WITHIN UNINCORPORATED CLARK COUNTY; MAKE OTHER MINOR CORRECTIONS AND CLARIFICATIONS AS NECESSARY; 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 30.16 (Land Use Application Processing), Table 30.16-9, of the Clark County Code is hereby amended to read as follows:

Table 30.16-9 DESIGN REVIEW - AUTHORITY AND CONSIDERATION TABLE	
<i>SEE ALSO 30.16.210 for general process information and standards (Italicized words are defined in Chapter 30.08)</i>	
c. Document Submittal Requirements	<p>1. Pre-submittal Conference Requirements for uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC; planned unit development (see Chapter 30.24); mixed use development (see Chapter 30.48 Part J); neighborhood casinos (see Chapter 30.48 Part E); and <i>projects of regional significance</i> only, projects within the Asian Design Overlay District (see Chapter 30.48 Part K for submittal requirements):</p> <p>Pre-submittal form Twenty (20) site plans Twenty (20) project descriptions Twenty (20) elevations Twenty (20) floor plans Two (2) landscape plans Two (2) assessor's maps Twenty (20) pedestrian circulation plans (mixed use development only) Two (2) preliminary traffic impact analysis (<i>mixed use projects of regional significance only</i>)</p> <p>2. All Other Applications Submittals:</p> <p>Application form Five (5) site plans Two (2) floor plans Two (2) elevations Two (2) landscape plans Two (2) assessor's maps Two (2) deeds Two (2) legal descriptions Parking analysis Three (3) justification letters Disclosure form Fire permit survey form Four (4) reports (<i>project of regional significance only</i>) Two (2) grading plans if hillside development (see Chapter 30.56, Part C) Two (2) pedestrian circulation plans (mixed use development only) List and quantities of hazardous materials only if applicable (See Clark County Fire Department's <i>Hazardous Materials Systems Guideline</i>, NRS, and NAC) Photographs, samples, or other documentation may be required to determine compatibility with surrounding development Written evidence of prior submittal to FAA of Form 7460-1, Notification of Proposed Construction, pursuant to Section 30.16.210(4)(F), if applicable For projects within the Asian Design Overlay District see Chapter 30.48 Part K for additional submittal requirements. <u>For projects within the Moapa Valley Overlay District see Chapter 30.48 Part L for additional submittal requirements.</u> (See Section 30.16.240 for FAA and additional document submittal requirements)</p>

SECTION 2. Title 30, Chapter 30.36 (Zoning Districts and Maps), Sections 30.36.010 and 30.36.080, of the Clark County Code are hereby amended to read as follows:

30.36.010 Establishment of Zoning Districts. In order to classify, regulate, and segregate the use of land, buildings and structures, and to regulate and restrict the height and bulk of buildings, the unincorporated territory of Clark County is divided into districts as follows.

1. Residential Districts.

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5. Overlay Districts.

- Adult Use Overlay District
- Airport Airspace Overlay District
- Airport Environs (AE) Overlay District
- Asian Design Overlay District
- Cooperative Management Agreement (CMA) Area Design Overlay District
- Gaming Enterprise District
- Mixed Use Overlay District (MUD)
- Moapa Valley Overlay District
- Red Rock Design Overlay District
- Residential Neighborhood Preservation (RNP) Overlay District
- Transition Corridor Overlay District (Ord. 3174 § 3 (part), 1/2005; Ord. 3061 § 4 (part), 5/2004)

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30.36.080 Miscellaneous Maps. Maps and the electronic database creating such maps are hereby adopted to describe specific geographic areas related to topography, air quality, airport functions, overlay districts, community districts, and the protection of rural areas. The maps are as adopted by the Board, and as amended by future action. These maps are shown in reduced form in Appendix G, and detailed copies are available for review and/or purchase from the Department of Comprehensive Planning. The maps are the basis of specific regulations listed within this title which are designed to mitigate the impact of development within the particular areas described. The maps are as follows:

1. Airport Airspace Maps. The maps described in Chapter 20.13 and Part B of Chapter 30.48 within which the height of structures is limited within airspace affected by aircraft operations.

- A. McCarran Airport Airspace Map
- B. Nellis AFB Airspace Map
- C. North Las Vegas Airport Airspace Map
- D. (save for future Airport use)
- E. Jean Airport Airspace Map
- F. Overton Airport Airspace Map

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17. Moapa Valley Overlay District Map. The boundary within which special design and development standards described in Chapter 30.48. PART L, shall be applied.

SECTION 3. Title 30, Chapter 30.48 (Zoning Overlay Districts), is hereby amended to add a new Part L, Sections 30.48.900 through 30.48.935, as follows:

30.48 PART L MOAPA VALLEY OVERLAY DISTRICT

30.48.900 Purpose. The Moapa Valley Overlay is established to impose additional design standards within the Moapa Valley Town boundary to promote development that will maintain and enhance the environment and rural character of the Logandale and Overton areas.

30.48.905 Policy Framework and Relevant Plans. The design components of this overlay are consistent with policies of the Northeast Land Use Plan and the Moapa Valley Community Profile and Vision Plan.

30.48.910 Establishment of the Moapa Valley Overlay District and Map. The boundaries of the Moapa Valley Overlay District described in this Part L are hereby established as shown on the Moapa Valley Overlay District Map, as adopted by the Board of County Commissioners and amended from time to time, which shall be incorporated by reference into Title 30 (see Appendix G, Map # 17).

30.48.915 Expansion or Amendment of the Moapa Valley Overlay District. The Moapa Valley Overlay District (Overlay) may be expanded or amended by ordinance.

30.48.920 Permitted Uses. The specific uses allowed per zoning district in Table 30.44-1 shall establish the uses permitted within the Moapa Valley Overlay District, subject to the conditions listed and including any additional application requirements indicated therein.

30.48.925 Applications. All new development within the Moapa Valley Overlay District boundaries shall be subject to the applicable land use application approval and must be in conformance with the standards, requirements and procedures established in this Part (L).

- 1. Any modification to an approved or existing development within the Moapa Valley Overlay District which increases the building area by more than one hundred (100) square feet or ten percent (10%), whichever is greater, increases the building height by more than four (4) feet or ten**

percent (10%), whichever is greater, or significantly changes the location of previously approved uses or principal structures, shall result in the entire development complying with this Part.

2. In addition to all requirements listed in Chapter 30.16, land use applications for projects within the Moapa Valley Overlay District shall include applicable detailed landscape, lighting, and signage plans, as well as colored elevations of the development. These plans shall address and conform to all provisions set forth under this section.

30.48.930 Architectural Development Standards. This section establishes architectural standards which enhance the rural character within the Moapa Valley.

1. Non-residential buildings along Moapa Valley Boulevard within the Overton Main Street area (as shown on the land use plan) shall have an entrance facing the Moapa Valley Boulevard right-of-way.
2. Building height shall not exceed thirty-five (35) feet.
3. Exterior colors shall consist of subdued earth tones. Bright colors shall not be permitted.
4. Buildings within a shopping center shall have compatible architecture and design elements.

30.48.935 Site Development Standards. The standards below are intended to serve as supplemental requirements to the underlying zoning district regulations and various site development standards established in Title 30, Chapters 30.40, 30.44, 30.48, and 30.56. The uses, minimum lot sizes, lot width, yard requirements, lot coverage, and other development requirements shall be determined by the regulations applicable to the underlying zoning district. The standards within this section are intended to provide visually appealing streetscapes and enhance the rural lifestyle by preserving and restoring the scenic qualities of the native landscape.

1. Perimeter buffering, Landscape, and Screening:

- A. Detached sidewalks per Figure 30.64-17 are required along all arterial and collector streets for all developments. A six (6) foot decorative wall is required behind landscaping and detached sidewalk. If agricultural development is adjacent to the detached sidewalk and landscaping, traditional farm/agricultural fencing may be provided.
- B. Along collector and arterial streets, a minimum ten (10) foot segment of decorative fence is required for every forty (40) feet of wall.
- C. When adjacent to local streets, major subdivisions should be designed with lots fronting the local streets. Along the perimeter of a subdivision, where lots rear or side the local street, solid walls are not permitted. An open fence (a minimum of 50% of the vertical surface area of the fence to remain open and transparent) and a six (6) foot landscape strip per Figure 30.64-10 (fence need not be decorative, but shall be constructed of materials listed in subsection (D) below) shall be provided.
- D. Any required fence and wall shall be constructed of wrought iron, wrought iron and decorative CMU (concrete masonry unit) combination, open rail fencing, pre-cast decorative concrete, vinyl, stone, weather-treated wood and textured or stucco surfaced CMU that is architecturally compatible with adjacent buildings. Non-textured or unfinished CMU and corrugated metal are not a permitted material for walls or fences.

- E. Fences and walls shall be designed to be architecturally compatible to the principal buildings in terms of materials, colors, and design.
 - F. Walls and fences shall be designed to increase shadow patterns, provide interesting visual effects and reduce apparent mass.
 - G. Fences/walls constructed along Moapa Valley Boulevard should preserve view sheds and promote visual interest and safety.
 - H. Maximum fence/wall height per Chapter 30.64.
 - I. Gated developments are not permitted.
 - J. Plant materials shall be selected to blend in scale with the design scheme of the proposed site.
 - K. Plant materials shall be used as distinctive elements to identify major entry ways.
- 2. Parking. Within Overton Main Street area (as shown on land use plan) parking is not permitted between rights-of-way and buildings unless approved through a Waiver of Development Standards or Variance application.**
- 3. Signage.**
- A. All signs must be consistent with the architecture of the building or development in which they are located.
 - B. Freestanding signs shall not exceed a maximum height of twenty (20) feet.
 - C. The area of wall signs shall be limited to a maximum of ten percent (10%) of the surface of the wall on which it is located.
 - D. Monument signs may not be internally illuminated.
 - E. Signs shall not contain exposed neon.
 - F. Animated signs, multivision signs, and revolving signs are not permitted.
 - G. All other sign development standards per 30.72.
- 4. Lighting: Site lighting shall be designed to be functional, safe, unobtrusive, and complement the rural lifestyle.**
- A. Lighting Design Standards.**
- 1. All lighting shall be designed to integrate the overall theme of the development and shall be architecturally compatible with the character of on-site structures.
 - 2. Lighting shall be unobtrusive to adjacent properties and public rights-of-way.
 - a. Lighting standards and fixtures shall not cause abrupt visual transitions and shall gradually define land use transitions.
 - b. Exterior accent lighting for landscaping and buildings shall be accomplished with low intensity light sources which typically include surface mounted fixtures, lamps

recessed in building overhangs, walls, architectural, and landscape architectural accents.

- c. Exterior fixtures (luminaries) mounted on buildings shall be no higher than the line of the first story eave, or fourteen (14) feet above finished grade, whichever is lower.
- d. Floodlights, spotlights, or any other similar lighting shall not be used to illuminate buildings or other site features unless approved as an integral architectural or landscape element of the development (land use application) plan.
- e. Parking lot fixtures shall be cut-off fixtures, designed and positioned to cast adequate light for safety and security but adjusted to eliminate encroachment on neighboring properties.
- f. All site lighting shall be appropriate in height, intensity, and scale to the site it is serving and shall not exceed a maximum height of thirty five (35) feet.

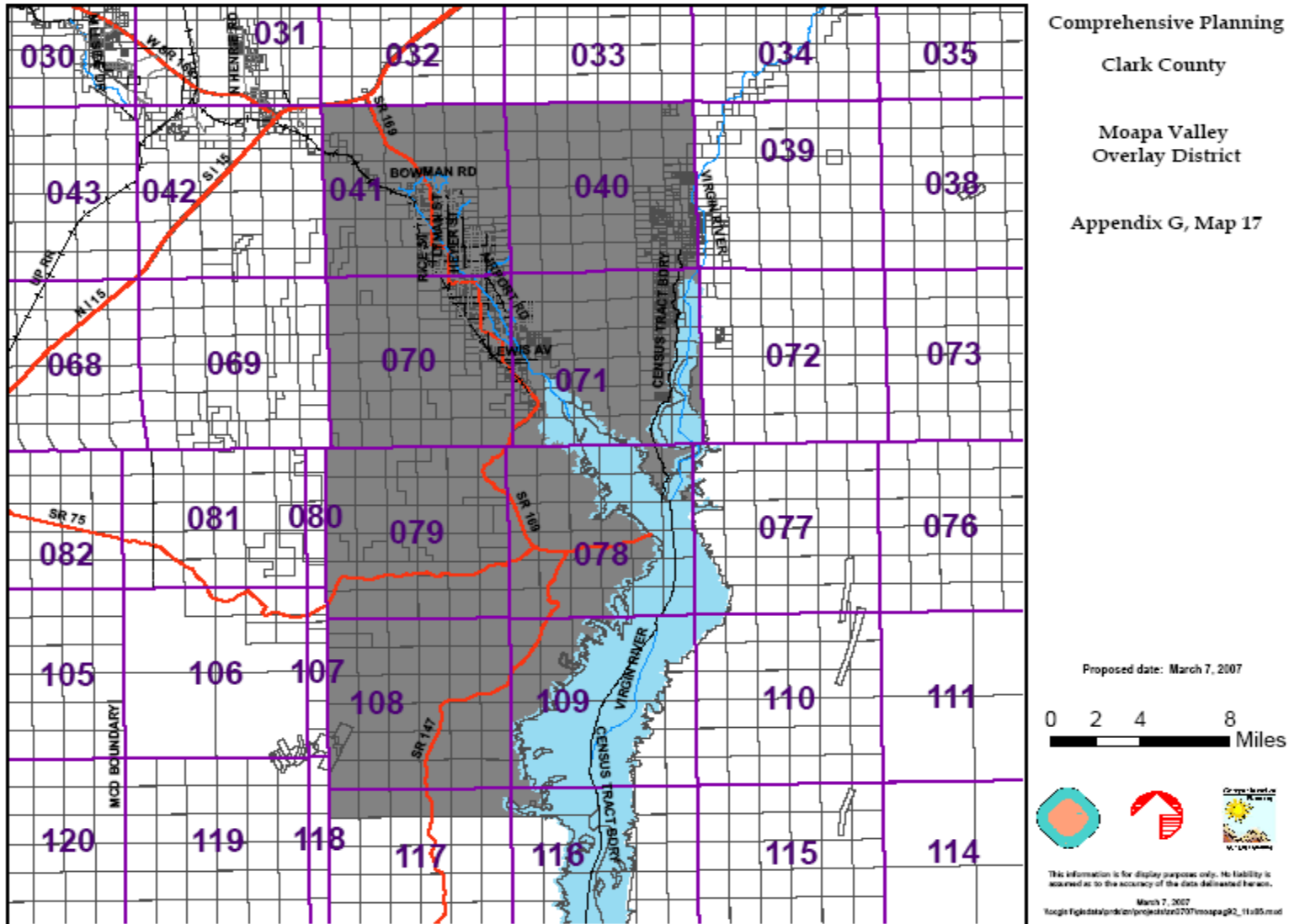
B. Lighting Exemptions. The lighting provisions set forth in this section shall not apply to seasonal lighting that is part of customary holiday decorations or annual civic events, or public lighting installed for the benefit of public health, safety, and welfare.

C. Non-conforming Lighting. All existing outdoor lighting fixtures shall be considered legal nonconforming fixtures. Existing fixtures may not be expanded or increased in a manner which would result in greater non-conformity.

SECTION 4. Title 30, Chapter 30.72 (Signs), Section 30.72.050 of the Clark County Code is hereby amended to read as follows

30.72.050 On-Premise Signs. The regulations listed in Table 30.72-1 below apply to on-premise signs and include additional Residential Protection Standards established for on-premise freestanding signs. All the property within a commercial complex, including shopping centers and business parks, which contains more than one (1) user and shares common parking or vehicular access shall also be considered on the same property (See Figure 30.72-1). Property located within the Transition Corridor, Red Rock Design Overlay, ~~and~~ CMA Area Design Overlay, ~~and the~~ Asian Design Overlay, and the Moapa Valley Overlay Districts are subject to additional requirements and restrictions per Chapter 30.48 (see respective PARTS).

SECTION 5. Title 30, Appendix G (Miscellaneous Maps), of the Clark County Code, is hereby amended to add a new Map # 17, entitled the *Moapa Valley Overlay District Map*, as follows:



SECTION 6. 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 7. 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 8. 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, 05/21/07. A land use application approved prior to the effective date of this ordinance may be developed per the plans approved with the application.

PROPOSED on the _____ day of _____, 2007

PROPOSED By : _____

PASSED on the _____ day of _____, 2007

VOTE:

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

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.