

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, A POLITICAL  
SUBDIVISION OF THE STATE OF  
NEVADA,

Appellant,

vs.

180 LAND CO., LLC, A NEVADA LIMITED-  
LIABILITY COMPANY; AND FORE STARS,  
LTD., A NEVADA LIMITED-LIABILITY  
COMPANY,

Respondents.

180 LAND CO., LLC, A NEVADA LIMITED-  
LIABILITY COMPANY; AND FORE STARS,  
LTD., A NEVADA LIMITED-LIABILITY  
COMPANY,

Appellants/Cross-Respondents,

vs.

CITY OF LAS VEGAS, A POLITICAL  
SUBDIVISION OF THE STATE OF  
NEVADA,

Respondent/Cross-Appellant.

No. 84345

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**AMENDED  
JOINT APPENDIX  
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from 20,000 to 40,000 square feet and greater. (The primary application of this category is in the Northwest Sector).

**Rural Density Residential (R)**  
( $\leq 3.96$  SFUE/net ac). The Rural Density residential category allows a maximum of three plus dwelling units per net acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size, ranging from 11,000 to 40,000 square feet and greater. (The primary application of this category is in portions of the Northwest Sector, and in the northeast and southeast portions of the Southwest Sector.) For a more detailed explanation of uses allowed in the Rural Density Residential (R) category and in the following Low Density Residential (L) category, as well as for a comparison of the City of Las Vegas vs. Clark County Zoning Regulation procedures for the DR and R categories, see the Land Use Section of the Appendix Volume of the General Plan)

**Low Density Residential (L)**  
( $\leq 6.70$  SFUE/net ac). The Low Density residential category allows up to 6.7 dwelling units per net acre. This category permits single family detached homes, mobile homes on individual lots, gardening, home occupations, and family child care facilities. Lot sizes range from 6,500 to 11,000 square feet and greater. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. (The primary application of this category is in the Southwest and Southeast sectors.)

**Medium Low Density Residential (ML)** ( $\leq 9.0$  SFUE/gross ac). The Medium Low Density residential category permits up to 9 SFUE per gross acre. This density range permits a mixture of housing types: single family detached, including compact lots and zero lot lines; mobile home parks and two-family dwellings. Local supporting uses such as parks, other recreation

facilities, schools and churches are allowed in this category. Lot sizes range from 3,200 to about 6,500 square feet and greater. (The Medium Low Density category is found in all sectors, but predominates in the Southwest Sector, and in the Southeast Sector as in-fill.)

**Medium Density Residential (M)**  
( $\leq 13.27$  SFUE/gross ac). The Medium density residential category permits up to 13.27 SFUE per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, and low density apartments. (The Medium Density category is found in all sectors, but predominates in the Southwest and Southeast sectors, situated along primary and secondary streets, with a large concentration along the "west leg" of the Oran K. Gragson Highway.)

**High Density Residential (H)**  
( $\leq 16.58$  SFUE/gross ac). The High Density residential category permits up to 16.58 SFUE per gross acre. (This category is generally found as low rise apartments in the "Downtown Area" and other areas of relatively intensive urban development in the Southeast Sector.) This category also permits traffic equivalent non-residential land use to occur.

**Service Commercial (SC)**  
The Service Commercial category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers and areas, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services.

**General Commercial (GC)**  
General commercial allows retail, ser-

vice, wholesale, office and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Examples include new and used car sales, recreational vehicles and boat sales, car body and engine repair shops, mortuaries, and other highway uses such as hotels, motels, apartment hotels and similar uses. General Commercial uses allow Service Commercial uses.

**Tourist Commercial (TC)**  
Tourist Commercial allows entertainment and visitor-oriented uses such as hotel, motel and casinos in addition to offices, light commercial resort complexes, recreation facilities, restaurants and recreational vehicle parks.

**Office (O: Proposed New Category)**  
Office uses are now included in the Service and General Commercial categories. However it is important to plan for suitable Office uses in the General Plan as a transitional buffer between residential and commercial areas, and for planned office areas. Permitted office uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

**Light Industry/Research (L I/R)**  
This Light Industry/Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

**Parks/Recreation/Open Spaces (P)**  
This category allows large public parks and recreation areas such as public and private golf courses, trails and ease-



ments, drainage ways and detention basins, and any other large areas of permanent open land.

#### **Schools (S)**

This category allows public and private elementary, junior and senior high schools, but not commercial or business schools.

#### **Public Facilities (PF)**

This category allows large governmental building sites and complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

## **2.2 Issues**

### **Issue 1: Legal Significance of General (Master) Plans**

The Nevada Supreme Court has held that there must be "substantial compliance" between the General (Master) Plan of a community and subsequent zoning approvals. The City of Las Vegas Ordinance 3455 implements this finding by requiring that any zoning application which proposes a use or density which deviates from the General Plan must include documentation of circumstances which the applicant believes warrants such deviation. **With the adoption of this Plan, all future deviation requests shall be supported by a formal request to amend the Land Use Map, Classification Schedule or text, as the case may require.**

### **Issue 2: Future Availability of Water**

The unprecedented, and continuing, rapid rate of growth in the City and throughout the Valley, has raised concerns for future growth and land use patterns related to the future availabil-

ity of water and the resulting impact on the future population that is sustainable. This water supply issue needs to be addressed in the land use plans of the City, and of all Las Vegas Valley jurisdictions.

The Land Use Element of the General Plan guides the provision of services, such as water. It is important to properly allocate a scarce resource such as water so as to accommodate expected population growth. This may be done either through extension of water lines to vacant, developable areas, or by allowing infill development, taking advantage of land already served by water lines. Chapter 167, NRS, which established the Las Vegas Valley Water district, clearly requires that "the District shall comply with planning and zoning ordinances".

The Existing Land Use Maps (1, 2 and 3) and Table 1 of Section 2.1.2 depict the amount and location of vacant land in the City of Las Vegas. The following Table 4 indicates the calculations of potential buildout capacity (population) on the residential portions of this vacant land, based on the proposed future residential land use categories depicted on the Future Land Use Maps in Section 2.5.1. This vacant residential land could potentially sustain a total of 411,592 additional residents, which, combined with the existing 1990 Census population of 258,295 results in a total potential population capacity of 669,887 for the City.

Approximately 32,000 additional acre feet of water per year will be available to the Las Vegas Valley Water District for the foreseeable future (this is prior to savings from conservation, which take some time to effectively implement). The Las Vegas Valley Water District estimates that a typical single family residence for a family of four consumes 0.87 acre feet per year. Therefore, for the City's share (est. at

7,500 ac. ft.), it is estimated that there is only enough additional water for approximately 8,600 additional dwelling units, which, at an average household size of 2.55, equates to 22,000 additional residents, if no other uses were permitted.

Adding a population potential of 165,000 to 178,000\* for future Summerlin annexations, results in a total population potential far in excess of that which the present water supply can sustain, given its need for other uses. Improved conservation measures, in addition to other potential sources of water, will alleviate the problem somewhat, but a serious water issue remains to be addressed.

### **Issue 3: Proper Balance of Land Uses**

Review of existing land use conditions reveals a need to provide a proper balance of land uses throughout the City, including:

#### **A. Residential Land Use:**

1. Provide a full range of housing types and prices in all sectors of the City.
2. Provide affordable housing in all sectors of the City.
3. Provide protection for the existing nucleus of large lot, equestrian and agriculturally oriented, development in the northwest area, and the preservation of this lifestyle to preclude urbanization from isolating equestrian districts from areas of public open space.

**B. Commercial Land Use:** Provide the amount and location of commercial land use required to serve the projected population. Expanding the commercial center concept of the 1985 General Plan will place emphasis on planned centers with designated

\* Summerlin Planning Report, July 15, 1991

Table 4



### Potential Population Capacity on Vacant Residential Land By Sector and Land Use Category City of Las Vegas

City Sector	Land Use Category	CP Ref	Net Acres*	%	Total DU's Max**	%	Pop/ DU	Pop Total
NW (Map 1)	DR	11,12, 15	5,640	29	11,280	11	2.55	28,764
	R		7,063	37	21,189	21	2.55	54,032
	L		2,060	11	12,282	12	2.55	31,319
	ML		4,032	21	48,389	49	2.55	123,392
	M		355	2	7,109	7	2.55	18,128
	H		-	-	-	-	2.55	-
<b>TOTAL NW</b>			<b>19,150</b>	<b>100</b>	<b>100,249</b>	<b>100</b>		<b>255,635</b>
SW (Map 2)	R	7-9, 13, 14 <sup>2/</sup> 16, 10 A-D	596	14	1,778	4	2.55	4,534
	L		1,370 <sup>1/</sup>	31	7,982 <sup>1/</sup>	18	2.55	20,354
	ML		1,868	43	22,167	52	2.55	56,526
	M		540	12	11,010	26	2.55	28,076
	H		-	-	-	-	2.55	-
<b>TOTAL SW</b>			<b>4,374</b>	<b>100</b>	<b>42,937</b>	<b>100</b>		<b>109,490</b>
SE (Map 3)	R	1-6 10E	49	4	110	1	2.55	281
	L		79	7	474	3	2.55	1,209
	ML		633	56	7,597	42	2.55	19,372
	M		321	28	6,481	35	2.55	16,527
	H		59	5	3,560	19	2.55	9,078
<b>TOTAL SE</b>			<b>1,141</b>	<b>100</b>	<b>18,222</b>	<b>100</b>		<b>46,467</b>
<b>CITY TOTAL</b>			<b>24,665</b>		<b>161,408</b>			<b>411,592</b>

Source: Dept. of Community Planning and Development 200' Scale land use maps, Community Profile maps, & field checks. Dwelling units for CP 16 from Derrigo Demographic studies. Reference aerial photograph flown June 1990.

\* Net acres is vacant land exclusive of estimated deductions for rights of way.

\*\* Total maximum dwelling units based on lot and parcel counts when available.

<sup>1/</sup> 570 acres have been added to "L" category (5 DU's/net Ac) to reflect 2852 single family units in CP-16.

<sup>2/</sup> Community Profile Map 14 is presently undeveloped and outside City boundaries.

GP.LU Table 4 Pot Capacity;HN;pm/10-22-91



service areas, rather than on continuing strip commercial development along major thoroughfares.

- C. Light Industrial/Research Land Use: Diversify the economy by attracting new high-tech, nonpolluting, light industrial and research industries.

- D. Office Land Use: Provide a specific new office land use category, for both the General Plan and the Zoning Ordinance, to replace the present process of providing office land use as an allowable land use in the broader commercial land use category. Two types of office land uses are needed:

1. A low intensity category to provide a buffer and transition between low density, single family detached residential uses and other more intense land uses, such as retail commercial, which typically have late night operations and trash storage and pick-up areas in the rear yards;
2. A high intensity planned office category, as opposed to commercial categories which allow office uses as a permitted use. However, mixed land uses can be accommodated with proper urban design guidelines and controls.

- E. Activity/Employment/Service Centers: Develop centers throughout the City, with concentrations of land uses to include commercial, light industrial/research, office, recreational, entertainment and/or public facilities.

#### Issue 4: Neighborhood Scale Planning

An important process for implementing the General Plan is the concept of Neighborhood Planning, as outlined in the Las Vegas 2000 and Beyond strate-

gic planning program. Neighborhood planning needs to be addressed at three different levels throughout the City: stabilization, to prevent deterioration of newer neighborhoods; improvement (revitalization), for older neighborhoods; and redevelopment.

The Neighborhood Planning Program would identify and prioritize potential neighborhoods and neighborhood groups throughout the City for follow-on neighborhood scale planning. It would also identify and prioritize potential "corridor" study areas throughout the City. This could include protection of the functionality of the roadway corridors by determining development standards. An example of the need for such corridor studies is the US 95 corridor in the Northwest Sector, to develop a more efficient and environmentally satisfactory alternative to the existing commercially zoned (1320 foot wide) corridor by planning "nodes" of commercial/mixed use development, the spacing of which would be dependent upon the size of the commercial "service" areas.

The Neighborhood Planning Program can assist the Department of Economic and Urban Development in implementing the Downtown Development Plan. It can also analyze the effect of the planned expansion of the North Las Vegas Air Terminal on adjacent areas in the Northwest and Southwest sectors.

#### Issue 5: Alternatives to Urban Sprawl

As addressed in the "Las Vegas 2000 and Beyond" strategic planning program, there is a need to investigate new alternatives and approaches to urban sprawl and its effect on both land use and transportation. These alternatives can include:

- A. Developing new options to allow, and encourage, creative mixed land use developments (residential and

nonresidential) which would bridge existing regulatory gaps; the existing Residential Planned Development (R-PD) zoning district is applied primarily to the planning of single family residential subdivisions; the Planned Community (PC) zoning district is applicable only to large (3000 acres under one ownership) mixed use developments.

- B. Investigation and encouragement of urban form alternatives to suburban sprawl such as urban villages, activity/service centers, and the pedestrian oriented "neo-traditional" planning concept which utilizes grid street systems. The latter concept has received national attention in recent months, and its application to the dynamically growing Las Vegas Valley needs to be addressed. This will include evaluation of the transportation impacts of the traffic engineering principles applied to this pedestrian oriented concept (grid street system, narrower streets, on-street parking and smaller corner radii), which are substantially different from the principles applied in conventional suburban development.

Several options now under staff and consultant review, which would supersede the existing process of requiring specific rezoning approvals for each separate land use category of a planned development. The first is a Mixed Use Overlay District concept and/or Planned Development District concept; the second is a proposed new approach to the categorization of proposed future land uses by identifying allowable Development Intensity Levels (D.I.L.) by traffic generation, rather than by the typical land use parcel designations. A pilot study is underway in the Southwest Sector, based on the use of Floor Area Ratio (FAR) standards, to demonstrate the application of this process. Additional recommendations regarding these techniques will be developed following the General Plan adoption.

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## Issue 6: Valley-wide Coordination of Land Use Planning

The unprecedented growth in the City of Las Vegas, and throughout the Las Vegas Valley, requires closer coordination of land use planning, and related circulation/transportation planning among all Las Vegas Valley jurisdictions. The future land use plans of all adjacent Las Vegas Valley jurisdictions needs to be coordinated to ensure compatibility along boundaries and to ensure equitable and efficient provision of services.

As stated in the Las Vegas 2000 and Beyond "actions" this coordination can include:

- A. Updating the City's General Plan in coordination with the General/Master Plans of adjoining jurisdictions, and with regional transportation planning; and
- B. Developing methods of increased jurisdictional cooperation such as formation of a Las Vegas Valley Council of Governments, consolidation and/or a Valley-wide planning authority.



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## 2.3 Goal, Objectives, Policies and Programs

**GOAL:** Develop and adopt a future land use plan which:

- is maintained as the principle policy document of the City for guiding future land use decisions;
- provides an efficient, orderly and compatible mix of land uses;
- is coordinated with the circulation systems which serve the land uses;
- promotes the provision of orderly development with adequate community facilities and services;
- promotes water conservation; and
- is coordinated with the land use and circulation plans of all adjoining jurisdictions

**Objective A:** Develop and maintain the City of Las Vegas General Plan as the principal policy document of the City for establishing future land uses in conjunction with community facilities, infrastructure systems, circulation systems, and resource conservation.

**Policy A1:** Evaluate all City actions and programs in terms of implementation of the goals and objectives set forth in the General Plan.

**Program A1.1:** In the annual review of the City's Capital Improvement Plan, consider the applicable General Plan Policies and Programs.

**Program A1.2:** Prepare a biennial review of the General Plan, with the Citizens General Plan Advisory Committee (CAC) and the Technical Advisory Committee (TAC), for Planning Commission review and recommendation and City Council approval.

**Objective B:** In developing the Future Land Use Plan, consider the potential future population which can be sustained by the existing water supply, while maintaining or improving the existing quality of life.

**Policy B1:** Balance "infill" development areas with development on the periphery of the City to ensure efficient utilization and distribution of the available water supply.

**Program B1.1:** Prepare Existing Land Use Maps which identify vacant land parcels within the City and calculate the acreage and potential buildout capacity (population) on all vacant infill land parcels.

**Program B1.2:** Determine boundaries for "infill" lines, considering Water District pressure zones.

**Program B1.3:** Continue to monitor the water issue to remain aware of and encourage implementation of new conservation methods and techniques, and potential new sources of water supply.

**Policy B2:** Encourage infill development to make use of existing utilities, facilities and services.

**Program B2.1:** Establish and implement guidelines for infill development, with consideration for adjacent properties.

**Program B2.2:** Consider providing an incentive program for infill development

**Objective C:** Achieve a compatible balance of land uses throughout the City by providing appropriate and compatible locations for all land use categories.

**Policy C1:** Provide for a variety of residential environments in the General Plan having urban, suburban and rural character.

**Program C1.1:** Define and designate urban, suburban and rural residential land use areas.



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**Program C1.2:** Designate specific low density, equestrian oriented, residential land use districts to protect and enhance the existing rural development and established life-style. Recognizing that significant portions of the study area are of unincorporated County jurisdiction and that the possibility of annexation exists, designation of low-density land use districts should also be recommended for what is presently in adjacent County areas.

**Program C1.3:** Plan for the appropriate location of multiple family residential uses throughout the City.

**Program C1.4:** Require multiple family developments to be compatible with adjoining single family uses through site planning and building design, setback and height requirements, landscape buffers and other buffers to adjoining uses.

**Program C1.5:** Develop standards for mobile home developments which require designs compatible with adjoining residential uses.

**Policy C2:** Provide for a balance in the amount and location of commercial land use to serve the projected "buildout" population.

**Program C2.1:** Plan commercial land uses in locations to provide essential goods and services throughout the City, with emphasis on planned commercial centers in lieu of "strip commercial" development.

**Program C2.2:** Develop and incorporate commercial "service area" standards.

**Program C2.3:** Develop a low intensity Office land use category as a land use buffer between low density detached residential uses and more intense land uses.

**Program C2.4:** Develop a high intensity planned Office land use category.

**Policy C3:** Encourage the development of suburban Activity/Employment/Service Centers, with concentrations of land uses to include commercial, light industrial, research, office, recreational, entertainment and/or public facilities to enhance the economic, social and physical development and vitality of the City and diversify the economic base, while reducing travel time and dependency on the automobile.

**Program C3.1:** Designate locations for specific Activity, Employment, Service Centers coordinated with transportation, infrastructure and public facilities plans.

**Program C3.2:** Provide incentives for Activity, Employment, Service Center development.

**Program C3.3:** Implement the Downtown Development Plan as the primary Activity Center of the City including hotel, casino, entertainment uses; administrative headquarters; general, professional and public offices; commercial uses; and high density residential uses.

**Objective D:** Develop a Creative, City-wide, Neighborhood Planning and Development Program.

**Policy D1:** Implement a Neighborhood Planning and Development Program for each of the Council Wards.

**Program D1.1:** Identify, and prioritize, neighborhoods and neighborhood organizations within each Council Ward for neighborhood scale planning.

**Program D1.2:** Identify, and prioritize, locations for major corridor studies and plans.

**Objective E:** Investigate new alternatives to urban sprawl which encourage creative land use planning and urban design.

**Policy E1:** Encourage and develop options, guidelines and incentives for the use of innovative master development plans.

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**Program E1.1:** Investigate options for creative mixed use planned developments (residential and non-residential), to bridge the regulatory gap between existing options, which provide a compatible mix of residential densities and supporting commercial uses through innovative site planning.

**Program E1.2:** Investigate application of the pedestrian oriented "neo-traditional" planning and design concepts, to include evaluation of the applicability and suitability of the traffic engineering principles applied in this concept of development.

**Policy E2:** Support implementation of a flexible categorization of future land uses through identification of Development Intensity Levels related to traffic generation and impact, to replace current use plan designations.

**Program E2.1:** Prepare a Development Intensity Level (D.I.L.) pilot study in a rapidly developing area of the City.

**Program E2.2:** Apply the Development Intensity Level (D.I.L.) process to a City-wide program and map.

**Objective F:** Update the City of Las Vegas General Plan in coordination with the land use and circulation plans of all adjoining jurisdictions.

**Policy F1:** Cooperate with other jurisdictions to define planning and service areas.

**Program F1.1:** Develop a Valley-wide, generalized, Future Land Use Map by aggregating the General/Master plans of all Las Vegas Valley jurisdictions.

**Program F1.2:** Identify and resolve any conflicts along jurisdictional boundaries.

**Policy F2:** Investigate methods of increased jurisdictional cooperation such as formation of a Las Vegas Valley Council of Governments, consolidation and/or a Valley-wide planning authority.

**Program F2.1:** Investigate the potential for formation of a Valley-wide planning authority, or Council of Governments.

**Program F2.2:** Develop methods of increased coordination of zoning, building and code enforcement regulations and processing.

**Policy F3:** Establish a growth pattern which will result in a more efficient and equitable provision of infrastructure, public facilities and services.

**Program F3.1:** Encourage the elimination of irregular City boundaries and County "islands" which result in overlapping and inefficient service areas.

**Program F3.2:** Seek state legislation to simplify and expedite the annexation process.

**Program F3.3:** Prepare Capital Improvement Plans and schedules for public facilities and services in conformance with the adopted General Plan future land use plans.

**Program F3.4:** Implement a growth management program which integrates land development approval decisions and General Plan adherence and consistency requirements with adequate public facilities and service standards.



## 2.4 Evaluation and Implementation Process

### 2.4.1 Land Use Plan Consistency and Development Review Policies

It is the Intent of the City Council that implementation of the adopted General Plan become a coordinated activity among elected officials, boards and commissions and City staff. The Land Use Plan shall be implemented by the adoption and enforcement of appropriate local regulations pertaining to the development of land and structures within the City of Las Vegas. It is the intent of the City Council that no development permit, subdivision of land or application for zoning change may be recommended, authorized, approved or issued by any administrative official, board or commission or by the City Council unless such development activity is determined to be in compliance and consistent with the adopted Future Land Use Plan (Section 2.5), Land Use Classification System (Section 2.1.3) and Development Review Policies set forth in this section as they may be amended from time to time. The Department of Community Planning and Development, in conjunction with other City departments, shall, on all zoning and subdivision applications, prepare a staff report to the Planning Commission and City Council which would take into account the following:

#### A. Plan Consistency Policies

It is the intent of the City Council that:

1. All parcels of land within the City of Las Vegas which are designated in a residential land use category in the Land Use Plan shall be appropriately zoned for a density of dwelling units which is compatible with surrounding residential uses and which does not exceed the maximum density set forth in the Land

Use Classification System, except in the case of large scale planned development projects, where certain parcels may exceed maximum Land Use Plan densities on a net acre basis, provided the total gross project density per acre does not exceed that provided under the Land Use Plan.

2. No application for a subdivision of land or a change in zoning district classification which would have the effect of permitting the use of land or structures in a manner inconsistent with the Land Use Plan and/or the Land Use Classification System may be approved without filing a simultaneous request to the City Council to consider a formal Plan amendment. In order for such zoning change to be approved, the City Council must hold a public hearing, consider Planning Commission recommendations, and formally amend the Land Use Plan map and/or Land Use Classification.
3. No land use variance which would have the effect of permitting the use, density or intensity of land or structures in a manner inconsistent with the Land Use Plan and/or Land Use Classification System shall be approved. Setback, height, parking and similar bulk requirements may be approved in accordance with findings for hardship and other related issues.
4. Building permits shall comply with all requirements and conditions of prior development approval before issuance of certificates of occupancy. No building permit shall be issued for any structure not possessing a valid water commitment or "will serve" letter issued by the Las Vegas Valley Water Dis-

trict prior to February 15, 1991, or a valid Water Allocation Locational Commitment letter issued by the City of Las Vegas after such date.

5. Applicants seeking a change in zoning shall submit for City review a formal Traffic Impact Analysis report prepared by a licensed engineer demonstrating the individual and cumulative impacts of proposed land uses on the local and regional transportation network. Such report and review shall identify the nature and quantity of traffic movement and circulation, average daily traffic (ADT) and peak hour traffic (PHT) volumes and mitigation requirements necessary to assure the maintenance of acceptable levels of service. Such Traffic Impact Analysis reports must adhere to the standards and methodologies promulgated by the City's Traffic Engineering Division and adopted by the City Council. Requests to extend zoning resolutions of intent (ROI) and Tentative Map approvals will subject the application to evaluation and adherence to development review requirements, adequate facilities and services reviews, and consistency requirements of this section.
6. Applicants seeking to subdivide land in the City of Las Vegas after adoption of the General Plan may submit for a tentative map or parcel map approval only when:
  - a. The proposed division of land is consistent with the adopted Land Use Plan as to density or intensity of proposed uses; and
  - b. The proposed lot sizes are consistent with existing zoning or a proposed zoning district which would be consistent



with the adopted Land Use Plan without necessity for an amendment public hearing.

7. In considering the consistency of proposed development permits, zoning changes and subdivisions of land, the Planning Commission, the Board of Zoning Adjustment or the City Council as the case may be, shall ensure that each such approved development meets or exceeds the minimum levels of adequacy for facilities and services set forth in the General Plan.

#### **B. Development Review Policies**

It is the intent of the City Council that no City Official, Board or Commission or the City Council shall recommend, approve, authorize or grant any project or development permit which is not consistent with the following Development Review Policies. It is the intent of the City Council that authorized City Officials, Boards and Commissions and the City Council of the City of Las Vegas, as the case may be, shall make findings that any recommended project approval and all applications for development permits are consistent with the provisions of this section and shall approve such project or development permit only when the following requirements are met, provided however that a project or development approval may be granted on the condition that the developer agrees in writing that no certificate of occupancy will be issued until the following conditions are met:

1. The network of regional and local streets and highways will have the capacity to serve the proposed development at an acceptable Level of Service. For purposes of this section, an acceptable level of service shall be determined by the City Council and may vary by type of street or location. Unless otherwise adopted by the City Council, no

level of service shall be established on a designated street or highway which results in a peak hour travel capacity below Level of Service D.

2. Wastewater treatment and disposal facilities will be made available prior to occupancy in sufficient capacity to serve the needs of the proposed development.
3. Fire services will be adequate to protect people and property in the proposed development with adequate equipment and acceptable response times. For purposes of this section, the City Council may vary standards for adequacy and acceptable response times based upon the nature, location, character, density and intensity of existing and proposed development.
4. Potable water facilities and service allocations will be available prior to occupancy to provide for the needs of the proposed development. For purposes of this section, the evidence of a valid commitment to water service provided by the Las Vegas Valley Water District prior to adoption of this Plan shall constitute compliance. After the effective date of this General Plan, the City Council shall establish a review process, incorporating an appropriate water allocation methodology, for the determination of adequacy of water facilities and services necessary to support a proposed development.

#### **2.4.2 Evaluation and Implementation Matrix**

The following Land Use Evaluation and Implementation Matrix (EIM - see

next page) was prepared as a measurable summary of the above Land Use Policies and Programs. The EIM is to be used:

- as a method of measuring the implementation progress of the General Plan
- as a budgeting document for specific Land Use programs
- as a tool for further developing work programs

The following abbreviations apply to the Evaluation and Implementation Matrix

##### *City Departments*

BS Building and Safety  
CA City Attorney  
CM City Manager  
CP Community Planning and Development  
ED Economic and Urban Development  
FN Finance  
PW Public Works

##### *Other Agencies/Jurisdictions*

CC Clark County  
Hend City of Henderson  
LVVWD Las Vegas Valley Water District  
NLV North Las Vegas  
RTC Regional Transportation Commission

2.4.2 LAND USE EVALUATION AND IMPLEMENTATION MATRIX					REMARKS	
POLICY (PROGRAM)	PROGRAM SUMMARY	RESPONSIBLE DEPT*	FY OF IMPLEMENTATION	SPECIFIC ACTION/PRODUCT		
A1 (A1.1)	Consider General Plan Policies and Programs in annual preparation of the City's Capital Improvement Program	All with FN	Annually	Budget line items reflecting General Plan Programs		
A1 (A1.2)	Prepare biennial review of General Plan for Planning Commission and City Council	CP	1993	Program to evaluate Implementation progress; Updated General Plan		
B1 (B1.1)	To ensure efficient utilization of water supply, prepare Existing Land Use Maps and calculate potential buildout capacity (population) on vacant land parcels	CP	1992	Existing Land Use Maps by Sector; buildout projections (Population)		
B1 (B1.2)	Determine boundaries for "infill" designated areas, considering Water District pressure zones	CP, PW, LVWD	1992	Map, superimposed on Future Land Use Plan		
B1 (B1.3)	Continue to monitor the water issue to remain aware of new conservation methods and potential supply sources	CP, PW, LVWD	Ongoing	Regular report; ordinance revisions		
B2 (B2.1)	Establish and implement guidelines for infill development	CP, PW	1992	Policy guidelines adopted by City Council		
B2 (B2.2)	Consider providing an incentive program for infill development	CP, PW	1992	Study to determine benefits of incentive program		
C1 (C1.1)	Define and designate urban, suburban, and rural residential areas on Land Use Plan	CP	1992	Future Land Use Plan		
C1 (C1.2)	Designate specific low density, equestrian/agricultural, residential land use districts	CP	1992	Future Land Use Plan		
C1 (C1.3)	Plan for appropriate location of multiple family residential uses throughout the City	CP	1992	Future Land Use Plan		
C1 (C1.4)	Require multiple family developments to be compatible with adjoining single family uses	CP, BS	1992	Development standards; Revised Zoning Ordinance requirements	Integrate with neighborhood scale land use plans	
C1 (C1.5)	Develop standards for mobile home developments to ensure compatibility with adjoining residential uses	CP, BS	1992/93	Development standards; Revised Zoning Ordinance requirements	Integrate with neighborhood scale land use plans	
C2 (C2.1)	Emphasize planned commercial centers, rather than strip commercial development	CP, ED	1992/93	Study/report on location of commercial development	Integrate with neighborhood scale land use plans	
C2 (C2.2)	Develop and incorporate commercial service area standards	CP, ED	1992/93	Study on commercial development (review standards of successful cities)	Integrate with neighborhood scale land use plans	
C2 (C2.3)	Develop a low intensity Office land use category as a transitional use	CP	1992	Revision to General Plan and Zoning Ordinance		
C2 (C2.4)	Develop a high intensity Office land use category	CP	1992	Revision to General Plan and Zoning Ordinance		
C3 (C3.1)	Designate locations for specific Activity/Employment/Service Centers	CP	1992/93/94	Revision to General Plan	Integrate with neighborhood scale land use plans	

\*Note: First entry denotes lead dept. See previous page for explanation of abbreviations

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2.4.2 LAND USE EVALUATION AND IMPLEMENTATION MATRIX continued					REMARKS
POLICY (PROGRAM)	PROGRAM SUMMARY	RESPONSIBLE DEPT*	FY OF IMPLEMENTATION	SPECIFIC ACTION/PRODUCT	
C3 (C3.2)	Provide incentives for Activity/ Employment/Service Center development	CP, ED	1992	Study/report	
C3 (C3.3)	Implement the Downtown Development Plan as the Primary Activity Center of the City	ED, CP, PW	1992/93/94	Phased development plans; Access to Union Pacific parcel; Clark Cty. Off. Main St. Sta.	Integrate with neighborhood scale land use plans
D1 (D1.1)	Identify and prioritize neighborhoods and organizations for future neighborhood &/or corridor studies and plans	CP, ED, PW	1992/93/94	List of organizations; maps of areas	
D1 (D1.2)	Prepare a series of neighborhood &/or corridor studies and plans	CP, ED, PW	1992/93/94	Neighborhood/corridor scale studies and plans	
E1 (E1.1)	Investigate options for creative mixed use developments	CP	1992	Concept plans; ordinance revisions	Integrate with neighborhood scale land use plans
E1 (E1.2)	Investigate application of pedestrian oriented "neo-traditional" planning concepts	CP	1992	Study/report	
E2 (E2.1)	Prepare a Development Intensity Level (DIL) pilot study	CP	1992	Pilot study/report	
E2 (E2.2)	Apply the Development Intensity Level (DIL) pilot study to a City-wide program and map	CP	1993/94	Approval of DIL approach; map; development standards	
F1 (F1.1)	Develop a Valley-wide, generalized, Future Land Use Map with input of all jurisdictions	CP, CM, Hend, NLV, CC	1992	Valley-wide Land use matrices; generalized Future Land Use Maps	
F1 (F1.2)	Identify and resolve any land use conflicts along jurisdictional boundaries	CP, CM, Hend, NLV, CC	1992/ongoing	Study/report; amendments to General/Master Plans; interlocal agreements	
F2 (F2.1)	Investigate the potential for formation of a Valley-wide planning association, including a Council of Governments	CP, CM, Hend, NLV, CC	1993	Study/report; community meetings	
F2 (F2.2)	Develop methods of increased inter-jurisdictional coordination of zoning, building and code enforcement	CP, BS, PW	1993	Revised ordinances	
F3 (F3.1)	Reduce overlapping, inefficient service areas through the elimination of irregular City boundaries and County "islands"	CP, CM, CC	1993	Annexation Master Plan	
F3 (F3.2)	Seek State legislation to simplify and expedite the annexation process	CP, CM	1993	Proposed legislation	
F3 (F3.3)	Prepare capital improvement plans and schedules for public facilities in conformance with the adopted General Plan proposed future land uses	CP, PW, PL, FN	1992/93/94	Evaluate proposed CIP with Land Use Plan	
F3 (F3.4)	Implement a growth management program which links land development approval with General Plan consistency and development review requirements	CP, PW, CM, FN	1993	Growth Management Program	

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## 2.5 Future Land Use Plans

This Element addresses future land use at both the City scale and the Valley-wide scale. Proposed Future Land Use Maps have been prepared at both scales. The City scale map was developed with the same three "sectors" (Northwest, Southwest and Southeast) discussed in Section 2.1.2 on Existing Land Use. See maps 5, 6, and 7 in the following pocket sheets.

### 2.5.1 Sector Scale Future Land Use Plans

**Northwest Sector Future Land Use Plan (Map 5).** This Plan is for the generally rural/agricultural area north of Cheyenne Avenue and west of Decatur Boulevard, which is experiencing active and continuing development pressure. An interim General Plan, prepared with the assistance of the Northwest Citizens Advisory Committee, was adopted for the Northwest Area on February 20, 1991. The Interim Plan was reviewed by the General Plan Advisory Committee, and expanded in content and detail, to form the Northwest Sector Future Land Use Plan. In addition to preserving a significant amount of the rural land use designation depicted on the previous (1985) General Plan for this area, a new, lower density (0 - 2 dwelling units per acre) Desert Rural (DR) land use category was established and applied as noted.

Nodes of commercial and higher density residential land uses are designated at NDOT's proposed future locations for two of three interchanges along the US 95 segment between Centennial Parkway and Moccasin Road. This nodal development, which will help preclude the continuous strip commercial type development which has occurred in other rapidly urbanizing areas of the City, reflects major development activity which is now taking place in the Northwest Sector.

**Southwest Sector Future Land Use Plan (Map 6).** This Plan, for the area west of Decatur Boulevard and south of Cheyenne Avenue, features many excellent examples of "planned communities", including: The Lakes at West Sahara, Peccole Ranch, Canyon Gate Country Club, Desert Shores, South Shores, and the first phase of the extensive (ultimately 23,180 acres) Summerlin satellite new town, with its first residential "village", Sun City Summerlin. Summerlin (Map 8) has a creative and unique development process which is described in a following subsection.

**Southeast Sector Future Land Use Plan (Map 7).** This Plan is for the more mature area of the City east of Decatur Boulevard. It is more fully built out, and future growth in this area will consequently include more extensive "infill" development. This Sector encompasses the Las Vegas Downtown Development Plan, as depicted on Map 7 and further described in a following subsection and on Map 9.

**1991 Summerlin General Plan (Map 8).** Summerlin is developing under the requirements of the Planned Community (PC) District of the City of Las Vegas Zoning Ordinance, which was established to encourage the development of comprehensively planned communities with a minimum area of 3,000 acres. The PC process, which to this time has been utilized only by Summerlin, requires an overall Development Plan (Master Concept Plan), and sophisticated Development Standards. The original Master Concept Plan, for Husite as it was called at that time, was adopted by the City in 1987, with an initial annexation and rezoning of 4,561 acres. An additional 616 acres have subsequently been annexed, and the first phase "Sun City Summerlin" retirement community is now functional. An updated General Plan, as depicted on Map 8, is being adopted in conjunction with the update of the General Plan. The major change

is in the overall configuration, as an extensive western portion of the original parcel has been acquired by the BLM as a transitional buffer to the Red Rock Recreation Area to the west; and, the Plan has expanded to the south west of Hualapai Way as shown on Map 6.

More than just a large planned community, Summerlin is a satellite new town which will provide a substantial employment base. It seeks to achieve a balance between residential and employment opportunities: with an ultimate population which could range between 165,000 and 178,000, Summerlin is reserving land areas that could provide for 65,000 to 70,000 jobs in the commercial (including office), retail, recreational and institutional categories.

**Las Vegas Downtown Development Plan (Map 9).** This Plan for the Downtown gaming and entertainment center, which also functions as a regional commercial and office activity center, is located in the Southeast Sector, as located on Map 7. The Downtown Development Plan, which includes a development strategy for the West Las Vegas Area located adjacent to and northwest of Downtown, is, like the above Summerlin Master Concept Plan, adopted in conjunction with the update of the General Plan.

The Downtown Development Plan addresses a wide range of land functions, ranging from intense uses including the Downtown entertainment and gaming core, office and civic core, and the vacant 287 acre Union Pacific parcel planned for major mixed use developments, to low density residential preservation.

The Downtown Redevelopment Agency has identified the following activities as its highest priorities:

1. Establishing a critical mass of office and retail commercial land uses
2. Strategically locating development to generate new investment in Downtown
3. Creating a multi-purpose, 24 hour marketplace environment in the Downtown
4. Improving the Downtown linkage with the Strip
5. Enhancing the quality of the physical environment, improving the Downtown circulation system, and ensuring that adequate infrastructure is provided
6. Expanding the Fremont Street hotel/casino core
7. Encouraging more concentrated development in the office/civic core
8. Creating a stronger relationship between the office/civic core and Las Vegas Boulevard
9. Conserving existing residential neighborhoods, particularly those designated as historic areas

The intent of the Valley-wide General Plan Map is to identify:

- elements which need to be coordinated on a metropolitan (Valley-wide) scale:
  - future land uses
  - community facilities
  - circulation systems
  - infrastructure and utility systems
- areas of:
  - continuity (as positive examples), and
  - conflict (to be resolved) at the boundaries among all Las Vegas Valley jurisdictions

### **2.5.2 Generalized Valley-wide, Future Land Use Plan**

An adopted action of the "Las Vegas 2000 and Beyond" strategic planning program was to "update the City's General Plan in coordination with the General/Master Plans of adjoining jurisdictions." Accordingly, staff researched the General/Master Plans of all contiguous Las Vegas Valley jurisdictions, and developed a Valley-wide matrix of "lowest common denominator" proposed future land use categories (see Table 5) with the input of all jurisdictions. Staff then prepared, and similarly reviewed with staff of all jurisdictions, an overall Generalized Valley-wide Future Land Use Plan Map (Map 11, found in the back cover pocket).

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