

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

Electronically Filed  
Sep 29 2022 11:46 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

No. 84640

**AMENDED  
JOINT APPENDIX  
VOLUME 78, PART 3**

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**Table 2**  
**Southwest Sector**

	Acreage	Percent of Total Acreage	Percent Developed	Percent Vacant
Low Density Residential (< 5.5 DUA)	2,960	9%	94%	6%
Medium Density Residential (5.5 – 12 DUA)	5,162	15%	91%	9%
High Density Residential (12.1 – 25 DUA)	2,585	8%	66%	34%
<b>Total Residential</b>	<b>10,707</b>	<b>31%</b>	<b>86%</b>	<b>14%</b>
Commercial	1,990	6%	80%	20%
Industrial	399	1%	62%	38%
Summerlin West	8,461	25%	5%	95%
Summerlin	4,462	13%	98%	2%
Open Space	2,700	8%	N/A	N/A
Public Facilities	898	3%	N/A	N/A
Right of Way	4,680	14%	N/A	N/A
<b>Total</b>	<b>34,297</b>	<b>100%</b>	<b>-</b>	<b>-</b>

The Southwest Sector is a slightly more mature area than the Centennial Hills Sector, but there is still a fair amount of vacant land available for development. There are currently 1,499 acres (14%) of residentially designated land, and 398 acres (20%) of commercially designated land available for development. In addition, the Southwest Sector also contains the Summerlin and Summerlin West areas. While the Summerlin area is nearly built out, the Summerlin West area contains 8,038 acres (95%) of undeveloped land that can be designated for a variety of uses. There are 152 acres (38%) of industrial land available for development, and there are 898 acres of land designated for public facilities. There are 2,700 acres of open space located within the Southwest Sector.

**Table 3**  
**Southeast Sector**

	Acreage	Percent of Total Acreage	Percent Developed	Percent Vacant
Low Density Residential (< 5.5 DUA)	5,605	29%	98%	2%
Medium Density Residential (5.5 – 12 DUA)	1,476	8%	86%	14%
High Density Residential (12.1 – 25 DUA)	1,392	7%	81%	19%
<b>Total Residential</b>	<b>8,473</b>	<b>44%</b>	<b>93%</b>	<b>7%</b>
Commercial	2,513	13%	85%	15%
Industrial	843	4%	84%	16%
Medical District	175	1%	82%	18%
Mixed Use	726	4%	66%	34%
Open Space	359	2%	N/A	N/A
Public Facilities	1,673	9%	N/A	N/A
Right of Way	4,507	23%	N/A	N/A
<b>Total</b>	<b>19,269</b>	<b>100%</b>	<b>-</b>	<b>-</b>

Existing Land Use



The Southeast Sector is the most mature and built-out sector within the city. There are 593 acres (7%) of residentially designated land, and 377 acres (15%) of commercially designated land available for development. There are 274 mixed-use acres (34%), and 31 acres (18%) of the Las Vegas Medical District available for development. The Southeast Sector contains 135 acres (18%) of vacant industrial land, and 1,673 acres are designated for public facilities. Of all the sectors, the Southeast Sector contains the least amount of open space, with only 359 acres (2%) of available land designated for it.

**Table 4**  
**City of Las Vegas**

	Acreage	Percent of Total Acreage	Percent Developed	Percent Vacant
Low Density Residential (< 5.5 DUA)	13,844	15.8%	87%	13%
Medium Density Residential (5.5 – 12 DUA)	9,438	10.8%	88%	12%
High Density Residential (12.1 – 25 DUA)	4,267	4.9%	71%	29%
<b>Total Residential</b>	<b>27,549</b>	<b>31.4%</b>	<b>85%</b>	<b>15%</b>
Commercial	5,524	6.3%	79%	21%
Industrial	1,242	1.4%	77%	23%
Town Center	1,929	2.2%	22%	78%
Planned Community Development	5,958	6.8%	80%	20%
Summerlin	4,462	5.1%	98%	2%
Summerlin West	8,461	9.7%	5%	95%
Medical District	175	0.2%	82%	18%
Mixed Use	726	0.8%	66%	34%
Open Space	6,209	7.1%	N/A	N/A
Recently Annexed Areas	7,868	9.0%	0%	100%
Public Facilities	3,838	4.4%	N/A	N/A
Right of Way	13,754	15.7%	N/A	N/A
<b>Total</b>	<b>87,695</b>	<b>100%</b>	<b>-</b>	<b>-</b>

The city as a whole has 4,132 acres (15%) of residentially designated parcels, 1,160 (21%) of commercially designated parcels, and 10,855 (52%) acres within planned development areas available for development. The Summerlin West and the Town Center communities are the areas of the city with the most vacant land and provide the best opportunities for future development. Respectively, there are approximately 8,038 (95%) and 1,504 acres (20%) of undeveloped land that may be designated for a variety of uses in those areas. In addition, it is anticipated that 7,868 acres of recently annexed lands north of Moccasin Road, between Buffalo Drive and Spin Ranch Road, will be designated as Planned Community Development, which will provide future opportunities for both residential and commercial development.

Existing Land Use



# LAND USE HIERARCHY

The land use hierarchy of the city of Las Vegas is designed to progress from broad to specific. In descending order, the land use hierarchy progresses in the following order: 2020 Master Plan; Land Use Element; Master Plan Land Use Designation; Master Development Plan Areas; and Zoning Designation. The following is a brief explanation of the role assumed by each level of the land use hierarchy.

## 2020 MASTER PLAN

In 2001, the city of Las Vegas adopted the 2020 Master Plan, that provided a broad and comprehensive policy direction for future land use planning. Within this document, the city was divided into four strategy areas whose boundaries were roughly adopted from the 1992 General Plan Sector Plans. The areas are defined as the Downtown Reurbanization Area, Neighborhood Revitalization Area, Newly Developing Area, and Recently Developed Area. Within these areas, broad goals, objectives, and policies were developed in order to direct planning efforts until the year 2020.

## LAND USE ELEMENT

Within the Land Use Element, the city is divided into the Centennial Hills Sector, Southeast Sector, Southwest Sector, and the Downtown Area. The sector plans have been modified from their original 1992 configuration so that they now have the same geographical boundaries as the four strategy areas (Downtown Reurbanization, Neighborhood Revitalization, Newly Developing, and Recently Developed) identified in the Master Plan 2020.

While the 2020 Strategy Areas and Land Use Element Sector Plans have different names, the objectives and policies developed for each Strategy Area in the Master Plan also directs future planning policy for its corresponding Sector Plan.

The following list depicts the 2020 Master Plan Strategy Areas and its Land Use Element equivalent.

### 2020 Plan Strategy Area

Downtown Reurbanization Area  
Neighborhood Revitalization Area  
Newly Developed Area  
Recently Developed Area

### Land Use Element

Downtown Area  
Southeast Sector Plan  
Centennial Hills Sector Plan  
Southwest Sector Plan

<sup>2</sup> *Recently Developed Areas was added through a revision of the 2020 Master Plan dated July 6, 2005.*

## MASTER PLAN DESIGNATION

The Master Plan Designation determines its future land use. There are 16 land use designations within the Master Plan that allow for various residential, commercial, industrial, and public facility uses. Within each designation, a specific set of zoning districts are allowed.

## MASTER DEVELOPMENT PLAN AREAS AND SPECIAL LAND USE DESIGNATION

Master Planned areas are comprehensively planned developments with a site area of more than eighty acres<sup>3</sup>. Other area plans are intended for neighborhood and other smaller areas where it is determined that a more detailed planning direction is needed. These area and Master Planned areas are located throughout the city and are listed by Sector Plan in the Future Land Use section of this element.

Some plan areas have separate land use designations that are unique to that particular plan. These special land use designations are described within the Description of Master Plan Land Use Designations in the Future Land Use section of this element.

## ZONING

Zoning is the major implementation tool of the Master Plan. The use of land as well as the intensity, height, setbacks, and associated parking needs of a development are regulated by zoning district requirements. Each Master Plan designation has specific zoning categories that are compatible, and any zoning or rezoning request must be in substantial agreement with the Master Plan as required by Nevada Revised Statutes 278.250 and Title 19.00 of the Las Vegas Municipal Code. The land use tables within the Future Land Use section of this element depict the allowable zoning districts for each Master Plan designation.

<sup>3</sup> Certain infill developments may receive a waiver from the eighty-acre requirement.

# **FUTURE LAND USE**

## **CENTENNIAL HILLS SECTOR**

The Centennial Hills Sector Plan was adopted in 1999 in order to provide for orderly development in the northwest portion of the city and was intended to replace the Northwest Sector map of the 1992 General Plan. The Centennial Hills Sector area is bounded by the city limits to the north, Cheyenne Avenue to the south, Decatur Boulevard to the east, and Red Rock Canyon National Conservation Area to the west. The Centennial Hills plan defines land use, addresses circulation, open space, public facilities, and introduces the Centennial Hills Town Center land use plan.

### **TOWN CENTER**

The Centennial Hills Town Center land use plan is intended to be a high intensity, high density, mixed use development located on all four quadrants of the Beltway and US 95 interchange. The intent of the Town Center plan is to prevent the sprawl of commercial and office development into the residential neighborhoods that exist within the Centennial Hills Sector Plan area.

### **MONTECITO TOWN CENTER**

Within the Town Center Land Use Plan, there is the area governed by the Montecito Town Center development agreement. Adopted in April of 2002, Montecito Town Center is a 192.5 acre area generally bounded by Elkhorn Road to the north, I-215 to the south, El Capitan Way to the west, and Durango Drive to the east. It is intended to be a multi-use activity center, and is the most appropriate area within Centennial Hills for larger scale mixed-use and multi-use developments. The Montecito Town Center Land Use and Design Standards appendix introduces the Mixed-Use Commercial land use designation, which governs all development in the Montecito area. Within this category, there are six "Activity Centers" that encompass various commercial and residential uses, as well as a buffer area for the Timberlake residential community. Descriptions of Montecito activity centers, buffer area, permitted uses, and design standards can be viewed in their entirety within the Montecito Town Center Land Use and Design Standards appendix located at the Planning and Development Department.

**INTERLOCAL AGREEMENT**

On January 2, 2002, an Interlocal Agreement between Clark County and the city of Las Vegas was approved to establish joint policies on corporate boundaries, annexations, land use planning (including zoning and development review), transportation planning, parks and trails planning, and urban services (including sewer, water and flood control facilities planning). This agreement has resulted in a joint planning effort that has created a seamless land use plan that illustrates the anticipated development patterns for the city of Las Vegas and Clark County in the Centennial Hills / Lone Mountain Planning Areas. The agreement shall remain in effect until five years from the effective date. Thereafter, unless it is decided to terminate the agreement, it will remain in effect for an additional five years.

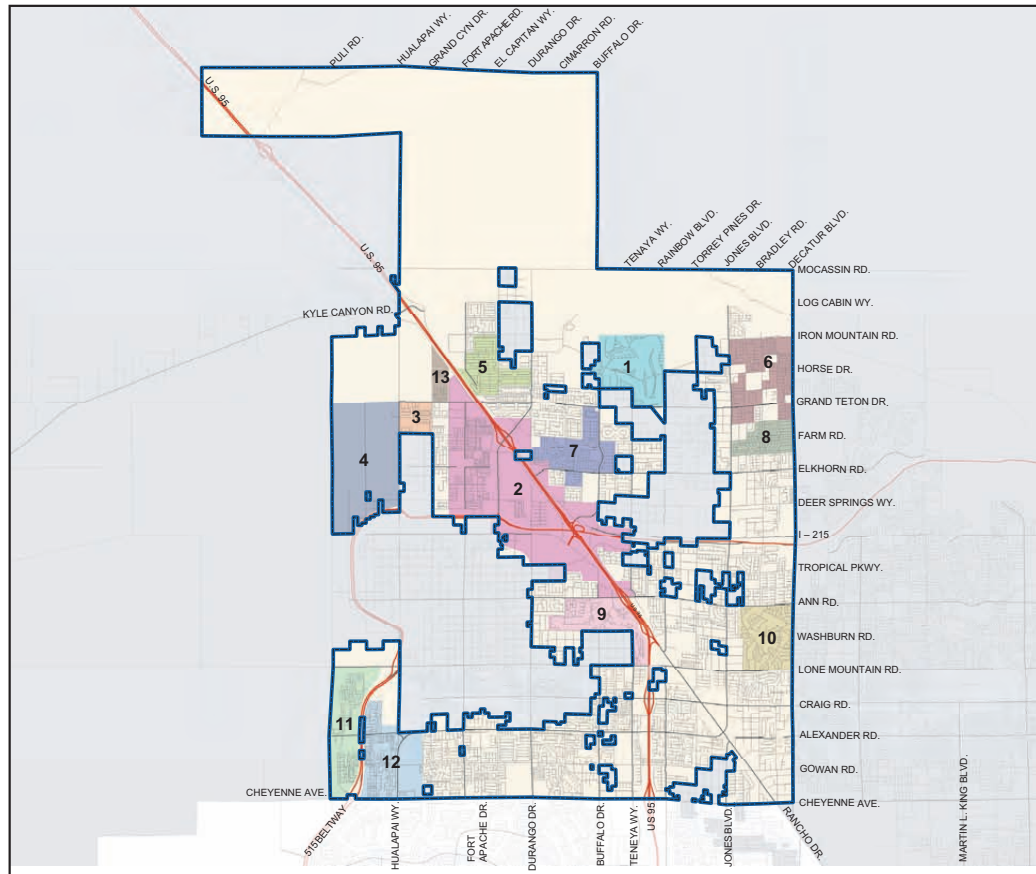
**MASTER DEVELOPMENT PLAN AREAS**

The following Master Development Plan Areas are located within the Centennial Hills Sector and each respective plan can be viewed in its entirety at the Planning and Development Department.

- |                      |                       |
|----------------------|-----------------------|
| Cliffs Edge          | Los Prados            |
| Elkhorn Ranch        | Lynbrook              |
| Grand Canyon Village | Silverstone Ranch     |
| Grand Teton Village  | Painted Desert        |
| Iron Mountain Ranch  | Spring Mountain Ranch |
| Lone Mountain        | Town Center           |
| Lone Mountain West   | Montecito Town Center |



## Map 2 Centennial Hills Map



Printed: March 15, 2005

- 1 Silverstone Ranch
- 2 Town Center
- 3 Grand Teton Village
- 4 Cliff's Edge
- 5 Spring Mountain Ranch
- 6 Iron Mountain Ranch
- 7 Elkhorn Ranch
- 8 Lynbrook
- 9 Painted Desert
- 10 Los Prados
- 11 Lone Mountain West
- 12 Lone Mountain
- 13 Grand Canyon Village
- Northwest Sector
- Freeway

Future Land Use



Land Use Ele;Plans-MPlan;indd:rs6/07/05

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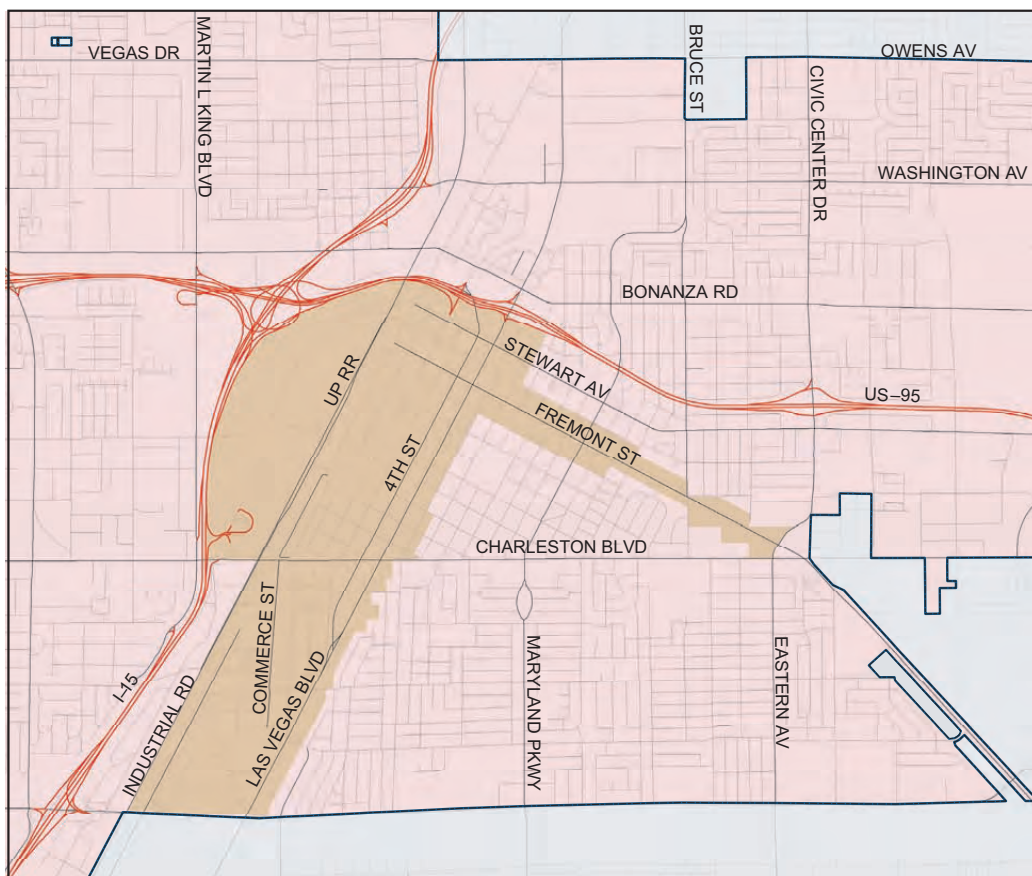
## DOWNTOWN AREA

The auction of land owned by the Union-Pacific Railroad Company on May 5, 1905 is the birthday of Las Vegas. Downtown Las Vegas has long served as the hub of the entire Las Vegas region. In the 1990's, office and commercial development began to disperse to new suburban centers such as Summerlin and Green Valley. New housing developments spread out across the valley, and commercial development within the downtown core was passed over for new suburban areas.

In the past few years, however, the Downtown area has experienced an urban renaissance illustrated by a number of diverse residential, commercial, and mixed-use projects that have been built, are under construction, or are currently in the planning stages. Development towards the city's vision of a vibrant 24-hour downtown where people can live, work, and play has gained momentum in recent years. The Regional Justice Center is on the verge of completion, and the recent development of the Clark County Government Complex, Federal Courthouse, and Premium Outlet Center are examples of employment centers that are located within the city's core. Related Companies, L.P. has recently been selected by the City Council to develop 61-acres of the downtown area known as Union Park, and they continue to co-develop the adjacent 57-acre home furnishings complex known as the World Market Center. Several mixed-use, high-rise condominium towers have been recently approved and may soon add thousands of residential units to the downtown area. Two of these projects, the Soho Lofts and Streamline Towers, are currently under construction and will collectively offer 371 condo units for sale starting in late 2005.

Land use in the downtown area is governed by the Downtown Land Use map of the Las Vegas Redevelopment Area Plan. The plan has been implemented to encourage desirable and orderly development within the downtown area. The plan establishes land uses for the Downtown Area, and encourages the continuing development of downtown Las Vegas as the regional center for finance, businesses, governmental services, entertainment and recreation, while retaining the gaming and tourism vital to economic prosperity.

**Map 3  
Downtown Area Map**



Printed: March 15, 2005

— City Boundary      ● Downtown Area      ● Southeast Sector

## SOUTHWEST SECTOR

The Southwest Sector of the Master Plan is located along Cheyenne Avenue to the north, portions of Rainbow and Jones Boulevard to the east, the Beltway to the west, and the city limit boundaries to the south. Many of the city's more recently developed areas such as Summerlin and the Lakes are located within the Southwest Sector Plan. The following Master Development Plan Areas are located within the Southwest Sector:

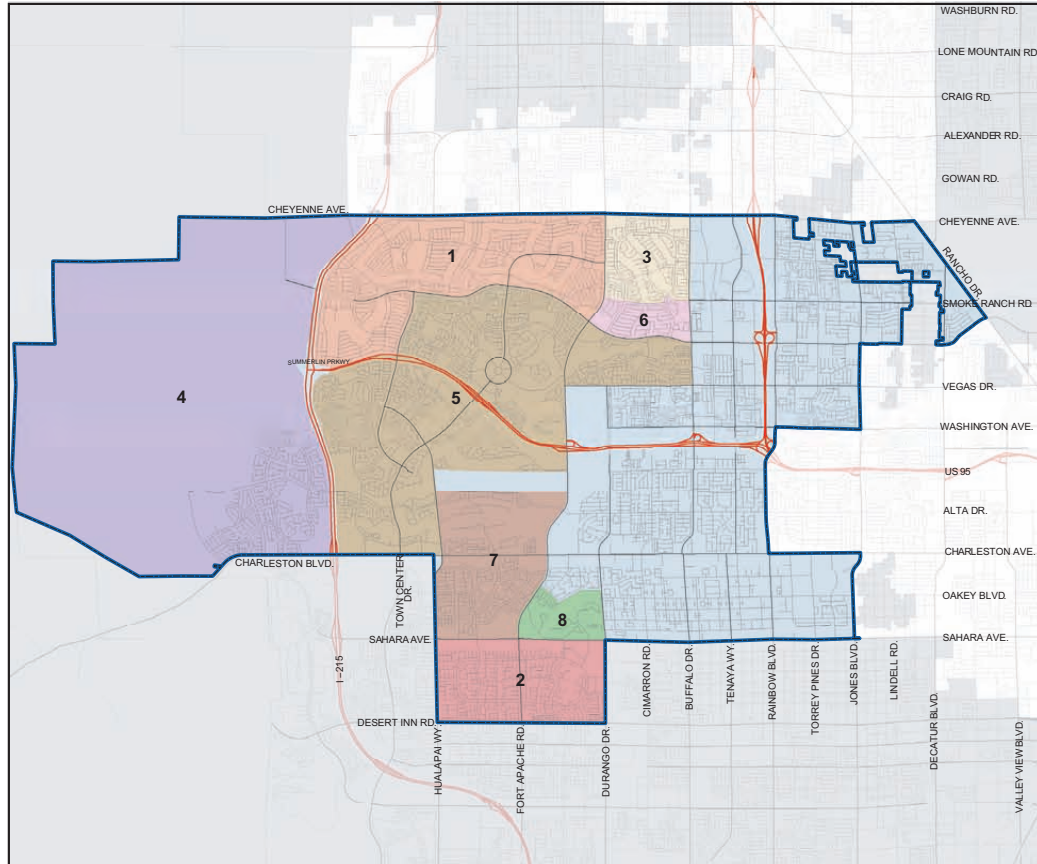
Canyon Gate  
Desert Shores

Sun City  
The Lakes

Peccole Ranch  
South Shores

Summerlin  
Summerlin West

**Map 4**  
**Southwest Sector Map**



Printed: March 15, 2005

- 1 Sun City
- 2 The Lakes
- 3 Desert Shores

- 4 West Summerlin
- 5 Summerlin
- 6 South Shores

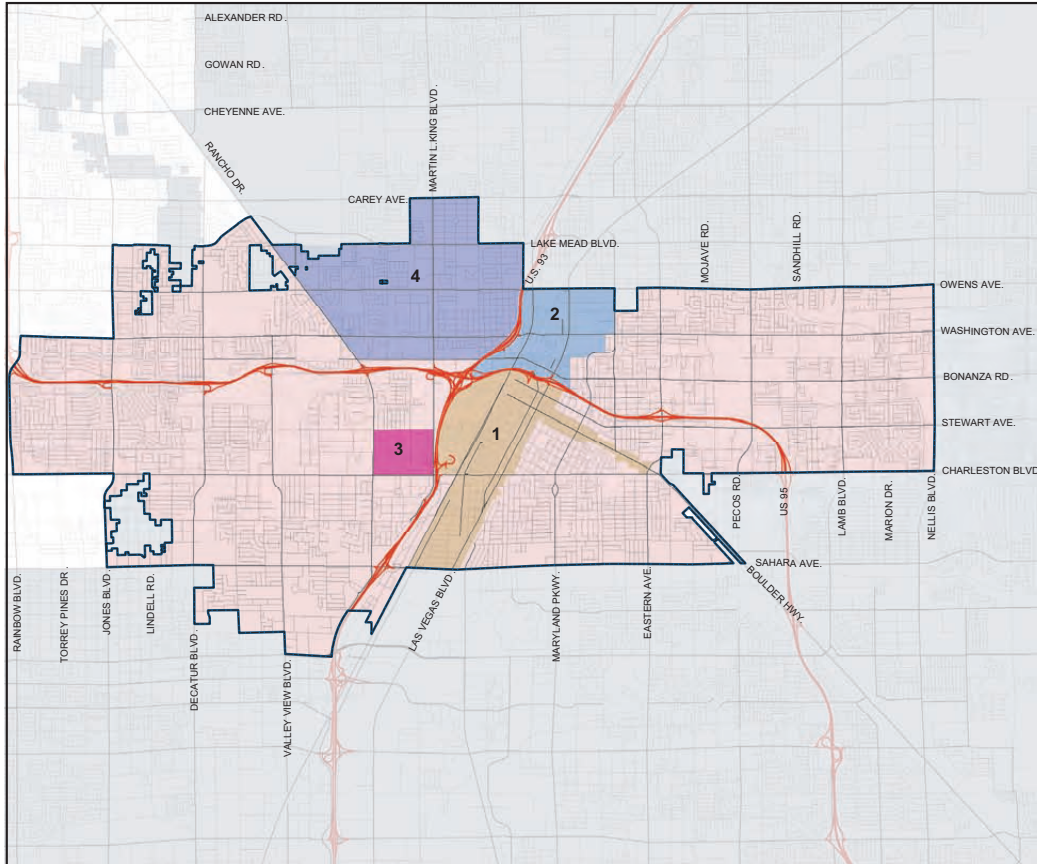
- 7 Peccole Ranch
- 8 Canyon Gate
- Southwest Sector
- Freeway

Future Land Use

## SOUTHEAST SECTOR

The Southeast Sector of the Master Plan is located along portions of Jones and Rainbow Boulevards to the West, and the city limit boundaries to the northeast of Rancho Drive, south, and east. The Southeast Sector is comprised of many of the city's more mature areas. Much of the Southeast Sector is built out, and future growth in the area will most likely consist of infill development and neighborhood revitalization. The Southeast Sector includes the Downtown and Downtown North, West Las Vegas, and the Las Vegas Medical District. The historic John S. Park and Las Vegas High School neighborhoods are also located here.

**Map 5**  
**Southeast Sector Map**



Printed: March 15, 2005

Future Land Use



- Freeway
- 1 Downtown Area
- 2 Downtown North Plan Area
- 3 Las Vegas Medical District
- 4 West Las Vegas Plan Area
- Southeast Sector

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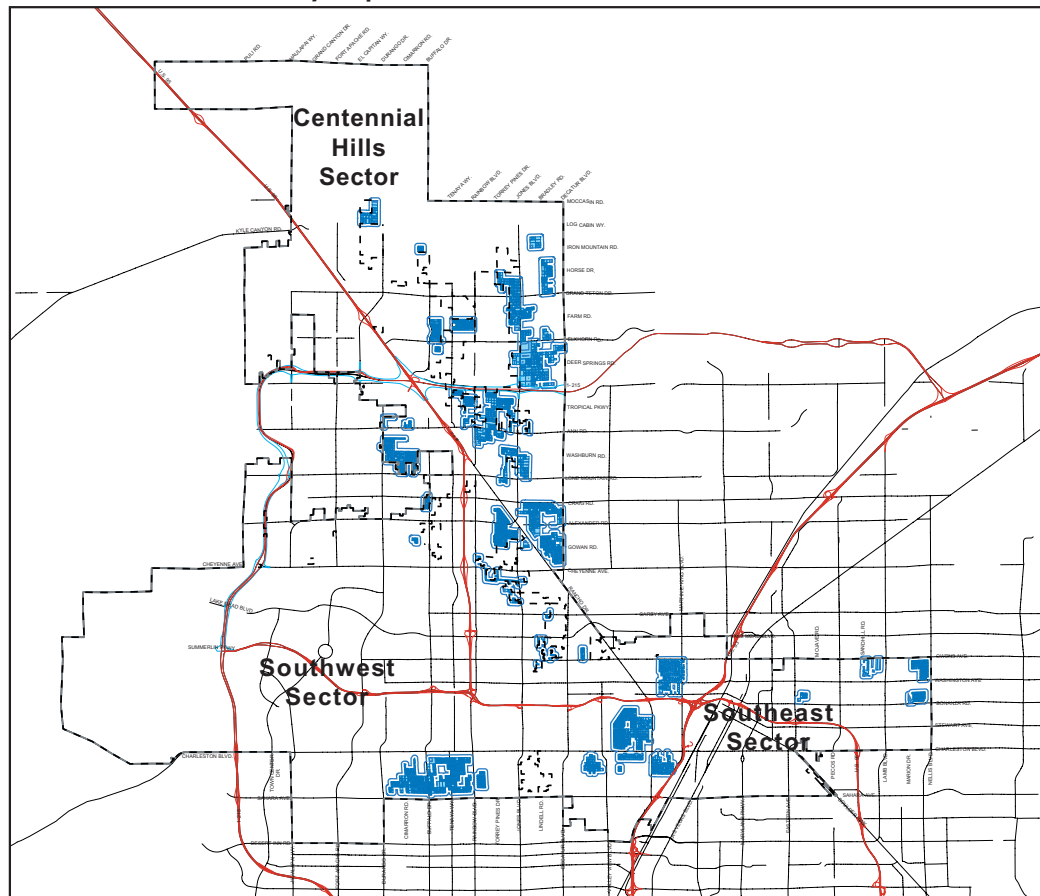


# RURAL PRESERVATION OVERLAY DISTRICT

In 1999 the Nevada State Legislature adopted SB 391, which allowed for the creation and protection of rural preservation neighborhoods. Because this state legislation expired on May 31, 2004, the City of Las Vegas has recently adopted a Rural Preservation Overlay District to continue to protect the character of rural neighborhoods within the City.

The Rural Preservation Overlay District is intended to preserve the rural nature of designated neighborhoods located in the Southeast, Southwest, and Centennial Hills Sectors. Some characteristics of a Rural Preservation Neighborhood include single-family homes on large lots, non-commercial raising of domestic animals, and a density limit of two units per acre. The overlay district also establishes a 330-foot buffer that extends from designated neighborhoods and limits development to three units per acre in certain instances. The specifics of the Rural Preservation Overlay District can be found in Title 19.06 of the Las Vegas Municipal Code.

**Map 6**  
**Rural Preservation Overlay Map**



Printed: May 11, 2005

330 Ft. RPN Parcels Buffer

RPN Parcels

Future Land Use

# LAND USE TABLES

The following matrix displays the allowable land use categories, residential densities, and zoning districts within the various planning areas of the city of Las Vegas. While some planning areas have unique land uses, development standards, and design guidelines, the individual attributes of each area are beyond the scope of this matrix. The master plan for each development area can be viewed in its entirety at the city of Las Vegas Development Services Center located at 731 South Fourth Street.

Future Land Use



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Master Plan Land Use Designations	RESIDENTIAL										COMMERCIAL			OTHER		
	RNP	DR-	R	L	ML	MLA	M	H	PCD	TC	O	SC	GC	LI-R	PR-OS	PF
Master Plan Designation																
Maximum Density Per Acre	2	2.49	3.59	5.49	8.49	12.49	25.49	>25.5	8	See Town Center Chart	N/A	N/A	N/A	N/A	N/A	N/A
Allowable Zoning Categories	R-A R-E	U R-PD2	R-D	R-1 R-MH	R-2 R-CL R-MPH	R-2	R-3	R-4 R-5	PD	See Town Center Chart	O P-R	C-1 N-S C-D	C-2	M C-M C-PB	C-V	C-V

Town Center	RESIDENTIAL							COMMERCIAL				OTHER	
	L-TC	ML-TC	MLA-TC	M-TC	EC-TC	MS-TC	SX-TC	UC-TC	SG-TC	GC-TC	PF-TC		
Master Plan Land Use Designations													
Allowable Density Per Acre	3.6 – 5.5	5.6-8	8.1-12	12.1-25	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
Allowable Zoning Categories	T-C	T-C	T-C	T-C	T-C	T-C	T-C	T-C	T-C	T-C	T-C		

Cliff's Edge Master Plan Area	RESIDENTIAL				COMMERCIAL	OTHER
Master Plan Land Use Designations	L	ML	Residential Small Lot	M	Village Commercial	PF
Allowable Density Per Acre	Up to 5.5	Up to 8	Up to 15	Up to 25	N/A	N/A
Allowable Zoning Categories	PD	PD	PD	PD	PD	PD

Future Land Use

CLV064185  
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13710



Grand Canyon Village Master Plan Area	RESIDENTIAL			COMMERCIAL	OTHER
Master Plan Land Use Designations	ML	Multi-family Medium Residential		Community Commercial	N/A
Allowable Density Per Acre	Up to 12	Up to 25		N/A	N/A
Allowable Zoning Categories	PD	PD		PD	N/A

Grand Teton Village Master Plan Area	RESIDENTIAL				COMMERCIAL	OTHER
Master Plan Land Use Designations	L	ML	MLA	Multi-family Medium Residential	N/A	PF
Allowable Density Per Acre	Up to 5.5	Up to 8	Up to 12	Up to 25	N/A	N/A
Allowable Zoning Categories	PD	PD	PD	PD	N/A	PD

Iron Mountain Ranch Master Plan Area	RESIDENTIAL			COMMERCIAL	OTHER
Master Plan Land Use Designations	DR	R	L	N/A	N/A
Allowable Density Per Acre	2	3.49	5.49	N/A	N/A
Allowable Zoning Categories	R-PD2	R-PD3	RPD-5	N/A	N/A