#### 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 11:43 p.m. Elizabeth A. Brown Clerk of Supreme Court

No. 84640

AMENDED JOINT APPENDIX VOLUME 78, PART 2

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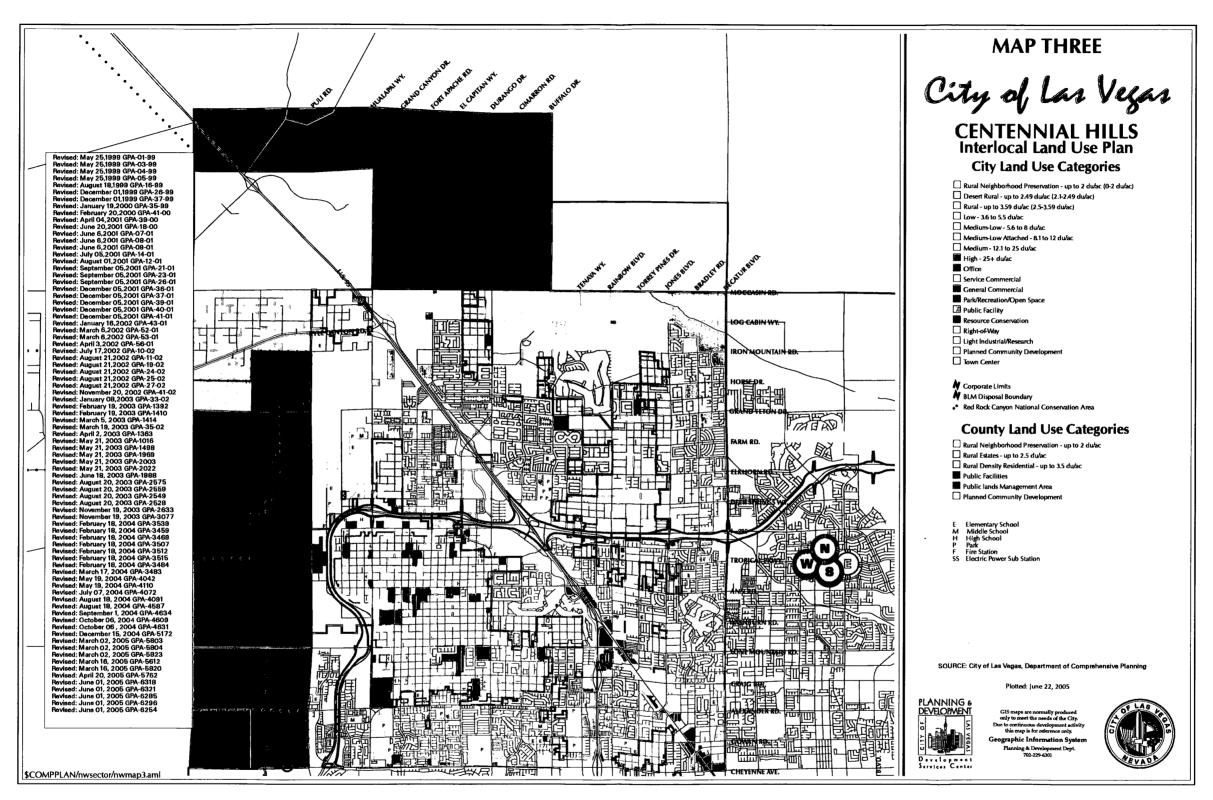
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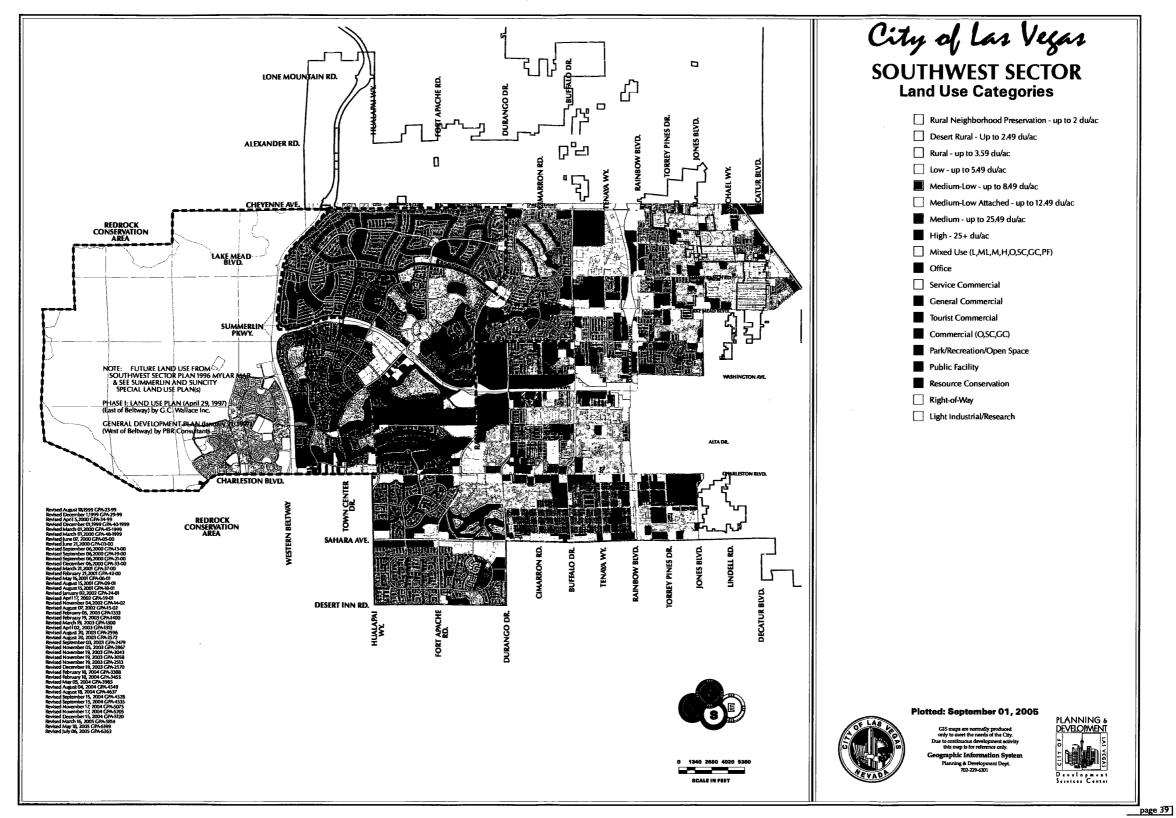
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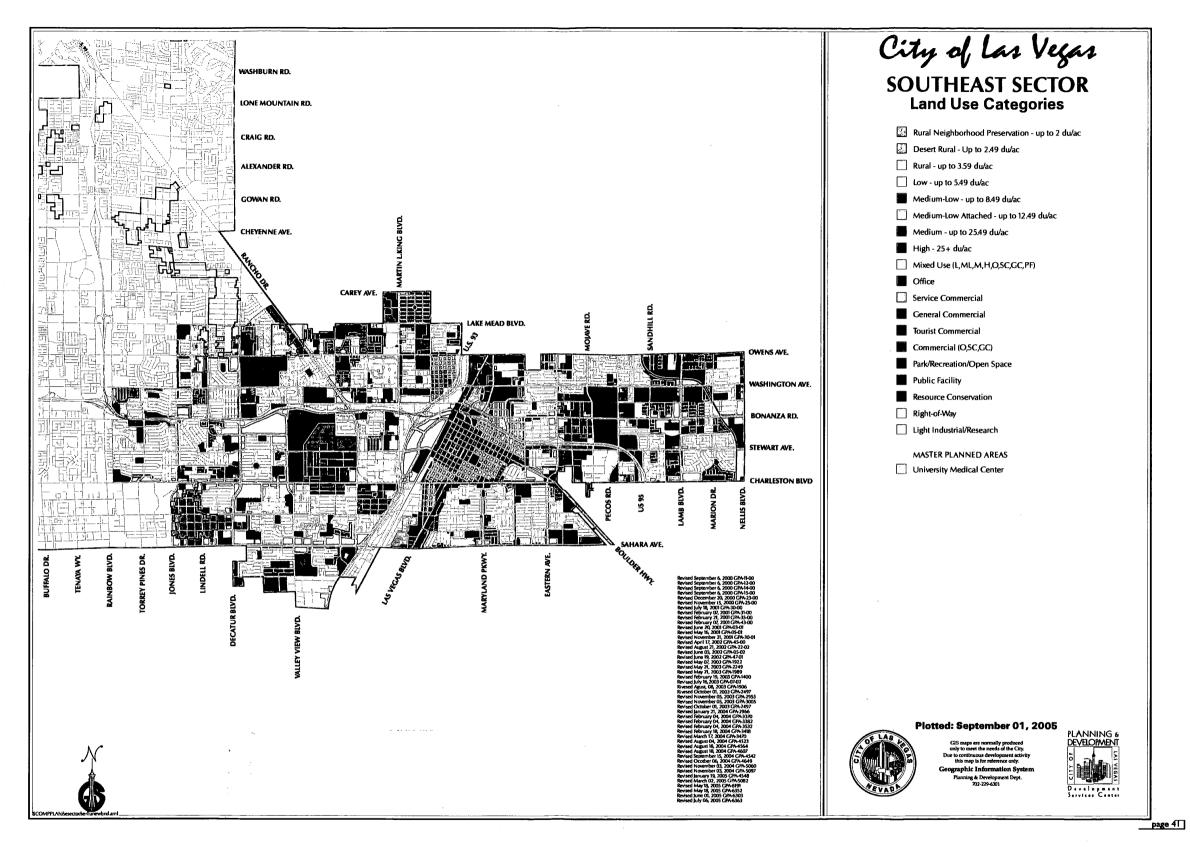
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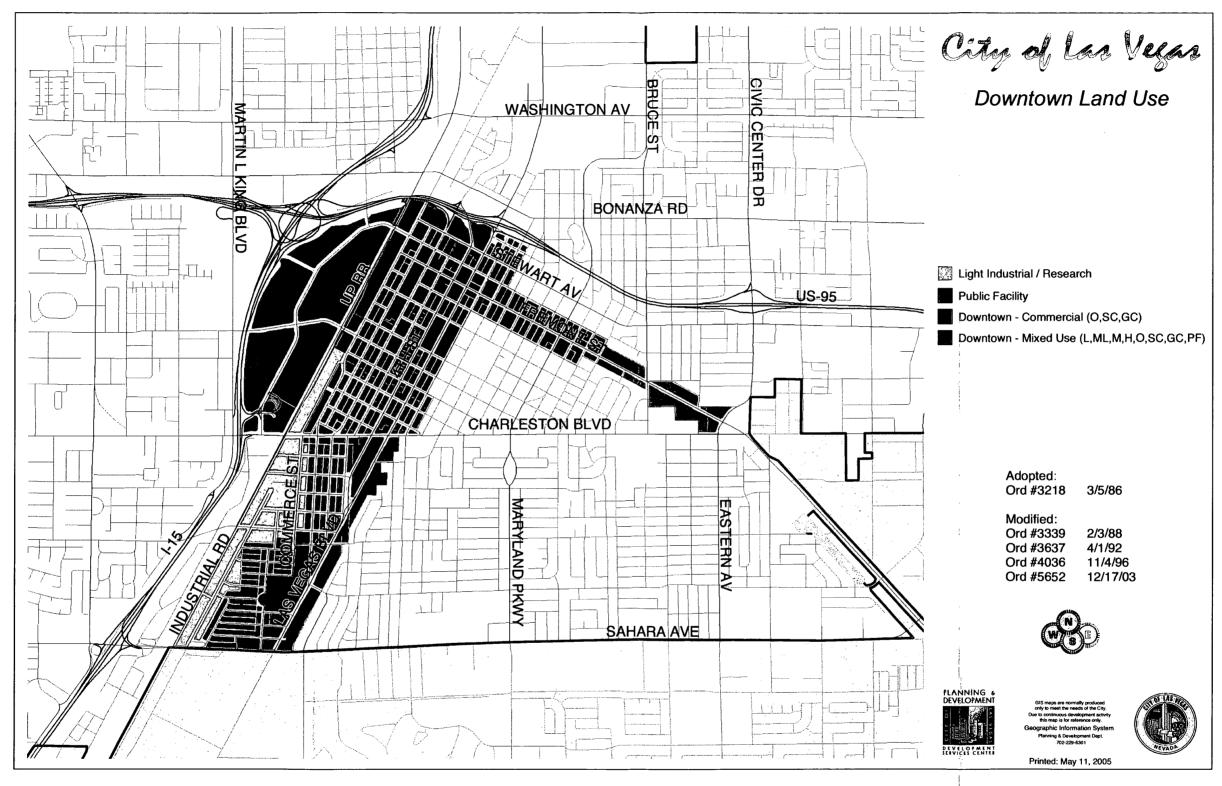
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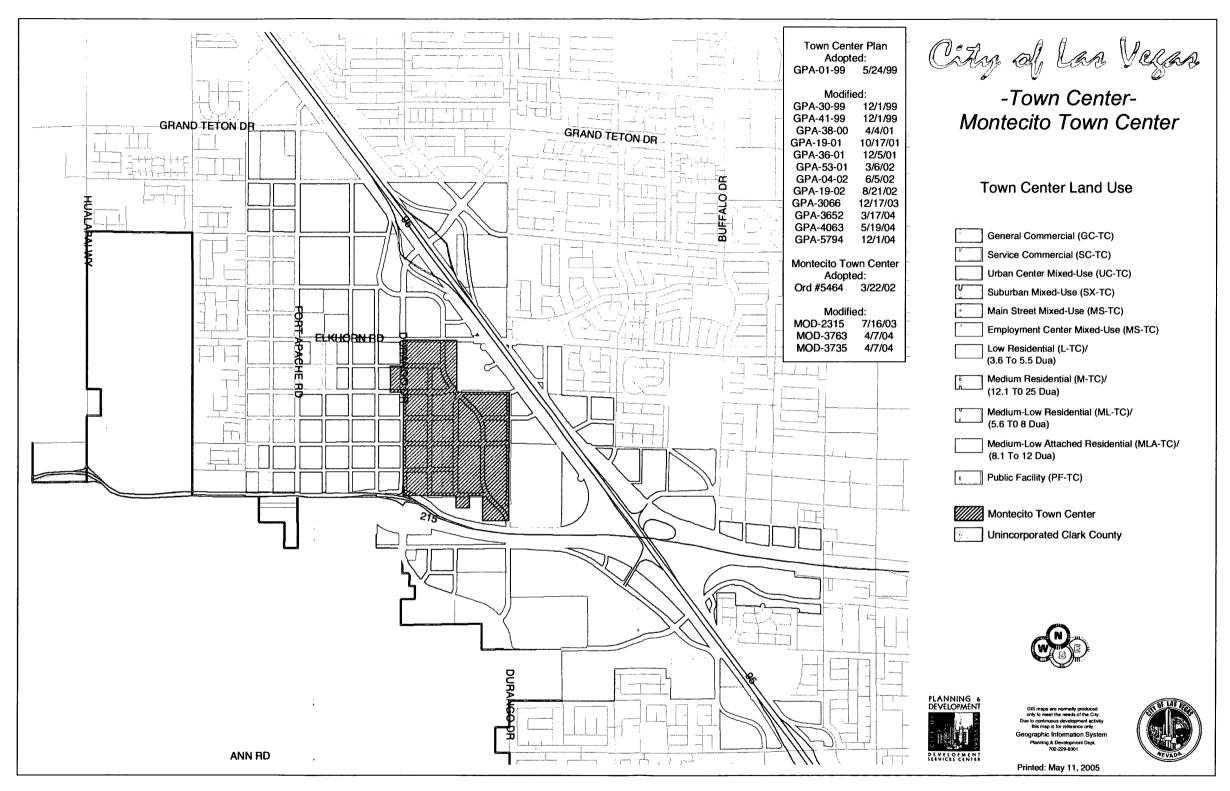


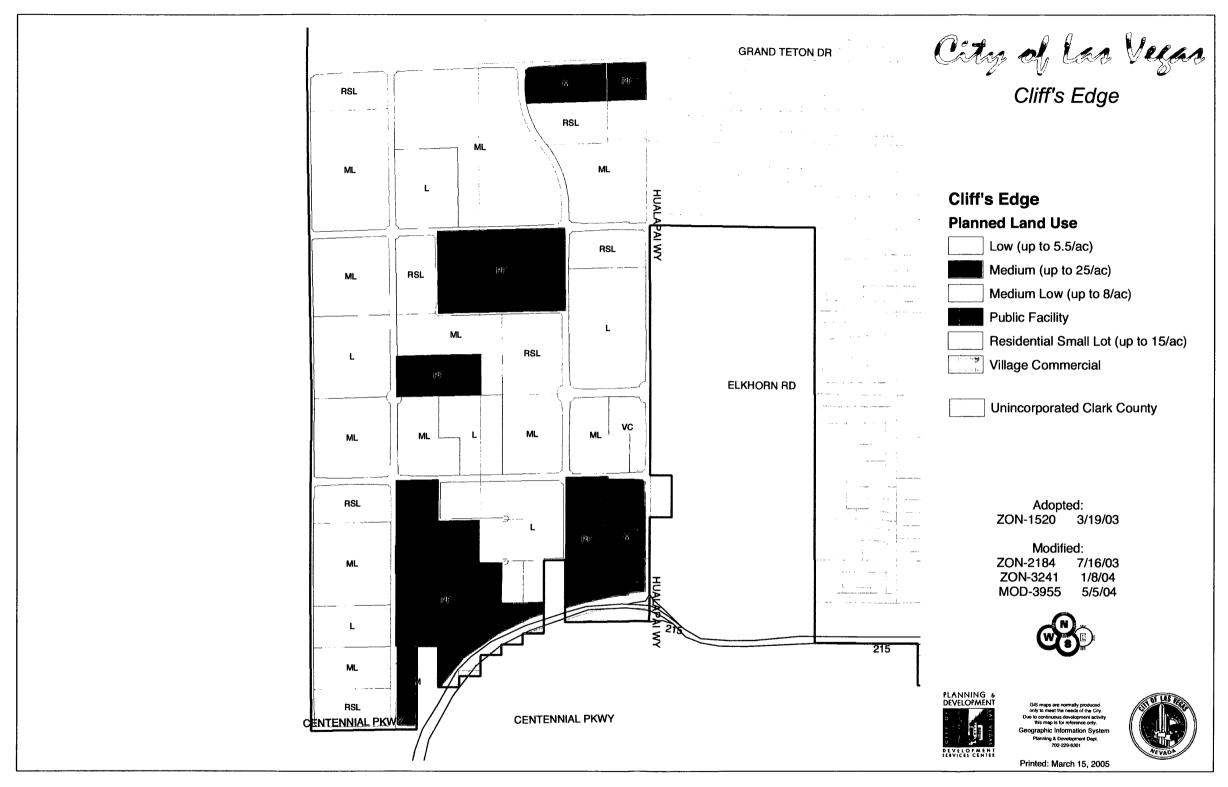


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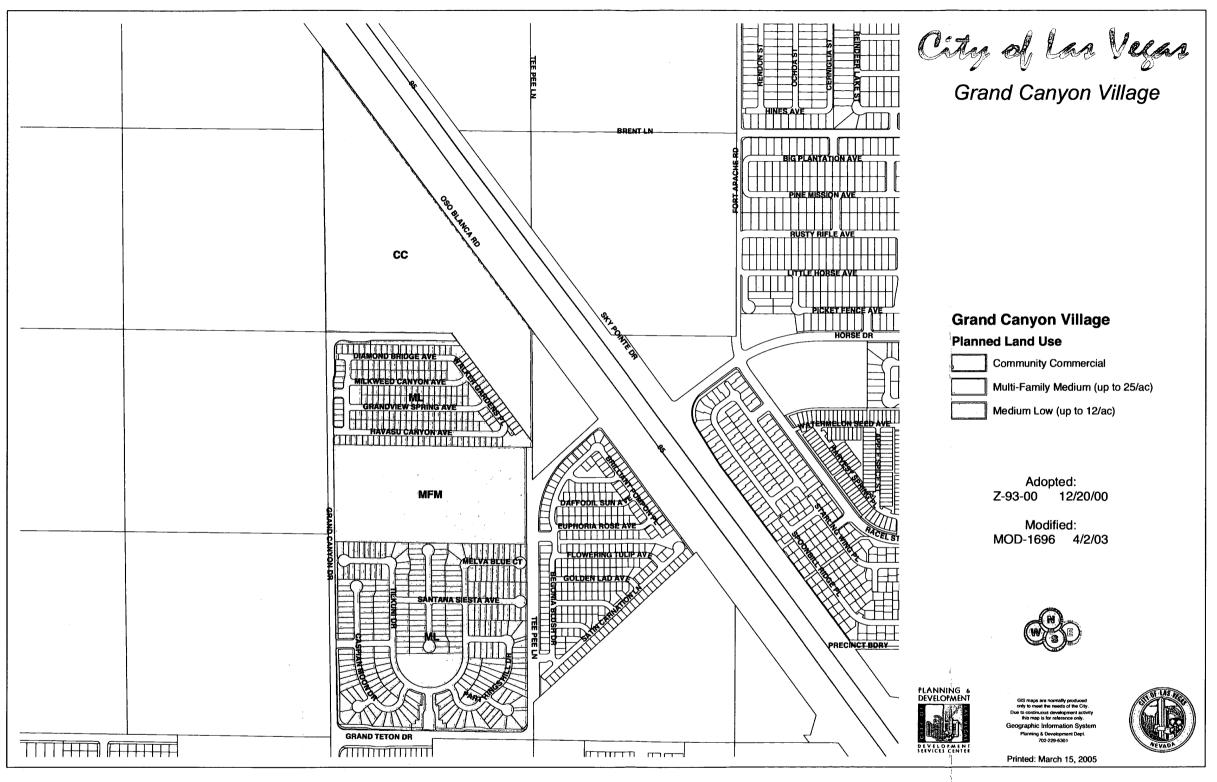


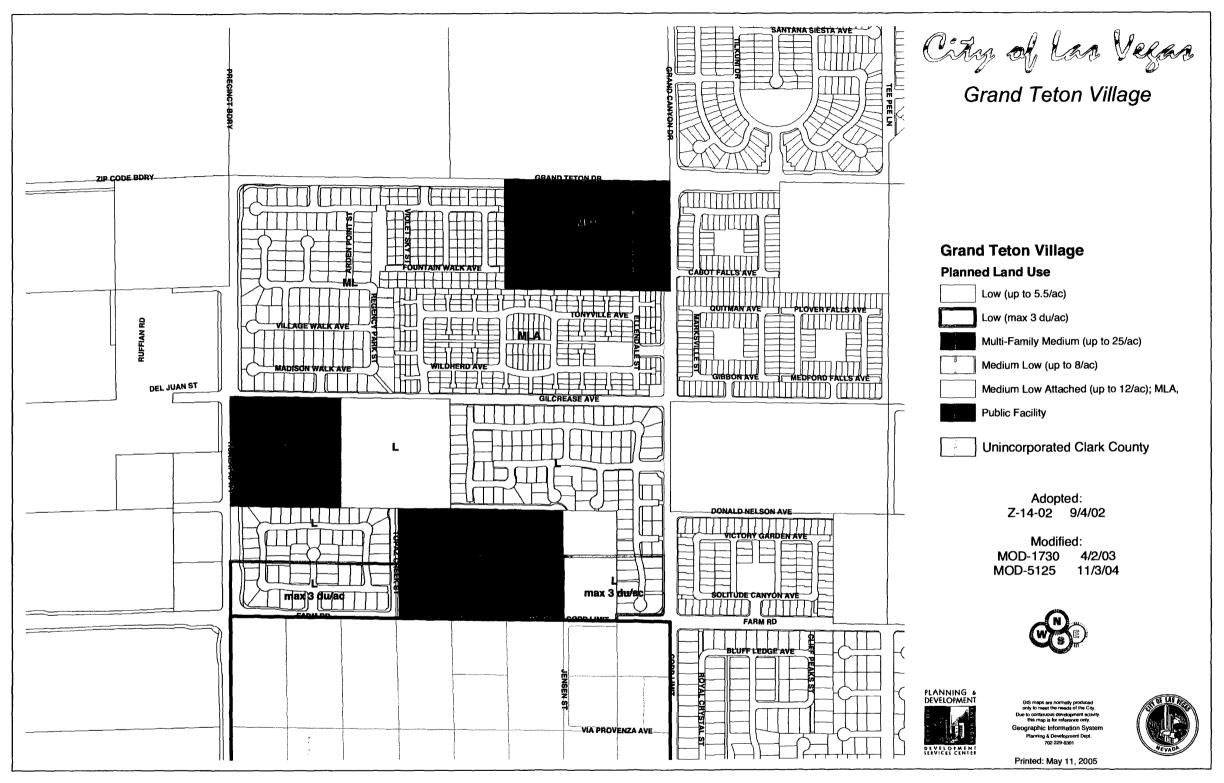




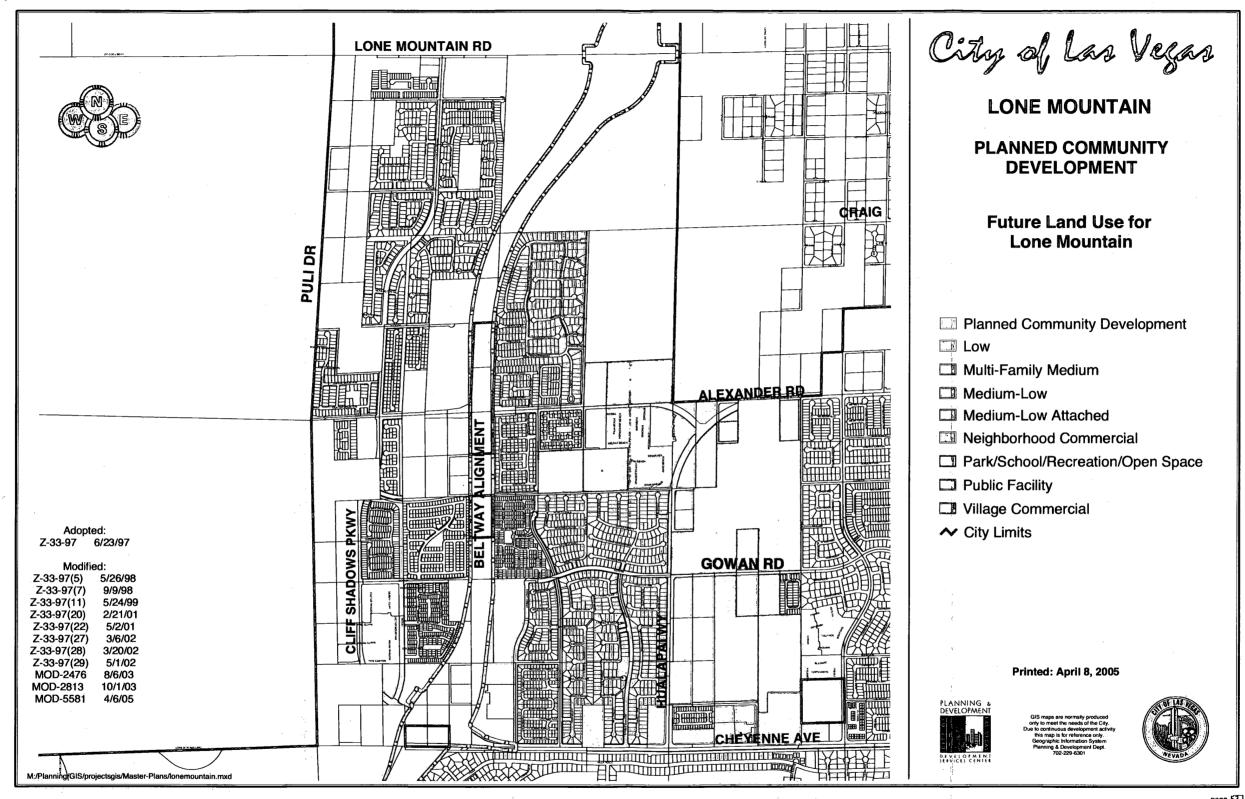


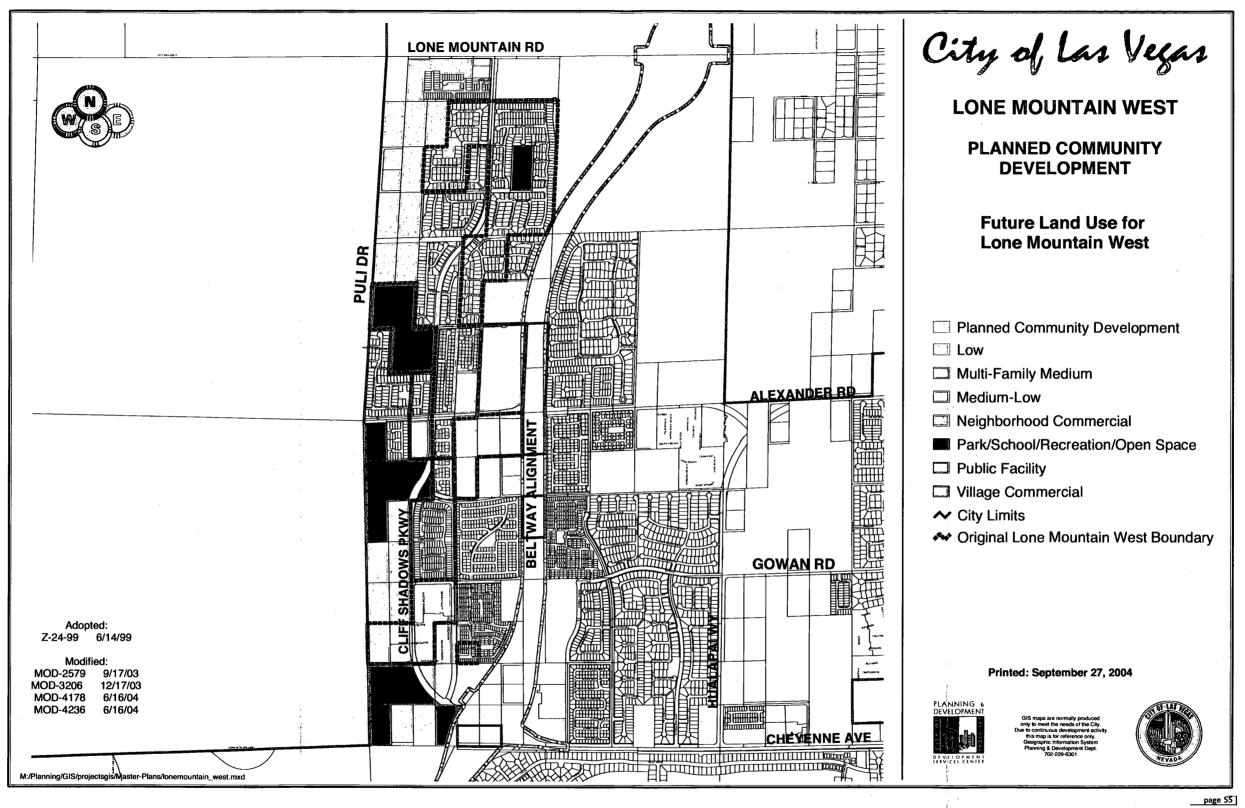
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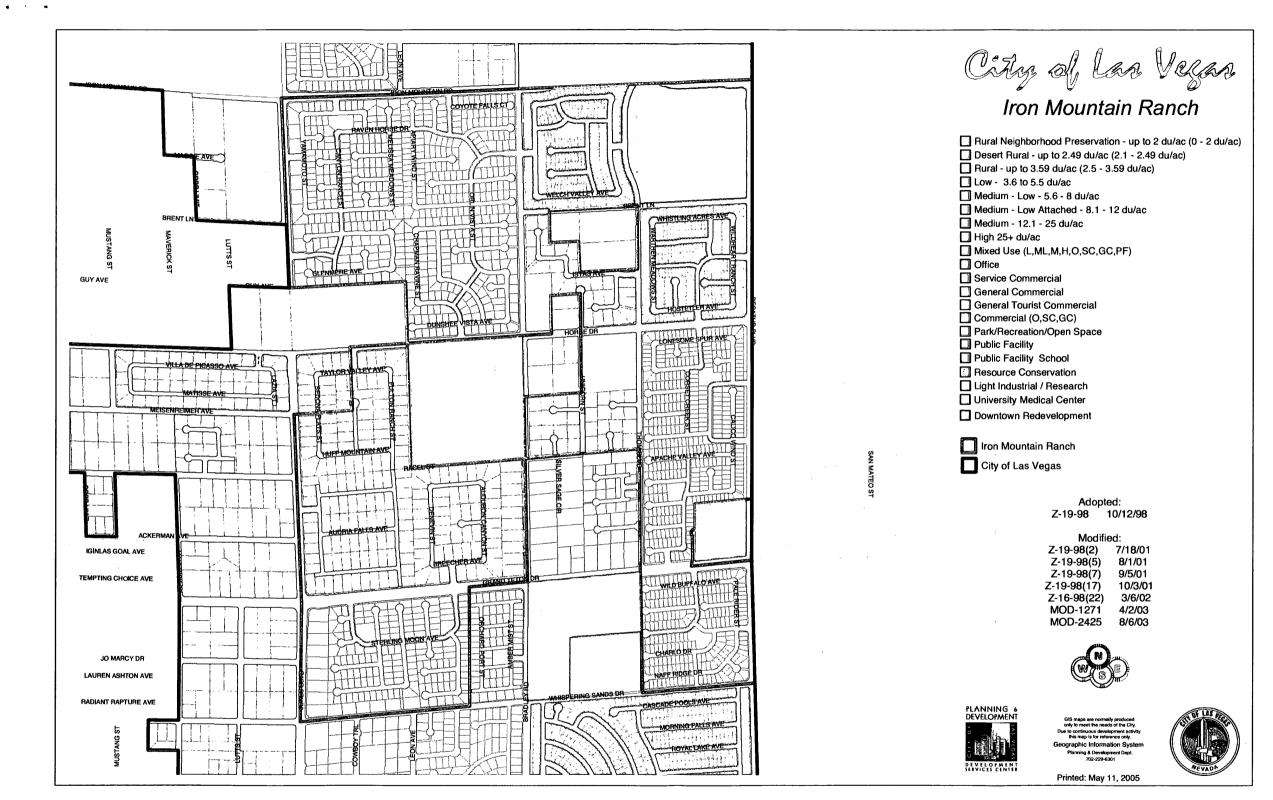


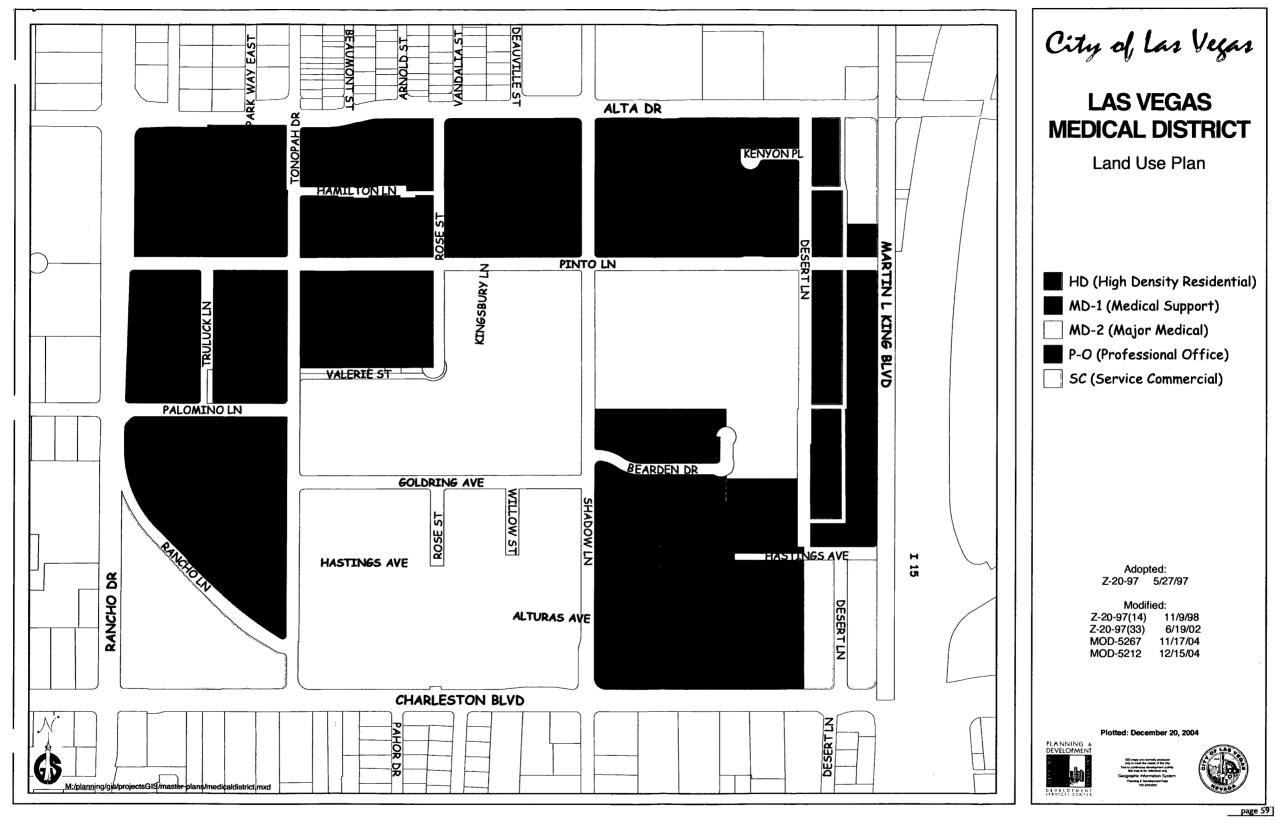


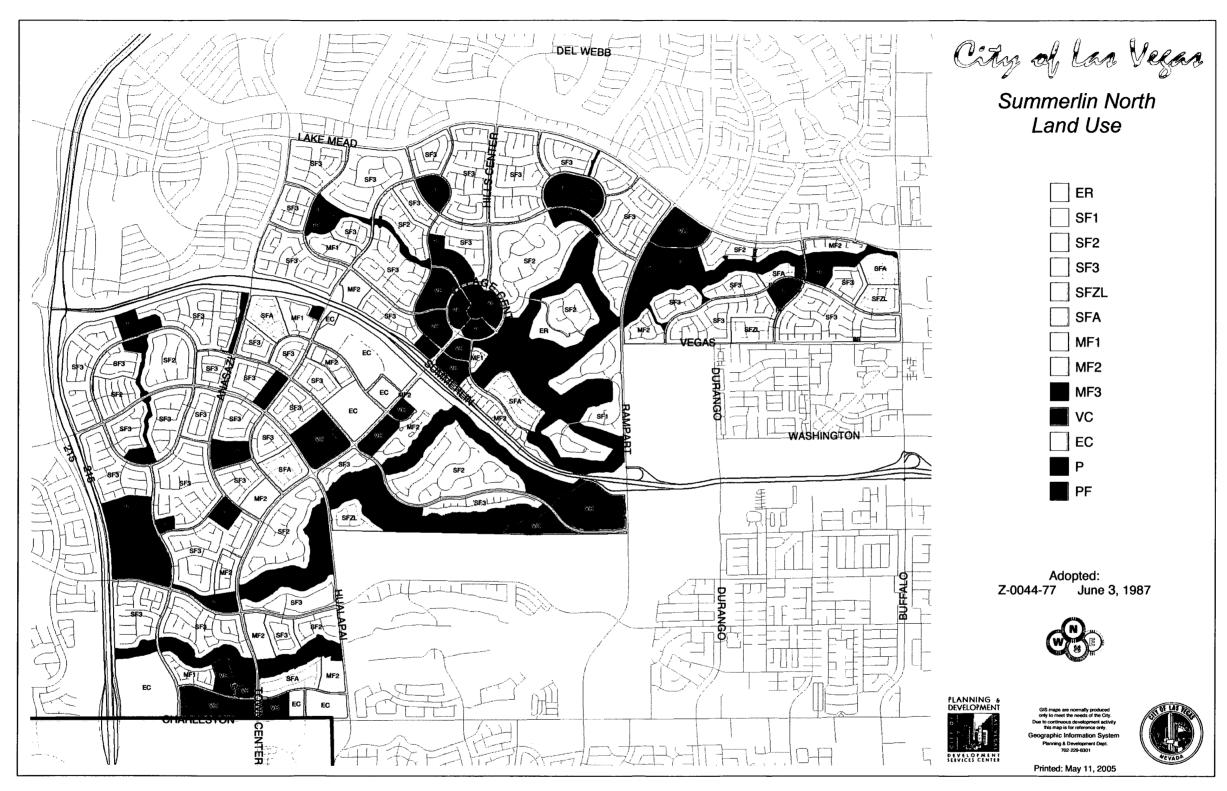
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City of las Vegas Summerlin West Land Use West Summerlin LAKE MEAD ER SF1 SF2 SF3 SFZL SUMMERLIN SFA MF1 MF2 MF3 VC EC EC Р PF Adopted: Ord#9715 2/7/97 PLANNING &

page 63

Printed: May 11, 2005

### VERVIEW F GENERAL PLAN AMENDMENT / MAJOR MODIFICATION PROCESS

A General Plan Amendment is a requested change of land use or text within the Master Plan. Periodically, the Planning Commission and City Council will review and evaluate the Master Plan to ensure that it remains an accurate statement of the city's land-use goals and policies. In other instances, the owner of a property may wish to change a particular parcel's land use designation in order to allow for a rezoning on the site. This becomes necessary because any zoning request must be in substantial agreement with the Master Plan designation in order to be approved by the City Council. In order to facilitate this process, the property owner must submit a General Plan Amendment (GPA) application for review by city staff, Planning Commission, and City Council.

When a land use change is requested within a master plan area, a Major Modification is required. A Major Modification is similar to a General Plan Amendment, but instead of amending a land use designation within a Sector Plan, the special land use of a parcel within a Master Plan area (Town Center, Lone Mountain, Grand Teton Village, etc.) is amended. In order to facilitate this process, the property owner must submit a Major Modification (MOD) application for review by city staff, Planning Commission, and City Council.

Description of Land Use Categories



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

#### **GAMING ENTERPRISE DISTRICTS**

A Gaming Enterprise District is an area that has been deemed by a city, county, or town as a suitable location for the operation of an establishment with a non-restricted gaming license as allowed by the Nevada Revised Statutes. A non-restricted gaming license allows for gaming operations that consist of sixteen or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool at that establishment. The state legislature has found that while the gaming industry is vital to the economy of the State and Clark County, it is necessary to manage its growth in a planned and predicable manner. To ensure compatibility with surrounding areas, Nevada Revised Statues 463.308 prohibits the approval of a new non-restricted gaming license for establishments outside of a gaming enterprise district <sup>4</sup>. In order to petition a city, county, or town for the establishment of a new Gaming Enterprise District, the following criteria must be met:

- The roads, water, sanitation, utilities and related services for the location must be adequate.
- The proposed establishment will not unduly impact public services, consumption of natural resources, and the quality of life enjoyed by residents of the surrounding neighborhoods.
- The proposed establishment will enhance, expand and stabilize employment and the local economy.
- The proposed establishment will be located in an area planned or zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive.
- The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area.

Establishments with a valid non-restricted license that are outside a designated gaming enterprise district may not increase the number of games or slot machines operated at the establishment beyond the number of games or slot machines authorized by local ordinance on December 31, 1996. Nevada Revised Statutes requires the city to provide a map that depicts the location of each Gaming Enterprise District established after July 16, 1997.

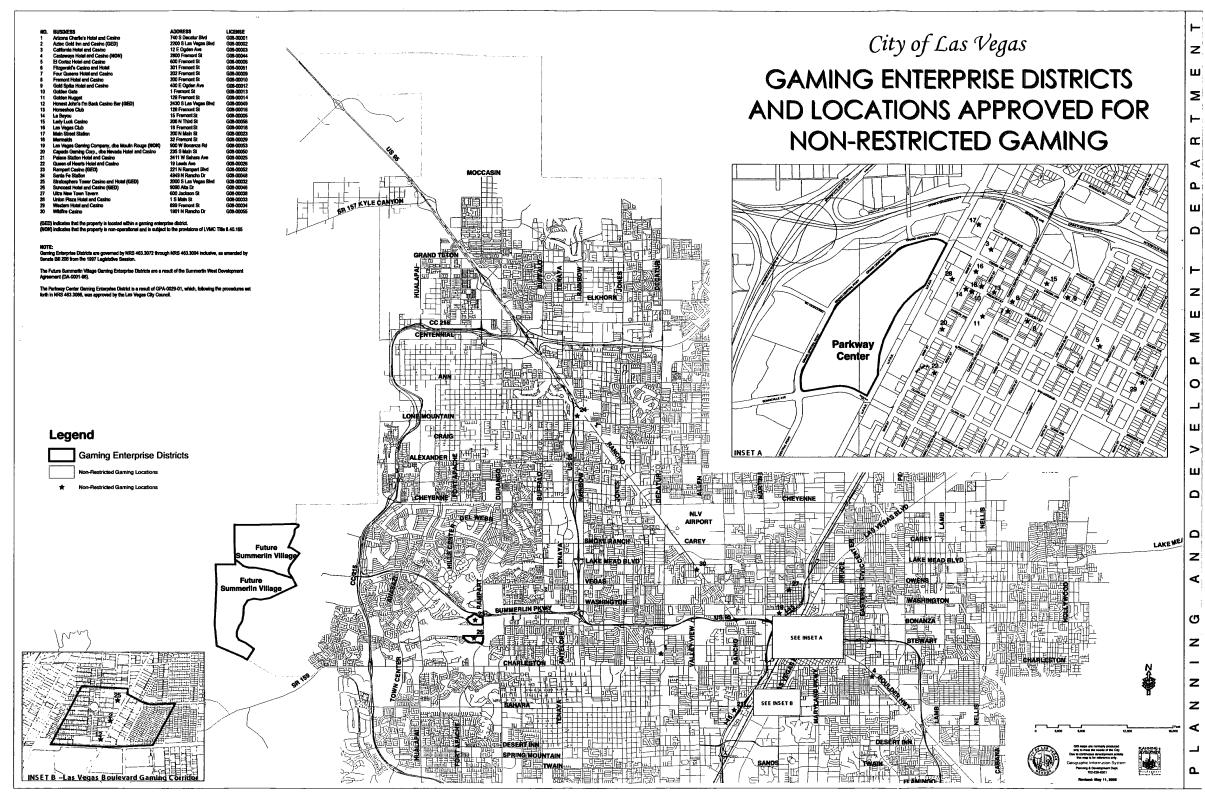
4 In counties with a population of over 400,000 people.



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

CLV208869 3412

Overview of General Plan Amendment



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2005 SEP 14 A II: 35

AFFP

DISTRICT COURT Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) COUNTY OF CLARK)

SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

> LV CITY CLERK 4203024

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 08/26/2005 to 08/26/2005, on the following days: AUG. 26, 2005

SUBSCRIBED AND SWORN BEFORE ME THIS THE

Notary Public

MARY B. SHEFFIELD Notary Public State of Nevada No. 99-53968-1 My appt. exp. Mar. 8, 2007

3/

BILL NO. 2005-46

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2005 SEP 16 A 10: 40

AFFP

DISTRICT COURT Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) COUNTY OF CLARK)

SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas

Sun, daily newspapers regularly issued, published and circulated in the City of

Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true

copy attached for,

LV CITY CLERK 4238315 2296311LV

FIRST AMENDMENT BILL NO. 2005-46 Ordinance No. 5787

AN ORDINANCE TO ADOPT THE LAND USE ELEMENT OF THE LAS VEGAS 2020 MASTER PLAN, AND TO PROVIDE FOR OTHER RE-LATED MATTERS

Proposed by: M. Margo Wheeler, Director of Planning and Development Summary: Adopts the Land Use Element of the Las Vegas 2020 Master

The above and foregoing ordinance was first proposed and read by title to the City Council on the Lith Gay of August 2005 and referred to a committee of the City Council on the City Council on the City Council of amended and adopted by the following vide:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Weekly, Mack, and Wolfson VOTING "NAY": NONE

VOTING "NAY": NONE EXCUSED: Councilwoma: Farkanian

COPIES OF THE COMPLETE ORDINANCE ARE AVAILA-BLE FOR PUBLIC INFORMA-TION IN THE OFFICE OF THE CITY CLERK, 1ST PLOOR, 400 STEWART AVE-

PUB: Sept. 10, 2005

Signed: MANQ STAND

SUBSCRIBED AND SWORN BEFORE ME THIS THE /3

day of sleptenter 2005

Mary B Sheffuld

Notary Public

MARY B. SHEFFIELD
Notary Public State of Nevada
No. 99-53968-1
My appt. exp. Mar. 8, 2007

2005 OCT -3 A 10: 32

APPO

DISTRICT COURT Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) COUNTY OF CLARK)

cc.

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/24/2005 to 09/24/2005, on the following days: SEPT. 24, 2005

FIRST AMENDMENT CORRECTED BILL NO. 2005-46 Ordinance No. 5787

AN ORDINANCE TO ADOPT THE LAND USE ELEMENT OF THE LAS VEGAS 2020 MASTER PLAN, AND TO PROVIDE FOR OTHER RE-

Proposed by: M. Margo Wheeler, Director of Planning and Development Summary: Adopts the Land Use Element of the Las Vegas 2020 Master

ordinance was first proposed and read by the extractive course of the course and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 7th day of of September 2005, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vice:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Weekly, Wolfson, and Ross

VOTING "NAY": NONE EXCUSED: Councilwoma Tarkanian

COPIES OF THE COMPLETE ORDINANCE ARE AVAILA-BLE FOR PUBLIC INFORMA-TION IN THE OFFICE OF THE CITY CLERK, 1ST BLOOD 400 STEWART AVE.

PUB: Sept. 24, 2005

Signed: MMQ Stank

SUBSCRIBED AND SWORN BEFORE ME THIS THE 27

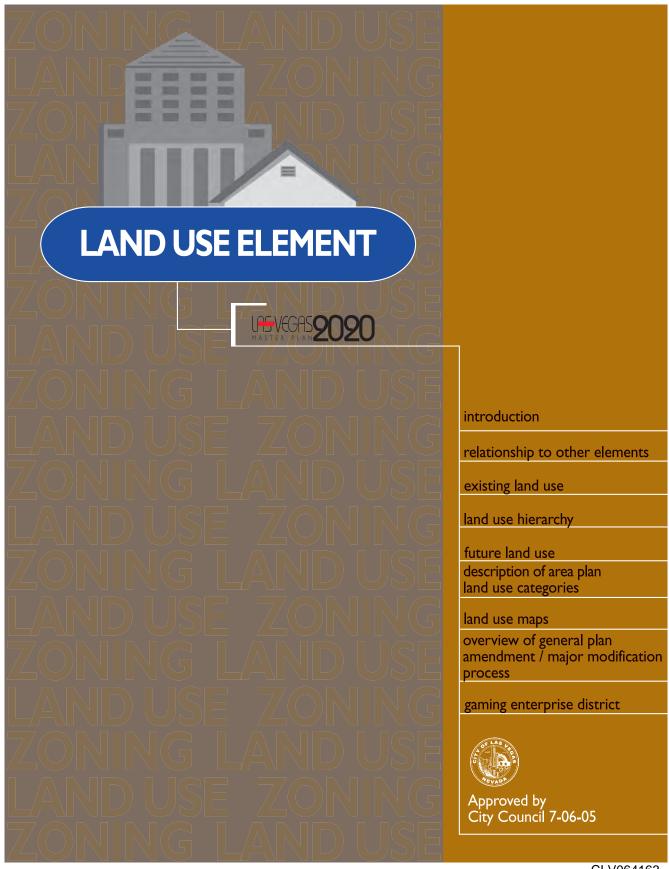
day of September 2005

Mary B. Sheffeeld

Notary Public

MARY B. SHEFFIELD Notary Public State of Nevada No. 99-53968-1 My appt. exp. Mar. 8, 2007

# EXHIBIT "QQQQ-14"



The City of Las Vegas Land Use Element
of the Las Vegas 2020 Master Plan
was adopted by
City Council on July 6, 2005
(GPA-6363).



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

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#### INTRODUCTION

Land Use is the central element of the Master Plan. It serves as the long-range planning tool used in conjunction with other elements of the Master Plan to guide the city's future growth, revitalization, and preservation efforts. In 2000, the City Council adopted the City of Las Vegas Master Plan 2020, with goals, objectives and policies designed to guide growth through 2020. Since its adoption, many Elements of the Master Plan have been updated. This Land Use Element is one in a series of required Elements to be updated and added to the 2020 plan.

Under Nevada Revised Statutes (NRS), land use has long been a recommended component of a city's Master Plan. That changed in 1999, during the 70th session of the Nevada State Legislature, when the Land Use Element became a required part of a city's Master Plan (NRS 278.150).

A Land Use Element has provided guidance to policymakers in the City of Las Vegas for nearly half a century. The City first adopted a Land Use Element as part of its Master Plan in 1959. Since then a new or updated Land Use Element was adopted by the City Council in 1975, 1985 and 1992. The 1992 Land Use Element remained in effect until the adoption of this document.

This update to the 1992 Land Use Element is designed to provide updated information regarding existing land use, and to be a quick reference for future land use definitions, allowable densities, and corresponding zoning categories. There are a number of plan documents that have been adopted by the City Council that dictate allowable land use throughout the city. By including maps and summarizing the land use categories and contents of the various plans, it is hoped that this document will serve to simplify the land development process and clarify allowable land use and densities throughout the city.

LAND USE ELEMENT

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

# RELATIONSHIP TO OTHER ELEMENTS

The city of Las Vegas 2020 Master Plan consists of a series of elements that are intended to direct the actions of the city regarding land use and development for the period from 2000 to 2020. The Master Plan outlines broad policies, and each individual element builds on those policies and provides specific direction as to how the city should accommodate particular land use issues.

The intent of this Land Use Element is to provide a framework for the orderly planning of land uses within the city of Las Vegas. The Land Use Element may be the most visible element in the planning process, and it is related with the other elements found within the 2020 Master Plan. The following is a brief description of the various roles played by other elements and their influence on land use planning.

#### **PARKS ELEMENT**

When considering land use, it is important to allocate land for parks and other recreational facilities in convenient and accessible locations that best serve the needs of the community. The Parks Element evaluates existing parks and recreational facilities, and the future park needs for the Centennial Hills, Southeast, and Southwest Sectors of the Master Plan.

#### **HOUSING ELEMENT**

The Housing Element is a major component of the Master Plan and is highly related to land use. While the Land Use Element provides a general overview of the city's residential areas, the Housing Element provides a detailed analysis of all aspects of residential development. Examples of data within the Housing Element include state and federal housing policies, analysis of current and future housing trends, affordable housing needs, neighborhood revitalization, downtown reurbanization, and demographics. The Housing Element is an important component of the Las Vegas 2020 Master Plan and is essential to ensure sound land use planning for all aspects of future residential development.



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

#### **PUBLIC SAFETY ELEMENT**

As the city of Las Vegas continues to grow, it is imperative that there are adequate facilities to ensure the public's health, safety, and general welfare. The Public Safety Element influences land planning by addressing the number and location of facilities such as police services, fire protection services, and drainage and flood control.

#### **POPULATION ELEMENT**

The intent of the Population Element is two-fold. First, it tracks various categories of the general population, such as income and education level, which provide a greater understanding of the people that inhabit the city. Second, it forecasts future population growth and demographics, and predicts how these changes will affect the city in the years to come.

#### **CONSERVATION ELEMENT**

The Conservation Element addresses many issues ranging from improving air quality to protecting endangered species. Sound land use planning is essential to ensure the success of all aspects of the Conservation Element.

#### TRANSPORTATION TRAILS

The Transportation Trails Element establishes standards for the location, development, and maintenance of transportation trails in Las Vegas. These trails are intended to provide a multi-modal transportation system for pedestrians, bicyclists, and persons with other modes of non-motorized vehicular travel. Establishment of this system of trails will help reduce vehicular congestion and other problems due to the recent growth of the Las Vegas valley.

#### RECREATIONAL TRAILS

The Recreation Trails Element establishes standards for the location, development, and maintenance of recreation trails in Las Vegas. The recreation trails are intended to contribute to the preservation of natural resources, provide a community recreation resource, promote health and fitness, and provide aesthetic relief from urban forms.

Relationship to Other Elements



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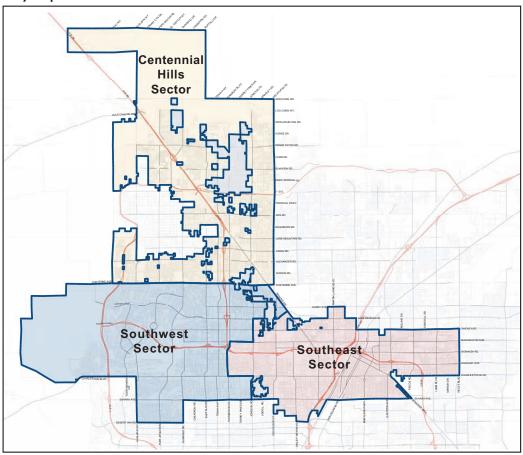
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### **EXISTING LAND USE**

The city of Las Vegas encompasses approximately 130 square miles and is home to over 559,8241 people. The city is divided into three areas known as "Sectors." Each sector represents a geographical area of the city, and each sector has its own unique characteristics. The three sectors are identified as the Centennial Hills Sector, the Southwest Sector, and the Southeast Sector.

1 City of Las Vegas Population Estimate - July 1, 2004.

#### Map I City Map



Printed: March 15, 2005





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

**Existing Land Use** 

The following tables depict existing land use by generalized categories for each sector and for the city as a whole. For simplicity, residential Master Plan categories allowing less than 5.6 developed units per acre were classified as Low Density Residential, between 5.6 and 12 developed units per acres were classified as Medium Density Residential, and greater than 12.1 developed units per acre were classified as High Density Residential.

Table I
Centennial Hills Sector

	Acreage	Percent of Total Acreage	Percent Developed	Percent Vacant
Low Density Residential (< 5.5 DUA)	5,279	15%	72%	28%
Medium Density Residential (5.6 – 12 DUA)	2,800	8%	85%	15%
High Density Residential (12.1 – 25 DUA)	290	1%	68%	32%
Total Residential	8,369	25%	76%	24%
Commercial	1,021	3%	60%	40%
Industrial	0	0%	-	-
Town Center	1,929	6%	22%	78%
Planned Community Development	5,958	17%	80%	20%
Open Space	3,150	9%	N/A	N/A
Recently Annexed Area	7,868	23%	0%	100%
Public Facilities	1,267	4%	N/A	N/A
Right of Way	4,567	13%	N/A	N/A
Total	34,129	100%	-	-

The Centennial Hills Sector is located in the northwest portion of the city and has been experiencing rapid commercial and residential growth in recent years. There are currently 2,009 acres (24%) of residentially designated land, and 408 acres (40%) of commercially designated land vacant and available for development. In addition, 1,196 acres (20%) of parcels designated as Planned Community Development, and 1,519 acres (78%) of Town Center are undeveloped and can be utilized for a variety of uses. On January 16, 2004, the city of Las Vegas annexed 7,868 acres of land from the Bureau of Land Management located on the north side of Moccasin Road, between Buffalo Drive and Spin Ranch Road. This area is identified on the chart above as "Recently Annexed Area." The land is undeveloped and currently designated Resource Conservation, but it is anticipated that it will be re-designated as Planned Community Development in the near future. There are no industrial areas within the Centennial Hills Sector, and 1,267 acres (4%) of land has been reserved for public facilities. This area has approximately 3,150 acres (9%) of open space.



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