

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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common open space, or any successor organization, at any time after the establishment of a planned unit [residential] development, fails to maintain the common open space in a reasonable order and condition in accordance with the plan, the city or county may serve written notice upon [such] that organization or upon the residents of the planned unit [residential] development, setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition. [Such notice shall] *The notice must include a demand that [such] the deficiencies of maintenance be cured within 30 days [of] after the receipt of [such notice and shall] the notice and must state the date and place of a hearing [thereon, which shall] thereon. The hearing must be within 14 days of the receipt of [such] the notice.*

2. At [such] the hearing the city or county may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they [shall] *must* be cured. If the deficiencies set forth in the original notice or in the modification thereof are not cured within the 30-day period, or any extension thereof, the city or county, in order to preserve the taxable values of the properties within the planned unit [residential] development and to prevent the common open space from becoming a public nuisance, may enter upon [such] the common open space and maintain it for a period of 1 year.

3. [Such entry and maintenance shall] *Entry and maintenance does not vest in the public any right to use the common open space except when such a right is voluntarily dedicated to the public by the owners.*

4. Before the expiration of the period of maintenance set forth in subsection 2, the city or county shall, upon its own initiative or upon the request of the organization previously responsible for the maintenance of the common open space, call a public hearing upon notice to [such] the organization or to the residents of the planned unit [residential] development, to be held by the city or county. At this hearing [such] the organization or the residents of the planned unit [residential] development shall show cause why [such] the maintenance by the city or county [shall] *need not*, at the election of the city or county, continue for a succeeding year.

5. If the city or county determines that [such] the organization is ready and able to maintain the common open space in a reasonable condition, the city or county shall cease its maintenance at the end of [such] the year.

6. If the city or county determines [such] the organization is not ready and able to maintain the common open space in a reasonable condition, the city or county may, in its discretion, continue the maintenance of the common open space during the next succeeding year, subject to a similar hearing and determination in each year thereafter.

7. The decision of the city or county in any [such] case referred to it in this section constitutes a final administrative decision subject to review. [in accordance with the provisions of law.]

SEC. 15. NRS 278A.190 is hereby amended to read as follows:

278A.190 1. The total cost of [such] the maintenance undertaken by the city or county [shall be] *is* assessed ratably against the properties within the planned unit [residential] development that have a right of enjoyment of the common open space, and [shall become] *becomes* a tax lien on [such] the properties.

2. The city or county, at the time of entering upon ~~such~~ the common open space ~~for the purpose of maintenance, shall~~ to maintain it, must file a notice of ~~such~~ the lien in the appropriate recorder's office upon the properties affected by ~~such~~ the lien within the planned unit ~~residential~~ development.

SEC. 16. NRS 278A.210 is hereby amended to read as follows:

278A.210 1. The authority granted a city or county by law to establish standards for the location, width, course and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, storm water drainage, water supply and distribution, sanitary sewers and sewage collection and treatment, applies to such improvements within a planned unit ~~residential~~ development.

2. The standards applicable to a planned unit ~~residential~~ development may be different from or modifications of the standards and requirements otherwise required of subdivisions which are authorized under an ordinance. ~~Enacted pursuant to the provisions of law.~~

SEC. 17. NRS 278A.220 is hereby amended to read as follows:

278A.220 1. An ordinance enacted pursuant to this chapter ~~shall~~ must set forth the standards and criteria by which the design, bulk and location of buildings ~~shall be~~ is evaluated, and all standards and all criteria for any feature of a planned unit ~~residential~~ development ~~shall~~ must be set forth in ~~such~~ that ordinance with sufficient certainty to provide work criteria by which specific proposals for a planned unit ~~residential~~ development can be evaluated.

2. Standards in ~~such ordinance shall~~ the ordinance must not unreasonably restrict the ability of the landowner to relate the plan to the particular site and to the particular demand for housing existing at the time of development.

SEC. 18. NRS 278A.240 is hereby amended to read as follows:

278A.240 A planned unit *residential* development may consist of attached or detached single family units, townhouses, cluster units, condominiums, garden apartments or any combination thereof.

SEC. 19. NRS 278A.380 is hereby amended to read as follows:

278A.380 1. The enforcement and modification of the provisions of the plan as finally approved, whether or not these are recorded by plat, covenant, easement or otherwise, are subject to the provisions contained in NRS 278A.390 to 278A.410, inclusive.

2. ~~Such~~ The enforcement and modification ~~shall~~ of the provisions of the plan must be to further the mutual interest of the residents and owners of the planned unit ~~residential~~ development and of the public in the preservation of the integrity of the plan as finally approved. The enforcement and modification of provisions ~~are~~ must be drawn also to insure that modifications, if any, in the plan will not impair the reasonable reliance of the residents and owners upon the provisions of the plan ~~nor~~ or result in changes that would adversely affect the public interest.

SEC. 20. NRS 278A.390 is hereby amended to read as follows:

278A.390 The provisions of the plan relating to:

1. The use of land and the use, bulk and location of buildings and structures;

2. The quantity and location of common open space; [and]
3. The intensity of use or the density of residential [units, shall] units; and

4. *The ratio of residential to nonresidential uses, must run in favor of the city or county and [shall be] are enforceable in law [or in equity] by the city or county, without limitation on any powers of regulation [otherwise granted] of the city or county. [by law.]*

SEC. 21. NRS 278A.410 is hereby amended to read as follows:

278A.410 All [those] provisions of the plan authorized to be enforced by the city or county [under NRS 278A.390] may be modified, removed or released by the city or county, except grants or easements relating to the service or equipment of a public utility unless expressly consented to by the public utility, subject to the following conditions:

1. No such modification, removal or release of the provisions of the plan by the city or county may affect the rights of the residents of the planned unit residential development to maintain and enforce those provisions. [at law or in equity as provided in NRS 278A.400.]

2. No modification, removal or release of the provisions of the plan by the city or county is permitted except upon a finding by the city or county, following a public hearing [called and held in accordance with the appropriate provisions of this chapter, that it is] *that it:*

- (a) *Is consistent with the efficient development and preservation of the entire planned unit [residential] development [, does] ;*

- (b) *Does not adversely affect either the enjoyment of land abutting upon or across a street from the planned unit [residential] development or the public interest [,] ; and [is]*

- (c) *Is not granted solely to confer a private benefit upon any person.*

SEC. 22. NRS 278A.420 is hereby amended to read as follows:

278A.420 Residents of the planned unit residential development may, to the extent and in the manner expressly authorized by the provisions of the plan, modify, remove or release their rights to enforce the provisions of the plan, but no such action may affect the right of the city or county to enforce the provisions of the plan. [in accordance with the provisions of NRS 278A.410.]

SEC. 23. NRS 278A.430 is hereby amended to read as follows:

278A.430 In order to provide an expeditious method for processing a plan for a planned unit [residential] development under the terms of an ordinance enacted pursuant to the powers granted under this chapter, and to avoid the delay and uncertainty which would arise if it were necessary to secure approval by a multiplicity of local procedures of a plat or subdivision or resubdivision, as well as approval of a change in the zoning regulations otherwise applicable to the property, it is hereby declared to be in the public interest that all procedures with respect to the approval or disapproval of a planned unit [residential] development and its continuing administration [shall] *must* be consistent with the provisions set out in NRS 278A.440 to 278A.590, inclusive.

SEC. 24. NRS 278A.440 is hereby amended to read as follows:

278A.440 An application for tentative approval of the plan for a

planned unit **[residential]** development **[shall]** *must* be filed by or on behalf of the landowner.

SEC. 25. NRS 278A.450 is hereby amended to read as follows:

278A.450 The application for tentative approval **[shall]** *must* be filed by the landowner in such form, upon the payment of **[the]** *such* fee and with such official of the city or county as **[shall be]** *is* designated in the ordinance enacted pursuant to this chapter.

SEC. 26. NRS 278A.460 is hereby amended to read as follows:

278A.460 All planning, zoning and subdivision matters relating to the platting, use and development of the planned unit **[residential]** development and subsequent modifications of the regulations relating thereto to the extent **[such]** modification is vested in the city or county, **[shall]** *must* be determined and established by the city or county.

SEC. 27. NRS 278A.470 is hereby amended to read as follows:

278A.470 The ordinance may require such information in the application as is reasonably necessary to disclose to the city or county:

1. The location and size of the site and the nature of the landowner's interest in the land proposed to be developed.

2. The density of land use to be allocated to parts of the site to be developed.

3. The location and size of any common open space and the form of organization proposed to own and maintain any common open space.

4. The use and the approximate height, bulk and location of buildings and other structures.

5. *The ratio of residential to nonresidential use.*

6. The feasibility of proposals for disposition of sanitary waste and storm water.

[6. Substance] 7. *The substance of covenants, grants or easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities.*

[7.] 8. The provisions for parking of vehicles and the location and width of proposed streets and public ways.

[8.] 9. The required modifications in the municipal land use regulations otherwise applicable to the subject property.

[9.] 10. In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for final approval of all sections of the planned unit **[residential]** development are intended to be filed.

SEC. 28. NRS 278A.500 is hereby amended to read as follows:

278A.500 The grant or denial of tentative approval by minute action **[shall]** *must* set forth the reasons for the grant, with or without conditions, or for the denial, and the minutes **[shall]** *must* set forth with particularity in what respects the plan would or would not be in the public interest, including but not limited to findings **[of fact and conclusions of law]** on the following:

1. In what respects the plan is or is not consistent with the statement of objectives of a planned unit **[residential]** development.

2. The extent to which the plan departs from zoning and subdivision regulations otherwise applicable to the property, including but not limited

to density, bulk and use, and the reasons why ~~such~~ these departures are or are not deemed to be in the public interest.

3. *The ratio of residential to nonresidential use in the planned unit development.*

4. The purpose, location and amount of the common open space in the planned unit ~~residential~~ development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.

~~4.~~ 5. The physical design of the plan and the manner in which ~~such~~ the design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.

~~5.~~ 6. The relationship, beneficial or adverse, of the proposed planned unit ~~residential~~ development to the neighborhood in which it is proposed to be established.

~~6.~~ 7. In the case of a plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public ~~and of the residents~~, *residents and owners* of the planned unit ~~residential~~ development in the integrity of the plan.

SEC. 29. NRS 278A.520 is hereby amended to read as follows:

278A.520 1. A copy of the minutes ~~shall~~ *must* be mailed to the landowner.

2. Tentative approval of a plan does not qualify a plat of the planned unit ~~residential~~ development for recording or authorize development or the issuance of any building permits. A plan which has been given tentative approval as submitted, or which has been given tentative approval with conditions which have been accepted by the landowner, ~~shall~~ *may* not be modified, revoked or otherwise impaired by action of the city or county pending an application for final approval, without the consent of the landowner. ~~Such impairment~~ *Impairment* by action of the city or county is not stayed if an application for final approval has not been filed, or in the case of development over a period of years applications for approval of the several parts have not been filed, within the time specified in the minutes granting tentative approval.

3. The tentative approval ~~shall~~ *must* be revoked and ~~all that~~ *the* portion of the area included in the plan for which final approval has not been given ~~shall be~~ *is* subject to ~~those~~ local ordinances ~~applicable thereto as they may be amended from time to time,~~ *if*:

(a) The landowner elects to abandon the plan or any part thereof, and so notifies the city or county in writing; or

(b) The landowner fails to file application for the final approval within the required time.

SEC. 30. NRS 278A.540 is hereby amended to read as follows:

278A.540 The plan submitted for final approval is in substantial compliance with the plan previously given tentative approval if any modification by the landowner of the plan as tentatively approved does not:

1. Vary the proposed gross residential density or intensity of use;

2. Vary the proposed ratio of residential to nonresidential use;
 3. Involve a reduction of the area set aside for common open space ~~or the substantial relocation of such area;~~
 - ~~3.]~~ 4. Substantially increase the floor area proposed for nonresidential use; or
 - ~~4.]~~ 5. Substantially increase the total ground areas covered by buildings or involve a substantial change in the height of buildings.
- A public hearing need not be held to consider modifications in the location and design of streets or facilities for water and for disposal of storm water and sanitary sewage.

SEC. 31. NRS 278A.570 is hereby amended to read as follows:

278A.570 1. A plan, or any part thereof, which has been given final approval by the city or county, ~~shall~~ *must* be certified without delay by the city or county and ~~shall~~ *must* be filed of record in the office of the appropriate county recorder before any development ~~shall~~ *may* take place in accordance therewith.

2. Upon recording pursuant to subsection 1, the zoning and subdivision regulations otherwise applicable to the land ~~included in the plan shall cease to be of any further force and effect.~~ *do not apply.*

3. Pending completion of ~~such~~ *the* planned unit ~~residential~~ development, or of that part thereof that has been finally approved, no modification of the provisions of ~~such~~ *the* plan, or any part thereof as finally approved, may be made, nor may it be impaired by any act of the city or county except with the consent of the landowner.

4. The county recorder shall collect a fee of \$50, plus 50 cents per lot or unit mapped, for the recording or filing of any final map, plat or plan. The fee ~~shall~~ *must* be deposited in the general fund of the county where it is collected.

SEC. 32. NRS 278A.580 is hereby amended to read as follows:

278A.580 No further development may take place on the property included in the plan until ~~after~~ *the* property is resubdivided and is reclassified by an enactment of an amendment to the zoning ordinance if:

1. The plan, or a section thereof, is given approval and, thereafter, the landowner abandons ~~such~~ *the* plan or the section thereof as finally approved and gives written notification thereof to the city or county; or

2. The landowner fails to ~~commence and~~ *carry out* the planned unit ~~residential~~ development within the specified period of time after the final approval has been granted.

Senate Bill No. 89—Committee on Government Affairs

CHAPTER 54

AN ACT relating to the secretary of state; expanding the number of services for which he may charge a fee; repealing obsolete provisions regarding the photocopy room; and providing other matters properly relating thereto.

[Approved March 26, 1981]

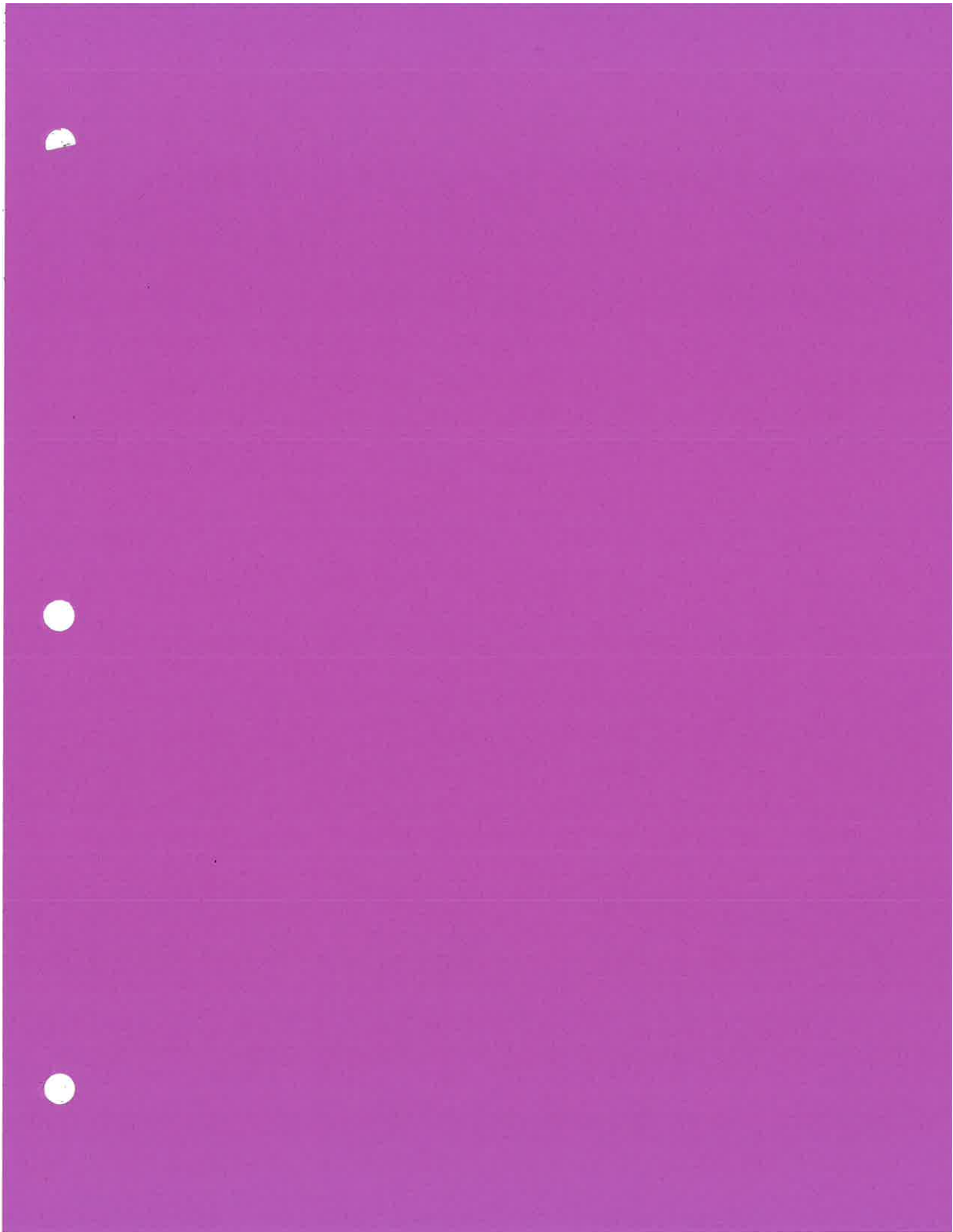
The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. NRS 225.140 is hereby amended to read as follows:

225.140 1. In addition to other fees authorized by law, the secretary

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Assembly Bill No. 571—Committee on Government Affairs

CHAPTER 435

AN ACT relating to planned development; expanding the definition of "common open space"; repealing the provision requiring a minimum number of units for a planned unit residential development; limiting the requirement of submission of a final map at the time of approval of a planned unit development; and providing other matters properly relating thereto.

[Approved June 22, 1989]

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 278A.040 is hereby amended to read as follows:

278A.040 "Common open space" means a parcel or parcels of land or an area of water or a combination of land and water *or easements, licenses or equitable servitudes* within the site designated for a planned unit development which is designed and intended for the use or enjoyment of the residents or owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents or owners of the development.

Sec. 2. NRS 278A.065 is hereby amended to read as follows:

278A.065 1. "Planned unit development" means an area of land controlled by a landowner, which is to be developed as a single entity for one or more planned unit residential developments, one or more public, quasi-public, commercial or industrial areas, or both . [, within proportions of nonresidential uses to residential uses specified in the zoning ordinance.]

2. Unless otherwise stated, "planned unit development" includes the term "planned unit residential development."

Sec. 3. NRS 278A.110 is hereby amended to read as follows:

278A.110 1. An ordinance enacted pursuant to the provisions of this chapter must establish standards governing the density or intensity of land use in a planned unit development.

2. The standards must take into account the possibility that the density or intensity of land use otherwise allowable on the site under the provisions of a zoning ordinance previously enacted may not be appropriate for a planned unit development. The standards may vary the density or intensity of land use otherwise applicable to the land within the planned unit development in consideration of:

- (a) The amount, location and proposed use of common open space.
- (b) The location and physical characteristics of the site of the proposed planned development.
- (c) The location, design and type of dwelling units.
- (d) The criteria for approval of a tentative map of a subdivision [.] *pursuant to subsection 3 of NRS 278.349.*

3. In the case of a planned unit development which is proposed to be developed over a period of years, the standards may, to encourage the flexibility of density, design and type intended by the provisions of this chapter, authorize a departure from the density or intensity of use established for the entire planned unit development in the case of each section to be

developed. The ordinance may authorize the city or county to allow for a greater concentration of density or intensity of land use within [some section or sections] *a section* of development whether [or not it be] *it is* earlier or later in the development than [with regard to the others.] *the other sections*. The ordinance may require that the approval by the city or county of a greater concentration of density or intensity of land use for any section to be developed be offset by a smaller concentration in any completed prior stage or by an appropriate reservation of common open space on the remaining land by a grant of easement or by covenant in favor of the city or county, but the reservation must, as far as practicable, defer the precise location of the common open space until an application for final approval is filed so that flexibility of development, which is a prime objective of this chapter, can be maintained.

Sec. 4. NRS 278A.530 is hereby amended to read as follows:

278A.530 1. An application for final approval may be for all the land included in a plan or to the extent set forth in the tentative approval for a section thereof. The application must be made to the city or county within the time specified by the minutes granting tentative approval.

2. The application must include such *maps*, drawings, specifications, covenants, easements, conditions and form of performance bond as were set forth in the minutes at the time of the tentative approval and a final map [.] *if required by the provisions of NRS 278.010 to 278.630, inclusive*.

3. A public hearing on an application for final approval of the plan, or any part thereof, is not required if the plan, or any part thereof, submitted for final approval is in substantial compliance with the plan which has been given tentative approval.

Sec. 5. NRS 278A.570 is hereby amended to read as follows:

278A.570 1. A plan, or any part thereof, which has been given final approval by the city or county, must be certified without delay by the city or county and filed of record in the office of the appropriate county recorder before any development occurs in accordance therewith. A county recorder shall not file for record any final plan unless it includes a final map, *if required by the provisions of NRS 278.010 to 278.630, inclusive*, and:

(a) The same certificates of approval as are required under NRS 278.377; or

(b) Evidence that the approvals were requested more than 30 days before the date on which the request for filing is made, and that the agency has not refused its approval.

2. [After] *Except as otherwise provided in this subsection, after* the plan is recorded, the zoning and subdivision regulations otherwise applicable to the land included in the plan cease to apply. *If the development is completed in identifiable phases, the zoning and subdivision regulations cease to apply after the recordation of each phase to the extent necessary to allow development of that phase.*

3. Pending completion of the planned unit development, or of the part that has been finally approved, no modification of the provisions of the plan, or any part finally approved, may be made, nor may it be impaired by any act of the city or county except with the consent of the landowner.

4. The county recorder shall collect a fee of \$50, plus 50 cents per lot or unit mapped, for the recording or filing of any final map, plat or plan. The fee must be deposited in the general fund of the county where it is collected.

Sec. 6. NRS 278A.200 is hereby repealed.

Assembly Bill No. 471—Assemblymen Carpenter and Diamond

CHAPTER 436

AN ACT relating to debt adjusting; excluding debt adjusters from the provisions regulating credit service organizations; providing a schedule to determine the amount of security required of certain debt adjusters; and providing other matters properly relating thereto.

[Approved June 22, 1989]

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 598.281 is hereby amended to read as follows:

598.281 As used in NRS 598.281 to 598.289, inclusive, unless the context otherwise requires:

1. "Buyer" means a natural person who is solicited to purchase or who purchases the services of an organization which provides credit services.

2. "Commissioner" means the commissioner of consumer affairs.

3. "Division" means the consumer affairs division of the department of commerce.

4. "Extension of credit" means the right to defer payment of debt or to incur debt and defer its payment, offered or granted primarily for personal, family or household purposes.

5. "Organization":

(a) Means a person who, with respect to the extension of credit by others, sells, provides or performs, or represents that he can or will sell, provide or perform, any of the following services, in return for the payment of money or other valuable consideration:

(1) Improving a buyer's credit record, history or rating.

(2) Obtaining an extension of credit for a buyer.

(3) Providing counseling or assistance to a person in establishing or effecting a plan for the payment of his indebtedness [.] , *unless such counseling or assistance is provided by and is within the scope of the authorized practice of a debt adjuster licensed pursuant to chapter 676 of NRS.*

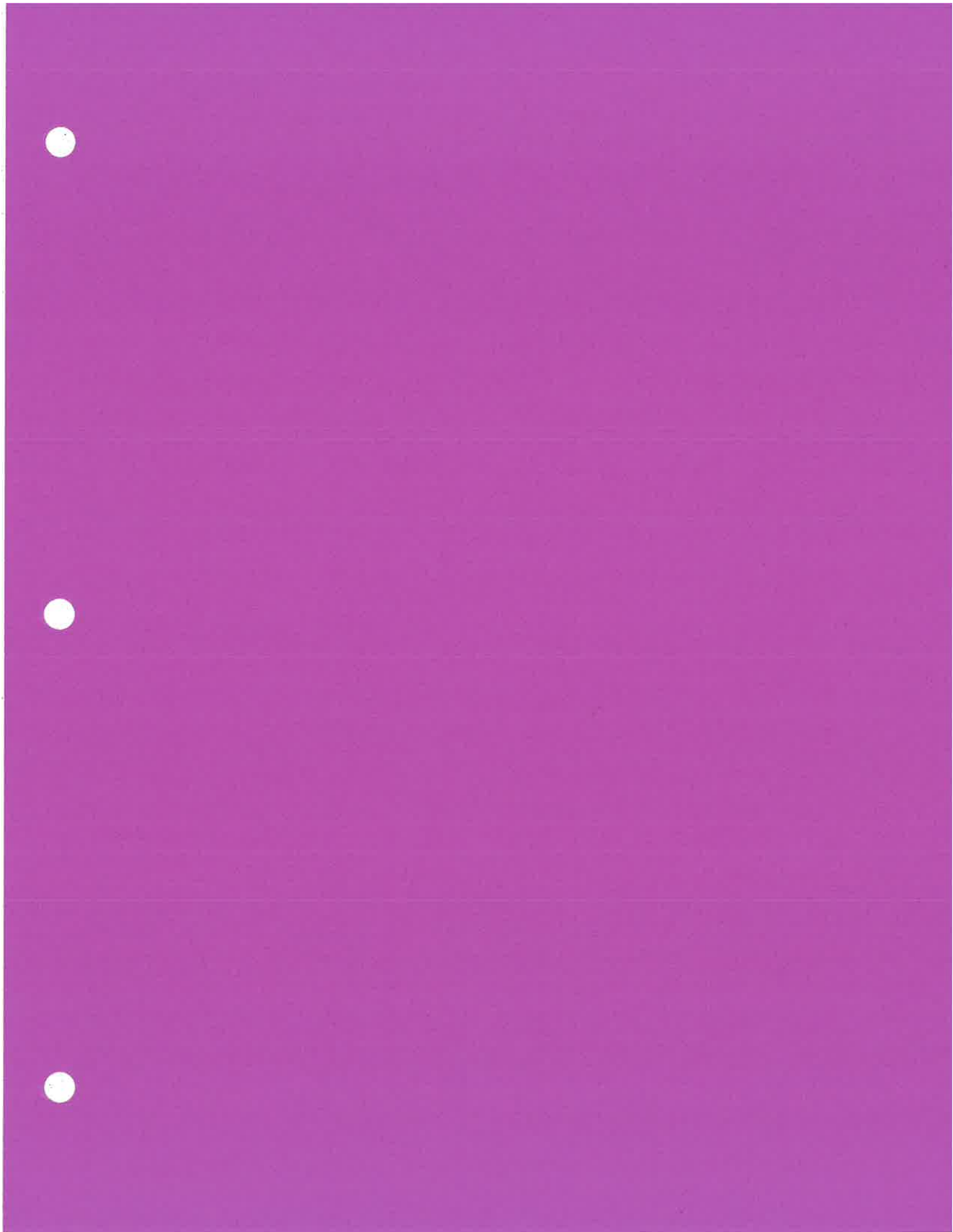
(4) Providing advice or assistance to a buyer with regard to either subparagraph (1) or (2).

(b) Does not include any of the following:

(1) A person organized, chartered or holding a license or authorization certificate to make loans or extensions of credit pursuant to the laws of this state or the United States who is subject to regulation and supervision by an officer or agency of this state or the United States.

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NRS 278.4985 Applicability to planned unit developments.

1. The city council of any city or the board of county commissioners of any county which has adopted a master plan as provided in this chapter which includes future or present sites for parks and playgrounds may require that:

- (a) The developers of a planned unit development dedicate land as provided by NRS 278.4979, 278.498 and 278.4981; or
- (b) A residential construction tax be imposed on the privilege of constructing planned unit developments in the manner provided by NRS 278.4983.

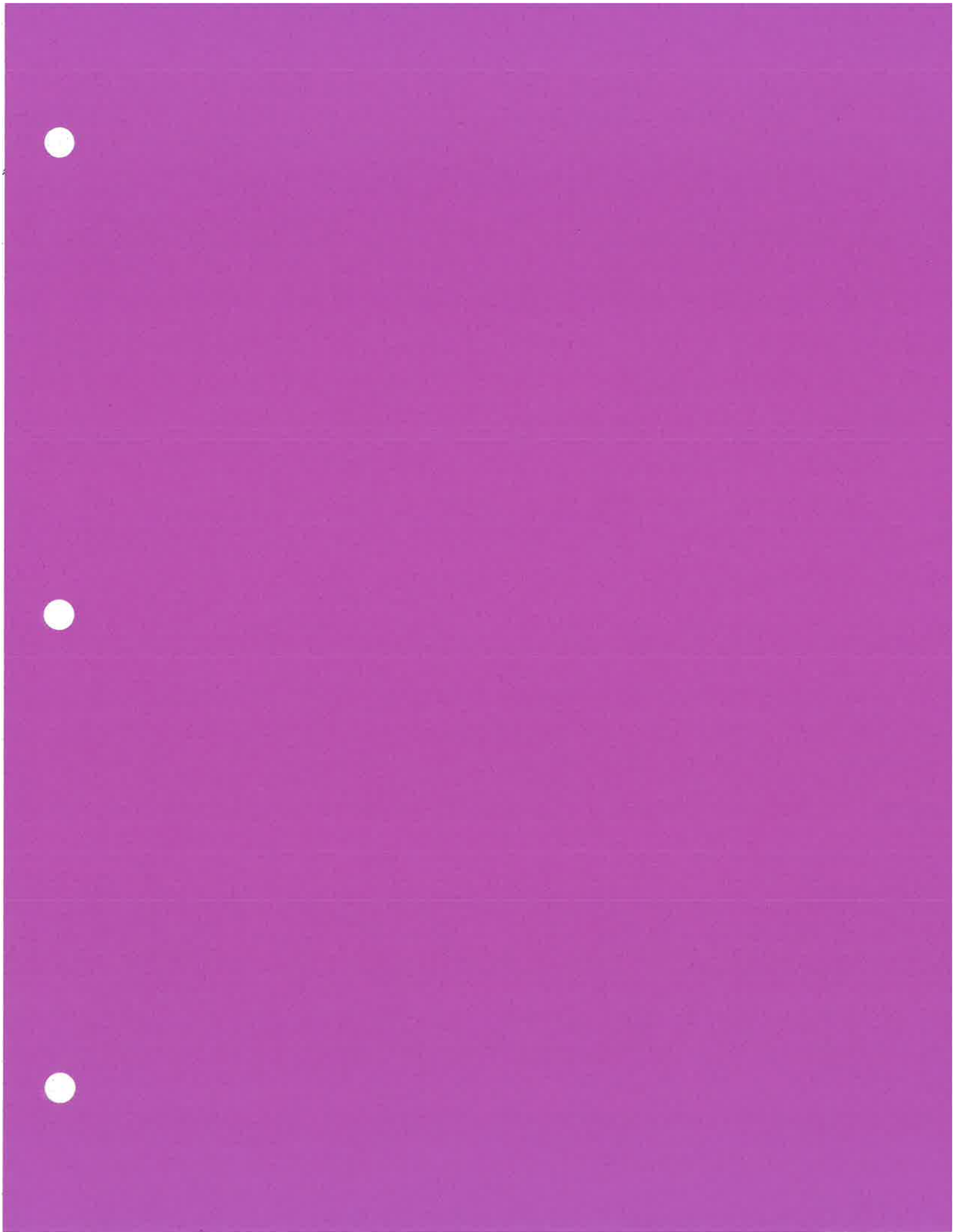
↳ if the ordinance defining and regulating planned unit developments in the particular city or county imposes open space requirements less than those required by the ordinance adopted pursuant to NRS 278.4981.

2. If a requirement to dedicate land or pay a residential construction tax is imposed on the construction of a planned unit development, the planned unit development is eligible to receive a credit against the amount of land to be dedicated or the amount of the residential construction tax imposed, for the amount and value of the developed open space within the planned unit development.

(Added to NRS by 1973, 1450; A 1983, 1552)

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[Rev. 5/24/2016 3:08:40 PM--2015]

CHAPTER 278A - PLANNED DEVELOPMENT

GENERAL PROVISIONS

<u>NRS 278A.010</u>	Short title.
<u>NRS 278A.020</u>	Legislative declaration.
<u>NRS 278A.030</u>	Definitions.
<u>NRS 278A.040</u>	"Common open space" defined.
<u>NRS 278A.050</u>	"Landowner" defined.
<u>NRS 278A.060</u>	"Plan" and "provisions of the plan" defined.
<u>NRS 278A.065</u>	"Planned unit development" defined.
<u>NRS 278A.070</u>	"Planned unit residential development" defined.
<u>NRS 278A.080</u>	Exercise of powers by city or county.

STANDARDS AND CONDITIONS FOR PLANNED DEVELOPMENTS

GENERAL PROVISIONS

<u>NRS 278A.090</u>	Adoption of standards and conditions by ordinance.
<u>NRS 278A.100</u>	Permitted uses.
<u>NRS 278A.110</u>	Density and intensity of use of land.
<u>NRS 278A.120</u>	Common open space: Amount and location; improvement and maintenance.
<u>NRS 278A.130</u>	Common open space: Dedication of land; development to be organized as common-interest community.
<u>NRS 278A.170</u>	Common open space: Procedures for enforcing payment of assessment.
<u>NRS 278A.180</u>	Common open space: Maintenance by city or county upon failure of association or other organization to maintain; notice; hearing; period of maintenance.
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MINIMUM STANDARDS OF DESIGN

<u>NRS 278A.230</u>	Adoption by ordinance.
<u>NRS 278A.240</u>	Types of units.
<u>NRS 278A.250</u>	Minimum site.
<u>NRS 278A.270</u>	Drainage.
<u>NRS 278A.280</u>	Fire hydrants.
<u>NRS 278A.290</u>	Fire lanes.
<u>NRS 278A.300</u>	Exterior lighting.
<u>NRS 278A.310</u>	Jointly owned areas: Agreement for maintenance and use.
<u>NRS 278A.320</u>	Parking.
<u>NRS 278A.330</u>	Setback from streets.
<u>NRS 278A.340</u>	Sanitary sewers.
<u>NRS 278A.350</u>	Streets: Construction and design.
<u>NRS 278A.360</u>	Streets: Names and numbers; signs.
<u>NRS 278A.370</u>	Utilities.

ENFORCEMENT AND MODIFICATION OF PROVISIONS OF APPROVED PLAN

<u>NRS 278A.380</u>	Purposes of provisions for enforcement and modification.
<u>NRS 278A.390</u>	Enforcement by city or county.
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<u>NRS 278A.410</u>	Modification of plan by city or county.
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<u>NRS 278A.480</u>	Public hearing; Notice; time limited for concluding hearing; extension of time.
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<u>NRS 278A.500</u>	Minute order: Findings of fact required.
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<u>NRS 278A.530</u>	Application for final approval; public hearing not required if substantial compliance with plan tentatively approved.
<u>NRS 278A.540</u>	What constitutes substantial compliance with plan tentatively approved.
<u>NRS 278A.550</u>	Plan not in substantial compliance: Alternative procedures; public hearing; final action.
<u>NRS 278A.560</u>	Action brought upon failure of city or county to grant or deny final approval.
<u>NRS 278A.570</u>	Certification and recordation of plan; effect of recordation; modification of approved plan; fees of county recorder.
<u>NRS 278A.580</u>	Rezoning and resubdivision required for further development upon abandonment of or failure to carry out approved plan.

JUDICIAL REVIEW

<u>NRS 278A.590</u>	Decisions subject to review; limitation on time for commencement of action or proceeding.
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GENERAL PROVISIONS

NRS 278A.010 Short title. This chapter may be cited as the Planned Unit Development Law.
(Added to NRS by 1973, 565) — (Substituted in revision for NRS 280A.010)

NRS 278A.020 Legislative declaration. The legislature finds that the provisions of this chapter are necessary to further the public health, safety, morals and general welfare in an era of increasing urbanization and of growing demand for housing of all types and design; to provide for necessary commercial and industrial facilities conveniently located to that housing; to encourage a more efficient use of land, public services or private services in lieu thereof; to reflect changes in the technology of land development so that resulting economies may be made available to those who need homes; to insure that increased flexibility of substantive regulations over land development authorized in this chapter be administered in such a way as to encourage the disposition of proposals for land development without undue delay, and are created for the use of cities and counties in the adoption of the necessary ordinances.

(Added to NRS by 1973, 565; A 1981, 130)

NRS 278A.030 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 278A.040 to 278A.070, inclusive, have the meanings ascribed to them in such sections.
(Added to NRS by 1973, 566) — (Substituted in revision for NRS 280A.030)

NRS 278A.040 "Common open space" defined. "Common open space" means a parcel or parcels of land or an area of water or a combination of land and water or easements, licenses or equitable servitudes within the site designated for a planned unit development which is designed and intended for the use or enjoyment of the residents or owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents or owners of the development.

(Added to NRS by 1973, 566; A 1981, 131; 1989, 933)

NRS 278A.050 "Landowner" defined. "Landowner" means the legal or beneficial owner or owners of all the land proposed to be included in a planned unit development. The holder of an option or contract of purchase, a lessee having a remaining term of not less than 30 years, or another person having an enforceable proprietary interest in the land is a landowner for the purposes of this chapter.

(Added to NRS by 1973, 566; A 1981, 131)

NRS 278A.060 "Plan" and "provisions of the plan" defined. "Plan" means the provisions for development of a planned unit development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, private streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the plan" means the written and graphic materials referred to in this section.

(Added to NRS by 1973, 566; A 1981, 131)

NRS 278A.065 "Planned unit development" defined.

1. "Planned unit development" means an area of land controlled by a landowner, which is to be developed as a single entity for one or more planned unit residential developments, one or more public, quasi-public, commercial or industrial areas, or both.

2. Unless otherwise stated, "planned unit development" includes the term "planned unit residential development."

(Added to NRS by 1981, 130; A 1989, 933)

NRS 278A.070 "Planned unit residential development" defined. "Planned unit residential development" means an area of land controlled by a landowner, which is to be developed as a single entity for a number of dwelling units, the plan for which does not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established in any one residential district created, from time to time, under the provisions of any zoning ordinance enacted pursuant to law.

(Added to NRS by 1973, 566) — (Substituted in revision for NRS 280A.070)

NRS 278A.080 Exercise of powers by city or county. The powers granted under the provisions of this chapter may be exercised by any city or county which enacts an ordinance conforming to the provisions of this chapter.

(Added to NRS by 1973, 566; A 1977, 1518) — (Substituted in revision for NRS 280A.080)

STANDARDS AND CONDITIONS FOR PLANNED DEVELOPMENTS

General Provisions

NRS 278A.090 Adoption of standards and conditions by ordinance. Each ordinance enacted pursuant to the provisions of this chapter must set forth the standards and conditions by which a proposed planned unit development is evaluated.
(Added to NRS by 1973, 567; A 1977, 1518; 1981, 131)

NRS 278A.100 Permitted uses. An ordinance enacted pursuant to the provisions of this chapter must set forth the uses permitted in a planned unit development.
(Added to NRS by 1973, 567; A 1977, 1519; 1981, 131)

NRS 278A.110 Density and intensity of use of land.
1. An ordinance enacted pursuant to the provisions of this chapter must establish standards governing the density or intensity of land use in a planned unit development.

2. The standards must take into account the possibility that the density or intensity of land use otherwise allowable on the site under the provisions of a zoning ordinance previously enacted may not be appropriate for a planned unit development. The standards may vary the density or intensity of land use otherwise applicable to the land within the planned unit development in consideration of:

- (a) The amount, location and proposed use of common open space.
- (b) The location and physical characteristics of the site of the proposed planned development.
- (c) The location, design and type of dwelling units.
- (d) The criteria for approval of a tentative map of a subdivision pursuant to subsection 3 of NRS 278.349.

3. In the case of a planned unit development which is proposed to be developed over a period of years, the standards may, to encourage the flexibility of density, design and type intended by the provisions of this chapter, authorize a departure from the density or intensity of use established for the entire planned unit development in the case of each section to be developed. The ordinance may authorize the city or county to allow for a greater concentration of density or intensity of land use within a section of development whether it is earlier or later in the development than the other sections. The ordinance may require that the approval by the city or county of a greater concentration of density or intensity of land use for any section to be developed be offset by a smaller concentration in any completed prior stage or by an appropriate reservation of common open space on the remaining land by a grant of easement or by covenant in favor of the city or county, but the reservation must, as far as practicable, defer the precise location of the common open space until an application for final approval is filed so that flexibility of development, which is a prime objective of this chapter, can be maintained.

(Added to NRS by 1973, 567; A 1977, 1519; 1981, 132; 1989, 933)

NRS 278A.120 Common open space: Amount and location; improvement and maintenance. The standards for a planned unit development established by an ordinance enacted pursuant to the provisions of this chapter must require that any common open space resulting from the application of standards for density or intensity of land use be set aside for the use and benefit of the residents or owners of the development and must include provisions by which the amount and location of any common open space is determined and its improvement and maintenance secured.

(Added to NRS by 1973, 568; A 1981, 132)

NRS 278A.130 Common open space: Dedication of land; development to be organized as common-interest community. The ordinance must provide that the city or county may accept the dedication of land or any interest therein for public use and maintenance, but the ordinance must not require, as a condition of the approval of a planned unit development, that land proposed to be set aside for common open space be dedicated or made available to public use. If any land is set aside for common open space, the planned unit development must be organized as a common-interest community in one of the forms permitted by chapter 116 of NRS. The ordinance may require that the association for the common-interest community may not be dissolved or dispose of any common open space by sale or otherwise, without first offering to dedicate the common open space to the city or county. That offer must be accepted or rejected within 120 days.

(Added to NRS by 1973, 568; A 1975, 979; 1977, 1520; 1981, 132; 1991, 584)

NRS 278A.170 Common open space: Procedures for enforcing payment of assessment. The procedures for enforcing payment of an assessment for the maintenance of common open space provided in NRS 116.3116 to 116.31168, inclusive, are also available to any organization for the ownership and maintenance of common open space established other than under this chapter or chapter 116 of NRS and entitled to receive payments from owners of property for such maintenance under a recorded declaration of restrictions, deed restriction, restrictive covenant or equitable servitude which provides that any reasonable and ratable assessment thereon for the organization's costs of maintaining the common open space constitutes a lien or encumbrance upon the property.

(Added to NRS by 1975, 981; A 1991, 585)

NRS 278A.180 Common open space: Maintenance by city or county upon failure of association or other organization to maintain; notice; hearing; period of maintenance.

1. If the association for the common-interest community or another organization which was formed before January 1, 1992, to own and maintain common open space or any successor association or other organization, at any time after the establishment of a planned unit development, fails to maintain the common open space in a reasonable order and condition in accordance with the plan, the city or county may serve written notice upon that association or other organization or upon the residents of the planned unit development, setting forth the manner in which the association or other organization has failed to maintain the common open space in reasonable condition. The notice must include a demand that the deficiencies of maintenance be cured within 30 days after the receipt of the notice and must state the date and place of a hearing thereon. The hearing must be within 14 days of the receipt of the notice.

2. At the hearing the city or county may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they must be cured. If the deficiencies set forth in the original notice or in the modification thereof are not cured within the 30-day period, or any extension thereof, the city or county, in order to preserve the taxable values of the properties within the planned unit development and to prevent the common open space from becoming a public nuisance, may enter upon the common open space and maintain it for 1 year.

3. Entry and maintenance does not vest in the public any right to use the common open space except when such a right is voluntarily dedicated to the public by the owners.

4. Before the expiration of the period of maintenance set forth in subsection 2, the city or county shall, upon its own initiative or upon the request of the association or other organization previously responsible for the maintenance of the common open space, call a public hearing upon notice to the association or other organization or to the residents of the planned unit development, to be held by the city or county. At this hearing the association or other organization or the residents of the planned unit development may show cause why the maintenance by the city or county need not, at the election of the city or county, continue for a succeeding year.

5. If the city or county determines that the association or other organization is ready and able to maintain the common open space in a reasonable condition, the city or county shall cease its maintenance at the end of the year.

6. If the city or county determines the association or other organization is not ready and able to maintain the common open space in a reasonable condition, the city or county may, in its discretion, continue the maintenance of the common open space during the next succeeding year, subject to a similar hearing and determination in each year thereafter.

7. The decision of the city or county in any case referred to in this section constitutes a final administrative decision subject to review.

(Added to NRS by 1973, 568; A 1981, 134; 1991, 585)

NRS 278A.190 Common open space: Assessment of costs of maintenance by city or county; lien.

1. The total cost of the maintenance undertaken by the city or county is assessed ratably against the properties within the planned unit development that have a right of enjoyment of the common open space, and becomes a tax lien on the properties.

2. The city or county, at the time of entering upon the common open space to maintain it, must file a notice of the lien in the appropriate recorder's office upon the properties affected by the lien within the planned unit development.

(Added to NRS by 1973, 569; A 1977, 1521; 1981, 135)

NRS 278A.210 Public facilities.

1. The authority granted a city or county by law to establish standards for the location, width, course and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, storm water drainage, water supply and distribution, sanitary sewers and sewage collection and treatment, applies to such improvements within a planned unit development.

2. The standards applicable to a planned unit development may be different from or modifications of the standards and requirements otherwise required of subdivisions which are authorized under an ordinance.

(Added to NRS by 1973, 569; A 1977, 1521; 1981, 136)

NRS 278A.220 Evaluation of design, bulk and location of buildings; unreasonable restrictions prohibited.

1. An ordinance enacted pursuant to this chapter must set forth the standards and criteria by which the design, bulk and location of buildings is evaluated, and all standards and all criteria for any feature of a planned unit development must be set forth in that ordinance with sufficient certainty to provide work criteria by which specific proposals for a planned unit development can be evaluated.

2. Standards in the ordinance must not unreasonably restrict the ability of the landowner to relate the plan to the particular site and to the particular demand for housing existing at the time of development.

(Added to NRS by 1973, 570; A 1981, 136)

Minimum Standards of Design

NRS 278A.230 Adoption by ordinance.

1. An ordinance enacted pursuant to this chapter may contain the minimum design standards set forth in NRS 278A.240 to 278A.360, inclusive.

2. Where reference is made in any of these standards to a department which does not exist in the city or county concerned, the ordinance may provide for the discharge of the duty or exercise of the power by another agency of the city or county or by the governing body.

(Added to NRS by 1973, 576; A 1977, 1522) — (Substituted in revision for NRS 280A.200)

NRS 278A.240 Types of units. A planned unit residential development may consist of attached or detached single-family units, town houses, cluster units, condominiums, garden apartments or any combination thereof.

(Added to NRS by 1973, 576; A 1981, 136)

NRS 278A.250 Minimum site. The minimum site area is 5 acres, except that the governing body may waive this minimum when proper planning justification is shown.

(Added to NRS by 1973, 576) — (Substituted in revision for NRS 280A.220)

NRS 278A.270 Drainage. Drainage on the internal private and public streets shall be as required by the public works department. All common driveways shall drain to either storm sewers or a street section.

(Added to NRS by 1973, 576) — (Substituted in revision for NRS 280A.240)

NRS 278A.280 Fire hydrants. Fire hydrants shall be provided and installed as required by the fire department.

(Added to NRS by 1973, 577) — (Substituted in revision for NRS 280A.250)

NRS 278A.290 Fire lanes. Fire lanes shall be provided as required by the fire department. Fire lanes may be grass areas.

(Added to NRS by 1973, 577; A 1977, 1522) — (Substituted in revision for NRS 280A.260)

NRS 278A.300 Exterior lighting. Exterior lighting within the development shall be provided on private common drives, private vehicular streets and on public streets. The lighting on all public streets shall conform to the standards approved by the governing body for regular use elsewhere in the city or county.

(Added to NRS by 1973, 577; A 1977, 1522) — (Substituted in revision for NRS 280A.270)

NRS 278A.310 Jointly owned areas: Agreement for maintenance and use. Whenever any property or facility such as parking lots, storage areas, swimming pools or other areas, is owned jointly, a proper maintenance and use agreement shall be recorded as a covenant with the property.
(Added to NRS by 1973, 577) — (Substituted in revision for NRS 280A.280)

NRS 278A.320 Parking. A minimum of one parking space shall be provided for each dwelling unit.
(Added to NRS by 1973, 577; A 1977, 1522) — (Substituted in revision for NRS 280A.290)

NRS 278A.330 Setback from streets. Setback of buildings and other sight restrictions at the intersection of public or private streets shall conform to local standards.
(Added to NRS by 1973, 577; A 1977, 1522) — (Substituted in revision for NRS 280A.300)

NRS 278A.340 Sanitary sewers. Sanitary sewers shall be installed and maintained as required by the public works department. Sanitary sewers to be maintained by the governing body and not located in public streets shall be located in easements and shall be constructed in accordance with the requirements of the public works department.
(Added to NRS by 1973, 577) — (Substituted in revision for NRS 280A.310)

NRS 278A.350 Streets: Construction and design.
1. The streets within the development may be private or public.
2. All private streets shall be constructed as required by the public works department. The construction of all streets shall be inspected by the public works department.
3. All public streets shall conform to the design standards approved by the governing body.
(Added to NRS by 1973, 577; A 1977, 1522) — (Substituted in revision for NRS 280A.320)

NRS 278A.360 Streets: Names and numbers; signs. All private streets shall be named and numbered as required by the governing body. A sign comparable to street name signs bearing the words "private street" shall be mounted directly below the street name sign.
(Added to NRS by 1973, 578) — (Substituted in revision for NRS 280A.330)

NRS 278A.370 Utilities. The installation and type of utilities shall comply with the local building code or be prescribed by ordinance.
(Added to NRS by 1973, 578; A 1977, 1523) — (Substituted in revision for NRS 280A.340)

ENFORCEMENT AND MODIFICATION OF PROVISIONS OF APPROVED PLAN

NRS 278A.380 Purposes of provisions for enforcement and modification.
1. The enforcement and modification of the provisions of the plan as finally approved, whether or not these are recorded by plat, covenant, easement or otherwise, are subject to the provisions contained in NRS 278A.390, 278A.400 and 278A.410.
2. The enforcement and modification of the provisions of the plan must be to further the mutual interest of the residents and owners of the planned unit development and of the public in the preservation of the integrity of the plan as finally approved. The enforcement and modification of provisions must be drawn also to insure that modifications, if any, in the plan will not impair the reasonable reliance of the residents and owners upon the provisions of the plan or result in changes that would adversely affect the public interest.
(Added to NRS by 1973, 570; A 1981, 136)

NRS 278A.390 Enforcement by city or county. The provisions of the plan relating to:
1. The use of land and the use, bulk and location of buildings and structures;
2. The quantity and location of common open space;
3. The intensity of use or the density of residential units; and
4. The ratio of residential to nonresidential uses,
must run in favor of the city or county and are enforceable in law by the city or county, without limitation on any powers of regulation of the city or county.
(Added to NRS by 1973, 570; A 1981, 136)

NRS 278A.400 Enforcement by residents.
1. All provisions of the plan shall run in favor of the residents of the planned unit residential development, but only to the extent expressly provided in the plan and in accordance with the terms of the plan and to that extent such provisions, whether recorded by plat, covenant, easement or otherwise, may be enforced at law or equity by the residents acting individually, jointly or through an organization designated in the plan to act on their behalf.
2. No provision of the plan exists in favor of residents on the planned unit residential development except as to those portions of the plan which have been finally approved and have been recorded.
(Added to NRS by 1973, 570) — (Substituted in revision for NRS 280A.370)

NRS 278A.410 Modification of plan by city or county. All provisions of the plan authorized to be enforced by the city or county may be modified, removed or released by the city or county, except grants or easements relating to the service or equipment of a public utility unless expressly consented to by the public utility, subject to the following conditions:

1. No such modification, removal or release of the provisions of the plan by the city or county may affect the rights of the residents of the planned unit residential development to maintain and enforce those provisions.
2. No modification, removal or release of the provisions of the plan by the city or county is permitted except upon a finding by the city or county, following a public hearing that it:
 - (a) Is consistent with the efficient development and preservation of the entire planned unit development;
 - (b) Does not adversely affect either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest; and
 - (c) Is not granted solely to confer a private benefit upon any person.

(Added to NRS by 1973, 571; A 1981, 137)

NRS 278A.420 Modification by residents. Residents of the planned unit residential development may, to the extent and in the manner expressly authorized by the provisions of the plan, modify, remove or release their rights to enforce the provisions of the plan, but no such action may affect the right of the city or county to enforce the provisions of the plan.

(Added to NRS by 1973, 571; A 1981, 137)

PROCEDURES FOR AUTHORIZATION OF PLANNED DEVELOPMENT

General Provisions

NRS 278A.430 Applicability; purposes. In order to provide an expeditious method for processing a plan for a planned unit development under the terms of an ordinance enacted pursuant to the powers granted under this chapter, and to avoid the delay and uncertainty which would arise if it were necessary to secure approval by a multiplicity of local procedures of a plat or subdivision or resubdivision, as well as approval of a change in the zoning regulations otherwise applicable to the property, it is hereby declared to be in the public interest that all procedures with respect to the approval or disapproval of a planned unit development and its continuing administration must be consistent with the provisions set out in NRS 278A.440 to 278A.590, inclusive.

(Added to NRS by 1973, 571; A 1981, 137)

Proceedings for Tentative Approval

NRS 278A.440 Application to be filed by landowner. An application for tentative approval of the plan for a planned unit development must be filed by or on behalf of the landowner.

(Added to NRS by 1973, 571; A 1981, 137)

NRS 278A.450 Application: Form; filing fees; place of filing; tentative map.

1. The ordinance enacted pursuant to this chapter must designate the form of the application for tentative approval, the fee for filing the application and the official of the city or county with whom the application is to be filed.

2. The application for tentative approval may include a tentative map. If a tentative map is included, tentative approval may not be granted pursuant to NRS 278A.490 until the tentative map has been submitted for review and comment by the agencies specified in NRS 278.335.

(Added to NRS by 1973, 571; A 1981, 1317; 1987, 664)

NRS 278A.460 Planning, zoning and subdivisions determined by city or county. All planning, zoning and subdivision matters relating to the platting, use and development of the planned unit development and subsequent modifications of the regulations relating thereto to the extent modification is vested in the city or county, must be determined and established by the city or county.

(Added to NRS by 1973, 572; A 1981, 138)

NRS 278A.470 Application: Contents. The ordinance may require such information in the application as is reasonably necessary to disclose to the city or county:

1. The location and size of the site and the nature of the landowner's interest in the land proposed to be developed.
2. The density of land use to be allocated to parts of the site to be developed.
3. The location and size of any common open space and the form of organization proposed to own and maintain any common open space.
4. The use and the approximate height, bulk and location of buildings and other structures.
5. The ratio of residential to nonresidential use.
6. The feasibility of proposals for disposition of sanitary waste and storm water.
7. The substance of covenants, grants or easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities.
8. The provisions for parking of vehicles and the location and width of proposed streets and public ways.
9. The required modifications in the municipal land use regulations otherwise applicable to the subject property.
10. In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for final approval of all sections of the planned unit development are intended to be filed.

(Added to NRS by 1973, 572; A 1977, 1523; 1981, 138)

NRS 278A.480 Public hearing: Notice; time limited for concluding hearing; extension of time.

1. After the filing of an application pursuant to NRS 278A.440 to 278A.470, inclusive, a public hearing on the application shall be held by the city or county, public notice of which shall be given in the manner prescribed by law for hearings on amendments to a zoning ordinance.

2. The city or county may continue the hearing from time to time and may refer the matter to the planning staff for a further report, but the public hearing or hearings shall be concluded within 60 days after the date of the first public hearing unless the landowner consents in writing to an extension of the time within which the hearings shall be concluded.

(Added to NRS by 1973, 572; A 1977, 1524) — (Substituted in revision for NRS 280A.460)

NRS 278A.490 Grant, denial or conditioning of tentative approval by minute order; specifications for final approval. The city or county shall, following the conclusion of the public hearing provided for in NRS 278A.480, by minute action:

1. Grant tentative approval of the plan as submitted;
 2. Grant tentative approval subject to specified conditions not included in the plan as submitted; or
 3. Deny tentative approval to the plan.
- If tentative approval is granted, with regard to the plan as submitted or with regard to the plan with conditions, the city or county shall, as part of its action, specify the drawings, specifications and form of performance bond that shall accompany an application for final approval.

(Added to NRS by 1973, 572; A 1977, 1524) — (Substituted in revision for NRS 280A.470)

NRS 278A.500 Minute order: Findings of fact required. The grant or denial of tentative approval by minute action must set forth the reasons for the grant, with or without conditions, or for the denial, and the minutes must set forth with particularity in what respects the plan would or would not be in the public interest, including but not limited to findings on the following:

1. In what respects the plan is or is not consistent with the statement of objectives of a planned unit development.
2. The extent to which the plan departs from zoning and subdivision regulations otherwise applicable to the property, including but not limited to density, bulk and use, and the reasons why these departures are or are not deemed to be in the public interest.
3. The ratio of residential to nonresidential use in the planned unit development.
4. The purpose, location and amount of the common open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.
5. The physical design of the plan and the manner in which the design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.
6. The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed to be established.
7. In the case of a plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public, residents and owners of the planned unit development in the integrity of the plan.

(Added to NRS by 1973, 573; A 1981, 138)

NRS 278A.510 Minute order: Specification of time for filing application for final approval. Unless the time is specified in an agreement entered into pursuant to NRS 278.0201, if a plan is granted tentative approval, with or without conditions, the city or county shall set forth, in the minute action, the time within which an application for final approval of the plan must be filed or, in the case of a plan which provides for development over a period of years, the periods within which application for final approval of each part thereof must be filed.

(Added to NRS by 1973, 573; A 1985, 2116; 1987, 1305)

NRS 278A.520 Mailing of minute order to landowner; status of plan after tentative approval; revocation of tentative approval.

1. A copy of the minutes must be mailed to the landowner.
2. Tentative approval of a plan does not qualify a plat of the planned unit development for recording or authorize development or the issuance of any building permits. A plan which has been given tentative approval as submitted, or which has been given tentative approval with conditions which have been accepted by the landowner, may not be modified, revoked or otherwise impaired by action of the city or county pending an application for final approval, without the consent of the landowner. Impairment by action of the city or county is not stayed if an application for final approval has not been filed, or in the case of development over a period of years applications for approval of the several parts have not been filed, within the time specified in the minutes granting tentative approval.
3. The tentative approval must be revoked and the portion of the area included in the plan for which final approval has not been given is subject to local ordinances if:
 - (a) The landowner elects to abandon the plan or any part thereof, and so notifies the city or county in writing; or
 - (b) The landowner fails to file application for the final approval within the required time.

(Added to NRS by 1973, 574; A 1977, 1525; 1981, 139)

Proceedings for Final Approval

NRS 278A.530 Application for final approval; public hearing not required if substantial compliance with plan tentatively approved.

1. An application for final approval may be for all the land included in a plan or to the extent set forth in the tentative approval for a section thereof. The application must be made to the city or county within the time specified by the minutes granting tentative approval.
2. The application must include such maps, drawings, specifications, covenants, easements, conditions and form of performance bond as were set forth in the minutes at the time of the tentative approval and a final map if required by the provisions of NRS 278.010 to 278.630, inclusive.
3. A public hearing on an application for final approval of the plan, or any part thereof, is not required if the plan, or any part thereof, submitted for final approval is in substantial compliance with the plan which has been given tentative approval.

(Added to NRS by 1973, 574; A 1981, 1317; 1989, 934)

NRS 278A.540 What constitutes substantial compliance with plan tentatively approved. The plan submitted for final approval is in substantial compliance with the plan previously given tentative approval if any modification by the landowner of the plan as tentatively approved does not:

1. Vary the proposed gross residential density or intensity of use;
 2. Vary the proposed ratio of residential to nonresidential use;
 3. Involve a reduction of the area set aside for common open space or the substantial relocation of such area;
 4. Substantially increase the floor area proposed for nonresidential use; or
 5. Substantially increase the total ground areas covered by buildings or involve a substantial change in the height of buildings.
- A public hearing need not be held to consider modifications in the location and design of streets or facilities for water and for disposal of storm water and sanitary sewage.

(Added to NRS by 1973, 574; A 1977, 1525; 1981, 139)

NRS 278A.550 Plan not in substantial compliance: Alternative procedures; public hearing; final action.

1. If the plan, as submitted for final approval, is not in substantial compliance with the plan as given tentative approval, the city or county shall, within 30 days of the date of the filing of the application for final approval, notify the landowner in writing, setting forth the particular ways in which the plan is not in substantial compliance.
2. The landowner may:
 - (a) Treat such notification as a denial of final approval;

- (b) Refile his or her plan in a form which is in substantial compliance with the plan as tentatively approved; or
 - (c) File a written request with the city or county that it hold a public hearing on his or her application for final approval.
- ↪ If the landowner elects the alternatives set out in paragraph (b) or (c) above, the landowner may refile his or her plan or file a request for a public hearing, as the case may be, on or before the last day of the time within which the landowner was authorized by the minutes granting tentative approval to file for final approval, or 30 days from the date he or she receives notice of such refusal, whichever is the later.
3. Any such public hearing shall be held within 30 days after request for the hearing is made by the landowner, and notice thereof shall be given and hearings shall be conducted in the manner prescribed in NRS 278A.480.
4. Within 20 days after the conclusion of the hearing, the city or county shall, by minute action, either grant final approval to the plan or deny final approval to the plan. The grant or denial of final approval of the plan shall, in cases arising under this section, contain the matters required with respect to an application for tentative approval by NRS 278A.500.
- (Added to NRS by 1973, 575) — (Substituted in revision for NRS 280A.540)

NRS 278A.560 Action brought upon failure of city or county to grant or deny final approval. If the city or county fails to act either by grant or denial of final approval of the plan within the time prescribed, the landowner may, after 30 days' written notice to the city or county, file a complaint in the district court in and for the appropriate county.

(Added to NRS by 1973, 576) — (Substituted in revision for NRS 280A.550)

NRS 278A.570 Certification and recordation of plan; effect of recordation; modification of approved plan; fees of county recorder.

1. A plan which has been given final approval by the city or county, must be certified without delay by the city or county and filed of record in the office of the appropriate county recorder before any development occurs in accordance with that plan. A county recorder shall not file for record any final plan unless it includes:
 - (a) A final map of the entire final plan or an identifiable phase of the final plan if required by the provisions of NRS 278.010 to 278.630, inclusive;
 - (b) The certifications required pursuant to NRS 116.2109; and
 - (c) The same certificates of approval as are required under NRS 278.377 or evidence that:
 - (1) The approvals were requested more than 30 days before the date on which the request for filing is made; and
 - (2) The agency has not refused its approval.
 2. Except as otherwise provided in this subsection, after the plan is recorded, the zoning and subdivision regulations otherwise applicable to the land included in the plan cease to apply. If the development is completed in identifiable phases, then each phase can be recorded. The zoning and subdivision regulations cease to apply after the recordation of each phase to the extent necessary to allow development of that phase.
 3. Pending completion of the planned unit development, or of the part that has been finally approved, no modification of the provisions of the plan, or any part finally approved, may be made, nor may it be impaired by any act of the city or county except with the consent of the landowner.
 4. For the recording or filing of any final map, plat or plan, the county recorder shall collect a fee of \$50 for the first sheet of the map, plat or plan plus \$10 for each additional sheet. The fee must be deposited in the general fund of the county where it is collected.
- (Added to NRS by 1973, 576; A 1975, 1425; 1977, 1525; 1981, 1318; 1989, 934; 1991, 48, 586; 2001, 3220)

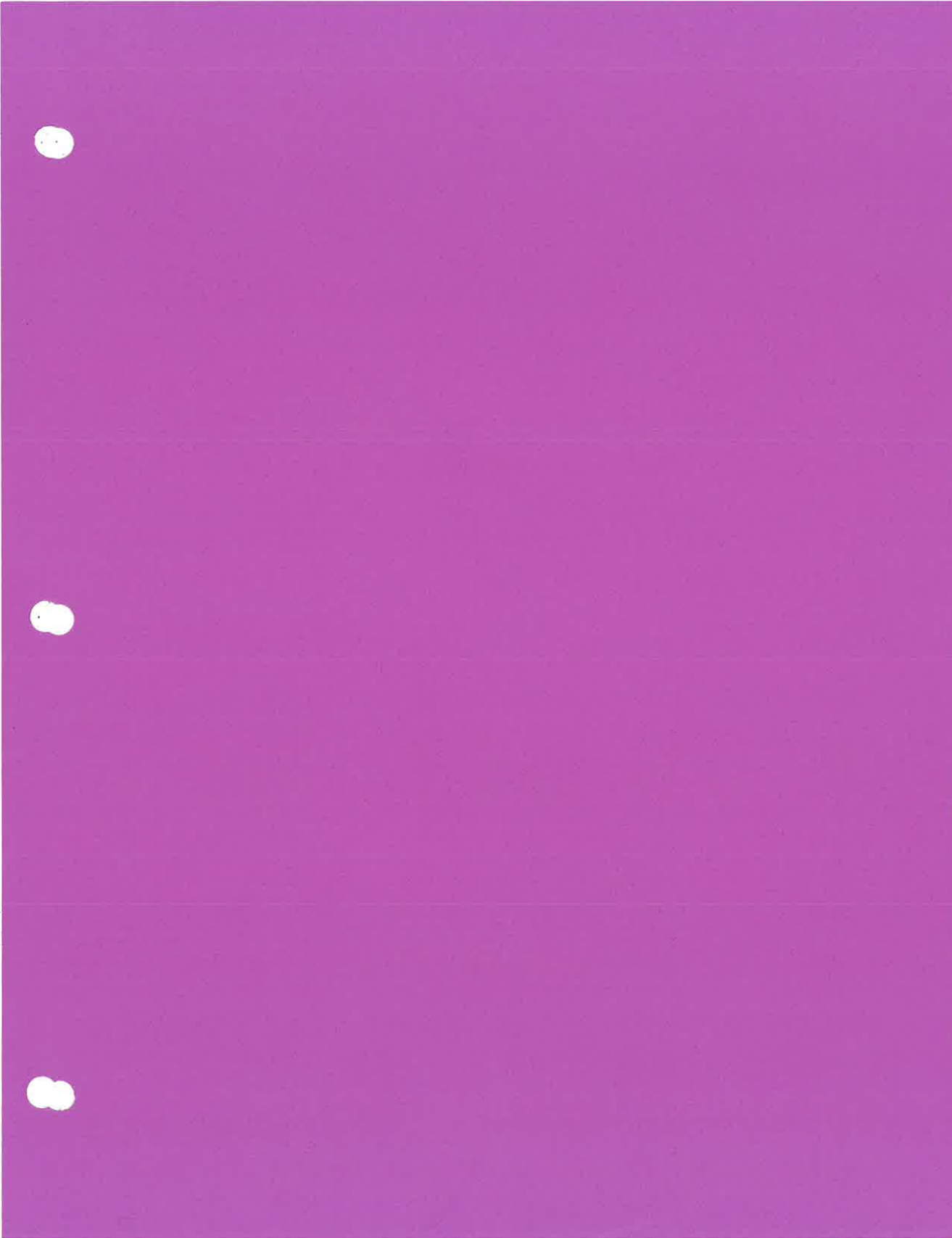
NRS 278A.580 Rezoning and resubdivision required for further development upon abandonment of or failure to carry out approved plan. No further development may take place on the property included in the plan until the property is resubdivided and is reclassified by an enactment of an amendment to the zoning ordinance if:

1. The plan, or a section thereof, is given approval and, thereafter, the landowner abandons the plan or the section thereof as finally approved and gives written notification thereof to the city or county; or
 2. The landowner fails to carry out the planned unit development within the specified period of time after the final approval has been granted.
- (Added to NRS by 1973, 576; A 1977, 1526; 1981, 140)

Judicial Review

NRS 278A.590 Decisions subject to review; limitation on time for commencement of action or proceeding.

1. Any decision of the city or county under this chapter granting or denying tentative or final approval of the plan or authorizing or refusing to authorize a modification in a plan is a final administrative decision and is subject to judicial review in properly presented cases.
 2. No action or proceeding may be commenced for the purpose of seeking judicial relief or review from or with respect to any final action, decision or order of any city, county or other governing body authorized by this chapter unless the action or proceeding is commenced within 25 days after the date of filing of notice of the final action, decision or order with the clerk or secretary of the governing body.
- (Added to NRS by 1973, 576; A 1991, 49)



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CHAPTER 361A - TAXES ON AGRICULTURAL REAL PROPERTY AND OPEN SPACE

GENERAL PROVISIONS

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ASSESSMENT OF AGRICULTURAL PROPERTY

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<u>NRS 361A.140</u>	Classification of agricultural property; valuations for each classification.
<u>NRS 361A.150</u>	Disqualification of property.
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ASSESSMENT OF OPEN SPACE

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<u>NRS 361A.180</u>	Application by owner.
<u>NRS 361A.190</u>	Filing, contents and execution of application.
<u>NRS 361A.200</u>	Action on application by governing bodies of county and city; Procedure.
<u>NRS 361A.210</u>	Orders of approval or denial by board of county commissioners.
<u>NRS 361A.220</u>	Determination of value for open-space use; notification of assessment.
<u>NRS 361A.225</u>	Determination of value for open-space use of real property used as golf course.
<u>NRS 361A.230</u>	Disqualification of property.
<u>NRS 361A.240</u>	Appeal from determination; equalization of assessment.
<u>NRS 361A.250</u>	Redetermination of use; Complaint; hearing; order; judicial review.

PARTIAL DEFERRED TAXATION AND RECAPTURE OF TAX

<u>NRS 361A.265</u>	Prepayment of deferred taxes; estimate of taxes due; appeal by owner; conversion to higher use after secured tax roll has been closed.
<u>NRS 361A.270</u>	Owner to notify assessor of cessation of agricultural or open-space use or conversion to higher use; survey of portion of parcel converted to higher use.
<u>NRS 361A.271</u>	Assessor to give owner notice of determination; contents of notice.
<u>NRS 361A.273</u>	Appeal from determination or valuations.
<u>NRS 361A.277</u>	Determination of taxable value when property converted to higher use.
<u>NRS 361A.280</u>	Payment of deferred tax when property converted to higher use.
<u>NRS 361A.283</u>	Period for assessment of deferred tax; penalty for failure of owner to provide assessor with required notice.
<u>NRS 361A.286</u>	Lien for deferred tax and penalty.
<u>NRS 361A.290</u>	Seller to notify buyer of lien for deferred taxes; personal liability for deferred taxes.

GENERAL PROVISIONS

NRS 361A.010 Definitions. As used in this chapter, the terms defined in NRS 361A.020 to 361A.065, inclusive, have the meanings ascribed to them in those sections except where the context otherwise requires.
(Added to NRS by 1975, 1755; A 1977, 679; 1985, 515; 1987, 672; 1989, 1827; 2005, 2664)

NRS 361A.020 "Agricultural real property" defined.

1. "Agricultural real property" means:
 - (a) Land devoted exclusively for at least 3 consecutive years immediately preceding the assessment date to agricultural use.
 - (b) Land leased by the owner to another person for agricultural use and composed of any lot or parcel which:
 - (1) Includes at least 7 acres of land devoted to accepted agricultural practices; or

- (2) Is contiguous to other agricultural real property owned by the lessee.
- (c) Land covered by a residence or necessary to support the residence if it is part of a qualified agricultural parcel.
2. The term does not include any land with respect to which the owner has granted and has outstanding any lease or option to buy the surface rights for other than agricultural use, except leases for the exploration of geothermal resources as defined in NRS 361.027, mineral resources or other subsurface resources, or options to purchase such resources, if such exploration does not interfere with the agricultural use of the land.
3. As used in this section, "accepted agricultural practices" means a mode of operation that is common to farms or ranches of a similar nature, necessary for the operation of such farms or ranches to obtain a profit in money and customarily utilized in conjunction with agricultural use.
- (Added to NRS by 1975, 1755; A 1977, 679; 1981, 806; 1987, 672, 673; 1989, 1827; 1991, 531)

NRS 361A.030 "Agricultural use" defined.

1. "Agricultural use" means the current employment of real property as a business venture for profit, which business produced a minimum gross income of \$5,000 from agricultural pursuits during the immediately preceding calendar year by:
- (a) Raising, harvesting and selling crops, fruit, flowers, timber and other products of the soil;
 - (b) Feeding, breeding, management and sale of livestock, poultry, or the produce thereof, if the real property used therefor is owned or leased by the operator and is of sufficient size and capacity to produce more than one-half of the feed required during that year for the agricultural pursuit;
 - (c) Operating a feed lot consisting of at least 50 head of cattle or an equivalent number of animal units of sheep or hogs, for the production of food;
 - (d) Raising furbearing animals or bees;
 - (e) Dairying and the sale of dairy products; or
 - (f) Any other use determined by the Department to constitute agricultural use if such use is verified by the Department.
- The term includes every process and step necessary and incident to the preparation and storage of the products raised on such property for human or animal consumption or for marketing except actual market locations.
2. As used in this section, "current employment" of real property in agricultural use includes:
- (a) Land lying fallow for 1 year as a normal and regular requirement of good agricultural husbandry;
 - (b) Land planted in orchards or other perennials prior to maturity; and
 - (c) Land leased or otherwise made available for use by an agricultural association formed pursuant to chapter 547 of NRS.
- (Added to NRS by 1975, 1755; A 1991, 531; 1997, 1265)

NRS 361A.031 "Converted to a higher use" defined.

1. "Converted to a higher use" means:
- (a) A physical alteration of the surface of the property enabling it to be used for a higher use;
 - (b) The recording of a final map or parcel map which creates one or more parcels not intended for agricultural or open-space use;
 - (c) The existence of a final map or parcel map which creates one or more parcels not intended for agricultural or open-space use;
- or
- (d) A change in zoning to a higher use made at the request of the owner.
2. The term does not apply to any portion of the parcel that continues to qualify as agricultural or open-space real property.
3. The term does not include leasing the land to or otherwise permitting the land to be used by an agricultural association formed pursuant to chapter 547 of NRS.
4. As used in this section:
- (a) "Final map" has the meaning ascribed to it in NRS 278.0145.
 - (b) "Parcel map" has the meaning ascribed to it in NRS 278.017.
- (Added to NRS by 1987, 671; A 1987, 680; 1993, 2585; 1997, 1265, 1583; 1999, 434; 2009, 1229)

NRS 361A.0315 "Golf course" defined.

1. "Golf course" means:
- (a) Real property that may be used for golfing or golfing practice by the public or by the members and guests of a private club; and
 - (b) Improvements to that real property, including, without limitation, turf, bunkers, trees, irrigation, lakes, lake liners, bridges, practice ranges, golf greens, golf tees, paths and trails.
2. The term does not include:
- (a) A commercial golf driving range that is not operated in conjunction with a golf course.
 - (b) A clubhouse, pro shop, restaurant or other building that is associated with a golf course.
- (Added to NRS by 2005, 2663)

NRS 361A.032 "Higher use" defined. "Higher use" means any use other than agricultural use or open-space use.

(Added to NRS by 1977, 678)

NRS 361A.040 "Open-space real property" defined. "Open-space real property" means:

1. Land:
- (a) Located within an area classified pursuant to NRS 278.250 and subject to regulations designed to promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment; and
 - (b) Devoted exclusively to open-space use.
2. The improvements on the land described in subsection 1 that is used primarily to support the open-space use and not primarily to increase the value of surrounding developed property or secure an immediate monetary return.
3. Land that is used as a golf course.
4. Land regarding which the owner has granted and has outstanding a lease of surface water rights appurtenant to the property to a political subdivision of this State for a municipal use, if the land was agricultural real property at the time the lease was granted.
- (Added to NRS by 1975, 1756; A 1987, 673; 2005, 2664; 2009, 1229)

NRS 361A.050 "Open-space use" defined. "Open-space use" means the current employment of land, the preservation of which use would conserve and enhance natural or scenic resources, protect streams and water supplies, maintain natural features which enhance control of floods or preserve sites designated as historic by the Office of Historic Preservation of the State Department

of Conservation and Natural Resources. The use of real property and the improvements on that real property as a golf course shall be deemed to be an open-space use of the land. The use of land to lease surface water rights appurtenant to the property to a political subdivision of this State for a municipal use shall be deemed to be an open-space use of the land, if the land was agricultural real property at the time the lease was granted.

(Added to NRS by 1975, 1756; A 1979, 208; 1987, 432; 1993, 1576; 2001, 940; 2005, 2664; 2009, 1229; 2011, 2975)

NRS 361A.060 "Owner" defined. "Owner" means any person having a legal or equitable freehold estate in agricultural or open-space real property, including a contract vendee of a land sales contract respecting the property, but excluding a lessee or tenant of the property.

(Added to NRS by 1975, 1756; A 1987, 674)

NRS 361A.065 "Parcel" defined. "Parcel" means a contiguous area of land that is designated by a county assessor as a parcel for assessment purposes.

(Added to NRS by 1989, 1827)

NRS 361A.090 Legislative declaration.

1. It is the intent of the Legislature to:

- (a) Constitute agricultural and open-space real property as a separate class for taxation purposes; and
- (b) Provide a separate plan for:

- (1) Appraisal and valuation of such property for assessment purposes; and

- (2) Partial deferred taxation of such property with tax recapture as provided in NRS 361A.280 and 361A.283.

2. The Legislature hereby declares that it is in the best interest of the State to maintain, preserve, conserve and otherwise continue in existence adequate agricultural and open-space lands and the vegetation thereon to assure continued public health and the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the State and its citizens.

3. The Legislature hereby further finds and declares that the use of real property and improvements on that real property as a golf course achieves the purpose of conserving and enhancing the natural and scenic resources of this State and promotes the conservation of open space.

(Added to NRS by 1975, 1756; A 1991, 2101; 2005, 2664)

ASSESSMENT OF AGRICULTURAL PROPERTY

NRS 361A.100 Application by owner. Any owner of real property may apply to the county assessor for agricultural use assessment and the payment of taxes on such property as provided in this chapter.

(Added to NRS by 1975, 1757)

NRS 361A.110 Filing, contents and execution of application.

1. Any application for agricultural use assessment must be filed on or before June 1 of any year:

- (a) With the county assessor of each county in which the property is located, if the property contains 20 acres or more.
- (b) With the Department, if the property contains less than 20 acres.

2. Except as otherwise provided in this subsection, a new application to continue that assessment is required on or before June 1 following any change in ownership or conversion to a higher use of any portion of the property. If the property is divided, an owner who retains a portion qualifying as agricultural real property is not required to file a new application to continue agricultural use assessment on the portion retained unless any part of that portion is converted to a higher use.

3. The application must be made on forms prepared by the Department and supplied by the county assessor and must include such information as may be required to determine the entitlement of the applicant to agricultural use assessment. Each application must contain an affidavit or affirmation by the applicant that the statements contained therein are true. The application must prominently contain the printed statement "This property may be subject to liens for undetermined amounts."

4. The application may be signed by:

- (a) The owner of the agricultural real property, including tenants in common or joint tenants.

- (b) Any person, of lawful age, authorized by an executed power of attorney to sign an application on behalf of any person described in paragraph (a).

- (c) The guardian or conservator of an owner or the executor or administrator of an owner's estate.

5. The county assessor shall not approve an application unless the application is signed by each owner of record or his or her representative as specified in subsection 4. Additional information may be required of the applicant if necessary to evaluate his or her application.

(Added to NRS by 1975, 1757; A 1979, 276; 1987, 674; 1993, 177)

NRS 361A.120 Independent determination of use; regulations; notice of determination; recording of approved applications.

1. Upon receipt of an application, the county assessor or the Department shall make an independent determination of the use of the owner's real property. The assessor or the Department shall consider the use of the property by its owner or occupant together with any other agricultural real property that is a part of one agricultural unit being operated by the owner or occupant. The assessor or the Department shall consider the use of agricultural real property which is not contiguous to the owner's real property only if that property has been in agricultural use for at least 2 months during the 2 years preceding the receipt of the application.

2. The assessor or the Department may inspect the property and request such evidence of use and sources of income as is necessary to make an accurate determination of use. The assessor or the Department may deny the application when the owner or occupant refuses to permit the inspection or furnish the evidence.

3. The Department shall provide by regulation for a more detailed definition of agricultural use, consistent with the general definition given in NRS 361A.030, for use by county assessors or the Department in determining entitlement to agricultural use assessment.

4. The county assessor or the Department shall send to the applicant a written notice of the determination within 10 days after determining the applicant's entitlement to agricultural use assessment. If an applicant seeking agricultural use assessment on property located in more than one county is refused such assessment in any one county, the applicant may withdraw his or her application for such assessment in all other counties.

5. The county assessor or the Department shall record the application with the county recorder within 10 days after its approval.

(Added to NRS by 1975, 1757; A 1987, 675; 1989, 1827; 1993, 178)

NRS 361A.130 Determination of value for agricultural use; notification of assessment.

1. If the property is found to be agricultural real property, the county assessor shall determine its value for agricultural use and assess it for taxes to be collected in the ensuing fiscal year at 35 percent of that value.
2. The agricultural use assessment must be maintained in the records of the assessor and must be made available to any person upon request. The property owner must be notified of the agricultural use assessment in the manner provided for notification of taxable value assessments. The notice must contain the following statement: Deferred taxes will become due on this parcel if it is converted to a higher use.

(Added to NRS by 1975, 1758; A 1977, 679; 1981, 807; 1987, 675; 1993, 178)

NRS 361A.140 Classification of agricultural property; valuations for each classification.

1. On or before the first Monday in October of each year, the Nevada Tax Commission shall:
 - (a) Define the classifications of agricultural real property.
 - (b) Except as otherwise provided in paragraph (c), determine the valuations for each classification on the basis provided in NRS 361.325.
 - (c) Provide for the determination of the value of the land covered by a residence or necessary to support the residence in the same manner as other real property pursuant to NRS 361.227.
 - (d) Prepare a bulletin listing all classifications and values thereof for the following assessment year.
2. The county assessors shall classify agricultural real property utilizing the definitions and applying the appropriate values published in the Tax Commission's bulletin.

(Added to NRS by 1975, 1758; A 1983, 1617; 1989, 1828)

NRS 361A.150 Disqualification of property.

1. The county assessor shall enter on the assessment roll the valuation based on agricultural use until the property becomes disqualified for agricultural use assessment by:
 - (a) Notification by the applicant to the assessor to remove the agricultural use assessment pursuant to NRS 361A.270;
 - (b) Sale or transfer to an owner making it exempt from ad valorem property taxation;
 - (c) Removal of the agricultural use assessment by the assessor upon discovery that the property is no longer in agricultural use; or
 - (d) Failure to file an application as provided in NRS 361A.110.
2. Except as otherwise provided in paragraph (b) of subsection 1, the sale or transfer to a new owner or transfer by reason of death of a former owner does not operate to disqualify agricultural real property from agricultural use assessment so long as the property continues to be used exclusively for agricultural use, if the new owner applies for agricultural use assessment in the manner provided in NRS 361A.110.
3. Within 30 days after agricultural real property becomes disqualified under subsection 1, the county assessor shall send a written notice of disqualification by certified mail with return receipt requested to each owner of record. The notice must contain the nonagricultural assessed value for the ensuing fiscal year.

(Added to NRS by 1975, 1758; A 1977, 680; 1987, 676; 1991, 2101; 1993, 179)

NRS 361A.160 Appeal of determination. The determination of use and agricultural use assessment in each year are final unless appealed in the manner provided in chapter 361 of NRS for complaints of overvaluation, excessive valuation or undervaluation.

(Added to NRS by 1975, 1759; A 1977, 680; 1981, 808; 1987, 677; 1993, 179)

ASSESSMENT OF OPEN SPACE

NRS 361A.170 Designations or classifications of property for open-space use; procedures and criteria.

1. Property used as a golf course is hereby designated and classified as open-space real property and must be assessed as an open-space use.
2. Land regarding which the owner has granted and has outstanding a lease of surface water rights appurtenant to the property to a political subdivision of this State for a municipal use, if the land was agricultural real property at the time the lease was granted, is hereby designated and classified as open-space real property and must be assessed as an open-space use.
3. In addition to the designation and classification of property as open-space real property pursuant to subsections 1 and 2, the governing body of each city or county shall, from time to time, specify by resolution additional designations or classifications under its master plan that are designed to promote the conservation of open space, the maintenance of natural features for control of floods and the protection of other natural and scenic resources from unreasonable impairment.
4. The board of county commissioners shall, from time to time, adopt by ordinance procedures and criteria which must be used in considering an application for open-space use assessment based on a designation or classification adopted pursuant to subsection 3. The criteria may include requirements respecting public access to and the minimum size of the property.

(Added to NRS by 1975, 1757; A 1987, 432, 677; 2005, 2665; 2009, 1229)

NRS 361A.180 Application by owner. Any owner of real property may apply to the county assessor for open-space use assessment based on a designation or classification adopted pursuant to subsection 3 of NRS 361A.170 and the payment of taxes on such property as provided in this chapter.

(Added to NRS by 1975, 1759; A 2005, 2665; 2009, 1230)

NRS 361A.190 Filing, contents and execution of application.

1. Any application for open-space use assessment must be filed on or before June 1 of any year with the county assessor of each county in which the property is located. A new application to continue that assessment is required on or before June 1 following any change in ownership or from approved open-space use of any portion of the property. If the property is divided, an owner who retains a portion of the property must file a new application in order to continue open-space use assessment on the portion retained.
2. The application must be made on forms prepared by the Department and supplied by the county assessor and must include a description of the property, its current use and such other information as may be required to determine the entitlement of the applicant to open-space use assessment. Each application must contain an affidavit or affirmation by the applicant that the statements contained therein are true.

3. The application may be signed by:
 - (a) The owner of the open-space real property, including tenants in common or joint tenants.
 - (b) Any person, of lawful age, authorized by a duly executed power of attorney to sign an application on behalf of any person described in paragraph (a).
 - (c) The guardian or conservator of an owner or the executor or administrator of an owner's estate.
4. The county assessor shall not accept an application unless the application is signed by each owner of record or his or her representative as specified in subsection 3. The assessor may require such additional information of the applicant as is necessary to evaluate his or her application.

(Added to NRS by 1975, 1759; A 1979, 277; 1993, 179)

NRS 361A.200 Action on application by governing bodies of county and city: Procedure.

1. The county assessor shall refer each application for open-space use assessment to the board of county commissioners, and if any part of the property is located within an incorporated city to the governing body of the city, within 10 days after its filing.
2. The governing body of the city shall consider the application in a public hearing. The governing body shall use the applicable procedures and criteria adopted pursuant to NRS 361A.170 and recommend its approval or denial to the board of county commissioners no later than 90 days after receipt of the application.
3. The board of county commissioners shall consider the application in a public hearing. The board shall use the applicable procedures and criteria adopted pursuant to NRS 361A.170 and weigh the benefits to the general welfare of preserving the current use of the property against the potential loss in revenue which may result from approving the application. The board may set such conditions as it reasonably may require upon its approval of the application.
4. At least 10 days' notice of the time and place of any public hearing held pursuant to this section shall be published in a newspaper of general circulation in the county.
5. The board may approve the application with respect to only part of the property, but if any part of the application is denied, the applicant may withdraw the entire application.
6. The board shall approve or deny an application no later than March 31 of each year. An application on which action by the board is not completed by March 31 is approved.

(Added to NRS by 1975, 1759)

NRS 361A.210 Orders of approval or denial by board of county commissioners.

1. Within 10 days after the board approves an application for open-space use assessment, it shall:
 - (a) Send copies of the order of approval to the county assessor and the applicant.
 - (b) Record the order of approval with the county recorder.
2. When the board denies an application, it shall, within 10 days after denial, send an order of denial to the applicant listing its reasons for denial.

(Added to NRS by 1975, 1760)

NRS 361A.220 Determination of value for open-space use; notification of assessment.

1. If property is to be assessed as open-space real property, the county assessor shall determine its value for open-space use and assess it for taxes to be collected in the ensuing fiscal year at 35 percent of that value.
2. The open-space use assessment must be maintained in the records of the assessor and must be made available to any person upon request. The property owner must be notified of the open-space use assessment in the manner provided for notification of taxable value assessments. The notice must contain the statement: Deferred taxes will become due on any portion of this parcel which is converted to a higher use.

(Added to NRS by 1975, 1760; A 1977, 680; 1981, 808; 1987, 677; 1993, 180; 2005, 2665)

NRS 361A.225 Determination of value for open-space use of real property used as golf course.

1. For the purposes of NRS 361A.220, the value for open-space use of real property used as a golf course in a fiscal year is equal to the sum of:
 - (a) The value of the land; and
 - (b) The value of the improvements made to the real property before that fiscal year as adjusted for obsolescence, determined in accordance with the manual established pursuant to subsection 2.
2. The Nevada Tax Commission shall establish a manual for determining the value for open-space use of real property used as a golf course. The manual must:
 - (a) Require the use of such standards and modifiers, as published or furnished by the Marshall and Swift Publication Company, as the Nevada Tax Commission determines to be applicable.
 - (b) For the purpose of determining the value of the land, define various classifications of golf courses and provide for the valuation of each such classification in a manner that is consistent with the provisions of NRS 361.227, except that the value of the land must not be determined to exceed the product of \$2,860 per acre multiplied by 1 plus the percentage change in the Consumer Price Index (All Items) for July 1 of the current year as compared to July 1, 2004.
 - (c) For the purpose of determining the value of the improvements made to the real property, require the use of such factors as the Nevada Tax Commission determines to be appropriate. Those factors must include, for the purpose of determining obsolescence, a factor for golf courses that are not used on a consistently frequent basis each month of the year, which is based upon the actual number of rounds of golf played on the golf course in relation to the number of rounds that could have been played under optimum conditions.

(Added to NRS by 2005, 2663)

NRS 361A.230 Disqualification of property.

1. The county assessor shall enter on the assessment roll the valuation based on open-space use until the property becomes disqualified for open-space use assessment by:
 - (a) Sale or transfer to an owner making it exempt from ad valorem property taxation;
 - (b) Removal of the open-space use assessment by the assessor, with the concurrence of the board, upon discovery that the property is no longer in the open-space use;
 - (c) If the open-space use assessment is based on the designation and classification of the property pursuant to subsection 1 of NRS 361A.170, the cessation of the use of the property for golfing or golfing practice, except for:
 - (1) A seasonal closure of the property to such use;

- (2) A temporary closure of the property for maintenance or repairs; or
- (3) A temporary closure of the property, upon notification of the county assessor, for not more than 12 months for any other purpose that is incidental to such use or necessary for the continuation of such use; or
- (d) If the open-space use assessment is based on a designation or classification adopted pursuant to subsection 3 of NRS 361A.170:

- (1) Notification by the applicant to the assessor to remove the open-space use assessment; or
 - (2) Failure to file a new application as provided in NRS 361A.190.
2. Except as otherwise provided in paragraph (a) of subsection 1, the sale or transfer to a new owner or transfer by reason of death of a former owner does not operate to disqualify open-space real property from open-space use assessment so long as the property continues to be used exclusively for an open-space use. If the open-space use assessment is based on a designation or classification adopted pursuant to subsection 3 of NRS 361A.170, the new owner must apply for open-space use assessment in the manner provided in NRS 361A.190.
3. Whenever open-space real property becomes disqualified under subsection 1, the county assessor shall send a written notice of disqualification by certified mail with return receipt requested to each owner of record. The notice must contain the assessed value for the ensuing fiscal year.

(Added to NRS by 1975, 1760; A 1977, 681; 1987, 678; 1993, 180; 2005, 2665; 2009, 1230)

NRS 361A.240 Appeal from determination; equalization of assessment.

- 1. The determination of use and the open-space use assessment in each year are final unless appealed.
- 2. If the application for an open-space use assessment is based on a designation or classification adopted pursuant to subsection 3 of NRS 361A.170, the applicant for the open-space assessment is entitled to:
 - (a) Appeal the determination made by the board of county commissioners to the district court in the county where the property is located, or if located in more than one county, in the county in which the major portion of the property is located, as provided in NRS 278.0235.
 - (b) Equalization of the open-space use assessment in the manner provided in chapter 361 of NRS for complaints of overvaluation, excessive valuation or undervaluation.

(Added to NRS by 1975, 1761; A 1977, 681; 1981, 808; 1987, 678; 2005, 2666; 2009, 1231)

NRS 361A.250 Redetermination of use; Complaint; hearing; order; judicial review.

- 1. Any person claiming that any open-space real property is no longer in the approved open-space use may file a complaint and proof of the claim with the board of county commissioners of the county or counties in which the property is located. The complaint and proof must show the name of each owner of record of the property, its location, description and the use in which it is claimed to be.
- 2. The board shall hear the complaint after 10 days' notice of the time to the complainant and each owner of the property.
- 3. The board shall examine the proof and all data and evidence submitted by the complainant, together with any evidence submitted by the county assessor or any other person. The board shall notify the complainant, each owner of the property and the county assessor of its determination within 10 days after the hearing. It shall direct the county assessor to appraise, value and tax the property for the ensuing fiscal year in a manner consistent with its determination and the provisions of this chapter and, in appropriate cases, order the tax receiver to collect any amounts due under NRS 361A.280 and 361A.283.
- 4. The determination of the board may be appealed to the district court by the complainant or the owner of the property as provided in NRS 361A.240.

(Added to NRS by 1975, 1761; A 1991, 2102; 1993, 181)

PARTIAL DEFERRED TAXATION AND RECAPTURE OF TAX

NRS 361A.265 Prepayment of deferred taxes; estimate of taxes due; appeal by owner; conversion to higher use after secured tax roll has been closed.

- 1. An owner of property which has received an agricultural or open-space use assessment:
 - (a) Must pay the full amount of deferred taxes calculated pursuant to NRS 361A.280 for any property for which a final map will be recorded pursuant to NRS 278.460 before the date on which the map is recorded, if the existence or recording of the map will result in the conversion of any portion of the property to a higher use.
 - (b) In all other cases may, before the conversion of any portion of the property to a higher use, pay the amount of deferred taxes which would be due upon the conversion of that property pursuant to NRS 361A.280.
- 2. An owner who desires to pay the deferred taxes must request, in writing, the county assessor to estimate the amount of the deferred taxes which would be due at the time of conversion. After receiving such a request, the county assessor shall estimate the amount of the deferred taxes due for the next property tax statement and report the amount to the owner.
- 3. An owner who voluntarily pays the deferred taxes may appeal the valuations and calculations upon which the deferred taxes were based in the manner provided in NRS 361A.273.
- 4. If a parcel that has been created after the secured tax roll has been closed is converted to a higher use, the assessor must change the roll to reflect the changes in the parcel or parcels and assess the new parcel or parcels at taxable value for the following fiscal year. The deferred tax must be assessed pursuant to NRS 361A.280.

(Added to NRS by 1987, 672; A 1989, 1829; 1991, 2103; 1993, 181; 1997, 1583; 2009, 1231)

NRS 361A.270 Owner to notify assessor of cessation of agricultural or open-space use or conversion to higher use; survey of portion of parcel converted to higher use.

- 1. Within 30 days after a parcel or any portion of a parcel of real property which has received agricultural or open-space use assessment ceases to be used exclusively for agricultural use or the approved open-space use or is converted to a higher use, the owner shall notify the county assessor in writing of the date of cessation or change of that use.
- 2. In addition to the notice required by subsection 1, an owner of agriculturally assessed land who wishes to have a portion of a parcel converted to a higher use rather than the entire parcel must record and transmit to the county assessor a survey of the portion of the parcel to be converted. The survey must be transmitted to the county assessor at the same time as the notice required by subsection 1. The recordation of a survey pursuant to this subsection does not create a new parcel.
- 3. The county assessor shall keep a description of any portion of a parcel that is separately converted to a higher use and a record of the taxes paid on that portion of the parcel with the records for the parcel until the remainder of the parcel is converted to a higher use or the parcel becomes inactive.

(Added to NRS by 1975, 1762; A 1979, 277; 1987, 678; 1989, 1829; 1991, 2103)

NRS 361A.271 Assessor to give owner notice of determination; contents of notice. Within 30 days after determining that property has been converted to a higher use, the county assessor shall send a written notice of that determination by certified mail, return receipt requested, to each owner of record. The notice must contain the taxable and assessed values for the next tax roll and all prior years for which a deferred tax or penalty is owed pursuant to NRS 361A.280 or 361A.283.
(Added to NRS by 1987, 671; A 1991, 2103)

NRS 361A.273 Appeal from determination or valuations.

1. An owner of property who receives a notice of conversion which is postmarked on or after July 1 and before December 16 may appeal in the manner provided in NRS 361.355:

- (a) The determination that the property has been converted to a higher use; and
 - (b) The valuations for the years described in the notice,
- to the board of equalization of the county in which the property is located.

2. An owner who receives a notice of conversion which is postmarked on or after December 16 and before July 1 may appeal, not later than July 15 of the ensuing fiscal year:

- (a) The determination that the property has been converted to a higher use; or
 - (b) The valuations for the years described on the notice,
- directly to the State Board of Equalization.

(Added to NRS by 1987, 672; A 1993, 182)

NRS 361A.277 Determination of taxable value when property converted to higher use. When any portion of agricultural or open-space land is converted to a higher use, the county assessor shall determine its taxable and, as appropriate, agricultural or open-space use values against which to compute the deferred tax for each fiscal year the property was under agricultural or open-space assessment during the current fiscal year and the preceding 6 fiscal years, or such other period as is required pursuant to NRS 361A.283. The taxable values for each year must be comparable for the corresponding years to the taxable values for property similar, including, without limitation, in size, zoning and location, to the portion of property actually converted to a higher use. When agricultural land is converted to a higher use, the agricultural use values for each of the years may be based on the agricultural use for the latest year. When open-space land that is used as a golf course is converted to a higher use, the taxable values for the property must be determined, for the purpose of computing the deferred tax, in accordance with the provisions of NRS 361.227 based upon the assessment of the land as a golf course.

(Added to NRS by 2009, 1228)

NRS 361A.280 Payment of deferred tax when property converted to higher use. If the county assessor is notified or otherwise becomes aware that a parcel or any portion of a parcel of real property which has received agricultural or open-space use assessment has been converted to a higher use, the county assessor shall add to the tax extended against that portion of the property on the next property tax statement the deferred tax, which is the difference between the taxes that would have been paid or payable on the basis of the agricultural or open-space use valuation and the taxes which would have been paid or payable on the basis of the taxable value calculated pursuant to NRS 361A.277 for each year in which agricultural or open-space use assessment was in effect for the property during the fiscal year in which the property ceased to be used exclusively for agricultural use or approved open-space use and the preceding 6 fiscal years. The county assessor shall assess the property pursuant to NRS 361.227 for the next fiscal year following the date of conversion to a higher use.

(Added to NRS by 1975, 1762; A 1977, 681; 1979, 277; 1981, 809; 1987, 678; 1989, 1829; 1991, 2104; 2009, 1231)

NRS 361A.283 Period for assessment of deferred tax; penalty for failure of owner to provide assessor with required notice.

1. If the county assessor determines that the deferred tax for any fiscal year or years was not assessed in the year it became due, he or she may assess it anytime within 5 fiscal years after the end of the fiscal year in which a parcel or portion of a parcel was converted to a higher use.

2. If the county assessor determines that a parcel was assessed for agricultural or open-space use rather than at full taxable value for any fiscal year in which it did not qualify for agricultural or open-space assessment, he or she may assess the deferred tax for that year anytime within 5 years after the end of that fiscal year.

3. A penalty equal to 20 percent of the total accumulated deferred tax described in subsections 1 and 2 must be added for each of the years in which the owner failed to provide the written notice required by NRS 361A.270. The county assessor may waive this penalty if he or she finds extenuating circumstances sufficient to justify the waiver.

(Added to NRS by 1991, 2100; A 1999, 2775; 2009, 1232)

NRS 361A.286 Lien for deferred tax and penalty.

1. The deferred tax and penalty assessed pursuant to NRS 361A.280 and 361A.283 are a perpetual lien until paid as provided in NRS 361.450. If the property continues to be used exclusively for agricultural use or approved open-space use for 7 fiscal years after the date of attachment, the lien for that earliest year expires. The lien is for an undetermined amount until the property is converted and the amount is determined pursuant to NRS 361A.280. Any liens calculated and recorded before July 1, 1989, for property that had not been converted shall be deemed to have expired on that date.

2. If agricultural or open-space real property receiving agricultural or open-space use assessment is sold or transferred to an ownership making it exempt from taxation ad valorem, any such liens for deferred taxes must, unless the property is sold or transferred to the Nevada System of Higher Education, a school district or another local governmental entity, be paid in full before the transfer of ownership if the property is converted to another use.

3. The provisions of this section do not apply to any portion of agricultural or open-space real property if the deferred tax and any penalty have been paid pursuant to NRS 361A.265.

4. Each year, the county assessor must record a list of parcel numbers and owner's names for all parcels on which a lien exists pursuant to subsection 1.

(Added to NRS by 1991, 2101; A 1993, 2513; 1999, 1232; 2005, 2666)

NRS 361A.290 Seller to notify buyer of lien for deferred taxes; personal liability for deferred taxes.

1. If there are deferred taxes that have not been paid under the provisions of NRS 361A.265, 361A.280 or 361A.283 at the time real property is sold or transferred, the seller must notify the buyer in writing that there is a lien for deferred taxes on the property.

10/31/2016

NRS: CHAPTER 361A - TAXES ON AGRICULTURAL REAL PROPERTY AND OPEN SPACE

2. The owner of the property as of the date on which the deferred taxes become due pursuant to this chapter is liable for the deferred taxes.
(Added to NRS by 1981, 879; A 1989, 1831; 1991, 2105)

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ROR022751

24160

FIRST AMENDMENT

Bill No. 82-73

ORDINANCE NO. 3021

AN ORDINANCE CODIFYING AND COMPILING THE GENERAL AND PERMANENT ORDINANCES OF THE CITY OF LAS VEGAS, NEVADA; ADOPTING THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING FOR THE CONTINUOUS USE AND PERPETUAL CODIFICATION OF EACH SUBSEQUENTLY ADOPTED ORDINANCE OF GENERAL AND PERMANENT NATURE WHICH AMENDS, ALTERS, ADDS TO OR DELETES FROM THE PROVISIONS OF SAID MUNICIPAL CODE; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

Sponsored by Summary: Adopts the Las Vegas
CITY ATTORNEY'S OFFICE Municipal Code, 1983 Edition.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS,
NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The general and permanent ordinances of the City of Las Vegas, Nevada, are hereby codified and compiled as the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, as edited and published by Book Publishing Company, and said Municipal Code is hereby accepted, approved and adopted.

SECTION 2: From and after the effective date of this ordinance, said Municipal Code, as hereby accepted, approved and adopted, shall be the official code of all ordinances of general and permanent nature of said City through Ordinance No. 2262 which was passed, adopted and approved on January 6, 1982.

SECTION 3: There is hereby adopted, as a method of perpetual codification, the loose leaf type of binding together with a continuous supplement service whereby each ordinance of general and permanent nature which is passed, adopted and approved subsequent to January 6, 1982, and which amends, alters, adds to or deletes from the provisions of said Municipal Code is to be inserted in the proper place in each of the official copies of said Municipal Code and, when so inserted, shall become an official part of said Municipal Code.

SECTION 4: At least two copies of said Municipal Code

ROR022752

24161

1 shall at all times be on file and available for inspection in the
2 office of the City Clerk of said City, which said copies shall
3 constitute the "official copies" of said Municipal Code, and
4 two copies of said Municipal Code shall be filed with the
5 Librarian of the Supreme Court Law Library, which shall be supple-
6 mented in the same manner and at the same time as the official
7 copies of said Municipal Code are supplemented.

8 SECTION 5: The provisions of said Municipal Code shall
9 not in any manner affect matters of record which refer to, or are
10 otherwise connected with the Municipal Code of the City of
11 Las Vegas, Nevada, 1960 Edition, or with any ordinance of said
12 City which is therein specifically designated by number or
13 otherwise and which is included within the 1983 edition of said
14 Municipal Code, but such references shall be construed to apply
15 to the corresponding provisions contained within the 1983 edition
16 of said Municipal Code.

17 SECTION 6: Neither the adoption of the 1983 edition
18 of said Municipal Code nor the repeal or amendment hereby of the
19 Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, or
20 of any ordinance, or any part or portion of any such ordinance,
21 of the City of Las Vegas shall in any manner affect the prosecu-
22 tions for violations of such Code or ordinance, which violations
23 were committed prior to the effective date thereof, nor be
24 construed as a waiver of any license, fee or penalty at said
25 effective date which is due and unpaid under such Code or ordi-
26 nance, nor be construed as affecting any of the provisions of
27 such Code or of any such ordinance which relates to the collection
28 of any such license, fee or penalty or the penal provisions which
29 are applicable to any violation thereof, nor to affect the validity
30 of any bond or cash deposit in lieu thereof which is required to
31 be posted, filed or deposited pursuant to such Code or to any such
32 ordinance, and all rights and obligations thereunder appertaining

SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, which is hereby adopted, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or of said Municipal Code, or any part thereof. The Board of Commissioners of the City of Las Vegas hereby declares that it would have passed, approved and adopted this ordinance, and each section, subsection, subdivision, paragraph, sentence, clause or phrase of said Municipal Code, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective, and, if for any reason this ordinance or said Municipal Code should be declared unconstitutional, invalid or ineffective, the original ordinance or ordinances, as from time to time amended, which are codified and compiled herein shall be in full force and effect.

25 PASSED, ADOPTED and APPROVED this 15th day of
26 December, 1982.

By William H. Briare
WILLIAM H. BRIARE, Mayor

31 Carol A Hawley
32 Carol Ann Hawley, City Clerk

1 The above and foregoing ordinance was first proposed and read by
2 title to the Board of Commissioners on the 1st day of December
3 , 1982, and referred to the following committee composed
4 of Commissioners Lurie and Levy
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 15th day of December,
7 1982, which was a regular meeting of said Board;
8 that at said regular meeting, the proposed ordinance
9 was read by title to the Board of Commissioners as amended and
10 adopted by the following vote:

11
12 VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Pearson, and Mayor Briare

13 VOTING "NAY" Commissioners: NONE

14 ABSENT: NONE

15 APPROVED:

16
17 William H. Briare
18 BY WILLIAM H. BRIARE, Mayor

19 ATTEST:

20
21 Carol Ann Hawley
22 CAROL ANN HAWLEY, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

Lorraine Johnson, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from December 8, 1982 to December 8, 1982

inclusive, being the issues of said newspaper for the following dates, to-wit:

December 8, 1982

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Lorraine Johnson

Subscribed and sworn to before me this 8th
day of December, 1982

Notary Public in and for Clark County, Nevada

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

My Commission Expires.

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RECEIVED
DEC 10 11 41 AM '82
CITY CLERK
PROCUREMENT
DIVISION
DEC 9 10 04 AM '82
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RECEIVED
AM '82

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24166

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

Lorraine Johnson, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from December 21, 1982 to December 21, 1982
inclusive, being the issues of said newspaper for the following dates, to-wit:

DECEMBER 21, 1982

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Subscribed and sworn to before me this 21st
day of December, 1982

My Commission Expires

Notary Public in and for the State of Nevada

RUTHE V. DESKIN

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

BILL NO. 82-201
ORDINANCE NO. 3021
AN ORDINANCE CODIFYING AND
COMPLYING THE GENERAL AND PER-
MANENT LAWS OF THE STATE OF
LAS VEGAS, NEVADA, ADOPTING
THE MUNICIPAL CODE OF THE CITY
OF LAS VEGAS, NEVADA, 1982 EDITION,
AND PROVIDING FOR THE CONTINU-
OUS USE AND PERPETUAL
CODIFICATION OF EACH SUBSE-
QUENTLY ADOPTED ORDINANCE OF
THE CITY OF LAS VEGAS, NEVADA,
GENERAL LAWS, PERMANENT LAWS,
AND ORDINANCES, AND DELETES
OR DELETES FROM THE PROVISIONS
OF SAID MUNICIPAL CODE, AND PRO-
VIDING OTHER MATTERS PROPERLY
RELATING HERETO.
Sponsored by:
CITY ATTORNEY'S OFFICE
Summary: Adopts the Las Vegas Municipal
Code, 1982 Edition
The Ordinance adopted and amended ordi-
nance was first proposed and read
by title to the Board of Commissioners
for the 1st day of December, 1982, and
thereafter read a second time and
passed by the affirmative vote of the
Board of Commissioners Loria and Levy.
for recommendation; thereafter the said
Commissioner reported favorably on said
ordinance to the Board of Commissioners
December, 1982, which was a regular
meeting of said Board; that at said regu-
lar meeting the proposed ordinance
was read a third time and the Board of Com-
missioners as amended and adopted by
the following vote:
YEAS: Commissioner: Chair-
man, Loria, Levy, Luna, Paterson and Mayor
Briano
NAY: None
VOTING "NAY" Commissioners: None
ABSENT: None
REMARKS: THE COMPLETE ORDINANCE
IS AVAILABLE FOR PUBLIC
INSPECTION IN THE OFFICE OF THE
CITY CLERK, 10TH FLOOR, CITY HALL,
300 WEST HAWTHORNE AVENUE, LAS
VEGAS, NEVADA.
PUB. December 21, 1982
Las Vegas SUN

ROR022758

24167

RECEIVED

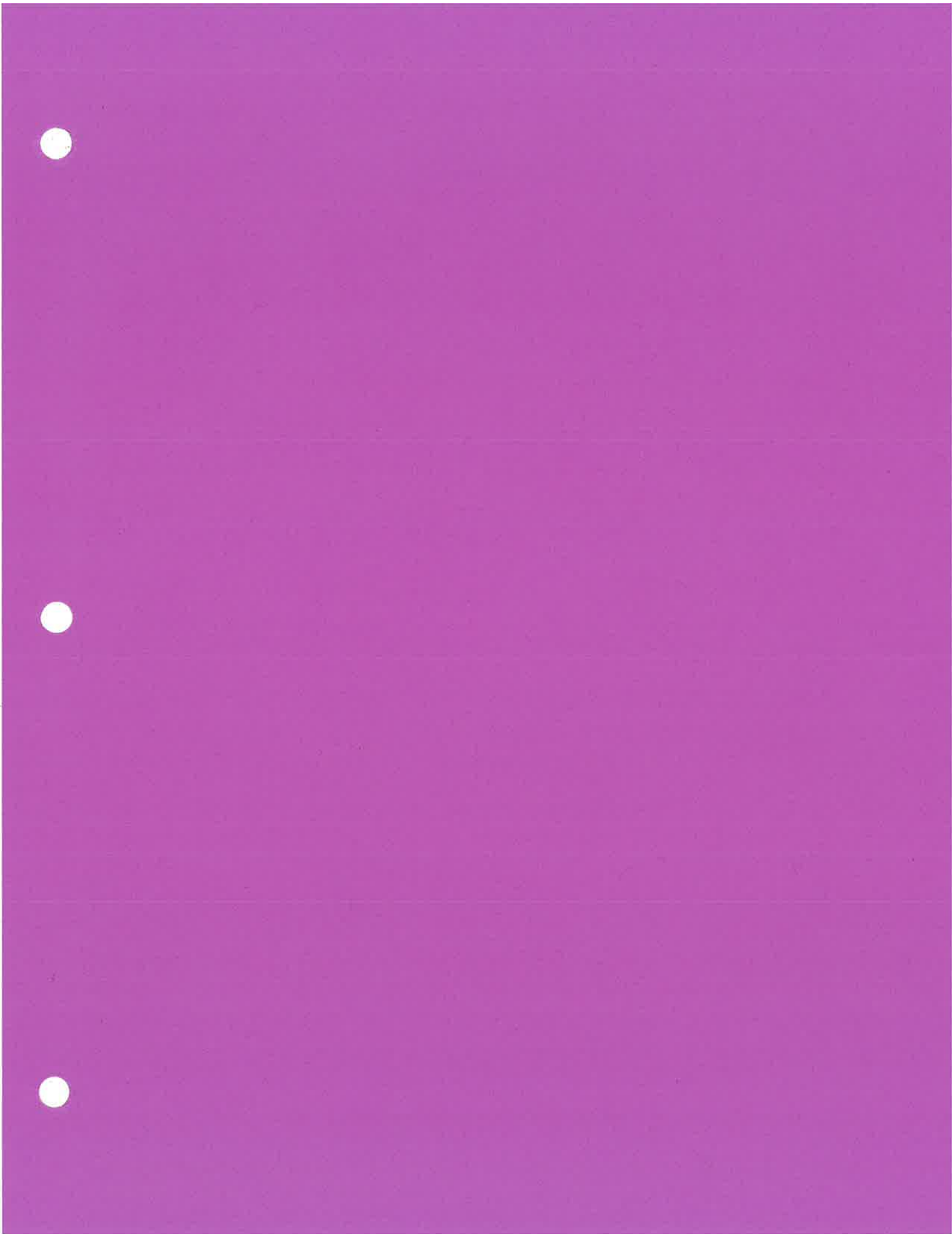
DEC 23 7 20 AM '82

CITY CLERK

07521

ROR022759

24168



ROR022760

24169

AGENDA

CITY COMMISSION MINUTES - DECEMBER 15, 1982

City of Las Vegas

0160

December 15, 1982

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 24

PHONE 386-6011

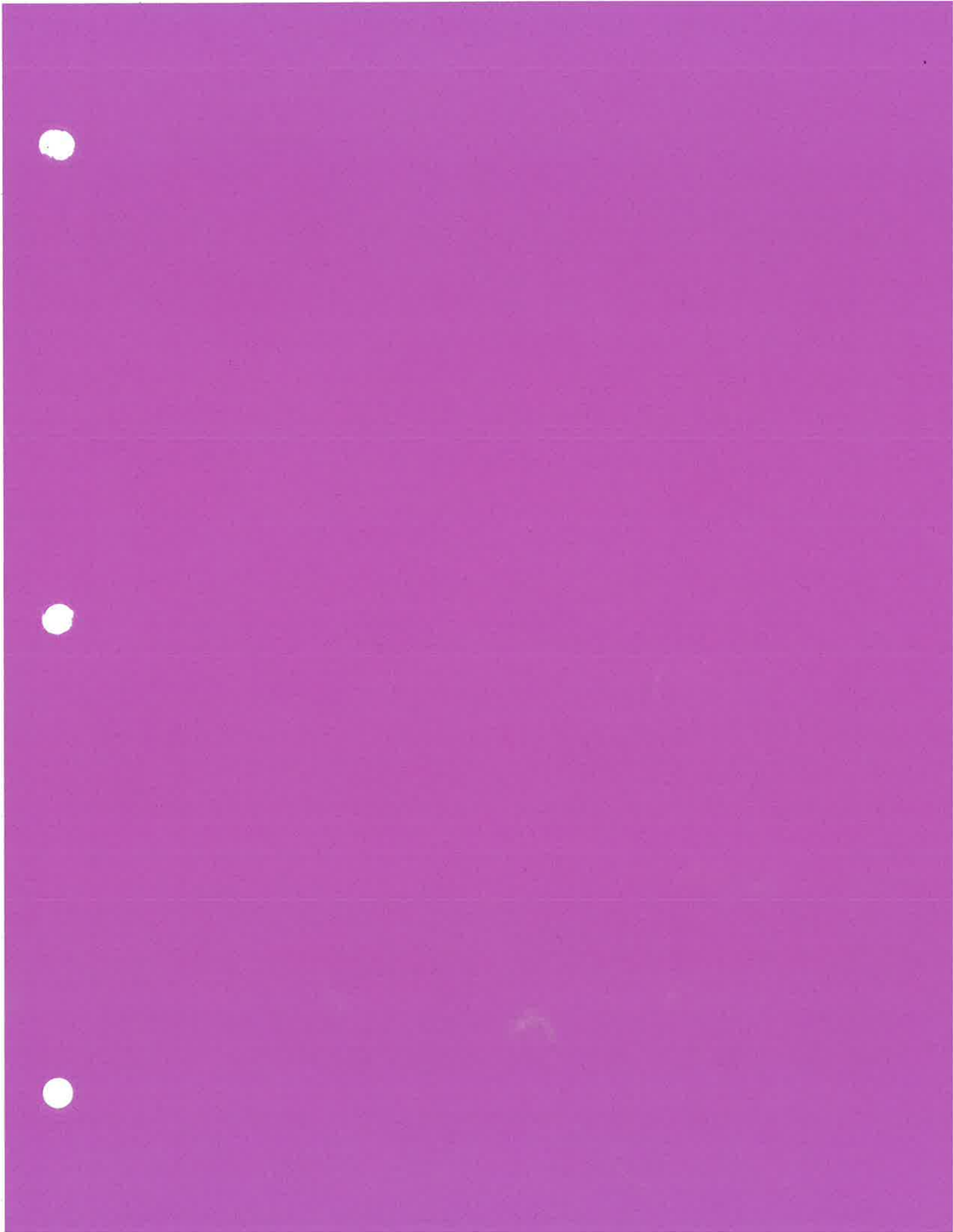
ITEM	Commission Action	Department Action
<p>VI. REPORTS FROM RECOMMENDING COMMITTEES (Continued)</p>		
<p>C. BILL NO. 82-73 (First Amendment) - ADOPTS THE LAS VEGAS MUNICIPAL CODE, 1983 EDITION. Committee: Commissioners Lurie and Levy 1st Publication: SUN - 12/8/82 <u>Committee Recommendation:</u> Adoption at 12/15/82 City Commission meeting as per First Amendment.</p>	<p>Lurie - Second Reading and BILL ADOPTED as amended. Unanimous</p>	<p>Clerk to proceed with second publication.</p>
<p>D. BILL NO. 82-74 (First Amendment) - READOPTS "ROOM TAX" ORDINANCE IN CONNECTION WITH REFUNDING OF CONVENTION AUTHORITY BONDS. Committee: Commissioners Christensen and Levy 1st Publication: REVIEW-JOURNAL - 12/8/82 <u>Committee Recommendation:</u> Adoption at 12/15/82 City Commission meeting as per First Amendment.</p>	<p>Christensen - Second Reading and BILL ADOPTED as amended. Unanimous</p>	<p>Clerk to proceed with second publication.</p>

APPROVED AGENDA ITEM

Calley Hall

ROR022761

24170



ROR022762

24171

Chapter 19.02**GENERAL PROVISIONS****Sections:**

- 19.02.010 Short title.**
- 19.02.020 Purpose.**
- 19.02.030 Statutory authority.**
- 19.02.040 Map.**

19.02.010 Short title. The ordinances codified in this Title shall be known as and may be cited as the Zoning Ordinance of the City of Las Vegas, Nevada.

(Ord. 972 § 1, 1962: prior code § 11-1-1)

19.02.020 Purpose.

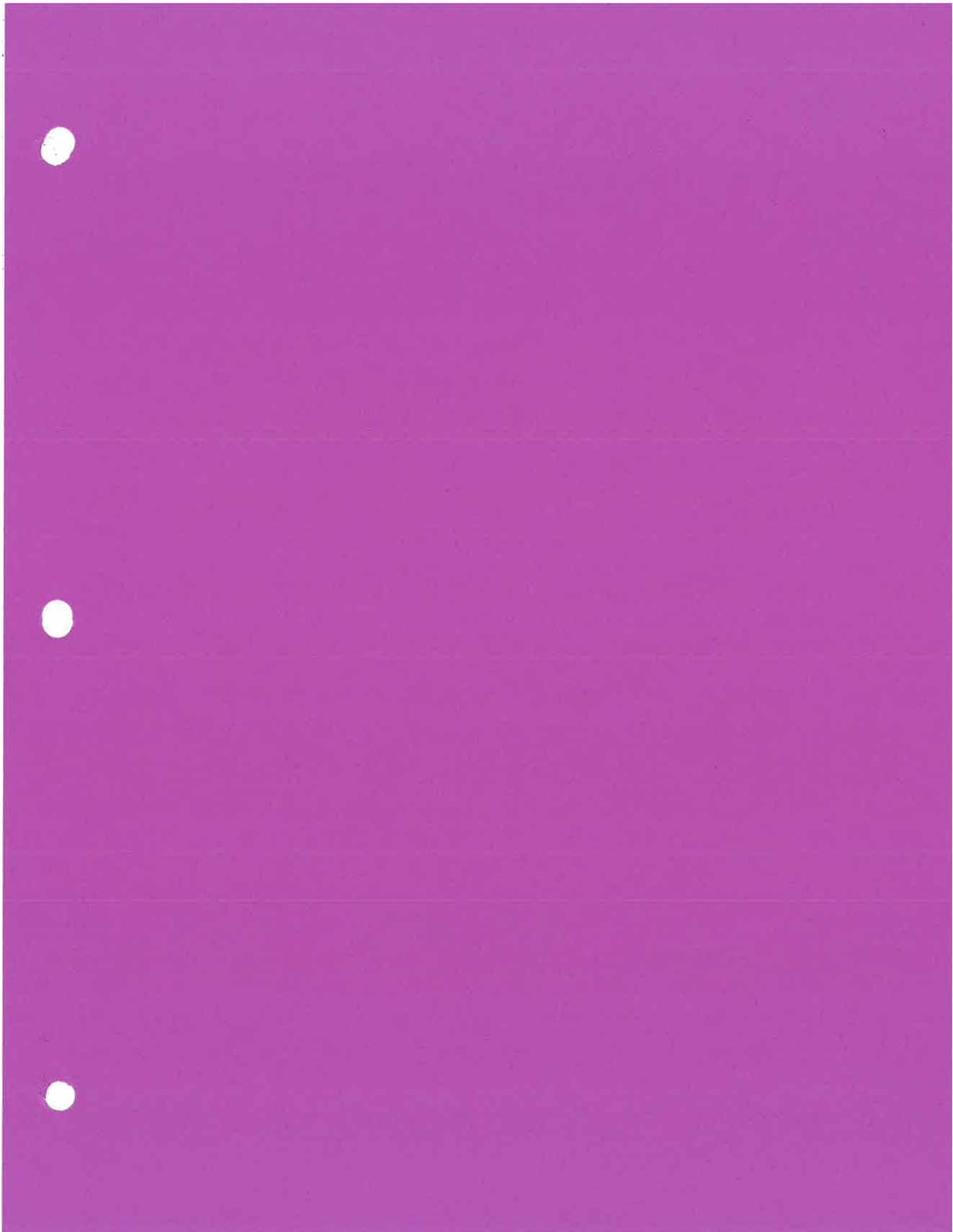
(A) This Title is adopted in order to conserve and promote the public health, safety, morals and general welfare of the City and the present and future inhabitants of the City.

(B) This Title is adopted in conformity with and in consonance with the Comprehensive General Master Plans of the City of Las Vegas as adopted by the Board of City Commissioners on March 2, 1960, and February 5, 1975. In this regard this Title is designed to improve the safety and convenience and lessen congestion in the public streets, to provide adequate protection against fire, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sanitary sewerage, storm drainage, schools, parks, recreation and other public conveniences and necessities, to maintain the character of land uses in the various property districts, to conserve the value of land and buildings and protect investment in same, and to encourage the utmost property uses of the land.

(C) This Title is adopted to protect the character, social advantages and economic stability of the residential, commercial, industrial and other areas within the City and to assure the orderly, efficient and beneficial development of such areas.

(Ord. 972 § 2(A, B, C), 1962: prior code § 11-1-2(A, B, C))

19.02.030 Statutory authority. This Title is adopted pursuant to the authority of NRS 278.010 through 278.080, Statutes of 1941, State of Nevada, and all acts amendatory thereof and supplementary thereto, and shall be known as the Zoning Ordinance of the City of Las Vegas, Nevada.
(Ord. 972 § 2(D), 1962: prior code § 11-1-2(D))



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patio may be enclosed provided that each exterior wall shall consist of at least fifty percent screen area, screen being of a mesh character allowing a free flow of air, which shall not be covered.
(Ord. 1726 § 1 (part), 1974: Ord. 1696 § 1 (part), 1974: Ord. 972 § 10(F), 1962: prior code § 11-1-10(F))

Chapter 19.18

R-PD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

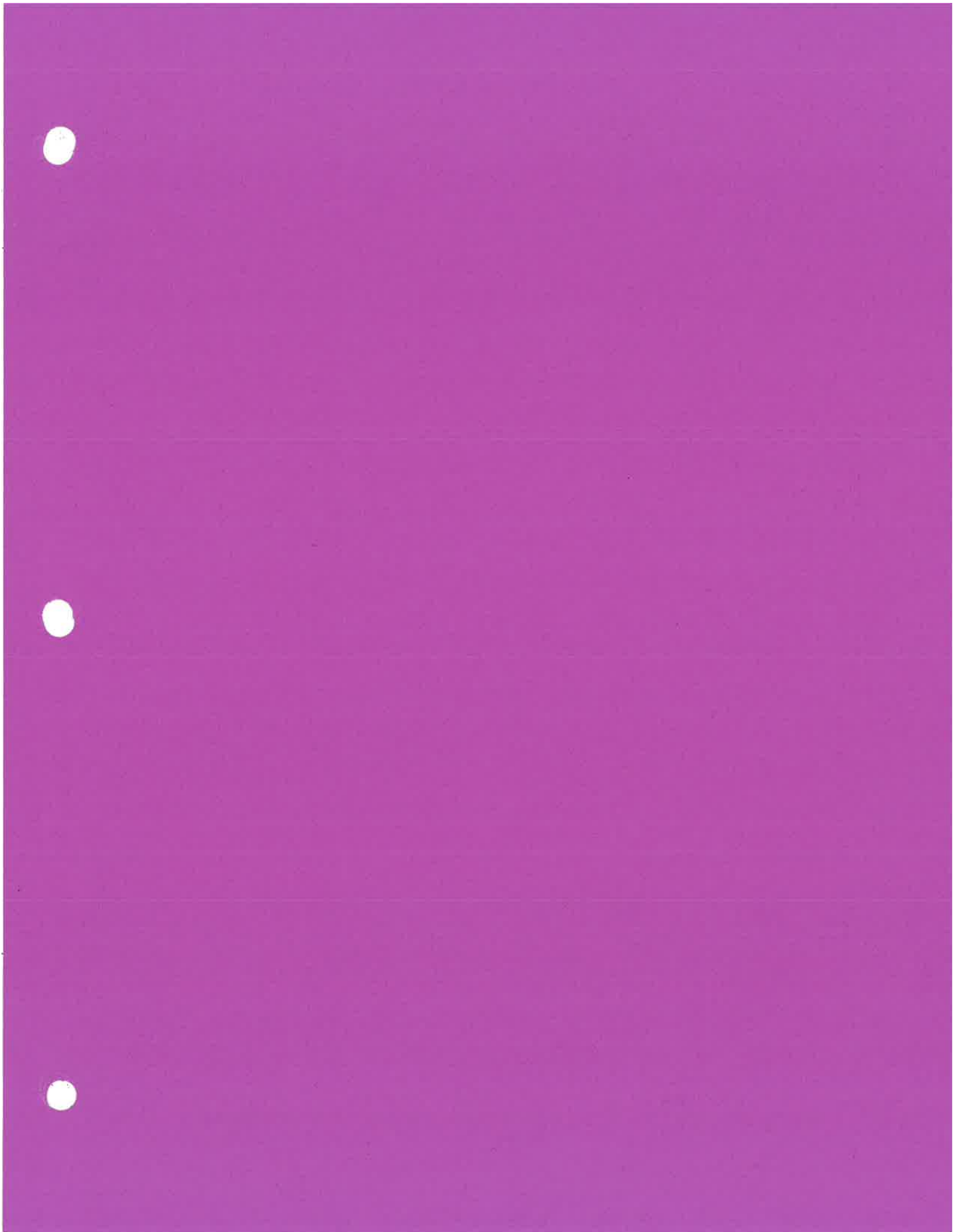
Sections:

- 19.18.010 Purpose.
- 19.18.020 Permitted uses.
- 19.18.025 Liquefied petroleum gas installations.
- 19.18.027 Conditional uses.
- 19.18.030 Density designation.
- 19.18.040 Size.
- 19.18.050 Presubmission conference—Plans required.
- 19.18.060 Plans approval, conditions, conformance.
- 19.18.070 Design standards—Designated—Accordance.
- 19.18.080 Common recreation, other facilities.
- 19.18.090 Subdivision procedure conformance.

19.18.010 Purpose. The purpose of a planned unit development is to allow a maximum flexibility for imaginative and innovative residential design and land utilization in accordance with the General Plan. It is intended to promote an enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and a homogeneity of use patterns.
(Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(A))

19.18.020 Permitted uses. A development in the R-PD District may consist of attached or detached single-family units, townhouses, cluster units, condominiums, garden apartments, or any combination thereof.
(Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(B))

19.18.025 Liquefied petroleum gas installations. Liquefied petroleum gas installations are permitted as an accessory use in the R-



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of Commissioners as evidenced by a resolution of record and copies of said resolution shall be available in the Planning Department. The design standards in the resolution may be amended when deemed necessary by the Board of Commissioners.

(Ord. 2185 § 1 (part), 1981: Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(G) (part))

19.18.080 Common recreation, other facilities. All developments shall provide common recreation facilities or other common facilities when deemed necessary by the Board of Commissioners; however, common open space shall be provided for all developments in this district containing single-family compact-lot units.

(Ord. 2185 § 1 (part), 1981: prior code § 11-1-11.B(G) (part))

19.18.090 Subdivision procedure conformance. A planned unit development shall follow the standard subdivision procedure. The tentative map shall include the public and private street design and dimension, lot design and dimension, location of driveways, buildings, walls, fences, walkways, open space areas, parking areas, drainage information, street names and location of utilities. The final map shall indicate the use, location and dimension of all proposed structures, streets, easements, driveways, walkways, parking areas, recreational facilities, open spaces and landscaped areas.

(Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(H))

~~Chapter 19.20~~

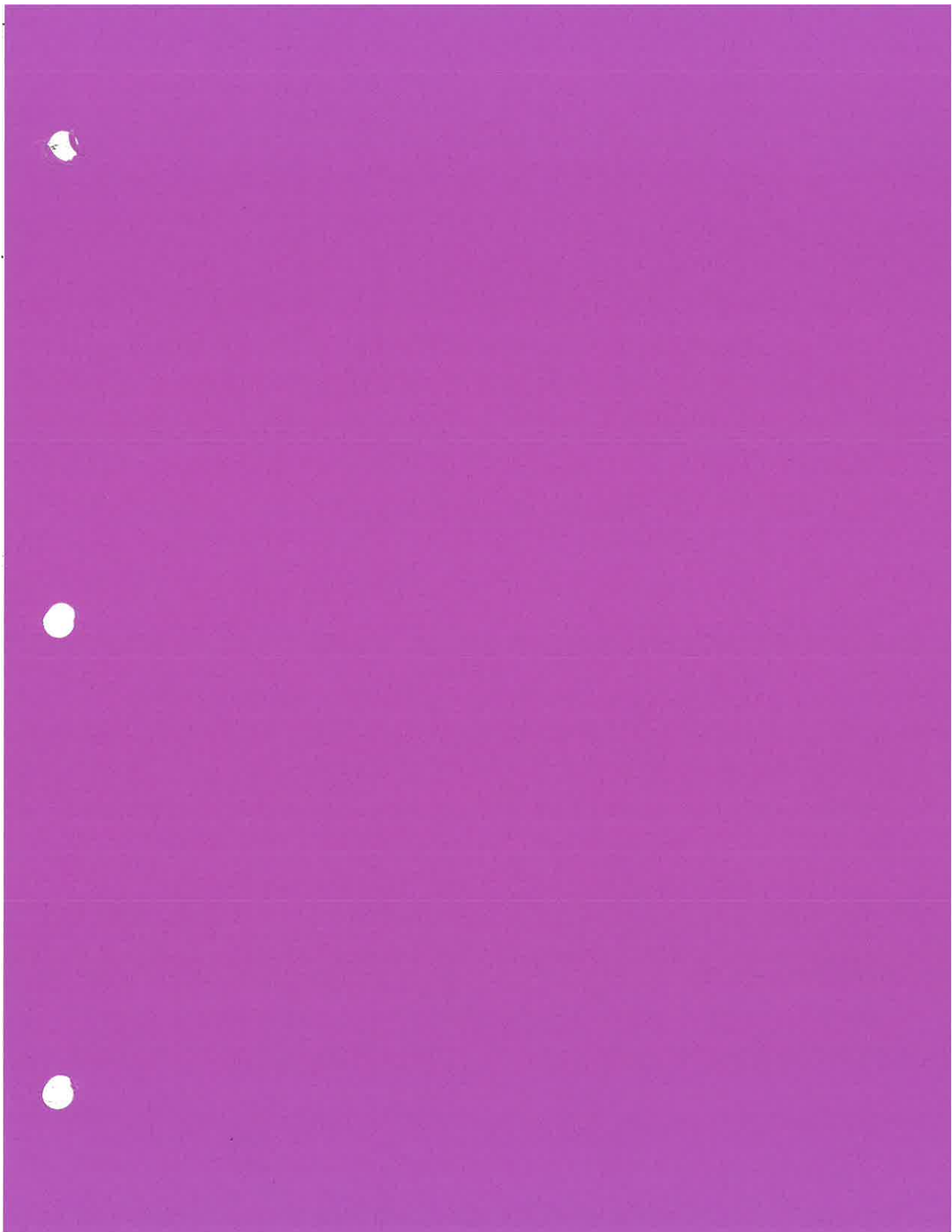
R-1 SINGLE-FAMILY RESIDENCE DISTRICT

Sections:

- 19.20.010 Permitted uses—Accessories.**
- 19.20.020 Conditional uses.**
- 19.20.030 Height limit.**
- 19.20.040 Building site area, frontage.**
- 19.20.050 Front yard.**
- 19.20.060 Side yard.**
- 19.20.070 Rear yard.**
- 19.20.080 Lot coverage.**

19.20.010 Permitted uses — Accessories. Uses permitted in the R-1 District include:

- (A) One-family dwellings of a permanent character, placed in a



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19.18.060 Plans approval, conditions, conformance.

(A) Plans shall be approved by the Planning Commission and the Board of Commissioners. Upon completion of the construction, in accordance with the approved plan, no changes of any type shall be permitted unless first approved by the Board of Commissioners;

(B) The Planning Commission and the Board of Commissioners, in their approval, may attach whatever conditions they deem necessary to ensure the proper amenities of residential usage and to assure that the proposed development will be compatible with surrounding existing and proposed land uses.

(Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(F))

19.18.070 Design standards — Designated — Accordance. All developments shall be in accordance with the design standards adopted by the Board of Commissioners as evidenced by a resolution of record and copies of said resolution shall be available in the Planning Department. The design standards in the resolution may be amended when deemed necessary by the Board of Commissioners.

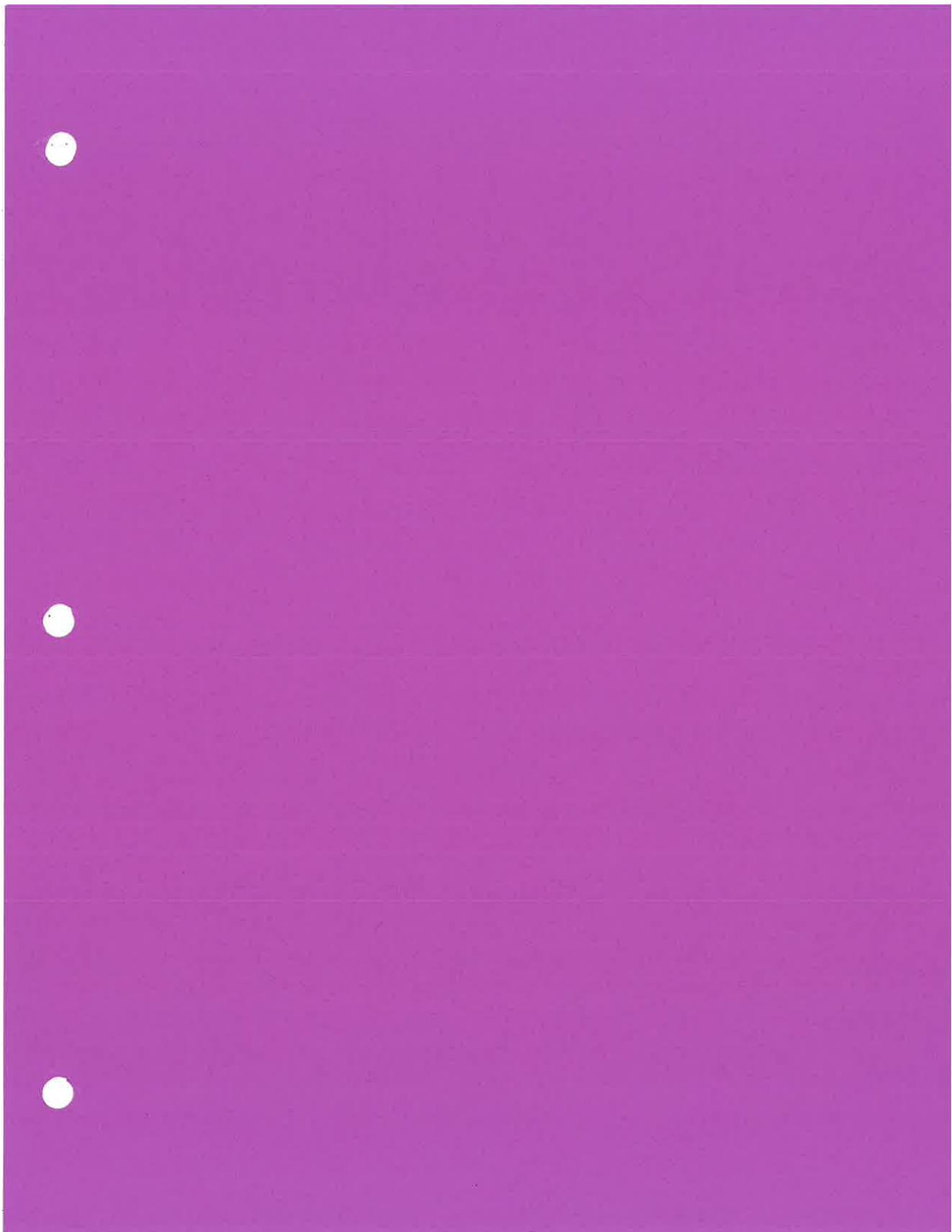
(Ord. 2185 § 1 (part), 1981: Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(G) (part))

19.18.080 Common recreation, other facilities. All developments shall provide common recreation facilities or other common facilities when deemed necessary by the Board of Commissioners; however, common open space shall be provided for all developments in this district containing single family compact-lot units.

(Ord. 2185 § 1 (part), 1981: prior code § 11-1-11.B(G)(part))

19.18.090 Subdivision procedure conformance. A planned unit development shall follow the standard subdivision procedure. The tentative map shall include the public and private street design and dimension, lot design and dimension, location of driveways, buildings, walls, fences, walkways, open space areas, parking areas, drainage information, street names and location of utilities. The final map shall indicate the use, location and dimension of all proposed structures, streets, easements, driveways, walkways, parking areas, recreational facilities, open spaces and landscaped areas.

(Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(H))



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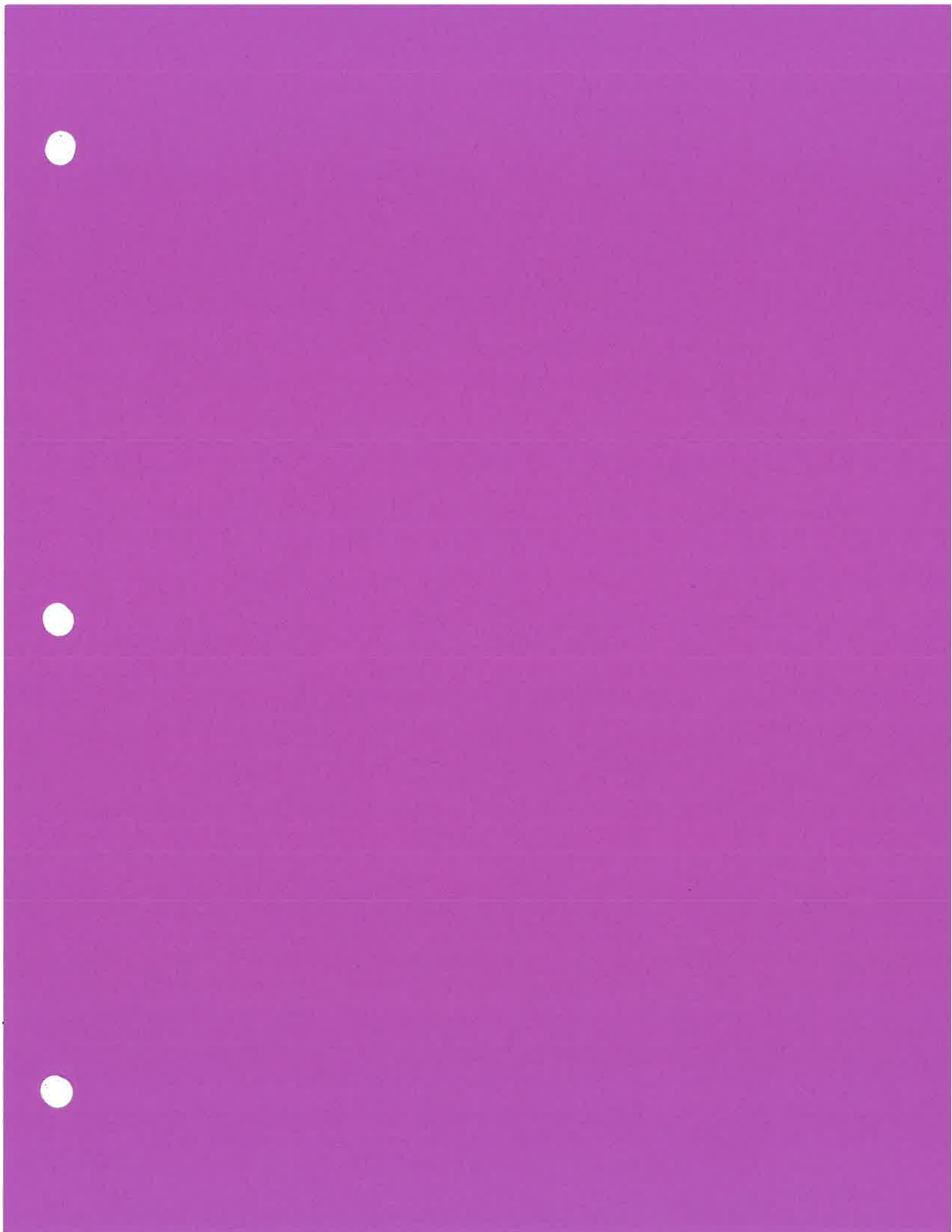
H. Subdivision Procedure Conformance

A Residential Planned Development shall follow the standard subdivision procedure. The tentative map shall include the public and private street design and dimension, lot design and dimension, location of driveways, buildings, walls, fences, walkways, open space areas, parking areas, drainage information, street names and location of utilities. The final map shall indicate the use, location and dimension of all proposed structures, streets, easements, driveways, walkways, parking areas, recreational facilities, open spaces and landscaped areas.

19.06.050 PD PLANNED DEVELOPMENT DISTRICT**A. Intent of District**

The intent of the Planned Development (PD) District is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. The rezoning of property to the PD District may be deemed appropriate if the development proposed for the District can accomplish one or more of the following goals:

1. Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community;
2. Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities;
3. Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts;
4. Providing for cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design;
5. Providing for the redevelopment of areas where depreciation of any type has occurred.
6. Providing for the revitalization of designated areas;
7. Promoting or allowing development to occur in accordance with a uniform set of standards which reflect the specific circumstances of the site;
8. Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities;
9. Encouraging area-sensitive site planning and design; and
10. Contributing to the health, safety and general welfare of the community and providing development which is compatible with the City's goals and objectives.



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patio may be enclosed provided that each exterior wall shall consist of at least fifty percent screen area, screen being of a mesh character allowing a free flow of air, which shall not be covered.
(Ord. 1726 § 1 (part), 1974: Ord. 1696 § 1 (part), 1974: Ord. 972 § 10(F), 1962: prior code § 11-1-10(F))

Chapter 19.18

R-PD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

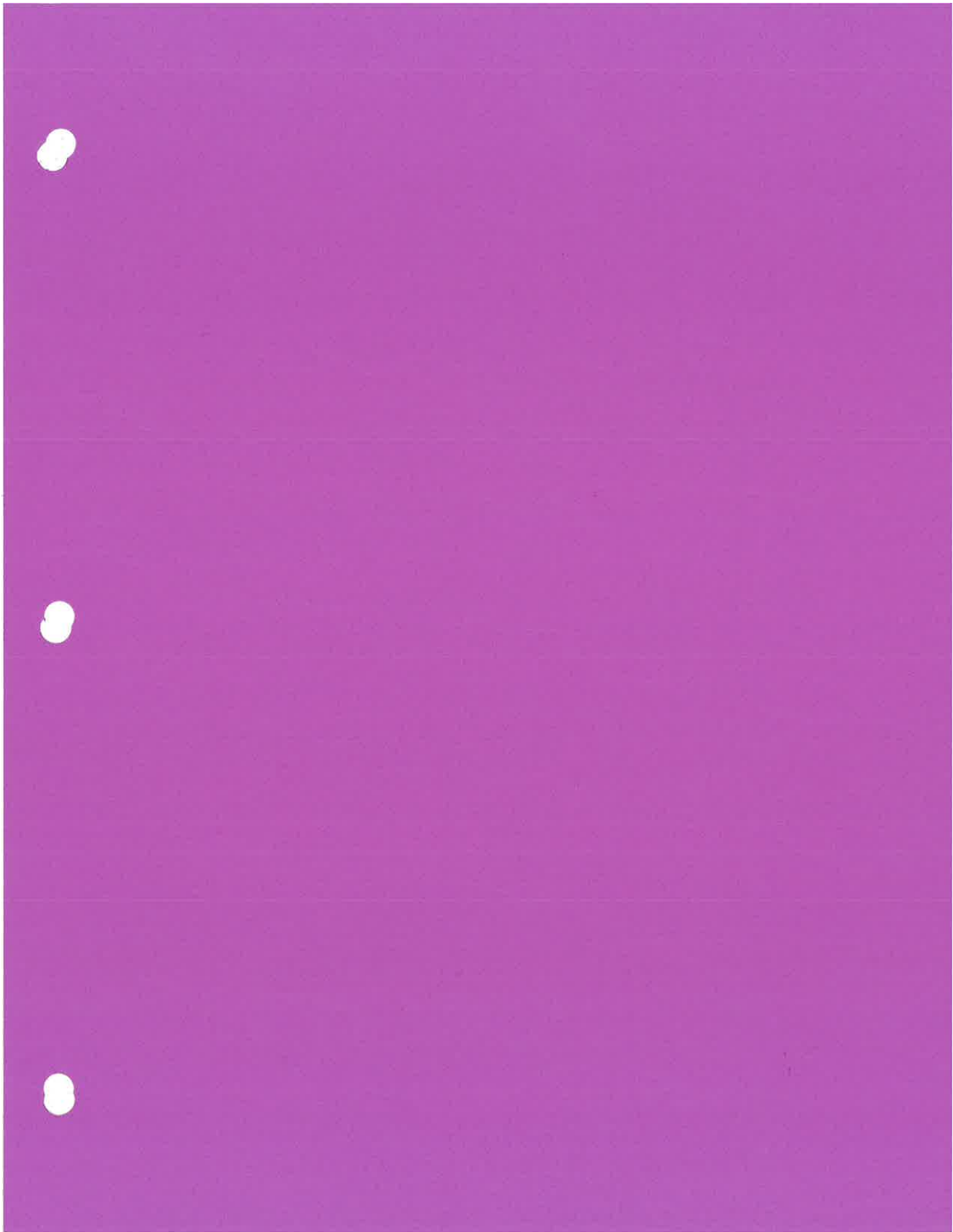
Sections:

- 19.18.010 Purpose.
- 19.18.020 Permitted uses.
- 19.18.025 Liquefied petroleum gas installations.
- 19.18.027 Conditional uses.
- 19.18.030 Density designation.
- 19.18.040 Size.
- 19.18.050 Presubmission conference—Plans required.
- 19.18.060 Plans approval, conditions, conformance.
- 19.18.070 Design standards—Designated—Accordance.
- 19.18.080 Common recreation, other facilities.
- 19.18.090 Subdivision procedure conformance.

19.18.010 Purpose. The purpose of a planned unit development is to allow a maximum flexibility for imaginative and innovative residential design and land utilization in accordance with the General Plan. It is intended to promote an enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and a homogeneity of use patterns.
(Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(A))

19.18.020 Permitted uses. A development in the R-PD District may consist of attached or detached single-family units, townhouses, cluster units, condominiums, garden apartments, or any combination thereof.
(Ord. 1582 § 3 (part), 1972: prior code § 11-1-11.B(B))

19.18.025 Liquefied petroleum gas installations. Liquefied petroleum gas installations are permitted as an accessory use in the R-



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19.10.050

R-PD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

A. Intent of R-PD District

The R-PD District has been to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. Historically, the R-PD District has represented an exercise of the City Council's general zoning power as set forth in NRS Chapter 278. The density allowed in the R-PD District has been reflected by a numerical designation for that district. (Example: R-PD4 allows up to four units per gross acre.) However, the types of development permitted within the R-PD District can be more consistently achieved using the standard residential districts, which provide a more predictable form of development while remaining sufficiently flexible to accommodate innovative residential development. Therefore, new development under the R-PD District is not favored and will not be available under this Code.

B. Development Standards

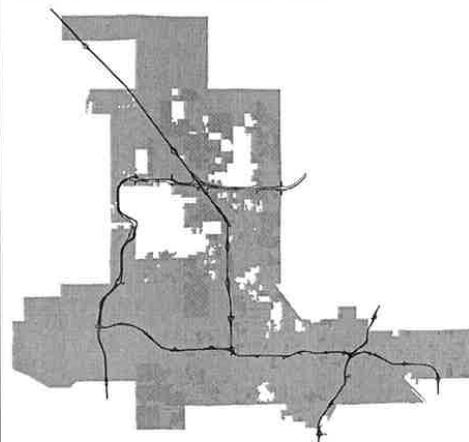
1. The development standards for a project, including minimum front, side and rear yard setbacks, grade changes, maximum building heights, maximum fence heights and fence design, parking standards, standards for any guest houses/casitas and other design and development criteria, shall be as established by the approved Site Development Plan Review for the development.
2. With regard to any issue of development standards that may arise in connection with a Residential Planned Development District and that is not addressed or provided for specifically in this Section or in the approved Site Development Plan Review for that District, the Director may apply by analogy the general definitions, principles, standards and procedures set forth in this Title, taking into consideration the intent of the approved Site Development Plan Review.
 - a. **Signage.** As this Paragraph (2) applies to standards for signage:
 - i. Single and Two-Family residential developments within a R-PD District shall be analogous to those standards indicated in LVMC 19.06.140 for the R-1 District; and
 - ii. Multi-family residential developments within a R-PD District shall be analogous

Illustrations & Graphics

R-PD

19.10.050

FIGURE 1 - RESIDENTIAL PLANNED DEVELOPMENT DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE R-PD DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTY CURRENTLY ZONED AS R-PD (RESIDENTIAL PLANNED DEVELOPMENT) DISTRICT.





to those standards indicated in LVMC
19.06.140 for the R-3 District.

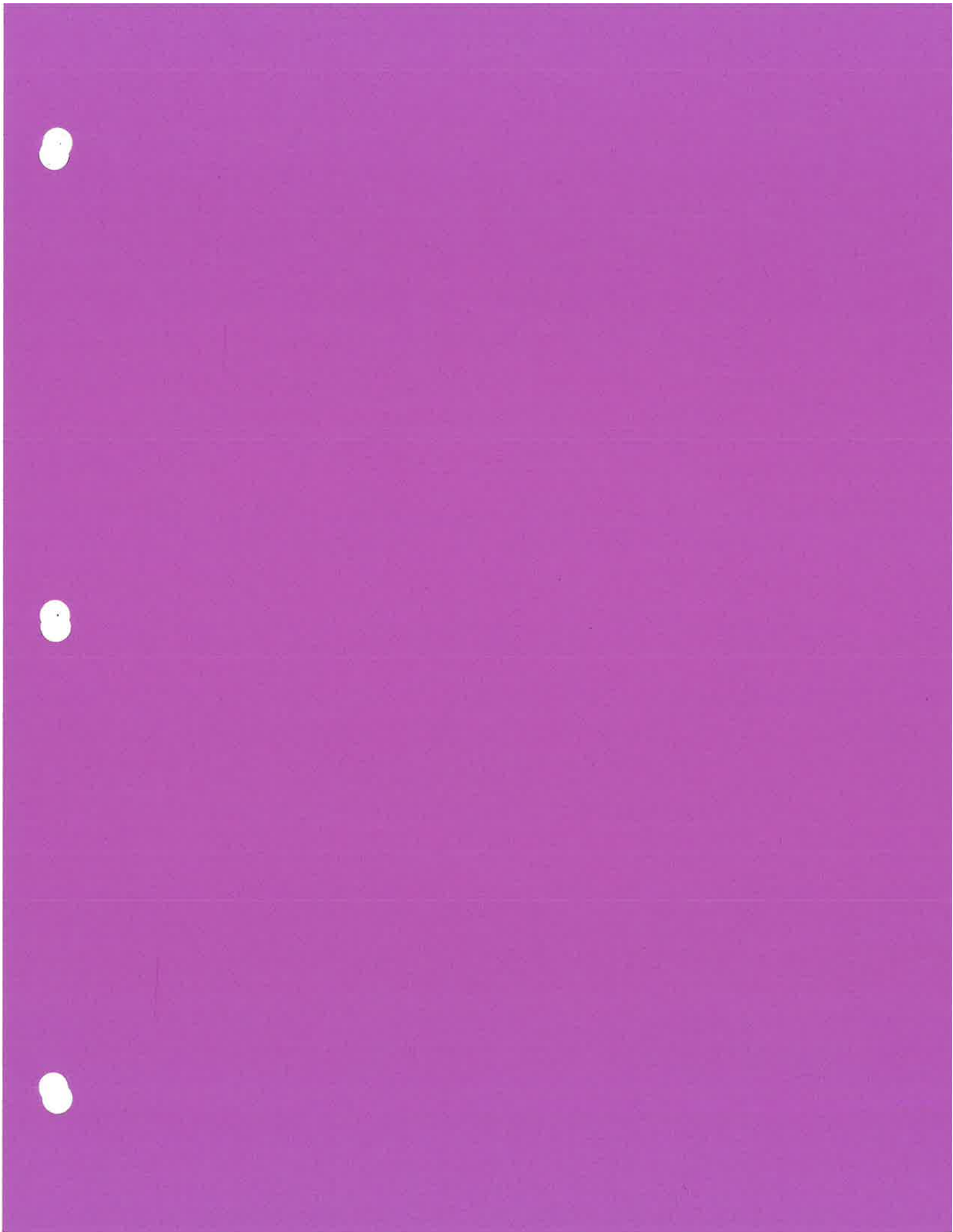
C. Permitted Land Uses

1. Single-family and multi-family residential and supporting uses are permitted in the R-PD District to the extent they are determined by the Director to be consistent with the density approved for the District and are compatible with surrounding uses. In addition, the following uses are permitted as indicated:
 - a. Home Occupations for which proper approvals have been secured.
 - b. Child Care-Family Home and Child Care-Group Home, to the extent the Director determines that such uses would be permitted in the equivalent standard residential district.
2. For any use which, pursuant to this Subsection, is deemed to be permitted within the R-PD District, the Director may apply the development standards and procedures which would apply to that use if it were located in the equivalent standard residential district.
3. For purposes of this Subsection, the "equivalent standard residential district" means a residential district listed in the Land Use Tables which, in the Director's judgment, represents the (or a) district which is most comparable to the R-PD District in question, in terms of density and development type.

D. Plan Amendment Approvals, Conditions, Conformance

Amendments to an approved Site Development Plan Review shall be reviewed and approved pursuant to LVMC 19.16.100(H). The approving body may attach to the amendment to an approved Site Development Plan Review whatever conditions are deemed necessary to ensure the proper amenities and to assure that the proposed development will be compatible with surrounding existing and proposed land uses.





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H. Subdivision Procedure Conformance

A Residential Planned Development shall follow the standard subdivision procedure. The tentative map shall include the public and private street design and dimension, lot design and dimension, location of driveways, buildings, walls, fences, walkways, open space areas, parking areas, drainage information, street names and location of utilities. The final map shall indicate the use, location and dimension of all proposed structures, streets, easements, driveways, walkways, parking areas, recreational facilities, open spaces and landscaped areas.

19.06.050 PD PLANNED DEVELOPMENT DISTRICT

A. Intent of District

The intent of the Planned Development (PD) District is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. The rezoning of property to the PD District may be deemed appropriate if the development proposed for the District can accomplish one or more of the following goals:

1. Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community;
2. Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities;
3. Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts;
4. Providing for cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design;
5. Providing for the redevelopment of areas where depreciation of any type has occurred.
6. Providing for the revitalization of designated areas;
7. Promoting or allowing development to occur in accordance with a uniform set of standards which reflect the specific circumstances of the site;
8. Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities;
9. Encouraging area-sensitive site planning and design; and
10. Contributing to the health, safety and general welfare of the community and providing development which is compatible with the City's goals and objectives.

B. Definitions

For purposes of this subchapter:

1. "Master development plan" means a specific written plan and accompanying maps which identify, with respect to a PD District development, the proposed location and size of development parcels, land uses and zoning designations; transportation plans and a traffic impact analysis; open space, community facilities and amenity plans; and the applicable development regulations and design standards.
2. "Development standards" means the minimum standards for development in the Planned Development District, including but not limited to standards for intensity and type of use; densities; building design, layout, configuration, height, coverage, spacing, bulk and setback requirements; provision for utilities; topography and drainage patterns; signage; open space and landscaping; on-site vehicular and pedestrian circulation and parking; urban design elements and features; and site amenities.

C. Rezoning And Minimum Site Area

{Ord 6095 – 06/02/10}

Property may be rezoned to the Planned Development District by the City Council in accordance with the requirements of this Chapter and Chapter 19.18.040. Each rezoning parcel shall be described as a separate district, with distinct boundaries and specific design and development standards. Each district shall be assigned a district development project number or label, along with the designation "PD". The rezoning shall include the adoption of a specific master development plan and development standards.

The minimum site area for a Planned Development District is five acres.

D. Application Requirements

1. In the case of property that is sought to be reclassified to the Planned Development District by the property owner, the owner or authorized representative must meet with the Director of Planning and Development, or the Director's designee, before the City has any obligation to accept the rezoning application as complete.
2. In addition to the submittals required by Chapter 19.18, the following must accompany an application for rezoning submitted by a property owner:
 - a. A metes and bounds description of the proposed Planned Development District.
 - b. A proposed master development plan for the entire site.
 - c. Development standards that are proposed to be applied to the development. The development standards must include provisions regarding the installation of utility boxes and aboveground utilities that are at least as restrictive as those set forth in Section 19.12.050(D).
 - d. Any proposed conditions, covenants and restrictions for the development, including easements and grants for public utility purposes.

- e. The location of primary and secondary thoroughfares proposed for the development, including right-of-way widths and the location of access points to abutting streets.
- f. Identification of all rights-of-way, easements, open spaces or other areas to be dedicated, deeded or otherwise transferred to the City.
- g. A plan for the extension of any necessary public services and facilities, including sewer facilities and facilities for flood control and drainage.
- h. Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design, landscape, open space and signage concepts.
- i. The location and description of all buffering that is proposed between the development site and adjacent properties.
- j. Additional information and detail as may be required in order to respond to the unique characteristics of the site and its location.

E. Permitted Uses and Standards

Any combination of residential, commercial, industrial or public uses may be permitted within a specific Planned Development District to the extent they are consistent with the Master Development Plan for that District. The uses to be permitted within the District must be specified in the adopted Master Development Plan for the District. Because of the nature and purpose of the PD District, and notwithstanding any other provision of this Subchapter:

1. An application to rezone property to the PD District may be denied by the City Council, at its complete discretion, if it finds that the proposed development is incompatible or out of harmony with surrounding uses or the pattern of development within the area.
2. No use, type of development or development standard is presumptively permitted within the PD District unless it already has been included in the adopted plan for the District.
3. An application to allow within the PD District a particular use, type of development or development standard which has not already been included in the adopted plan for the District may be denied if it is incompatible or out of harmony with the surrounding uses or the pattern of development within the area.

F. Approval Of Master Development Plan and Development Standards

In connection with the approval of a Planned Development District, the City Council shall adopt a Master Development Plan and Development Standards, which will thereafter govern the development of property within the District. In considering the approval of a Master Development Plan and Development Standards for a Planned Development District, the Planning Commission and City Council shall be guided by the following objectives, and may impose such conditions and requirements deemed necessary to meet those objectives:

1. Consistency of the proposed development with the General Plan; this Title; the Design Standards Manual; the Landscape Wall, and Buffer Standards Manual; and other applicable plans, policies, standards and regulations.

2. Compatibility of the proposed development with adjacent and surrounding development.
3. Minimization of the development's impact upon adjacent roadways and neighborhood traffic, and upon other public facilities and infrastructure.
4. Protection of the public health, safety, and general welfare.

G. Modification of Master Development Plan and Development Standards

The development of property within the Planned Development District may proceed only in strict accordance with the approved Master Development Plan and Development Standards. Any request by or on behalf of the property owner, or any proposal by the City, to modify the approved Master Development Plan or Development Standards shall be filed with the Department of Planning and Development. In accordance with Subsections (1) and (2) of this Section, the Director shall determine if the proposed modification is "minor" or "major," and the request or proposal shall be processed accordingly.

1. **Minor Modification.** A Minor Modification is a modification which is requested or agreed to by the property owner and which is intended to accomplish one or more of the following:
 - a. A change in the location of a use from the location specified in the approved Master Development Plan, but only if the change in location will not have a significant impact on other uses in the area.
 - b. The addition of uses that are comparable in intensity to those permitted in connection with the rezoning approval or the approval of a Master Development Plan for the District.
 - c. A change in parking lot layout, building location or other similar change that conforms with the intent of the previously approved Master Development Plan and Development Standards.
 - d. A change in the species of plant material proposed for the District.
 - e. A decrease in the density or intensity of development from that previously approved for the District.
 - f. Any other change or modification of a similar nature which the Director determines will not have a significant impact on the District or its surroundings. A Minor Modification shall be reviewed and acted upon administratively by the Director. An applicant who is aggrieved by the Director's decision may appeal that decision to the Planning Commission by filing a written appeal with the Department no later than 10 days after the date the applicant receives notice of the administrative decision.
2. **Major Modification.** A Major Modification includes any modification which does not qualify as a Minor Modification. A Major Modification shall be processed in accordance with the procedures and standards applicable to a rezoning application, as set forth in Sections (H) to (M), inclusive, of Subchapter 19.18.040.

H. Site Development Plan Review

All development within a PD District is subject to the site development plan review procedures set forth in Subchapter 19.18.050.

I. Issue Resolution – Analogous Standards

With regard to any issue of land use regulation that may arise in connection with a Planned Development District and that is not addressed or provided for specifically in this subchapter or in the approved Master Development Plan and Development Standards for that District, the Director may apply by analogy the general definitions, principles, standards and procedures set forth in this Title, taking into consideration the intent of the approved Master Development Plan and Development Standards.

19.06.060 DCP-O DOWNTOWN CENTENNIAL PLAN OVERLAY DISTRICT

{Ord 6080 – 02/17/10}

A. Intent

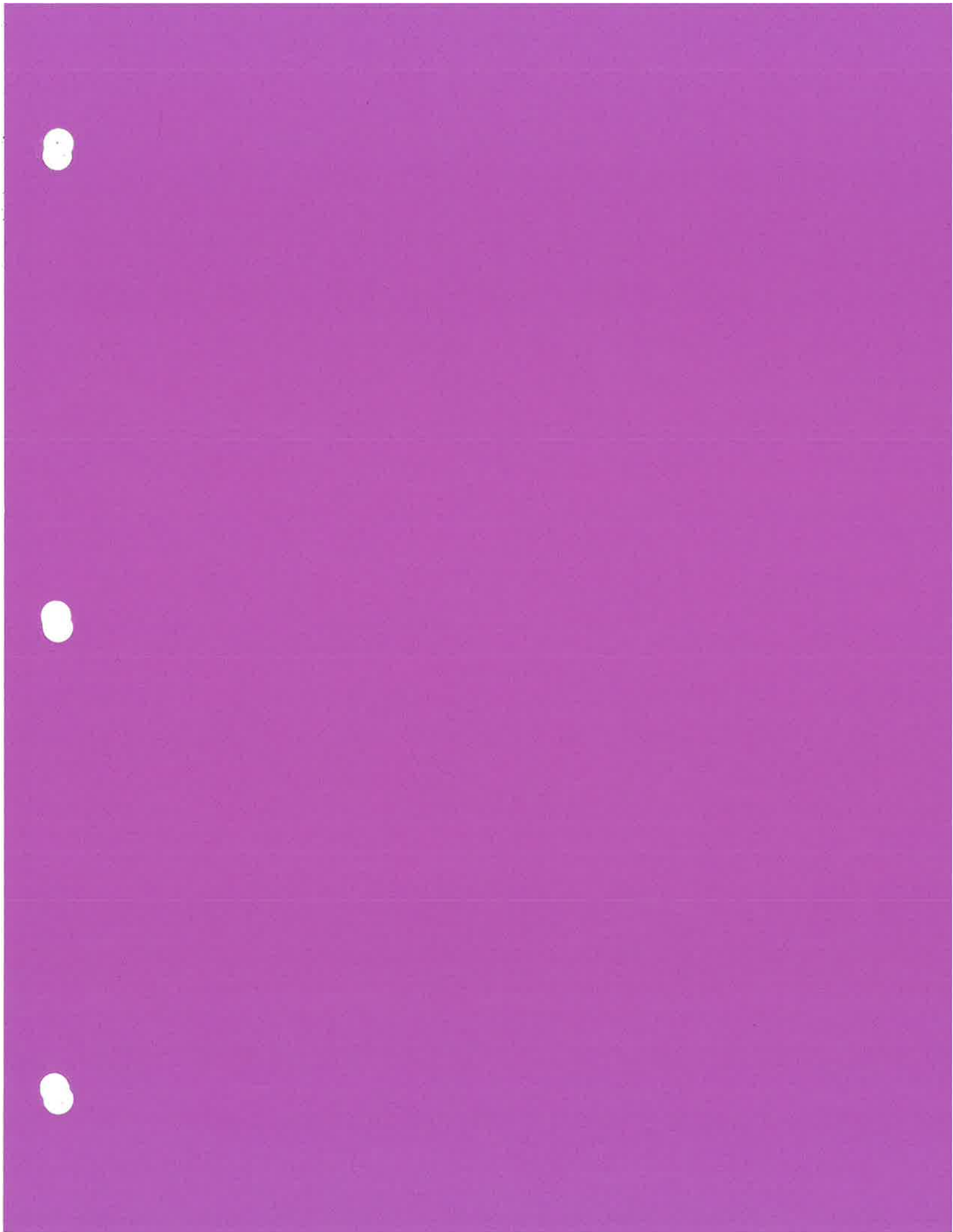
The intent of the Downtown Centennial Plan Overlay District is to establish special design standards for development within the City's established urban core. The boundaries of the District shall be as indicated at the end of this Subchapter 19.06.060.

B. Design Standards

Development within the Downtown Centennial Plan Overlay District shall conform to the Design Standards that are included within the Las Vegas Downtown Centennial Plan. Those Design Standards are adopted and incorporated by this reference. In addition, development within the boundaries of any sub-districts within the Downtown Centennial Overlay District shall conform to applicable Design Standards that have been adopted for that sub-district. As and when such Design Standards for sub-districts are adopted, they shall be deemed to be Council (whether published separately or not) shall be on file in the Office of the City Clerk and in the Planning and Development Department. The Downtown Centennial Plan Design Standards are mandatory and shall apply to any property and zoning category within the District, and any Design Standards adopted to which they pertain. Design Standards referred to in this Subsection may be amended from time to time by ordinance or by resolution of the City Council. If the City Council adopts more restrictive design standards for one or more sub-districts within the Downtown Centennial Plan Overlay District, those more restrictive standards shall apply to the sub-district to which they pertain.

C. Special Provisions

In order to encourage the development of a complex, visually interesting and urbane walkable mixed-use environment, and to encourage transit-oriented development as future transit routes and stations develop within the Downtown area, properties within the Downtown Centennial Plan Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements in Subchapter 19.08.040, Subchapter 19.08.050, Subchapter 19.08.060, Chapter 19.10, and Chapter 19.12. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. Site Development Plan applications within the Downtown Centennial Plan Overlay District shall be evaluated on a case-by-case basis to determine the extent to which those standards shall be required.



ROR022783

G. Open Space And Landscape Area Requirements

A minimum of 20 percent of the gross property area in the P-C District shall consist of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements shall be set forth in the Planned Community Program.

H. Street And Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in Title 18 of the Las Vegas Municipal Code, except as otherwise provided for specifically in an approved Planned Community Program.

I. Non-applicability Of Other Provisions- Analogous Applications

1. The Development Standards may contain provisions for the processing and review of Minor Exceptions, Deviations, Plot Plan Reviews, Development Plan Modifications and other land use control procedures. If such procedures are so provided, they supersede the corresponding procedures set forth in this Title.
2. With regard to any issue of land use regulation that may arise in connection with the PC District and that is not addressed or provided for specifically in this chapter or in an approved Planned Community Program, the Director of the Department of Planning and Development may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Planned Community Program.

19.06.040 R-PD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT**A. Intent Of R-PD District And Minimum Site Area**

The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. As with previous versions of this Title, the R-PD District represents an exercise of the City Council's general zoning power as set forth in NRS Chapter 278. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. (Example, R-PD4 allows up to four units per gross acre.)

The minimum site area that is eligible for rezoning to the R-PD zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD, may also be zoned R-PD by the City Council if it otherwise qualifies for the R-PD zoning designation. Both such properties must be owned by or be under the control of the same property owner.

B. Pre-Application Conference

Prior to the acceptance of a rezoning application to an R-PD District, a pre-application conference is required with the developer or an authorized representative and the staff of the Department of Planning and Development.

C. Development Review

1. Concurrently with the submission of a rezoning application to an R-PD District, the owner shall submit a Development Review application for the proposed project.
2. Site Development Plans shall show the following information:
 - a. The proposed uses for the property and the dimensions and locations of all proposed lots, setbacks, heights, open space and common areas, private drives, public streets and the exterior boundaries. In addition, the layout and design of all perimeter walls, landscaping, access control gates, and guard stations shall be provided. If the development is to be constructed in phases, each phase shall be delineated on the Site Development Plan. Each set of plans shall also include floor plans and elevations of the buildings.
 - b. Drainage and grading information which shall consist of either a contour map or sufficient information indicating the general flow pattern or percentage of slope.
 - c. For any development site where 20% or more of the aggregate site has a slope of natural grade above 4%, a cross section, which must extend a minimum of 100 feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials; and the elevations of existing and proposed conditions.
3. The conditions, covenants and restrictions proposed for the development shall also be submitted.

D. Development Standards

The development standards for a project, including minimum front, side and rear yard setbacks, grade changes, maximum building heights, maximum fence heights and fence design, parking standards, standards for any guest houses/casitas and other design and development criteria, shall be established by the Site Development Plans.

E. Permitted Land Uses

1. Single-family and multi-family residential and supporting uses are permitted in the R-PD District to the extent they are determined by the Director to be consistent with the density approved for the District and are compatible with surrounding uses. In addition, the following uses are permitted as indicated:
 - a. Home Occupations for which proper approvals have been secured.
 - b. Child Care-Family Home and Child Care-Group Home, to the extent the Director determines that such uses would be permitted in the equivalent standard residential district.

2. For any use which, pursuant to this Section, is deemed to be permitted within the R-PD District, the Director may apply the development standards and procedures which would apply to that use if it were located in the equivalent standard residential district.
3. For purposes of this Section, the "equivalent standard residential district" means a residential district listed in the Land Use Tables which, in the Director's judgment, represents the (or a) district which is most comparable to the R-PD District in question, in terms of density and development type.

F. Plans Approval, Conditions, Conformance

Site Development Plans shall be reviewed and approved by the Planning Commission and the City Council during the rezoning public hearing. The Planning Commission and the City Council may attach to the Site Development Plans whatever conditions they deem necessary to ensure the proper amenities and to assure that the proposed development will be compatible with surrounding existing and proposed land uses.

G. Allocation of Open Space and Common Recreational Facilities

1. Each residential planned development containing 12 or more dwelling units shall allocate and provide open space and common recreational facilities which, at a minimum, comply with the following formula:

**DENSITY (UNITS PER ACRE, TO THE NEAREST TENTH) X 1.65 =
PERCENTAGE OF GROSS LAND REQUIRED FOR OPEN SPACE/
RECREATIONAL AREA**

2. Except as otherwise permitted under Subsection (4) of this Section (G), the following do not qualify as required open space or common recreational facilities:
 - a. Rights-of-way;
 - b. Required setback areas;
 - c. Drainage easements;
 - d. Vehicle parking areas;
 - e. Landscaped entry features;
 - f. Landscape planters located along major thoroughfares or collector streets; or
 - g. Any area which is not platted as a separate lot, unless it is made available for public use by means of an appropriate access and use easement.
3. Any area allocated for public multi-use trails may be counted toward the requirement for open space and common recreational facilities unless it is not intended for open space or common recreational facilities as indicated on the list of exclusions for the trail area.
4. Any area allocated for streetscape within a subdivision may be counted toward the requirement for open space and common recreational facilities if:

- a. The streetscape conforms to the following:
 - 1) A minimum of one (1) twenty four inch (24") box tree shall be provided for every thirty feet (30') of gross frontage, with a maximum distance of thirty feet (30') on-center between any such tree and the tree nearest to it, whether on the same or different lot;
 - 2) A minimum of four (4) shrubs, each with a minimum size of five (5) gallons, shall be provided for every tree; and
 - 3) Bare soil is not permitted. Any streetscape area not covered by vegetation must contain a minimum of two inches (2") of rock mulch or decomposed granite.
 - b. Where practical, such streetscape is provided on both sides of the street on all internal streets within the subdivision;
 - c. The area allocated for streetscape is not less than five feet (5') in width, and is directly adjacent to the sidewalk or curb; and
 - d. The area allocated for streetscape is dedicated as a common lot and maintained by an owners' association.
5. Open space and common recreational facilities shall be configured so as to permit optimal utilization and shall be more or less centrally located so as to be reasonable and readily accessible from all residences built or proposed for the development. A sidewalk system shall be provided to connect all residential areas to required open space and common recreational facilities. Easy and safe shortcut access to such facilities (or to any adjacent trail system, public park or public recreational facility) should be provided by means of alleyways or pathways that:
- a. Are cleared and provide for the safe passage of pedestrians or bicycle traffic only, or both;
 - b. Are improved, either with or without paving;
 - c. Have minimum widths as follows:
 - 1) When lined on at least one side with a solid wall of a height not greater than forty-two (42) inches, a minimum width of five (5) feet;
 - 2) In any other case in which the alleyway or pathway does not exceed one hundred sixty (160) feet in length, a minimum width of ten (10) feet; or
 - 3) In the case of an alleyway or pathway that exceeds one hundred sixty (160) feet in length, a minimum width of ten (10) feet, plus one (1) additional foot in width for each additional eight (8) feet in length beyond one hundred sixty (160) feet.

H. Subdivision Procedure Conformance

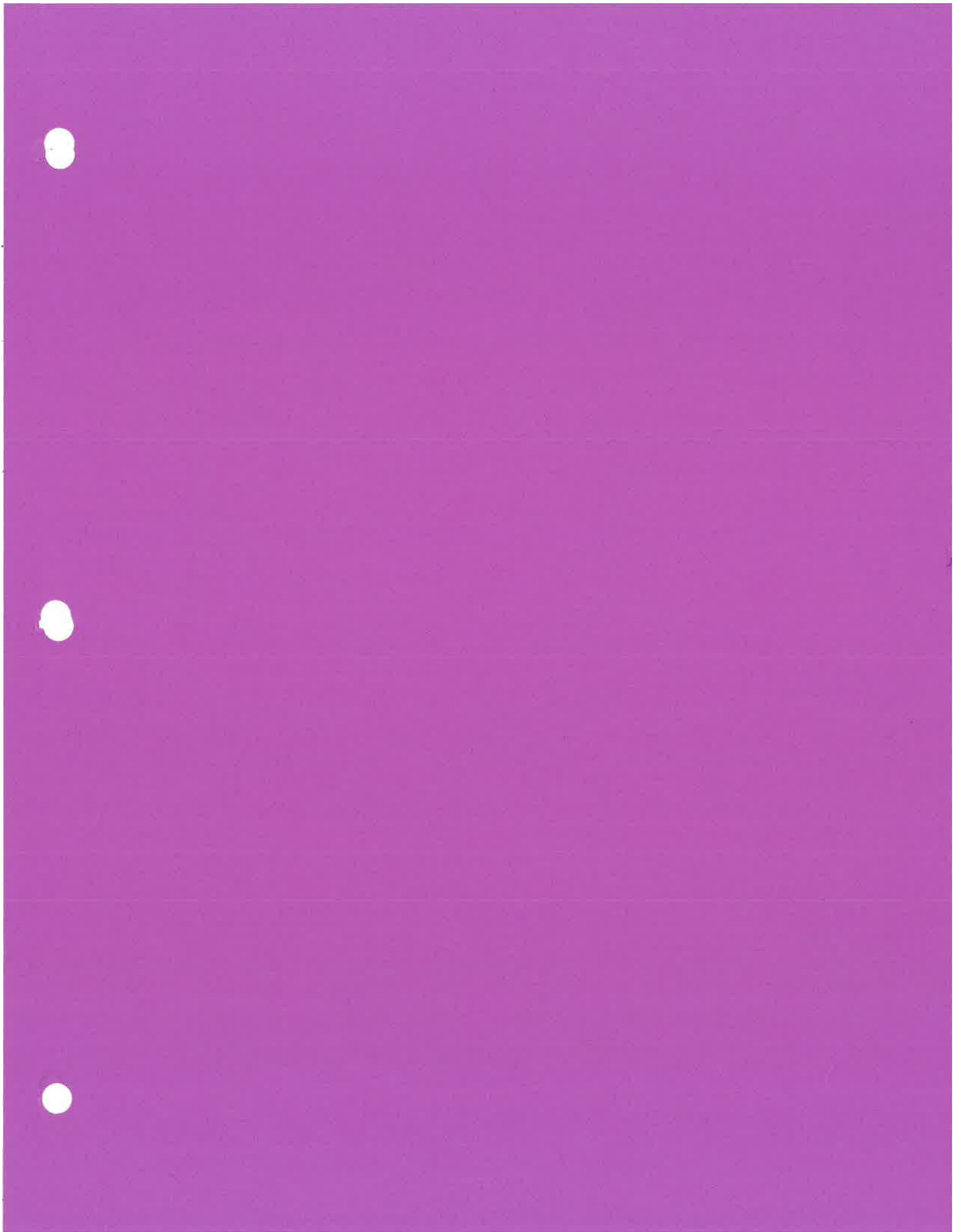
A Residential Planned Development shall follow the standard subdivision procedure. The tentative map shall include the public and private street design and dimension, lot design and dimension, location of driveways, buildings, walls, fences, walkways, open space areas, parking areas, drainage information, street names and location of utilities. The final map shall indicate the use, location and dimension of all proposed structures, streets, easements, driveways, walkways, parking areas, recreational facilities, open spaces and landscaped areas.

19.06.050 PD PLANNED DEVELOPMENT DISTRICT

A. Intent of District

The intent of the Planned Development (PD) District is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. The rezoning of property to the PD District may be deemed appropriate if the development proposed for the District can accomplish one or more of the following goals:

1. Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community;
2. Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities;
3. Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts;
4. Providing for cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design;
5. Providing for the redevelopment of areas where depreciation of any type has occurred.
6. Providing for the revitalization of designated areas;
7. Promoting or allowing development to occur in accordance with a uniform set of standards which reflect the specific circumstances of the site;
8. Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities;
9. Encouraging area-sensitive site planning and design; and
10. Contributing to the health, safety and general welfare of the community and providing development which is compatible with the City's goals and objectives.



ROR022789

PECCOLE RANCH

LAND USE DATA

PHASE TWO

<u>LAND USE</u>	<u>ACRES</u>	<u>NET DENSITY</u>	<u>NET UNITS</u>
Single-Family	401.0	7.0 du/ac	2,807
Multi-Family	60.0	24.0 du/ac	1,440
Commercial/Office	194.3	-	-
Resort-Casino	56.0	-	-
Golf Course Drainage	211.6	-	-
Right-of-Way	60.4	-	-
Elementary School	13.1	-	-
TOTAL	996.4	4.5 du/ac	4,247

Note Overall density based upon all areas except R.O.W

ROR022791

24200



19.10.020

C-V CIVIC DISTRICT

A. Intent of the District

The purpose of the C-V District is to provide for the continuation of existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District and other public utility facilities. In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V District is consistent with the Public Facilities category of the General Plan.

B. Permitted Land Uses

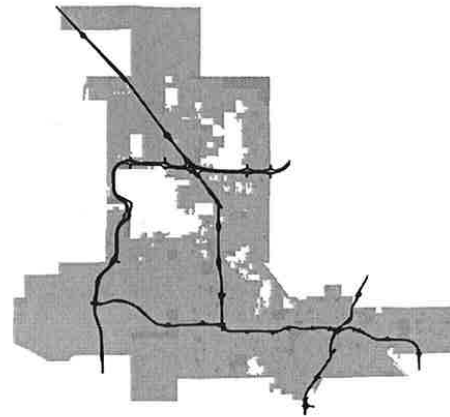
The following uses are permitted in the C-V District:

1. Any use operated or controlled by the city, county, state or federal government, other than those indicated in Subsection (D) of this Subchapter as requiring a Special Use Permit.
2. Any public or quasi-public use operated or controlled by a recognized religious, fraternal, veteran, civic or service organization, other than those indicated in Subsection (D) of this Subchapter as requiring a Special Use Permit.
3. Utility company facilities, including electrical power substation facilities, telephone switching stations and towers, water district facilities, cable TV lines and wireless communication facilities.

C. Similar Uses

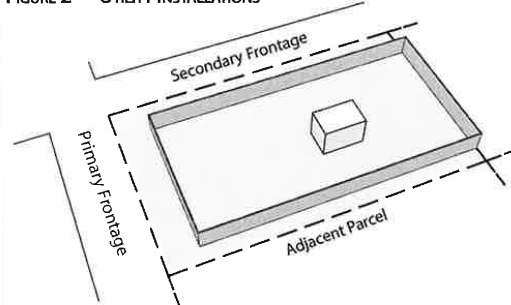
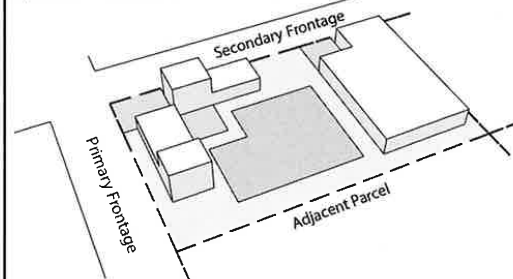
1. **Additional Uses.** The uses permitted in Subsection (B) of this Subchapter are classified on the basis of common operational characteristics and land use compatibility. Uses not specifically listed in this Subchapter are prohibited. However, additional uses may be permitted by the Director if the Director finds the use in each case to be similar to the other uses listed in Subsection (B) of this Subchapter.
2. **Appeal of Decision.** An applicant who is aggrieved by the decision of the Director may appeal that decision to the City Council. The appeal shall be filed in the office of the City Clerk, with a copy to be filed in the office of the Department of Planning. The appeal must be filed within 10 days after the decision is made. Unless otherwise stated, the Council's determination shall constitute a permanent and consistent interpretative decision, which the Director shall apply in all future instances.

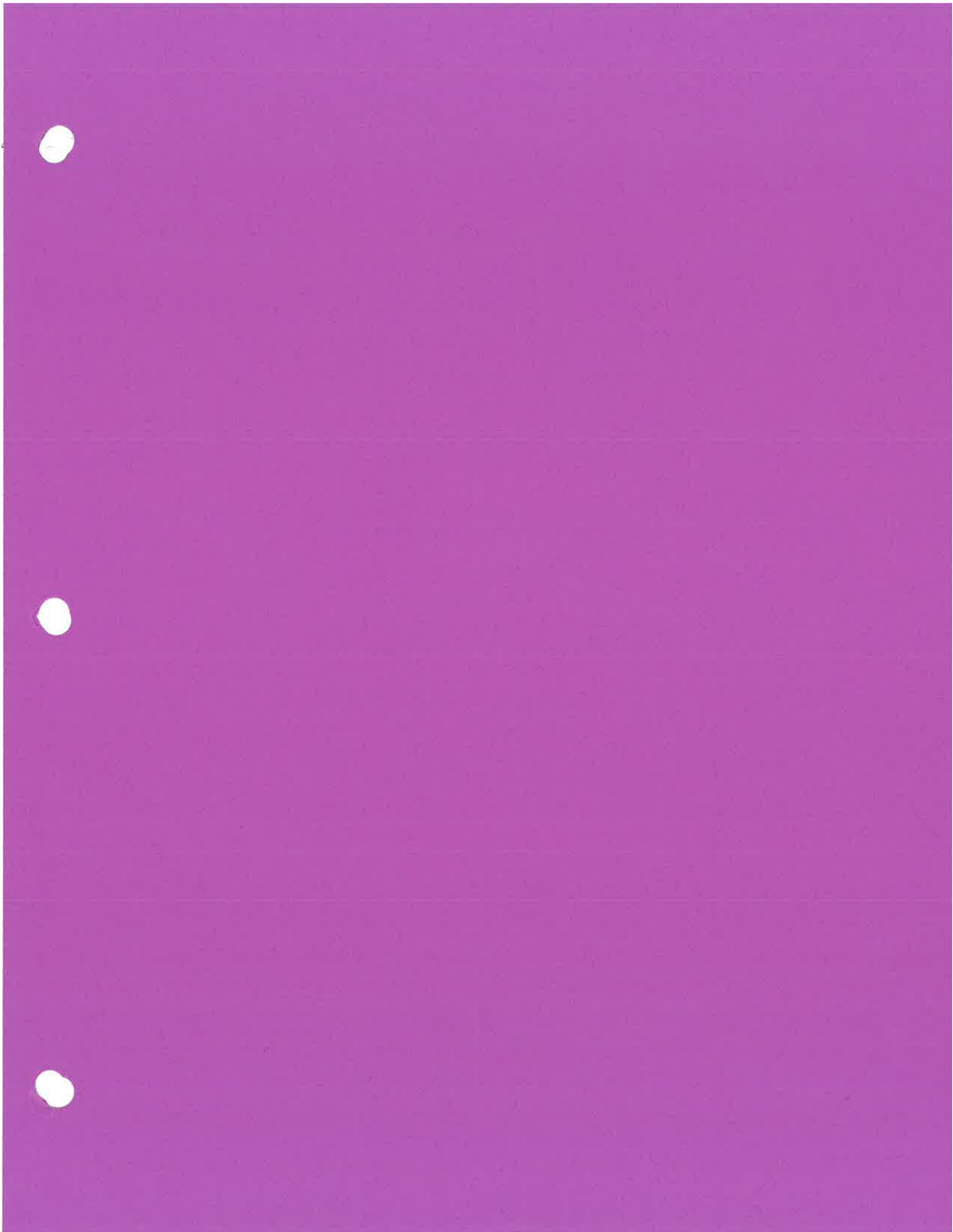
Illustrations & Graphics

C-V
19.10.020**FIGURE 1 - CIVIC DISTRICT MAP**

MAP IS REPRESENTATIVE OF WHERE THE C-V DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES CURRENTLY ZONED AS C-V (CIVIC) DISTRICT.

FIGURE 2 - UTILITY INSTALLATIONS**FIGURE 3 - BUILDINGS AND PLAZAS**



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Notes

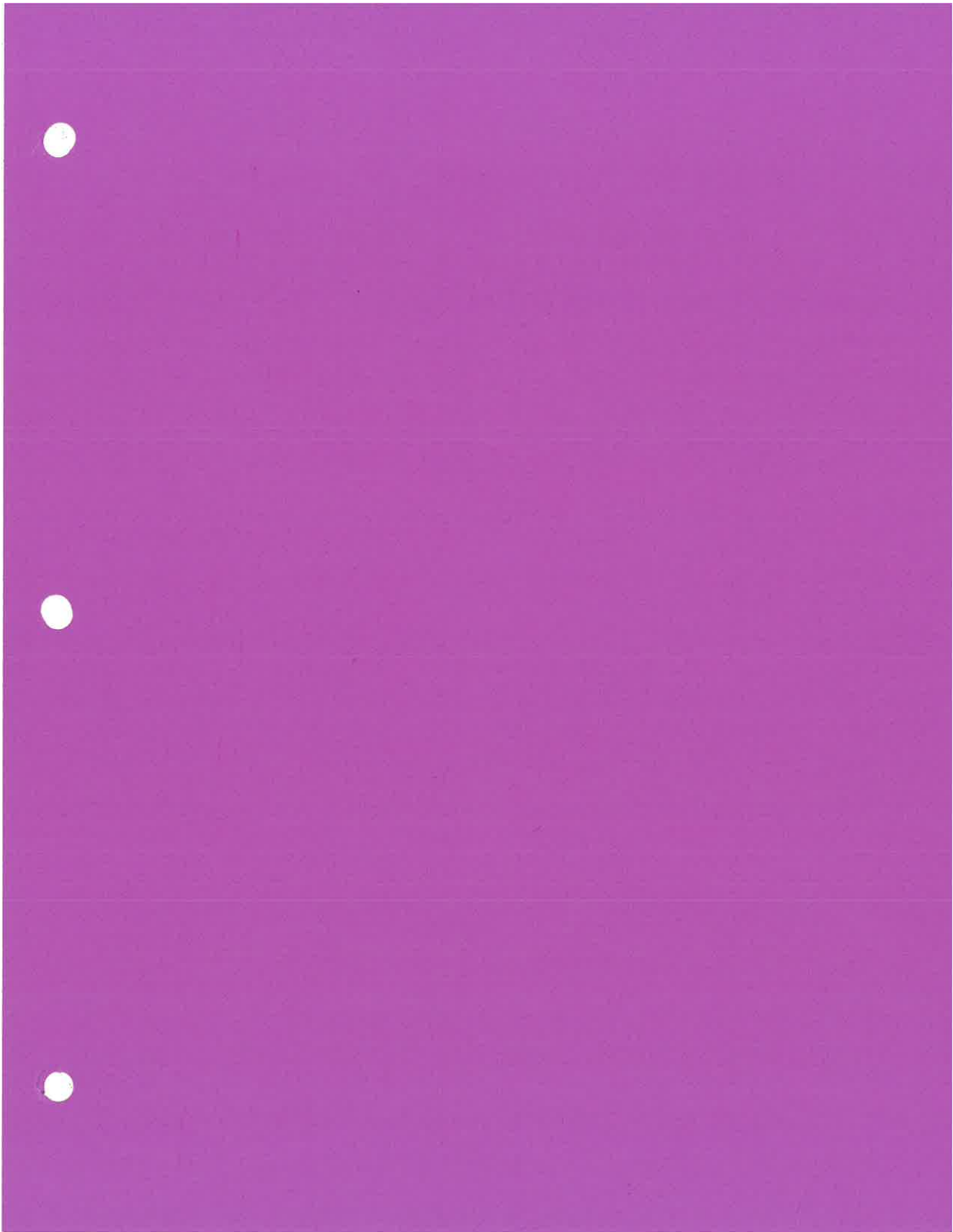
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ROR022795

24204

Box 77 Page 23

Back 77 Page 23



ROR022801

24210

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

PLANNING AND DEVELOPMENT DEPARTMENT

February 13, 1996

Ms. Wanda Peccole
Peccole 1982 Trust
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: FINAL MAP - PECCOLE WEST - FM-8-96

Dear Ms. Peccole:

Your request for a Final Map for the PECCOLE WEST subdivision, on property located on the north side of Charleston Boulevard, between Hualapai Way and Rampart Boulevard, Ward 2, N-U Zone (under Resolution of Intent to R-PD7, R-3 and C-1), was considered by the Planning Commission on February 8, 1996.

The Planning Commission unanimously voted to APPROVE your request, subject to the following:

1. Conformance to all Conditions of Approval for the Tentative Map.
2. Parcel 5 must be shown on this Final Map as a public Drainage Easement with private maintenance as per the approved Master Drainage Plan. Individual site-specific technical drainage studies shall be submitted as the individual subdivision "pods" are developed.
3. Prior to recordation of this Final Map, the applicant must submit a Revised Final Map "clearly" showing the developer's intent as to dedication of roadway right-of-way and/or easements along the Alta Drive alignment which was required by the Tentative Map to be an 80' wide roadway easement.
4. Prior to recordation, this Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate sight visibility restriction easements, if applicable, are also required to be shown on this Final Map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.

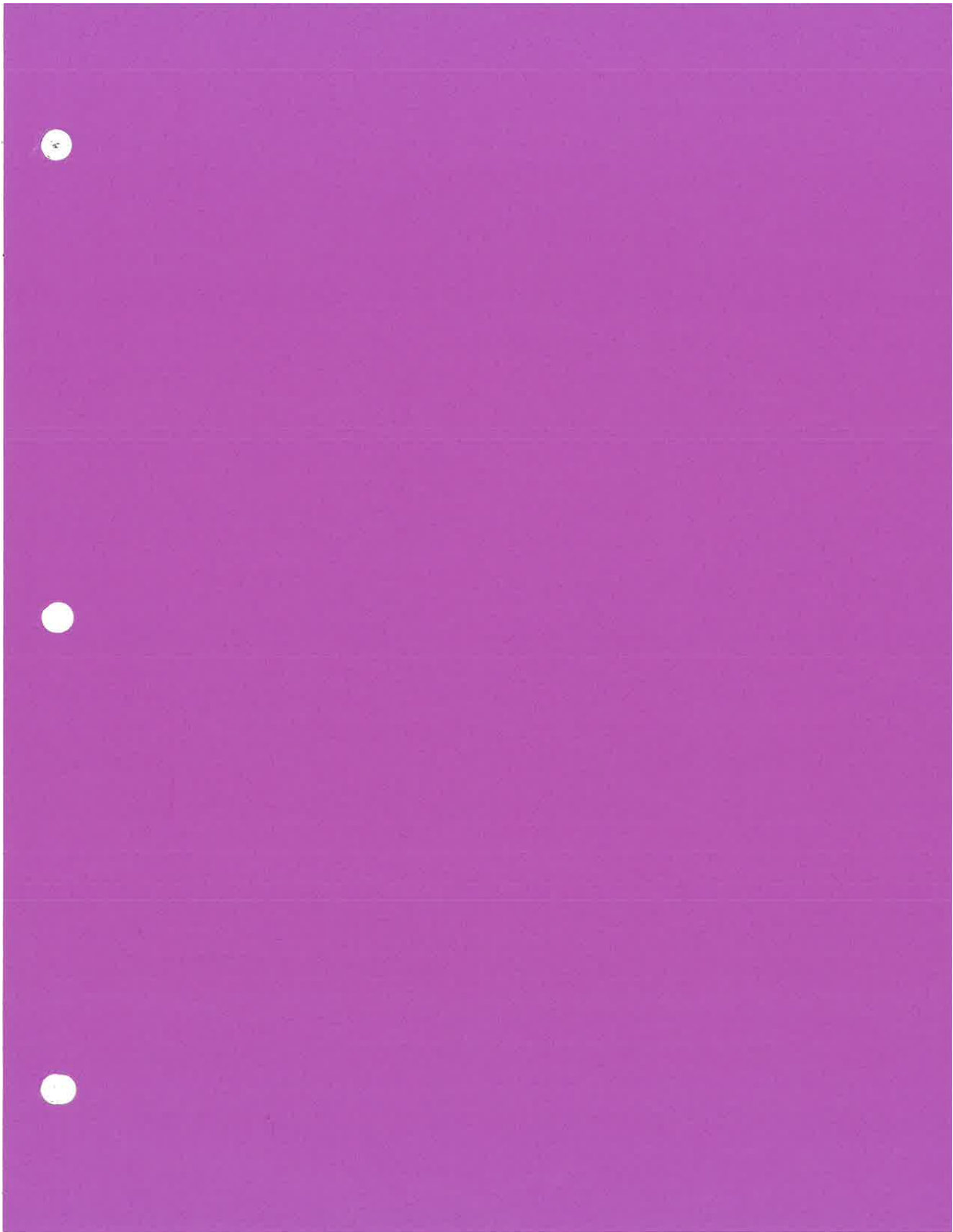


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(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

7009 3810-015-1295

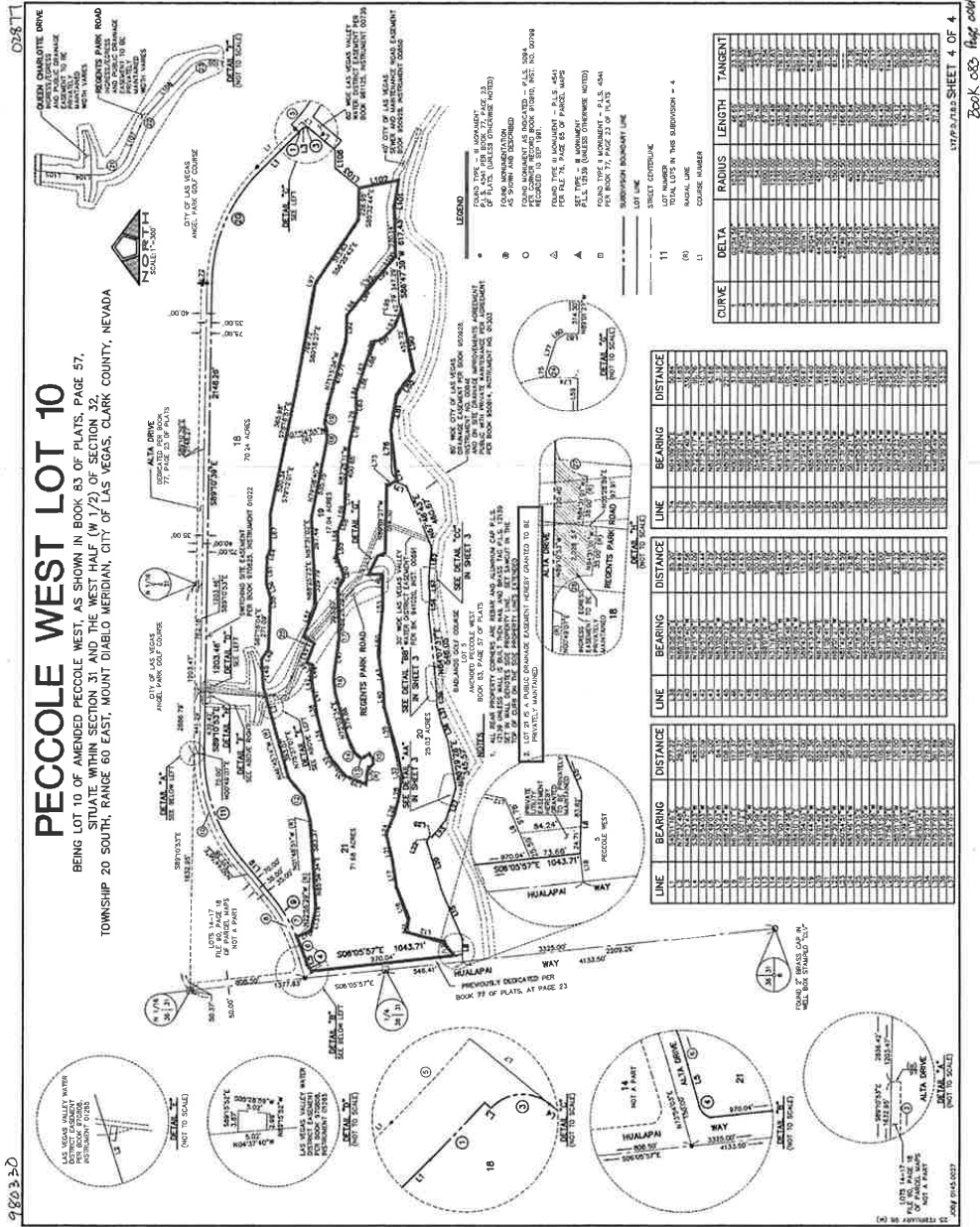
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24211



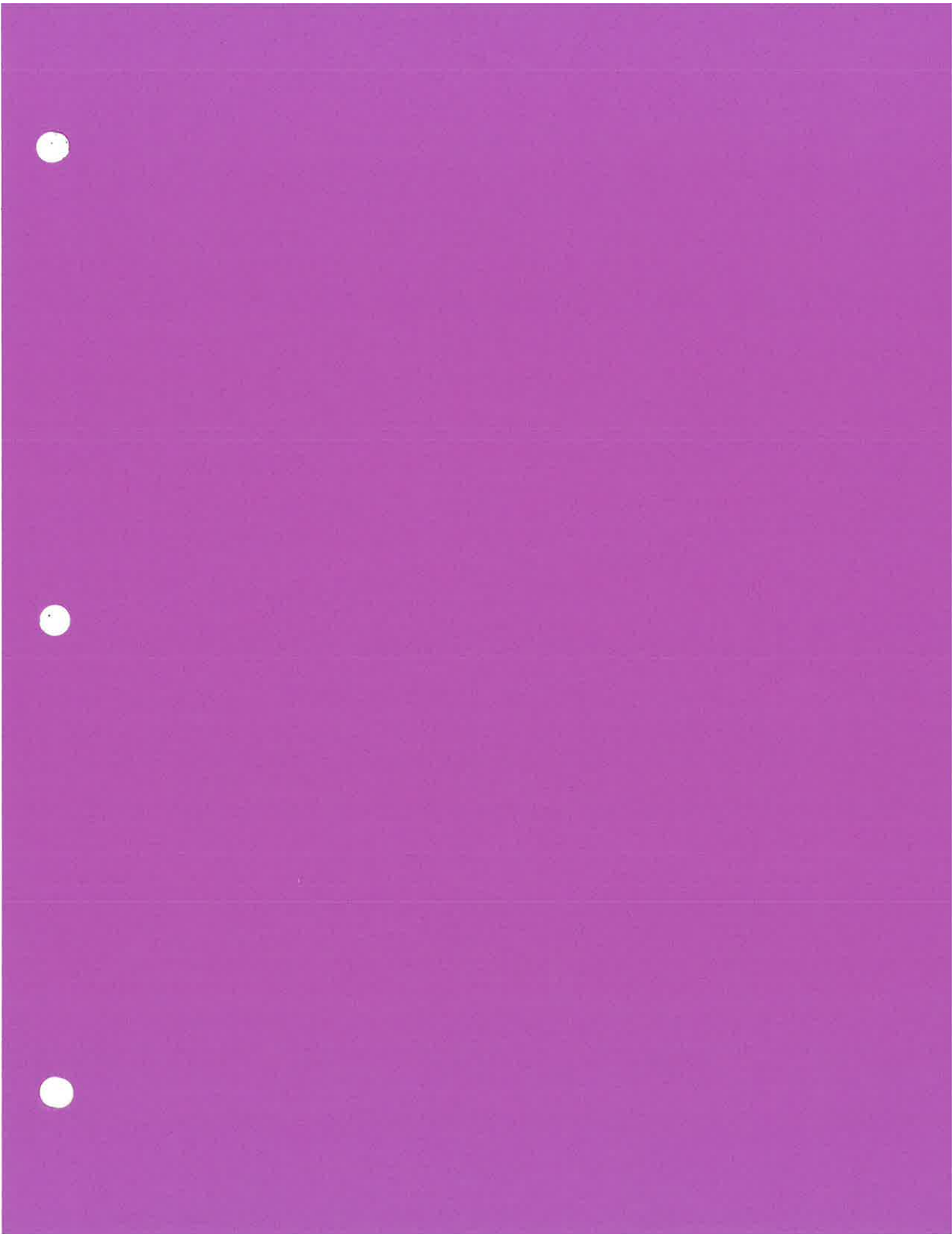
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24212



ROR022804

24213



ROR022805

24214

- A-1. TM-82-96 - PECCOLE WEST LOT 10 - PECCOLE 1982 TRUST - Request for a Tentative Map on property located on the southeast corner of Hualapai Way and Alta Drive, N-U (Non-Urban) Zone under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Size: 179.70 Acres, No. of Lots: 5, Ward 2 (Adamsen).

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

APPLICATION REQUEST:

This request is for the approval of a Tentative Subdivision Map which contains 5 lots.

BACKGROUND DATA:

- 04/04/90 The City Council approved R-PD7 (Residential Planned Development - 7 units per acre) zoning for this site as part of a larger request (Z-17-90).
- 01/04/95 The City Council approved R-PD7 (Residential Planned Development - 7 units per acre) zoning for this site as part of a larger request (Z-146-94).

FINDINGS:

These 5 lots are development parcels which will be developed as single family compact lots and a golf course, and conform to the two related zoning cases associated with this development.

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Applications Z-17-90 and Z-146-94.
2. The Peccole West Final Map (FM 8-96) shall record prior to the recordation of the Final Map for this site as required by the Department of Public Works.
3. Provide dedication for Alta Drive in accordance with the conditions of approval stated within the Peccole West Tentative Map (TM-101-95) as required by the Department of Public Works.
4. If such has not already been completed by the Master Developer, construct half-street improvements including appropriate overpaving on Hualapai Way adjacent to this site concurrent with development anywhere on this site as required by the Department of Public Works. All existing overpaving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site as required by the Department of Public Works.

A-1. TM-82-96 - Page Two

ROR022806

24215

5. Construct full width street improvements along Alta Drive between Rampart Boulevard and Hualapai Way concurrent with the first phase of development anywhere on this site as required by the Department of Public Works. Construction of Alta Drive may be phased with development of individual sites; however, the limits of construction shall be determined by the City Engineer to provide continuous corridors to the individual sites, and as is necessary to handle increases in traffic demand. The City of Las Vegas reserves the right to demand the timely construction of any and all incomplete full-width street improvements on Alta Drive between Hualapai Way and Rampart Boulevard when area traffic concerns may prompt such a request.
6. Contribute \$187,020.00 per the Peccole Ranch Signal Participation Proposal prior to the issuance of building or off-site permits as required by the Department of Public Works. The developer may provide to the City Engineer a cost breakdown based on the individual pod sites created by this map. The golf course sites must provide payment prior to the issuance of any permits for the golf course sites or prior to the recordation of a final map for those sites, whichever may occur first. If the residential pod sites are further divided, payment is expected prior to any recordation of final maps for those individual residential subdivisions. A payment plan shall be provided and payments are expected prior to any maps that allow final development of the individual sites. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City of Las Vegas reserves the right to utilize the contributed traffic signal monies for the installation of traffic signals at any other intersection within the general facility which is impacted by this development and which has a more immediate need for signalization.
7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been secured.
8. Provide two lanes of paved, legal access to each individual parcel within this site prior to occupancy of any units within this development as required by the Department of Public Works.
9. Site development to comply with all applicable conditions of approval for the overall Peccole West Tentative Map TM-101-95, Z-17-90, Z-146-94 and all other site-related actions as required by the Department of Public Works.
10. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.
11. Standard Condition Nos. 1 - 5.

ROR022807

24216

PLANNING AND DEVELOPMENT DEPARTMENT

November 26, 1996

Mr. Bruce Bayne
Peccole 1982 Trust
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: TENTATIVE MAP - PECCOLE WEST LOT 10 - TM-82-96

Dear Mr. Bayne:

Your request for a Tentative Map on property located on the southeast corner of Hualapai Way and Alta Drive, N-U (Non-Urban) Zone under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Size: 179.70 Acres, No. of Lots: 5, Ward 2 (Adamsen), was considered by the Planning Commission on November 21, 1996.

The Planning Commission unanimously voted to approve your request, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Applications Z-17-90 and Z-146-94.
2. The Peccole West Final Map (FM 8-96) shall record prior to the recordation of the Final Map for this site as required by the Department of Public Works.
3. Provide dedication for Alta Drive in accordance with the conditions of approval stated within the Peccole West Tentative Map (TM-101-95) as required by the Department of Public Works.
4. If such has not already been completed by the Master Developer, construct half-street improvements including appropriate overpaving on Hualapai Way adjacent to this site concurrent with development anywhere on this site as required by the Department of Public Works. All existing overpaving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site as required by the Department of Public Works.

ROR022808

24217

TO: Mr. Bayne
RE: TM-82-96

November 26, 1996
Page Two

5. Construct full width street improvements along Alta Drive between Rampart Boulevard and Hualapai Way as required by the Department of Public Works. Construction of Alta Drive may be phased with development of individual sites; however, the limits of construction shall be determined by the City Engineer to provide continuous corridors to the individual sites, and as is necessary to handle increases in traffic demand. The City of Las Vegas reserves the right to demand the timely construction of any and all incomplete full-width street improvements on Alta Drive between Hualapai Way and Rampart Boulevard when area traffic concerns may prompt such a request.
6. Contribute \$187,020.00 per the Peccole Ranch Signal Participation Proposal prior to the issuance of building or off-site permits as required by the Department of Public Works. The developer may provide to the City Engineer a cost breakdown based on the individual pod sites created by this map. The golf course sites must provide payment prior to the issuance of any permits for the golf course sites or prior to the recordation of a final map for those sites, whichever may occur first. If the residential pod sites are further divided, payment is expected prior to any recordation of final maps for those individual residential subdivisions. A payment plan shall be provided and payments are expected prior to any maps that allow final development of the individual sites. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City of Las Vegas reserves the right to utilize the contributed traffic signal monies for the installation of traffic signals at any other intersection within the general facility which is impacted by this development and which has a more immediate need for signalization.
7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been secured.
8. Provide two lanes of paved, legal access to each individual parcel within this site prior to occupancy of any units within this development as required by the Department of Public Works.
9. Site development to comply with all applicable conditions of approval for the overall Peccole West Tentative Map TM-101-95, Z-17-90, Z-146-94 and all other site-related actions as required by the Department of Public Works.
10. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.

ROR022809

24218

TO: Mr. Bayne
RE: TM-82-96

November 26, 1996
Page Three

11. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.
12. Street names must be provided in accord with the City's Street Naming Regulations.
13. All development is subject to the conditions of City departments and State Subdivision Statutes.
14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

This action by the Planning Commission is final unless a written appeal is filed with the City Clerk within seven days of the date of this letter or there is a review action filed by the City Council within the same time period.

Very truly yours,

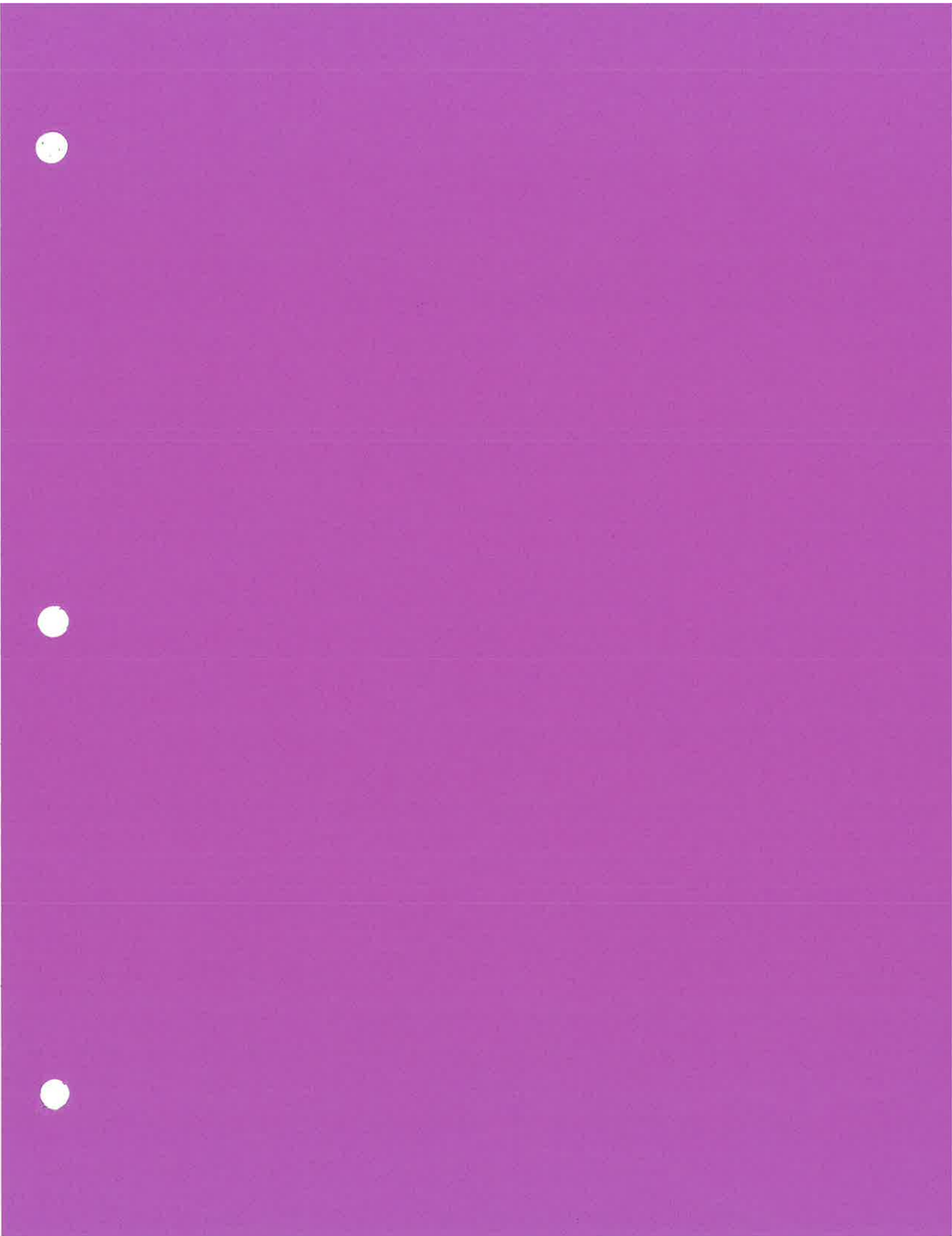
David Clapsaddle, Senior Planner
Current Planning Division

DC:cc

cc: Ms. Liz Ainsworth
Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

ROR022810

24219



ROR022811

24220

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

PLANNING AND DEVELOPMENT DEPARTMENT

November 26, 1996

Mr. Bruce Bayne
Peccole 1982 Trust
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: TENTATIVE MAP - PECCOLE WEST LOT 10 - TM-82-96

Dear Mr. Bayne:

Your request for a Tentative Map on property located on the southeast corner of Hualapai Way and Alta Drive, N-U (Non-Urban) Zone under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Size: 179.70 Acres, No. of Lots: 5, Ward 2 (Adamsen), was considered by the Planning Commission on November 21, 1996.

The Planning Commission unanimously voted to approve your request, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Applications Z-17-90 and Z-146-94.
2. The Peccole West Final Map (FM 8-96) shall record prior to the recordation of the Final Map for this site as required by the Department of Public Works.
3. Provide dedication for Alta Drive in accordance with the conditions of approval stated within the Peccole West Tentative Map (TM-101-95) as required by the Department of Public Works.
4. If such has not already been completed by the Master Developer, construct half-street improvements including appropriate overpaving on Hualapai Way adjacent to this site concurrent with development anywhere on this site as required by the Department of Public Works. All existing overpaving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site as required by the Department of Public Works.



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(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

CLV 7009
3810-015-6/95

ROR022812

24221

TO: Mr. Bayne
RE: TM-82-96

November 26, 1996
Page Two

5. Construct full width street improvements along Alta Drive between Rampart Boulevard and Hualapai Way as required by the Department of Public Works. Construction of Alta Drive may be phased with development of individual sites; however, the limits of construction shall be determined by the City Engineer to provide continuous corridors to the individual sites, and as is necessary to handle increases in traffic demand. The City of Las Vegas reserves the right to demand the timely construction of any and all incomplete full-width street improvements on Alta Drive between Hualapai Way and Rampart Boulevard when area traffic concerns may prompt such a request.
6. Contribute \$187,020.00 per the Peccole Ranch Signal Participation Proposal prior to the issuance of building or off-site permits as required by the Department of Public Works. The developer may provide to the City Engineer a cost breakdown based on the individual pod sites created by this map. The golf course sites must provide payment prior to the issuance of any permits for the golf course sites or prior to the recordation of a final map for those sites, whichever may occur first. If the residential pod sites are further divided, payment is expected prior to any recordation of final maps for those individual residential subdivisions. A payment plan shall be provided and payments are expected prior to any maps that allow final development of the individual sites. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City of Las Vegas reserves the right to utilize the contributed traffic signal monies for the installation of traffic signals at any other intersection within the general facility which is impacted by this development and which has a more immediate need for signalization.
7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been secured.
8. Provide two lanes of paved, legal access to each individual parcel within this site prior to occupancy of any units within this development as required by the Department of Public Works.
9. Site development to comply with all applicable conditions of approval for the overall Peccole West Tentative Map TM-101-95, Z-17-90, Z-146-94 and all other site-related actions as required by the Department of Public Works.
10. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.

ROR022813

24222

TO: Mr. Bayne
RE: TM-82-96

November 26, 1996
Page Three

11. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.
12. Street names must be provided in accord with the City's Street Naming Regulations.
13. All development is subject to the conditions of City departments and State Subdivision Statutes.
14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

This action by the Planning Commission is final unless a written appeal is filed with the City Clerk within seven days of the date of this letter or there is a review action filed by the City Council within the same time period.

Very truly yours,



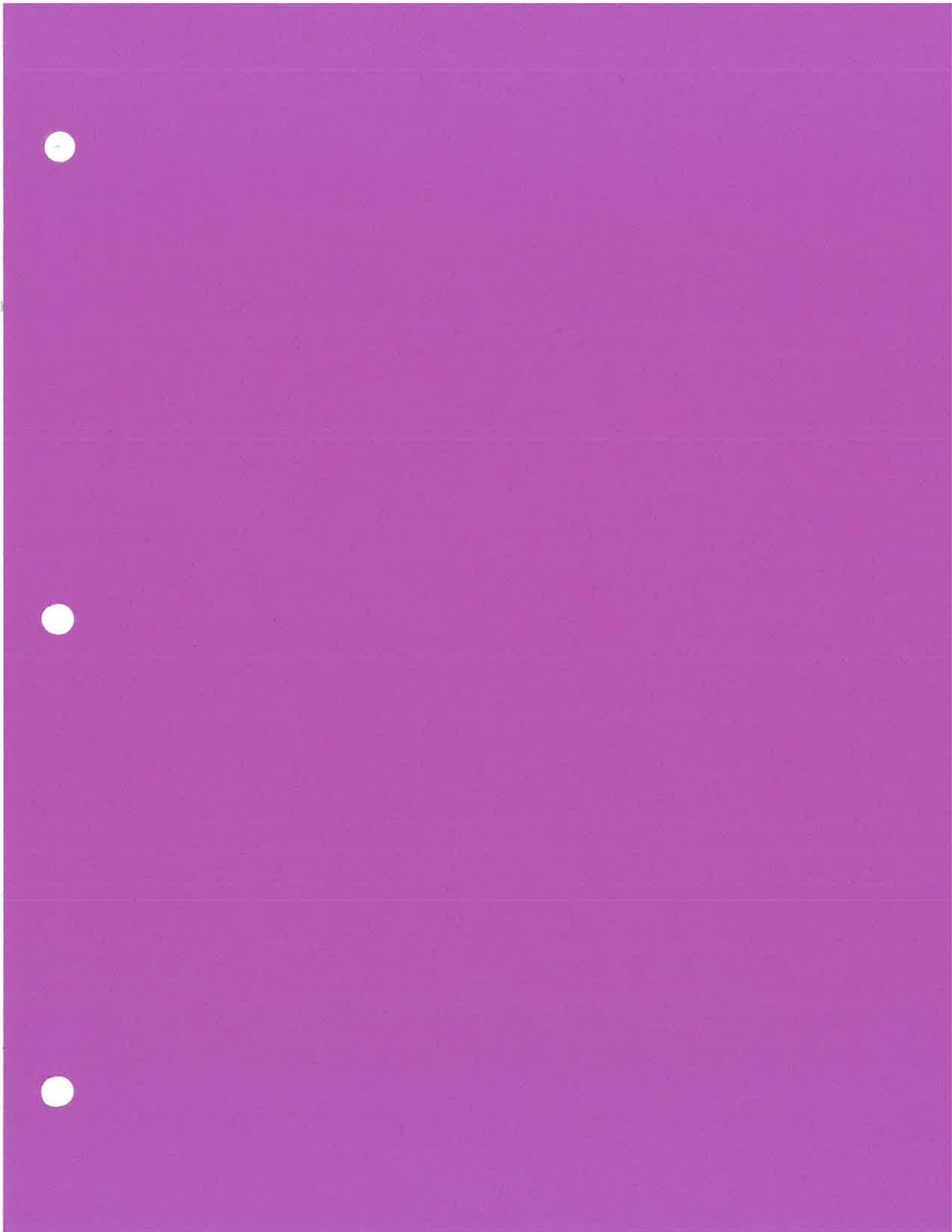
David Clapsaddle, Senior Planner
Current Planning Division

DC:cc

cc: Ms. Liz Ainsworth
Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

ROR022814

24223



ROR022815

(TO REMAIN WITH FINAL MYLAR WHILE PROCESSING)

PROJECT NAME/LOCATION: PECCOLE WEST / HUNTER AND ALTA *(not in computer)*
RMEJDEFD
FM-8 - 96(1) SURVEYOR/ENGINEER: PENTACORE

SUBMITTAL	DATE RECEIVED	REVIEWED BY	APPROVED/NOT APPROVED	DATE ROUTED	DATE TO SURVEYOR	RELEASED FOR RECORDATION
LAND DEVELOPMENT	3/13	MG	APP'D	3/17	FOR USE ONLY	SURVEYOR'S ONLY
RIGHT-OF-WAY	3/11/98	CML	APP'D	3/18		
FLOOD CONTROL	3/18/98	GREG	APP'D	3/18/98		
SANITATION	3/18/98	EHA	APP'D	3/18/98		
DEVELOPMENT COORDINATION						
PLANNING & DEVELOPMENT	3/18/98	MP	APPROVED	3/19/98		
SURVEY	1ST					
	2ND					

COMMENTS: (CORRECTIONS NEEDED, REQUIREMENTS NOT SATISFIED, OR SPECIAL CONDITIONS)

RIGHT-OF-WAY _____

FLOOD CONTROL _____

SANITATION _____

DEVELOPMENT COORDINATION _____

PLANNING & DEVELOPMENT _____

SURVEY _____

ROR022816

24225

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date

February 27, 1998

TO: PLANNING AND DEVELOPMENT DEPARTMENT	FROM: CITY CLERK
SUBJECT: APPEAL OR CITY COUNCIL REVIEW INFORMATION ON PLANNING COMMISSION ACTIONS	COPIES TO:

This is to certify that the following action relative to the Planning Commission decision on the application of:

FILE NO.: AMENDED FINAL MAP - A PORTION OF PECCOLE WEST - FM-8-96(1)

APPLICANT: PECCOLE 1982 TRUST

Appeal by applicant or any other aggrieved person:

Yes ☐ No ☒

Review requested by City Council:

Yes ☐ No ☒

3/6/98
DATE

Beverly K. Bridges
CITY CLERK

By: Beverly K. Bridges
Chief Deputy City Clerk

PLANNING AND DEVELOPMENT
DEPARTMENT INFORMATION:

Date of Planning Commission Action:

FEBRUARY 26, 1998

Last day for filing an appeal by applicant
or any other aggrieved person. (Appeal
period is 7 days after the date of PC action).

MARCH 5, 1998

Last day for a review being requested by
the City Council. (Review period is 7 days
after the date of PC action).

MARCH 5, 1998

ROR022817

24226

PLANNING &
DEVELOPMENT



Development
Services Center
731 S. Fourth Street
Las Vegas, NV 89101

TDD 702-386-9108
Voice:
Administration 229-6353
Comp. Planning 229-6012
Current Planning 229-6301
Permits & 229-6251
Inspections

Mayor
Jan Lavery Jones

Councilmen
Arnie Adamsen
Michael J. McDonald
Gary Reese
Larry Brown

City Manager
Larry K. Barton



March 3, 1998

Mr. Larry Miller
Peccole 1982 Trust
851 South Rampart Boulevard, Suite #100
Las Vegas, Nevada 89128

RE: AMENDED FINAL MAP - PECCOLE WEST - FM-8-96(1)

Dear Mr. Miller:

Your request for an Amended Final Map on property located north of Charleston Boulevard between Hualapai Way and Rampart Boulevard, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Ward 2 (Adamsen), was considered by the Planning Commission on February 26, 1998.

The Planning Commission unanimously voted to **APPROVE** your request, subject to the following:

1. Conformance to all Conditions of Approval for the original Final Map.
2. Prior to recordation, this amended Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans, and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate site visibility restriction easements, if applicable, are also required to be shown on this amended final map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.

This action by the Planning Commission on February 26, 1998 is final unless a written appeal is filed with the City Clerk within seven days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period.

Very truly yours,

Kira Wauwie, Senior Planner
Current Planning Division

KW:cl

cc: Ms. Liz Ainsworth
Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

ROR022818

24227

PLANNING COMMISSION

MEETING OF

FEBRUARY 26, 1998

City of Las Vegas

AGENDA & MINUTES

Page 17

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

A-7.

**FM-8-96(1) - A PORTION OF PECCOLE WEST
- PECCOLE 1982 TRUST**

Request for an Amended Final Map on property located north of Charleston Boulevard between Hualapai Way and Rampart Boulevard, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Size: 368.81 Acres, No. of Lots: 2, Ward 2 (Adamsen).

STAFF RECOMMENDATION: APPROVAL,
subject to the following:

1. Conformance to all Conditions of Approval for the original Final Map.
2. Prior to recordation, this amended Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans, and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate site visibility restriction easements, if applicable, are also required to be shown on this amended Final Map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Moran -

APPROVED ITEM NOS. A-2 THROUGH A-13, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item Nos. A-5 and A-6 because they involve a client of his law firm and Galati abstaining on Item Nos. A-5 and A-6 because they involve a client of his architectural firm.

CHAIRMAN GRIEGO stated this is a Consent item.

This is final action.

(7:59-8:01) 1 - 1630

ROR022819

24228

2/26/98 PLANNING COMMISSION

A-7. **FM-8-96(1) - A PORTION OF PECCOLE WEST - PECCOLE 1982 TRUST** - Request for an Amended Final Map on property located north of Charleston Boulevard between Hualapai Way and Rampart Boulevard, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Size: 368.81 Acres, No. of Lots: 2, Ward 2 (Adamsen).

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

APPLICATION REQUEST:

This request is for the approval of an Amended Final Map to adjust the boundaries between Lot 5 (The Badlands Golf Course) and Lot 10 (Future Single Family Development).

BACKGROUND DATA:

02/08/96 The Planning Commission approved the original Final Map for Peccole West (FM-8-96).

FINDINGS:

The Amended Final Map is in conformance with the approved Tentative Map and the R-PD7 (Residential Planned Development - 7 Units Per Acre) Zoning District regulations.

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Conformance to all Conditions of Approval for the original Final Map.
2. Prior to recordation, this amended Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans, and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate site visibility restriction easements, if applicable, are also required to be shown on this amended final map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

FM-8-96(1)

ROR022820

24229

PLANNING &
DEVELOPMENT



Development
Services Center
731 S. Fourth Street
Las Vegas, NV 89101

TDD 702-386-9108
Voice:
Administration 229-6353
Comp Planning 229-6022
Current Planning 229-6301
Permits & 229-6251
Inspections

Mayor
Jan Lavery Jones
Councilmen
Arnie Adamsen
Michael J. McDonald
Gary Reese
Larry Brown
City Manager
Larry K. Barton



February 13, 1998

Mr. Larry Miller
Peccole 1982 Trust
851 South Rampart Boulevard, Suite #100
Las Vegas, Nevada 89128

RE: AMENDED FINAL MAP - PECCOLE WEST - FM-8-96(1)

Dear Mr. Miller:

Please be advised your request, as referred to above, will be considered by the City Planning Commission at its regular meeting on *February 26, 1998*. This meeting will be held at 7:00 P. M. in the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

A copy of staff's recommendations and any conditions related to your application may be obtained prior to the meeting from the Current Planning Division, Development Services Center, 731 South Fourth Street, or you may obtain this information by calling 229-6301.

The Planning Commission requires that you or your representative be present at this meeting.

Very truly yours,

Kira Wauwie, Senior Planner
Current Planning Division

KW:cl

Enclosure

cc: Ms. Liz Ainsworth
Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

ROR022824

24233

PETER G. MORROS
Director

STATE OF NEVADA
BOB MILLER
Governor

L. H. DODGION
Administrator



(702) 486-2850

FAX (702) 486-2863

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

(Las Vegas Office)

555 E. Washington, Suite 4300

Las Vegas, Nevada 89101-1049

February 19, 1998

Ms. Lynn McNutt
Clark County Health District
P.O. Box 4426
Las Vegas, NV 89106

Dear Ms. McNutt:

RE: Peccole West -Amended Final Map-
In Las Vegas, Clark County

The Division of Environmental Protection has reviewed the above referenced subdivision and hereby certifies said subdivision with respect to water pollution and sewage disposal provided the City of Las Vegas commits to provide sewage service to said subdivision.

If the area of land disturbance is to exceed five acres for this development, a storm water permit will be required from this Division. To obtain a permit or if you need further assistance, please contact Rob Saunders at (702) 687-5870, ext 3149.

Sincerely,

W.B. Ross
Walter B. Ross, P.E.
Technical Services Branch
Bureau of Water Pollution Control

c: Robert Thompson/Water Resources/So Nv Branch
~~Robert E. Genzer/Principal Planner/City of Las Vegas~~
Pentacore

C-5230

Q:\WPDATA\SUBDIVSN\SUBLTTR\LVFIN

RECEIVED
Feb 23 2 56 PM '98
PLANNING AND
DEVELOPMENT
Fm-8-96(1)

Carson City Office: (702) 687-4670 • 333 W. Nye Lane, Carson City, NV 89706-0866

(23-196)

ROR022825

24234

Development Notification Report

Case Number: EM-8-96(1)

Applicant: Peccole 1982 Trust - 4 persons
of Peccole West

Date Prepared: February 4, 1998

Planning Commission Meeting Date: February 26, 1998

The following neighborhood associations are located within approximately one (1) mile of this development application and have been notified of this case by the Neighborhood Planning and Support Division:

<u>Peccole Ranch</u>	
<u>Queensridge Owners Assoc.</u>	

Neighborhood Planner: Angelica Espiritu

Neighborhood Services Department
Neighborhood Planning and Support Division
Revised Date: January 1997

ROR022826

24235

CITY OF LAS VEGAS
PUBLIC WORKS / SURVEY

Date:

February 17, 1998

MEMORANDUM

TO: Micki Jefferson, PLS Pentacore Surveying Inc.	FROM: Rita M. Lumos, PLS City Surveyor <i>RML</i>
SUBJECT: FM-8-96(1) Amended Peccole West	COPIES TO: Matt Pinjuv Planning and Development Dept.

Attached is a redlined drawing delineating comments from Survey review. The redlined print must be returned along with the corrected drawing for approval.

PLEASE NOTE: These comments are for survey review only. Please do not submit the mylar to Land Development, Public Works Department, until the map is also in compliance with the comments from Public Works noting the conditions of approval.

Comments:

The form regarding monuments should be the same in both your Surveyor's Certificate and the City Surveyor's Certificate. Please revise one or the other.

Please correct the line and curve tables as noted on sheet 2.

Please check the easement dimensions in detail B. The dimension along the boundary shown in the easement is longer than the dimension on the boundary of the lot.

RECEIVED
98 FEB 17 PM 2:00
PLANNING AND
DEVELOPMENT

RML: mw

C:\Data\Doc\memos\fm9-861.doc


ROR022827

24236

CITY OF LAS VEGAS
INTER-OFFICE MEMORANDUM

DATE

February 13, 1998

TO: Department of Planning & Development	FROM: Richard D. Goecke, Director Department of Public Works 
SUBJECT: Amended Final Map FM-8-96(1) A Portion of Peccole West (N. of Charleston Blvd., E. of Hualapai Way)	COPIES TO: John McNellis, Development Coordination Ed Byrge, Right-of-Way Chuck Turk/Dan Muirhead, Land Development Rita Lumos, Survey (FM, PM, & A's only) Gordon Derr, Traffic Engineering

CONDITIONS OF APPROVAL:

1. We have no objection to this Amended Final Map request to amend the boundary lines as long as all previous conditions of approval for the Peccole West subdivision and all related actions are ultimately complied with.
2. Prior to recordation, this amended Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans, and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate site visibility restriction easements, if applicable, are also required to be shown on this amended final map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.

COMMENTS TO THE APPLICANT / CONSULTANT:

The following conditions must be incorporated prior to the recordation of this Amended Final Map:

- a. We note that the alteration of lot lines by amended Final Map does not alter the underlying easements (such as public drainage easements) created by the original Final Map. If future development proposes construction over the existing public drainage easements, a Vacation Application will be required to eliminate the underlying easements.

RECEIVED
98 FEB 17 PM 2:53
PLANNING AND
DEVELOPMENT

RDG:STA/rwb

\\KHAN\PW\DEV\COR\DEPOT\DOCS\ALL_FM\SF\FM896-1.DOC

ROR022828

24237



February 3, 1998

RECEIVED

FEB 11 4 42 PM '98

PLANNING AND
DEVELOPMENT

PATRICIA MULROY
GENERAL MANAGER

DAVID A. DONNELLY, P.E.
DEPUTY GENERAL MANAGER
ENGINEERING/OPERATIONS

RICHARD J. WIMMER
DEPUTY GENERAL MANAGER
ADMINISTRATION

CHARLES K. HAUSER
GENERAL COUNSEL

State of Nevada
Division of Water Resources
555 E. Washington Avenue, Room 4200
Las Vegas, Nevada 89101

Gentlemen:

SUBJECT: WATER AVAILABILITY - FM-8-96(1), PECCOLE WEST, A.P.N. 138-31-201-001,
002, 138-31-601-003, REFERENCE CITY PLANNING COMMISSION MEETING OF
FEBRUARY 26, 1998

The Las Vegas Valley Water District (District) has reviewed the amended subdivision map. Our records indicate Lot(s) 5 and 10 identified on the amended subdivision map have previously qualified for a limited water commitment in accordance with the District's Service Rules.

For the purpose of recordation of the subject subdivision map, the following text must be placed on the original map:

Recordation of this subdivision map establishes a limited water commitment from the Las Vegas Valley Water District as follows:

<u>LOT/BLOCK</u>	<u>ACRE-FEET/YEAR</u>
5	1.0
10	1.0

If you have any questions, please contact Linda Davies at 258-3249.

Sincerely,

Original Signed By
GEORGE A. JACOBY

George A. Jacoby, Manager
Engineering Services Division

GAJ/dr

cc: Clark County Health District
City of Las Vegas Planning Department
Pentacore Engineering

1001 S. Valley View Blvd. • Las Vegas, Nevada 89153 • (702) 870-2011
Visit our Internet home page at <http://www.lvwwd.com>

BOARD OF DIRECTORS

Myrna Williams, President • Lorraine T. Hunt, Vice-President
Yvonne Atkinson Gates, Erin Kenny, Mary J. Kincaid, Lance M. Malone, Bruce L. Woodbury

ROR022829

24238

FEB. 6, 1998 9:26AM

COMM. CENTER

NO. 180 P. 3/5

2260

11:31 AM

DEVELOPMENT REVIEW TEAM MEETING

FEBRUARY 11, 1998

9:30 AM to 12:00 PM

Planning & Development Conference Room 2B, Second Floor
Development Services Center

FM-8-86(1) - A PORTION OF PECCOLE WEST - PECCOLE 1982 TRUST - Request for an Amended Final Map on property located north of Charleston Boulevard between Hualapai Way and Rampart Boulevard, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Size: 368.81 Acres, No. of Lots: 2, Ward 2 (Adamsen).

PLANNING COMMISSION: FEBRUARY 26, 1998

CASE PLANNER: KIRA WALWIE 229-4717



PUBLIC HEARING
NON-PUBLIC HEARING

Comments Due: **FEBRUARY 11, 1998**

Comments not returned by the due date will not be incorporated into the staff report for this case. Comments may be submitted either on this sheet, at the DRT meeting or e-mail to CARMAN LIVINGSTON, the agenda tech responsible for this case.

COMMENTS:

No Comment.

*Don Kilbert
Planning Office*

ROR022830

24239

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM REQUEST FOR COMMENTS

FROM: **PLANNING AND DEVELOPMENT**

FM-8-96(1)

HAND DELIVERED

* DEVELOPMENT COORDINATION - DPW	GARY REID	DSC
* FLOOD CONTROL - DPW	GREG McDERMOTT	DSC
* LAND DEVELOPMENT - DPW	STACEY CAMPBELL	DSC
PERMITS / INSPECTIONS	GEORGE GARDNER	DSC
* RIGHT-OF-WAY - DPW	CAROLYN CAVINESS	DSC
* SANITARY SEWERS - DPW	DAVE McGONEGLE	DSC
* TRAFFIC ENGINEERING - DPW	GARY PHILLIPS/RICK SCHRODER	DSC

SENT VIA COURIER OR INTER-OFFICE MAIL

REDEVELOPMENT AGENCY	JEFF MARESH	5 TH STREET SCHOOL
* ELECTRICAL SERVICES - DPW	DONALD K. BEHUNIN	3104 BONANZA RD.
* FIRE PREVENTION	JEFF DONAHUE	500 CASINO CTR.
* FIRE SERVICES - COMMUNICATIONS	MELANIE DOBOSH	500 CASINO CTR.
METRO - CRIME PREVENTION	BILL TURLOCK	601 FREMONT-2 ND FL.
METRO - INSPECTIONS BUREAU	STAN OLSEN	601 FREMONT-2 ND FL.
* SID / STREET REHAB / TRAFFIC - DPW	D. BLISS / B. HAMP / E. FOLK	4 TH FL. CITY HALL
* SURVEY - DPW	RITA LUMOS	415 N. 7 TH STREET

SENT VIA "U. S." MAIL

* CLARK COUNTY HEALTH DISTRICT
CLARK COUNTY SCHOOL DISTRICT
CLARK COUNTY ZONING
DIVISION OF WATER RESOURCES
FEDERAL HOUSING ADMINISTRATION (2 TENTATIVE MAPS)
* LAS VEGAS VALLEY WATER DISTRICT
NEVADA POWER COMPANY
SOUTHWEST GAS CORPORATION
SPRINT-CENTRAL TELEPHONE - NEVADA
* UNITED STATES POSTAL SERVICE

* ONLY THOSE INDICATED WITH A STAR ARE TO ROUTE TO GARY REID, SR ENG. TECH
ALL OTHER DIVISIONS PLEASE ROUTE TO PLANNING AND DEVELOPMENT

ROR022831

24240

DEVELOPMENT REVIEW TEAM MEETING

FEBRUARY 11, 1998

9:30 AM to 12:00 PM

Planning & Development Conference Room 2B, Second Floor
Development Services Center

FM-8-96(1) - A PORTION OF PECCOLE WEST - PECCOLE 1982 TRUST - Request for an Amended Final Map on property located north of Charleston Boulevard between Hualapai Way and Rampart Boulevard, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Size: 368.81 Acres, No. of Lots: 2, Ward 2 (Adamsen).

PLANNING COMMISSION: **FEBRUARY 26, 1998**

CASE PLANNER: **KIRA WAUWIE 229-4717**



PUBLIC HEARING

NON-PUBLIC HEARING

Comments Due: **FEBRUARY 11, 1998**

Comments not returned by the due date will not be incorporated into the staff report for this case. Comments may be submitted either on this sheet, at the DRT meeting or e-mail to CARMAN LIVINGSTON, the agenda tech responsible for this case.

COMMENTS: _____

ROR022832

24241

DEVELOPMENT REVIEW TEAM MEETING

FEBRUARY 11, 1998

9:30 AM to 12:00 PM

Planning & Development Conference Room 2B, Second Floor
Development Services Center

BETWEEN
HUALAPAI WAY AND
RAMPART BOULEVARD

~~AMENDED~~
A PORTION OF
FM-8-96(1) - ~~PECCOLE WEST~~ - PECCOLE 1982 TRUST - Request for an Amended Final Map on property located on the east side of Hualapai Way, north of Charleston Boulevard, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), ~~R-3 (Medium Density Residential) and C-1 (Limited Commercial)~~, Size: 368.81 Acres, No. of Lots: 2, Ward 2 (Adamsen).

PLANNING COMMISSION: FEBRUARY 26, 1998

CASE PLANNER: KIRA WAUWIE 229-4717

☐
☒

PUBLIC HEARING

NON-PUBLIC HEARING

Comments Due: FEBRUARY 11, 1998

Comments not returned by the due date will not be incorporated into the staff report for this case. Comments may be submitted either on this sheet, at the DRT meeting or e-mail to CARMAN LIVINGSTON, the agenda tech responsible for this case.

COMMENTS:

DRAFT

MP
HD
KW

ROR022833

24242

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[A62693]          Z O N I N G   A C T I O N S   ( 1 O F 3 )          ] <ZACT1
CASE [FM [8      [96] [1 ] BZA-CC-PC-SUM (BCPS) [P] MEETING DATE [02/26/98]
ITEM # [ ]      ACCEPTED [01/27/98] PUBLIC HEARING [N]          ] Y [SOE ]
EXISTING ZONES [U ] [ ] ROI-> [R-PD7, R-3 AND C-1
                  [ ] [ ] ROI-> [
NEW ZONE [ ] [ ] [ ] [ ] [ ] [ ]
A P P L I C A T I O N   R E Q U E S T
[FM-8-96 (1) - PECCOLE WEST - PECCOLE 1982 TRUST - RQST FOR AN AMND FIN MP ]
[ON PROP LCTD ON THE E SDE OF HUALAPAI WY, N OF CHARLESTON BLVD, U (UNDVLPD ]
[ZNE, (ML (MDM LW DNSTY RSDNTIAL) GEN PLN DSGNTN) UNDR R.O.I. TO R-PD7 (RES ]
[PLND DVLPMT, 7 UNITS PER AC), R-3 (MED DNSTY RSDNTIAL) & C-1 (LTD CML),
[SIZE: 368.81 ACS, NO. OF LOTS: 2, WARD 2 (ADAMSEN)
A P P L I C A N T          P A R C E L # [13831[210[001] MORE? [N]
[PECCOLE RANCH 1982 TRUST ] [PECCOLE WILLIAM & W 1991 TR ETAL]
[LARRY MILLER ] [MILLER LARRY TRS ]
[851 S. RAMPART BLVD ] [851 S RAMPART BLVD #100 ]
[LV NV 89128          933-1111] [LAS VEGAS NV 89128 ]
[ ] [ ]
P R O P O S E D   U S E   [ ] [PECCOLE WEST ]
[ ] [PLAT BOOK 77 PAGE 23 ]
[ ] [PT LOT 10 ]
[ ] [ ]
<145026159801271996FM 0008 1
UPDATE [ ] NEW [ ] DELETE [ ] PRINT [ ] ZACT3 [ ] ZACT2 [ ] BACK [ ]

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ROR022834

24243

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[A62693]          Z O N I N G   A C T I O N S (2 OF 3)      ] <ZACT2
CASE [FM [8      [96] [1 ] BZA-CC-PCOMM (BCP) [P] MEETING DATE [02/26/98]
ITEM #          ACCEPTED 01/27/98 PUBLIC HEARING N]
FM-8-96 (1) - PECCOLE WEST - PECCOLE 1982 TRUST - RQST FOR AN AMND. IN MP
ON PROP LC2D ON THE E SDE OF HUALAPAI WY, N OF CHARLESTON BLVD, U (UNDVLDP
ZNE, (ML (MDM LW DNSTY RSDNTIAL) GEN PLN DSGNTN) UNDR R.O.I. TO R-PD7 (RES
PLND DVLEMNT, 7 UNITS PER AC), R-3 (MED DNSTY RSDNTIAL) & C-1 (LTD CML),
SZE: 368.81 ACS, NO. OF LOTS: 2, WARD 2 (ADAMSEN)
P R O P E R T Y   L O C A T I O N
[
[
200 SCALE MAP# [      ] SIZE [      .00] ACRES #LOTS [      0]
MAP NAME [
CC: [PENTACORE ENGINEERING ] SUBD: [
[LIZ AINSWORTH ]
[6763 W. CHARLESTON BLVD. ]
[LV NV 89102      258-0115 ]
NOTICE: [
[
COMMENTS: [APN'S: 138-31-210-001,002; 310-001, 002; 412-006, 811-003
[
[
<145017799801271996FM 0008 1
UPDATE [ ] PRINT [ ] ZACT3 [ ] ZACT1 [ ] BACK [ ]

```

ROR022835

24244



PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION/PETITION FORM (Must Be Printed or Typed)

Date: 1/27/98

APPLICATION/PETITION FOR: AMENDED FINAL MAP
(Type of Action Requested)

Project Address (Location):	<u>EAST OF HUALAPAI WAY, NORTH OF CHARLESTON BOULEVARD</u>		
Proposed Use:	<u>Golf Course</u>	Assessor's Parcel No.:	<u>138-31-210-001, 002; 138-31-310-001, 002; 138-31-412-006; 138-31-811-003</u>
Project Name:	<u>AMENDED PECCOLE WEST</u>	Ward No.:	<u>2</u>
Existing General Plan:	<u>u</u>	Sixteenth Section:	<u>31&32</u> Township: <u>20S</u> Range: <u>60E</u>
Proposed General Plan:	<u>R.O.I. TO R-PD7, R-3 & C-1</u>	Existing Zoning:	<u>Proposed Zoning:</u>
Gross Acres:	<u>368.81</u>	Lots/Units:	<u>2</u> Density: <u>Commercial Sq. Ft.:</u>
Comments/Additional Information/Special Notification:			

APPLICANT INFORMATION:

<u>WILLIAM & WANDA PECCOLE FAMILY LIMITED PARTNERSHIP/</u>	
Property Owner(s):	<u>PECCOLE 1982 TRUST</u> Contact: <u>LARRY MILLER</u>
Address: <u>851 SOUTH RAMPART BOULEVARD, SUITE 100</u>	
City:	<u>LAS VEGAS</u> State: <u>NV</u> Zip: <u>89128</u> Tel: <u>933-1111</u> Fax: <u>933-1133</u>
Applicant: <u>PECCOLE NEVADA CORPORATION</u> Contact: <u>LARRY MILLER</u>	
Address: <u>851 SOUTH RAMPART BOULEVARD, SUITE 100</u>	
City:	<u>LAS VEGAS</u> State: <u>NV</u> Zip: <u>89128</u> Tel: <u>933-1111</u> Fax: <u>933-1133</u>
Represented By: <u>PENTACORE ENTINEERING, INC.</u> Contact: <u>LIZ AINSWORTH</u>	
Address: <u>6763 W. CHARLESTON BOULEVARD</u>	
City:	<u>LAS VEGAS</u> State: <u>NV</u> Zip: <u>89102</u> Tel: <u>258-0115</u> Fax: <u>258-0865</u>

SIGNATURE OF PROPERTY OWNER(S) OR AUTHORIZED AGENT
(SIGN AND PRINT OR TYPE NAME)

Property Owner(s): [Signature]

Subscribed and sworn before me this 14th day of January 1998

Notary Public

FOR DEPARTMENT USE ONLY

Case No.: FM-896(1)
Meeting Date: 2/26/98
Required Signs: 0
Map No.: 1-3-S
Total Fee(s): \$460
Receipt No.: 15559
Date Accepted: 1/27/98
Accepted By: [Signature]

App/Pet/perm, By/Quest, Com/Plan: RW-24-97

ROR022836

24245

PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION MATRIX

Type of Application/Petition	Submittal Requirements	Pre-Submittal Conference	Application/Petition Form	Notarized Signature	Fee(s)	Deed / Legal Description	Justification Letter	Summerlin Design Approval Letter	Laser Print/PMT	Building Elevations	Landscape Plan	Site Plan/Floor Plan	Tentative Map	Final Map/Parcel Map	Ward ISO or Competible Disk	Checklist	Public Hearing Sign Posting
Annexation																	
General Plan Amendment																	
Rezoning																	
Extension of Time																	
Site Development Plans																	
Special Use Permit (PC)																	
Variance (BZA)																	
Minor Exception/Certification Form																	
Tentative Map																	
Tentative Map																	
Vacation of Public Rights-of-Way																	
Parcel Map																	
Temporary Commercial Permit																	
Sign Certification Permit																	
Review of Condition(s)																	
All Other Applications																	
Street Name Change																	
Address Change																	
Development Plan Review																	
City Referral Group Site Plan Review																	
P.C. District Major Modification (PC)																	
P.C. District Major Deviation (BZA)																	
Appeal of Director's Decision																	

Please sign this sheet and turn in with application/petition

The applicant is aware that deficiencies found in exhibits submitted or with other requirements may cause the application to be deemed incomplete. This will result in processing delays. The applicant is responsible for correcting deficiencies and submitting additional data and documents as required.

Applicant's Signature

Date

App/Pec/perm/Sy/Qual/Ext/Perm/rd-24-67

ROR022837

24246



AMENDED PECCOLE WEST

PLANNING AND DEVELOPMENT DEPARTMENT
FINAL MAP CHECKLIST

A final map will be presented to the Planning Commission after the City Engineer has determined that it is accurate and conforms to all tentative map conditions.

A. DEPARTMENT OF PUBLIC WORK VERIFICATION A complete Drainage Plan and Technical Drainage Study has been submitted and verified by the Department of Public Works.

Dennis B. May Dennis B. May 1/24/98
Signature Print Name Date
(Must be signed by an authorized employee from the Department of Public Works)
Peccole West

B. FINAL MAP CONTENTS

- ☒ 1. The name of the proposed subdivision. (If applicable, this shall include proper designation as a condominium, townhouse, residential planned development or commercial subdivision.)
- ☒ 2. Date, north point and scale.
- ☒ 3. Existing and proposed lot lines and dimensions, including the square footage of all proposed lots. Each lot shall be numbered in sequence, and each block shall be numbered or lettered. Letters may be used to identify common lots.
- ☒ 4. Existing and proposed street rights-of-way widths and corner radii. Existing and proposed street names.
- ☒ 5. Existing and proposed utility rights-of-way and easement widths.
- ☒ 6. Existing and proposed irrigation or drainage channel rights-of-way and easement widths.
- ☒ 7. All monuments found, set, reset, replaced or removed, describing kind, size and location and other data relating thereto.
- ☒ 8. Bearing witness monuments, basis of bearings, bearing and length of lines and scale of map.
- ☒ 9. Name and legal description of tract in which survey is located and ties to adjoining tracts.
- ☒ 10. Areas of unobstructed vision at intersections, as described in Chapter 12 of the LVMC.

C. SUPPLEMENTAL REQUIREMENTS

The following supplemental information may be required by the Department of Public Works or the Department of Planning and Development. When required, it shall be submitted on separate drawings.

- ☒ 1. Evidence that a Drainage Plan and Technical Drainage Study has been submitted in proper form to the Department of Public Works or that said study is not required.
- ☐ 2. A statement from a Title Company which complies with the requirements of NRS 278 and NRS 116 listing the names of the current owners of record of the land and the holders of record of a security interest in the land and the written consent of each.
- ☐ 3. A copy of a sewer connection agreement verifying that downstream sewer capacity is available or that sewer capacity mitigation measures acceptable to the Department of Public Works will be provided.

App/Peccpm; SyQuest; CurrPlan; n/6-24-97

ROR022838

24247

PLANNING AND DEVELOPMENT DEPARTMENT TENTATIVE MAP CHECKLIST -

A. TENTATIVE MAP CONTENTS

- ☐ 1. The name of the proposed subdivision. (If applicable, this shall include proper designation as a condominium, townhouse, residential planned development or commercial subdivision.)
- ☐ 2. Names, addresses, and phone numbers of owner(s), subdivider and surveyor or engineer.
- ☐ 3. Date, north point and scale.
- ☐ 4. A location map giving sufficient legal description to describe tract boundaries and relationships to surrounding areas and existing public streets.
- ☐ 5. Existing topography (obtained by actual survey at one (1) foot contour (based on City datum) on-site and within one hundred fifty (150) feet of the proposed subdivision (except for existing subdivisions within one hundred fifty (150) feet). The Department of Public Works may require larger contour intervals for large tracts.
- ☐ 6. Existing structures and other physical features.
- ☐ 7. Existing and proposed lot lines and dimensions. Each proposed lot shall be numbered in sequence and each block shall be numbered or lettered. Letters may be used to identify common lots.
- ☐ 8. Existing and proposed street right-of-way widths, grades (with the direction of drainage indicated) and corner radii.
- ☐ 9. Existing and proposed street names. (A separate alphabetical listing must be submitted in addition to the names being shown on the map.)
- ☐ 10. Existing and proposed utility rights-of-way and easement widths.
- ☐ 11. Existing and proposed irrigation or drainage channel rights-of-way and easement widths.
- ☐ 12. Existing and proposed storm drains.

- ☐ 13. Existing and proposed sanitary sewer systems showing direction of flow and grade, and estimated average and peak daily sewage flows to be contributed by proposed subdivision.
- ☐ 14. Existing and proposed potable water mains. A subdivision to be supplied by wells shall indicate the location, pressure and capacity of such wells, be authorized by a State certificate, and show the potential population capable of being served by such wells.
- ☐ 15. Proposed reservations or dedications for parks, schools, or other public or quasi-public uses.
- ☐ 16. Existing street names, rights-of-way and pavement widths for streets within one hundred fifty (150) feet of the proposed subdivision.

B. SUPPLEMENTAL INFORMATION

The following supplemental information may be required by the Department of Public Works or the Department of Planning and Development. When required, it shall be submitted on separate drawings.

- ☐ 1. A traffic impact analysis, single subdivision access report, or master driveway and on-site circulation plan, prepared in accordance with City standards or as directed by the City Traffic Engineer.
- ☐ 2. Any proposed deviations from City standards.
- ☐ 3. Whenever perimeter block walls are proposed which: 1) face a public street or that adjoin property not in common ownership; 2) are within a single plane, not separated by landscaping; and 3) exceed the maximum acceptable wall heights indicated in Table "A" contained in Chapter 8 of the LVMC, the applicant shall submit three copies of a plan showing all proposed perimeter grades which indicate such walls. This plan may be superimposed on the tentative map, but must be legible. The plan shall include cross sections of all perimeter walls which exceed the height limitations indicated in Table "A".

FINAL MAP CHECKLIST

B. FINAL MAP CONTENTS

- ☒ 1. The name of the proposed subdivision. (If applicable, this shall include proper designation as a condominium, townhouse, residential planned development or commercial subdivision.)
- ☒ 2. Date, north point and scale.
- ☒ 3. Existing and proposed lot lines and dimensions, including the square footage of all proposed lots. Each lot shall be numbered in sequence, and each block shall be numbered or lettered. Letters may be used to identify common lots.
- ☒ 4. Existing and proposed street rights-of-way widths and corner radii. Existing and proposed street names.
- ☒ 5. Existing and proposed utility rights-of-way and easement widths.
- ☒ 6. Existing and proposed irrigation or drainage channel rights-of-way and easement widths.
- ☒ 7. All monuments found, set, reset, replaced or removed, describing kind, size and location and other data relating thereto.
- ☒ 8. Bearing witness monuments, basis of bearings, bearing and length of lines and scale of map.

A final map will be presented to the Planning Commission after the City Engineer has determined that it is accurate and conforms to all tentative map conditions.

A. DEPARTMENT OF PUBLIC WORK VERIFICATION A complete Drainage Plan and Technical Drainage Study has been submitted and verified by the Department of Public Works.

- ☒ 9. Name and legal description of tract in which survey is located and ties to adjoining tracts.
- ☒ 10. Areas of unobstructed vision at intersections, as described in Chapter 12 of the LVMC.

C. SUPPLEMENTAL REQUIREMENTS

The following supplemental information may be required by the Department of Public Works or the Department of Planning and Development. When required, it shall be submitted on separate drawings.

- ☐ 1. Evidence that a Drainage Plan and Technical Drainage Study has been submitted in proper form to the Department of Public Works or that said study is not required.
- ☐ 2. A statement from a Title Company which complies with the requirements of NRS 278 and NRS 116 listing the names of the current owners of record of the land and the holders of record of a security interest in the land and the written consent of each.
- ☐ 3. A copy of a sewer connection agreement verifying that downstream sewer capacity is available or that sewer capacity mitigation measures acceptable to the Department of Public Works will be provided.

See attached.

Signature

Print Name

Date

(Must be signed by an authorized employee from the Department of Public Works)

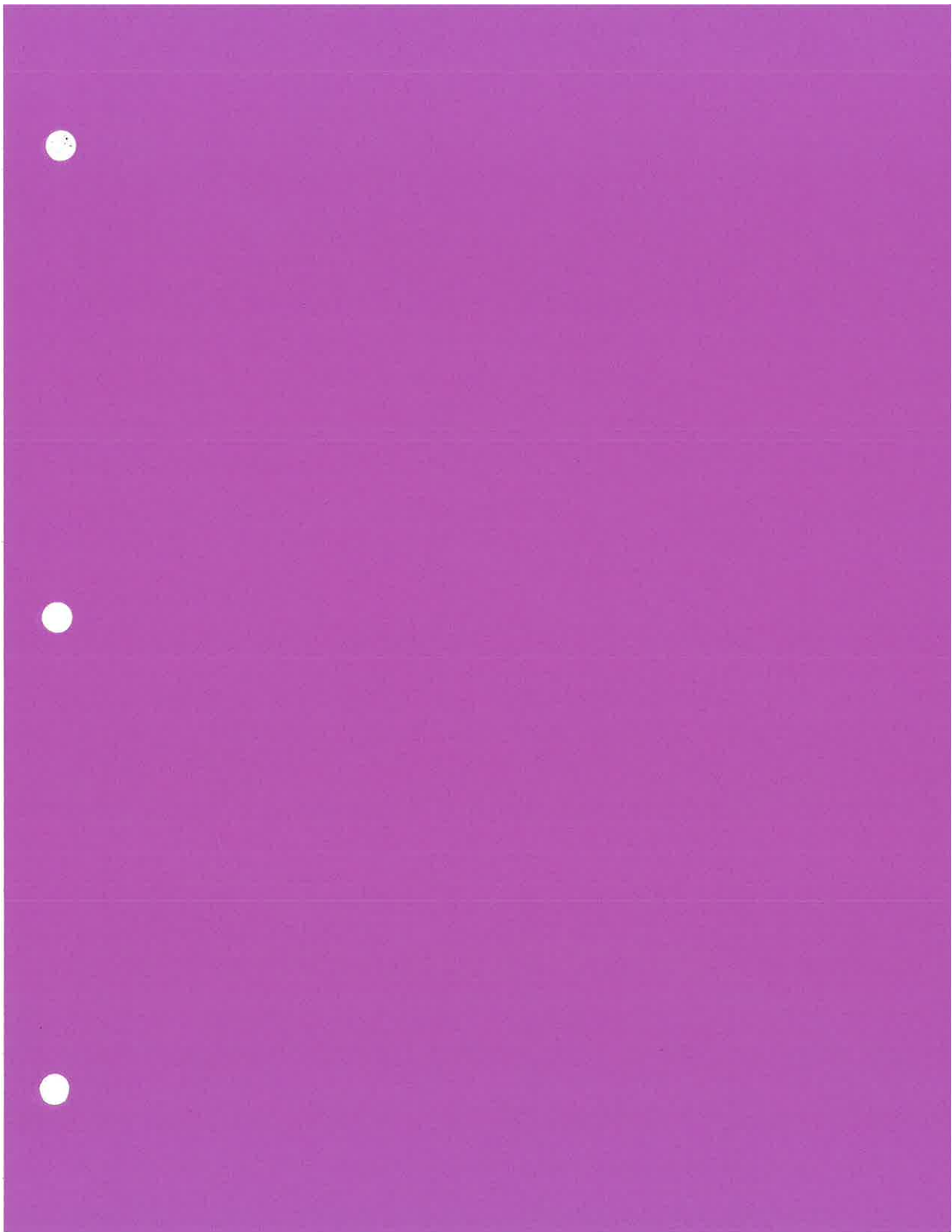
S. Barton

1-27-98

App\Proc\mty\Quet\Cur\Pierce\12-17-97

ROR022839

24248



ROR022840

- A-1. TM-46-95 - Peccole 1982 Trust - Request for a Tentative Map for the proposed PECCOLE WEST - LOT 9 subdivision on property located north of Charleston Boulevard, east of Apple Drive, N-U Zone (under Resolution of Intent to R-PD7), Subdivider: Peccole Nevada Corp., Size: 27.1 Acres, No. of Lots: 81, Ward No. 2.

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

APPLICATION REQUEST:

This request is for the approval of a Tentative Subdivision Map which contains 81 single family lots. The minimum lot size is 80' X 100' deep with an overall project density of 2.99 dwelling units per acre. All lots will front on 40 foot wide private streets.

BACKGROUND DATA:

- | | |
|---------|--|
| 4/04/90 | The City Council approved R-PD7 (Residential Planned Development) zoning for this site as part of a larger property (Z-17-90). |
| 7/13/95 | The Planning Commission approved a Plot Plan Review for this site [Z-17-90(5)]. |

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Application Z-17-90 and to the subsequent Plot Plan Review.
2. Provide public sewer easements for all on-site and off-site public sewers not located within public street rights-of-way prior to the issuance of any sewer construction permits as required by the Department of Public Works.
3. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.
4. Standard Condition Nos. 1 - 5.

ROR022841

24250

August 1, 1995

Peccole Nevada Corp.
9999 West Charleston Boulevard.
Las Vegas, Nevada 89117

RE: TENTATIVE MAP - PECCOLE WEST - LOT 9 - TM-46-95

Gentlemen:

Your request for a Tentative Map for the proposed Peccole West - Lot 9 subdivision on property located north of Charleston Boulevard, east of Apple Drive, N-U Zone (under Resolution of Intent to R-PD7), was considered by the Planning Commission on July 27, 1995.

The Planning Commission unanimously voted to APPROVE your request, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Application Z-17-90 and to the subsequent Plot Plan Review.
2. Provide public sewer easements for all on-site and off-site public sewers not located within public street rights-of-way prior to the issuance of any sewer construction permits as required by the Department of Public Works.
3. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.
4. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.
5. Street names to be provided in accord with the City's Street Name Policy.
6. Subject to all conditions of City departments and State Subdivision Statutes.

- Continued -

ROR022842

24251

ROR022843

24252

TO: Peccole Nevada Corp.
RE: TM-46-95

August 1, 1995
Page Two

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

This action by the Planning Commission is final, unless an appeal, in writing, is filed with the City Clerk within seven days of the date of this letter or there is a review action filed by the City Council within the same time period.

Sincerely,

DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT
DONNA KRISTAPONIS, DIRECTOR

MATT PINJUV, PLANNER II
CURRENT PLANNING DIVISION

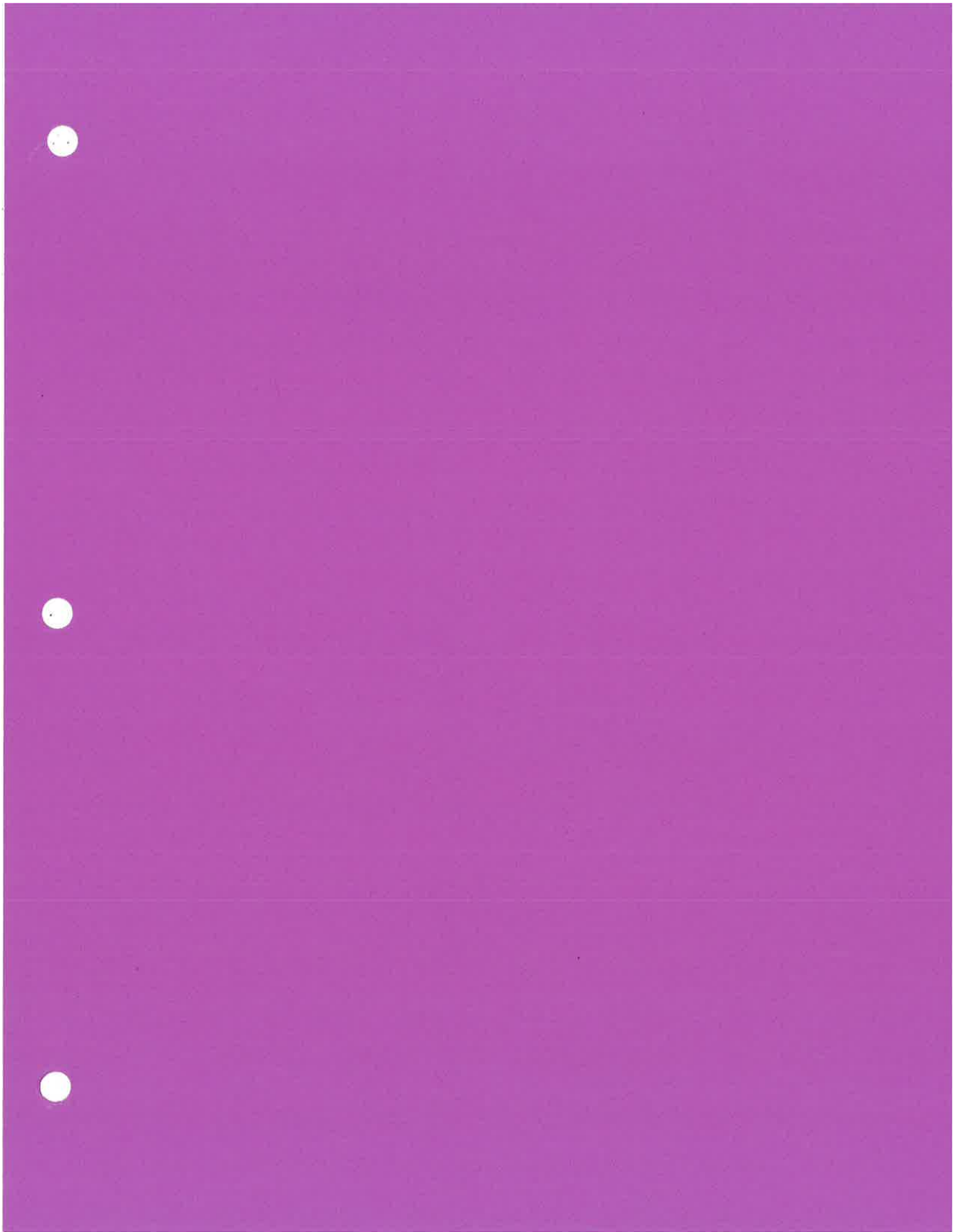
DK:MP:rlr

cc Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

Peccole 1982 Trust
Wanda Peccole, Trustee
2937 Coast Line Court
Las Vegas, Nevada 89117

ROR022844

24253



ROR022845

9/14/95 Planning Commission

- A-6. TM-63-95 - Peccole 1982 Trust - Request for a Tentative Map for the proposed PECCOLE WEST LOT 12 subdivision on property located on the north side of Charleston Boulevard, between Hualapai Way and Apple Drive, N-U Zone (under Resolution of Intent to R-PD7), Subdivider: Peccole Nevada Corporation, Size: 78.5 Acres, No. of Lots: 263, Ward No.: 2

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

APPLICATION REQUEST:

This request is for the approval of a Tentative Subdivision Map which contains 263 single family lots. The minimum lot size is 65' x 115' deep with an overall project density of 3.35 dwelling units per acre. All lots will front on 40 foot wide private streets.

BACKGROUND DATA:

- | | |
|---------|---|
| 1/04/95 | The City Council approved R-PD7 (Residential Planned Development) zoning for the easterly portion of this site as part of a larger property (Z-146-94). |
| 8/02/95 | The City Council approved R-PD7 (Residential Planned Development) zoning for the westerly portion of this site (Z-49-95). |
| 8/10/95 | The Planning Commission approved a Plot Plan Review for the site [Z-146-94(1) and Z-49-95(1)]. |

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Applications Z-146-94 and Z-49-95 and all subsequent reviews.
2. Provide public sewer easements for all public sewers not located within public street rights-of-way as required by the Department of Public Works.
3. Direct vehicular access to Hualapai Way, Charleston Boulevard and Apple Drive through common area from abutting lots is prohibited.

- Continued -

A-6. TM-63-95 - Continued

ROR022846

24255

4. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.
5. Standard Condition Nos. 1 - 5.

ROR022847

24256

September 19, 1995

Peccole Nevada Corporation
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: TENTATIVE MAP - PECCOLE WEST - LOT 12 - TM-63-95

Gentlemen:

Your request for a Tentative Map for the proposed PECCOLE WEST LOT 12 subdivision on property located on the north side of Charleston Boulevard, between Hualapai Way and Apple Drive, N-U Zone (under Resolution of Intent to R-PD7), was considered by the Planning Commission on September 14, 1995.

The Planning Commission unanimously voted to APPROVE your request, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Applications Z-146-94 and Z-49-95 and all subsequent reviews.
2. Provide public sewer easements for all public sewers not located within public street rights-of-way as required by the Department of Public Works.
3. Direct vehicular access to Hualapai Way, Charleston Boulevard and Apple Drive through common area from abutting lots is prohibited.
4. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.
5. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.

- Continued -

ROR022848

24257

TO: Peccole Nevada Corporation
RE: TM-63-95

September 19, 1995
Page Two

6. Street names to be provided in accord with the City's Street Name Policy.
7. Subject to all conditions of City departments and State Subdivision Statutes.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

This action by the Planning Commission is final, unless an appeal, in writing, is filed with the City Clerk within seven days of the date of this letter or there is a review action filed by the City Council within the same time period.

Sincerely,

PLANNING AND DEVELOPMENT DEPARTMENT
DONNA H. KRISTAPONIS, DIRECTOR

MATT PINJUV, PLANNER II
CURRENT PLANNING DIVISION

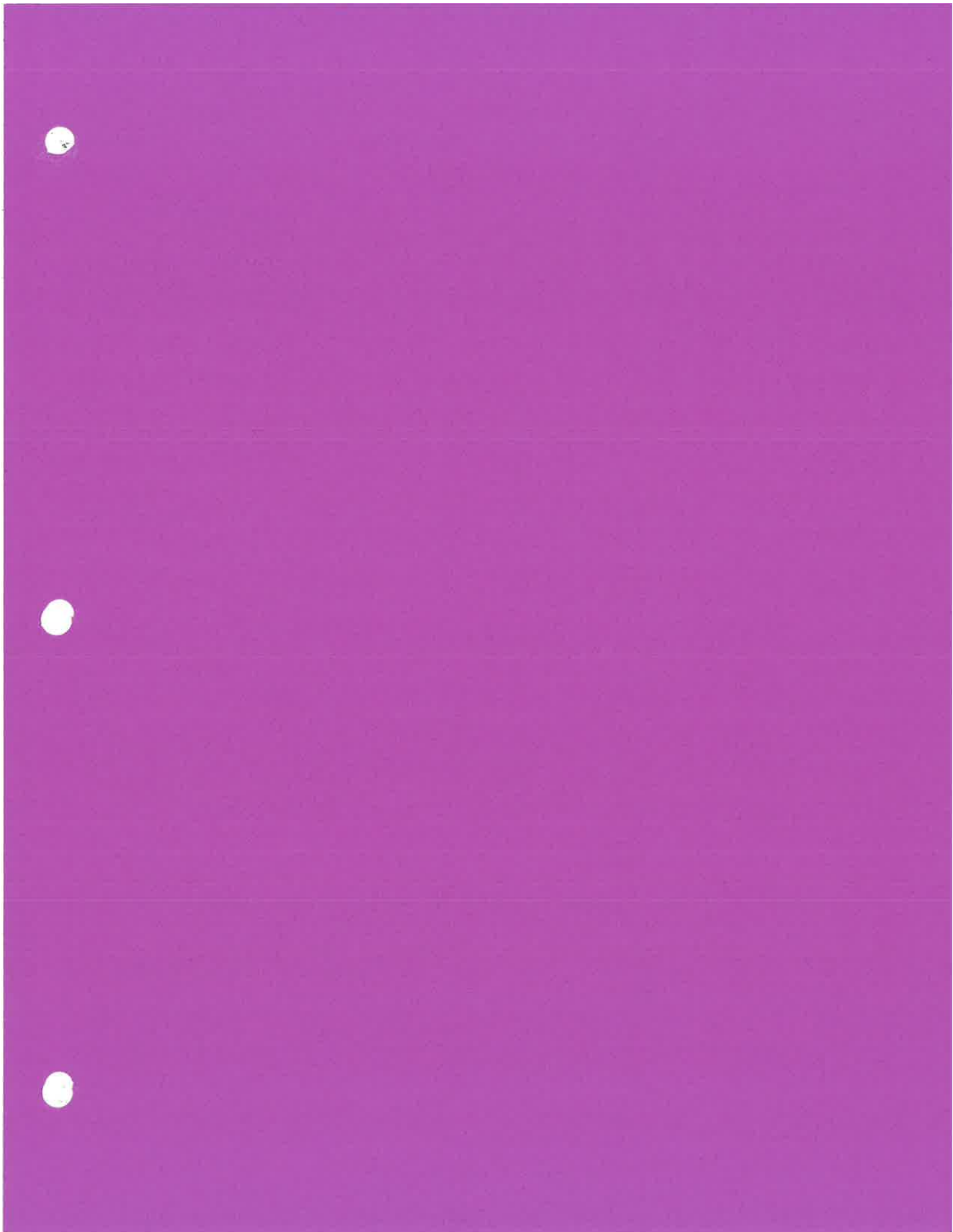
MP:erh

cc: Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

Mr. Larry Miller, Trustee
Peccole 1982 Trust
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

ROR022849

24258



ROR022850

24259

- A-3. TM-97-95 - Peccole Family Partnership - Request for a Tentative Map for the proposed PECCOLE WEST - LOT 11 subdivision on property located north of Charleston Boulevard, and west of Rampart Boulevard, Ward 2, N-U Zone under Resolution of Intent to R-PD7), Size: 51 Acres, No. of Lots: 44

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

APPLICATION REQUEST:

This request is for the approval of a Tentative Subdivision Map which contains 51 single family lots. The minimum lot size is 130' X 170' deep with an overall project density of .86 dwelling units per acre. All lots will have access to 30 foot wide private drives.

BACKGROUND DATA:

- | | |
|----------|--|
| 4/04/90 | The City Council approved R-PD7 (Residential Planned Development) zoning for this site as part of a larger property (Z-17-90). |
| 12/14/95 | The Planning Commission approved a Plot Plan and Building Elevation Review for this site [Z-17-90(7)]. |

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Application Z-17-90 and to the subsequent Plot Plan and Building Elevation Review.
2. Provide on-site and off-site public sewer easements for all public sewers not located within public street rights-of-way prior to the issuance of any off-site sewer permits as required by the Department of Public Works.
3. Dedicate those necessary portions of the Master Developer's common area adjacent to this site for use as public sewer easements, public drainage easements and/or public right(s)-of-way prior to or concurrent with the recordation of a Final Map as required by the Department of Public Works.

ROR022851

24260

A-3. TM-97-95 - Page Two

4. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.
5. Standard Condition Nos. 1 - 5.

ROR022852

24261

PLANNING AND DEVELOPMENT DEPARTMENT

January 3, 1996

Peccole Family Partnership, Peccole 1982 Trust
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: TENTATIVE MAP - PECCOLE WEST - LOT 11 - TM-97-95

Dear Applicant:

Your request for a Tentative Map for the proposed Peccole West - Lot 11 subdivision on property located north of Charleston Boulevard, and west of Rampart Boulevard, Ward 2, N-U Zone under Resolution of Intent to R-PD7), was considered by the Planning Commission on December 28, 1995.

The Planning Commission unanimously voted to APPROVE your request, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Application Z-17-90 and to the subsequent Plot Plan and Building Elevation Review.
2. Provide on-site and off-site public sewer easements for all public sewers not located within public street rights-of-way prior to the issuance of any off-site sewer permits as required by the Department of Public Works.
3. Dedicate those necessary portions of the Master Developer's common area adjacent to this site for use as public sewer easements, public drainage easements and/or public right(s)-of-way prior to or concurrent with the recordation of a Final Map as required by the Department of Public Works.
4. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.

ROR022853

24262

TO: Peccole Family Partnership, Peccole 1982 Trust
RE: TM-97-95

January 3, 1996
Page Two

5. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.
6. Street names to be provided in accord with the City's Street Name Policy.
7. Subject to all conditions of City departments and State Subdivision Statutes.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

This action by the Planning Commission is final unless a written appeal is filed with the City Clerk within seven days of the date of this letter or there is a review action filed by the City Council within the same time period.

Very truly yours,

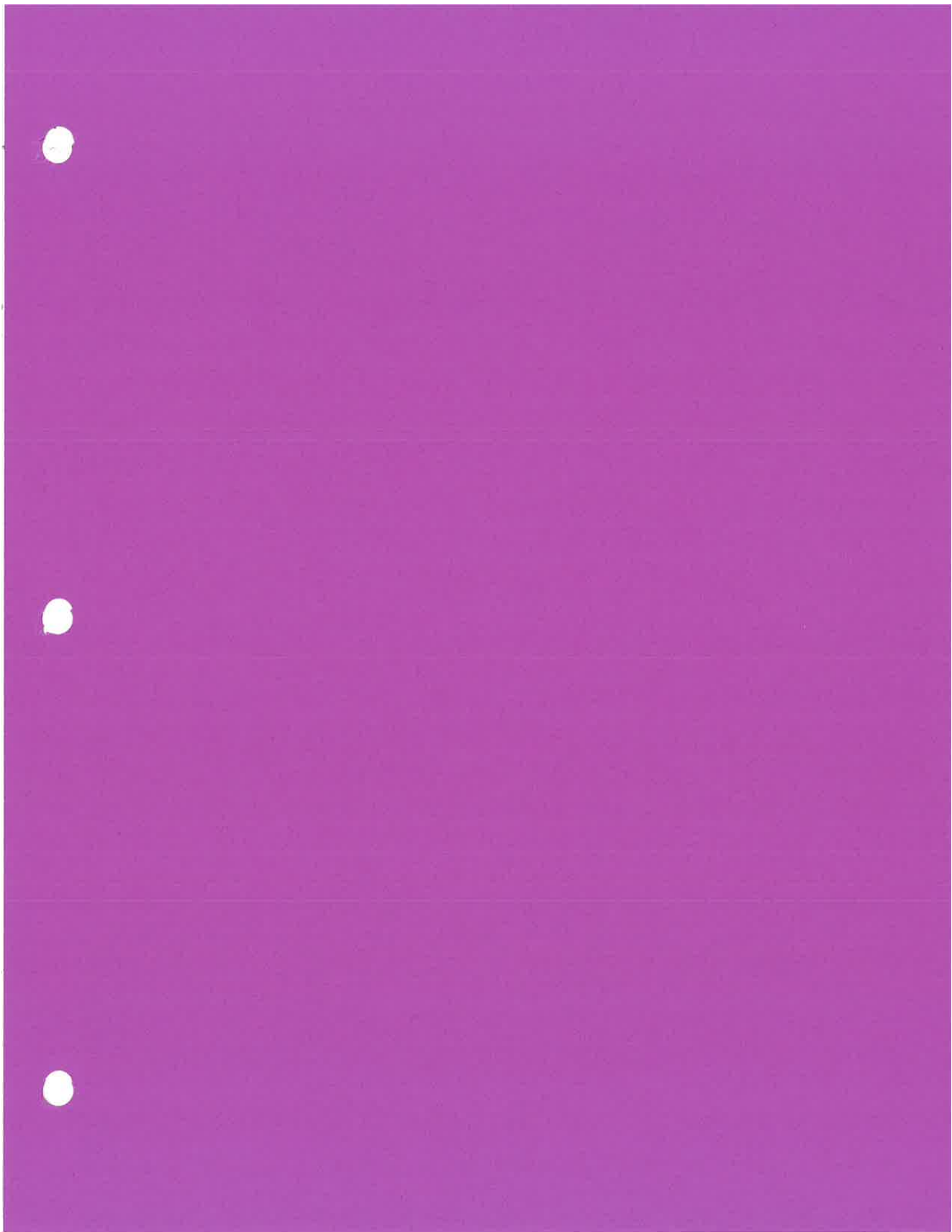
Theresa A. O'Donnell, Manager
Current Planning Division

TAO:MP:rlr

cc: Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

ROR022854

24263



ROR022855

1/11/96 Planning Commission

- A-4. **TM-101-95 - William Peccole 1982 Trust - Request for a Tentative Map for the proposed PECCOLE WEST subdivision, on property located on the north side of Charleston Boulevard, between Haulapai Way and Rampart Boulevard, Ward 2, N-U Zone (under Resolution of Intent to R-PD7, R-3 and C-1), Size: 605.6 Acres, No. of Lots: 15**

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

APPLICATION REQUEST:

This request is for the approval of a Tentative Subdivision Map which contains 15 lots. These are large development parcels being created to be developed at a later time

BACKGROUND DATA:

4/04/90 The City Council approved R-PD7 (Residential Planned Development), R-3 (Limited Multiple Residence) and C-1 (Limited Commercial) zoning for a portion of this site as part of a larger property (Z-17-90).

1/04/95 The City Council approved R-PD7 (Residential Planned Development), R-3 (Limited Multiple Residence) and C-1 (Limited Commercial) zoning for a portion of this (Z-146-94).

8/02/95 The City Council approved R-PD7 (Residential Planned Development) zoning for a portion of this site (Z-49-95).

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Applications Z-17-90, Z-146-94 and Z-17-90.
2. The Final Map(s) for this subdivision must show the dedication of an 80'-wide public roadway/sewer easement and utility corridor centered along the intended Alta Drive alignment through this subdivision site; this requirement supersedes a portion of Condition #4 of Zoning Application Z-146-94. Upon development of individual sites within the overall Peccole West subdivision, public right-of-way for the Alta Drive corridor must be dedicated to the City in accordance with future construction plan approvals as required by the Department of Public Works; the future right-of-way dedication may be less than 80 feet in width and may coincide with the back of curb location as long as sidewalks, available for public use, are provided within landscaped common areas along the Alta Drive alignment. Construct full-width street improvements on Alta Drive through this site; construction of street improvements along the Alta Drive may occur as individual sites develop within the overall Peccole West subdivision; the City reserves the right to request the timely construction of any and all incomplete full-width street improvements on Alta Drive between Haulapai Way and Rampart Boulevard when area traffic concerns may prompt such a request.

A-4. TM-101-95 - Page Two

ROR022856

24265

3. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of any Final Map on this subdivision site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
4. Construct all incomplete half-street improvements on Haulapai Way, Charleston Boulevard and Rampart Boulevard adjacent to this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards.
5. Provide public sewer easements for all public sewers not located within public street rights-of-way as required by the Department of Public Works.
6. Individual, site-specific technical drainage studies must be performed for each subdivision "pod" within this development prior to the issuance of any building or grading permits or the recordation of any final maps related to the subdivision pods, whichever may occur first, as required by the Department of Public Works
7. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.
8. Standard Condition Nos. 1 - 3 and 5.

ROR022857

24266

PLANNING AND DEVELOPMENT DEPARTMENT

January 17, 1996

Mr. Bruce Bayne
William Peccole 1982 Trust
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: TENTATIVE MAP - PECCOLE WEST - TM-101-95

Dear Mr. Bayne:

Your request for a Tentative Map for the proposed PECCOLE WEST subdivision, on property located on the north side of Charleston Boulevard, between Haulapai Way and Rampart Boulevard, Ward 2, N-U Zone (under Resolution of Intent to R-PD7, R-3 and C-1), was considered by the Planning Commission on January 11, 1996.

The Planning Commission unanimously voted to APPROVE your request, subject to the following:

1. Conformance to the Conditions of Approval for Zoning Applications Z-17-90, Z-146-94 and Z-17-90.
2. The Final Map(s) for this subdivision must show the dedication of an 80'-wide public roadway/sewer easement and utility corridor centered along the intended Alta Drive alignment through this subdivision site; this requirement supersedes a portion of Condition No. 4 of Zoning Application Z-146-94. Upon development of individual sites within the overall Peccole West subdivision, public right-of-way for the Alta Drive corridor must be dedicated to the City in accordance with future construction plan approvals as required by the Department of Public Works; the future right-of-way dedication may be less than 80 feet in width and may coincide with the back of curb location as long as sidewalks, available for public use, are provided within landscaped common areas along the Alta Drive alignment. Construct full-width street improvements on Alta Drive through this site; construction of street improvements along the Alta Drive may occur as individual sites develop within the overall Peccole West subdivision; the City reserves the right to request the timely construction of any and all incomplete full-width street improvements on Alta Drive between Haulapai Way and Rampart Boulevard when area traffic concerns may prompt such a request.

ROR022858

24267

TO: Mr. Bruce Bayne
RE: TM-101-95

January 17, 1996
Page Two

3. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of any Final Map on this subdivision site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
4. Construct all incomplete half-street improvements on Haulapai Way, Charleston Boulevard and Rampart Boulevard adjacent to this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards.
5. Provide public sewer easements for all public sewers not located within public street rights-of-way as required by the Department of Public Works.
6. Individual, site-specific technical drainage studies must be performed for each subdivision "pod" within this development prior to the issuance of any building or grading permits or the recordation of any final maps related to the subdivision pods, whichever may occur first, as required by the Department of Public Works.
7. The approval of all Public Works related improvements shown on this map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of the construction plans, whichever may occur first.
8. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.
9. Street names must be provided in accord with the City's Street Naming Regulations.
10. All development is subject to the conditions of City departments and State Subdivision Statutes.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

ROR022859

24268

TO: Mr. Bruce Bayne
RE: TM-101-95

January 17, 1996
Page Three

This action by the Planning Commission is final unless a written appeal is filed with the City Clerk within seven days of the date of this letter or there is a review action filed by the City Council within the same time period.

Very truly yours,

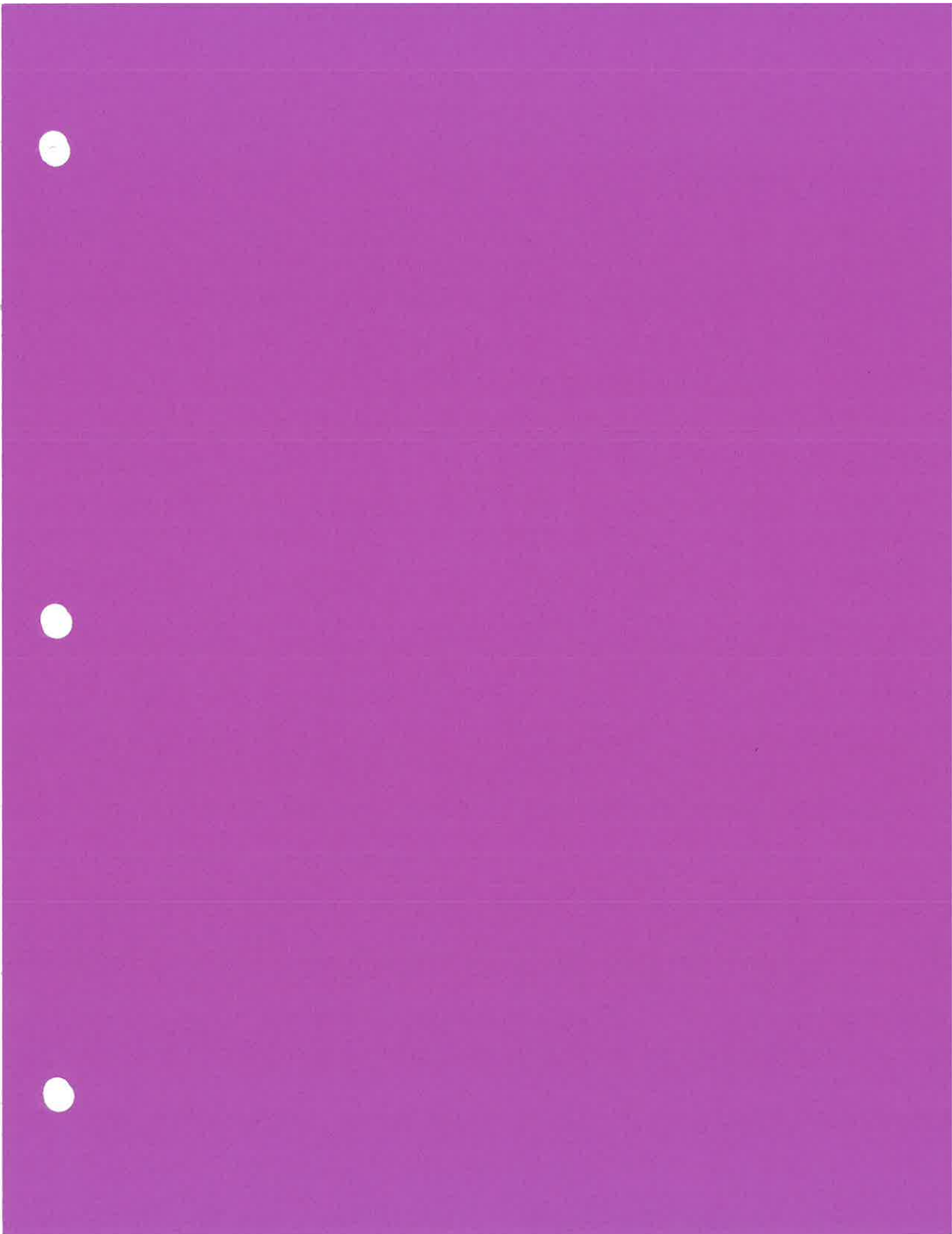
Theresa A. O'Donnell, Planning Manager
Current Planning Division

TAO:MP:erh

cc: Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

ROR022860

24269



ROR022861

24270

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

PLANNING AND DEVELOPMENT DEPARTMENT

February 13, 1996

Ms. Wanda Peccole
Peccole 1982 Trust
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: FINAL MAP - PECCOLE WEST - FM-8-96

Dear Ms. Peccole:

Your request for a Final Map for the PECCOLE WEST subdivision, on property located on the north side of Charleston Boulevard, between Hualapai Way and Rampart Boulevard, Ward 2, N-U Zone (under Resolution of Intent to R-PD7, R-3 and C-1), was considered by the Planning Commission on February 8, 1996.

The Planning Commission unanimously voted to APPROVE your request, subject to the following:

1. Conformance to all Conditions of Approval for the Tentative Map.
2. Parcel 5 must be shown on this Final Map as a public Drainage Easement with private maintenance as per the approved Master Drainage Plan. Individual site-specific technical drainage studies shall be submitted as the individual subdivision "pods" are developed.
3. Prior to recordation of this Final Map, the applicant must submit a Revised Final Map "clearly" showing the developer's intent as to dedication of roadway right-of-way and/or easements along the Alta Drive alignment which was required by the Tentative Map to be an 80' wide roadway easement.
4. Prior to recordation, this Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate sight visibility restriction easements, if applicable, are also required to be shown on this Final Map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.



400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

7009 3810-015-1295

ROR022862

24271

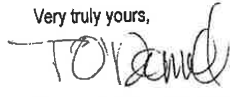
TO: Ms. Wanda Peccole
RE: FM-8-96

February 13, 1996
Page Two

5. Final Maps shall be in conformance with the approved Tentative Map.

This action by the Planning Commission is final unless a written appeal is filed with the City Clerk within seven days of the date of this letter or there is a review action filed by the City Council within the same time period.

Very truly yours,



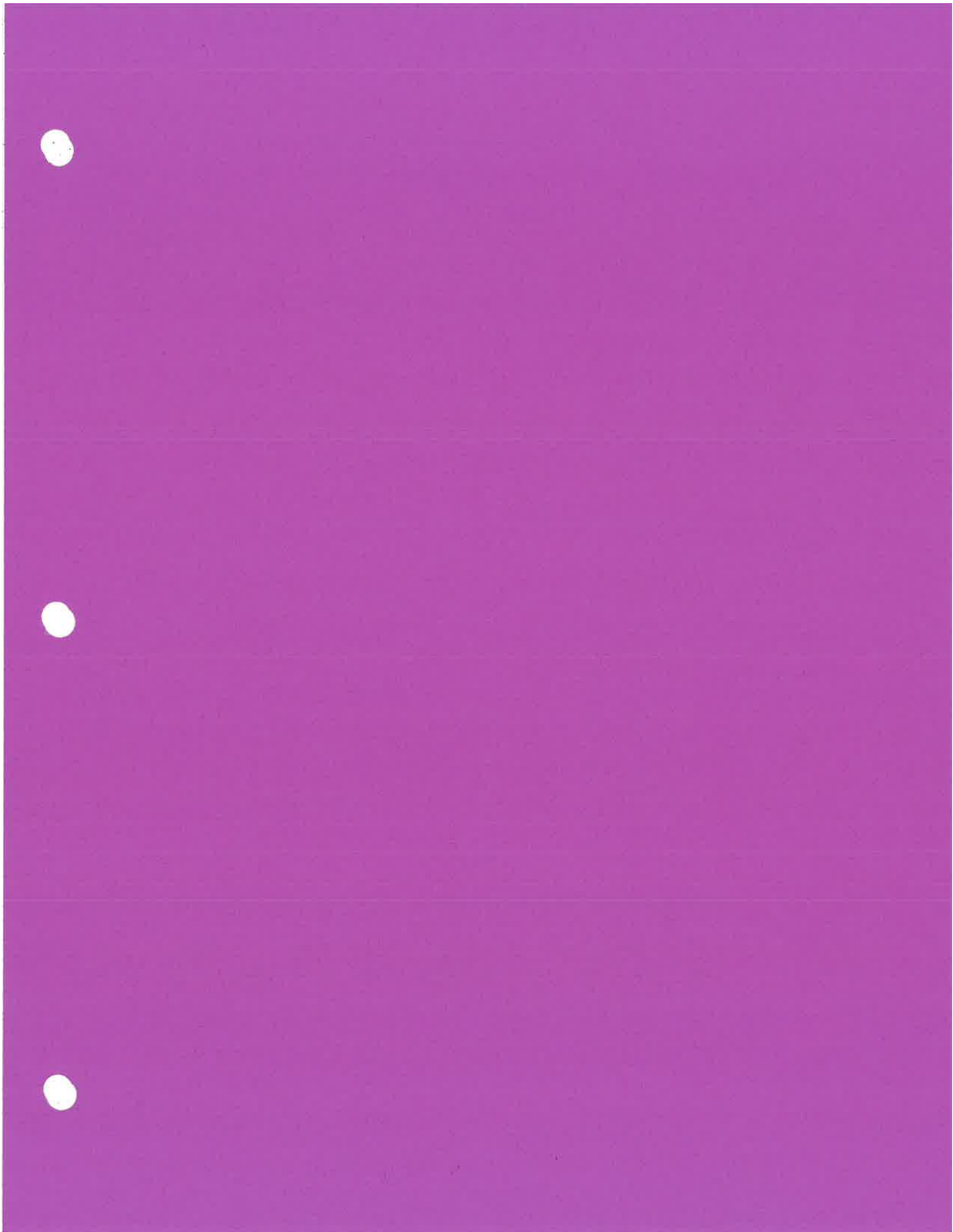
Theresa A. O'Donnell, Planning Manager
Current Planning Division

TAO:RA:erh/

cc: Pentacore Engineering, Inc.
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

ROR022863

24272



ROR022864

24273

- A-6. FM-69-96 - PECCOLE WEST LOT 12A PHASE 1 - WILLIAM AND WANDA PECCOLE FAMILY LIMITED PARTNERSHIP, PECCOLE 1982 TRUST - REQUEST FOR A FINAL MAP ON PROPERTY LOCATED ON THE NORTHEAST CORNER OF CHARLESTON BOULEVARD AND HUALAPAI WAY - WARD 2 - N-U (NON-URBAN) ZONE UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT 7 UNITS PER ACRE) - NO. OF LOTS: 40 - SIZE: 11.81 ACRES.

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

APPLICATION REQUEST:

This request is for the approval of a Final Subdivision Map which contains 40 of the 263 single family lots approved as part of the Tentative Subdivision Map. All lots will front on 40 foot wide private streets.

BACKGROUND DATA:

3/14/96 The Planning Commission approved the Tentative Subdivision Map (TM-13-96).

FINDINGS:

The Final Map is in conformance with the approved Tentative Map and the Zoning District regulations.

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Conformance to all Conditions of Approval for the Tentative Map.
2. The submitted Drainage Plan and Technical Drainage Study must be approved by the Department of Public Works prior to the recordation of this Final Map.
3. Provide paved, legal access to this site prior to occupancy of any units within this development as required by the Department of Public Works.
4. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. We request that the Legend on Sheet 3 provide some explanation of what the shaded "Sight visibility Restriction Easement" areas are for. We suggest a statement such as "no landscaping or sight restricting improvements (such as walls/fences) taller than 30 inches allowed within the areas shaded". In addition, we request that all future final maps within the City of Las Vegas also provide a similar explanation if S.V.R.E.s are necessary.

ROR022865

24274

5. Prior to recordation, this Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans, and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate sight visibility restriction easements, if applicable, are also required to be shown on this final map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.
6. Standard Condition No. 1.

PLANNING AND DEVELOPMENT DEPARTMENT

April 30, 1996

Mr. Bruce Bayne
William and Wanda Peccole Family Limited Partnership
Peccole 1982 Trust
9999 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: FINAL MAP - PECCOLE WEST LOT 12A PHASE 1 - FM-69-96

Dear Mr. Bayne:

Your request for a Final Map on property located on the northeast corner of Charleston Boulevard and Hualapai Way - Ward 2 - N-U (Non-Urban) Zone under Resolution of Intent to R-PD7 (Residential Planned Development 7 units per acre), was considered by the Planning Commission on April 25, 1996.

The Planning Commission unanimously voted to APPROVE your request, subject to the following:

1. Conformance to all Conditions of Approval for the Tentative Map.
2. The submitted Drainage Plan and Technical Drainage Study must be approved by the Department of Public Works prior to the recordation of this Final Map.
3. Provide paved, legal access to this site prior to occupancy of any units within this development as required by the Department of Public Works.
4. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. We request that the Legend on Sheet 3 provide some explanation of what the shaded "Sight visibility Restriction Easement" areas are for. We suggest a statement such as "no landscaping or sight restricting improvements (such as walls/fences) taller than 30 inches allowed within the areas shaded". In addition, we request that all future final maps within the City of Las Vegas also provide a similar explanation if S.V.R.E.s are necessary.

ROR022867

24276

TO: Mr. Bruce Bayne
RE: FM-69-96

April 30, 1996
Page Two

5. Prior to recordation, this Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans, and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate sight visibility restriction easements, if applicable, are also required to be shown on this final map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.
6. Final Maps shall be in conformance with the approved Tentative Map.

This action by the Planning Commission is final unless a written appeal is filed with the City Clerk within seven days of the date of this letter or there is a review action filed by the City Council within the same time period.

Very truly yours,

David Clapsaddle, Senior Planner
Current Planning Division

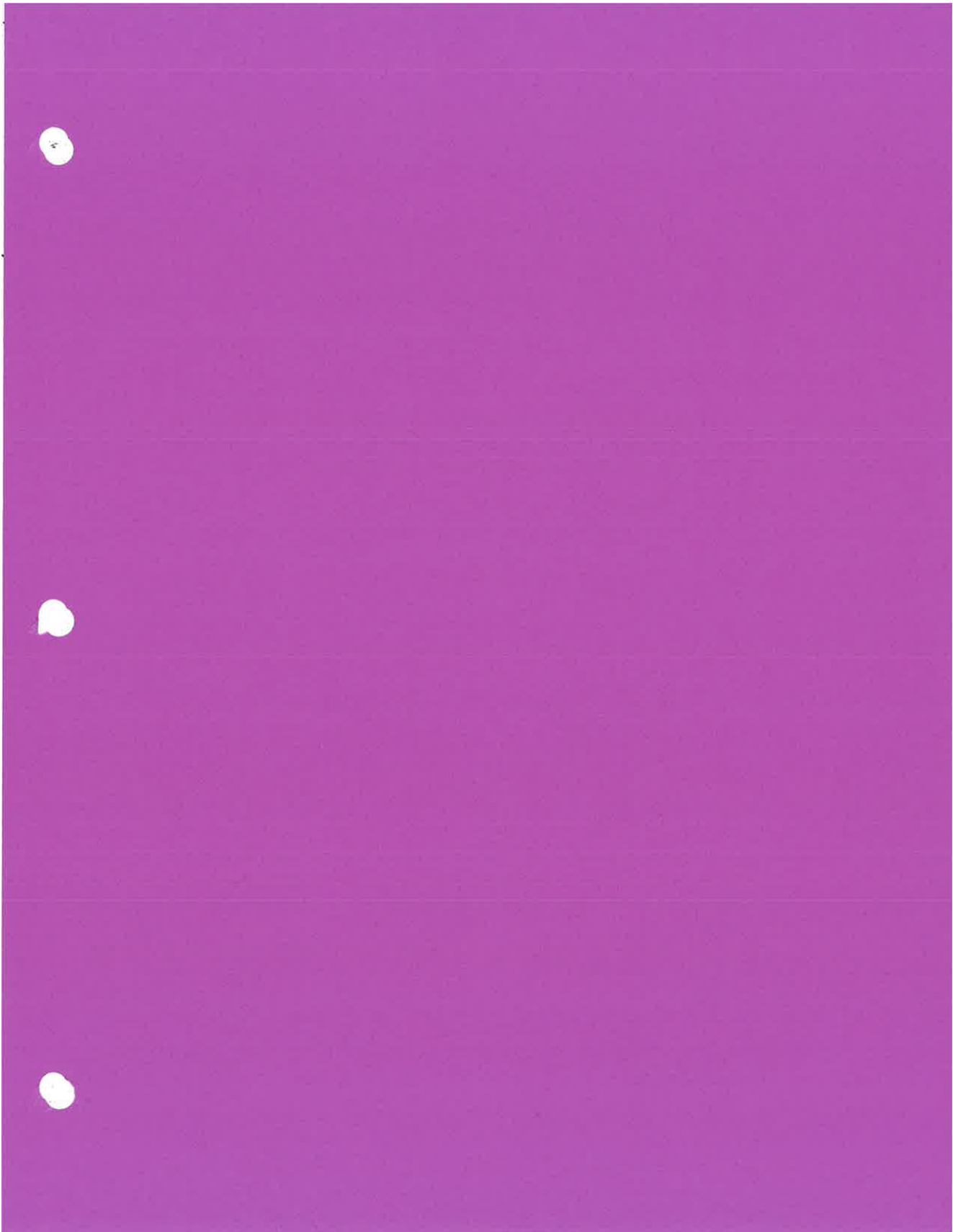
DC:rlr

cc: Mr. Paul Onufer
Pulte Homes
7310 Smoke Ranch Road, Suite Q
Las Vegas, Nevada 89128

Mr. Clyde Spitze
Pentacore Engineering
6763 West Charleston Boulevard
Las Vegas, Nevada 89102

ROR022868

24277



ROR022869

24278

- A-8. FM-71-96 - PECCOLE WEST LOT 12B PHASE 1 - WILLIAM AND WANDA PECCOLE FAMILY LIMITED PARTNERSHIP, PECCOLE 1982 TRUST - REQUEST FOR A FINAL MAP ON PROPERTY LOCATED ON THE NORTH SIDE OF CHARLESTON BOULEVARD EAST OF HUALAPAI WAY - WARD 2 - N-U (NON-URBAN) ZONE UNDER RESOLUTION OF INTENT TO R-PD7(RESIDENTIAL PLANNED DEVELOPMENT 7 UNITS PER ACRE) - NO. OF LOTS: 35 - SIZE: 10.0 ACRES.

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

APPLICATION REQUEST:

This request is for the approval of a Final Subdivision Map which contains 35 of the 263 single family lots approved as part of the Tentative Subdivision Map. All lots will front on 40 foot wide private streets.

BACKGROUND DATA:

9/14/95 The Planning Commission approved the Tentative Subdivision Map. Case (TM-63-95)

FINDINGS:

The Final Map is in conformance with the approved Tentative Map and the Zoning District regulations, therefore staff has no objection to its approval.

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Conformance to all Conditions of Approval for the Tentative Map.
2. The submitted Drainage Plan and Technical Drainage Study must be approved by the Department of Public Works prior to the recordation of this Final Map.
3. Provide paved, legal access to this site prior to occupancy of any units within this development as required by the Department of Public Works.

ROR022870

24279