

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

19.7.1. GENERAL PROVISIONS

A. GENERAL INTENT

This chapter includes standards for developing property or establishing new uses of property within the City of Henderson, to ensure the protection of the health, welfare, safety, and quality of life for local citizens, visitors, and business owners. These provisions address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the *Comprehensive Plan* vision for a more attractive, efficient, and livable community.

B. APPLICABILITY

1. General Applicability

Unless exempted under subsection 2 below, or unless otherwise provided in this chapter, this chapter shall apply to the following types of development:

- (a) New construction;
- (b) Any project that involves demolition of an existing primary building and the construction of a new primary building; and
- (c) Any “substantial renovation” project, which is defined for purposes of this chapter to include any renovation, rehabilitation, restoration, or repair work that includes an addition of floor area equal to 35 percent or more of the existing floor area; or the addition of new floors. The calculation shall include attached garages, but not include detached garages. For the purpose of calculation, the increase in floor area shall be aggregated over a three-year period.

2. Exemptions

The following are exempt from this chapter:

- (a) Projects for which a complete site plan application has been submitted or approved prior to the effective date of this Code, provided that a building permit is obtained within the time limit specified by the entitlement and that onsite construction commences in accordance with the site plan within one year of permit issuance;
- (b) Single-family residential development on lots recorded prior to the effective date of this Code; and
- (c) Development, as defined in Chapter 19.12 of this Code, under an approved master plan, planned unit development, or development agreement. If a new MP or PUD is established for a particular property following the effective date of this Code, this chapter shall serve as the “baseline” for the development of any development or design standards to be incorporated into the plan.

19.7.2. COMMON OPEN SPACE

A. PURPOSE

Common open spaces are set aside for the use and enjoyment of a development’s residents, employees, or users. Common open space serves numerous purposes, including preservation of natural areas and resources, ensuring greater resident access to open areas and recreation, reducing the heat island effect, enhancing storm water quality, and providing public health benefits. Goals and requirements for common open space complement this Code’s requirements for dedicated parks and open spaces, and serve similar purposes.

B. APPLICABILITY

This Section 19.7.2 shall apply to all development in the city that meets the following criteria:

1. Residential Development

All residential developments and subdivisions containing five or more dwelling units in the DRM, DRH, RS-8, RM-10, RM-16, RMH, RH-24, or RH-36 districts, except the RN overlay.

2. Nonresidential Development and Mixed Use

Nonresidential and mixed use developments, excluding those located in the DCC or DHC districts, having one or more of the following attributes:

- (a) Two or more buildings;
- (b) Two or more residential units;
- (c) A gross building area exceeding 5,000 square feet; or
- (d) A site or lot exceeding three acres in size.

C. STANDARDS

1. Amount of Common Area Required

Development subject to this section shall set aside at least the minimum amounts of common open space listed in Table 19.7.2-1, *Common Open Space Required*:




TABLE 19.7.2-1: COMMON OPEN SPACE REQUIRED	
DISTRICT TYPE	MINIMUM COMMON OPEN SPACE REQUIRED
DRM District	200 sq ft per dwelling unit
DRH District	65 sq ft per dwelling unit
RS-8, RM-10, RMH Districts	700 sq ft per dwelling unit
RM-16, RH-24, RH-36 Districts	500 sq ft per dwelling unit
Nonresidential Development (excluding the DCC and DHC districts)	For buildings exceeding 5,000 sq ft, 250 sq ft per 1,000 sq ft
Mixed-use Districts	1,000 sq ft per 25,000 sq ft of lot area or 65 sq ft per dwelling unit, whichever is greater.

2. Areas Counted as Common Open Space

The features and areas identified in Figure 19.7.2-A, *Common Open Space Configuration*, shall be credited towards the common open space requirements of this section:


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FIGURE 19.7.2-A: COMMON OPEN SPACE CONFIGURATION

AREA COUNTED AS COMMON OPEN SPACE	DESCRIPTION	DESIGN REQUIREMENTS
<p>NATURAL FEATURES</p> 	<p>Includes any of the following:</p> <ol style="list-style-type: none"> 1. Undisturbed desert habitat; 2. Flood hazard and conveyance areas (either maintained in, or restored to, natural state); 3. Water features, including wetlands, drainage channels, lakes, dry stream beds, washes, and arroyos; 4. Hillsides and exposed slopes of 15% or more; and 5. Wildlife habitat areas for threatened and endangered species. 	<p>Where natural features exist, the subdivider, developer, or owner shall give priority to their preservation as common open space. Placement of a conservation easement over the protected natural feature areas is encouraged. In reviewing the proposed location of common open spaces, the Community Development Director shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected.</p> <p>Maintenance is limited to a minimum removal and avoidance of hazards, nuisances, or unhealthy conditions.</p>
<p>ACTIVE RECREATIONAL AREAS</p> 	<p>Land occupied by active recreational uses such as pools, ball fields, playgrounds, tennis courts, and jogging trails.</p>	<p>Active recreation areas may occupy up to 100 percent of the common open space area in the downtown and mixed-use districts.</p> <p>Land shall be compact and contiguous unless the land is used to link or continue an existing or planned open space resource. Landscaping shall be planned along all rights-of-way to provide a buffer to surrounding areas.</p>
<p>FORMAL PLANTINGS, PUBLIC ART, AND GARDENS</p> 	<p>Formally planned and regularly maintained open areas that provide passive recreation opportunities including arranged plantings, gardens, gazebos or similar structures, sculpture, and other forms of public art.</p>	<p>Roof gardens are also acceptable.</p>
<p>SQUARES, FORECOURTS, PLAZAS, AND PARKS</p> 	<p>Squares, forecourts, plazas, and parks provide active and passive recreational opportunities as to emphasize important places, intersections, or centers. These spaces are intended to serve an entire neighborhood or group of neighborhoods or commercial development.</p>	<p>Where provided, such features shall have a minimum size of 200 square feet and a maximum size of one acre.</p> <p>Surrounding buildings shall be oriented toward the square, forecourt, or park when possible and a connection shall be made to surrounding development.</p>
<p>REQUIRED LANDSCAPE AREAS</p> 	<p>Required landscape areas serve as a buffer to surrounding areas. Except for landscaped areas within parking lots and areas occupied by street trees within sidewalks, and except within mixed-use zoning districts, all areas occupied by required landscaping may count as common open space.</p>	<p>See general landscape standards in Section 19.7.5.</p>

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FIGURE 19.7.2-A: COMMON OPEN SPACE CONFIGURATION

AREA COUNTED AS COMMON OPEN SPACE	DESCRIPTION	DESIGN REQUIREMENTS
<p>PUBLIC ACCESS EASEMENTS</p> 	<p>Public access easements, which often combine utility easements with paths or trails, are available for recreational activities such as walking, running, and biking.</p>	<p>Must include at least one improved access from a public sidewalk, street, trail, or easement that includes signage designating the access point.</p> <p>A trail or other amenity/amenities must be provided in the full length of an easement to qualify under this category.</p> <p>A public access easement shall be recorded for pedestrian accesses.</p>

3. Areas Not Credited

Lands within the following areas shall not be counted towards required common open space:

- (a) Private yards not subject to a permanent open space or conservation easement acceptable to the City;
- (b) Public or private streets or rights-of-way;
- (c) Open parking areas and driveways for dwellings or commercial uses;
- (d) Land covered by structures not intended solely for recreational uses;
- (e) Designated outdoor storage areas; and
- (f) Balconies.

4. Design Standards for Common Open Space

Land set aside for required common open space shall meet the following standards:

- (a) Location

Where relevant and appropriate, open space shall be located so as to be readily accessible and useable by residents and users of the development. To the maximum practical extent, a portion of the open space should provide focal points for the development.
- (b) Access

Common open space areas shall abut at least one direct road access, public or private, or shall have pedestrian access if road access is not feasible.
- (c) Configuration
 - (1) Common Open Space may be configured to be contiguous or dispersed throughout the site as long as each space is 20 x 20 feet and 1,000 sq ft

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in total area, with the exception of the Required Landscape Areas and Public Access Easements categories.

- (2) Where open areas, trails, parks, or other open space resources are planned or exist adjacent to development, the common open space shall, to the maximum extent practical, be located to adjoin, extend, and enlarge the presently existing trail, park, or other open area land.

(d) Provision in Multi-Phase Developments

- (1) Development proposed in phases shall be considered as a single development for the purposes of applying the common open space standards.
- (2) Development shall not be phased to avoid the minimum common open space required in this subsection.
- (3) Common open space must be proportionate to phasing of development and approved through a common open space phasing plan.

(e) Landscaping

The City shall approve all common open space landscaping plans.

(f) Use of Common Open Space Areas

- (1) The following minimum percentages of the total required common open space shall be useable. For purposes of this requirement, useable common open space includes areas classified as active recreational areas; formal plantings, public art, and gardens; squares, forecourts, plazas, and parks; or public access easements:
 - i. RS-8, RM-10, and RMH Districts: 40 percent
 - ii. DRM, DRH, RM-16, RH-24, and RH-36 Districts: 70 percent
- (2) Useable common open space areas in all residential developments must include an active recreation component; the size and design must be approved by the Community Development Director (or final decision-making body as outlined by this Code).
- (3) In mixed-use districts, the following open space standards apply:
 - i. Complying open space areas must have a minimum width and depth of 20 feet and a minimum area of 1,000 square feet.
 - ii. The following open space features may be used to satisfy the requirement:
 1. Patio or plaza with seating, landscaping, water features and other unique features;
 2. Landscaped mini-parks;
 3. Rooftop or community garden;
 4. Similar features as approved by the Community Development Director or designee.

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- (4) Common open space required by this section shall not be disturbed, developed, or improved with any structures or buildings, except for the limited purposes allowed below:
- i. Facilities for active recreation (equipment for such uses shall be indicated on the site and/or subdivision landscape/amenity plan provided by the developer);
 - ii. Common open spaces may include passive recreational and educational purposes approved by the City, including but not limited to, walking, biking, picnicking, fishing, preservation of natural areas and scenic resources, parks, environmental education, and wildlife habitat protection; and
 - iii. For the Natural Features category, the clearing of underbrush and debris and the provision of walks, fences, restrooms and similar features are allowed.
- (5) For all other categories, the provision of walks, fences, restrooms, shade structures, picnic shelters, benches, and similar features are allowed as approved through an amenities plan.

5. Ownership

(a) Method of Ownership

Common open space areas shall be maintained as permanent open space through at least one of the following options: common ownership by a property owner's association, held in deed-restricted private ownership, or dedication to the City or to another appropriate public agency. All methods utilizing private ownership shall be in a form approved by the City Attorney, who shall review the documents to ensure perpetual maintenance, preservation, and restricted usage where applicable.

(b) Declaration of Covenants and Restrictions

If common open space is to be deeded to a property owner's association, then the applicant shall record a declaration of covenants and restrictions that shall:

- (1) Govern the use of the common open space;
- (2) Run with the land in perpetuity; and
- (3) Provide for a lien on the property to secure collections of assessments levied by the association.

(c) Private Ownership

If common open space is to be privately owned, then it shall have deed restrictions that:

- (1) Provide that the common open space shall be maintained and preserved as open space and shall not be used for yards, lawns, or buildings;
- (2) Run with the land in perpetuity; and

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(3) Indicate that the City and owners of land in the development have a right to enforce the deed restrictions.

(d) Maintenance of Common Open Space

Common open space areas shall be maintained per approved plans. In the event that common open space areas are not maintained in reasonable order and condition in accordance with the approved site plan, then the City may serve written notice of the deficiencies upon the association or the owners or residents of the development. If the deficiencies cited by the City have not been corrected within 30 days after written notice, then the department shall have the authority to correct the deficiencies. The cost of the correction shall be assessed jointly and severally against the properties within the development that have a right of enjoyment of the common open space. The entire cost of correction shall be a lien upon each of the properties from the date that the lien is filed in the County Recorder's office.

(e) Management of Common Open Space in Planned Developments

In addition to the standards of this section, management of common open space in a planned development shall be subject to NRS 278A.130 to 278A.190, inclusive.

19.7.3. CIRCULATION AND MOBILITY

A. PURPOSE

The purpose of this section is to support the creation of a highly connected transportation system within the City in order to provide choices for drivers, bicyclists, and pedestrians; increase effectiveness of local service delivery; promote walking and bicycling; connect neighborhoods to each other and to local destinations such as employment, schools, parks, and shopping centers; reduce vehicle miles of travel and travel times; improve air quality; reduce emergency response times; mitigate the traffic impacts of new development, and free up arterial capacity to better serve regional long-distance travel needs. These standards attempt to avoid the creation of large, isolated tracts without routes for through traffic or pedestrian and bicycle connections.

B. APPLICABILITY

The standards in this section shall apply to all development in the City.

C. CIRCULATION PLAN

Except for new detached and attached single-family residential uses with less than five (parcel map) dwellings, or property of one-half acre or less zoned nonresidential or mixed-use, all new development and redevelopment in the City shall prepare a circulation plan.

1. The circulation plan shall address street connectivity, emergency and service vehicle access, parking movements, accommodation of loading operations, turning radii, traffic calming measures where future "cut-through" traffic is likely, and similar issues.
2. The Community Development Director may waive the requirement for a circulation plan on a case-by-case basis in the event that a new development is expected to have no impact upon circulation or proposes no change in existing circulation patterns. This provision shall not be construed to exempt development that includes additional parking, driveways, or substantial modifications to the existing pedestrian network.

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- 3. A circulation plan shall be submitted with a PUD, master plan, tentative map, or application for zoning or design review, as appropriate.

D. STREET CONNECTIVITY

1. Internal Street Connectivity

- (a) Circulation plans for development on lots in the downtown districts shall provide for multiple connections to the existing City street network wherever possible.
- (b) Except for lots within the downtown districts, all development applications required to prepare a circulation plan shall demonstrate internal street connectivity through the use of a connectivity index, in accordance with the following standards.
 - (1) All development shall achieve a connectivity index score in accordance with Table 19.7.3-1, Minimum Connectivity Index Score:

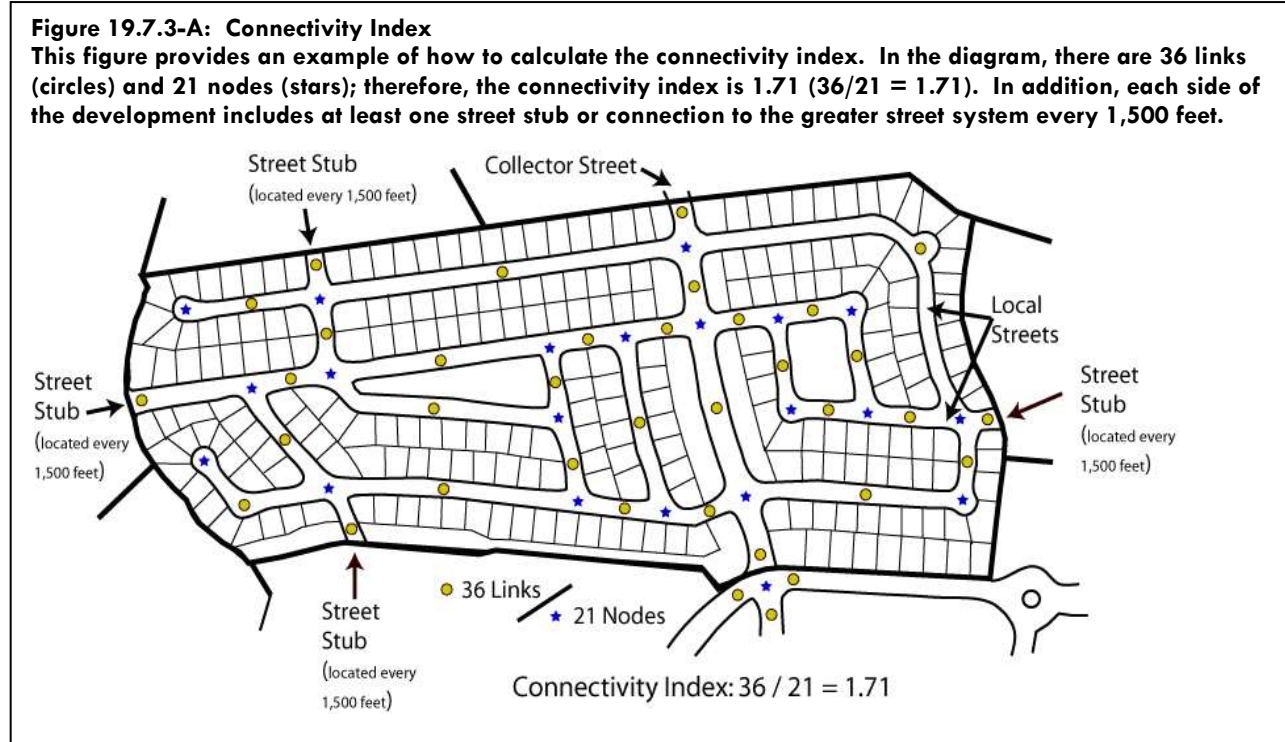
TABLE 19.7.3-1: MINIMUM CONNECTIVITY INDEX SCORE	
BASE ZONING DISTRICT	MINIMUM INDEX SCORE
RS-1, RS-2, DH, RMH, PS	1.4
RS-4, RS-6, RS-8, RM-10, RM-16 (single-family attached only)	1.4
MC, MR, MN, PC	1.65

- (2) The required connectivity index standard may be reduced by the Community Development Director through the administrative adjustment process (Section 19.6.9.B) if the applicant demonstrates it is impossible or impracticable to achieve due to:
 - i. Topographic conditions;
 - ii. Natural features;
 - iii. Adjacent existing development patterns; or
 - iv. Other site limitations as agreed upon by the applicant and Community Development.
- (3) The connectivity index for a development shall be calculated by dividing its links by its nodes.
 - i. Nodes (shown as stars in Figure 19.7.3-A) exist at street intersections and cul-de-sac heads within the development.
 - ii. Links (shown as circles in Figure 19.7.3-A) are stretches of road that connect nodes.
- (4) For purposes of calculating the index for a development:

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- i. One link beyond every node that exists in the development and provides access to the street network shall be included in the index calculation. Street stub-outs are considered as links.



- ii. Temporary dead-end streets internal to a development, gated streets, private streets in gated sections, or alleys shall not be counted as links.
- iii. Temporary dead-end streets terminating at the perimeter of a development shall be counted as a link.
- iv. An additional $\frac{1}{2}$ link shall be included in the index calculation for each:
 1. Pedestrian connection through a cul-de-sac or as determined by the Community Development Director, and
 2. Additional un-gated vehicular connection (beyond the first) to an arterial or collector street.
- v. An additional $\frac{1}{4}$ link shall be included in the index calculation for each roadway segment where homes face amenitized open space, parks or natural area.

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- (5) Whenever cul-de-sac streets (or “knuckles”) are created, at least one eight-foot-wide lighted pedestrian access easement shall be provided, to the maximum extent practical, between each cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or pedestrian sidewalk or pathway. See Figure 19.7.3-B. Such pedestrian connections may be used in the connectivity index calculation per 19.7.3.D.1(b).(4)(iv).
- (6) All stub streets and temporary dead-end streets greater than 150 feet in length shall terminate in a cul-de-sac.

2. External Street Connectivity

In addition to the internal street connectivity requirements, circulation plans for all new development, except for lots within the downtown districts, shall maintain external street connectivity in accordance with the following standards:

- (a) The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining lands in those cases in which the adjoining lands are undeveloped and intended for future development or in which the adjoining lands are developed and include opportunities for such connections. Traffic-calming measures, such as but not limited to diverters, street gardens, and curvilinear alignments, shall be integrated into the development to mitigate the impact of potential future cut-through traffic.

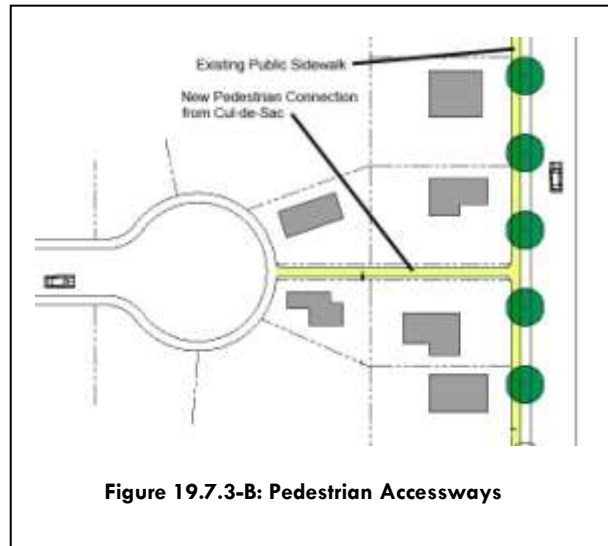


Figure 19.7.3-B: Pedestrian Accessways

- (b) Street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development at least every 1,500 feet for each direction (north, south, east, and west) in which development abuts vacant lands, as determined by the Community Development Director. Such street stubs shall not be required to abut adjacent development lacking existing or planned street connections, floodplains, wetlands, the H overlay, or other unique site conditions preventing a street connection in the opinion of the Community Development Director.
- (c) Residential streets affected by external street connectivity requirements may be candidates for traffic calming treatments upon the recommendation of the Community Development Director and Public Works Director.
- (d) Street and sidewalk connections shall be made between neighborhood commercial centers and adjacent residential neighborhoods.

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- (e) Shared commercial/residential connections with arterials shall be primarily oriented towards commercial centers.
- (f) At all locations where streets terminate with no street connection, but a future connection is planned or accommodated, a sign shall be installed at the location with the words "STREET MAY BE EXTENDED BY THE AUTHORITY OF THE CITY OF HENDERSON" to inform property owners.
- (g) The Final Map and a disclosure for all residential dwellings shall identify all stub streets and include a notation that all street stubs are intended for connection with future streets on adjoining undeveloped property.

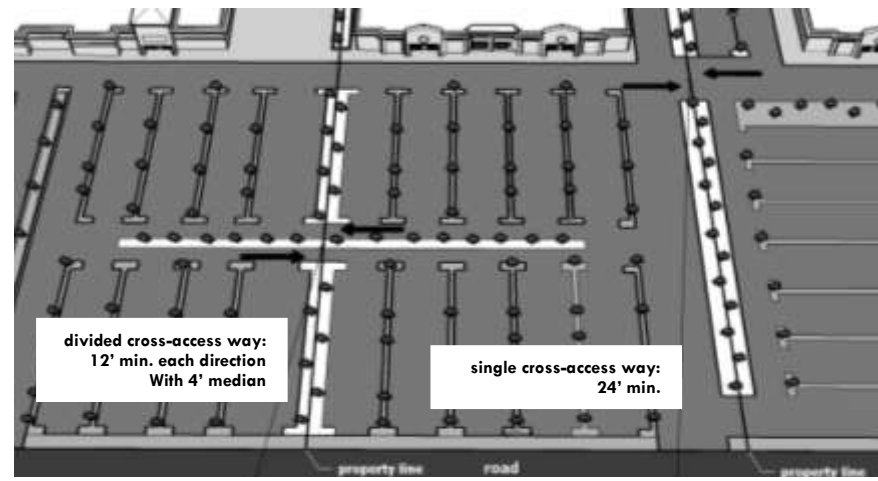
A. CROSS-ACCESS BETWEEN ADJACENT USES

To encourage shared parking and shared access points on public streets, circulation plans prepared for all new nonresidential and mixed-use development, except within a DCC district, shall comply with the following standards:

1. Internal vehicular circulation areas shall be designed to allow for cross-access with adjacent lots that have nonresidential or mixed uses.
2. A stub for future cross-access shall be provided from the vehicular use area to all adjacent vacant land designated for nonresidential or mixed-use development.

3. Cross-access ways shall allow for two-way traffic between parcels through the use of a single drive aisle with a minimum width of 24 feet or through two one-way aisles each with a minimum width

Figure 19.7.3-C: Cross-access



of 12 feet. The maximum median separation width shall be 15 feet with a left-turn pocket or four feet without a left-turn pocket. Shown on Figure 19.7.3-C.

4. When cross-access for vehicles is deemed impractical by the Community Development and Public Works Directors on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross-access may be waived if bicycle and pedestrian connections are provided between adjacent developments or land uses, either at the street frontage or internal within the site.
5. A cross-access easement must be recorded prior to issuance of a building permit for the development, unless otherwise approved by the Community Development Director.

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B. PEDESTRIAN CIRCULATION

Circulation plans shall address pedestrian circulation in accordance with the following standards:

1. Sidewalks Required

Minimum five-foot sidewalks shall be installed on both sides of all arterials, collector streets, and local streets (including loop streets, cul-de-sacs, and private streets), and within and along the frontage of all new development or redevelopment. This requirement shall not apply within the MC district, where a larger sidewalk requirement applies; or to local streets in districts within the RN overlay, where an established cross-section without sidewalks has been approved; or in steep-slope areas where sidewalks on one side of the street may be approved by the Community Development Director to reduce excessive slope disturbance, adverse impacts on natural resources, and potential soil erosion and drainage problems.

2. Onsite Pedestrian Connections

(a) All commercial, industrial, multifamily, and mixed-use development shall provide a network of onsite pedestrian walkways with a minimum width of five feet to and between the following areas:

- (1) Entrances to each building on the site, including pad site buildings;
- (2) Public sidewalks or walkways on adjacent properties and along public rights-of-way that extend to the boundaries shared with the subject development;
- (3) Adjacent public transit station areas, transit stops, park and ride facilities, or other transit facilities; and
- (4) Adjacent parks, trails, schools, and recreation centers.



Figure 19.7.3-D: Examples of Pedestrian Connections

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- (5) Adjacent non-residential development, as determined by the Community Development Director.
- (b) Identify pedestrian walkways and crosswalks to motorists and pedestrians through the use of one or more of the following methods: (Figure 19.7.3-D.)
- (1) Changing paving material, patterns, or paving color;
 - (2) Changing paving height;
 - (3) Decorative bollards;
 - (4) Painted crosswalks;
 - (5) Raised median walkways with landscaped buffers;
 - (6) Stamped asphalt; or
 - (7) Bicycle parking.

COMMENTARY:
Easements to provide rights of access between adjacent properties must be recorded prior to project occupancy.

All non-standard paving methods listed that are installed within the public right-of-way require a revocable permit.

- (c) Emphasize pedestrian circulation routes with special design features that establish them as areas where pedestrians are physically separated from the flow of vehicular traffic and/or are protected from the desert elements. See Figure 19.7.3-E. Techniques shall include one or more of the following:

- (1) Arcades, porticos, or other shade structures;
- (2) Pedestrian light features,
- (3) Bollards,
- (4) Seat walls or benches;
- (5) Drinking water fountains; or
- (6) Landscape planters.



Figure 19.7.3-E: Pedestrian

- (d) Sites larger than five acres shall be divided into smaller units through the use of pedestrian walkways, private drives, and other vehicular circulation routes. Breaking up such sites need not require any subdivision of the site or creation of a separate legal description(s).
- (e) To the extent practical, drainage facilities should be similarly designed with pedestrian amenities on the same sites.

3. Pedestrian Access Through Parking Areas

All surface parking lots that contain more than 50 parking stalls must include pedestrian walkways through the parking lot to the primary building entrance or a sidewalk providing access to the primary building entrance. At a minimum, walkways must be provided for every five driving aisles.

4. Pedestrian Access Through Parking Garages

Pedestrian walkways must be provided through parking garages from the parking area to the abutting public right-of-way and/or to the primary entrance of the building served by the parking. Pedestrian walkways may not use vehicle entrance or exit driveways from the parking area to a public right-of-way.

5. Overhead Weather Protection and Shade

Commercial, mixed-use, and industrial development shall provide overhead weather protection and shade structures pursuant to Section 19.7.6.D.3(h), *Response to the Climate*.

6. Standards for Pedestrian Improvements

General Pedestrian Walkway Standards

(a) Required pedestrian walkways must:

- (1) Be at least five feet in width;
- (2) Be distinguishable from traffic lanes by painted markings, pavement material, texture, or raised in elevation (striped asphalt does not count);
- (3) Have adequate lighting for security and safety;
- (4) Be centrally located on the subject property;
- (5) Be ADA accessible; and
- (6) Not include barriers that limit pedestrian access between the subject property and adjacent properties.

19.7.4. PARKING AND LOADING

A. PURPOSE

The regulations of this section are intended to help ensure provision of off-street parking and loading facilities in proportion to the generalized parking, loading, and transportation demands of different land uses. Additional parking standards for mixed-use districts can be found in Section 19.7.7.G.1(f).

B. APPLICABILITY

1. New Development

Every building or land use established, every existing building enlarged, and every existing use expanded must provide off-street parking and loading areas in accordance with the minimum parking requirements set forth in Sections 19.5.3 through 19.5.6. Existing parking and loading spaces may not be reduced below the minimums required by Sections 19.5.3 through 19.5.6.

2. Expansions and Enlargements

The off-street parking and loading standards of this section apply when an existing structure or use is expanded or enlarged. In the case of such expansions or enlargements, additional off-street parking and loading spaces are required to serve only the enlarged or expanded area, provided that in all cases the number of off-street parking and loading spaces provided for the entire use (pre-existing plus expansion) must equal at

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least 75 percent of the minimum required ratio as defined in Sections 19.5.3 through 19.5.6.

3. Change of Use

Off-street parking and loading must be provided for any change of use that would result in a requirement for more parking or loading spaces than the existing use as defined in Sections 19.5.3 through 19.5.6.

4. Exemptions

For exemptions to downtown district parking and loading spaces, refer to Section 19.7.4.F.8.

C. OFF-STREET PARKING SCHEDULES

1. Minimum Off-Street Parking Requirements

The minimum off-street parking requirements for uses allowed by this Code are listed with the use-specific standards for the particular use in Chapter 19.5: *Use Regulations*.

2. Schedule “B”

Use subject to Off-Street Parking Schedule “B” (Sections 19.5.3 – 19.5.6) must provide the minimum number of off-street parking spaces indicated in Table 19.7.4-1, *Off-Street Parking Schedule B*.

ACTIVITY	NUMBER OF SPACES REQUIRED
Office or Administrative Area	1 per 300 square feet
Indoor Sales Area	1 per 200 square feet
Outdoor Sales, Display, or Storage Area (3,000 square feet or less)	1 per 750 square feet
Outdoor Sales, Display, or Storage Area (over 3,000 square feet)	1 per 1,000 square feet
Indoor Storage/Warehousing/Vehicle Repair/Manufacturing Area	
1 - 3,000 square feet	1 per 250 square feet
3,001 - 5,000 square feet	1 per 500 square feet
5,001 – 10,000 square feet	1 per 750 square feet
10,001 and greater	1 per 1,250 square feet

3. Schedule “C”

Use subject to Off-Street Parking Schedule “C” (Sections 19.5.3 – 19.5.6) have widely varying parking and loading demand characteristics, making it very difficult to specify a single appropriate off-street parking or loading standard. Upon receiving a development application for a use subject to Schedule “C” standards, the Community Development Director is authorized to apply the off-street parking and loading standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of a parking and loading study prepared by the applicant. The study must include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE) or other acceptable estimates as approved by the Community Development Director, and should include other reliable data

collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study must document the source of data used to develop the recommendations.

D. OFF-STREET LOADING

1. Loading Spaces Required

Off-street loading spaces must be provided in accordance with Section 19.5.3–19.5.6 and Table 19.7.4-2, *Off-Street Loading Schedule*:

TABLE 19.7.4-2: OFF-STREET LOADING SCHEDULE		
GROSS FLOOR AREA	MINIMUM NUMBER OF SPACES REQUIRED	
	TYPE A	TYPE B
LOADING GROUP 1		
0 – 5,000 square feet	N/A	N/A
5,001 – 15,000 square feet	N/A	1
15,001 – 50,000 square feet	N/A	2
50,001 +	N/A	3
LOADING GROUP 2		
0 – 10,000 square feet	1	N/A
10,001 – 20,000 square feet	N/A	1
20,001 +	1	1
LOADING GROUP 3		
0 – 30,000 square feet	N/A	1
30,001 – 100,000 square feet	N/A	2
100,001 +	N/A	3
NOTES:		
Type A: 10-foot minimum width, 20-foot minimum length, and 10-foot minimum vertical clearance.		
Type B: 12-foot minimum width, 35-foot minimum length, and 14-foot minimum vertical clearance.		

2. Surfacing and Maintenance

Loading areas and access drives must be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights unless otherwise approved by the Public Works Director.

3. Design and Location Requirements

- (a) At no time may goods be loaded or unloaded from the right-of-way of a collector or arterial street.
- (b) No part of any vehicle may extend into the right-of-way of a collector or arterial street or block any public sidewalk while being loaded or unloaded.
- (c) On a site adjoining an alley, a required loading space must be accessible from the alley unless alternate access is approved by the Public Works Director.

- (d) A required loading space must be accessible without backing a vehicle across a street property line unless the Public Works Director determines that provision of turnaround space is infeasible and approves alternate access.
- (e) A loading space must not intrude into any portion of a required drive aisle, ADA-accessible route, or fire lane.
- (f) An occupied loading space must not prevent access to a required parking space.
- (g) Loading spaces must be designed so that parking maneuvers, such as backing into the loading area, do not occur in the public right-of-way.
- (h) Exterior loading areas must be screened on three sides by a building, solid decorative screen wall at least eight feet in height, and landscaping at least five feet in width, adjacent to the screen wall.
- (i) Loading spaces must be located a minimum of 50 feet from any property with a residential land use.
- (j) Required off-street loading spaces must be on the site of the use served or on an adjoining site and must not be located in a required setback.

E. CALCULATIONS

The following rules apply when calculating off-street parking and loading requirements:

1. Multiple Uses

Unless otherwise approved, lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses.

2. Fractions

When measurements of the number of required spaces result in a fractional number, the result must be rounded up to the next higher whole number.

3. Area Measurements

Unless otherwise expressly stated, all square-footage-based parking and loading standards must be computed on the basis of gross floor area.

4. Occupancy- or Capacity-Based Standards

For the purpose of calculating parking requirements based on employees, students, residents, or occupants, calculations must be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.

5. Unlisted Uses

Upon receiving a development application for a use not expressly listed in this section or within Chapter 19.5: *Use Regulations*, the Community Development Director is authorized to apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of the requirements that apply to Schedule "C" uses, in accordance with Section 19.7.4.C.3.

6. Reserved Parking

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All required parking spaces must be free, unfettered, and permanently available to all users. They must also be maintained for public-parking purposes only. This applies to both covered and uncovered parking spaces (required spaces may be covered so long as they are not reserved). Only parking spaces provided in excess of the minimum number of spaces required by this Development Code may be reserved—covered or uncovered—for specific users.

7. **Parking within Rights-of-Way**

Parking within the right-of-way is deemed excess parking and does not count toward meeting minimum off-street parking requirements. Unless otherwise expressly stated, all required parking must be located on the project site of the use or development that the parking is required to serve.

F. **OFF-STREET PARKING ALTERNATIVES**

1. **Scope**

This section authorizes several alternatives to strict compliance with the parking regulations of this chapter.

2. **Applicability**

Applicants seeking approval of an alternative parking plan through the waiver or administrative adjustment processes must secure approval of such plan in accordance with the provisions of this section. Alternative parking plans may be approved in all zoning districts except DCC, DRH, or DP districts.

3. **General**

(a) **Procedure**

Alternative parking plans must be reviewed and approved in accordance with the administrative adjustment procedures of Section 19.6.9.B.

(b) **Recordation of Approved Plans**

An attested copy of an approved alternative parking plan and approval letter must be recorded with the Clark County Recorder. An alternative parking plan may be amended by following the same procedure required for the original approval. The applicant must provide proof of recordation prior to approval of a certificate of occupancy.

(c) **Violations**

Violations of an approved alternative parking plan constitute a violation of the Development Code and will be subject to the enforcement and penalty provisions of Chapter 19.11: Enforcement.

4. **Offsite Parking**

The Community Development Director may approve the location of required off-street parking spaces on a separate lot from the lot on which the principal use is located if the offsite parking complies with all of the following standards.

(a) **Ineligible Activities**

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Offsite parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off site.

(b) Location

No offsite parking space may be located more than 1,000 feet from the primary entrance of the use served (measured along the shortest legal pedestrian route) unless remote-parking shuttle-bus service is provided. Offsite parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided or other traffic control or remote parking shuttle bus service is provided.

(c) Zoning Classification

Offsite parking areas require the same or a more intensive zoning classification than required for the use served.

(d) Agreement for Offsite Parking

In the event that an offsite parking area is not under the same ownership as the principal use served, a written agreement between the record owners will be required. The agreement must guarantee the use of the offsite parking area for at least ten years. An attested copy of the agreement between the owners of record must be submitted to the Community Development Director for review and approval. Recordation of the approved agreement by the applicant must take place before issuance of a building permit or certificate of occupancy for any use to be served by the offsite parking area. An offsite parking agreement may be revoked only if all required off-street parking spaces will be provided, in accordance with Sections 19.5.3 through 19.5.6. No use may be continued if the parking is removed unless substitute parking facilities are provided, and the Community Development Director must be notified at least 60 days prior to the termination of a lease for offsite parking.

5. Shared Parking

The Community Development Director may approve shared-parking facilities for developments or uses with different operating hours or different peak business periods if the shared parking complies with all of the following standards.

(a) Location

Shared-parking spaces must be located within 1,000 feet of the primary entrance of all uses served, unless remote-parking shuttle-bus service is provided.

(b) Zoning Classification

Shared-parking areas require the same or a more intensive zoning classification than required for the use served.

(c) Shared-parking Study

Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared-parking analysis prepared by a qualified professional to the Community Development Director that clearly demonstrates the

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feasibility of shared parking. The study must be provided in a form established by the Community Development Director and be made available to the public. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

(d) Agreement for Shared Parking

A shared-parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Community Development Director for review and approval. Recordation of the approved agreement by the applicant must take place before issuance of a building permit for any use to be served by the offsite parking area. A shared-parking agreement may be terminated only if all required off-street parking spaces will be provided, in accordance with the requirements in Sections 19.5.3 through 19.5.6.

6. Valet Parking

The Community Development Director may approve valet parking as a means of satisfying otherwise applicable off-street parking requirements if:

- (a)** A valet-parking plan must be reviewed and approved in accordance with design review procedures if a plan was not submitted with the entitlement application that created the development.
- (b)** All parking areas, except allowed tandem and stacked-parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle. Stacked parking may be authorized by the Community Development Director in valet-parking facilities and other parking lots with a parking attendant.
- (c)** No more than 50 percent of the minimum required parking spaces for the development may be designated for valet spaces.
- (d)** Valet parking must be designed so that direct access is not from a public street or alley. Direct access must be provided from an internal drive aisle that serves the development. The valet-parking design may not restrict pedestrian and vehicular circulation within the development.
- (e)** The development must provide a designated drop-off and pick-up area. The drop-off and pick-up area may be located adjacent to the building, but it may not be located within a fire lane, impede vehicular and/or pedestrian circulation, or cause queuing in the right-of-way or drive aisle.
- (f)** The valet parking area may not be located within 200 feet of the public entrance of a building within the development. If the parking configuration does not allow compliance with this separation requirement, such as in parking garages, valet parking must be located in the farthest spaces from any public entrance as approved by the Community Development Director.

7. Parking-reduction Incentives

- (a) Transit Accessibility**

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The Community Development Director may authorize up to a 15 percent reduction in the number of off-street parking spaces required for uses located within 1,000 feet of a bus rapid transit-stop.

(b) Multifamily Residential in Mixed-Use Building

Multifamily residential incorporated as part of a vertically-oriented mixed-use building shall provide a minimum of 1.5 spaces per dwelling unit. No parking study shall be required unless it is combined with another credit request.

(c) Transportation Demand Management

The Community Development Director and/or Public Works Director may approve a Transportation Demand Management plan (TDM plan) as a means of reducing the minimum number of off-street parking spaces required for large employers (defined for purposes of this section as those with at least 500 employees) within a nonresidential or mixed-use development with a minimum overall area of ten acres.

(1) Required TDM Plan

A TDM plan shall be reviewed and approved in accordance with the applicable entitlement application to allow up to a 15 percent reduction. The TDM plan must include facts and/or projections (i.e., type of development, proximity to transit and/or other multi-modal systems, anticipated number of employees and/or patrons, Development Code minimum-parking requirements) and indicate the types of transportation demand management activities that will be instituted to reduce single-occupant vehicle use and reduce traffic congestion.

(2) Transportation Demand Management Activities

The TDM plan must provide a minimum of three of the following transportation demand management activities in order to qualify for a reduction in otherwise required minimum off-street parking ratios:

- i. Establish a development-specific website that provides multi-modal transportation information such as real-time travel/traffic information, bus routes, bus schedules and maps, and alternative commute log (bicycle, pedestrian, carpool, vanpool, etc.).
- ii. Disclose in writing to all employees transportation information and educational materials.
- iii. Coordinate the formation of, but not limited to, carpooling, vanpooling, ridesharing, guaranteed ride home, teleworking, and/or shuttle service programs.
- iv. Create a Preferential Parking Management Plan that specifically marks spaces for each registered carpool and/or vanpool vehicle, located near building entrances or in other preferential locations.
- v. Institute off-peak work schedules, allowing employees to arrive and depart at times other than the peak morning commute period. The peak morning commute period is defined as 7:00–

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9:00 a.m. and the peak evening commute period is defined as 5:00–7:00 p.m.

- vi. Establish an office location within the development, staffed by the transportation coordinator that makes transportation and ride-sharing information available to employees, residents, and nonresidents.
- vii. Alternative transportation demand management activities may be approved by the Community Development and Public Works Directors as a means of complying with the parking reduction incentive provisions of this subsection.

(3) Transportation Program Manager/Coordinator

- i. The applicant must appoint a program coordinator to oversee transportation demand management activities.
- ii. The program coordinator must be registered with the Regional Transportation Commission of Southern Nevada's TDM program, Club Ride Commuter Services, to promote the use of alternative commute modes and reduce single occupancy vehicle use.
- iii. The transportation coordinator must be appointed prior to issuance of a building permit or certificate of occupancy for the buildings to be served by the transportation demand management program.

(4) TDM Annual Report

The program coordinator must provide a report annually to the Public Works Director that details the implementation strategies for the TDM plan as approved by the appropriate decision-making body for the subject entitlement application. The report may include the following:

- i. A description of the transportation management activities efforts;
- ii. A list of current tenants and number of employees for each tenant;
- iii. A parking-reduction analysis based on employee and/or resident use of ridership programs or alternative transportation options;
- iv. Changes to the TDM plan to increase ridership; and
- v. Employee transportation survey.

(5) Recordation

A copy of the approved TDM plan shall be recorded with the Clark County Recorder's Office. Recordation of the TDM plan must take place prior to issuance of a building permit for the development to be served by the plan. The TDM plan shall be recorded against the property, and the applicant and/or successors of interest shall be responsible for the plan in perpetuity on the property.

(6) Enforcement

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In the event that: (1) the program coordinator fails to submit a report to the Public Work Director in a timely fashion not to exceed 60 days after the annual report deadline or (2) the applicant no longer implements the program, the TDM plan shall be considered terminated and the required off-street parking spaces must be provided in accordance with requirements in Sections 19.5.3 through 19.5.6.

(7) Amendments

Minor amendments to approved TDM plans shall be approved administratively in accordance with Section 19.6.9.B, *Administrative Adjustments*. The Community Development Director and/or Public Works Director may approve a major amendment to an approved TDM plan following the same process required for the initial approval.

(d) Special Facilities for Bicycle Commuters

The Community Development Director may authorize up to a five percent reduction in the number of required off-street parking spaces for developments or uses that provide both of the following:

- (1)** Enclosed (indoor or locker), secure bicycle parking spaces equal to at least five percent of the number of vehicle parking spaces provided; and
- (2)** Employee shower and dressing areas for employees.

(e) Other Eligible Alternatives

The Community Development Director may approve any other parking-reduction incentive that reduces minimum off-street parking requirements in exchange for strategies that will effectively reduce parking demand on the site of the subject development provided the alternative does not result in a modification that is greater than a ten percent modification of the off-street parking standards found in this chapter. Such alternatives may only be approved if the applicant demonstrates to the satisfaction of the Community Development Director that the proposed plan will do at least as good a job protecting surrounding neighborhoods, maintaining traffic-circulation patterns, and promoting quality urban design than would strict compliance with the otherwise applicable off-street parking standards.

(f) Maximum Reduction Allowed

Total cumulative reductions to the minimum off-street parking requirements through the application of any combination of the potential credits and reductions listed above shall not exceed 25 percent, as determined by the Community Development Director.

8. Mixed-Use Districts Parking

In all mixed-use districts, off-street parking is prohibited between the principal street and the corresponding street-facing facade line.

9. Downtown Parking – Reduction Incentives

(a) Purpose

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The downtown parking zones are established to efficiently provide access to commercial and residential properties. The regulations for these zones will supersede other Development Code Parking regulations for the DRL, DRM, DRH, DCC, DHC and DP zoning districts and any additional downtown zoning district which may be created. If a parking regulation is not addressed within the requirements of the downtown parking zones, the parking regulations found within 19.5 and 19.7 will apply. These regulations will conform to the recommendations found within the City of Henderson Downtown Parking Master Plan.

(b) Required Parking

Required parking spaces within the parking zones must be available for residents, customers or employees of a use. Required parking may not be assigned in any way. It must remain free, unfettered and permanently available to all users. This applies to all covered and uncovered parking stalls.

(1) Minimum Off-Street Parking Requirement

i. Purpose

This section is intended to ensure all development downtown has sufficient access to parking whether that parking is provide on-site or within a designated public parking area within the designated distance to the primary use.

ii. Minimum Parking

Unless otherwise stated in the Development Code, all development within the downtown parking zones shall provide the minimum number of off-street parking spaces as is required in Section 19.5 *Use Regulations*.

iii. Shared Parking

All developments located within the downtown parking zones 1 and 2 (see Downtown Parking Zone Map) shall allow for sharing of parking facilities.

iv. Offsite Parking

All approved offsite parking must be located within a public parking facility or shall comply with Section 19.7.4.F.4.

(2) Maximum Off-Street Parking Requirement

i. Purpose

The downtown parking zone is an area where space is limited and there is a desire to maximize the use of parcels available for development. In addition, the desire to create a truly urban atmosphere and promote efficient land use, maximum off-street parking requirements are found in Section 19.5 *Use Regulations*.

ii. Exceptions

Exceptions to the maximum off-street parking requirement will include any site where a structured parking garage is developed.

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(c) Creation of Parking Zones

Three distinct parking zones have been created to address the Downtown Commercial Core, Downtown Residential and Downtown Highway Commercial zoning districts (see Downtown Parking Zone Map). Each of these parking zones will address the uses allowed within that zoning district.

(1) Parking Zone 1

i. Purpose

These parking regulations will apply to all DCC zoned properties located within the area identified on the Downtown Parking Zone Map. This zone is meant to encourage pedestrian access movement within the area and attempt to reduce vehicular traffic.

ii. Parking Regulations

All developments over three stories in height and located within the DCC zoning district shall comply the parking ratios found in Section 19.5 Use Regulations.

iii. Exceptions

1. Any building located within the DCC zoning district and is three stories or less in height shall not be required to provide any onsite parking, unless the building has a residential component, which will require onsite parking to be provided in conformance with Section 19.5 Use Regulations.
2. Any building located within the DCC zoning district and is over three stories in height may choose to participate in one or more of the following options to receive a reduction to the minimum off-street parking requirement:

iv. Shared Parking

If a shared parking analysis prepared by a qualified professional is provided to the Community Development Director demonstrating the proposed uses on-site will have different peak operating hours and the proposed parking area will be able to meet the anticipated demand of all uses, the proposed off-street parking requirements may be reduced by 25% of the minimum off-street parking space requirement.

v. Bicycle Parking

Community Development Director may administratively approve up to a ten (10) percent reduction in the number of required off-street parking spaces for developments or uses that provide both of the following:

1. Enclosed (indoor or locker), secure bicycle parking spaces equal to at least ten (10) percent of the number of minimum off-street parking spaces required; and

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2. Employee shower and dressing area is provided for employees.

vi. Mass Transportation

Community Development Director may administratively approve up to a fifteen (15) percent reduction in the number of off-street parking spaces required for uses located within 500 feet of a bus rapid transit stop or bus stop.

vii. TDM (Transportation Demand Management)

Community Development Director may administratively approve up to a fifteen (15) percent reduction to the number of off-street parking spaces if a development or use implements a Transportation Demand Management program in compliance with Section 19.7.4.F.7(c).

viii. Other Eligible Alternatives

Community Development Director may administratively approve any other parking-reduction incentive that reduces minimum off-street parking requirements in exchange for strategies that will effectively reduce parking demand on the site of the subject development provided the alternative does not result in a modification that is greater than ten (10) percent of the off-street parking standards found in this chapter. Such alternatives may only be approved if the applicant demonstrates to the satisfaction of staff that the proposed plan will do at least as good a job protecting surrounding neighborhoods, maintaining traffic-circulation patterns, and promoting quality urban design than would strict compliance with the otherwise applicable off-street parking standards.

ix. Maximum Reduction

Total cumulative reductions to the minimum off-street parking requirements through the application of any combination of the potential credits and reductions listed above shall not exceed fifty (50) percent.

(2) Parking Zone 2

i. Purpose

This parking zone is located along a major arterial and will be serviced by more vehicular traffic and less walking and bicycle traffic. These requirements will only apply to the DHC zoned properties located along Lake Mead Parkway.

ii. Parking Regulations

All off-street parking for properties located within this zone will be required to comply with the off-street parking requirements found in Section 19.5 Use Regulations.

iii. Exceptions

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A development located within this parking zone may choose to participate in one or more of the following programs to receive a reduction to their minimum off-street parking requirement:

iv. Shared Parking

If a shared parking analysis prepared by a qualified professional is provided to the Community Development Director demonstrating the proposed uses on-site will have different peak operating hours and the proposed parking area will be able to meet the anticipated demand of all uses, the proposed off-street parking requirements may be reduced by 25% of the minimum off-street parking space requirement.

v. Bicycle Parking

Community Development Director may approve up to a five (5) percent reduction in the number of required off-street parking spaces for developments or uses that provide both of the following:

1. Enclosed (indoor or locker), secure bicycle parking spaces equal to at least 10 percent of the number of minimum off-street parking spaces required; and
2. Employee shower and dressing area is provided for employees.

vi. Mass Transportation

Community Development Director may approve up to a fifteen (15) percent reduction in the number of off-street parking spaces required for uses located within 500 feet of a bus rapid transit stop or bus stop.

vii. TDM (Transportation Demand Management)

Community Development Director may approve up to a fifteen (15) percent reduction to the number of off-street parking spaces if a development or use implements a Transportation Demand Management program in compliance with Section 19.7.4.F.7(c).

viii. Other Eligible Alternatives

Community Development Director may approve any other parking-reduction incentive that reduces minimum off-street parking requirements in exchange for strategies that will effectively reduce parking demand on the site of the subject development provided the alternative does not result in a modification that is greater than a five (5) percent modification of the off-street parking standards found in this chapter. Such alternatives may only be approved if the applicant demonstrates to the satisfaction of staff that the proposed plan will do at least as good a job protecting surrounding neighborhoods, maintaining traffic-circulation patterns, and promoting quality urban design

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than would strict compliance with the otherwise applicable off-street parking standards.

ix. Maximum Reduction

Total cumulative reductions to the minimum off-street parking requirements through the application of any combination of the potential credits and reductions listed above shall not exceed twenty-five (35) percent.

(d) Parking Zone 3

(1) Purpose

This zone is primarily residential in nature, and as such must be able to accommodate residents and guests to the area. These regulations will apply to any downtown residentially zoned property.

(2) Parking Regulations

All development located within this parking zone shall be required to provide off-street parking in conformance with the regulations found in Section 19.5 Use Regulations.

(3) Exceptions

A development located with this parking zone may choose to participate in one or more of the following programs to receive a reduction to their minimum off-street parking requirement:

i. Bicycle Parking

Community Development Director may approve up to a five (5) percent reduction in the number of required off-street parking spaces for developments or uses that provide the following:

1. Enclosed (indoor or locker), secure bicycle parking spaces equal to at least 10 percent of the number of minimum off-street parking spaces required; and
2. Employee shower and dressing area is provided for employees.

ii. Mass Transportation

Community Development Director may approve up to a ten (10) percent reduction in the number of off-street parking spaces required for uses located within 500 feet of a bus rapid transit stop or bus stop.

iii. Maximum Reduction

Total cumulative reductions to the minimum off-street parking requirements through the application of any combination of the potential credits and reductions listed above shall not exceed fifteen (15) percent.

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- (e) Parking Agreements (Local Improvement District and/or Business Improvement District)
 - (1) In lieu of providing off-street parking and loading spaces, which may allow the development of up to 100 percent of a site, the applicant may participate financially in a Local Improvement District and/or Business Improvement District for the purpose of creating additional parking within the downtown zoning districts.
 - (2) As a condition for permitting up to 100 percent development of lots and not requiring off-street parking or loading spaces, the owner of real property requesting any design review, to include facade improvements, conditional use permit, or zoning map amendment, must agree to enter into a participation agreement for the purpose of forming a Local Improvement District and/or Business Improvement District or other financing vehicle for the purpose of creating additional parking within the downtown area. In such cases all loading facilities shall be located inside the building.
 - (3) The agreement for parking must run with the land and be binding on all current and future property owners. The agreement must include a calculation showing the required number of off-street parking and loading spaces required for the development and/or redevelopment of the property.
 - (4) Any change in development plans that would increase the number of required off-street parking and loading spaces by five percent or more requires an amendment to the parking agreement.

10. Commuter Ride Lot

The Community Development Director may approve commuter ride lot facilities on a site upon which a principal use is located, or site where the commuter ride lot is the primary use, if the facility complies with the following standards.

- (a) Commuter Ride Lot (CRL) Plan

A Commuter Ride Lot (CRL) plan shall be reviewed and approved in accordance with the design review procedures if a plan was not submitted with the entitlement application that created the development, if on a shared facility. The CRL plan must include a justification letter demonstrating compatibility of uses on-site, proposed number and location of parking spaces, lighting, operating hours and peak business parking periods for the principal use and commuter ride lot, vending stands and/or machines not to exceed 120 square feet, operating characteristics of the commuter program (i.e. signage, parking stall striping, pick-up and drop-off schedules), landscaping, and screening.

- (b) Location

Facility must be located on a street as identified by the Master Streets and Highways Plan. Commuter ride lots must be located on a surfaced and improved off-street parking area for a developed site, or site where the commuter ride lot is the primary use. No commuter ride lot shall be located closer than 15 feet from an existing residential dwelling unit on adjacent parcels. Commuter ride lots shall be located in the nonresidential parking areas of the development. Commuter

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ride lots in conjunction with a residential use (i.e. single-family detached, single-family attached, and multi-family, etc.) as defined by this Development Code are prohibited, unless part of a mixed-use development. Commuter ride lots shall not be located on a parcel with residential zoning designation.

(c) Ineligible Activities

Vehicles may not be stored on-site for a period of exceeding 24 hours or longer.

(d) Procedure

Parking that is above and beyond the minimum off-street requirement for a developed site that is provided for the use of a commuter ride lot, the facility shall be reviewed and approved in accordance with the design review application procedures of Section 19.6.6.B. A conditional use permit is required when the commuter ride lot reduces the parking below the minimum off-street requirement for the principal use.

(e) Agreement for Commuter Ride Lot

A CRL plan will be enforced through a written agreement among the owners of record and entity operating the commuter ride lot facility. The agreement must guarantee the implementation, maintenance, and lapse of approval of the CRL plan. An attested copy of the agreement between the owners of record shall be recorded with the Clark County Recorder's Office. Recordation of the CRL Plan shall take place prior to submittal of the applicable entitlement application to operate the commuter ride lot facility. A copy of the recorded agreement shall be provided to the Community Development Department.

(f) Violations

Violations of an approved CRL plan constitute a violation of the Development Code and will be subject to the enforcement and penalty provisions of Chapter 19.11: Enforcement.

11. Fees In Lieu of Parking

Within parking districts established by the City Council, off-street parking requirements for nonresidential uses may be satisfied by payment of an in-lieu parking fee established by the City Council. Such payment must be made before issuance of a building permit or a certificate of occupancy. Fee revenue must be used to provide public parking in the vicinity of the use. The City is not obligated to provide more than 20 spaces and then only with the express approval of the City Council. In establishing parking districts, the City Council may set limitations on the number of spaces or the maximum percentage of parking spaces required for which an in-lieu fee may be tendered.

G. USE OF OFF-STREET PARKING AREAS

1. Nonresidential Districts

Required off-street parking areas are to be used solely for the parking of licensed motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, motor homes, campers, mobile homes, or building materials.

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2. Residential Districts

- (a) Required off-street parking areas are to be used solely for the parking of licensed motor vehicles in operating condition.
- (b) In addition to the standard driveway parking spaces provided in conjunction with any single-family residence, one additional off-street parking or storage space for one recreational vehicle or one passenger vehicle may be provided within any front or street side setback area provided any vehicle does not exceed eight feet in height or 25 feet in length. Such parking or storage space must be finished in concrete, asphalt, or a similar paved surface.

H. VEHICLE STACKING AREAS

The vehicle stacking standards of this subsection apply unless otherwise expressly approved by the Public Works Director.

1. Queuing Studies

The Public Works Director is authorized to require the submittal of a queuing study when deemed necessary to competently measure the vehicle stacking (queuing) demands of a proposed use.

2. Minimum Number of Spaces

Unless otherwise required by the Public Works Director or the Community Development Director, off-street stacking spaces must be provided in accordance with Table 19.7.4-3, *Vehicle Stacking Requirements*:

TABLE 19.7.4-3: VEHICLE STACKING REQUIREMENTS		
ACTIVITY TYPE	MINIMUM STACKING SPACES	MEASURED FROM
Bank Teller Lane	4	Teller or Window
Automated Teller Machine	3	Teller
Restaurant, Drive-Through	8	Pick-Up Window to Drive-Through Lane Entrance
Car Wash Stall, Automatic	4	Entrance
Car Wash Stall, Self-Service	3	Entrance
Gasoline Pump	1	In addition to the space required at each accessible side of a gasoline pump, one stacking space at one end of Pump Island for each accessible side of the pump island.
Dry Cleaner, Drive-Through	3	Drop-Off/Pick-Up Window
Other	Determined by Public Works Director based on traffic/queuing study	

3. Design and Layout

Required stacking spaces are subject to the following design and layout standards.

(a) Size

Stacking spaces must be a minimum of eight feet by 20 feet in size.

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(b) Location

Stacking spaces may not impede required fire lanes, onsite or offsite traffic movements or movements into or out of off-street parking spaces.

(c) Design

Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the Community Development Director for traffic movement and safety. Vehicle stacking areas must also comply any applicable standards set forth in Chapter 19.5.

I. ACCESSIBLE PARKING FOR PERSONS WITH PHYSICAL DISABILITIES

1. General

A portion of the total number of required off-street parking spaces in each off-street parking area must be designated, located, and reserved for use by persons with physical disabilities, in accordance with the regulations of this section.

2. Number of Spaces

The minimum number of accessible spaces to be provided is established as a portion of the total number of off-street parking spaces provided, as determined from the following schedule. Parking spaces reserved for persons with disabilities are counted toward fulfilling off-street parking standards, and shall be provided in accordance with Table 19.7.4-4, *Accessible Parking Requirements*.

TABLE 19.7.4-4: ACCESSIBLE PARKING REQUIREMENTS		
TOTAL PARKING SPACES PROVIDED	MINIMUM NUMBER OF ACCESSIBLE SPACES (INCLUDING VAN-ACCESSIBLE)	MINIMUM NUMBER OF VAN-ACCESSIBLE SPACES
1-25	1	1
26-50	2	1
51-75	3	1
76-100	4	1
101-150	5	1
151-200	6	1
201-300	7	1
301-400	8	1
401-500	9	2
501-1,000	2% of total spaces	1 out of every 6 accessible spaces
Over 1,000	20 + 1 per each 100 spaces, or fraction thereof, over 1,000	

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3. Minimum Dimensions

All parking spaces reserved for persons with disabilities must have a minimum eight-foot width and must have an adjacent access aisle as follows:

(a) Car-Accessible Spaces

Car-accessible spaces must have at least a five-foot-wide access aisle located abutting the designated parking space.

(b) Van-Accessible Spaces

Van-accessible spaces must have at least an eight-foot-wide access aisle located abutting the designated parking space.

4. Location of Spaces

Required spaces for persons with disabilities must be located in close proximity to building entrances and must be designed to permit occupants of vehicles to reach the building entrance on an unobstructed path.

5. Signs and Marking

Required spaces for persons with disabilities must be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs must be posted directly in front of the parking space at a height of no less than 60 inches and no more than 72 inches above pavement level.

J. PARKING LOCATION AND LAYOUT

1. Location

Except as otherwise expressly provided in this Development Code, required off-street parking and loading spaces must be located on the same lot as the principal use (Section 19.7.4.F, *Off-Street Parking Alternatives*).

2. Setbacks

(a) In an RM, RH, C, or I district, required off-street parking spaces may occupy any part of the property, except within required landscape areas or sight-distance triangles.

(b) Off-street parking within downtown districts may not be located within the front yard or corner side yard area (between the building and street), except that in the DHC and DP Districts, 50 percent of the build-to-setback of the lot frontage may be occupied by parking.

3. Access

(a) All parking areas must be designed to allow vehicles to enter and exit the roadway in a forward motion unless it is physically impossible to provide for such access. An alley may be used as maneuvering space for access to off-street parking and a 20-foot credit may be granted for back-up space.

(b) When an off-street parking area does not abut a public street, there must be provided an access drive not less than 24 feet in width for two-way traffic, connecting the off-street parking area with a public street. The access drive must be paved in the manner required for off-street parking lots and may not traverse

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property in a residential district unless the drive provides access to a parking area serving a use allowed in a residential district. Where an access or service drive is such that satisfactory turnaround is not possible, a turnaround must be provided as required by the Fire Chief.

- (c) Entrances and exits are subject to the approval of the Public Works Director in accordance with encroachment regulations of the City and the Standard Drawings and Specifications. All driveways must be at least 26 feet from the point of curvature at intersections unless this requirement is waived by the Public Works Director.

4. Driveways

- (a) Widths

Driveway entrances must conform to the Standard Drawings and Specifications and must have the minimum widths listed in Table 19.7.4-5, measured from back-of-curb to back-of-curb, plus a minimum of 18 inches additional clearance on each side of a vertical obstruction exceeding 0.5 foot in height.

TABLE 19.7.4-5: DRIVEWAY WIDTH		
USE SERVED	NUMBER OF SPACES	MINIMUM WIDTH (FEET)
RESIDENTIAL	6 or Less	10
	7+	12 if 1-way 20 if 2-way
NONRESIDENTIAL TO INCLUDE DCC, DHC, AND DP DISTRICTS	24 or Less	16 if 1-way 32 if 2-way
	25+	24 if 1-way 32 if 2-way

NOTE:
The Community Development Director, in consultation with the Public Works Director, may require driveways in excess of these widths where unusual traffic, grade or site conditions prevail. The Public Works Director may require driveways to be constructed with full-curb returns and handicapped ramps, as opposed to simple-curb depression. Private driveways and drive aisles shall comply with the Fire Code when the Fire Chief determines that they are necessary for fire apparatus access.

- (b) Spacing

Driveways serving the same parking facility shall comply with the Standard Drawings and Specifications as required by the Regional Transportation Commission of Southern Nevada.

- (c) Visibility

Visibility of a driveway crossing a street property line may not be blocked between a height of 32 inches and nine feet for a

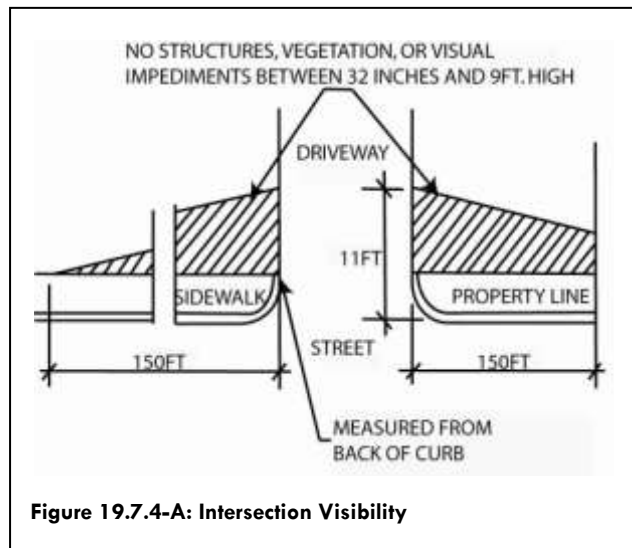


Figure 19.7.4-A: Intersection Visibility

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depth of 11 feet from the back-of-curb except that in the DCC zoning district the depth is ten feet from the back-of-curb. This driveway visibility zone extends along the edge of the right-of-way on either side of the driveway for a distance of 150 feet or to the nearest property line intersecting the street property line, whichever is less. (Site clearance triangles for streets and alleys less than 48 feet in width that intersect another street must be measured in the same manner as site triangles for driveways.)

(d) Intersection Corner Clearance

Driveways near the intersections of streets 80 feet or more in width must be spaced a minimum distance of 200 feet as measured from centerline of driveway to centerline of street for driveways located on the approach side of the intersection. That distance is increased to 275 feet for driveways located on the departure side of the intersection (Figure 19.7.4-A.). Exceptions to this requirement must be approved by the Public Works Director.

(e) Alignment

Driveway centerline shall be perpendicular to the intersecting street centerline. Driveway throat curbing shall be parallel to the driveway centerline.

5. Common Driveways

Common driveways are required between developing parcels. Exceptions to this requirement must be approved by the Public Works Director and/or the Community Development Director.

6. Number of Driveways

No more than two driveways are allowed along the property frontage of any street. If the driveway spacing cannot be met, then only one drive will be allowed. Additional driveways require approval from the Public Works Director. See also Section 19.7.3.E, *Cross-Access Between Adjacent Uses*.

7. Driveway Spacing

Except for the DCC zoning district, driveways into commercial, business park, office complex, and warehouse developments that generate more than 500 vehicle trips per day must be spaced 200 feet centerline to centerline for driveways accessing 80-foot-wide right-of-way streets and 300 feet centerline to centerline for driveways accessing 100-foot-wide and greater right-of-way streets. Driveways in the DCC zoning district require approval through the design review process.

8. Right-Turn Lanes

For streets 100 feet wide or greater, right-turn lanes may be required for driveways that are projected to have 50 to 99 entering vehicles during the development's peak hour, and right-turn lanes will be required for all driveways that are projected to have 100 entering vehicles or more during the development's peak hour. For streets 80 feet in width, right-turn lanes will be required at driveways that are projected to have 100 entering vehicles or more during the peak hour. Right-turn lanes may also be required as determined by the Public Works Director. Right-turn lanes are not required for driveways in the DCC zoning district.

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9. Driveway Throat Depths

Driveway throat depths of at least 50 feet are required for all driveways on 80-foot-wide rights-of-way. Driveway throat depths of 100 feet are required for all driveways on 100-foot-wide or greater rights-of-way. Driveway throat depths in the DCC zoning require approval through the design review process. Exceptions to this requirement must be approved by the Public Works Director. Additional throat depth may be required at each driveway generating 100 or more entering vehicles during the development's peak hour as determined by the Public Works Director.

10. Channelized Medians at Median Openings

Any median opening providing access to a driveway may be closed or channelized with a median in order to restrict the driveway to right-turn only or left-turn only movements as determined by the Public Works Director to reduce the risk of any potential traffic hazards.

K. DIMENSIONS AND DESIGN

1. General

Required off-street parking spaces shall comply with the minimum dimensional standards in Table 19.7.4-6, *Parking Space Dimensions*:

TABLE 19.7.4-6: PARKING SPACE DIMENSIONS		
USE	TYPE OF SPACE	DIMENSIONS (FEET)
Residential	In Garage/Carport	See Section 19.7.4.K.9
Residential	Uncovered	9 x 19 {1}
Nonresidential	Angle	9 x 19 {1}
All	Parallel	8 x 23
{1} When stalls are rotated at an angle of less than 90 degrees, the Community Development Director may require that stall depths perpendicular to the drive aisle increase by up to one foot.		

2. Compact Spaces

The Community Development Director is authorized to approve the use of compact parking spaces for up to 50 percent of employee parking if the need for compact parking spaces is supported by a parking study that has been prepared by the applicant. Compact parking spaces must have minimum dimensions of 8.5 feet by 18 feet. Compact parking spaces must be designated by signs or other approved markings.

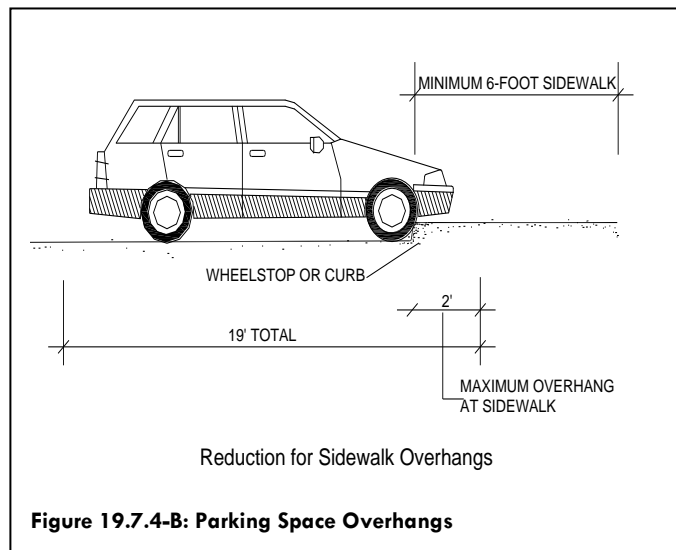


Figure 19.7.4-B: Parking Space Overhangs

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3. Vertical Clearance

All off-street parking spaces must have a minimum overhead vertical clearance of seven feet, except that an entrance may be 6.67 feet, and the front five feet of a parking space serving a residential use may have a minimum vertical clearance of 4.5 feet.

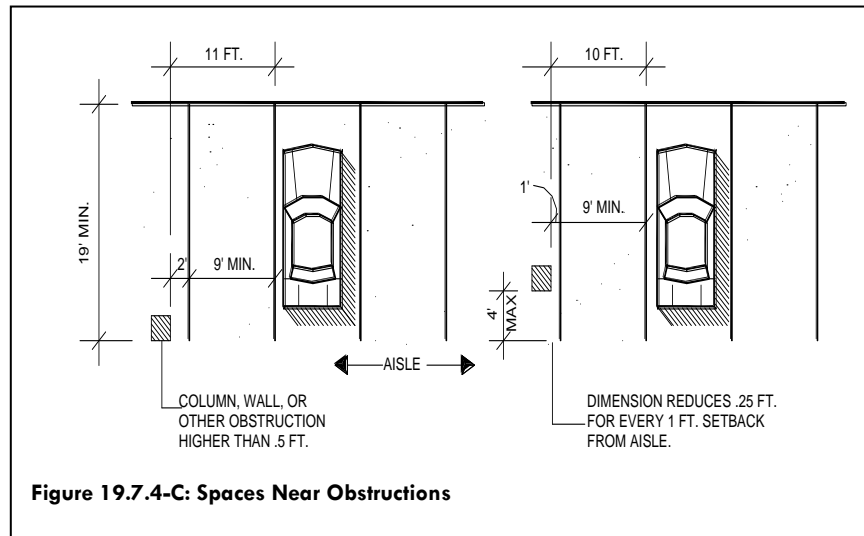
4. Reduction for Planter and Sidewalk Overhangs

When a parking space abuts a landscape island or planter, the front two feet of the required parking space length may overhang the planter, provided that wheel stops or curbing are provided. When a parking space abuts a sidewalk with a minimum width of six feet, the front two feet of the required parking space length may overhang the sidewalk in accordance with Figure 19.7.4-B.

5. Spaces Near Obstructions

When the side of a parking space adjoins a wall, column or other obstruction that is taller than six inches, the width of the parking space must be increased by two feet on the obstructed side, provided that the increase may be reduced by three inches for each 12 inches up to a maximum of four feet of unobstructed distance from the edge of a required aisle, measured parallel to the depth of the parking space. This provision does not apply to support columns in a parking garage. See Figure 19.7.4-C.

6. Aisle Widths



Aisle widths adjoining off-street parking spaces must comply with the dimensional standards in Table 19.7.4-7, *Minimum Aisle Width for Specified Parking Angle*:

TABLE 19.7.4-7: MINIMUM AISLE WIDTH FOR SPECIFIED PARKING ANGLE (FEET)				
INCREASE IN PARKING SPACE WIDTH (FEET)	90°	75°	60°	45° OR LESS
0.00	24	22.5	18	13
0.50	23	20.5	-	-
1.00+	22	-	-	-

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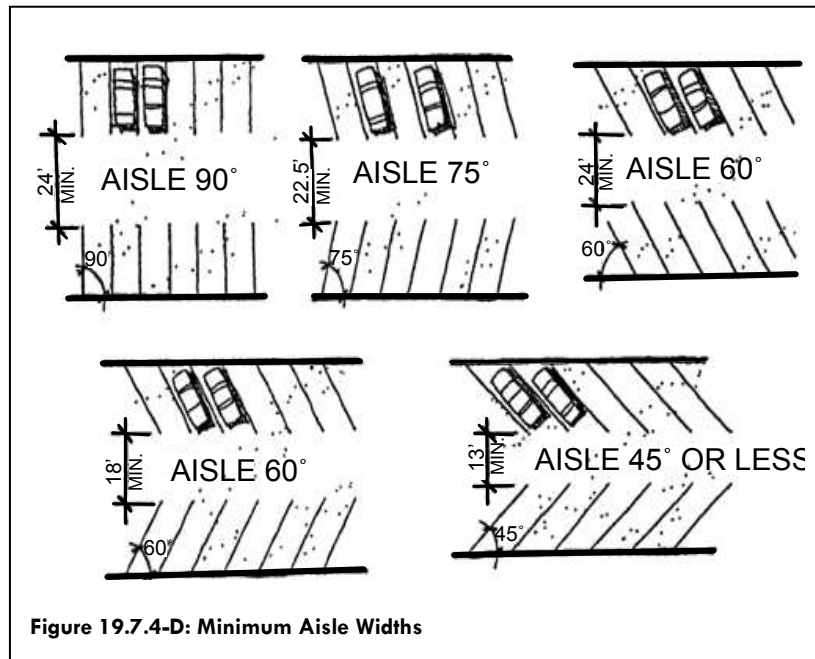
NOTES:

{1} Required fire lanes must have a minimum width of 24 feet with a vertical clearance of 13.5 feet. Except for 24-foot-wide fire lanes, aisles designed for two-way traffic must have the minimum width shown in the chart above or 20 feet, whichever is greater.

{2} At the end of a parking bay, an aisle providing access to a parking space perpendicular to the aisle must extend 2 feet beyond the required width of the parking space.

7. Markings

- (a) Each required off-street parking space and off-street parking facility must be identified by surface markings and must be maintained in a manner so as to be readily visible and accessible at all times. Such markings must be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles. Marking required to be maintained in a highly visible condition includes striping, directional arrows, lettering on signs and in handicapped-designated areas, and field color.



- (b) One-way and two-way access into required parking facilities must be identified by directional arrows. Any two-way access located at any angle other than 90 degrees to a street must be marked with a traffic separation stripe the length of the access. This requirement does not apply to aisles.

8. Surfacing and Maintenance

All off-street parking areas must be paved and kept in a dust-free condition at all times.

9. Garages and Carports in Residential Districts

The following standards apply to driveways, garages, and carports in all R, DRL, DRM, DRH, MC, MN, and MR zoning districts, whether they are accessory structures or part of a principal structure.

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(a) Driveways

Driveways must be paved in conformance with the Standard Drawings and Specifications and must have widths and clearances prescribed by Section 19.7.4.J.4, Driveways.

(b) Garage Dimensions

Residential garages must have the minimum interior dimensions identified in Table 19.7.4-8, *Garage Dimensions*:

TABLE 19.7.4-8: GARAGE DIMENSIONS	
GARAGE TYPE	MINIMUM INTERIOR DIMENSIONS (WIDTH X LENGTH) (FEET)
WITHOUT APPLIANCES	
1-Car Garage	10 x 22
2-Car Garage	20 x 22
3-Car Garage	27.5 x 22
WITH APPLIANCES AT SIDE	
1-Car Garage	14 x 22
2-Car Garage	23 x 22
3-Car Garage	31.5 x 22
WITH APPLIANCES AT FRONT, REAR, OR CORNER	
1-Car Garage	10 x 24
2-Car Garage	20 x 24
3-Car Garage	27.5 x 24
NOTES: {1} No interior door shall open into garage space unless the door will fully open without encroaching into the above-specified areas. {2} Appliances include but are not limited to water heaters, water softeners, and washers/dryers. {3} Minimum dimensions for tandem garage stalls shall be as required for a one-car garage. {4} If appliance alcoves are provided outside the required parking area, garage dimensions can be reduced to "without appliances" standard.	

(c) Carport Dimensions

Carports must measure at least nine feet by 19 feet, measured from the inside face of support to the inside face of opposite support. The carport roof must cover the entire 19-foot length of the space and the carport shall not extend into or over a fire lane.

10. Passenger Drop-Off Areas

(a) All public and private schools, general day care and large-family day care uses, institutional uses, and recreational uses must provide an onsite area for drop-offs and pick-ups.

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- (b) A traffic circulation plan must be submitted to the Community Development Director and the Public Works Director for review and approval prior to issuance of any permits for the use. The traffic circulation plan must describe proposed measures for ensuring safe and efficient traffic circulation on site and in the area surrounding the subject site. The plan must also include information about the number of enrollees or users, the hours of operation and peak loading and unloading times, the projected number of vehicles that will be using the loading and unloading area, plans for directing traffic within the area and other safety measures, and other information deemed necessary by the Community Development Director and the Public Works Director.
- (c) Required drop-off and pick-up areas for public or private schools must include at least: (1) five automobiles and five school bus spaces, or (2) one automobile and ½ school bus space for every 50 students, whichever results in the greater number of spaces. No more than 12 automobile or bus spaces are required for any size school facility. Required drop-off and pick-up area for day care uses must provide at least one drop-off/pick-up space and maneuvering area to allow vehicles to drop-off/pick-up children and exit the site without backing out onto a public street identified on the Master Streets and Highways Plan, in accordance with Figure 19.7.4-E, and Community Development and Public Works Departments' approval.

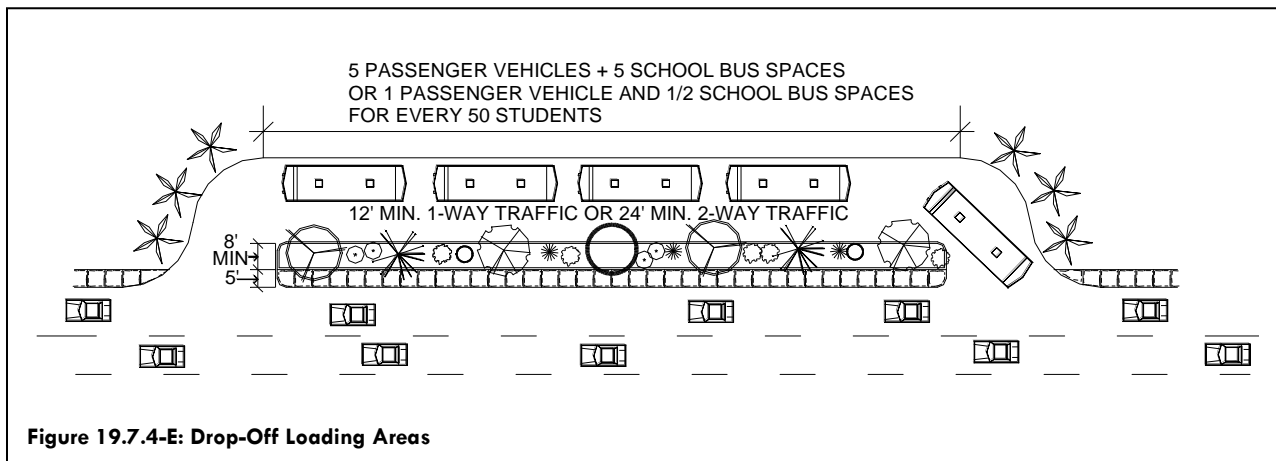


Figure 19.7.4-E: Drop-Off Loading Areas

- (d) Drop-off and pick-up areas may be adjacent to a primary driveway access or aisle, but they must be located far enough off the roadway so that they do not cause traffic to stop. Exceptions to these standards may be allowed only as expressly approved by the Community Development Director and Public Works Director.
- (e) Minimum widths for drop-off areas combined with access drives are 12 feet for one-way traffic and 24 feet for two-way traffic.
- (f) Drop-off and pick-up areas for schools public or private adjacent to the public right-of-way are required to maintain an eight-foot minimum separation from the right-of-way to the drop-off and pick-up areas.

11. Off-Street Parking Area Screening

Off-street parking areas must be screened in accordance with the standards of Section 19.7.5.D, *Parking Lot Landscaping and Screening*.

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12. Parking Garages

(a) Applicability

The parking garage design standards of this section apply to all parking garages in all zoning districts except as otherwise expressly stated.

(b) Exterior Design

(1) Appearance and Materials

- i. Exterior walls of parking garages that are visible from public rights-of-way must be architecturally designed to integrate and be compatible with other buildings on the site. Blank walls are not allowed.
- ii. Vertical and horizontal design elements, such as off-sets, reveals, or projecting ribs at least one foot wide must be incorporated into the exterior facade design in order to create a repeating pattern at or no greater than 30 feet.
- iii. The exterior facade must maintain a horizontal line on every level or floor. The sloping nature of the interior structure, necessary in the design of parking garages, may not be repeated on the exterior facade.
- iv. Stairwells shall be constructed internal to the building.
- v. Interior lights shall be shielded so as to not be visible from the exterior.

(2) Enclosure Requirements

Each level of the parking garage, including the ground level, must maintain a solid and continuous wall of at least 42 inches in height, as measured from the driving surface of each level.

(c) Pedestrian Entrances

Pedestrian entrances to stairways, elevator lobbies, vestibules, or passageways that lead directly to parking aisles within the garage must be clearly distinguished from vehicle entrance and exit points, using signage, awnings, and lighting.

(d) Downtown District Parking Garages

- (1) To satisfy the requirements of Section 19.7.7.D, the ground floor perimeter of a parking garage in the DCC district must include commercial floor space for facades facing Water Street that has a minimum depth of 20 feet and a minimum floor-to-ceiling height of 11 feet.
- (2) Parking garages must be visually integrated with the character and scale of adjacent buildings. Within the DCC District, parking garages must incorporate elements that characterize the Moderne architectural theme.

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SECTION 19.7.5 LANDSCAPING AND SCREENING | 19.7.5.B SITE LANDSCAPING

(3) Parking garages within the DRM or DRH Districts must be located towards the center of the lot when feasible, reserving the street frontage for residential uses.

(e) CPTED Design Requirements

(1) All underground parking areas shall install and maintain emergency call boxes.

(2) All underground parking interior walls shall be painted white.

(3) All residential parking within a mixed-use development shall have controlled access.

(4) Areas beneath stairwells shall be fully enclosed or restricted-access.

(5) All stairwells shall be lit with two MMFC at all times.

(6) Public restrooms are not allowed in parking structures.

13. Bicycle Parking Required

(a) All vehicle parking facilities containing less than 20 parking spaces shall provide at least one bicycle rack where no less than four bikes may be accommodated.

(b) Nonresidential and mixed-use development vehicle parking facilities containing 20 or more parking spaces shall provide bicycle parking to accommodate a minimum of four bicycles plus one additional bicycle space for each additional ten spaces in the lot. Residential development vehicle parking facilities containing 20 or more parking spaces shall provide bicycle parking to accommodate a minimum of four bicycles plus one additional bicycle space for each additional twenty spaces in the lot.

(c) Bicycle racks shall be distributed throughout the site and placed either within 50 feet of the primary entrance(s) of the building(s) they are intended to serve and/or adjacent to a trail corridor where applicable. If applicable, bicycle racks shall be located outside of the required Clear Area, as defined in Section 19.7.7.G.1.

19.7.5. LANDSCAPING AND SCREENING

A. PURPOSE

This section sets out the minimum landscaping and screening requirements for development within the City of Henderson. See HMC Title 14.14 (*Conservation*) for further landscape and irrigation regulations and restrictions, as defined in that Title.

B. SITE LANDSCAPING

1. Landscape Planting Area

Site landscape planting areas shall be provided in accordance with the Table 19.7.5-1, *Minimum Site Landscaping Requirement by Zoning District*:

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SECTION 19.7.5 LANDSCAPING AND SCREENING | 19.7.5.C PERIMETER LANDSCAPE BUFFERS

TABLE 19.7.5-1: MINIMUM SITE LANDSCAPING REQUIREMENT BY ZONING DISTRICT (PERCENT OF LOT)		
CN, CO, CC, CH,CA, DHC, IL, IG, IP, PS	CT	NONRESIDENTIAL USES IN R DISTRICTS
15	20	15

2. Industrial Zones

Yard, storage, and dock areas, separated by masonry fencing a minimum of eight feet in height, may be excluded when calculating site landscaping requirements.

C. PERIMETER LANDSCAPE BUFFERS

1. Applicability

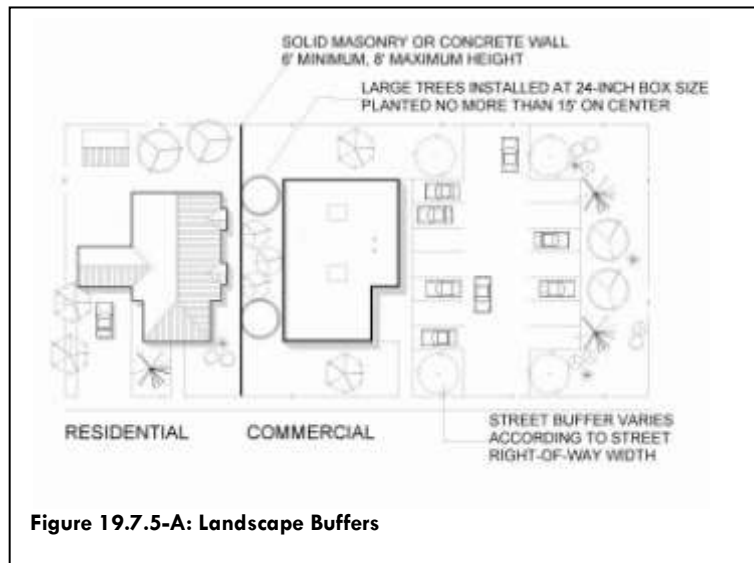
Perimeter landscape buffers shall be provided abutting street rights-of-way and parcels abutting other sites in accordance with the standards of this subsection. If landscaping material is required in the right-of-way, onsite perimeter landscape buffers may be reduced adjacent to that right-of-way through a waiver with acceptable provision of compensating benefit.

2. Relationship to Other Landscaping Standards

Landscaping provided to meet a project’s perimeter landscape buffer requirements of this section may be counted towards meeting the project’s site landscaping requirements. Parking lot landscaping may also be counted towards meeting the project’s site landscaping requirements.

3. Buffer Width

Except in the mixed-use districts, the minimum width of required landscape buffers shall be in accordance with Table 19.7.5-2, *Minimum Buffer Width*, and Figure 19.7.5-A, *Landscape Buffers*. Buffers in the mixed-use districts shall be provided pursuant to subsection C.4 below.



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SECTION 19.7.5 LANDSCAPING AND SCREENING | 19.7.5.C PERIMETER LANDSCAPE BUFFERS

TABLE 19.7.5-2: MINIMUM BUFFER WIDTH					
DEVELOPING ZONING DISTRICT	STREET RIGHT-OF-WAY WIDTH (FEET) {1}			ABUTTING PARCEL (LAND USE DESIGNATION)	
	100+	61-80	60	RES	NONRESIDENTIAL OR MIXED-USE
Residential	20 {2}	15 {2}	10 {2}	10 {3}	N/A
Nonresidential	20	15	10 {2}	15 {3}	5
Downtown	16 {4}	N/A	N/A	N/A	N/A
Mixed-Use	See Section 19.7.5.C.4				
NOTES:					
<p>General: Buffer width may be reduced by the Community Development Director when necessary to accommodate unique site conditions or physical constraints, provided that reduction is offset by greater buffer widths in unconstrained areas such that the “average” buffer width complies with the minimum width requirement. No reduction in width shall be administratively allowed below 50 percent of the required minimum (e.g., if 25 feet required, reduction cannot exceed 12.5 feet). Required buffer width along Lake Mead Parkway and St. Rose Parkway, where adjacent to a landscaped trail corridor, may be reduced by the Community Development Director to ten feet. The buffer along Boulder Highway adjacent to the Boulder Highway linear park may be reduced to 0 feet.</p> <p>{1} Buffer width measured from back of sidewalk. Required sidewalk is five feet unless a different sidewalk standard applies (i.e., in the mixed-use districts).</p> <p>{2} Does not apply within Rural Neighborhood Overlay.</p> <p>{3} Buffer requires large trees installed at 24-inch-box size planted an average of 15 feet on-center when adjacent land use is lower intensity.</p> <p>{4} Lake Mead Parkway includes a 10-foot-wide detached sidewalk located six feet from the back-of-curb. Plants, materials, and design shall be per the Lake Mead Parkway Improvement Program Manual.</p>					

4. Perimeter Landscape Buffers in Mixed-Use Districts

(a) Buffer Width

Required perimeter landscape buffer widths vary by location within the mixed-use districts. The minimum width of required landscape buffers shall be as follows:

(1) MN District:

- i. A 15-foot landscape buffer shall be provided adjacent to the street right-of-way.
- ii. When single-family detached or single-family attached is proposed adjacent to residential, only a wall is required. However, when multifamily is proposed adjacent to residential, the site is required to provide a wall with a 15-foot minimum landscape buffer.

(2) MR District:

- i. No perimeter landscape buffer is required adjacent to the street right-of-way.
- ii. Portion of property that abuts a residential land use: 25 feet.
- iii. Portion of property that abuts a non-residential land use: 5 feet.

(3) MC District:

- i. Portion of property that abuts the Boulder Highway Linear Park: none required, with exception of required parking lot screening.

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- ii. Portion of property that abuts the corridor but not the Boulder Highway Linear Park: 25 feet, except where buildings are placed within the Build-to-zone and no landscape buffer shall be required between the property line and the building façade.
- iii. Portion of property that abuts a residential land use: 25 feet.
- iv. Portion of property that abuts a non-residential land use: 5 feet.
- v. All other street frontages within the mixed-use districts: 10 feet.

(b) Features Allowed in Perimeter Landscape Buffer

In the mixed-use districts, the front/corner perimeter landscape buffer may include the following in addition to the required landscaping, subject to the approval by the Community Development Director:

- (1) Street furniture (e.g., benches);
- (2) Hardscape (e.g., brick pavers, scored concrete); and
- (3) Trees protected by structures (e.g., tree grates and curbs).

D. PARKING LOT LANDSCAPING AND SCREENING

1. Applicability

The interior parking lot landscaping standards of this section shall apply to all off-street parking lots containing five or more off-street parking spaces. They shall not apply to vehicle/equipment storage lots.

2. Relationship to Other Landscaping Standards

Landscaping provided to meet the parking lot landscaping requirements of this section may be counted towards meeting a project's required site landscaping, but shall not count towards meeting the applicable common open space requirement.

3. Terminal Islands

Landscaped terminal islands shall be provided at the end of each parking row. Terminal islands shall have minimum interior dimensions of at least eight feet in width and 30 feet in length.

4. Divider Medians

Divider medians that form a continuous landscaped strip may be installed between abutting rows of parking spaces. The minimum width of divider medians shall have a minimum interior dimension of eight feet if wheel stops or raised curbs prevent vehicle overhang of the median. If vehicle overhang is allowed, the minimum interior dimension

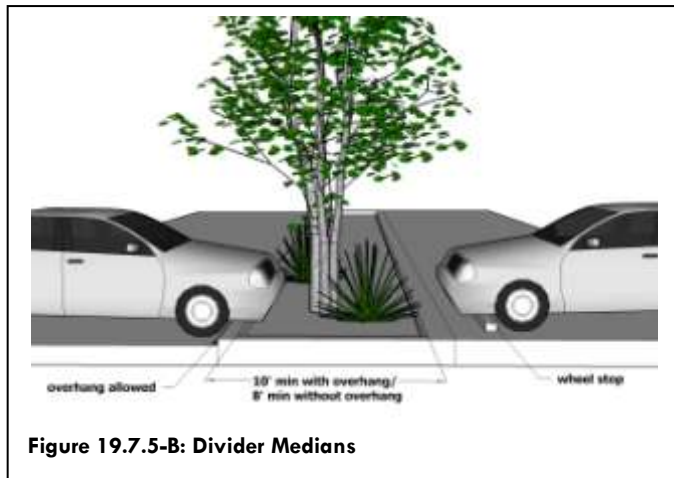


Figure 19.7.5-B: Divider Medians

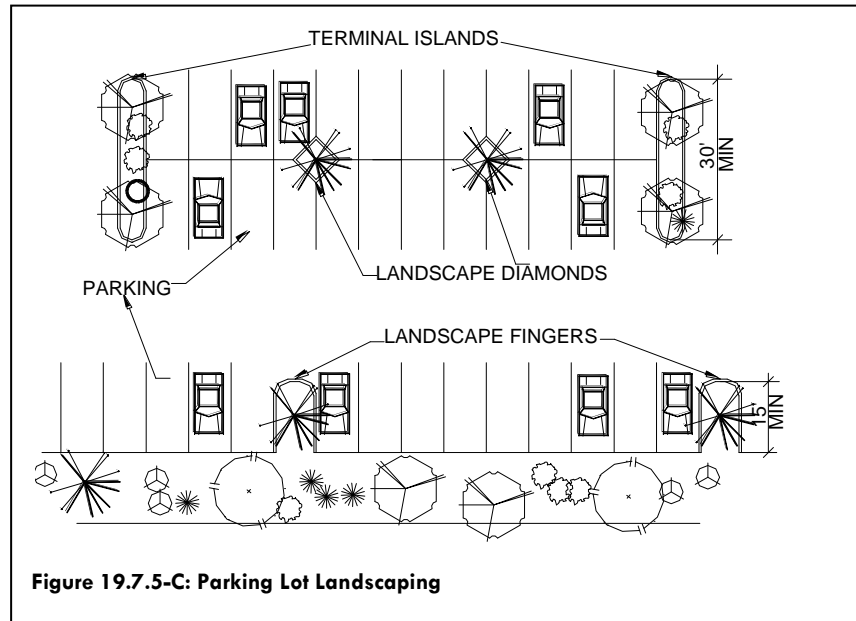
CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

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shall be ten feet. See Figure 19.7.5-B.

5. Landscape Diamonds and Fingers

- (a) Landscape diamonds with a minimum interior dimension of six feet shall be provided every four parking spaces within the interior parking lot, except where divider medians are provided in accordance with Figure 19.7.5-C.
- (b) Landscape fingers shall be provided every ten spaces around the perimeter of the parking lot. Landscape fingers shall have a minimum interior dimension of eight feet in width and 15 feet in length.



6. Parking Lot Screening

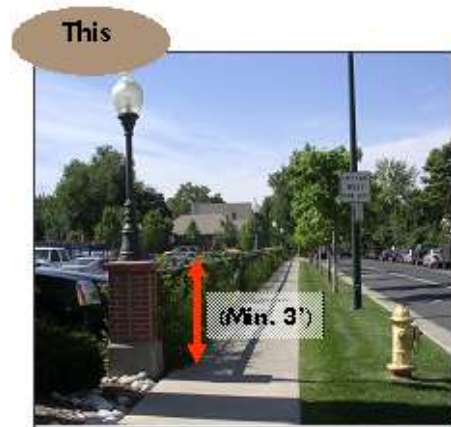
All surface parking lots visible from the public realm shall be screened using one of the following methods, unless otherwise noted below:

- (a) Methods
 - (1) A low masonry wall at least three feet and no more than four feet in height (with any fencing over three feet being transparent – e.g., wrought iron), in combination with landscaping (see Figure 19.7.5-D);
 - (2) An ornamental metal fence in combination with landscaping;
 - (3) A hedge at least three feet and no more than four feet in height at maturity consisting of a double row of shrubs planted three feet on center in a triangular pattern; or
 - (4) Berming of the grade to at least 2 ½ feet in height above the finish grade of the parking lot, and with slopes no greater than 2:1. Slopes shall be covered with shrubs spaced a maximum of three feet on center.
- (b) Criteria

To satisfy the above standards:

- (1) Landscaping shall be planted between the wall/fence and the public right-of-way, sidewalk, or boundary.
- (2) Walls, fences, and landscaping shall not exceed four feet in height to adequately screen most car headlights while maintaining clear visibility into and out of the parking lot.
- (3) All parking lot screening devices shall comply with sight-visibility-zone requirements at street intersections, per Standard Drawing No. 201.2. Sight visibility zones for driveways shall be provided per Section 19.7.4.J.4(c) of the Code.

**Figure 19.7.5-D:
Parking Lot Screening**



E. PLANT UNITS

1. Perimeter Landscape Buffers and Non-Buffer Areas

Unless otherwise expressly stated, a minimum of one shrub shall be provided per 80 square feet of landscape buffer, and a minimum of one tree shall be provided per 20 linear feet of landscape buffer. Trees are not required to be planted every 20 feet on center. The Community Development Director may allow plant and tree clustering subject to approval.

2. Parking Lot Landscaping

No turf shall be allowed within interior parking lot landscape areas.

- (a) Terminal Islands – A minimum of two large shade trees installed at 24-inch-box size and four five-gallon shrubs.
- (b) Divider Medians – A minimum one large shade tree installed at 24-inch-box size every 20 linear feet and one shrub every 80 square feet.
- (c) Landscape Diamonds – A minimum one large shade tree installed at 24-inch-box size and either two five-gallon shrubs or three one-gallon groundcovers.
- (d) Landscape Fingers – A minimum one large shade tree installed at 24-inch-box size and three five-gallon shrubs.

3. Residential

- (a) A minimum of two trees (small, medium, or large) installed at 24-inch-box size, seven five-gallon shrubs and seven one-gallon groundcovers shall be provided for

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each residential front yard. Custom homes in designated rural neighborhoods and custom home lots with no design standards shall be exempt from this standard.

- (b) Alternatives to the two-tree requirement may be approved by the Community Development Director. Decisions will be based on the available open soil area in a front yard.

4. Other Areas

All landscape planting areas that are not dedicated to trees or shrubs shall be landscaped with groundcover or other appropriate landscape treatment including, but not limited to, decorative rock or decomposed granite. Up to ten percent of the required landscape area that is not dedicated to trees or shrubs may be occupied by hardscape materials, provided such areas are shaded by trees, canopies, or other shade devices. The underlying slope of all areas covered with rock mulch shall not exceed 3:1. If the slope exceeds 3:1, rip-rap must be used, which is rock with a diameter of six to nine inches. Alternatives to this may be approved by the Community Development Director.

5. Administrative Adjustments

The Community Development Director may approve administrative adjustments of up to 20 percent of the plant unit standards in this section pursuant to Section 19.6.9.B, *Administrative Adjustment*, based upon provision of usable open spaces, shaded walkways, courtyards, and other similar features.

6. Landscape Restrictions Within Municipal Utility Easements

Landscape planting areas in designated municipal utility easements may not be required to provide the minimum number of trees to satisfy the applicable standards of Section 19.7.5.E of the Code. Large shrubs as identified within the SNRPC Regional Plant List shall be required to be substituted at a ratio of one-to-one to offset the reduction in trees within the landscape planting area, in addition to the shrubs planted to satisfy the standard of the applicable section. Alternatives to this may be approved by the Directors of the Community Development and Utility Services departments.

F. LANDSCAPE MATERIAL STANDARDS

The following standards shall be considered the minimum required standards for all trees, shrubs, and landscape material installed to satisfy the requirements of this section.

1. Landscape Material Restrictions

All development shall comply with the landscape material restrictions in HMC Section 14.14.050.

2. Restrictions on Water-Efficient Landscaping Prohibited

Any person(s) or association(s), regardless of date of establishment, is prohibited from imposing private covenants, restrictions, deed clauses, or other agreements, between the parties that prevent person(s) from utilizing water-efficient landscaping, including but not limited to xeriscape, provided such landscaping receives appropriate design-review approval. In any event, landscaping materials and designs may not be prohibited solely on the basis that they make use of water-efficient landscaping, such as referenced in this Title, as amended.

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3. General Design

Plant materials shall be selected and/or placed for: energy efficiency and water efficiency; adaptability and relationship to the desert environment; color, form and pattern; ability to provide shade; soil retention; and resistance to fire. The overall landscape plan shall be integrated with all elements of the project, such as buildings, parking lots, and streets to achieve a desirable microclimate and minimize energy demand.

(a) Plant Varieties

Minimum three tree varieties and five shrub varieties shall be provided for each project.

(b) Hardscape

Landscape design may integrate hardscape (plazas, courtyards, trails, etc.) and landscaping, which may be counted towards the overall project's site landscaping requirements at the discretion of the Community Development Director.

4. Preparation of Landscape Plans

All landscape plans detailing proposed installation and irrigation systems shall be prepared by a landscape architect registered in the State of Nevada, or by one of the exceptions to the landscape architect provided in NRS 623A.070, which include the following:

(a) Owners of property who make plans, specifications, or drawings for their own property;

(b) Any person engaged in the practice of architecture who is registered pursuant to the provisions of Chapter 623 of NRS;

(c) A contractor licensed pursuant to the provisions of Chapter 624 of NRS who provides his own drawings for his own construction activities;

(d) Any person who is licensed as a civil engineer pursuant to the provisions of Chapter 625 of NRS; or

(e) Any person who designs, manufactures, or sells irrigation equipment and provides instructions pertaining to the mechanical erection and installation of the equipment but does not install the equipment.

This requirement shall not apply to conceptual landscape plans or site plans.

5. Plant Quality

Plants installed to satisfy the requirements of this section shall meet or exceed the plant quality and species standards of the Association of Arizona Nurserymen. Plants shall be nursery-grown and adapted to the local area. No artificial plants or vegetation shall be used to meet any standards of this section, except in the discretion of the Community Development Director, limited amounts of high-quality artificial turf may be allowed to meet the requirements of this section.

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6. Plant Sizes and Specifications

(a) Trees

- (1) Outside the downtown districts, trees planted to satisfy the standards of this section shall have a minimum box size of 24 inches. Within the downtown districts, trees planted to satisfy the standards of this section shall have a minimum box size of 36 inches.
- (2) At maturity, shade tree canopies in commercial, industrial, semipublic, multifamily, and mixed-use developments shall be pruned to provide a minimum clearance of seven feet from the ground.
- (3) Installed trees shall meet the minimum size and surface area size requirements in Table 19.7.5-3.

TABLE 19.7.5-3: TREE CANOPY SIZE AND MINIMUM REQUIRED SURFACE AREA		
RECOMMENDED TREE SPECIES SIZE CATEGORIES	AVERAGE CANOPY SIZE (AT MATURITY)	MINIMUM REQUIRED SURFACE AREA (PER TREE)
Small Canopy	16 feet by 16 feet	81 square feet (9 feet by 9 feet)
Medium Canopy	22 feet by 22 feet	121 square feet (11 feet by 11 feet)
Large Canopy	28 feet by 28 feet	196 square feet (14 feet by 14 feet)

(b) Shrubs

- (1) Shrubs planted to satisfy the standards of this section shall have a minimum container size of five gallons.
- (2) When planted adjacent to sidewalks, shrubs shall not exceed three feet at maturity in commercial, industrial, semipublic, multifamily, and mixed-use developments.

(c) Groundcover

Groundcovers planted to satisfy the standards of this section shall have a minimum container size of one gallon.

(d) Barrier Plants

(1) Size

Barrier plants planted to satisfy the standards of this section shall have a minimum container size of five gallons.

(2) Location

In commercial and industrial developments, barrier plants should be used below and to the sides of windows and adjacent perimeter walls, fences, and other building walls.

(e) Turf

The turf limitations contained in this section are intended to increase the use of water-efficient vegetation. Landscaping shall be designed and landscaping material shall be chosen and installed so as to ensure that within three years of

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normal growth, at least 50 percent of the area covered by non-turf landscaping will consist of water-efficient vegetation.

(1) Downtown, Nonresidential, Multifamily, and Mixed-Use Zoning Districts

- i. The installation of new turf in nonresidential, multifamily, and mixed-use developments, including common areas of residential neighborhoods, is prohibited. This provision shall not apply to golf courses, public or private schools or parks, or required common open space in any new development, provided the total turf area does not exceed 30 percent of the landscaped area of the development and no turf area dimension is less than ten feet.
- ii. Turf areas shall not be located within three feet of a sidewalk, curb, or building wall.
- iii. The maximum slope of a turf area shall not exceed 33 percent. Regardless of slope, turf areas are to be graded to prevent run-off onto sidewalks and driveways.

(2) Single-Family Residential

- i. The use of drought-tolerant landscaping materials is encouraged in residential front yards.
- ii. The installation of turf in residential front yards is prohibited. See HMC Section 14.14.050.

(3) Golf Courses

Golf courses shall be limited to a maximum of 90 acres of turf for 18 holes and ten acres of turf for a driving range. This turf limitation of golf courses may be exceeded if the applicant demonstrates to the satisfaction of the Department of Utility Services that irrigation of turf, in excess of the amount specified, will have no significant impact on water resources or peak demand delivery capacity, because water for the additional turf will be provided by one or more of the following methods:

- i. Water provided from applicants' own well, appurtenant, or transferred water rights that can be legally used to irrigate the property on which the golf course is developed.
- ii. Water provided by the City of Henderson. However, the applicant must contribute to an exterior water efficiency retrofit program approved by the Department of Utility Services to offset the impacts on water resources and system delivery capacity in an amount equivalent to two times the amount of water used by the turf grass. Golf courses shall be subject to water budgeting per HMC Section 14.14.040.
- iii. Groundwater provided from the shallow groundwater aquifer. Applicant may develop and provide the groundwater at his sole cost or may compensate the City of Henderson Department of Utility Services to develop groundwater pursuant to an agreement with the City of Henderson Department of Utility

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Services. Both parties must have executed the agreement at the time of application.

- iv. Nonpotable water is provided at the discretion of the City of Henderson. The applicant must demonstrate water-efficient planning and practices to qualify for nonpotable water from the City.

The restrictions for turf area shall not apply to any property that is the subject of a development agreement between the City of Henderson and the owner or former owner of the property provided the development agreement is in effect as of the effective date of this ordinance and the development agreement has not been canceled at the time of commencement of construction of the golf course.

(f) Other Ground Treatments

Rock mulch shall be installed and maintained at a minimum depth of 2 inches and a maximum depth of 4 inches on all planted areas except where groundcover plants are fully established.

(g) Species

Tree and plant species provided to meet the landscaping and screening standards of this section shall comply with the SNRPC Regional Plant List.

G. INSTALLATION, MAINTENANCE, AND IRRIGATION

1. Installation

(a) General

All landscaping shall be installed according to International Society of Arboriculture (ISA) in a manner designed to encourage vigorous growth. All landscape material and irrigation improvements shall be in place prior to issuance of the final certificate of occupancy unless the Community Development Director approves an extension and an onsite completion agreement request (OSCAR) is executed.

(b) Root Guards

Root guards shall protect hardscape from trees planted within ten feet of public improvements within the public right-of-way in accordance with Figure 19.7.5-E, *Required Root Guards*.

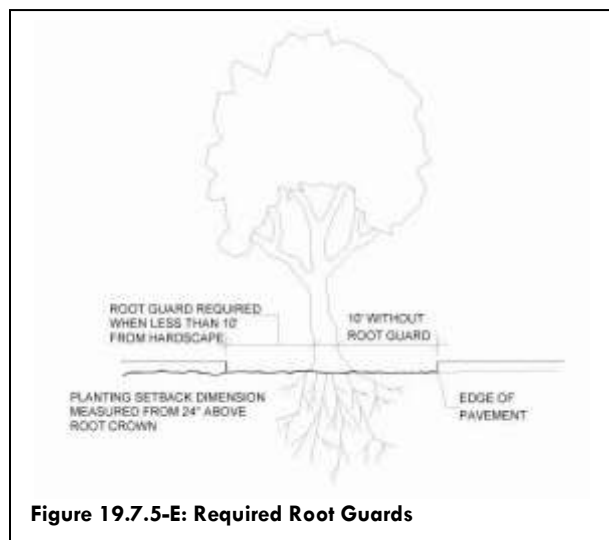


Figure 19.7.5-E: Required Root Guards

2. Maintenance

Trees, shrubs, fences, walls, irrigation improvements, and other landscape features depicted on plans approved by the City shall be

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considered elements of the project in the same manner as parking, building materials, and other details are elements of the plan. The landowner, successors in interest or agent, if any, shall be jointly and severally responsible for the following:

- (a) Regular maintenance of all landscaping and irrigation improvements in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds, and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching, or other maintenance, as needed and in accordance with acceptable horticultural practices.
- (b) The repair or replacement of required landscape structures (e.g., walls, fences) to a structurally sound condition.
- (c) The regular maintenance, repair or replacement, where necessary, of any landscaping required by this section.

3. Irrigation

Landscaped areas shall be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans shall be submitted with development plans and shall contain all construction details for an automatic system. A back-flow prevention device shall be provided in accordance with the currently adopted Uniform Design and Construction Standards. Gray-water systems are prohibited per Title 14.

H. MECHANICAL EQUIPMENT SCREENING

1. Applicability

The standards of this section shall apply to all of the following:

- (a) Electrical and gas-powered mechanical equipment.
- (b) Ductwork and major plumbing lines used to heat, cool, or ventilate.
- (c) Power systems for the building or site upon which the equipment is located.
- (d) Roof and/or wall-mounted antennas and vent openings shall not be considered mechanical equipment for purposes of these mechanical equipment screening standards. The standards of this section are not intended to impede systems that use solar or wind energy to reduce the costs of energy, if such systems are otherwise in compliance with applicable building codes and zoning requirements.

2. Screening Standards

For all developments other than single-family residential, the following mechanical equipment screening standards shall apply to the maximum practical extent.

(a) Roof-Mounted Mechanical Equipment

Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The parapet wall or similar feature shall be of a height equal to or greater than the height of the mechanical equipment being screened. Roof-mounted mechanical equipment is prohibited on single-family residential dwellings.

(b) Wall-Mounted Mechanical Equipment

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Wall-mounted mechanical equipment that protrudes more than six inches from the outer building wall shall be screened from view by structural features that are compatible with the architecture of the subject building. Wall-mounted mechanical equipment that protrudes six inches or less from the outer building wall shall be designed to blend with the color and architectural design of the subject building.

(c) **Ground-Mounted Mechanical Equipment**

Ground-mounted mechanical equipment shall be screened from view by landscaping or by a decorative wall that is compatible with the architecture and landscaping of the development site. The wall shall be of a height equal to or greater than the height of the mechanical equipment being screened.

3. Alternate Screening

Mechanical equipment that is not screened in full compliance with the screening standards of this section shall be reviewed in accordance with the administrative adjustment procedures of Section 19.6.9.B, *Administrative Adjustment*. Alternate screening methods may include, but shall not be limited to, increased setbacks, increased landscaping, grouping the equipment on specific portions of a site, and painting or otherwise camouflaging the equipment.

I. DUMPSTER SCREENING

Trash dumpsters and other waste/recycling containers serving multifamily or nonresidential uses shall be screened in accordance with the following standards.

1. Design and Other Specifications

Dumpsters or other trash receptacles shall be screened from public view on three sides by a solid wall at least six feet in height and on the fourth side by a solid gate at least five feet in height. The gate and wall shall be maintained in good working order and shall remain closed except when trash pick-ups occur. The wall and gate shall be architecturally compatible with other buildings and structures on the site. Applicants shall be responsible for coordinating with the solid waste disposal provider on matters relating to appearance, quantity, interior dimensions, locations, and access.

2. Setbacks

Except in downtown zoning districts, all enclosures shall be located a minimum of 50 feet from residential zoning districts and from the property lines of sites containing existing or proposed residential, school, licensed day care, and park and recreation facilities.

3. CPTED Design Requirements

- (a) No dumpsters or other trash enclosures shall be located within a parking structure.
- (b) The bottom of trash enclosure gates shall be a minimum of six inches from the ground and a maximum of eight inches above the ground.

J. LOADING AND ACCESS AREAS-DESIGN AND SCREENING

In nonresidential and mixed-use zoning districts, commercial and industrial buildings with rear or side vehicular access shall maintain adequate room for loading docks, loading spaces, customer pick-up areas, trash enclosures (and their setbacks), vaults, transformer pads, other utility service boxes, and all ground-mounted mechanical equipment. Beyond the physical boundaries of the docks and other such adjacent circulation impediments, property owners shall provide and

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maintain a minimum setback of 34 feet from all property lines. Within this minimum 34-foot setback, the 24 feet closest to the building and its adjacent circulation impediments shall remain clear at all times, and the ten feet nearest the property line shall be available for vaults, transformer pads, and other above- and below-ground utility service boxes. Areas within ten feet of property lines that are not used for utility boxes shall be landscaped with minimum 24-inch box pine trees, planted 15 feet on center. Alternate plant materials may be approved by the Community Development Director provided the alternate materials result in equivalent immediate and long-term screening.

K. FENCES AND WALLS

Unless otherwise expressly provided for in this Code or unless expressly provided for in conjunction with the approval of a conditional use permit, fences and walls shall comply with the following general standards:

1. All Zoning Districts

(a) Sight Visibility Zones

In addition to the standards listed below for various zoning districts, sight visibility zones for street intersections shall be provided per Standard Drawing No. 201.2. Sight visibility zones for driveways shall be provided per Section 19.7.4.J.4.

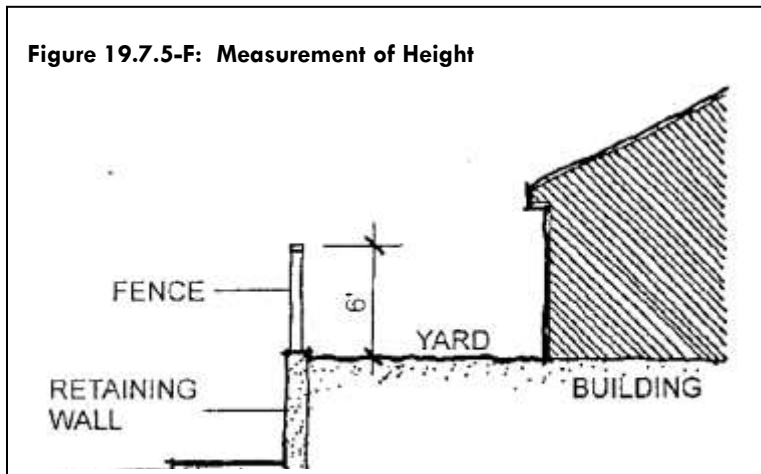
(b) Access Gates

- (1)** Access gates shall be in accordance with CPTED guidelines and approved by the Building & Fire Safety Department.
- (2)** All access gates shall be built from materials that are not conducive to vandalism.

(c) Materials and Design

- (1)** Fences and walls shall complement the design of the associated building(s) in terms of their color, materials, and scale.
- (2)** Chain-link fencing and smooth-face concrete masonry units (CMU) are prohibited, except as authorized for vacant property below and in Section 19.7.5.K.2.

(d) Fence or Wall Height



Fence or wall heights shall be measured from finished grade on the highest side of the fence or wall to the top of the fence or wall.

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(e) Vacant Property

Vacant property may be fenced with chain-link fencing not to exceed six feet in height when the purpose of such fencing is to prevent unauthorized dumping or vehicular soil disturbance that results in fugitive dust or nuisance conditions. Such fencing of vacant property shall not be construed to allow use of the property for outdoor storage. A building permit for a chain-link fence shall be obtained from the Building & Fire Safety Department and shall be reviewed as necessary by the Public Works department prior to issuance to ensure that the fence does not create or intensify any drainage problems.

2. Residential and DRL Zoning Districts

(a) Maximum Fence Heights

Except as otherwise permitted in this Code, the maximum height of a fence or wall within required side and rear setbacks in a residential or DRL zoning district shall be six feet (eight feet adjacent to commercial development), except in required front setbacks, where the maximum height of a solid fence or wall shall be 32 inches and the maximum height of a chain-link or wrought-iron fence shall be four feet. The maximum height for fences/walls for entry gates at the residential subdivision entrance shall be eight feet. All other entry features or designs must be approved through a design review or planned unit development. Smooth-face concrete masonry units (CMU) are permitted only in the RS-1 and RS-2 zoning districts and may be visible from rights-of-way. Smooth-face concrete masonry units (CMU) in all other residential and DRL zoning districts may be constructed as interior walls and may not face rights-of-way. Walls to be constructed in existing communities shall match as closely as possible to other existing walls.

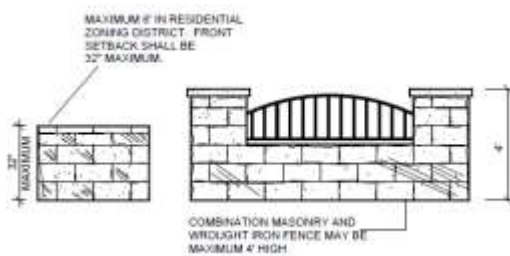


Figure 19.7.5-G: Fences

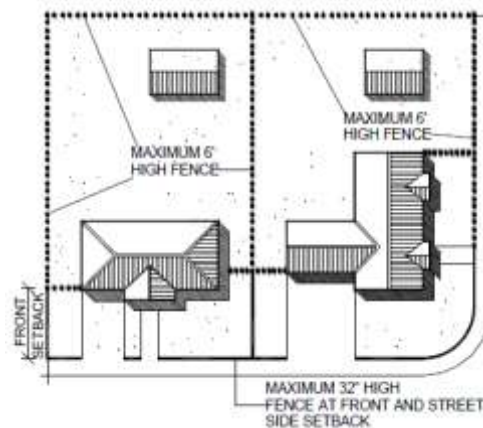


Figure 19.7.5-H: Residential Fences

(b) Sport/Tennis Court Screen/Fence

Screening or fencing for tennis/sports courts is permitted in the rear or side yard area. Such structures may exceed the height of six feet, but shall not be higher than 12 feet. The portion of the structure above the height of six feet shall be open so as not to restrict light or ventilation and provided such fencing shall be setback a minimum of five feet from the side and rear property lines. For Sport/Tennis Court Lighting, see Sec. 19.7.8.E, Glare and Lighting.

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3. Commercial, Mixed-Use, and Industrial Zoning Districts

- (a) The maximum height of a fence or wall in a commercial, mixed-use, or industrial zoning district shall be eight feet, or up to 12 feet under certain circumstances where additional height is required to secure storage areas.
- (b) Fencing and/or walls located within the front or corner side setback, or abutting open space, parks, and trails shall be limited to a maximum of three feet in height, except where an increased height is necessary to meet screening requirements of this Code.

4. Downtown Zoning Districts

(a) Security and Screening Walls

To maintain a cohesive appearance and pedestrian-friendly environment within the downtown zoning districts, security and screening walls and fences are not permitted in the DCC, DHC, DRM, DRH, and DP districts, except for required garbage dumpster screening or security walls surrounding pools. If installed, screening or security walls shall be decorative and installed to a height of not less than five feet or greater than six feet (except as required for traffic visibility). Design shall include detail variations such as pilasters, decorative caps, or decorative cut-outs at a spacing not less than fifty feet. Chain-link fencing is prohibited.

(b) Retaining Walls

Large retaining walls located at the street edge overwhelm the pedestrian and detract from the overall character of the street. To maintain the downtown's pedestrian scale and inviting appearance, retaining walls shall not exceed a height of four feet in the DCC, DHC, DRM, DRH, and DP districts. Retaining walls should be constructed from similar materials and contain similar architectural features as the primary building on the site.

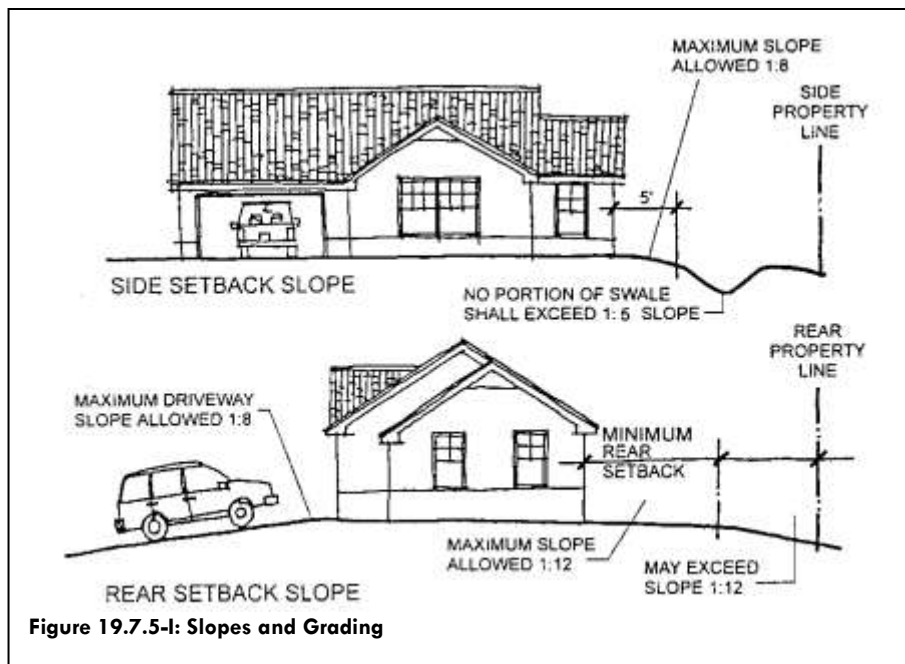
L. SLOPES AND GRADING

- 1. Unless otherwise approved by the Community Development Director or specified in the Henderson Municipal Code (HMC), on RS and DRL zoned lots less than 12,000 square feet in area, the slope of the first 15 feet of the rear yard area or rear yard required by the underlying zoning district shall not exceed one foot of vertical change per 12 feet of horizontal run, measured from the house outward. Retaining walls may be used to create terracing; however, terraced portions may not exceed the specified 1:12 slope. If the total rear yard area is greater in horizontal dimension than the minimum required zoning setback, the remainder of the yard area beyond the minimum required setback may exceed the 1:12 slope. See Figure 19.7.5-l.
- 2. Unless otherwise approved by the Community Development Director or specified in the HMC, on RS and DRL zoned lots smaller than 12,000 square feet, the slope of the first five feet of side yard area or any side yard required by the underlying zoning district, whichever is smaller, shall not exceed one foot of vertical change per eight feet of horizontal run, measured from the dwelling outward. A swale may lie within this area; however, in no instance shall either side of the swale exceed a slope of one foot vertical per five feet of horizontal change.

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3. Unless otherwise approved by the Community Development Director or unless otherwise specified in the HMC, no driveway or parking space intended to satisfy the off-street parking requirements of this Code shall exceed a slope of one foot of vertical change per eight feet of horizontal run.
4. Applications for any residential planned unit development or tentative map within the city may be subject to additional exhibits being required as part of the application process. Such exhibits shall clearly demonstrate the resulting grade elevation differentials that would result between neighboring properties and the subject property of such application(s). The City will consider the impact of the proposed grade elevation differentials on adjacent property and, if significant negative impacts are found, will recommend that the proposed grades be modified or that the negative impacts be mitigated.
5. In residential districts where lots are created by parcel map(s) or by any process other than the tentative map/final map process, the import of fill shall not result in the maximum finished floor elevation for individual lots being greater than two feet above the minimum elevation otherwise required by the applicable standards found in the Regional Flood Control District's "Hydrologic Criteria and Drainage Design Manual." Exceptions to this standard shall be approved by the design review procedures set forth in Section 19.6.6.B.



19.7.6. BUILDING DESIGN STANDARDS

A. GENERAL PROVISIONS

1. Purpose and Intent

These design standards are intended to protect and preserve the quality and character of the built environment in Henderson. More specifically, this section is intended to:

- (a) Encourage high-quality development as a strategy for investing in the City's future;

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- (b) Emphasize Henderson's unique community character;
- (c) Maintain and enhance the quality of life for the City's citizens;
- (d) Shape the City's appearance, aesthetic quality, and spatial form;
- (e) Reinforce the civic pride of citizens through appropriate development;
- (f) Protect and enhance property values;
- (g) Minimize negative impacts on the natural environment and support sustainable development patterns;
- (h) Provide property owners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land;
- (i) Encourage a pedestrian- and bicyclist-friendly environment; and
- (j) Ensure greater public safety, convenience, and accessibility through the physical design and location of land-use activities.

2. Section Organization

- (a) Subsection 19.7.1, General Provisions, sets out the purpose, intent, applicability, and timing of review for compliance with these standards for all forms of development in the City.
- (b) Subsection 19.7.6.B, Single-Family Residential Design Standards, establishes the design standards for any single-family detached residential dwelling, any mansion apartment dwelling, and any building that contains up to six single-family attached dwellings.
- (c) Subsection 19.7.6.C, Multifamily Residential Design Standards, establishes the design standards for multifamily residential dwellings, and any building that contains seven or more single-family attached dwellings.
- (d) Subsection 19.7.6.D, Commercial, Mixed-Use, and Industrial Design Standards, establishes the design standards for all commercial and mixed-use structures in all districts, and industrial structures in the IL and IP districts.
- (e) Subsection 19.7.6.E, Infill Design Standards, establishes design standards for any new development proposed on a lot that abuts existing, conforming development on at least three sides, and is located within any of the following districts: any RS district, any RM district, the DRL district, the DRM district, or the CN district.

3. Conflict

These design standards are additive; more than one set of standards may apply to a particular development project. The more restrictive provision, as determined by the Community Development Director, shall control in cases where standards conflict.

4. Time of Review

Review of proposed development for compliance with the standards in this section shall occur at the time of zoning, PUD, or MP overlay application (Section 19.6.4.C and D), or design review (Section 19.6.6.B), as appropriate.

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.6 BUILDING DESIGN STANDARDS | 19.7.6.B SINGLE-FAMILY RESIDENTIAL DESIGN STANDARDS

B. SINGLE-FAMILY RESIDENTIAL DESIGN STANDARDS

1. Applicability

The standards in this subsection apply to the development of any single-family detached residential dwelling, any mansion apartment dwelling, and any building that contains up to six single-family attached dwellings.

2. Site Design and Building Orientation

(a) Primary Entrance Orientation

- (1) Mansion apartments and attached residential development on corner lots may include primary entrances that face primary and secondary streets as well as common open space.
- (2) In order to encourage the development of dwelling units that open directly onto the street, applicants for mansion apartments and single-family attached residential development may request that the front building setback requirements for such buildings be reduced or eliminated through the administrative adjustment process, if the primary entrances for the dwelling units will open directly onto a major or minor arterial as shown on the Master Streets and Highway Plan.

(b) Driveways and Curb Cuts

Driveway access from the street shall not be permitted when a lot has access to a rear alley. Driveways are allowed on lots with rear alleys for multi-unit buildings that provide common access to off-street parking areas.

3. Building Design

(a) Architectural Variability

- (1) For all development involving five or more contiguous lots, there shall be multiple “distinctly different” front facade designs. The number of required different front facade designs shall be in accordance with Table 19.7.6-1, Architectural Variability:

TOTAL NUMBER OF DWELLING UNITS	MINIMUM NUMBER OF FACADE DESIGNS
5-10	2
11-20	4
21-40	5
41-70	6
71-100	7
101+	8 + 1 per every additional 50 units beyond 101

- (2) Compliance with these standards may be determined during zoning application, PUD application, master plan review, or design review stage, as appropriate.
- (3) “Distinctly different” shall be defined to mean that a single-family dwelling’s elevation must differ from other house elevations in at least

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four of the measures listed below in subsection (b), Facade Articulation. Mirror images of the same configuration do not meet the definition of “distinctly different.”

- (4) No more than two houses shall be of the same front facade design as any other house directly adjacent along the same block face.

(b) Facade Articulation

All building elevations that face a street or a cluster driveway shall employ varied articulation of wall surfaces (see Figure 19.7.6-A). Facade wall surfaces shall be articulated through the use of at least four of the following techniques:

- (1) A change in texture or material, provided all exterior wall textures and materials are consistent with the overall architectural style of the dwelling;
- (2) Use of offsets or insets, bays, or other similar architectural features to add a variety of depths to the wall planes;
- (3) Use of balconies, overhangs, or covered patios;
- (4) Variations in roof lines, such as a gable or dormer;
- (5) Door and/or window placement, provided windows are similar in size and orientation as those found on most of the dwellings on the same block;
- (6) Change from adjacent properties in the width of the front facade by two feet or more;
- (7) Variation in the location and proportion of front porches;
- (8) Variation in the location and/or proportion of garages and garage doors; or
- (9) Other techniques determined as appropriate by the Community Development Director.



(c) Side and Rear Articulation

The intent of the standards below is to prevent large expanses of blank walls. All side and rear elevations shall incorporate at least two of the techniques below on all floors:

- (1) A change in texture or material, provided all exterior wall textures and materials are consistent with the overall architectural style of the dwelling;
- (2) Use of offsets or insets, bays, or other similar architectural features to add a variety of depths to the wall planes;
- (3) Window trim as required by 19.7.6.B.3(f);
- (4) Shutter accents on upper story windows;

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- (5) Wainscoting along first 6 feet of side of homes;
- (6) Potting ledges;
- (7) Recessed windows a minimum of 12 inches;
- (8) Bay windows;
- (9) Window grids (between the glass) as appropriate to architecture with a minimum of two grids per pane in each direction; or
- (10) Other techniques as determined appropriate by the Community Development Director.

Facades less than ten feet from the parallel façade of adjacent houses are exempt from this subsection except for second and third story facades adjacent to single-story facades.

(d) Materials

- (1) Front facade materials shall not change at outside corners and shall continue along side elevations for at least two feet beyond the outside corner.
- (2) Front facade materials, colors, and architectural embellishments shall continue along any side elevation abutting a street right-of-way, open space, or a cluster driveway to a natural termination point as determined by the Community Development Director or a minimum of 10 feet; such natural termination point may be a minimum 6-foot high decorative wall or fence.
- (3) Material changes shall occur around windows, doors, cornices, corners, or as a repetitive pattern on a facade.
- (4) Corrugated metal finish is prohibited.

(e) Roof Penetrations and Equipment

All roof vents, pipes, other roof penetrations and attachments, and equipment (except chimneys) shall be configured to have a minimal visual impact as seen from the street. Roof penetrations (except chimneys) shall be painted or architecturally integrated with the roof design and color, to the maximum practical extent.

(f) Window Treatments

All windows on all elevations shall be designed with either:

- (1) Pop-out trim surrounding window;
- (2) Header and sill trim;
- (3) Shutter accents;
- (4) Awnings appropriate to architecture;
- (5) Recession of a minimum of 12 inches; or

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- (6) Other techniques as determined appropriate by the Community Development Director.

4. Garages

- (a) Garages on greater than 40-foot wide lots:

- (1) Street-facing garages shall be recessed a minimum of six feet behind the first-floor front facade plane of the dwelling they serve. See Figure 19.7.6-B.

- (2) Street-facing garages shall be located at least 20 linear feet from the front property line.

- (3) Porches with a minimum area of 36 square feet and a minimum depth of 6 feet may be counted as the front façade plane.

- (4) A front, walled courtyard may be utilized in lieu of the 6-foot garage recess if it meets the following standards:

- i. The courtyard must project a minimum of 10 feet in front of the face of the garage.

- ii. The minimum courtyard width is 10 feet.

- iii. If within a required front or corner side yard setback, the courtyard wall must be 32 inches in height with pilasters of a maximum height of 4 feet. If it is outside of a required front or corner side yard setback the maximum height is 6 feet.

- iv. Courtyard walls must be constructed of decorative, solid masonry (stone, brick, painted stucco, etc) that utilizes similar design, materials, and colors as the house. Exposed concrete block, including splitface or slumpstone, is not acceptable. The wall must be architecturally integrated with the house.

- (5) Houses with garages facing streets or private drives shall include a minimum of at least three architectural features on the elevation that includes the garage door(s). Examples of such features include, but are not limited to, the following:

- i. Garage detached from principal dwelling and recessed at least ten feet behind the rear elevation (counts as two architectural features) (see Figure 19.7.6-C);

- ii. Garage doors painted an accent or contrasting color;

- iii. Ornamental architecturally enhanced garage door face (e.g., more than wood grain appearance);

- iv. Ornamental light fixtures flanking the doors;



Figure 19.7.6-B:
Garage Location



Figure 19.7.6-C:
Street-facing Garage

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- v. Arbor or trellis flanking garage doors;
 - vi. Columns flanking doors;
 - vii. Portico treatment;
 - viii. Windows in the garage door (equal to quantity of vehicle spaces within garage);
 - ix. Dormers;
 - x. Overhangs over at least the entire length of the garage door with a minimum depth of 12 inches;
 - xi. Eaves with exposed rafters and/or with a minimum six-inch projection from the facade plane;
 - xii. Roof line changes;
 - xiii. Decorative gable vent covers; or
 - xiv. Dentil or other molding.
- (6) Garages on corner lots with sides visible from a street right-of-way shall include architectural details and windows or faux windows that mimic the features of the living portion of the building they serve.
- (7) When multiple garage doors on the same facade are used, a minimum separation of at least one foot shall be provided between each garage door.
- i. Where three-car garages are allowed, the third car stall shall be provided as:
 - 1. A Tandem;
 - 2. The garages can be separated with two stalls having front access and a third stall being side-loaded; or
 - 3. The third stall shall be recessed five (5) feet from the front plane of the garage.
- (8) Side-loaded garages shall contain a minimum of one window, with a minimum size of 12 square feet, in the garage wall facing the street.
- (b) Garages on less than or equal to 40-foot wide lots:
- (1) Varying lot shapes, including pie shaped, lots on curves, and corner lots, which increases the lot width above the threshold for the garage standards designation do not necessitate the use of the standards for greater than 40-foot wide lots. Community Development Director or designee has final determination.
 - (2) Street-facing garages shall be located at least 20 linear feet from the front property line.
 - (3) Garage Door Color

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Double width garage doors that do not incorporate an Enhanced Garage Design as described below must be a contrasting color to the main color of the structure or be of a very similar color value to the structure secondary/accent colors.

(4) Elements from the following categories shall be included in the design of each dwelling/lot. A minimum total of three (3) elements from sub-sections i and/or ii, and a minimum of one (1) element from sub-section iii.

i. Decorative Driveway Materials and Treatments

1. Stained/colored concrete – medium and darker colors preferred
2. Stamped concrete – must also be stained/colored
3. Decorative pavers – contrasting patterns preferred
4. Landscaped center strip between tire track pads (xeriscape, ground cover, artificial turf)
 - a. Maximum tire track pad width; eighteen (18) inches.

ii. Enhanced Garage Design

1. “Carriage” style doors as appropriate to the selected architectural style of the home.
2. Windows in patterned/paneled doors as appropriate to the selected architectural style of the home.
 - a. One row of windows with one window per column of panels.
 - b. Window to occupy at least 75% of the individual panel area.
3. Shallow arched or other non-rectangular door opening as appropriate to selected architectural style.
4. Split door – separate door for each garage parking space with minimum of one (1) foot between door openings.
5. Deep recessed door from surrounding face of structure for substantial shadow line – minimum recess of eighteen (18”) inches.
6. Exterior trim or surrounds around door frame(s) as appropriate to the selected architectural style.
7. Full width architectural elements in front of garage door. Elements shall be of a depth and design that are appropriate to the selected architectural style of the house. Examples include:
 - a. Attached or free-standing trellis structure.

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b. Extension of ground level porch roofline.

iii. Massing

1. Include at least three different planes on front façade, including projecting or “pop-out” portions—minimum offset of eighteen (18) inches between planes.
2. One-story garage (or partial garage) element with deep overhang roof element for deep shadow line. Such element shall project a minimum of eight (8) feet from a taller recessed element.
3. Minimum garage offset of four (4) feet behind the face of living space or covered front porch. Minimum useable porch width must be six (6) feet.
4. Roofed or partially roofed balcony over garage. Balcony shall have a minimum depth of five (5) and a minimum width of eight (8) feet.

(c) Garage Dimensions

Garages shall meet the requirements of Section 19.7.4.K.9, Garages and Carports in *Residential Districts*.

5. Additional Standards for the Downtown Residential Districts

(a) Maximum Length of Garage Door

Street-facing garage doors shall not comprise more than the percentage of the total length of the front facade of the principal building shown in Table 19.7.6-2, Maximum Garage Door Size.

TABLE 19.7.6-2: MAXIMUM GARAGE DOOR SIZE	
LOT WIDTH	MAXIMUM TOTAL CUMULATIVE WIDTH OF STREET-FACING GARAGE DOORS
Less than or equal to 50 feet	40% of front building facade length
More than 50 feet	45% of front building facade length

(b) Maximum Driveway Width

In the downtown residential districts:

- (1)** The maximum width of a driveway leading to a single-car garage shall be 12 feet, measured within the first 20 linear feet of the lot (as measured from the edge of the right-of-way).

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- (2) The maximum width of a driveway leading to a garage serving two or more cars shall be 20 feet, measured within the first 20 linear feet of the lot (as measured from the edge of the right-of-way). See Figure 19.7.6-D.

6. Standards for Manufactured Homes

A manufactured home on an individual lot, outside of a mobile home subdivision or mobile home park, is permitted as a single-family detached dwelling provided it complies with the following standards:

(a) Configuration

Manufactured homes shall:

- (1) Be permanently affixed to the lot by means of a permanent foundation;
- (2) Be manufactured within the five years immediately preceding the date on which it is affixed to the residential lot;
- (3) Consist of more than one section;
- (4) Include at least 1,200 square feet of living area;
- (5) Consist of at least five sides or corners, with the smallest side or corner measuring a minimum of five feet; and
- (6) Have a minimum width and depth of 20 feet.

(b) Exterior Finish

- (1) The exterior finish shall be architecturally integrated with the homes in the immediate vicinity. This includes roofing and building design.
- (2) The exterior finish shall be or give the appearance of stucco, masonry, horizontal wood siding, or metal siding.
- (3) All siding shall be horizontal lap and shall have decorative features such as window and door trim or vents.
- (4) An elevated foundation must be masked with the same exterior finish used on the home or decorative masonry wainscoting. All masking must be extended to within six inches of grade.

(c) Roofing

- (1) Material shall be or give the appearance of asphalt shingles, tile, or wood, but actual wood shall not be used as a



Figure 19.7.6-D:
Maximum Driveway and Garage Door Width

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material.

- (2) Roofing material must be different in color and material than that of the exterior finish of the house so as to create contrast.
- (3) Roofs shall maintain a minimum pitch of 3:12. Roofing may be allowed at 2:12 as long as a minimum of 75 percent of the roofing area is 3:12.
- (4) Flat roofs may be allowed provided they represent a specific architectural style and include a parapet that screens the roof.

7. Conversion to Nonresidential Use

Conversion of any existing single-family attached or mansion apartment use from residential to nonresidential use shall require issuance of a conditional use permit.

C. MULTIFAMILY RESIDENTIAL DESIGN STANDARDS

1. Applicability

The standards in this subsection apply to the development of any multifamily residential dwelling, and any building that contains seven or more single-family attached dwellings when located in a residential zoning district.

2. Site Design and Building Organization

(a) Access

Multifamily developments are to be served exclusively by arterial streets, and shall comply with the following standards:

- (1) A minimum of one secondary point of ingress/egress into a multifamily development shall be required in accordance with Building & Fire Safety Department specifications.
- (2) No vehicular access from a multifamily development shall be provided on a local street serving existing single-family detached development; however, emergency vehicle access may be provided, as appropriate.

(b) Site Layout

Multifamily development is expected to follow a consistent visual theme in terms of architecture, plantings, and site layout in accordance with the following standards:

- (1) Household-related services or amenities, such as storage, laundry, trash, and parking, shall be within a 300-linear-foot distance of each dwelling unit.
- (2) Structures containing multiple units can be grouped more closely around amenity areas. Less dense buildings shall be located toward the site's perimeter to take advantage of spaciousness provided by landscaping and parking buffers.
- (3) Clusters of buildings containing 100 or more units shall be arranged around an open space or recreational amenity and separated from other building groupings by distances of 75 linear feet or more.

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SECTION 19.7.6 BUILDING DESIGN STANDARDS | 19.7.6.C MULTIFAMILY RESIDENTIAL DESIGN STANDARDS

(4) On-site recycling containers in designated areas are required.

(c) Primary Entrance Orientation

Building entries shall comply with at least two of the following requirements:

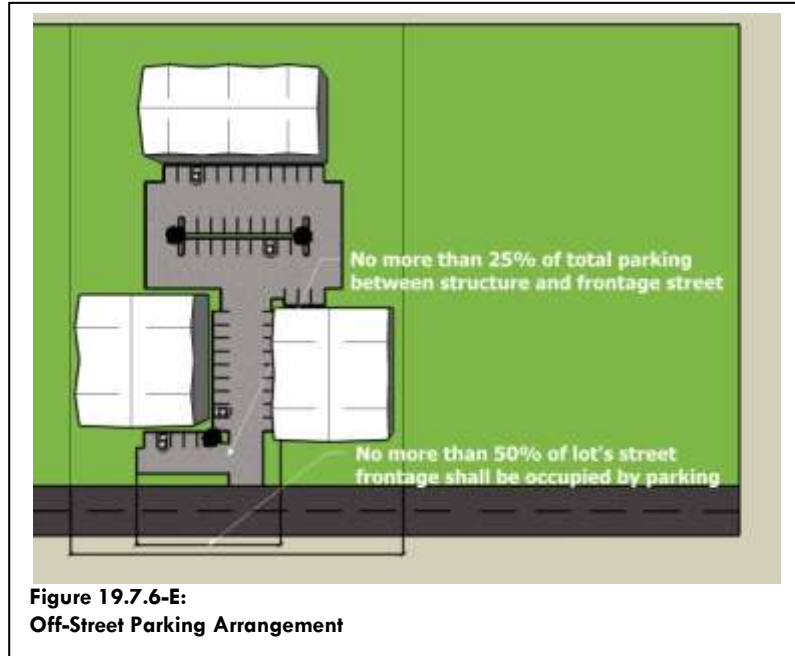
- (1) At least one main building entry shall face an adjacent street;
- (2) Building entrances shall face a courtyard or common open space that has a direct and visible connection to an adjacent street;
- (3) Building entries are connected to a public sidewalk by a system of interior walkways; or
- (4) The pedestrian entries to the site from the public right-of-way are emphasized with enhanced landscaping, special paving, gateways, arbors, or similar features.

(d) Off-Street Surface Parking Location

- (1) In addition to the standards in Section 19.7.4.J, *Parking Location, Layout, and Design*, buildings shall comply with the following: No more than 25 percent of the total off-street surface parking may be located between the structures and adjacent streets.
- (2) Off-street surface parking located on the side of a building shall not occupy more than 50 percent of the lot's street frontage along the primary street. In making that calculation, associated driving areas and driveways shall be included as part of such off-street surface parking. See Figure 19.7.6-E.
- (3) Parking areas shall include guest parking spaces within 300 feet of the unit(s) to be served.
- (4) Surface parking areas shall be configured into subgroupings of 80 or fewer spaces to the maximum extent practical as a means of dispersing parking across the site.

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**Figure 19.7.6-E:
Off-Street Parking Arrangement**

3. Building Design

- (a) Building details, including roof forms, siding materials, windows, doors, and trim shall reflect a consistent architectural style.
- (b) The maximum length of any facade, regardless of the number of dwelling units the building contains, shall be 200 feet.
- (c) No more than six side-by-side dwelling units shall be attached in any single row.
- (d) All sides of a multifamily building visible from property occupied by or designated for single-family detached residential uses, an existing public street right-of-way, or other public lands shall display a similar level of quality and architectural detailing as on the front facade.
- (e) Developments with multiple residential buildings shall incorporate a variety of distinct building designs in accordance with Table 19.7.6-3, Distinct Building Designs.

TABLE 19.7.6-3: DISTINCT BUILDING DESIGNS	
NUMBER OF BUILDINGS IN DEVELOPMENT	MINIMUM NUMBER OF DISTINCT BUILDING DESIGNS
3-10	2
11-20	3
21 or more	1 per every 6 buildings

- (f) "Distinctly different" shall be defined to mean that a building's elevation differs from other building elevations in at least four of the measures listed below in subsection (4)(b). Mirror images of the same configuration do not meet the definition of "distinctly different."

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4. Facade Standards

- (a) Each facade greater than 50 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least five feet, and extending at least 20 percent of the length of the facade. No uninterrupted length of any facade shall exceed 50 horizontal feet.
- (b) Each facade shall be articulated through the incorporation of at least five or more of the following:
 - (1) Balconies;
 - (2) Bay or box windows with a minimum 12-inch projection from the facade plane;
 - (3) Porches or covered entries;
 - (4) Dormers;
 - (5) Variations in materials;
 - (6) Variations in colors;
 - (7) Variations in roof forms;
 - (8) Variation in window sizes and shapes;
 - (9) Vertical elements that demarcate building components; or
 - (10) Eaves with exposed rafters or a minimum six-inch projection from the facade plane.

5. Height

Multifamily residential buildings located within 100 feet of property occupied by or zoned for single-family detached residential use shall not exceed 35 feet in height. The height of a multi story structure shall “step-down” adjacent to lower-intensity districts to a height comparable to the height of the adjacent building, if the adjacent building is shorter. See Figure 19.7.6-F.

6. Roof Forms

- (a) Parapet walls fronting a street shall include three-dimensional cornice treatments or a belt course with a minimum width of six inches to provide visual relief.
- (b) Roof forms shall be designed to correspond and denote building elements and functions such as entrances and arcades.
- (c) All roof vents, pipes, other roof penetrations and attachments, and equipment (except chimneys) shall be configured to have a



Figure 19.7.6-F: Building “Step-Down”

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minimal visual impact as seen from the street. Roof penetrations (except chimneys) shall not extend above the ridgeline and shall be painted or architecturally integrated with the roof design and color, to the maximum practical extent.

- (d) Asphalt shingle and wood roofs are prohibited.

7. Access to Units

Shared front entries or stairways shall be permitted only for groupings of two to four units. Long, exterior balconies served by one or two stairways in a single, continuous path are prohibited.

8. Garage and Carport Standards

- (a) Location

To the maximum extent feasible, detached garages, carports, and garage entries shall not be located between a multiple-family building and an adjacent perimeter street, but shall instead be internalized in building groups so that they are not visible from adjacent perimeter streets.

- (b) Size

Detached garages and carports shall be limited to six spaces per structure to avoid a continuous row of garages. No more than six garage doors may appear on any multifamily building elevation containing front doors, and the plane of each garage door shall be offset at least 18 inches from the plane of the adjacent doors.

- (c) Design

Detached garages shall be integrated in design with the principal building architecture, and shall incorporate similar and compatible forms, scale, materials, color, and details. Carports shall be painted a color from the color palette of the development. Lights shall be shielded from spilling onto adjacent property.

- (d) Parking Structures

Underground parking, structured parking, and parking within, above, or beneath the building it serves are all strongly encouraged for multifamily developments.

9. Perimeter Landscaping

- (a) Perimeter landscaping shall be provided around multifamily developments in accordance with the standards in Section 19.7.5, Landscaping and Screening, and the following:

- (1) Landscape strips at least 20 feet deep (measured from back-of-curb) shall be maintained along arterial streets. Sidewalks may be located within the landscape strips. In addition, a ten-foot-wide buffer yard planted with 24-inch-box trees, at a minimum spacing of 15 feet, shall be maintained adjacent to any residential land with a less intensive zoning district classification. See Table 19.7.5-2, *Minimum Buffer Width*.

- (2) Perimeter landscaping areas may be counted as part of the overall common open space requirement in Section 19.7.2, *Common Open Space*.

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10. Wall Standards

If perimeter walls are constructed within or around a multifamily development, they shall comply with the following:

- (a) Perimeter walls shall meet the following requirements:
 - (1) Be a maximum of six feet tall (except as required for traffic visibility);
 - (2) Include detail variations such as pilasters, decorative caps, or decorative iron cut-outs;
 - (3) Have a maximum height of eight feet for areas adjacent to areas occupied by or zoned for single-family residential or commercial development; and
 - (4) Be a minimum six-foot-tall when adjacent to property occupied by or zoned for single-family residential dwellings.
- (b) Perimeter walls, end walls, return walls, and common area walls shall incorporate decorative materials such as split-face block, slump stone, stucco finish, or iron pickets.

11. CPTED Design Requirements

To meet the City's adopted Crime Prevention Through Environmental Design Standards (CPTED), all multifamily development shall comply with the following standards:

- (a) Mailboxes shall be located in high-visibility and/or well-lit areas.
- (b) Community laundry rooms shall be visible from common, walking, and driving areas. All laundry rooms shall have vision panels to view into the room before entering.
- (c) The community laundry room shall have a minimum of five minimum maintainable foot candles (MMFC) at all times and not have an interior light switch.
- (d) Any wall or fence serving as a barrier for an existing or future swimming pool or spa must comply with the Building Code and CPTED requirements at time of construction, regardless of when the swimming pool or spa may have been constructed. Pool areas shall provide a minimum of ten MMFC from dusk to dawn.

12. Conversion to Nonresidential Use

Conversion of any existing multi-family use from residential to nonresidential use shall require issuance of a conditional use permit.

D. COMMERCIAL, MIXED-USE, AND INDUSTRIAL DESIGN STANDARDS

1. Applicability

The standards in this subsection apply to all commercial and mixed-use structures in all districts, and to industrial structures in the IL and IP districts, unless otherwise provided by this Code.

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2. Site Design and Building Organization

(a) Building Organization

Developments comprised of multiple buildings and/or totaling 100,000 square feet or more shall be organized to create pedestrian-friendly spaces and streetscapes. This shall be accomplished by placing the building wall at the back of the sidewalk edge (or "building to" the sidewalk or required landscape buffer), and by using building walls to frame and enclose:

- (1) The corners of street intersections or entry points into the development;
- (2) A "main street" pedestrian or vehicle access corridor within the development site;
- (3) A parkway street or frontage road that parallels the corridor;
- (4) A linear park or trail corridor that parallels the corridor;
- (5) Parking areas, public spaces, or other site amenities on at least three sides; or
- (6) A plaza, pocket park, square, or other outdoor gathering space for pedestrians between buildings or within the build-to zone. See Figure 19.7.6-G below.

(b) Access

- (1) Development shall be configured to consolidate and minimize the number of new access points on arterial streets.
- (2) Access drives or onsite streets shall not be configured to align with accessways serving adjacent residential developments unless physical or environmental constraints require this alignment.
- (3) All commercial driveway entries shall be a minimum of 32 feet in width.

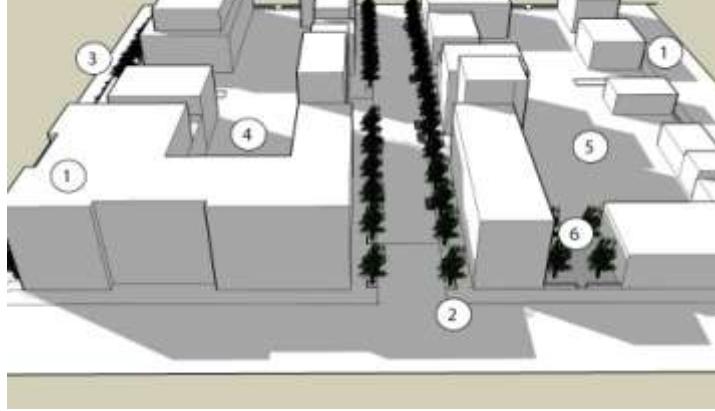
(c) Orientation

- (1) All buildings shall be oriented so that the front facade faces an adjacent street.
- (2) In cases where the long axis of a building is perpendicular to the primary street, the portion of the structure facing the primary street shall be configured with at least one operable entrance and one or more transparent windows.

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Figure 19.7.6-G: Building Organization (Numbers are keyed to building organization standards. This figure is intended to illustrate building organization options only; actual development shall comply with applicable district setbacks and landscaping requirements.)



- (3) Developments are encouraged to situate buildings at the street frontage, locating parking to the side and rear of buildings to avoid views of large, paved parking areas from public rights-of-way.

(d) Block Pattern

The layout of any development site five acres in size or larger shall be designed to reinforce a pattern of individual blocks.

- (1) Blocks shall be designed as an extension of the surrounding neighborhood, aligning with and connecting to adjacent streets and mirroring the scale and orientation of adjacent blocks (for residential areas of the activity center).
- (2) On large sites or where block consolidation is proposed (by right-of-way abandonment), special consideration shall be given to pedestrian and vehicular circulation patterns and access to surrounding neighborhoods.
- (3) New development shall establish a regular pattern of blocks to the extent feasible to avoid creating especially large blocks that limit pedestrian and vehicular circulation. Maximum block lengths shall be limited to 660 feet by 660 feet. Blocks shall be measured from street edge to street edge, regardless of whether the street is public or private.

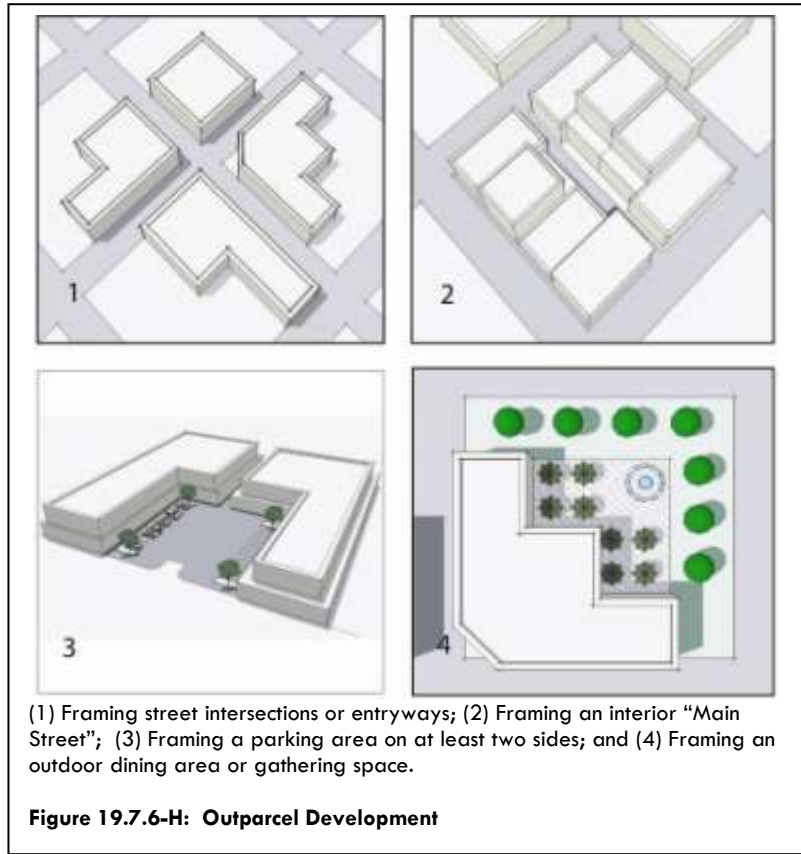
(e) Outparcel Development

- (1) To the maximum extent practical, outparcels and their buildings shall be clustered in order to define street edges, entry points, and intimate spaces for gathering or seating between buildings.

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- (2) Spaces between buildings on outparcels shall provide small-scale pedestrian amenities such as plazas, seating areas, pedestrian connections, gathering spaces, or well-landscaped parking areas. See Figure 19.7.6-H.



(f) Building Entrances

Structures shall have clearly defined, highly visible architectural fronts that include at least two of the following design features:

- (1) Canopies, porticos, archways, arcades or similar overhang above the entrance to provide visual interest and protect pedestrians;
- (2) Entry recesses/projections;
- (3) Raised corniced parapets above the entrance;
- (4) Gables or peaked roof forms above the entrance;
- (5) Architectural details, such as tile work and moldings, integrated into the building structure and above or directly adjacent to the entrance; or
- (6) Outdoor pedestrian features such as seat walls and landscaping, or permanent landscape planters with integrated benches.

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(g) Loading and Service Areas

Loading and service areas shall be placed to the sides or rear of a structure, or shall be integrated within the building's architecture as a means of minimizing their appearance.

(h) Residential Uses

Residential uses shall be incorporated within a mixed-use development to be visually and/or physically integrated with nonresidential uses. This shall be achieved by ensuring that residential uses meet at least one of the following:

- (1)** Residential uses are vertically located above street-level commercial uses;
- (2)** Residential uses are horizontally integrated into site development to provide a transition between the highest intensity uses within the center or development and the adjacent neighborhood;
- (3)** Limit the use of block walls internally that separate residential and nonresidential uses from each other; and
- (4)** Provide a pedestrian circulation system (i.e., sidewalks, crosswalks, trails, etc.) that reduces conflict between pedestrian and vehicular movements and increases pedestrian activity between residential and nonresidential uses.

3. Building Design

(a) Four-Sided Architecture

All sides of a building that are visible from a public street, public right-of-way, or other area to which the public has legal access shall feature a similar level of architectural detail reflecting the front facade.

(b) Facade Standards

The following facade standards are intended to prevent large, undifferentiated wall surfaces that are easily visible from neighboring properties or the public right-of-way:

- (1)** The building facade shall be visually divided into individual bays that are a maximum of 30 feet in width. No blank wall area or facade shall exceed more than 30 feet in horizontal or vertical direction. Building facades shall include two or more of the following treatments for every 30 feet of building length, as illustrated in the following table:

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TABLE 19.7.6-4: DISTINCT BUILDING DESIGNS	
Building Length (ft)	Number of Facade Treatments Required
0-30	2
31-60	4
61-90	6
90+	8

- (2) The required treatments shall be utilized to reduce the perceived scale of the building and shall be drawn from the following list:
- i. Reveals;
 - ii. Projections;
 - iii. Offsets (measuring at least four feet in depth);
 - iv. A vertical architectural treatment (a minimum of 12 inches in width);
 - v. Color, texture or material change (including, but not limited to, brick or stone);
 - vi. Architectural banding;
 - vii. Awnings;
 - viii. Treillage with vines;
 - ix. Decorative parapet (arched, gabled, stepped, etc.) or cornice treatments;
 - x. Covered walkways;
 - xi. Variations in roof forms and/or roof heights;
 - xii. Deep-set windows with mullions or decorative glazing;
 - xiii. Ground-level arcades or upper balconies/galleries;
 - xiv. Columns or pillars;
 - xv. Marble or tile accents;
 - xvi. Art work or bas relief; or
 - xvii. Other facade treatments as agreed to by the Community Development Director.
- (3) Sample facade treatments are illustrated on the following page in Figure 19.7.6-l.

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covered walkway, projection



awnings, bas relief



offsets (at least 4' in depth)



treillage with vines



vertical articulation treatment (min. 12" in width), color texture or material change



reveals, decorative parapet or cornice treatments, variations in roof forms and/or roof heights



ground-level arcades or upper balconies/ galleries, columns or pillars, marble or tile accents

deep-set windows with mullions or decorative glazing, architectural banding

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Figure 19.7.6-I: Example Facade Treatments

(c) Base, Middle, and Cap

Buildings with three or more stories shall incorporate a base, middle, and cap described as follows:

- (1)** The base shall include an entryway with transparent windows, and a molding or reveal placed between the first and second stories or over the second story. The molding or reveal shall have a depth of at least two inches and a height of at least four inches;
- (2)** The middle shall include a minimum of 50 percent of the vertical height of the building and may include windows and/or balconies; and
- (3)** The cap shall include the area from the top floor to the roof of the building, and shall include a cornice or roof overhang. See Figure 19.7.6-J.

(d) Roof Forms

The roof form standards in this subsection shall apply to the full length of any roof.

- (1)** Roof lines shall be varied and designed to further minimize the bulk of a building, screen roof-mounted equipment, and enhance the building's architectural design. Variations in roof design may be achieved by use of the following methods:

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Figure 19.7.6-J: Base, Middle, and Cap

- i. Decorative parapets (a minimum of three feet in height, maximum of one-third the supporting wall height).
 - ii. Overhang eaves (extending a minimum of three feet beyond the supporting wall).
 - iii. Three-dimensional cornice treatments (a minimum of 12 inches high).
 - iv. Three or more roof planes per facade.
- (2) All roof vents, pipes, antennas, satellite dishes, other roof penetrations and equipment (except chimneys) shall comply with Section 19.7.5.H.2(a), Roof-Mounted Mechanical Equipment.
- (3) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are permitted as an alternative to the roof forms described in this subsection.
- (e) Color
- Color shades shall be used to facilitate blending into the neighborhood and unifying the development. The color shades of building materials shall draw from the range of color shades found in projects in the immediate area that have been approved pursuant to the City's design review procedures or that are found in the natural terrestrial environment.

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- (f) Unified Design
- (1) If a building or center has a primary theme, that theme should be used around the entire building. This can include, but is not limited to, the use of tile accents, stucco designs, awnings, cornice treatments, stepped parapets, treillage with vines, textured materials such as stone or brick, planters, or colored panels.
 - (2) The architectural design within a multi-building development of structures (including freestanding outparcel structures) shall be organized around a consistent architectural theme in terms of the character, materials, texture, color, and scale of buildings. Themed restaurants, retail chains, and other franchise-style structures shall adjust their standard architectural model to be consistent with a development's architectural character.
- (g) Materials
- (1) Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color, and texture shall be utilized to ensure that enough similarity exists for the building to be compatible despite the differences in materials.
 - (2) Metal and aluminum siding, plywood siding, plastic tile, color integral or painted precision architectural concrete block, painted split-face block, painted slumpstone building walls, and pre-engineered metal buildings are prohibited unless approved by the Community Development Director.
- (h) Response to the Climate
- (1) All development shall provide shaded walkways, as defined in this Code, along at least 50 percent of all building facades adjacent to or facing primary walkways leading to building entrances, pedestrian connectivity routes, and usable common open space.
 - (2) On sites of 15 acres or more, shaded walkways shall constitute a minimum of 30 percent of the sidewalks within sites containing multiple buildings. Options include awnings, arcades, other similar structures, or shade trees planted at 30-foot intervals, unless a smaller interval is required to comply with other sections of this Code.
 - (3) Buildings shall be oriented to minimize direct solar exposure on the primary building facade and areas of high pedestrian activity.
 - (4) If subject to design review, the City will specifically review and approve the color, material and configuration of all overhead weather protection and the material and configuration of all pedestrian walkways as part of the design review decision.

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4. Building Elements

(a) Downspouts and Overflows

All downspouts and overflow drains shall be incorporated into exterior building walls or architectural projections and shall not be visible on the exterior of the building.

(b) Vision Panels

Vision panels are designed to allow outside surveillance prior to the exit of any person from the service exit of a building. Except for docks or cargo entrances designed for large cargo distribution, vision panels shall be constructed to allow a person to view the exterior area prior to leaving the protection of the interior space. Vision panels shall not allow a person to view the interior of the building from the exterior. Vision panels shall comply with the following standards:

(1) Location

- i. The vision panel (glass portion of the door) shall be center-mounted and placed no more than 63 inches from the bottom of the door.
- ii. Variations on this size may be permitted as long as a person cannot insert an arm in the event the glass is removed.

(2) Size

- i. Solid metal, wood, or composite material doorways in commercial, industrial, or semipublic buildings shall be installed with burglar-resistant glass not to exceed four inches by four inches in size.
- ii. Wide-angle viewers may be substituted for vision panels if a person can stand several feet from the door and view the exterior of the building; however, outside lighting must not hinder the view due to glare.

5. Conversion of Residential Uses to Nonresidential Uses

The conversion of any residential structure to a nonresidential use shall require design review in accordance with Section 19.6.6.B or other application as determined by the Community Development Director, to ensure compatibility with the intent of this Code.

6. Residential Compatibility Standards

(a) Applicability

The residential compatibility standards in this subsection apply when nonresidential or mixed-use development is proposed adjacent to lots used by or zoned for detached or attached single-family structures in the RS-4, RS-6, RS-8, RM-10, RM-16, DRL, and DRM districts.

(b) Use Limitations

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Where these compatibility standards apply, the following uses or features shall be prohibited as principal or accessory uses:

- (1) Public address systems;
- (2) Outdoor storage; and
- (3) Uses providing delivery services via large tractor trailers (not including package delivery services such as Federal Express or UPS).

(c) Off-Street Parking

(1) Off-street parking shall be established in one or more of the locations listed below. The locations are listed in priority order from highest to lowest; the applicant shall select the highest feasible location from this list, and shall demonstrate why that application was selected over other alternative locations.

- i. Adjacent to off-street parking lots serving nonresidential uses on abutting lots;
- ii. Adjacent to lot lines abutting nonresidential development;
- iii. Adjacent to lot lines abutting mixed-use development;
- iv. On a lot's corner side;
- v. Behind the building;
- vi. In front of the building; or
- vii. Adjacent to lot lines abutting residential uses.

(2) In cases where an off-street parking lot serving a nonresidential use is located on an abutting lot, connection between the two parking areas via a cross-accessway with a minimum width of 12 feet and a maximum width of 24 feet is strongly encouraged. A cross-access easement shall be recorded.

(d) Landscaping/Screening

(1) A solid masonry or concrete wall with a minimum height of six feet and a maximum height of eight feet shall be provided to screen nonresidential uses from adjoining property with a residential land use designation as specified by the Comprehensive Plan or as designated by another local entity when adjacent to the corporate limits. Solid walls adjoining the front yards or street side yards of an adjoining residential lot shall not exceed 32 inches in height. In lieu of a wall, the Community Development Director may approve landscaping alternatives to meet this requirement, including berms, hedges, or a combination of wall and landscaping. See Figure 19.7.6-K.



**Figure 19.7.6-K:
Opaque Screening
Configuration**

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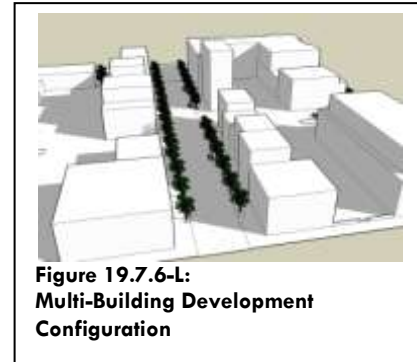
SECTION 19.7.6 BUILDING DESIGN STANDARDS | 19.7.6.D COMMERCIAL, MIXED-USE, AND INDUSTRIAL DESIGN STANDARDS

- (2) Screening shall not interfere with public sidewalks, vehicular cross-accessways, or improved pedestrian connections.

(e) Exterior Lighting

Exterior lighting shall:

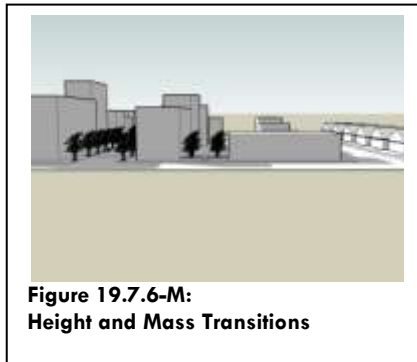
- (1) Have a maximum pole height of 20 feet within 50 feet of any residential zoning district, 25 feet in height within 50 to 150 feet of any residential zoning district, and 30 feet in all other locations;
- (2) Be fully-shielded;
- (3) Be configured so that the source of illumination is not visible;
- (4) Be directed away from adjacent lots in residential districts; and
- (5) Illumination shall not exceed 0.50 foot-candles at the property line if the subject property abuts a residential zoning district or a lot containing residential use.



**Figure 19.7.6-L:
Multi-Building Development
Configuration**

(f) Multi-Building Developments

- (1) Multi-building developments shall be configured to locate the tallest and largest structures within the core of the site and provide a gradual decrease in building height and mass towards adjacent residential land uses. See Figure 19.7.6-L.
- (2) Horizontally integrated mixed-use developments shall locate nonresidential uses away from lots in adjacent residential land uses.



**Figure 19.7.6-M:
Height and Mass Transitions**

(g) Building Design

- (1) Nonresidential structures taller or larger than adjacent residential uses shall be broken up into modules or wings with the smaller or shorter portions of the structure located adjacent to residential uses. See Figure 19.7.6-M.
- (2) Multi-story structures with balconies, patios, or other public gathering spaces more than 24 feet above grade shall orient these features to avoid direct views into lots in low- and medium-density residential districts.
- (3) Except in downtown zoning districts, any nonresidential structure that is located within 100 feet of a residential use shall maintain a setback from the residential use equal to the height of the nonresidential structure.

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(h) Facade Configuration

- (1) Primary facades of nonresidential and mixed-use structures that face residential districts shall be configured as a series of two or more storefronts. See Figure 19.7.6-N.
- (2) Service functions like refuse collection, incidental storage, and similar functions shall be integrated into the architecture of the building unless an alternate location places these functions farther from adjacent residential uses.
- (3) Windows shall be arranged to avoid direct lines-of-site into abutting residential uses.

(i) Operation

- (1) Nonresidential uses with outdoor components (e.g., outdoor dining, performance venues) located adjacent to lots in a residential district shall curtail outdoor activities by 10:00 p.m.
- (2) Loading or unloading activities shall take place only between the hours of 7:00 a.m. and 11:00 p.m.
- (3) Alternate hours of activities may be approved through the conditional use permit process.

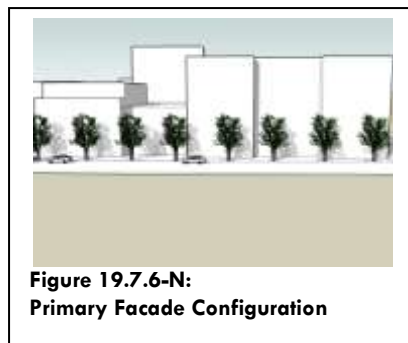
(j) Additional Operational Compatibility Standards

As a condition of approval of any discretionary approval of any nonresidential use located within 500 feet of any residential district, the decision-making body shall be authorized to impose conditions that are necessary to reduce or minimize any potentially adverse impacts on residential property. Such conditions may include, but shall not be limited to, the following:

- (1) Location on a site of activities that generate potential adverse impacts on adjacent uses such as noises and glare.
- (2) Placement of trash receptacles.
- (3) Location of loading and delivery areas.
- (4) Placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities.
- (5) Additional landscaping and buffering.
- (6) Preservation of natural lighting and solar access.
- (7) Ventilation and control of odors and fumes.

(k) Rural Neighborhood Protection Standards

The decision-making body shall be



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SECTION 19.7.6 BUILDING DESIGN STANDARDS | 19.7.6.E INFILL DESIGN STANDARDS

authorized to impose standards that are necessary to reduce or minimize adverse impacts on adjacent rural neighborhoods for parcels within 500 feet of a rural neighborhood as defined by Sec. 19.4.10. In addition to the Operational Compatibility Standards as outlined in Sec. 19.7.6.D.6(j), minimum standards shall include, but shall not be limited to, the following:

- (1) Require all applicants to seek neighborhood input through neighborhood meetings prior to presentation of any plan to the Planning Commission.
- (2) Require the integration of existing and proposed equestrian and multiple-use trail systems, open space, and parks.
- (3) Require new residential development to front local residential rights-of-way, not arterial streets.
- (4) Require planned unit developments for all projects in excess of five (5) acres.
- (5) Require the first row of houses across the street from or backing up to a rural neighborhood to have a maximum density of four units per acre, be single story, have a lot width that is comparable to adjacent rural neighborhood lots, and have setbacks that meet or exceed RS-6 setbacks.
- (6) Require maximum 8-foot-tall lampposts that are architecturally integrated with the design of the subdivision in the front yard of each home within 500 feet of a rural neighborhood per Public Works' specifications.
- (7) Require developments abutting a rural neighborhood to maintain the same perimeter street sections, rural street lighting, and rural roadside trail provisions as those properties located in adjacent rural neighborhoods.
- (8) Require applicants to install landscaping within adjacent arterial street medians.
- (9) Homes should either face or back up to a rural neighborhood area to ensure a minimum separation of 25 feet.
- (10) If a natural or manmade barrier exists, such as a drainage channel, overhead transmission line, a minimum 8-foot-high block wall with landscaping in accordance with Sec. 19.7.5.C, or any topographical feature that prohibits vehicular and pedestrian access to an adjacent rural neighborhood, then the requirements of paragraph 5 above shall not apply.

E. INFILL DESIGN STANDARDS

1. Applicability

The infill standards in this subsection apply when any new development is proposed on a lot that abuts existing development on at least three sides, and is located within any of the following districts: any RS district, any RM district, the DRL district, the DRM district, or the CN district.

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2. Bulk and Dimensional Characteristics

- (a) New development subject to these infill standards shall:
- (1) Maintain a front setback that is within 125 percent of the average front setback of the existing buildings along the same block face;
 - (2) Be within 125 percent of the average height of the closest three principal structures, but shall not exceed the maximum height for the district where located;
 - (3) Maintain a consistent orientation relative to the front lot line as structures along the same block face; and
 - (4) Maintain side setbacks that are within 200 percent of lots along the same block face.
- (b) A lot's block face shall be the one adjacent to the street from which the lot derives its street address unless the Community Development Director determines that an alternative block face is more appropriate.

3. Building and Site Features

Development subject to these infill standards shall respect and reinforce the character found on surrounding buildings, including:

- (a) The placement and orientation of garages and other accessory structures in relation to the habitable portion of the structure;
- (b) Size, shape, and alignment of windows and doors;
- (c) Roof shape, pitch, and overhangs or eaves;
- (d) Provision of front porches or porticos;
- (e) Exterior building materials and details; and
- (f) Location of off-street parking.

4. Transitions between Development

Infill development projects with multiple buildings shall be configured to locate the most intense and highest buildings to the core of the site and establish a continuum where building height, mass, and intensity diminishes from the core towards the edge of the site.

5. Compliance with Other Design Standards

Development subject to these infill standards shall also be subject to all other applicable design standards in this section.

F. CONDOMINIUM CONVERSIONS

1. Purpose

The purpose of this subsection is to safeguard the public health, safety, convenience, and general welfare, and to bring about orderly, coordinated development by establishing minimum standards of design and improvement of any condominium conversion in the City.

2. Application

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- (a) Applications for condominium conversion shall be submitted to the Community Development Director. Concept plan review pursuant to Section 19.6.3.A.3 is required prior to application submittal.
- (b) The filing of a tentative subdivision map for the conversion of apartments to condominium ownership shall follow the procedures in Section 19.6.5.D, Tentative Maps.
- (c) Condominium conversions of more than six units shall also require the filing of an application for a PUD overlay district pursuant to Section 19.6.4.D. The following information shall be incorporated into the application for review:
 - (1) Number of stories and height of each building.
 - (2) Density in dwelling units per acre.
 - (3) Total number of parking spaces and stall and aisle sizes.
 - (4) Area of site to be covered by structures and area to be landscaped.
 - (5) Floor area per unit.
 - (6) Type of construction.
 - (7) Location of trash enclosures.
 - (8) Rental history and project profile.
 - (9) Building and Grounds Condition Report.

3. Condominium Conversion Standards

(a) Parking Requirements

The project shall conform to all applicable parking requirements of Section 19.7.4, Parking and Loading.

(b) Utilities, Location, and Metering

The purpose of this subsection is to ensure that the utility services are provided in accordance with all local utility requirements and the following:

(1) Location

Each dwelling unit shall be served by gas and/or electric services. No common gas or electrical connection or service shall be allowed. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place.

(2) Undergrounding

All new onsite and offsite minor utilities except switch boxes, transformer boxes, and cap banks across property frontage shall be underground.

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(3) Metering

Each dwelling unit that provides gas and/or electric service shall be separately metered for gas and/or electricity. A plan for the equitable sharing of communal water metering and other shared utilities shall be included in the covenants, conditions, and restrictions.

(c) Refurbishing, Restoration, and Fire Protection

(1) All main buildings, structures, fences, patio enclosures, carports, accessory buildings, sidewalks, and driveways shall be refurbished and restored to meet the minimum standards of the City Building Code at the time the building was constructed. Landscaping shall comply with current Code requirements as practical.

(2) Smoke alarms shall be installed within dwelling units and designed to operate in accordance with the applicable Code. Smoke alarms shall be interconnected, shall receive their primary power from the building wiring, and shall be equipped with a battery backup. Within sleeping rooms in accessible units or within designated accessible units, smoke alarms shall include a visual notification device to notify hearing-impaired occupants.

(d) Contingency Fees

(1) As required by NRS 116.310395, the developer shall create a contingency or reserve fund for condominium conversions to provide a surety or performance guarantee for unexpected or emergency repairs to common areas in the interest of the economic, aesthetic, and environmental maintenance of the community, as well as to protect the general welfare, public health, and safety of the community.

(2) Upon the close of escrow for each unit, the applicant shall convey to the property owners' association's contingency fund a minimum fee of \$200 per dwelling unit. When 50 percent or more of the total units in the project have been sold, the applicant, within 30 days, shall convey such fee for each of the unsold units. Such funds shall be used solely and exclusively as a contingency fund for emergencies that may arise relating to common open space, exterior portions of dwelling units, and such other restoration or repairs as may be assumed by the property owners' association.

(e) Property Owners' Association

Prior to recordation of a final map, the applicant shall submit a copy of the owner's association's (i.e., Property Owners' Association or Landscape Maintenance Association) articles of incorporation to include association name, officers, addresses, and (if applicable), resident agent to the Community Development and Neighborhood Services Departments.

4. Conversions

In addition to the requirements and procedures set forth in other sections of this Code, applicants for conversions shall provide the following information and comply with the following regulations:

(a) Rental History and Project Profile

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A statement of specific information concerning characteristics of the project, consisting of the following:

- (1)** Monthly vacancy rate for the development during the preceding three years.
- (2)** Proposed sale price of each unit.
- (3)** Proposed property owners' association fee.
- (4)** Summary of units that meet the extended lease arrangements criteria set forth in this subsection.

(b) Building and Grounds Condition Report

The applicant shall provide, at his or her own expense and in a format acceptable to the City, a Building and Grounds Condition Report prepared by a licensed civil engineer or licensed architect. The Building and Grounds Condition Report shall be provided to the Director of Building and Fire Safety and the Community Development Director and shall contain the following information:

- (1)** An evaluation of the condition of each building in the project, to include estimate of life expectancy of building components and systems (roof, exterior finishes, mechanical equipment, and appliances). Building components and systems with less than a five-year life expectancy shall be replaced prior to occupancy by the purchasing tenant.
- (2)** An evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences, and utility systems.
- (3)** Certification that all electrical, mechanical, plumbing, and fire/life safety systems are maintained in safe working order under the Building Codes that were applicable when the buildings were constructed. The report shall also include any notices of manufacturer recall(s).
- (4)** A copy of this report shall be provided to each prospective buyer of a converted unit prior to opening an escrow account. Any deficiencies shall be corrected prior to recordation of a final map.

(c) Recommendation

- (1)** The Community Development Director, in conjunction with the Public Works Director and Director of Building and Fire Safety, then shall evaluate the structures and grounds and make a recommendation as to what alterations to the buildings and grounds are necessary to ensure that any converted complex does not place an undue financial burden on the property owners' association.
- (2)** Alterations that are required immediately shall be performed prior to final subdivision map approval. In the event an alteration does not require immediate completion, but will be necessary within three years of the date of final subdivision map approval, the Community Development Director, in consultation with the Public Works Department, shall deposit in an account the estimated cost of the alteration in an amount sufficient to cover the cost for the use of the property owners' association.

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(3) This information and evaluation will be incorporated into the planned unit development permit review process for City Council evaluation.

(d) Noticing Requirements

(1) A notice of intent to convert shall be delivered to each tenant by certified mail within 15 days after the planned unit development application is filed with the Community Development Director.

(2) The form of the notice shall be approved by the Community Development Director and shall contain the following information:

i. Name and address of current owner.

ii. Name and address of proposed applicant.

iii. Approximate date on which the final subdivision map is to be filed.

iv. Notice of tenant's right of first refusal.

v. Notice of tenant's approximate vacation date.

vi. Notice of tenant's right to receive a relocation cost payment.

vii. Notice of special cases for extended lease arrangements.

viii. Notice of tenant's right to vacate the unit 120 days from the recordation of the final map.

(3) The applicant shall submit a notarized certificate of mailing, including a list of all tenants that were noticed, to the Community Development Director within 15 days after the planned unit development application is filed.

(4) Any and all subsequent tenants shall be notified prior to lease signing of all items listed in section (2) above.

(e) Tenant's Right of First Refusal

Any present tenant(s) of any unit shall be given a nontransferable right of first refusal to purchase the unit occupied, at the price offered the public. The right of first refusal shall extend for a period of at least 90 days after final map approval or initial offering for sale, whichever is later in time.

(f) Vacation of Units

Each non-purchasing tenant not in default under the obligation of the rental agreement or lease under which the unit is occupied shall have not less than 120 days from the recordation of the final map to vacate the premises.

(g) Extended Lease Arrangements

(1) Any non-purchasing tenant age 62 or older, or handicapped, shall be offered in writing an extended lease of six months for each year he or she has resided in the project, not to exceed five years. This lease will stipulate that the monthly rent on the unit so leased will increase only as much as the Consumer Price Index for the Western States, U.S. city

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average, all goods, all urban consumers, as calculated by the Bureau of Labor Statistics of the U.S. Department of Labor, or its successor index, herein referred to as CPI. Any non-purchasing tenant with two or more children under the age of 18 residing in the unit shall be offered in writing the same lease arrangements. The offer in writing shall be sent to the applicable non-purchasing tenants with the NRS-required, 120-day notice to vacate.

- (2) A tenant's rent shall not be increased within two months prior to a project application, nor shall rent be increased by more than the CPI for two years from the time of the filing of the project application or until relocation takes place.

(h) Relocation Cost Payment

- (1) The applicant shall provide a one-time relocation cost payment of two times the monthly rent or \$2,000, whichever is greater, per unit, for all existing tenants whose tenancies have been terminated for the purpose of converting or selling their units, after receipt of the NRS-required, 120-day notice to vacate from the applicant.

- (2) Nothing in this section shall serve to excuse a landlord from any obligation to reimburse a tenant security deposit. Relocation fees shall be paid to tenants no later than 90 days following the NRS-required, 120-day notice to vacate.

(i) Tenant Incentives

The following incentives shall be offered by the applicant to tenants of the affected conversion:

- (1) The developer shall not penalize those tenants who wish to break their lease following receipt of the NRS-required, 120-day notice to vacate.
- (2) The developer shall refund the security deposits of all tenants who relocate from the property following receipt of the NRS-required, 120-day notice to vacate. However, the refund is subject to all lease provisions excluding any penalties for tenant-initiated termination. Developers shall comply with all requirements regarding refunding as provided by NRS. If the tenant enters into a lease at one of the developer's other rental properties, the security deposit will be applied towards the new apartment home subject to any deductions allowed by the lease.
- (3) No later than 90 days following the NRS-required, 120-day notice to vacate, the developer shall provide to the tenants a current list of City of Henderson apartment rental properties that have vacancies within the same general price range as the proposed conversion.
- (4) The developer shall contribute two percent of the sales price towards closing costs for any existing tenants who purchase a unit within the development.
- (5) For those tenants who are disabled, the developer shall establish a program where the units occupied by disabled tenants shall be offered to

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investor purchasers. Rents shall not increase until the end of the lease and then could only be increased at a rate no greater than the rate of increase of the CPI. This will allow the tenants to continue to occupy their units while paying rent to the new owner.

- (6) Working with Neighborhood Services, the developer shall host a “Home-Buyer Fair” at the property no later than 30 days after the NRS-required, 120-day notice to vacate has been issued. This event shall give tenants the opportunity to meet with various lenders and City of Henderson representatives to learn about the programs available.
- (7) The developer shall reserve a minimum of ten percent of the total number of units being converted to condominiums within the project boundaries as affordable/workforce attainable units (units affordable to households earning less than 120 percent of the Clark County Area Median Income). No less than 50 percent of these units shall be affordable as defined by HUD. Affordable units shall be distributed throughout the buildings within the project. The developer shall record a deed restriction on these affordable units to ensure their continued affordability.
- (8) The developer shall provide \$200 for each unit being converted to a condominium to the Condominium Incentive Fund (CIF) with the Neighborhood Services Department for its costs incurred in monitoring compliance with the obligations set forth within this section and in providing technical assistance to non-purchasing tenants in their relocation. This fee is to be paid to the City of Henderson at the sale of each unit.

(j) Required Findings of Fact

The City Council shall not approve an application, nor shall applications be accepted for, the conversion of apartments to condominiums unless the City Council finds that the current rental housing vacancy rate is above five percent in the Clark County area, as determined by the Center for Business and Economic Research (CBER) Quarterly Report.

(k) Considerations for Approval

City Council approval of an application for the conversion of apartments to condominiums shall be based upon consideration of all the following criteria:

- (1) Compliance with all provisions of this section.
- (2) Consistency with the policies of the Comprehensive Plan.
- (3) Determination that the proposed conversion will not create a shortage of rental housing such that an imbalance between rental and ownership housing exists.
- (4) Determination that the overall design and physical condition of the condominium conversion does not adversely impact the health, safety, and welfare of the community.

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

19.7.7. DISTRICT-SPECIFIC STANDARDS

A. APPLICABILITY

The standards in this section apply to all allowable uses within the listed base zoning districts. Allowable uses shall also comply with the appropriate design standards in Section 19.7.6, *Building Design Standards*, and all other applicable requirements in this Code.

B. DRH: DOWNTOWN HIGH-DENSITY RESIDENTIAL

Development in the DRH district shall comply with the following:

1. Moderne Architectural Theme

The Moderne architectural style is encouraged, but not required, for development in the DRH district. Elements of the Moderne style are described in greater detail in Section 19.7.7.D, *DCC: Downtown Commercial Core*.

C. DP: DOWNTOWN PUBLIC

The following district-specific standards apply to all uses in the DP district:

1. Moderne Architectural Theme

Except for lots fronting Lake Mead Parkway, the Moderne architectural style is encouraged, but not required, for development in the DP district. Elements of the Moderne style are described in greater detail in Section 19.7.7.D, *DCC: Downtown Commercial Core*.

2. Design Standards for Sites with Frontage on Lake Mead Parkway

Lots in the DP district with frontage on Lake Mead Parkway shall comply with the building design standards for the DHC district (Section 19.7.7.E).

3. Site Layout and Building Orientation at the Intersection of Lake Mead Parkway and Water Street

As a gateway to downtown, the intersection of Lake Mead Parkway and Water Street requires special attention so that a sense of place and “arrival” unique to downtown Henderson is created. All commercial developments located at the intersection shall include the following site layout and building orientation elements:

- (a) A distinctive design that does not represent standard franchise architecture.
- (b) An architectural feature or appendage that is a minimum of 25 feet tall (e.g., a clock tower, spire, or varied roof form).
- (c) Public art or sculpture.
- (d) Public plazas or other common open space.
- (e) Landscape features.

D. DCC: DOWNTOWN CORE COMMERCIAL

The following district-specific standards apply to all uses in the DCC district:

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SECTION 19.7.7 DISTRICT-SPECIFIC STANDARDS | 19.7.7.D DCC: DOWNTOWN CORE COMMERCIAL

1. Moderne Architectural Elements

To reinforce downtown Henderson's World War II-era heritage and establish an identifiable character, all new development and redevelopment located in the downtown core shall exhibit characteristics of the Moderne architectural period. While development should be compatible with the Moderne theme for downtown, the standards are not intended to result in historical replicas or in the duplication of the building examples provided. Applicants are encouraged to approach the design process with a creative flair. The following elements characterize Moderne architecture and shall be interpreted into the design of buildings, signage, lighting, and street furniture.

(a) Structural Features

The use of structural features that emphasize an industrial aesthetic is a key component of the Moderne architectural period. The use of one or more of the following design elements is required:

- (1) Horizontal lines;
- (2) Curved corners;
- (3) Rolled columns;
- (4) Vertical elements; or
- (5) Symmetrical facades.

While the Moderne style is typically without ornament, the following decorative elements are encouraged in moderation, to create visual interest and establish a variety of distinguishing features among downtown buildings: ornate doors, chevrons, zigzag, and trim that trademark the Art Deco style.

(b) Rooflines

Flat roof forms punctuated with stepped parapet walls or other architectural accents used to create an emphasis at entryways or corners are typical of the Moderne style. The use of sloped or mansard rooflines, turrets, or cupolas is prohibited. See Figure 19.7.7-A.



(c) Primary Building Materials

Building materials should be consistent with the Moderne architectural period. Permitted materials include, but are not limited to, the following: cut stone, rusticated block, smooth-finished stucco or exterior plaster, cast stone, glazed

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SECTION 19.7.7 DISTRICT-SPECIFIC STANDARDS | 19.7.7.D DCC: DOWNTOWN CORE COMMERCIAL

terra cotta, masonry, blonde- or buff-colored brick, architectural concrete, and architectural foam. Architectural foam used as either a primary or accent material shall be located at least ten feet above the sidewalk elevation or unpaved surface adjacent to the building wall. Metal siding, as found on prefabricated metal buildings, is not permitted.

(d) Accent Building Materials

In addition to the permitted primary building materials, the following additional materials are acceptable for use as decorative accents not to exceed 20 percent of any wall surface area:

- (1) Glass block;
- (2) Ceramic tile;
- (3) Brushed stainless steel;
- (4) Copper;
- (5) Chrome;
- (6) Red or other earth-tone brick; and
- (7) Wrought iron, pipe, and metal railings are also permitted.

(e) Building Orientation

To maintain an active street presence, buildings shall be designed to face primary street frontages, including side streets on corner lots. Main entrances shall face the adjacent street or a connecting walkway with direct pedestrian access to the street. Secondary entrances may face rear-parking areas.

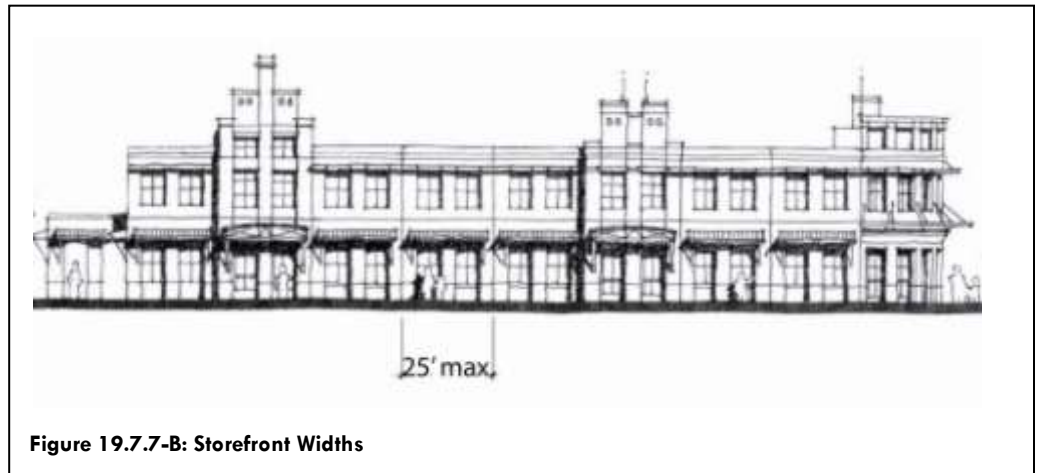


Figure 19.7.7-B: Storefront Widths

(f) Storefronts

To enhance the desired pedestrian character of the Downtown Core Commercial district, it is important to provide a variety of interesting, transparent storefronts. In order to engage pedestrians walking throughout the downtown area, it is imperative to provide a sense of discovery of what is in the next storefront. An abundance of glass and the sense that eyes can look out onto the sidewalk also

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instill a sense of safety for pedestrians. Storefronts in the Downtown Core Commercial district shall be subject to the following:

(1) General

Buildings shall be designed to avoid blank facades, instead providing storefront windows, doors, entries, transoms, awnings, cornice treatments, and other architectural features.

(2) Storefront Width

To maintain a rhythm of storefronts along the street edge, the storefront width shall be a maximum of 25 feet or give the appearance of individual storefronts that are a maximum of 25 feet wide. Wider storefront widths shall, to the maximum extent feasible, be divided into modules that give the appearance of narrow building widths. Larger uses, such as civic buildings or office structures, may vary in front width, subject to review and approval. See Figure 19.7.7-C.

(3) Proportion of Openings

Storefronts should maintain a high ratio of windows to walls at the street level to create interest for pedestrians. Windows and doors shall comprise at least 70 percent of the first-floor facade and at least 40 percent of upper-floor facades. All glazing shall have a minimum transparency of 75 percent on the first floor and 50 percent on the upper floors.

(4) Bulkheads

By limiting bulkhead height, the visibility to the storefront displays and retail interior is maximized. The maximum bulkhead height for storefront windows shall be 24 inches.

(5) Entries

The main entry to a building leading to a lobby, stair or central corridor shall be emphasized at the street to announce a point of arrival in one or more of the following ways: flanked columns, a change in materials, decorative fixtures and other details such as piers, special paving, fixed



**Figure 19.7.7-C:
Entry Features**

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awnings, door sidelights, and double-wide doors. The entry should be recessed within a larger arched or cased decorative opening or indicated by means of a change in roofline or a variation in the surface of the wall. Recessed entries shall be illuminated. See Figure 19.7.7-C.

(6) Corner Buildings

Corner buildings shall provide a prominent corner entrance to street level shops or lobby space in a manner consistent with main entries, as described above. Corner building entries shall be anchored at the sidewalk edge, beveled, recessed, and/or sheltered by a covered structure, canopy or awning to provide an area for retail displays. Recessed entries shall be illuminated. See Figure 19.7.7-D.

(7) Awnings

Where the building facade is divided into distinct structural bays or storefronts, awnings may be used, and should be placed within the vertical elements rather than overlapping them. Additionally, awning shape should relate to the window or door opening. For example, square awnings are acceptable for rectangular windows. Misting systems are encouraged as part of the awning frames when operated in accordance with HMC Chapter 14.14, *Conservation and Drought*.

(8) Arcades

Arcades, or covered walkways, that provide pedestrian relief, access, and shade are encouraged. Arcades should be of a simple design that is compatible with the *Moderne* character desired in the downtown core.

(9) Security Grilles

Except at exterior service entrances, permanent, fixed security grilles are prohibited.



(10) Articulation

Storefront facades of multistory buildings shall be articulated horizontally to differentiate between levels and create an identifiable base, middle, and top. This can be accomplished through the use of horizontal banding, variations in materials, offsets in the wall plane, or other decorative techniques.

(g) Site Layout and Building Orientation at the Intersection of Lake Mead Parkway and Water Street

Lots adjacent to the intersection of Lake Mead Parkway and Water Street shall be subject to the district-specific standards for driveways in Section 19.7.7.C.3.

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.7 DISTRICT-SPECIFIC STANDARDS | 19.7.7.E DHC: DOWNTOWN HIGHWAY COMMERCIAL

E. DHC: DOWNTOWN HIGHWAY COMMERCIAL

1. Moderne Architectural Theme Discouraged

The Moderne architectural style is not encouraged for buildings or signs located in the Downtown Highway Commercial district.

2. Driveways

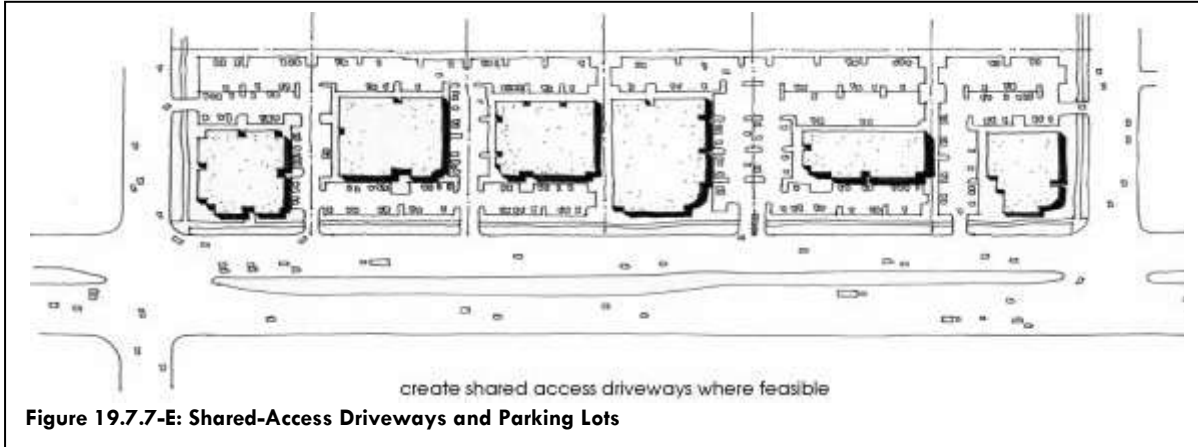
(a) Driveway access in the Downtown Highway Commercial district is intended to be from arterial streets, not local streets. The number of entry driveways shall be minimized in order to promote safe and efficient traffic patterns, to reduce the number of potential conflict points, and to create a more attractive street environment.

(b) Infill and redevelopment projects shall be required to minimize the number of entry driveways and may be required to close existing driveways or reconfigure existing access points when warranted by existing conditions. In considering whether to require closure of existing driveways or other access-related modifications, the following factors shall be considered:

- (1) The impact on planted areas and street trees adjacent to or in the public right-of-way.
- (2) The impact of the driveway closure upon offsite traffic circulation.
- (3) The impact of the driveway closure upon onsite circulation.
- (4) The extent to which the existing driveways deviate from current City standards.
- (5) The extent to which the present driveways would allow existing or potential traffic movements that are unsafe or that have an adverse effect on traffic operations.
 - i. The physical feasibility of compliance with the standards.
 - ii. Any additional information submitted by the applicant.
 - iii. To the maximum extent feasible, applicants must utilize alternative access, including joint-access driveways, shared parking with adjacent landowners, access easements to adjoining properties, or access to intersecting streets.

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.7 DISTRICT-SPECIFIC STANDARDS | 19.7.7.F CA: AUTO-MALL COMMERCIAL



F. CA: AUTO-MALL COMMERCIAL

The following district-specific standards apply to all uses in the CA district.

1. Nevada-Licensed Architect Required

It is the intent that all dealerships and other non-automotive entities in the CA zoning district contribute to building a visibly prestigious mall. Professional planning and the creation of a pleasant shopping environment are essential. Every dealership shall retain one or more architects registered in Nevada. The customers' environment must be an upgrade beyond that frequently found in automobile dealerships. The intent of these standards is not to stifle design or to unnecessarily add cost to the dealerships and other non-automotive entities, but rather to guide them and their architects in establishing an integrity of design for the auto-mall and consistency of quality for the entire development.

2. Dealerships

- (a) Prior to any other use being permitted in a CA district, there shall be a minimum of five new car dealerships included in each CA zoning district.
- (b) Each of the required new car dealerships shall be on a minimum 200,000 square-foot site.

3. Auto Display

- (a) There shall be no racks, raised platforms, etc., that raise cars more than two feet above adjacent display areas or grade. There shall also be no racks that tilt cars in any way to show the underside, unless they are used inside a showroom or 60 feet back from the property line.
- (a) Display areas within the CA district shall use an enhanced paving material such as exposed aggregate, brick, stamped concrete, or a similar surface material approved by the Community Development Director. Asphalt will not be accepted in these locations.
- (b) Automobile displays shall not be allowed on top of any building.

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SECTION 19.7.7 DISTRICT-SPECIFIC STANDARDS | 19.7.7.F CA: AUTO-MALL COMMERCIAL

4. Setbacks

- (a) The following are excluded from setback provisions:
 - (1) Steps and walks.
 - (2) Driveways and associated curbs.
 - (3) Customer parking areas not less than ten feet from any lot lines and occupying not more than 50 percent of the required landscaping area.
 - (4) Signs approved in a master sign plan.
 - (5) Exterior lighting.
- (b) In addition to the standard setbacks, the following uses shall maintain these additional setbacks:
 - (1) Sales or display buildings shall be set back a minimum of 35 feet from any property line.
 - (2) Hotel or related facility shall be 90 feet from any property line.

5. Walls and Fences

- (a) All mechanical equipment, service, storage, and trash areas shall be screened from view from any street by a wall. Landscape screening alone shall not be deemed sufficient.
- (b) Perimeter walls shall be no less than eight feet and no greater than ten feet in height.

6. Vehicle Storage

No materials, supplies or equipment, including firm-owned or firm-operated trucks, shall be stored in any area on a site except inside a closed building or behind a visual barrier or service area that screens the equipment from view of all public streets. The single exception shall be any vehicles that are part of the dealer's customer display.

7. Noise Attenuation

All body-shop repair and compressor work shall only be performed in an enclosed area. Enclosed buildings are those buildings with activities totally contained within walls of the building and that have only adequate doors for ingress and egress incorporated. Air compressor exhaust stacks shall contain a muffling device. Noise attenuation shall meet all standards and ordinances of the City of Henderson. See Section 19.7.8.G.2(a), *Outdoor Paging Systems*.

8. Flagpoles

A flagpole that is 1½ times the height of the nearest building shall be permitted. A flagpole flying a flag must be at a main vehicular or pedestrian access to a building or site.

G. MIXED-USE DISTRICTS

1. General Standards for All Mixed-Use Districts

(a) Mix of Uses Encouraged

A diverse mix of commercial, office, residential, and civic uses is desired within the mixed-use districts. The appropriate mix of uses for each district will vary by its location, size, and the surrounding development contexts. Generally, larger sites located in areas where higher levels of activity are desirable should have a greater mix of uses than smaller sites.

(b) Streetscape Design and Character

(1) Sidewalks Required

In order to create an environment that is supportive of transit and pedestrian mobility, public sidewalks shall be provided along both sides of all streets in the MR district and MC district. Such sidewalks shall be at least 16 feet in width and no more than 18 feet in width, unless otherwise approved as part of the design review process. The 16-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 16-foot minimum requirement with a sidewalk easement provided. Sidewalks shall be organized into two distinct areas: a street tree/furniture area located adjacent to the curb where applicable, and a clear area.

i. Street Tree/Furniture Area

The street tree/furniture area shall have a minimum width of six feet (from face-of-curb) and shall be continuous and located adjacent to the curb. The area shall be planted with street trees at an average spacing of 20 to 30 feet on center, based on the mature canopy width of the tree species selected. The area also is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility, and subject to applicable requirements of this Code and HMC.

ii. Clear Area

The clear area shall be a minimum width of six feet, shall be constructed of concrete or an alternative hardscape material as approved by the Community Development Director, and shall be located adjacent to the street tree/furniture area. The clear area shall be unobstructed by any permanent or nonpermanent element for a minimum width of six feet and a minimum height of eight feet. Additional sidewalk width located between the clear area and the building may be used for outdoor dining, seating, or display areas. See Figure 19.7.7-F.



iii. Transitions between MC or MR and Other Districts

MC or MR district adjoining existing or proposed Non-Residential districts, approved with a 5-foot sidewalk, shall provide a sidewalk transition. Beginning 25-linear feet interior to the site from the shared property line, a development shall taper from the required minimum 16-foot wide sidewalk to 5-feet to the property line. The Community Development and Public Works Directors may approve alternatives (i.e. plazas, gathering areas, passive recreational opportunities) in lieu of transitioning the sidewalk the minimum 25-foot linear distance.

(2) Alternative Configurations

Alternative streetscape configurations and widths may be approved by the Community Development Director where the above configurations are not feasible. For example, in residentially-oriented portions of the corridor a narrower sidewalk may be appropriate.

(3) Building Placement

At least 50 percent of the building facade facing a street or drive aisle must be brought up to the clear zone.

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(4) Relationship to Linear Park

Developments with frontage abutting Boulder Highway shall refer to Section 4.2 of the Boulder Highway Corridor Landscape Design Manual to view typical cross-sections and determine the relationship between sidewalks and the Boulder Highway Corridor linear park. Specific standards shall be determined by the Community Development Director as part of the development review process. Improvements within the right-of-way adjacent to the proposed development shall be shown on the site plan.

(5) Outdoor Merchandise Displays

- i. Shall be limited to one display per business;
- ii. Shall occupy a space no larger than three feet wide and six feet in length;
- iii. Must be placed against the building the business operates from;
- iv. Shall be in compliance with clear area provisions, as specified above;
- v. Shall not be displayed during non-business hours;
- vi. Shall not be located where they obstruct the line of sight for passing motorists; and
- vii. Shall be identified on the site plan.

(6) Outdoor Dining Areas

- i. Must be placed against the building from which the business operates;
- ii. Shall be in compliance with clear area provisions, as specified above;
- iii. Shall not be located where they obstruct the line of sight for passing motorists; and
- iv. Shall be identified on the site plan.

(7) Public Right-of-Way

In the mixed-use districts, subject to an administratively issued revocable permit from the Public Works Director or designee, the following features may be located within a public right-of-way, subject to the limitations set forth:

- i. Trees, shrubs, flowers, fences, retaining walls, hedges, and other landscape features;
- ii. Balconies, stairs, attached balconies, overhangs, and awnings, provided such features maintain a minimum vertical clearance of 80 inches from finished grade and they do not extend beyond the curb face of an adjacent street or alley;

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- iii. Cornices, eaves, reveals, columns, ribs, pilasters, or other similar architectural features provided no architectural foam is located within ten vertical feet of finished or street grade;
- iv. Signs, in accordance with all other applicable regulations of this Code; and
- v. Sidewalk cafes and associated street furniture.



(c) Minimum Transparency

- (1) In all mixed-use districts, a minimum percentage of the total area of each nonresidential, street-level building facade that abuts a public street, transit corridor or station, plaza, park, or other public space, shall be comprised of transparent window openings to allow views of interior spaces and merchandise, to enhance the safety of public spaces by providing direct visibility to the street, and to create a more inviting environment for pedestrians. Minimum percentages shall vary by location as follows:



Figure 19.7.7-G:
Shaded Walkways

- i. Development in corridor areas of the MC District: 35 percent
 - ii. All other development in mixed-use districts: 50 percent
- (2) For the purposes of the above standard, all percentages shall be measured using elevation views of the building plan and “street level” shall be measured from floor-plate to floor-plate. Glazing on all ground floor windows shall have a minimum Visible Light Transmittance of 0.65 and a maximum Visible Light Reflectance of 0.2, and black or mirrored glass is prohibited.
 - (3) Glazing required by this Code should be concentrated in areas of high pedestrian activity and, to maximize energy efficiency, should be used in conjunction with shade features required and encouraged by this Code, including awnings, shaded walkways, deeply recessed windows, and covered porches or arcades.
 - (4) Transparent glazing required by this Code must be maintained without interior or exterior obstructions that substantially limit visibility, including, but not limited to, window signs, interior shelving, or window coverings (except window blinds) during hours of business operation. This section shall not apply to signage, shelving, displays, or the like, set back at least three feet from the glazing surface.

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SECTION 19.7.7 DISTRICT-SPECIFIC STANDARDS | 19.7.7.G MIXED-USE DISTRICTS

(d) Pedestrian and Bicycle Circulation and Connections

All buildings in mixed use districts shall:

- (1)** Provide a direct pedestrian connection from the primary entrance to the adjacent public sidewalk using a walkway, breezeway, easement between buildings, or similar feature that is accessible to the public. Pedestrian connections shall not be along the periphery of the site (essentially forcing the pedestrian to walk around the building to access the main entrance); or
- (2)** Orient a primary entrance towards a trail corridor or transit station where applicable. See Figure 19.7.7-G.

(e) Ground-Floor Uses

(1) Intent

The incorporation of commercial uses such as retail shops and restaurants at the street level is strongly desired within the MN, MC, and MR districts to promote a more active environment for pedestrians and support residential and office uses located within the same building (on upper floors) or nearby.

(2) Standards

i. Location

When uses from the Commercial Use Category in Section 19.5.5, *Commercial Uses*, are provided, such uses shall be concentrated adjacent to transit stops, major public spaces, along a trail corridor, and in other areas where a high level of pedestrian activity and visibility is desirable. If a limited portion of a structure's ground level will be devoted to commercial space, such space shall be located along those facades adjacent to or most visible from transit corridors, primary street frontages, or major pedestrian walkways.

ii. Parking Structures

Within the MN, MC, and MR districts parking structures shall be wrapped by retail, office, or residential uses along at least 60 percent of the ground-floor street frontage on all public and private streets.

2. Additional Standards for MC: Corridor/Community Mixed-Use District

(a) MC District Boundaries

(1) Mixed-Use Activity Centers

Within the MC district, properties designated as Mixed-Use Activity Centers are identified on the zoning map and generally encompass parcels or development located within 1,500 linear feet (approximately ¼ mile) of the intersecting centerlines of the primary streets that serve the center. Activity Centers are located where Boulder Highway intersects

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the following streets: Gibson, Galleria, Sunset, Warm Springs, Water Street, Lake Mead, Basic, Greenway, and Horizon.

(2) Corridor

Any lot or site that is within the district but not within a designated Mixed-Use Activity Center is considered within the corridor for purposes of this code.

(b) Mix of Uses

In the MC district, a greater mix of uses should be located within the Mixed-Use Activity Centers (i.e., adjacent to bus rapid-transit stations) than outside of Mixed-Use Activity Centers and along the corridor. Single-use buildings are not allowed in areas zoned MC that are not along Boulder Highway.

(c) Relationship to Linear Park

Developments with frontage abutting Boulder Highway shall refer to Section 4.1 of the Boulder Highway Corridor Landscape Design Manual to view typical cross-sections and determine the required relationship between sidewalks and the Boulder Highway Corridor linear park.

(d) Connections to Transit Stations and Shared Use Paths

All buildings located adjacent to a transit route shall:

(1) Orient a primary entrance towards a trail corridor or transit station where applicable; or

(2) Provide a direct pedestrian connection from the primary entrance to the transit station and a trail corridor using a walkway, breezeway, or similar passageway between buildings that is accessible to the public, where applicable. Pedestrian connections shall not be along the periphery of the site (essentially forcing the pedestrian to walk around the building to access the main entrance from a trail corridor or transit station).

3. Additional District-Specific Standards for the MN: Neighborhood Mixed-Use District

The following district-specific standards apply to all uses in the MN district.

(a) Building Footprint

Establishment of single-tenant nonresidential buildings exceeding 5,000 square feet and multiple nonresidential tenant buildings exceeding 15,000 square feet shall require a conditional use permit in accordance with Section 19.6.6.A, Conditional Use Permits.

(b) No Park/Drive Zone

Parking, drive aisles, and/or drive-throughs shall not be permitted between the building and right-of-way.

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SECTION 19.7.8 OPERATIONAL PERFORMANCE | 19.7.8.D HAZARDOUS MATERIALS STORAGE

19.7.8. OPERATIONAL PERFORMANCE

A. AIR QUALITY

The emission of dust, dirt, or smoke shall comply with Title 5 of the HMC.

B. COMBUSTIBLES AND EXPLOSIVES

The use, handling, storage, and transportation of combustibles and explosives shall comply with the provisions of HMC 15.32 and all applicable state and federal laws.

C. GASES

The escape or emission of any gas that is noxious, injurious, or destructive is unlawful and shall be immediately eliminated and, in addition, shall comply with Title 5 of the Henderson HMC and all applicable state and federal regulations, including the federal Emergency Planning and Community Right to Know Act of 1986.

D. HAZARDOUS MATERIALS STORAGE

1. General

- (a) The land use impacts for facilities that use hazardous materials in excess of the exempt amounts or maximum allowable quantities per control area as specified in the Fire Code are declared to be potentially harmful to the public health, safety, and welfare, or potentially damaging to the property values of adjacent properties.
- (b) A conditional use permit is required for the storage, handling, or use of hazardous materials when the quantity is in excess of the exempt amount or maximum allowable per control area, as specified in the Fire Code. Requirements and allowed amounts for fuel storage are specified below. Legal nonconforming uses located within the City of Henderson shall not be expanded unless a conditional use permit has been issued.
- (c) Notwithstanding the above regulations regarding hazardous materials storage, any substance designated as highly hazardous as listed in NRS 459.3816 and stored in the quantity specified shall require City Council use permit approval in accordance with the public notice requirements and processing procedures set forth in NRS 278.147.

2. Fuel Storage

Above-ground fuel storage of greater than 250 gallons on any site requires approval by conditional use permit. Above-ground storage of 250 gallons or less of propane, diesel, gasoline, and similar liquid or gas fuels is allowed subject to the issuance of the appropriate installation permit as required by the Fire Code, provided that, unless otherwise approved through design review, no above-ground storage shall be permitted in a front or unenclosed corner side yard; and storage containers, pumps, and other associated equipment shall be considered mechanical equipment for the purposes of screening under Section 19.7.5.H. The 250-gallon (or equivalent dry unit of measurement) limit applies to the size of the tank or container where a single unit is proposed, and where multiple units are proposed, the 250-gallon limit applies to the total aggregate above-ground storage capacity on the site.

3. Additional Reports

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For any hazardous materials storage and fuel storage that requires a conditional use permit, the applicant may be required to submit additional reports to the Fire Chief and/or Director of Building and Fire Safety prior to being scheduled for a Planning Commission hearing. Reports may include, but are not limited to, those listed in Chapter 459 of the Nevada Administrative Code. Those reports shall be prepared and reviewed at the applicant's expense. The costs of any consultant's services required to review reports that exceed the City's technical expertise shall be paid by the applicant.

E. GLARE AND LIGHTING

The glare and lighting standards of this section shall apply to all development, including public-owned facilities such as parks.

1. Use of Reflective Glass

Mirrors or highly reflective glass shall not cover more than 20 percent of a building surface visible from a street unless an applicant submits information demonstrating to the satisfaction of the Planning Commission and City Council that use of such glass would not significantly increase glare visible from adjacent streets or pose a hazard for moving vehicles.

2. Outdoor Lighting

(a) Standards of Design (Commercial, Industrial, Semipublic, and Multifamily Projects)

The mounting of light fixtures shall be governed by the following:

- (1)** Building-mounted light fixtures shall be attached to walls, and the top of the fixture shall not be lower than ten feet or higher than 18 feet above finished grade, except entry/exit lighting that may be positioned above the entry/exit.
- (2)** Freestanding light fixtures shall not exceed 20 feet in height within 50 feet of any residential zoning district, 25 feet in height within 50 to 150 feet of any residential zoning district, and 35 feet in all other locations. For the purpose of this requirement, height shall be measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture. Outdoor lighting for court or field games exceeding 50 feet in height and within 300 feet of a residential district shall require approval of a conditional use permit.
- (3)** The property owner is responsible for meeting minimum CPTED standards in providing illumination for all parking areas and walkways. Transitional lighting shall be provided for recreation/office buildings, swimming pools, laundry and mailrooms, ramadas, covered breezeways, and similar areas.
- (4)** All exterior light shall be directed downward and away from adjoining property and shall be fully shielded to prevent unnecessary glare in order to conform with these standards. Light standards shall be shielded such that the lamp itself or the lamp image is not visible from outside the property perimeter. Light standards and shields shall be shown at the time of building permit review.
- (5)** Trees and shrubs shall not interfere with the distribution of lighting.

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- (6) All exterior fixtures shall be illuminated from dusk until dawn, unless otherwise designated.
 - (7) Details of exterior lighting for commercial, industrial, semipublic, and multifamily developments shall be provided on the required landscape site plan. Photometric calculations shall be detailed on an exterior lighting plan unless waived. Photometric calculations shall be based on the “mean” light output per the manufacturer’s values of the specified lamp and luminaire photometry data formatted on an Illumination Engineering Society (I.E.S.) file completed by an approved testing laboratory. The details provided for exterior lighting shall include point-to-point photometric calculations at intervals of not more than ten feet at ground level and may also be required at six feet above ground level, depending on the applicable risk factors.
 - (8) Any exterior lighting device (luminaire) designed for security lighting shall be protected by weather- and vandal-resistant covering, a managed light source, directed down, to minimize glare and intrusiveness.
 - (9) White, full-spectrum “white light” shall be used, except when adjacent to a residential land use designation. This type of lighting includes metal halide, mercury vapor or other similar types of white light. The use of low-sodium vapor or high-pressure sodium vapor lighting is discouraged.
 - (10) Illumination shall not exceed 0.50 foot-candles at the property line if the subject property abuts a residential zoning district or a lot containing a residential use.
- (b) Minimum Illumination Standards (Commercial, Industrial, Semipublic, and Multifamily projects)
- (1) All minimum illumination guidelines listed in this section shall be maintained from ground level to a height of six feet. The minimum-to-maximum uniformity ratio may range up to 6:1 in acceptable layouts.
 - (2) The lighting levels specified are the minimum levels that are typically acceptable to meet the requirements of this section. In some circumstances, customer convenience, closed-circuit surveillance, and customer attraction may require a higher level of lighting. In addition, other factors particular to a certain geographic area may require a higher level of lighting than listed below.
 - (3) Proposed exterior plans shall meet the minimum levels of lighting listed below. The list below is not inclusive. For uses not listed in the table below, City of Henderson CPTED certified personnel shall be consulted for lighting standards. Note: Lighting in multi-level parking structures shall be evaluated on a case-by-case basis to minimize unnecessary glare to adjacent or nearby residential areas.
- (c) Single-family Residential Illumination Standards
- (1) Illumination shall not exceed 0.50 foot-candles at the property line if the subject property abuts a residential zoning district or a lot containing a residential use.

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SECTION 19.7.8 OPERATIONAL PERFORMANCE | 19.7.8.E GLARE AND LIGHTING

- (2) Any lighting of sport/tennis courts shall not exceed 20 feet in height and be shielded to prevent light spillage off subject property. For Sport/Tennis Court screen/fence height, see Sec. 19.7.5.K, Fences and Walls.

TABLE 19.7.8-1 MINIMUM LIGHTING LEVELS
High-Risk Activity (4-5 FC)
ATM
Pay phones
Gated community entries
Pedestrian tunnels and covered pedestrian walkways (breezeways)
All exterior entrances
Convenience stores/service stations
Covered parking (except parking structures)
Gaming facilities/casinos/taverns
Multifamily community laundry facilities
Multifamily pool facilities (10 FC all hours of darkness)
Medium-High-Risk Activity (3-4 FC)
Fast-food
Pharmacies
Loading docks/areas
Grocery stores/retail stores (24-hour, immediate parking area)
Liquor stores
Parking structures (10 FC daytime) (parking garages, multi-level)
Medium-Risk Activity (2-3 FC)
Commercial recreation and entertainment
Retail stores
Medical and business professional offices
Financial institutions
Eating and drinking establishments
Visitor accommodations
Hospitals
Enclosed stairwells
Medium-Low-Risk Activity (1-2 FC)
Multifamily housing
Industrial (night use)
Schools, public or private
Religious assembly
Warehousing and/or storage yards (night use)
Low-Risk Activity (0.50-1 FC)
Trails and pathways {1}
Vehicle/equipment sales, auctions, and rentals (after hours)
Industrial (day use)
Mini-storage
Multifamily walkways and cluster mailboxes

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SECTION 19.7.8 OPERATIONAL PERFORMANCE | 19.7.8.E GLARE AND LIGHTING

TABLE 19.7.8-1 MINIMUM LIGHTING LEVELS

NOTE: All foot candles (FC) listed above shall be based upon minimum maintainable foot candles (MMFC).

{1} Trails and pathways may use Average Maintainable Foot Candles (AMFC).

(d) Downtown Zoning Districts

The use of vibrant lighting within the downtown zoning districts establishes visual unity and creates a sense of arrival for downtown. Decorative, pedestrian-oriented streetlights should be installed along all streets within the DCC, DCM, DHC, and DP districts as determined by the City. The lights will provide additional illumination at the sidewalk level, creating a lively, nighttime atmosphere for pedestrians, and will serve as a unifying element for the downtown. The extension of lights within the DHC district will create interest and help draw visitors towards the downtown gateway located at the intersection of Water Street and Lake Mead Parkway. The design of streetlights and individual building lighting that reinforces the Moderne architectural period is required in the DCC district. The use of colored uplighting or neon to enhance the building facade shall be permitted.

3. Accent Lighting

- (a) Landscaping elements:** Accent lighting onto landscaping and foliage may be permitted. All luminaries shall be shielded and directed so that the light distribution is focused toward the functional landscape area being illuminated. All landscape accent fixtures shall be permanently fixed such that they are resistant from tampering or redirection of the light source. Accent lighting shall not be located in such a way as to have the bulb or lamp visible from pedestrian or vehicular egress.
- (b) Building Mounted Accent Lighting:** Accent lighting which is attached to building facades, structures or other architectural elements may be permitted. All non-cutoff luminaries shall be shielded and directed so that the light distribution is focused toward the functional area being illuminated. Fixtures designed to illuminate the vertical building surface, such as sconces, may be permitted provided that the bulb is shielded with an opaque surface that restricts horizontal light emissions.
- (c) Ground Mounted Accent Lighting:** Ground mounted accent lighting for buildings, when so approved, shall be directed onto the building. Direct light emissions shall not be visible above the roof line or beyond the building edge. All upward aimed light shall be fully shielded, fully confined from projecting into the sky by eaves, roofs, or overhangs, and all fixtures shall be located as close to the building being illuminated as possible. All ground mounted accent fixtures shall be permanently fixed such that they are resistant from tampering or redirection of the light source. Ground mounted spotlights shall not be located in such a way as to have the bulb or lamp visible from pedestrian or vehicular egress.
- (d) Pole Mounted Accent Lighting:** Pole mounted accent lighting for a building is not permitted.

- (e) Neon and Light Emitting Diode (LED) lighting shall be considered accent lighting in this ordinance and is permitted to accent architectural elements of nonresidential structures subject to the following standards:
- (1) Neon or LED lighting shall only be used to accent architectural elements of nonresidential structures.
 - (2) Neon or LED lighting used to accent architectural elements shall be mounted or affixed to the structure such that the material behind the lamp or tubing is non-reflective.
 - (3) Neon or LED lighting shall be designed, installed, located and maintained such that all direct illumination is kept within the boundaries of the fixture owner's property.
 - (4) Neon or LED used in signs shall be regulated pursuant to the sign ordinance.
 - (5) Neon or LED accent lighting shall be limited to one linear foot of lighting per linear foot of façade being illuminated and shall not exceed a maximum of 75 percent of the entire building liner façade length.

4. Industrial Operations

Glare and heat from arc welding, acetylene torch cutting, or similar processes shall be contained within a completely enclosed and vented building.

5. Sport/Tennis Court Lighting in R and DRL districts

Any lighting of sport/tennis courts shall not exceed 20 feet in height and be shielded to prevent light spillage off subject property. For Sport/Tennis Court screen/fence height, see Sec. 19.7.5.K, Fences and Walls.

F. HEAT AND HUMIDITY

Uses, activities, and processes shall not produce any unreasonable, disturbing, or unnecessary emissions of heat or humidity at the property line of the site on which they are situated that cause material distress, discomfort, or injury to a reasonable person.

G. NOISE

1. General

All uses and activities (except publicly owned airports and railroads) shall comply with Chapter 8.84 of the City Code, and the maximum sound pressure level radiated by any use or facility shall not exceed the values shown in Table 19.7.8-2:

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS
SECTION 19.7.8 OPERATIONAL PERFORMANCE | 19.7.8.G NOISE

TABLE 19.7.8-2: MAXIMUM SOUND PRESSURE LEVELS			
Receiving Property Land Use	Time of Day	Background Level (dBA) Outdoors	Maximum Permitted Sound Level (dBA) Outdoors
Residential property, or residential portion of a multi-use property	7:00 am to 9:00 pm	(Leq14) 62-64	65-Daytime
	9:00 pm to 7:00 am	(Leq10) 53-59	60-Nighttime
	24 hours	(L90) 60	(L10) 70 (Not to exceed greater than 15 min. in a 24-hour period)
Industrial	5:00 am to 8:00 pm	(Leq15) 68-71	73-Daytime
	8:00 pm to 5:00 am	(Leq9) 68-73	73-Nighttime
	24 hours	(L90) 68	(L10) 73 (Not to exceed greater than 15 min. in a 24-hour period)
Commercial	5:00 am to 8:00 pm	(Leq15) 72-75	75-Daytime
	8:00 pm to 5:00 am	(Leq9) 70-73	73-Nighttime
	24 hours	(L90) 68	(L10) 77 (Not to exceed greater than 15 min. in a 24-hour period)

(a) Measurement Point

The sound level shall be measured at the lot line of the property on which the sound is generated.

(b) Sound Level Measurement

Noise levels shall be measured with a sound level meter or noise dosimeter that meets the current requirements outlined in the American National Standards Institute (ANSI) Specification for Sound Level Meter, S1.4 (1983) Type S2A, and set to use the A-weighted network with slow meter response.

2. Additional Standards for Specific Operations and Activities

(a) Outdoor Paging Systems

Such systems shall not be permitted within 1,000 feet of any noncommercial or nonindustrial zoning district, or within 1,000 feet of any existing or proposed residential, school, licensed day care, and public or semipublic use property line. This standard shall not apply to drive-up windows or remote speaker systems at financial institutions, pharmacies, drive-through restaurants, and similar uses where cashiers and customers have direct face-to-face contact, where automated volume control technology is used, where drive aisles are adjacent to the primary structure, or where the remote appliance is located under a porte-cochere attached to the primary building.

(b) Refuse Collection/Loading

No person shall engage in waste disposal services or refuse loading and collection or operate any compacting equipment or similar mechanical device in any manner so as to create any noise exceeding the standards set forth above when measured at a distance of 50 feet from the equipment when inside of or within 500 feet of a residential use.

(c) Truck/Rail Loading

No truck or rail loading area established after October 6, 1998, shall be allowed to be in operation within 250 feet of a residential lot between the hours of 10:00 p.m. and 6:00 a.m., unless within a fully enclosed building.

3. Lawn Maintenance Equipment and Power Tools

No person shall operate or use or cause to be operated or used any lawn care device or power tool before 6:00 a.m. and after 7:00 p.m. or sunset, whichever occurs later, or at any time in such a way as to create a “noise disturbance.” The provisions contained in this paragraph shall not apply to an employee of the department of parks and recreation, or to a person engaging in private golf course lawn maintenance, who operates or uses or causes to be operated or used any lawn maintenance equipment between the hours of 6:00 a.m. and 8:00 a.m. in any location more than 300 feet from a residential property. The distance of 300 feet shall be measured in a straight line from the point on the exterior wall of such residential property nearest to any point in the location at which such lawn maintenance is undertaken.

4. Exemptions

The following operations and activities are exempted from the limitations of this section:

(a) Emergency Power Generators

Emergency power generators that are installed as backup power supplies at hospitals, nursing and retirement homes, office buildings, or similar large-occupancy structures. Operation is permitted only when they operate in emergency situations when normal electric service is interrupted and during scheduled routine testing periods limited to such duration as to confirm proper functionality. Because of their infrequent use, and the great expense normally incurred to attenuate these noise sources, they are exempt from this ordinance during emergency operation. Routine testing must take place between the hours of 8:00 a.m. and 8:00 p.m. and shall not continue longer than 30 minutes per testing period. This exemption applies only to those generators that are used to provide emergency power in emergency situations or as required by the City of Henderson Fire Department. Generators not used for these purposes are required to meet the sound level limits established in Section 19.7.8.G.1, General.

(b) Emergency Work

Sound produced by emergency work necessary to restore public utilities, or to restore property to a safe condition, or to protect persons or property from eminent danger, following a fire, accident, or natural disaster.

(c) Aircraft and Trains

Sound produced by aircraft in flight or operation at an airport, or railroad equipment in operation on railroad rights-of-way.

(d) Permitted Activities

Any activities that generate noise for which a permit was issued under the specifications outlined in this chapter or Title 8.84.

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.9 MULTIPLE SPECIES HABITAT CONSERVATION | 19.7.9.B IMPOSITION OF MITIGATION FEE

H. ODORS

1. No person or business shall cause or allow the emission of odorous air contaminants from any source such as to result in detectable odors that are measured in excess of the following limits:
2. For areas used predominantly for residential purposes, it is a violation if odors are detected after the odorous air has been diluted with seven or more volumes of odor-free air.
3. No violation shall occur provided that the person or business causing or allowing the emission of odorous air contaminants is employing the best available treatment, maintenance, and control currently available to maintain the lowest possible emission of odorous gases.

I. RADIOACTIVE MATERIALS

The use, handling, storage, and transportation of radioactive materials shall comply with all applicable local, state, and federal regulations, including the Fire Code. Compliance with HMC Title 15 shall be required.

J. VIBRATION

No use, activity, or process shall produce vibrations that are perceptible without instruments at the property line for more than three minutes in any one hour of the day between the hours of 7:00 a.m. and 10:00 p.m. or for more than 30 seconds in any one hour between the hours of 10:00 p.m. and 7:00 a.m.

K. EVIDENCE OF COMPLIANCE

The Community Development Director shall require such evidence of ability to comply with appropriate performance standards and mitigation measures as deemed necessary by the Community Development Director prior to issuance of a building permit and certificate of occupancy.

19.7.9. MULTIPLE SPECIES HABITAT CONSERVATION

A. PURPOSE

1. To provide money to fund conservation actions within the City of Henderson to protect various habitats and species located within the county.
2. To comply with the terms of the Clark County Multiple Species Habitat Conservation Plan and its corresponding Implementing Agreement, which have been approved and adopted by the City of Henderson City Council.
3. To comply with Section 10(a) permits issued by the United States Fish and Wildlife Service to the County pursuant to the Federal Endangered Species Act (16 U.S.C. 1531 et.seq.), which allows various species located within Henderson to be legally taken in connection with otherwise lawful activities.

B. IMPOSITION OF MITIGATION FEE

Except as provided in Section 19.7.9.C, *Exemptions and Exceptions*, applicants for development permits shall pay a mitigation fee as established in a fee schedule adopted by the City Council per gross acre to be developed as well as the area disturbed by related off-site improvements.

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.9 MULTIPLE SPECIES HABITAT CONSERVATION | 19.7.9.D LAND DISTURBANCE REPORT

No development permit shall be issued or approved without the payment of the mitigation fees required by this section.

C. EXEMPTIONS AND EXCEPTIONS

1. A mitigation fee shall not be required for the following types of development:
 - (a) Reconstruction of any structure damaged or destroyed by fire or other natural causes.
 - (b) Rehabilitation or remodeling of existing structures or existing off-site improvements.
 - (c) Land disturbance on any parcel by the City of Henderson for governmental purposes.
2. Development of property for which fees have been paid, as required by a Section 7 Consultation issued pursuant to the Federal Endangered Species Act, shall be allowed to credit mitigation fees actually paid against the total amount of the fees required by this chapter.
3. Development of single-family residential and manufactured housing on lots that are two gross acres in size or greater, where less than $\frac{1}{4}$ of an acre of the property is graded or otherwise disturbed, with the balance of the property left in its natural condition, shall pay a mitigation fee of \$137.50. When more than $\frac{1}{4}$ but less than $\frac{1}{2}$ acre is graded or otherwise disturbed and the balance of the property is left in its natural condition, the mitigation fee shall be \$275.
4. Development of freestanding off premises signs, communication towers, and similar structures, where less than $\frac{1}{4}$ of an acre of the property is graded or otherwise disturbed, with the balance of the property left in its natural condition shall pay a mitigation fee of \$137.50. Where more than $\frac{1}{4}$ but less than $\frac{1}{2}$ is graded or otherwise disturbed and the balance of the property is left in its natural condition, the mitigation fee shall be \$275.
5. Where a development permit has been previously issued after payment of a mitigation fee mandated by this chapter and has expired, the applicant for a new development permit on the same property shall pay the fee pursuant to the current provisions of this chapter less the amount previously paid.

D. LAND DISTURBANCE REPORT

All applicants for development permits shall, before issuance thereof, complete a Land Disturbance Report on the forms furnished by each Henderson department that issues development permits. The Land Disturbance Report must be complete, signed by the applicant for the development permit, and contain, at a minimum, the following information:

1. The assessor's parcel number.
2. The number of acres within the Parcel.
3. The area disturbed by related off-site improvements.
4. The amount of mitigation fees actually paid.

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.9 MULTIPLE SPECIES HABITAT CONSERVATION | 19.7.9.G INCIDENTAL TAKE PERMIT

E. COMPLIANCE REPORT FEES

All applicants for development permits that are required to submit a Land Disturbance Report shall pay processing fees per development permit to the Henderson Building and Safety Department, based on a fee schedule adopted by the City Council.

F. FEE ADMINISTRATION

1. All mitigation fees collected pursuant to the provisions of this ordinance shall be deposited into a special reserve fund. The fund, including interest and other income that accrues thereto, shall be expended solely for the implementation of the terms of the Clark County Multiple Species Habitat Plan and the Section 10(a) permits issued pursuant to that plan, as those documents exist or as they may hereinafter be amended.
2. After approval by the United States Fish and Wildlife Service and the City of Henderson and after compliance with the provisions of NRS 244.275, the administrators of the Clark County Multiple Species Habitat Conservation Plan may accept real property or interests therein in lieu of payment of mitigation fees. The fair market value of such real property shall be equal to or greater than the mitigation fees that would otherwise be required to be paid.

G. INCIDENTAL TAKE PERMIT

1. All persons, firms, or entities located within Henderson that engage in any activity covered pursuant to the Clark County Multiple Species Habitat Conservation Plan, including residential and commercial development, agriculture, mining, grazing, and Off Highway Vehicle activities shall comply with the provisions of this ordinance, the Clark County Multiple Species Habitat Conservation Plan, its corresponding Implementing Agreement, and the Section 10(a) permit issued by the United States Fish and Wildlife Service, all of which are on file with the Henderson Community Development Department.
2. All persons, firms, or entities, their agents and employees that comply with the provisions of this ordinance are hereby permitted to incidentally take any species for which the United States Fish and Wildlife Service has issued its Section 10(a) permit to the County so long as such person, firm, or entity has complied and continues to comply with the provisions of the Clark County Multiple Species Habitat Conservation Plan, its corresponding Implementing Agreement and the Section 10(a) permits issued to the County in connection with such Plan as it now exists or may hereinafter be amended.
3. All persons, firms or entities that are not required to pay a mitigation fee pursuant to the terms of this chapter, but that are otherwise in compliance with the provisions of the Clark County Multiple Species Habitat Conservation Plan, its corresponding Implementing Agreement and the Section 10 (a) permit issued to the County in connection with such Plan, as it now exists or hereinafter is amended, are hereby permitted to incidentally take any species covered by the Multiple Species Habitat Conservation Plan and for which the United States Fish and Wildlife Service has issued its Section 10(a) permit(s) to the County.
4. Permission to incidentally take any species as provided in subsections 2 and 3 hereof shall be immediately revoked, without further action or notice, in the event such person, firm or entity ceases to be in compliance with subsection 1, 2, or 3 hereof.

19.7.10. RESIDENTIAL CONSTRUCTION TAX

A. IMPOSITION OF RATE OF RESIDENTIAL CONSTRUCTION TAX

There is hereby imposed and shall accrue and be collected a residential construction tax, as provided for in this section, upon the privilege of constructing residential dwelling units, including, without limitation, conventionally constructed houses, apartments, mobile homes, nonresidential structures remodeled for use as dwelling space, room additions, mobile home parks, and mobile home estates within the City of Henderson. The residential construction tax shall be calculated at the current legal rate for each residential dwelling unit, per NRS. The residential construction tax shall not exceed the limits provided for in NRS.

B. COLLECTION OF RESIDENTIAL CONSTRUCTION TAX

Prior to the issuance of any building permit for the construction of any apartment house, residential dwelling unit, installation of a mobile home on any mobile home estates lot, development of any mobile home park, or prior to the issuance of any building permit for any residential addition or for the remodeling of any nonresidential structure for the purpose of residential dwelling use, the applicant for such building permit shall pay to the City of Henderson the residential construction tax in the amount specified per NRS.

C. RESIDENTIAL CONSTRUCTION TAX FUND

1. All of the residential construction impact fees that are collected pursuant to this section, and all of the interest that accrues thereon, shall forthwith be forwarded to the City Finance Director who shall credit the same to the special revenue fund that is created to receive and account for the same.
2. The money in such special revenue fund shall be accounted for separately according to the respective park districts from which it was derived and may be used in accordance with NRS.

D. PARK DISTRICT BOUNDARIES

The City shall be divided into park districts depicted on the map that is entitled “Park District Boundaries,” copies of which are maintained for public inspection in the Office of the City Clerk. Such park districts may, from time-to-time, be amended by the City Council by resolution that is duly passed, adopted, and approved.

E. REFUND OF FEE

Refund shall be as provided in Nevada Revised Statute or through a park agreement.

F. PARTIAL CREDIT

1. A developer shall be entitled to a partial credit toward the required residential construction tax if the City accepts, public dedication for a park that satisfies a portion of that developer’s land requirement, as set forth in this section. To qualify for this partial credit, the park must:
 - (a) Be constructed and/or dedicated per an approved park agreement;
 - (b) Be offered for dedication as a public park;

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- (c) Be a “turn-key” park fully developed with all necessary furniture, structures, equipment, landscaping, and irrigation per City Parks and Recreation Standards prior to acceptance by the City; and
 - (d) Be reviewed first by the Parks and Recreation Board, whereupon they shall forward their recommendations to the Planning Commission. The Planning Commission shall consider the board’s recommendations as the Planning Commission reviews the project in its entirety prior to making final recommendation on the project to the City Council.
2. The calculation of the credit available under this section is made by comparing the net lot area of the dedicated park to the square foot area requirement set forth in this section. Appraised value and improvement costs are not to be considered in the calculation of this credit.

G. POSTING BOND FOR PARK IMPROVEMENTS

A developer constructing a park as required by a park agreement shall post a bond as required by the City.

H. REVIEW BY HENDERSON PARKS AND RECREATION BOARD

In order to assist the City Council in the administration of this ordinance, the City Council establishes the Henderson Parks and Recreation Board as the initial reviewing board for all public park plans proposed to satisfy the requirements of this section. The Henderson Parks and Recreation Board shall review the park’s proposal to determine compliance with the adopted Parks and Recreation Plan element of the Henderson Comprehensive Plan and shall make recommendations that will ensure compliance with the intent of the Parks and Recreations Plan and this ordinance. The Henderson Parks and Recreation Board shall also recommend park development standards and amendments for adoption by the City Council, which address the needs of the City’s residents and that shall apply to all public and private parks. At any time there is a conflict between a park proposal and the adopted City standards, or where there is no applicable adopted standard, the proposed park must be reviewed by the Henderson Parks and Recreation Board before being sent to the Planning Commission for their recommendation to the City Council. When the Parks and Recreation Board is required to review a park proposal, they shall forward their recommendations to the Planning Commission. The Planning Commission shall consider the board’s recommendations as the Planning Commission reviews the project in its entirety prior to making final recommendation on the project to the City Council.

I. TAXES IN ADDITION TO OTHER REAL ESTATE TAXES

The residential construction tax that is provided for in this section shall be in addition to any and all other real estate taxes that are imposed upon any real property that is the subject of the residential construction.

J. REPORT TO CITY COUNCIL BY PARKS AND RECREATION DIRECTOR

The Parks and Recreation Director shall report on collection and use of the fee, and the City Council shall review this section bi-annually.

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SECTION 19.7.11 COMPENSATING PUBLIC BENEFITS | 19.7.11.E PROCEDURE AND CRITERIA FOR APPROVAL

19.7.11. COMPENSATING PUBLIC BENEFITS

A. PURPOSE

The City may provide incentives pursuant to this section in order to encourage the provision of certain community benefits or amenities, such as parks, open space, workforce housing, public active and passive recreational opportunities, and other physical, social, or cultural benefits or amenities that are in compliance with the Comprehensive Plan.

B. INCENTIVES RESTRICTED TO ADDED BENEFITS

Incentive(s) shall be granted only when compensating public benefits or amenities are offered that are reasonably related to the proposed incentive(s) and would not otherwise be required by this Code or state law.

C. ALLOWABLE BENEFITS FOR WHICH INCENTIVES MAY BE GRANTED

The following benefits may be offered either on the site of the subject application or off the site within the City of Henderson:

1. Deed-restricted workforce and/or affordable housing;
2. Permanent conservation of natural areas or lands;
3. Provision of passive or active open space and related improvements, beyond the common open space requirements of this Code;
4. Public parks and recreational facilities beyond applicable minimum requirements;
5. Public trails and trail linkages beyond applicable minimum requirements;
6. Cultural or historic facilities deeded to the City of Henderson or qualified not-for-profit agencies; or
7. Other benefits approved by the City Council or Planning Commission.

D. INCENTIVES PERMITTED

1. The City may grant the following incentives to the applicant on a specific site:
2. Increases in residential unit density (only available for developments that provide deed-restricted workforce and/or affordable housing);
3. Increases in nonresidential dimensional standards;
4. Decreases in required minimum lot area, setbacks or other bulk standards beyond what would be available through the Administrative Adjustment process;
5. Increases in impervious lot coverage, floor area ratios, building heights or other standards beyond what would be available through the Administrative Adjustment process; or
6. Any other modifications to provisions of this Code as deemed necessary and appropriate by the City Council for the achievement of the community benefit or amenity.

E. PROCEDURE AND CRITERIA FOR APPROVAL

1. Authorization of incentives is subject to approval by the City through either the waiver or the development agreement procedures.

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SECTION 19.7.12 SUSTAINABILITY | 19.7.12.B APPLICABILITY

2. Applicants may seek nonbinding input from the Community Development Director regarding proposed benefits and incentives at a pre-application conference prior to submission of the application or at any stage of the application process prior to the formal decision.
3. To evaluate the adequacy of the proposed benefit(s) to be accepted in exchange for the requested incentive(s), the following information shall be provided by the applicant with the subject application:
 - (a) A description of the proposed amenity or amenities outlining the benefits that will accrue to the community, and a description of the relationship between the proposed amenity or amenities and the incentives sought;
 - (b) The economic value of the proposed amenity or amenities to the City as compared with the economic value of the proposed incentive or incentives to the applicant;
 - (c) A preliminary demonstration that there is adequate public facilities serving or proximate to the proposed development to handle the additional demands the incentive and amenity may place on such facilities beyond the demand that would otherwise occur with conventional development; and
 - (d) An explanation as to the way in which the amenity or amenities will implement physical, social, or cultural policies of the Comprehensive Plan and this Code.

19.7.12. SUSTAINABILITY

A. PURPOSE

This section is intended to promote sustainable development within the City of Henderson by creating incentives for compact, mixed-use development patterns; encouraging solar and other alternative energy sources; promoting alternative means of transportation like bicycling and walking that can improve community health while helping reduce air pollution; protecting trees that absorb greenhouse gases and reduce storm water runoff and pollutants; and, encouraging water-efficient landscaping and protecting water resources.

B. APPLICABILITY

This section sets forth a range of site and building design options for sustainability to enhance other mandatory sustainability-related requirements integrated throughout this Code. For each development subject to this Chapter 19.7 (Section 19.7.1.B, *Applicability*), applicants shall select a sufficient number of sustainable site and building design options from Table 19.7.12-1 below to achieve the minimum number of points outlined for that type of development. Compliance with this section shall be determined as part of the entitlement review process.

1. Nonresidential or Mixed-Use Development

- (a) Nonresidential or mixed-use development consisting of new buildings or substantial renovations to existing buildings shall achieve a minimum score of 42 points.
- (b) New buildings on partially-developed sites (such as pad sites) located in developments built before the adoption of this Code shall achieve a minimum score of 28 points. Eligibility shall be determined at the discretion of the Community Development Director.

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SECTION 19.7.12 SUSTAINABILITY | 19.7.12.B APPLICABILITY

2. Multifamily Residential Development

Multifamily residential development consisting of new buildings or substantial renovations to existing buildings shall achieve a minimum score of 38 points.

3. All Other Residential Development

All other residential development consisting of new buildings or substantial renovations to existing buildings shall achieve a minimum score of 31 points.

4. Substantial Renovation

Any “substantial renovation” project, which is defined for purposes of this chapter to include any renovation, rehabilitation, restoration, or repair work that includes an addition of floor area equal to 35 percent or more of the existing floor area; or the addition of new floors. The calculation shall include attached garages, but not include detached garages. For the purpose of calculation, the increase in floor area shall be aggregated over a three-year period.

5. Exemptions

All buildings under 1,500 square feet are exempt from the requirements of this section unless otherwise determined by the Director of Community Development. In addition, the following uses are exempt: major utilities, minor utilities, wireless communication facilities, cogeneration facilities, concrete production, construction storage yards, junkyards, mining and processing, recycling facilities, storage yards, and temporary uses.

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.12 SUSTAINABILITY | 19.7.12.C MENU OF SITE AND BUILDING DESIGN OPTIONS FOR SUSTAINABILITY

C. MENU OF SITE AND BUILDING DESIGN OPTIONS FOR SUSTAINABILITY

TABLE 19.7.12-1: MENU OF SITE AND BUILDING DESIGN OPTIONS FOR SUSTAINABILITY				
SITE OR BUILDING DESIGN FEATURE	POINTS	DISTRICTS IN WHICH OPTION IS AVAILABLE		
		NONRES/ MIXED USE	MULTI- FAMILY RESIDTL	OTHER RESIDTL
1. ENERGY Intent: Encourage on-site renewable energy production; promote the design and construction of energy efficient buildings; reduce air, water, and land pollution from energy consumption; and, reduce the heat island effect				
1.1 Renewable Energy Sources Design and incorporate on-site renewable energy generation technologies such as solar, wind, geothermal, or biomass. Two points granted for each 1% of the project's annual electrical energy demand generated up to a maximum of 30 points.	2-30	*	*	*
1.2 District Heating and Cooling Design and incorporate into the project a district heating and/or cooling system for space conditioning and/or water heating of new buildings in the project (at least two buildings total must be connected).	4	*	*	
1.3 Solar Orientation Design and orient the project such that 50% or more of the blocks have one axis within plus or minus 15 degrees of geographical east/west, and the east/west length of those blocks are at least as long, or longer, as the north/south length of the block. OR Design and orient the project such that 50% or more of the project total building square footage (excluding existing buildings) such that the longer axis is within 15 degrees of geographical east/west axis.	3	*	*	*
1.4 Shade Structures Where appropriate, provide shade structures over windows/doors to minimize glare and unwanted solar heat gain. Such structures shall provide shading to at least 50% of the south- and west-facing glazing on June 21 at noon with one additional point granted for each additional 25% of the glazing shaded. Structures may include awnings, screens, louvers, architectural features, or similar devices.	2-4	*	*	*
1.5 Heat Island Reduction Use any combination of the following strategies for 50% of the non-roof impervious site landscape (including roads, sidewalks, courtyards, parking lots, and driveways). <ul style="list-style-type: none"> Provide shade from open structures such as those supporting solar panels, canopied walkways, pergolas, all with a Solar Reflectance Index (SRI) of at least 29. (SRI is a measure of the roof's ability to reject solar heat; a higher SRI yields a cooler roofing choice.) (2 points) Use paving materials with a Solar Reflectance Index (SRI) of at least 29. (1 point) Use an open grid pavement system (at least 50% pervious). (2 points) 	1-5	*	*	*

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SECTION 19.7.12 SUSTAINABILITY | 19.7.12.C MENU OF SITE AND BUILDING DESIGN OPTIONS FOR SUSTAINABILITY

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		NONRES/MIXED USE	MULTI-FAMILY RESIDTL	OTHER RESIDTL
<p>1.6 Cool Roofs Use roofing materials that have a SRI equal to or greater than 78 for low-sloped roofs (<2:12) or 29 for steep-sloped roofs (>2:12) for a minimum of 75% of the roof surface of all new buildings within the project.</p> <p>OR</p> <p>Install a vegetated roof on a minimum of 50% of the total project roof area (exclusive of existing buildings). Any combination of SRI compliant and vegetated roof may be used, provided they collectively cover 75% of the total project roof area.</p>	2	*	*	*
<p>1.7 Covered Parking Locate at least 20 percent of all off-street parking spaces under cover with one additional point granted for each additional 20% of covered parking up to a maximum of 100%. Note: Cover may be provided by a combination of tree canopy, a building, a deck, or a shade structure, or parking may be underground. Tree canopy coverage to be determined by mature shade trees selected from the SNRPC Regional Plant List. Any cover, roof, or shade used for this requirement must have a minimum Solar Reflectance Index of 78 for low-sloped roofs (<2:12) or 29 for steep-sloped roofs (>2:12).</p>	1-5	*	*	*
<p>1.8 Shaded Walkways Provide shaded walkways along a minimum of 60% of all building facades adjacent to or facing streets, drive aisles, outdoor gathering spaces, or parking areas. One additional point granted for each additional 10% provided up to a total of 100%. Note: See base code requirements (50% shaded walkways) for commercial, mixed-use, and industrial buildings in Section 19.7.6.D.3.(h), <i>Response to the Climate</i>. Note: See definition of “shaded walkway” in Chapter 19.12, <i>Measurement and Definitions</i>.</p>	1-5	*		
<p>1.9 Solar-Ready Design</p> <ul style="list-style-type: none"> For stand-alone buildings, design and build the project so that it will readily accommodate the installation of solar photovoltaic panels or solar thermal hot water heating devices, including all necessary conduit, chases, roof penetrations, roof pitch, and orientation. (2 points) For projects with multiple buildings, design and build at least 20% of the buildings to be solar-ready as described above. Two additional points granted for each additional 20% provided up to a total of 100% solar-ready buildings. (2-10 points) For residential development, offer solar photovoltaic panels or solar thermal hot water heating as a design option. (2 points) 	2-10	*	*	*
<p>1.10 Energy Efficiency</p> <ul style="list-style-type: none"> Provide energy-efficient lighting such as compact fluorescent or LED lighting throughout a minimum of 75% of the project. (1 point) Reduce solar heat gain through the use of glazing/fenestration with a U-factor less than .50 and a solar heat gain coefficient (SHGC) less than .30. (2 points) Provide increased insulation to achieve a minimum R-19 in walls and R-38 in ceilings. (2 points) Locate HVAC ductwork within conditioned space. (1 point) Select high-efficiency HVAC equipment for the project. (2 points) 	1-8	*	*	*

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		NONRES/MIXED USE	MULTI-FAMILY RESIDTL	OTHER RESIDTL
<p>1.11 Green Power Provide at least 10% of the project’s total energy consumption through renewable energy sources by engaging in a contract to purchase green power for at least two years. One additional point granted for each additional 10% of the project’s total energy provided through green power up to a maximum of 50%. The renewable energy sources must be certified per the Center for Resource Solution’s Green-e requirements.</p>	1-5	*	*	*
<p>2. RECYCLING AND WASTE REDUCTION Intent: Encourage recycling of household and commercial projects; reduce the amount of waste hauled to and disposed of in landfills; and, promote the reuse of materials.</p>				
<p>2.1 Waste Reduction - Construction Make provisions to recycle/salvage at least 50% of non-hazardous construction and demolition debris.</p>	3	*	*	*
<p>2.2 Waste Reduction – Composting Provide on-site composting station or location for all occupants.</p>	2	*	*	*
<p>2.3 Recycling Stations/Dumpsters As part of the project, include at least one station per building dedicated to the collection, separation, and storage of materials for recycling including, at a minimum, paper, corrugated cardboard, glass, plastics, and metals. Establish a City-approved schedule and plan with the local trash hauler for retrieving the recyclable materials on a weekly basis.</p>	3	*	*	*
<p>2.4 Recycle Containers In mixed-use and nonresidential developments, include recycle containers adjacent with other waste-collection receptacles in areas accessible to pedestrians including streets, walkways, and common areas.</p>	2	*		
<p>2.5 Recycled Content in Infrastructure For new roadways, parking lots, sidewalks, and curbs (above-ground structured parking and underground parking are exempt from this option), any aggregate base and aggregate sub-base shall be at least 50% by volume recycled aggregate materials such as crushed Portland cement concrete and asphalt concrete.</p>	2	*	*	*
<p>3. URBAN DESIGN Intent: Encourage balanced land uses, new development near existing communities or public transportation infrastructure; support alternative transportation choices; and, improve the mental and physical health of the community by reducing work commute time and increasing time devoted to leisure, community activities, and family.</p>				
<p>3.1 Proximity to Existing Infrastructure Site new development so that at least 25% of the perimeter is contiguous with existing development that is already served by public infrastructure, including water, wastewater, roads, and electric. Replacement of or other on-location improvements to existing infrastructure may be considered existing for the purpose of this option.</p>	3	*	*	*
<p>3.2 Floodplain Protection For sites with portions located within a 100-year floodplain as defined and mapped by FEMA or the CCRFCD, develop only on portions of the site that are not in a 100-year flood zone or on portions that have been previously developed. Previously developed portions must be developed according to National Flood Insurance Program (NFIP) requirements.</p>	1	*	*	*

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<p>3.3 Use Mix Include a minimum of three of the following use types: residential, office, commercial (besides office), or public/institutional.</p> <ul style="list-style-type: none"> No use type shall amount to less than 10% or more than 80% of the total development gross floor area. Individual phases of multiphase projects may have a lesser mix of uses if the applicant provides assurances acceptable to the City that later phases will produce the required mix of uses overall. 	3	*		
<p>3.4 Compact Development/Walkability Locate at least 20% of dwelling units within ½ mile of a mixed-use development, commercial development, religious assembly use, park or school. One additional point granted for each additional 20% of dwelling units within a ½ half-mile distance up to a total of 100%.</p>	1-5		*	*
<p>3.5 Reduced Parking Footprint Devote less than 25 percent of the impervious surface area, up to a maximum of five acres, to surface parking.</p>	2	*	*	
<p>3.6 Workforce Housing For developments with a residential component, include a proportionate amount of dwelling units priced for households earning between 80% and 120% of area medium income (AMI.) 1 point for 5% of units, 2 points for 10% of units, 3 points for 15% of units.</p>	1-3	*	*	*
<p>4. URBAN NATURE Intent: Provide a variety of appealing and comfortable open spaces close to work and home; encourage physical activity and time spent outdoors; support natural resource and habitat conservation; and, promote social networking, civic engagement, personal recreation, and other activities.</p>				
<p>4.1 Minimum Open Space Provide common open space that exceeds the base requirements of Section 19.7.2 by 10%. One additional point granted for each additional 10% up to a total of 40% above code.</p>	1-4	*	*	*
<p>4.2 Access to Parks and Open Space Locate or design the project so that a park, publicly-accessible open space, multi-use path, trail or plaza lies within ½ mile of 20% of planned and existing dwelling units and business entrances. One additional point granted for each additional 20% of dwelling units within a ½ half-mile distance up to a total of 100%.</p>	1-5	*	*	*
<p>4.3 Access to Active Recreation Locate or design the project so that active public facilities (e.g., playfields, soccer, baseball, basketball, or other sports fields) totaling at least one acre, or a public indoor recreational facility, lies within ½ mile of 20% of dwelling units and/or business entrances. One additional point granted for each additional 20% of dwelling units within a ½ half-mile distance up to a total of 100%.</p>	1-5	*	*	*
<p>4.4 Habitat Conservation - Avoidance Locate the project on a site that does not have significant habitat. For the purposes of this and the following item, "significant habitat" includes:</p> <ul style="list-style-type: none"> Habitat for species that are listed or are candidates for listing under state or federal endangered species acts; Locally or regionally significant habitat, or patches of natural vegetation at least 150 acres in size; and Habitat flagged for conservation under the Multiple Species Habitat Conservation Plan. 	3	*	*	*

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		NONRES/MIXED USE	MULTI-FAMILY RESIDTL	OTHER RESIDTL
<p>4.5 Habitat Conservation - Setback For projects on a site that has significant habitat, design the site such that all development is a minimum of 100 feet away from such habitat. For the purposes of this item, "significant habitat" is defined in item 4.4 above.</p>	2	*	*	*
<p>4.6 Habitat Restoration Using only native plants, restore pre-development native habitat on the project site in an area equal to or greater than 10% of the development footprint. Work with a qualified ecologist to ensure that restored areas will have habitat, including native species assemblages and hydrology that likely occurred in pre-development conditions.</p>	3	*	*	*
<p>4.7 Community Gardens For residential or mixed-use projects, dedicate permanent and viable growing space and related facilities (such as greenhouses) within the project at a minimum of ten sq. ft. per dwelling unit for 20% of the project. Provide fencing, watering systems, soil, and/or garden bed enhancements (such as raised beds), secure storage space for garden tools, solar access, and pedestrian access for these spaces. One additional point granted for community garden space provided for each additional 20% of the project up to 100%.</p>	1-5	*	*	*
<p>4.8 Tree Canopy Provide trees in an amount that exceeds the base requirements of Section 19.7.5, <i>Landscaping and Screening</i>, by 10%. One additional point granted for each additional 10% up to 50% above Code.</p>	1-5	*	*	*
<p>5. TRANSPORTATION Intent: Promote public health by encouraging daily physical activity associated with alternative modes of transportation such as walking and bicycling; encourage the use of public transit; promote safe and efficient transportation; and, design parking facilities to minimize adverse environmental impacts to pedestrians.</p>				
<p>5.1 Proximity to Transit Locate the project near existing or planned transit service so that at least 20% of dwelling units and business entrances within the project area are within ½ mile of transit stops. One additional point granted for each additional 20% of dwelling units and business entrances within a ½ half-mile distance up to a total of 100%</p>	1-5	*	*	*
<p>5.2 Carpool, Shared-Use and Low-emitting Vehicle Parking For new nonresidential and mixed-use buildings, provide preferred parking spaces for carpool, shared-use, or low-emitting vehicles. Signage indicating carpool, shared-use, or low-emitting vehicle parking spaces must be provided, and the parking spaces must be located closest to the building entrance (exclusive of accessible parking spaces.)</p> <ul style="list-style-type: none"> Provide parking spaces for carpool and/or shared-use vehicles equal to 5% of the total parking capacity for each nonresidential and mixed-use building on the site. One additional point granted for 10% of the total parking capacity. (1-2 points) Provide parking spaces for low-emitting vehicles (zero-emission vehicles, partial-zero emission vehicles, ultra-low emission vehicles, etc.) equal to 5% of the total parking capacity for each nonresidential and mixed-use building on the site. One additional point granted for 10% of the total parking capacity. (1-2 points) 	1-4	*		

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.12 SUSTAINABILITY | 19.7.12.C MENU OF SITE AND BUILDING DESIGN OPTIONS FOR SUSTAINABILITY

TABLE 19.7.12-1: MENU OF SITE AND BUILDING DESIGN OPTIONS FOR SUSTAINABILITY				
SITE OR BUILDING DESIGN FEATURE	POINTS	DISTRICTS IN WHICH OPTION IS AVAILABLE		
		NONRES/MIXED USE	MULTI-FAMILY RESIDTL	OTHER RESIDTL
<p>5.3 Pedestrian System Design and build a project such that no block length exceeds 600 feet.</p> <ul style="list-style-type: none"> • If longer blocks are necessary, mid-block crossings shall be provided every 600 feet. • Exceptions are permitted to avoid incursion into or damage to sensitive natural areas or to accommodate major institutional buildings or uses, such as hospitals, parks, or schools, or for infill developments where the street pattern is already established. 	5	*	*	*
<p>5.4 Interconnected Street Network The development achieves a connectivity index score of 0.1 above the applicable base requirements of this Code. Two points granted for a score of 0.15 above the base requirements, and three points granted for a score of 0.2 above the base requirements.</p>	1-3	*	*	*
<p>5.5 Bicycle Circulation Systems Build a network of on-site bicycle pathways that provide safe, continuous bicycle access to all uses within the development site and to land uses on adjacent properties.</p>	2	*	*	*
<p>5.6 Pedestrian/Bicycle Networks (master planned communities only) Provide safe pedestrian and bicycle routes between major residential centers in a development and schools, churches, and other major community facilities and gathering places.</p> <ul style="list-style-type: none"> • Safety features shall include raised/marked pedestrian crossings, narrow streets, or streets with pedestrian medians, and similar features (1 point). • Avoid erecting obstructions such as signage and utility poles in sidewalks (1 point). • Provide separated grade crossings (1 point). 	1-3	*	*	*
<p>5.7 Facilities for Bicycle Commuters In addition to the bicycle parking requirements in Section 19.7.4.K.13, provide the following:</p> <ul style="list-style-type: none"> • Indoor or self-contained bicycle storage lockers equal to a minimum of 5% of the vehicle parking spaces provided. (2 points) • Shower and dressing areas for employees 	2-4	*	*	*
<p>5.8 Developer-sponsored Transit For a minimum of three years, provide year-round, developer-sponsored transit service (vans, shuttles, or buses) from at least one central point in the project to major transit facilities and/or other major destinations such as a retail or employment center.</p>	5	*	*	*
<p>5.9 Parking Locate all new off-street surface parking lots at the side or rear of buildings, leaving building frontages and streetscapes free of surface parking lots. Building entrances must be easily accessible from the public way. (2 points) OR Provide structured parking to meet 20% of the total parking requirement for nonresidential and multifamily residential projects.</p> <p>Two additional points will be granted for each additional 20% up to a total of 100%. In addition, as applicable, locate all new off-street surface parking lots at the side or rear of buildings, leaving building frontages and streetscapes free of surface parking lots. (2-10 points)</p>	2-10	*	*	

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		NONRES/MIXED USE	MULTI-FAMILY RESIDTL	OTHER RESIDTL
6. ENVIRONMENTAL HEALTH Intent: Encourage the use of green building practices in the design, construction, or retrofit of buildings; promote the reuse of land by developing sites where development is complicated by environmental contamination; prevent pollution and erosion from stormwater runoff; and, improve nighttime visibility and reduce glare.				
6.1 Green Building <ul style="list-style-type: none"> Use green building materials (recycled materials, locally-produced materials, sustainably-harvested wood, etc.) in the construction of the project. (2 points) Use furniture made from recycled materials, locally-produced materials, sustainably-harvested wood, etc. in the project. (1 point) Use flooring made from recycled or rapidly renewable materials such as PET carpeting, bamboo, cork flooring, etc. in the project. (1 point) 	1-4	*	*	*
6.2 Daylighting Incorporate daylighting strategies into the design of the project to minimize the use of artificial lighting.	2			
6.3 Light Pollution Reduction Reduce light pollution by using full cutoff exterior lighting and using downlighting only.	2			
7. WATER Intent: Minimize water use in buildings to reduce impacts to natural water resources; and, minimize outdoor water use for landscape irrigation.				
7.1 Water-Efficient Landscape Limit turf grass beyond base code requirements. <ul style="list-style-type: none"> Single-family residential: Turf limited to 25% of landscaped area Base code turf requirements are in Section 19.7.5.F.6(e). 	2			*
7.2 Water-Efficient Plants All landscaping plants, including those on green roofs, shall be selected from a list of water-efficient vegetation maintained by the City of Henderson. The use of native plants is strongly encouraged.	2	*	*	*
7.3 Landscape Irrigation System Drip or subsurface irrigation systems shall be utilized for all landscape irrigation systems when irrigation is necessary. Drip irrigation systems must be equipped with pressure regulators, filters, and emitters. Each drip emitter must be rated at less than 20 gallons per hour (gph). (1 pt for drip, 2 pts for subsurface)	1-2	*	*	*
7.4 Surface Treatments Non-turf landscaped areas must be completely covered by a two-inch-minimum layer of air- and water-permeable mulch to reduce evaporation. Living groundcovers qualify as mulch provided the individual plants are installed at sufficient density to assure 100 percent ground coverage at maturity. If a weed barrier is used beneath the mulch, it must be manufactured to be air- and water-permeable to reduce evaporation and run-off.	1	*	*	*

CHAPTER 19.7: DEVELOPMENT AND DESIGN STANDARDS

SECTION 19.7.13 AIRSPACE COMPATIBILITY REQUIREMENTS | 19.7.13.B NOTICES OF CONSTRUCTION OR ALTERATION

TABLE 19.7.12-1: MENU OF SITE AND BUILDING DESIGN OPTIONS FOR SUSTAINABILITY

SITE OR BUILDING DESIGN FEATURE	POINTS	DISTRICTS IN WHICH OPTION IS AVAILABLE		
		NONRES/MIXED USE	MULTI-FAMILY RESIDTL	OTHER RESIDTL
<p>7.5 Water-Efficient Buildings Minimize indoor water use in new buildings and buildings undergoing major renovations as part of the project through any combination of the following:</p> <ul style="list-style-type: none"> • Use low-flow plumbing fixtures such as toilets, urinals, faucets, and showerheads. (2 points) • Use of hot water recirculation system. (Can not be used in conjunction with tankless water heater.) (2 points) • Use of a tankless water heater. (2 points) • Use of a solar water heater. (2 points) 	2-8	*	*	*
<p>8. ADDITIONAL STRATEGIES FOR SUSTAINABILITY Intent: Implement strategies of existing above-code programs or explore and implement new, unique or innovative ways to increase the sustainability of the project and community.</p>				
<p>8.1 Above-Code Programs Design and build the project to meet the standards of an above-code program such as LEED, Green Globes, Energy Star, Green Building Partnership, etc.</p>	10			
<p>8.2 Innovative Products or Strategies Provide documentation of an innovative product or strategy that increases the sustainability of the project or community but is not provided in this Section.. Up to five Innovative Products or Strategies may be submitted for review. Points awarded at the discretion of the Director of Community Development based on the capacity of the proposed product or strategy to increase the sustainability of the project in any of the above categories. (1-5 points for each Innovative Strategy)</p>	1-25			

19.7.13. AIRSPACE COMPATIBILITY REQUIREMENTS

A. HEIGHT LIMITS

Except as otherwise provided, no structure shall be permitted to be erected, altered or maintained within the City of Henderson that (a) would constitute a hazard to air navigation, or (b) would result in an increase to minimum flight altitudes during any phase of flight, or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations. However, nothing in this section shall be construed as prohibiting the construction, alteration or maintenance of any structure to a height up to 35 feet above the surface of the land or in any zone created by this Code which has received all necessary airspace approvals as required by the City of Henderson.

B. NOTICES OF CONSTRUCTION OR ALTERATION

Notice must be filed with the Federal Aviation Administration (FAA) if specifically requested by the FAA, or if any of the following types of construction or alterations are proposed:

1. Any construction or alteration that is more than 200 ft. above ground level at its site;
2. Any construction or alteration that meets other notification requirements as outlined by Title 14, Code of Federal Regulations, Part 77.