

ORDINANCE NO. 3683

(ZOA-2020004889 – Development Code Update – Master Transportation Plan Update)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 19 OF THE HENDERSON MUNICIPAL CODE - HENDERSON DEVELOPMENT CODE - BY AMENDING SECTIONS 19.7, 19.8, AND 19.9 TO UPDATE THE MASTER TRANSPORTATION PLAN.

- WHEREAS, it is the intent of the City of Henderson to maintain a development code for the safe and orderly development of property; and
- WHEREAS, the City of Henderson adopted a new development code on January 19, 2010; and
- WHEREAS, a development code is considered a “living document” and will invariably need amending to make minor corrections, revisions, and updates as necessary; and
- WHEREAS, the City Council of the City of Henderson adopted its updated Comprehensive Plan on July 11, 2017, which included land use and community design goals and strategies, such as Strategy T 4.9 “Provide a set of complete networks for all travel modes and ability levels to move throughout the city”; and
- WHEREAS, in order to adequately implement the goals of the Henderson Strong Comprehensive Plan, the City Council desires to revise the development code to streamline the Master Transportation Plan and implement complete streets principles; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

- SECTION 1. Henderson Development Code, Sections 19.7, 19.8, and 19.9, are hereby amended as depicted in Exhibit A, attached hereto, consisting of six (6) pages.
- SECTION 2. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.
- SECTION 3. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 4. A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title in the Las Vegas Review-Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance (Initial Publication). Following adoption by the City Council, this Ordinance shall be published by title together with the names of the Council members voting for or against passage (Final Publication). This Ordinance is scheduled for Final Publication on May 8, 2020, in the Las Vegas Review-Journal, at which time it will become effective.

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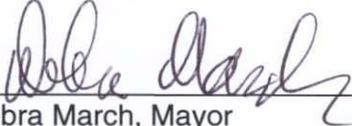
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Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is red and enclosed in **[brackets]**, and language proposed to be added is in *blue italics and underlined*.

PASSED, ADOPTED, AND APPROVED THIS 5TH DAY OF MAY, 2020.


Debra March, Mayor

ATTEST:


Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on April 21, 2020, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

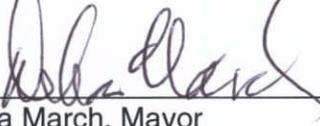
“COUNCIL AS A WHOLE”

Thereafter on May 5, 2020, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held May 5, 2020, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Debra March, Mayor
Councilmembers:
John F. Marz
Michelle Romero
Dan K. Shaw
Dan H. Stewart

Those voting nay: None
Those abstaining: None
Those absent: None


Debra March, Mayor

ATTEST:


Sabrina Mercadante, MMC, City Clerk

Exhibit A

19.7.5. LANDSCAPING AND SCREENING

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

- (a) Except in the mixed-use districts, the minimum width of required landscape buffers shall be in accordance with Table 19.7.5-2, *Pedestrian and Amenity Zone*, and Figure 19.7.5-A, *Landscape Buffers*. Buffers in the mixed-use districts shall be provided pursuant to subsection C.4 below.

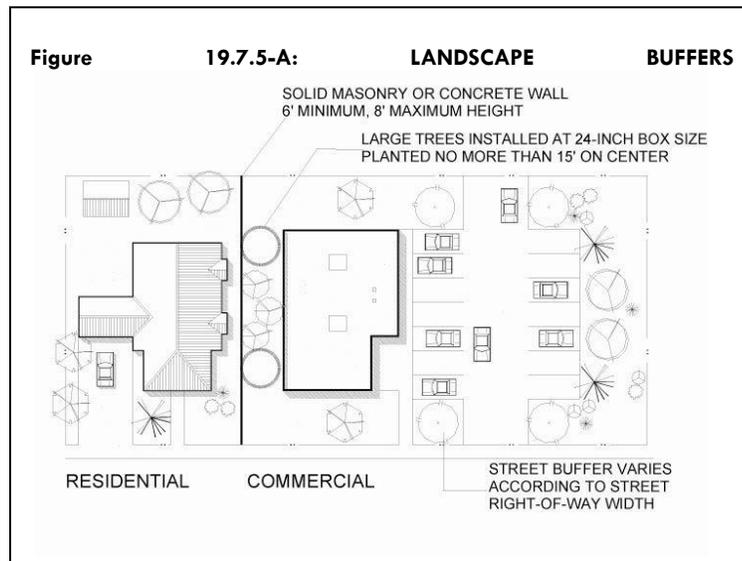


TABLE 19.7.5-2: PEDESTRIAN AND AMENITY ZONE

[Land-Use-Context {2}{4}{5}]						
Street Type	[Pedestrian and Amenity Zone (Minimum width) {1}{2}{3}{4}{5}{6}]	[Compact Complete Communities]	[Suburban High Density/High Intensity Pedestrian and Amenity Zone (Minimum width) {1}{2}{3}{4}{5}{6}]	[Suburban Low-Density/Low-Medium Intensity]	[Residential Low-Medium Density/Low Intensity]	[Residential Low Density Low Intensity]
Minor Collector {7}	Overall	[17 feet]	18[17] feet	[16 feet]	[16 feet]	[13 feet]
	Walkway	[8 feet]	6[8] feet	[6 feet]	[6 feet]	[5 feet]
	Amenity/Planting	[9 feet]	12[9] feet	[10 feet]	[10 feet]	[8 feet]
Major Collector {7}	Overall	[23 feet]	23 feet	[21 feet]	[21 feet]	[21 feet]
	Walkway	[8 feet]	6[8] feet	[6 feet]	[6 feet]	[6 feet]
	Amenity/Planting	[15 feet]	17[15] feet	[15 feet]	[15 feet]	[15 feet]
Minor Arterial {3}	Overall	30[28] feet		[30 feet]		
	Walkway	10[8] feet		[10 feet]		
	Amenity/Planting	20 feet		[20 feet]		
Major Arterial	Overall	30[16] feet		[20 feet]		
	Walkway	10[8] feet		[10 feet]		
	Amenity/Planting	20[8] feet		[10 feet]		

NOTES:

General: Buffer width may be reduced by the Community Development and Services 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 20 feet required, reduction cannot exceed 10 feet). The required on-site buffer width along a public ROW may be reduced by the Community Development and Services Director up to 50% where landscaping, trail, or open space improvements are required by the City to be provided within the ROW, so long as the total required buffer width is still provided. The buffer along Boulder Highway adjacent to the Boulder Highway linear park may be reduced to 0 feet.

{1} Pedestrian and Amenity zone width measured from back of curb and includes a minimum of 5 feet of public right-of-way width for all streets listed on the Master Transportation Plan. Required walkway width as required by the Master Transportation Plan unless a different walkway standard applies (i.e., in the mixed-use districts). The right-of-way width within the Pedestrian and Amenity Zone shall be landscaped unless otherwise approved by the Community Development & Services Director.

{2} Does not apply within Rural Neighborhood Overlay, Very Low Density Land Use designations, and Planned Community [Public/Semipublic and Downtown Public] zoning districts.

{3} 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.

{4} For any state highway that does not have stand-alone landscape requirements, the minimum requirements for a major arterial will be applied. [See Comprehensive Plan for Land Use Context classifications.]

{5} Infill development and retrofits to existing development are subject to Public Works Parks and Recreation Director.

{6} For Mixed Use zoning districts, see 19.7.5.C.4 and 19.7.7.C

{7} Minimum 8 ft. walkway is required adjacent to all schools.

(b) For any street not listed in Table 19.7.5-2 a minimum of 7 feet of landscaping is required.

TABLE 19.7.5-3 ABUTTING PARCEL SITE BUFFER WIDTHS

Development Zoning District	Abutting Parcel (Land Use Designation)	
	RES	NONRESIDENTIAL OR MIXED-USE
Residential	10 {1}	N/A
Nonresidential	15 {1}	5
Downtown	N/A	N/A
Mixed-Use	See Section 19.7.5.C.4	

NOTES:
 General: Buffer width may be reduced by the Community Development and Services 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 15 feet required, reduction cannot exceed 7.5 feet). The required on-site buffer width along a public ROW may be reduced by the Community Development and Services Director up to 50% where landscaping, trail, or open space improvements are required by the City to be provided within the ROW, so long as the total required buffer width is still provided. The buffer along Boulder Highway adjacent to the Boulder Highway linear park may be reduced to 0 feet.
 {1} 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.

19.8.9. TEMPORARY SIGNS

H. OFF-PREMISES DEVELOPMENT DIRECTIONAL SIGNS

1. General

Temporary off-premises development directional signs are subject to the regulations of this section.

2. Number Allowed

A maximum of six temporary off-premises development directional signs may be permitted for each separately identified project offering either lots, buildings, or dwellings for sale or lease. Where two or more developments are advertised on a single sign structure, that sign counts as one sign against the six allowable signs for each development. A sign structure may have multiple faces; however, a single sign structure will count as only one sign against the six allowable signs for each development, regardless of the number of faces advertising the same developments on that sign structure.

3. Size and Form

The maximum size of any temporary off-premises development directional sign is 64 square feet. The measurement of the size of a sign includes all surfaces and faces containing messages, arrows, and graphics, including the structural framework if it contains messages or graphics.

4. Height

The maximum height of any temporary off-premises development directional sign is 15 feet.

5. Changes of Sign Copy

Removing, adding to, or altering the message or graphics of the sign will be considered as removing, adding to, or altering the sign itself.

6. Location

(a) Temporary off-premises development directional signs must be set back at least 15 feet from the back of curb, the outer edge of the pavement, or travel way where no curb exists.

(b) No temporary off-premises development directional sign may be located on a lot within a residential subdivision, within 100 feet of any residence, or within 100 feet of any other temporary off-premises development directional sign, billboard, temporary off-premises kiosk sign, master development sign, or freestanding sign allowed in accordance with Section 19.8.7.C. For the purposes of this section, a residential subdivision lot is one that is less than one acre. A residentially-zoned parcel larger than one acre may contain a temporary off-premises development directional sign, and that sign may remain on the lot following the recording of a subsequent subdivision map that creates lots smaller than one acre until occupancy of the first lot of that subsequent subdivision. That first occupied lot need not be the specific lot on which the sign is constructed.

(c) Within 200 feet of any freeway-limited access, controlled access arterial, or [major\[primary\]](#) arterial as defined on the Henderson Master Transportation Plan, temporary off-premises development directional signs must be separated from all

other signs, except temporary off-premises election signs, by a distance of at least 300 feet.

19.9.7. STREETS

A. ALIGNMENT

Streets must be aligned in accordance with the Master Transportation Plan. Street layouts and alignments are subject to the transportation and circulation standards of this Code and the HMC.

B. STREET AND RIGHT-OF-WAY WIDTHS

1. Minimum Standards

Public and private streets must comply with the right-of-way and pavement standards in Table 19.9.7-1, *Street and Right-of-Way Widths*. More detailed Master Transportation Plan Complete Streets Configurations may be found in Appendix B of this Code:

TABLE 19.9.7-1: STREET AND RIGHT-OF-WAY WIDTHS			
STREET TYPE	RIGHT-OF-WAY WIDTH (FEET)	PAVEMENT WIDTH {1}{2} (FEET)	
		{NO-ON-STREET PARKING}	{ON-STREET PARKING}
Cul-de-Sac	See Section 19.9.7.B.2		
Minor Local/Interior Subdivision			
Minor Collector	61 [50-58]	{36}	51 [49]
Major Collector	86 [84-91] {3}	{2}	76 {2}
Minor Arterial	108 [95-100] {4}	{2}	98 {2}
Major Arterial	132 [120±] {5}	{2}	122 {2}
NOTES:			
{1} Pavement width measured from back [face]-of-curb to back [face]-of-curb.			
{2} Per Standard Drawings/Specifications and Master Transportation Plan.			
{3} Where a major collector street intersects another major collector or larger street, each major collector or larger street right-of-way must be increased in width, as specified in the Standard Drawings/Specifications.			
{4} Where a minor arterial street intersects a major collector or larger street, each arterial right-of-way must be increased by the width [a 120-foot width for 660 feet in each direction from the intersection, as] specified in the Standard Drawings/Specifications.			
{5} Where a controlled access arterial street intersects a major collector or larger street, each arterial right-of-way must be increased [to a 140-foot width for 660 feet in each direction from the intersection] as specified in the Standard Drawings/Specifications.			