30.48 Zoning Overlay Districts

PART A AIRPORT ENVIRONS OVERLAY DISTRICT
30.48.010 Purpose.
30.48.020 Airport Environs Maps.
30.48.030 Permitted Uses.
30.48.040 Uses Permitted Subject to Noise Attenuated Construction.
30.48.050 Special Uses.
30.48.060 Prohibited Uses.
30.48.070 Exceptions.
30.48.080 Table 30.48 – AE Land Use Compatibility in the Airport Environs Overlay District.

PART B AIRPORT AIRSPACE OVERLAY DISTRICT
30.48.090 Purpose.
30.48.100 Airport Zones.
30.48.110 Airport Zone Height Limitations.
30.48.120 Notices of Construction or Alteration.
30.48.130 Official Airport Airspace Zoning Maps.
30.48.140 Use Restrictions.
30.48.150 Nonconforming Uses, Marking and Lighting.
30.48.160 Variances or Waivers of Standards.

PART C RESIDENTIAL NEIGHBORHOOD PRESERVATION OVERLAY DISTRICT
30.48.170 Purpose.
30.48.180 Establishment.
30.48.190 Standards.
30.48.200 Designation.
30.48.210 Boundary Amendment.

PART D PC OVERLAY
30.48.220 Purpose.
30.48.230 Application.

PART E GAMING ENTERPRISE DISTRICT
30.48.240 Purpose and Scope.
30.48.250 Designation as Gaming Enterprise District.
30.48.260 Conditions for Enlargement or Establishment.
30.48.270 Deleted

PART F RED ROCK DESIGN OVERLAY DISTRICT
30.48.280 Purpose.
30.48.290 Policy Framework and Relevant Plans.
30.48.300 Red Rock Design Overlay District Map.
30.48.310 Establishment of Overlay District.

30.48.315 Density & Intensity Restrictions.
30.48.320 Permitted Uses.
30.48.330 Site Development Standards.
30.48.340 Landscaping, Buffering, and Screening.
30.48.350 Signage and Gateway Community Features.
30.48.360 Site Lighting.
30.48.370 Lighting Exemptions.
30.48.380 Landscape, Lighting, and Signage Plans.
30.48.390 Deviations or Waivers of Standards.
30.48.400 Non-conforming Lighting.

PART G TRANSITION CORRIDOR OVERLAY
30.48.420 Purpose.
30.48.430 Policy Framework and Relevant Plans.
30.48.440 Establishment, Expansion, or Amendment of the Transition Corridor Overlay
30.48.450 Permitted Uses.
30.48.460 Site Development and Design Standards.
30.48.470 Russell Road Corridor – Eastern Avenue to Mountain Vista Street.
30.48.480 Desert Inn Road Corridor – Buffalo Drive to Decatur Boulevard.

PART H ADULT USE OVERLAY
30.48.500 Purpose.
30.48.510 Adult Use Overlay District Map.
30.48.520 Establishment, Expansion, or Amendment of the Adult Use Overlay.
30.48.530 Permitted Locations.
30.48.540 Permitted Uses.
30.48.550 Separations.
30.48.560 Site Development and Design Standards.
30.48.570 Signs.

PART I COOPERATIVE MANAGEMENT AGREEMENT (CMA) AREA DESIGN OVERLAY DISTRICT – SPRING VALLEY AND ENTERPRISE
30.48.600 Purpose.
30.48.610 Policy Framework and Relevant Plans.
30.48.620 Cooperative Management Agreement (CMA) Area Overlay District Map.
30.48.630 Establishment of Overlay District.
30.48.640 Site and Design Development Standards.
30.48.650 Architectural Standards and Guidelines.
30.48.660 Perimeter Buffering, Landscape, and Screening.
30.48.670 Site Lighting.
30.48.680 Signage.

PART J MIXED USE OVERLAY DISTRICT
30.48.700 Purpose.

30.48.710 Establishment of the Mixed Use Overlay District.
30.48.720 Expansion or Amendment of the Mixed Use Overlay District.
30.48.730 Applications.
30.48.740 Permitted Uses.
30.48.750 Pre-Submittal Conference.
30.48.760 Mixed Use Overlay Subdistricts.
30.48.770 Evaluative Criteria.
30.48.780 Photo Gallery.

PART K ASIAN DESIGN OVERLAY DISTRICT
30.48.800 Purpose.
30.48.805 Policy Framework and Relevant Plans.
30.48.810 Establishment of the Asian Design Overlay District and Map.
30.48.815 Expansion or Amendment of the Asian Design Overlay District.
30.48.820 Permitted Uses.
30.48.825 Applications.
30.48.830 Pre-Submittal Conference.
30.48.840 Design Element.
30.48.850 Architectural Development Standards.
30.48.860 Site Development Standards.
30.48.870 Photo Gallery.

30.48 Zoning Overlay Districts

PART A AIRPORT ENVIRONS OVERLAY DISTRICT

30.48.010 Purpose. The Airport Environs Overlay District (AE Overlay District) is established to:

1. Provide for a range of uses compatible with airport accident hazard and noise exposure areas.

2. Prohibit the development of incompatible uses that are detrimental to the general health, safety and welfare.

3. Require noise attenuated construction, as indicated by Table 30.48-AE in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code, within these airport environs. The regulations of the AE Overlay District shall supersede the regulations of the underlying district if there is a conflict.

4. Comply with Federal Aviation Administration (FAA) regulations. (Ord 3051 § 2 (part), 3/2004)

30.48.020 Airport Environs Maps.

a. The Airport Environs Overlay District (AE Overlay District) encompassing twelve subdistricts (as shown on the AE Overlay District Map), is established around Nellis Air Force Base, Creech Air Force Base, and McCarran International Airport, per ordinance 975 adopted on May 9, 1986, together with the AE Overlay District Map, effective May 23, 1986; and ordinance 3051, adopted March 17, 2004, effective March 31, 2004; stored and maintained in an electronic database and adopted as part of the Official Zoning Map including all subsequent amendments:

   1. McCarran International Airport - as shown on the AE Overlay District Map as amended for the area in the vicinity of McCarran International Airport per ordinance 1198 and adopted May 2, 1990, effective May 16, 1990; and as further amended in the vicinity of McCarran International Airport (Runway Protection Zones only) and adopted as part of the Official Zoning Map per ordinance 2458, adopted April 5, 2000, effective April 19, 2000. The overlay district, together with the adoption of the *McCarran Airport Environs Map*, is hereby incorporated into the Official Zoning Map, hereinafter referred to as "the McCarran Maps".

   2. Nellis Air Force Base (Nellis AFB) - Ordinance 2119, adopted March 4, 1998, effective June 3, 1998, and as amended, together with the adoption of the Nellis AFB Airport Environs Map. The overlay district is hereby incorporated into the Official Zoning Map, hereinafter referred to as "the Nellis Maps".

   3. Creech Air Force Base – Ordinance 3051, adopted March 17, 2004, effective March 31, 2004, together with the adoption of the *Creech AFB Airport Environs Map* (former *Indian Springs AFB Airport Environs map*). The overlay district is hereby incorporated into the Official Zoning Map, hereinafter referred to as the "Creech map".

b. The twelve (12) subdistricts of the AE Overlay District, with names as amended by this Title, as shown in Table 30.48-1 below.

Table 30.48-1 Airport Environs Subdistricts	
SUBDISTRICT DESIGNATION	**ABBREVIATED DESIGNATION**
Runway protection zone	AE-RPZ
Accident potential zone I	APZ-1
Accident potential zone II	APZ-2
Accident potential zone III	APZ-3
Accident potential zone IV	APZ-4
65 - 70 Ldn (Day-Night Sound Level)	AE-65
70 - 75 Ldn (Day-Night Sound Level)	AE-70
75 - 80 Ldn (Day-Night Sound Level)	AE-75
80 + Ldn (Day-Night Sound Level)	AE-80
Live ordnance zone 1	LOZ-1
Live ordnance zone 2	LOZ-2
Live ordnance zone 3	LOZ-3

c. The types of uses permitted and mitigation measures required differ for each subdistrict of the AE Overlay District, as shown in Table 30.48-AE. Where a proposed use, building, or land is impacted by two (2) or more subdistricts of the AE Overlay District, the use, building, and/or land shall conform to the requirements of all applicable subdistricts, and where subdistricts impose conflicting requirements, the most restrictive of the requirements shall apply.

d. The AE Overlay District noise attenuation construction requirements and land use restrictions, delineated in Table 30.48-AE, shall be imposed in addition to and shall overlay all other districts that are encompassed or circumscribed by the AE Overlay District. The symbol for the applicable AE Overlay subdistrict shall be added to the Official Zoning Map of Clark County after the symbol of the underlying district.

e. Every five (5) years from July 1, 1998, the Clark County Department of Aviation (DOA) shall review the McCarran Maps and shall report to the Board on whether any update of the McCarran Maps is required to reflect the noise contours or runway protection zones in the environs of McCarran International Airport, based on the DOA reasonable estimate of anticipated aircraft noise exposure. If updates to the McCarran Maps are required, the DOA shall prepare and present such updated maps to the Board for consideration.

f. Every five (5) years from July 1, 1998, the Department of Comprehensive Planning shall contact appropriate United States Air Force personnel to determine whether the Nellis Maps reasonably reflect anticipated aircraft noise exposure, accident potential and live ordnance operations in the environs of Nellis AFB and shall report to the Board on whether any update of the Nellis AFB Environs Overlay District Maps is required to reflect the noise contours, accident potential, and live ordnance operations in the environs of Nellis AFB based on a reasonable estimate of anticipated airport operations. If any updates to the Nellis Maps are required, the Department of Comprehensive Planning shall prepare and present such updated maps to the Board for consideration. (Ord 3296 § 6 (part), 10/2005; Ord 3051 § 2 (part), 3/2004; Ord. 2741 § 8 (part), 5/2002)

30.48.030 **Permitted Uses.** In the AE Overlay District, uses permitted in the underlying zoning district and indicated by a YES in the applicable AE subdistrict column of Table 30.48-AE may be permitted. (Ord 3051 § 2 (part), 3/2004)

30.48.040 **Uses Permitted Subject to Noise Attenuated Construction.** In the AE Overlay District, uses permitted in the underlying zoning district and indicated by a 25, 30, 35, (25), (30), or (35) key in the applicable subdistrict column may be permitted with a minimum exterior to interior noise attenuation construction standard per Table 30.48-AE and Chapter 22.22 of the Clark County Code. (Ord 3051 § 2 (part), 3/2004)

30.48.050 **Special Uses.** Additional uses may be permitted subject to securing a special use permit in each case, as provided for in Chapter 30.16 when indicated by a (YES) in the applicable AE subdistrict column of Table 30.48-AE. (Ord 3051 § 2 (part), 3/2004)

30.48.060 **Prohibited Uses.** Land uses within the AE Overlay District are restricted as indicated by the table except as provided in Section 30.48.070 (Exceptions). All uses indicated by a NO are not compatible and are not allowed, and all uses not expressly permitted in Table 30.48-AE are expressly prohibited unless a use is permitted as an exception under Section 30.48.070. (Ord 3051 § 2 (part), 3/2004)

30.48.070 **Exceptions.**

a. Required use restrictions and noise attenuation requirements do not apply to property owned by the respective operators of the airports and utilized for airport functions.

b. Uses and structures established prior to the establishment of the AE Overlay District shall be allowed without regard to the additional standards of this overlay district, except that noise attenuated construction, as required by Table 30.48-AE, shall be required for the construction of any new habitable building, but shall not apply to any addition, remodel, or improvement to an existing building per section Chapter 30.76 (Non-Conformities).

c. Except for the use restrictions within the AE-RPZ, APZ-3, APZ-4, LOZ-1, LOZ-2, or LOZ-3 subdistricts, uses and structures approved by any land use application prior to the establishment of the AE Overlay District shall be allowed without regard to the additional standards of this Part, provided that all conditions imposed on such approval are met. This exception does not preclude the imposition of additional conditions, including conformance to the requirements of this Part, if any extension of time to complete construction or a modification of plans is approved. The recording of a final map for a subdivision, the approval of a tentative map, or the issuance of a building permit for any building or structure in an AE-RPZ, APZ-3, APZ-4, LOZ-1, LOZ-2, or LOZ-3 subdistrict shall conclusively establish that such use, building, or structure is permitted upon the subject property pursuant to this Subsection. (Ord 3051 § 2 (part), 3/2004)

30.48.080 **Table 30.48 – AE Land Use Compatibility in the Airport Environs Overlay District.** The following table indicates uses permitted, uses permitted subject to noise attenuated construction, uses permitted subject to a special use permit and uses prohibited in each of the subdistricts of the AE Overlay District. To determine the applicable compatibility regulations, refer to the Standard Land Use Classification Manual (SLUCM) categories as shown in Table 30.44-1. (Ord 3051 § 2 (part), 3/2004)

TABLE 30.48-AE LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT (SLUCM=STANDARD LAND USE CLASSIFICATION MANUAL -SEE TABLE 30.44-1)												
CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBDISTRICTS RISK ZONES AND NOISE ZONES									
			AE-RPZ	APZ-1	APZ-2	AE-65	AE-70	AE-75	AE-80	LOZ-1	LOZ-2 APZ-3	LOZ-3 APZ-4
0	Undetermined	An undetermined use	()	()	()	()	()	()	()	NO	NO	NO
0	Nonresidential	General accessory use	()	()	()	()	()	()	()	()	()	()
0	Residential	General accessory use	()	()	()	()	()	()	()	NO	NO	NO
1110	Residential	Accessory use to residential (up to 2 du/ac)	NO	NO	YES	25	30	[NO]	[NO]	NO	NO	NO
1110	Residential	Single family (up to 2 du/ac)	NO	NO	YES	25	30	[NO]	[NO]	NO	NO	NO
1115	Residential	Accessory use to residential (over 2 du/ac)	NO	NO	YES	25	(NO)	[NO]	[NO]	NO	NO	NO
1115	Residential	Single family (over 2 du/ac)	NO	NO	NO	25	(NO)	[NO]	[NO]	NO	NO	NO
1120	Residential	Two family	NO	NO	NO	25	(NO)	[NO]	[NO]	NO	NO	NO
1130	Residential	Multifamily structures	NO	NO	NO	25	(NO)	[NO]	[NO]	NO	NO	NO
1200	Residential	Group quarters	NO	NO	NO	25	(NO)	[NO]	[NO]	NO	NO	NO
1300	Residential	Residential hotels	NO	NO	NO	25	(NO)	[NO]	[NO]	NO	NO	NO
1410	Residential	Permanent mobile home parks courts	NO	NO	NO	25	(NO)	[NO]	[NO]	NO	NO	NO
1420	Residential	Transient mobile home parks courts (Also known as RV Park)	NO	NO	NO	YES	(NO)	[NO]	[NO]	NO	NO	NO
1510	Residential	Hotels and motels & tourist courts	NO	NO	NO	25	30	35	[NO]	NO	NO	NO
1900	Residential*	Other residential	NO	NO	NO	25	(NO)	[NO]	[NO]	NO	NO	NO
2100	Manufacturing	Food & kindred products	NO	NO	(YES)	YES	YES	(30)	(35)	NO	NO	(YES)
2200	Manufacturing	Textile mill products	NO	NO	NO	YES	YES	(30)	(35)	NO	NO	NO
2300	Manufacturing	Apparel and finished products	NO	NO	NO	YES	YES	(30)	(35)	NO	NO	NO
2400	Manufacturing	Lumber & wood products (except furniture)	NO	(YES)	YES	YES	YES	(30)	(35)	NO	NO	(YES)
2500	Manufacturing	Furniture & fixtures	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	NO	(YES)
2600	Manufacturing	Paper & allied products	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	NO	(YES)
2700	Manufacturing	Printing, publishing	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	NO	(YES)
2800	Manufacturing	Chemicals and allied products	NO	NO	NO	YES	YES	(30)	(35)	NO	NO	NO
2900	Manufacturing	Petroleum refining & related industries	NO	NO	NO*	YES	YES	(30)	(35)	NO	NO	NO
3100	Manufacturing	Rubber & misc. plastics	NO	NO	NO	YES	YES	(30)	(35)	NO	NO	NO
3200	Manufacturing	Stone, clay & glass products	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	{(YES)}	(YES)
3300	Manufacturing	Primary metal industries	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	NO	(YES)
3400	Manufacturing	Fabricated metal products	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	{(YES)}	(YES)

TABLE 30.48-AE LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT (SLUCM=STANDARD LAND USE CLASSIFICATION MANUAL -SEE TABLE 30.44-1)												
CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBDISTRICTS RISK ZONES AND NOISE ZONES									
			AE-RPZ	APZ-1	APZ-2	AE-65	AE-70	AE-75	AE-80	LOZ-1	LOZ-2 APZ-3	LOZ-3 APZ-4
3500	Manufacturing	Instruments and optical goods	NO	NO	NO	25	30	NO	NO	NO	NO	NO
3900	Manufacturing	Misc. Manufacturing	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	{(YES)}	(YES)*
4100	Trans. & utils.	Railroad & rapid rail & street railway	NO	[YES]	YES	YES	YES	YES	YES	NO	NO	(YES)
4200	Trans. & utils.	Motor vehicle transportation	NO	[YES]	YES	YES	YES	(30)	(35)	NO	NO	(YES)
4300	Trans. & utils.	Aircraft transportation	NO	[YES]	YES	YES	YES	(30)	(35)	NO	NO	NO
4500	Trans. & utils.	Highway & street ROW	[YES]	[YES]	YES	YES	YES	YES	YES	{YES}	{YES}	YES
4600	Trans. & utils.	Auto parking	[YES]	[YES]	YES	YES	YES	YES	YES	NO	{YES}	YES
4700	Trans. & utils.	Communications	[YES]	(YES)	YES	YES	(25)	(30)	(35)	{YES}	{YES}	YES
4800	Trans. & utils.	Utilities	[YES]	[YES]	YES	YES	YES	YES	YES	{YES}	{YES}	YES
4900	Trans. & utils.	Other trans, communications and utilities	[YES]	[YES]	YES	YES	YES	YES	YES	NO	NO	NO
5100	Trade	Wholesale trade	NO	YES	YES	YES	YES	(30)	(35)	NO	NO	(YES)
5200	Trade	Building materials and hardware	NO	YES	YES	YES	(25)	(30)	(35)	NO	{YES}	(YES)*
5300	Trade	General merchandise (retail)	NO	NO	YES	YES	25	30	35	NO	NO	NO
5400	Trade	Food, retail	NO	NO	YES	YES	25	30	35	NO	NO	NO
5500	Trade	Automotive, marine & aircraft accessories	NO	YES	YES	YES	25	30	35	NO	NO	NO
5600	Trade	Apparel and accessories (retail)	NO	NO	YES	YES	25	30	35	NO	NO	NO
5700	Trade	Furniture & home furnishings (retail)	NO	NO	YES	YES	25	30	35	NO	NO	NO
5800	Trade	Eating and drinking places	NO	NO	NO	YES	25*	30	35	NO	NO	NO
5900	Trade	Other retail trade	NO	NO	YES	YES	25*	30	35	NO	NO	NO
5999	Trade	Resort Condominium	NO	NO	NO	30*	NO	NO	NO	NO	NO	NO
6100	Services	Finance, insurance & real estate	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
6200	Services	Personal services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
6240	Services	Cemeteries	[YES]	[YES] *	[YES] *	YES	(25)	(30)	(35)	[(YES)]	[YES]	[YES]
6300	Services	Business services	NO	NO*	(YES)	YES	25	30	35	NO	NO	NO
6370	Services	Warehousing and storage services	NO	YES*	YES	YES	YES	(30)	(35)	NO	{YES}	(YES)
6380	Services	Explosives storage	NO	NO	NO	YES	(25)	(30)	(35)	NO	NO	NO
6400	Services	Repair services	NO	(YES)	(YES)	YES	(25)	(30)	(35)	NO	NO	(YES)*
6510	Services	Medical & other health services	NO	NO	NO	25	30	NO	NO	NO	NO	NO
6520	Services	Legal services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
6590	Services	Other professional services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
6600	Services	Contract construction services	NO	(YES)	(YES)	YES	(25)	(30)	(35)	NO	NO	NO

TABLE 30.48-AE LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT (SLUCM=STANDARD LAND USE CLASSIFICATION MANUAL -SEE TABLE 30.44-1)												
CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBDISTRICTS RISK ZONES AND NOISE ZONES									
			AE-RPZ	APZ-1	APZ-2	AE-65	AE-70	AE-75	AE-80	LOZ-1	LOZ-2 APZ-3	LOZ-3 APZ-4
6700	Services	Government services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
6800	Services	Educational services	NO	NO	NO	25	30	NO	NO	NO	NO	NO
6910	Services	Religious activities	NO	NO	NO	25	30	NO	NO	NO	NO	NO
6990	Services	Other misc. services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
7110	Recreation	Cultural activities	NO	NO	NO	25	30	NO	NO	NO	NO	NO
7120	Recreation	Nature exhibitions	NO	(YES)	(YES)	YES	NO	NO	NO	NO	{(YES)}	(YES)
7211	Recreation	Outdoor entertainment assembly	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO
7212	Recreation	Indoor entertainment assembly	NO	NO	NO	25	30	NO	NO	NO	NO	NO
7221	Recreation	Outdoor sports assembly	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO
72211	Recreation	Outdoor motor vehicle race tracks & related uses	NO	(YES)	(YES)	YES	(25)*	(30)*	(35)*	NO	NO	(YES)
72212	Recreation	Recreational vehicle accommodations and campgrounds in conjunction with and on the same property as an outdoor motor vehicle racetrack having 50,000 or more seats and used in connection with events thereon	NO	NO	NO	YES	YES	NO	NO	NO	NO	(YES)
7222	Recreation	Indoor sports assembly	NO	NO	NO	YES	25	30	35	NO	NO	NO
7230	Recreation	Misc. public assembly	NO	NO	NO	(25)	(30)	NO	NO	NO	NO	NO
7310	Recreation	Fairgrounds and amusement parks	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO
7395	Recreation	Outdoor amusements	NO	NO	(YES)	YES	YES	NO	NO	NO	NO	NO
7396	Recreation	Indoor amusements	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
7411	Recreation	Outdoor sports activities	NO	(YES)	(YES)	YES	YES	NO	NO	NO	NO	NO
7413	Recreation	Indoor sports activities	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
7420	Recreation	Outdoor playgrounds and athletic areas	NO	NO	(YES)	YES	YES	NO	NO	NO	NO	NO
7425	Recreation	Indoor playgrounds and athletic areas	NO	NO	(YES)	YES	25	30	35	NO	NO	NO
7430	Recreation	Golf courses, driving ranges, riding stables & water recreation	[YES]	(YES)	(YES)	YES	(25)	(30)	(35)	[(YES)]*	{(YES)}*	(YES)*
7490	Recreation	Other recreation	NO	(YES)	(YES)	YES	YES	NO	NO	NO	NO	(YES)
7500	Recreation	Resorts & group camps	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO
7600	Recreation	Parks	NO	NO	(YES)	YES	YES	NO	NO	NO	NO	(YES)
8150	Resources	Dairy farming	NO	YES	YES	(25)	(30)	(35)	NO	NO	{(YES)}	(YES)

TABLE 30.48-AE LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT (SLUCM=STANDARD LAND USE CLASSIFICATION MANUAL -SEE TABLE 30.44-1)												
CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBDISTRICTS RISK ZONES AND NOISE ZONES									
			AE-RPZ	APZ-1	APZ-2	AE-65	AE-70	AE-75	AE-80	LOZ-1	LOZ-2 APZ-3	LOZ-3 APZ-4
8160	Resources	Livestock farms and ranches {2}	NO	YES	YES	(25)	(30)	(35)	NO	NO	NO	NO
8190	Resources	Other agriculture {1}	YES	YES	YES	(25)	(30)	(35)	(35)	NO	NO	YES
8200	Resources	Agricultural related activities {2}	NO	YES	YES	(25)	(30)	(35)	NO	NO	NO	NO
8300	Resources	Forestry activities & related services	NO	YES	YES	(25)	(30)	(35)	(35)	NO	{(YES)}	(YES)
8400	Resources	Fishing activities & related services {3}	NO	YES	YES	YES	YES	YES	YES	NO	{(YES)}	(YES)
8500	Resources	Mining activities and related services	NO	YES	YES	YES	YES	YES	YES	NO	{(YES)}	(YES)
9100	Undeveloped	Undeveloped and unused land	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
9300	Undeveloped	Water areas {3}	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
9910	Undeveloped	Open space	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES

(Ord. 3432 § 7 (part), 10/2006; Ord. 3354 § 7 (part), 2/2006; Ord. 3229 § 9 (part), 6/2005; Ord. 2961 § 7 (part), 10/2003; Ord. 2741 § 8 (part), 5/2002)

KEY	CONDITIONS
( )	Means uses not associated with structures or people intensive uses like lakes, hunting, and similar uses and therefore no restrictions are applied.
NO	Unless permitted by Section 30.48.070, not compatible and not allowed.
(NO)	If permitted by Section 30.48.070, a noise level reduction of thirty (30) decibels is required.
[NO]	If permitted by Section 30.48.070, a noise level reduction of thirty- five (35) decibels is required.
YES	Land use and related structures are allowed without restrictions.
(YES)	Special use permit required. Additional factors to be considered: labor intensity, height of structures, structural coverage, explosive characteristics, air pollution, size of establishment, people density, peak period concentrations (including shopper/visitors), low intensity office uses only (limited scale of concentration of such uses). Meeting places, auditoriums, areas of public assembly, etc. not allowed in runway protection zones or live ordnance zones.
{YES}	Use permitted. However, no buildings, or structures suitable for habitation or occupancy allowed.
[YES]	Use permitted. However, no buildings, structures, or above ground transmission lines allowed.
25, 30, 35	A noise level reduction of twenty- five (25), thirty (30), or thirty- five (35) decibels, respectively.
(25), (30), (35)	A noise level reduction of twenty- five (25), thirty (30), or thirty- five (35) decibels, respectively where public is received, office areas, noise sensitive areas or where the normal ambient noise level is low.
1900*	Includes manager's units for commercial, industrial, and other uses that may not otherwise be classified or zoned for residential uses.
2900*	Indoor bulk storage of motor oil may be permitted for wholesale distribution only, subject to special use permit approval, use of double-wall (minimum U.L. 142) storage tanks for all motor oil products, limited number of employees on site, and no processing of any motor oil products.
3900*	No motion picture production.
5200*	Wholesale sales only with no retail sale of products.
5800*	Outside dining incidental to restaurants, which are in conjunction with principal outdoor uses such as fairgrounds or golf courses, are permitted.
5900*	Temporary outdoor commercial events and seasonal outdoor sales are permitted without sound attenuation.
5999*	35 dB reductions (exterior to interior) shall be required where habitable space exceeds a maximum height of 35 feet.
6240*	Crematory is permitted subject to no memorial services or areas which may allow for memorial services to be performed at the site.
6300* & 6370*	Automobile rental and related sales may be permitted as an accessory use if established in conjunction with automobile storage as the principal use, subject to approval of a special use permit and restricting the number of employees and customers, if necessary, to minimize public safety concerns.
6400*	Aircraft, automobile, boat, truck and heavy machinery repair only.
72211*	Sound attenuation not required for facilities designed to accept or direct patrons or participants of outdoor races and events nor for temporary or permanent facilities designed to allow patrons to view such events.
7430*	Golf courses and riding stables not permitted.
8190{1}	Includes livestock grazing but excludes livestock feed/sales yards and commercial livestock uses.
8160 & 8200{2}	Includes livestock feed/sales yards and commercial livestock uses.
8400 & 9300{3}	Includes hunting and fishing.

(Ord. 3432 § 7 (part), 10/2006; Ord. 3354 § 7 (part), 2/2006; Ord. 3229 § 9 (part), 6/2005; Ord. 3113 § 6, 8/2004; Ord. 2961 § 7 (part), 10/2003; Ord. 2550 § 1, 2001)

PART B AIRPORT AIRSPACE OVERLAY DISTRICT

30.48.090 **Purpose**. The Airport Airspace Overlay District is established to restrict structures and other obstructions from intruding into the airspace utilized by, and thereby jeopardizing the safety of, aircraft operating from the various airports within the County.

30.48.100 **Airport Zones.** The Airport Airspace Overlay District is hereby established, which includes all land lying beneath the airspace which is (a) defined by Federal Aviation Regulation (FAR) Part 77 primary, approach, transition, horizontal and conical surfaces, and the Aircraft Departure Critical Area surfaces identified by the maps listed in Section 30.48.130; (b) overlying property in proximity to military and public-use airports in Clark County, Nevada; and (c) regulated by Chapter 20.13 (Airport Hazard Regulations) of the Clark County Code. An area located in more than one (1) of the airport districts is considered to be only in the district with the more restrictive height design standards.

30.48.110 **Airport Zone Height Limitations**. Except as otherwise provided, no structure shall be permitted to be erected, altered or maintained within the Airport Airspace Overlay District 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 Part shall be construed as prohibiting the construction, alteration or maintenance of any structure in any zone created by this Part which has received all necessary airspace approvals as required in Section 20.13 of the Clark County Code.

30.48.120 **Notices of Construction or Alteration.**

a. **Construction or Alteration Requiring Notice.** Any person proposing construction or alteration in the environs of any public use or military airport shall notify the Manager, Air Traffic Division, FAA Regional Office not less than 30 days before commencement of construction if such construction or alteration exceeds any of the following height standards.

1. At two hundred (200) feet above the ground level at its site.

2. The plane of an imaginary surface extending outward and upward at a slope of one hundred (100) to one (1) for a horizontal distance of twenty thousand (20,000) feet from the nearest point of the nearest runway of any airport, subject to the provisions of this Part.

3. If construction or alteration is of greater height than the standards set forth in subdivision (1) or (2) of this Subsection after their height has been adjusted upward for the appropriate route as follows in Table 30.48-2.

Table 30.48-2 Transportation Route Height

Route	Height Above Route
Interstate highways	Seventeen (17) feet
Public roadways	Fifteen (15) feet
Private road	Ten (10) feet, or the height of the highest mobile object normally traversing the road, whichever is greater
Railroads	Twenty-three (23) feet
Waterways or any other unspecified route	The height of the highest mobile object that would normally use the route

4. When requested by the FAA, any construction or alteration that would be in an instrument approach area and available information indicates the height might exceed any FAA obstruction standard.

5. Any notice required by this Section shall be on FAA Form 7460-1, available from the regional offices of the FAA & from Clark County DOA.

6. Director's permit: In accordance with Section 20.13.060 of the Clark County Code, a permit from the Director of Aviation, shall be required prior to any of the following:

   A. The construction or establishment of any new structure or use subject to 30.48.120 (a)(1-5); or

   B. The construction or establishment of any existing structure or use subject to 30.48.120 (a)(1-5); or

   C. The time any non-conforming structure or tree is replaced, substantially altered, rebuilt, allowed to grow higher, or replanted.

b. Construction or Alteration Not Requiring Notice. Notice to the FAA is not required for construction or alteration of any of the following.

1. Objects that are shielded by existing structures of a permanent and substantial character or by natural terrain or topographical features of equal or greater height, and would be located in the congested area of a city, town or settlement where it is evident, beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.

2. Any antenna structure of twenty (20) feet or less in height, except one that would increase the height of another antenna structure.

3. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device or meteorological device of a type approved by the Director of Aviation, or an appropriate military service on military airports, the location and height of which is fixed by its functional purpose.

4. Any construction or alteration for which notice is required by any other FAA regulation.

30.48.130 Official Airport Airspace Zoning Maps. The following Official Airport Airspace Zoning Maps for specific airports lying within the jurisdiction of Clark County, Nevada, as adopted by ordinance of the Board, are on file at the office of the County Clerk and incorporated by reference and made a part hereof:

1. The McCarran International Airport Official Airspace Zoning Map, consisting of five (5) sheets, prepared by the Clark County Airport Engineering Department, dated July 18, 1990, and adopted by Ordinance 1221;

2. The North Las Vegas Air Terminal Official Airspace Zoning Map, consisting of one (1) sheet, prepared by the Clark County Airport Engineering Department, dated July 18, 1990, and adopted by Ordinance 1221;

3. The Overton Airport Official Airspace Zoning Map, consisting of one (1) sheet, prepared by the Clark County Airport Engineering Department, dated July 18, 1990, and adopted by Ordinance 1221;

4. The Jean Airport Official Airspace Zoning Map, consisting of one (1) sheet, prepared by the Clark County Airport Engineering Department, dated July 18, 1990, and adopted by Ordinance 1221; and

5. The Nellis Air Force Base Official Airspace Zoning Map, consisting of ten (10) sheets, dated March 4, 1998 and adopted by ordinance 2119.

6. McCarran International Airport Aircraft Departure Critical Area Map consisting of one sheet, prepared by the Clark County Airport Engineering Department dated February 2, 1993 and adopted by Ordinance 1599.

30.48.140 **Use Restrictions.** Notwithstanding any other provisions of this Part, no use may be made of land or water within any zone established under this part in such a manner as to:

1. Create a "Hazard to Air Navigation" as determined by the FAA.

2. Cause an increase in minimum flight or approach procedure altitudes as determined by the FAA.

3. Create electrical interference with navigation signals or radio communication between the airport and aircraft.

4. Make it difficult for pilots to distinguish between airport lights and others.

5. Result in glare in the eyes of pilots using the airport.

6. Impair visibility in the vicinity of the airport.

7. Create bird strike hazards.

8. Otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

30.48.150 **Nonconforming Uses, Marking and Lighting.** As required by Section 30.76.040(5), the owner of any existing nonconforming structure may be required to install, operate, and maintain thereon such markers and lights as may be deemed necessary by the Director of Aviation to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction.

30.48.160 **Variances or Waivers of Standards.**

a. Applications. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use his property in a manner which would constitute a violation of these regulations, may apply for a waiver of development standards or variance as provided in Table 30.16-7 and 30.16-6 respectively, or a variance as provided in Chapter 20.13 of the Clark County Code. If a variance is approved by the Board of Adjustment per Chapter 20.13 of the Clark County Code, a separate waiver of development standards approval is not required.

b. Such waivers or variances may be allowed where a literal application of enforcement of these regulations would result in practical difficulty or unnecessary hardship, and the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the intent of these regulations.

c. Conditions. Any such waiver or variance allowed may be subject to any reasonable conditions that the Commission or Board may deem necessary to fulfill the purposes of this Title. If an intrusion into the district is permitted, structures and/or trees shall be situated and/or marked or lighted as required by the Federal Aviation Administration (FAA) and the Board of Adjustment so that they do not constitute a hazard as defined in Chapter 30.08. All construction within the various height districts shall be subject to the property owners signing an avigation easement. (Ord. 2741 § 8 (part), 5/2002)

PART C RESIDENTIAL NEIGHBORHOOD PRESERVATION OVERLAY DISTRICT

30.48.170 **Purpose.** The Residential Neighborhood Preservation Overlay District, hereafter referred to as RNP, is established to ensure that the character of rural and other residential development is preserved.

30.48.180 **Establishment.** RNP-I and RNP-III Overlay Districts, as defined in Chapter 30.08 may be established by the initiation and approval of a zone boundary amendment by the Board or property owner in accordance with the provisions of Table 30.16-3 (Zone Boundary Amendments). The overlay districts shall thereby be incorporated into the Official Zoning Map. (Ord. 3160 § 12 (part), 11/2004)

30.48.190 **Standards.**

a. Property within an RNP shall be maintained as a low density residential development, not to exceed an overall density of two (2) dwelling units per acre, except for the RNP-III, which shall not exceed a density of four (4) dwelling units per acre. Local supporting public facility uses shall have appropriate buffering and setbacks.

b. Adequate buffer areas, screening, and an orderly and efficient transition of land uses, as determined by the Board, shall be provided between the RNP and a development with a higher density or intensity of use.

c. The Board may, for good cause shown, allow a greater density or intensity of use when less than three hundred and thirty (330) feet from an RNP.

30.48.200 **Designation.** Property classified as RNP, shall be designated as (RNP-I, II, or III) on the Official Zoning Map.

30.48.210 **Boundary Amendment.** An application to amend the zoning from the above referenced zoning map designations RNP-I, II, or III shall also make the request to amend the RNP overlay district boundary.

PART D PC OVERLAY

30.48.220 Purpose.

a. The planned community overlay district (P-C overlay district) is designed and intended to enable and encourage the development of large tracts of land which are under unified ownership or control as individual integrated communities so as to achieve land development patterns which will maintain and enhance the physical, social, and economic values of an area. The P-C overlay district and associated procedure are established to provide a land developer with reasonable assurance that specific uses proposed from time to time, if in accordance with an approved development plan, will be acceptable to the County and to provide the County with long-term proposal for the development of a given area.

b The P-C overlay district also provides for the use of creative design concepts to help meet market demands and encourage the effective use of the natural topography, open space, and other natural or existing features. The overlay district creates an opportunity for the implementation of private sector proposals of new concepts to address community needs and provides for public review and public input of these proposals.

30.48.230 Application. An application for the P-C overlay district can only be made through the major projects review procedure in accordance with Section 30.20 of the Clark County Code.

PART E Gaming Enterprise District

30.48.240 **Purpose and Scope.** The purpose of the special overlay district herein named the Gaming Enterprise District (GED) is to establish specific criteria for identifying areas suitable for the potential expansion of gaming activities and resort hotel uses as well as areas needing additional protection and buffering from the associated impacts of such activities and uses, including but not limited to residential, school and church (places of worship) uses and developments. (Ord. 3355 § 6 (part), 2/2006)

30.48.250 **Designation as Gaming Enterprise District.** Properties shall only be incorporated into the Gaming Enterprise District after a special use permit has been approved per Table 30.16-4 to establish a resort hotel (or rural resort hotel or neighborhood casino) and the use remains active per Section 30.16.210. In addition, any property which is located within the Las Vegas Boulevard Gaming Corridor and was zoned H-1 as of July 16, 1997 is within the gaming enterprise district. All properties designated Gaming Enterprise District (GED) are shown as the "Gaming Enterprise Districts" on the latest Gaming Enterprise District Map, to be updated every four months in accordance with NRS 463.309 (current edition available for review and/or purchase from the Department of Comprehensive Planning). It should be noted that, while the entire parcel may be depicted as Gaming Enterprise District on the map, only a portion of the parcel may actually be designated Gaming Enterprise District due to separation requirements listed below. A casino (live gaming) may only be established in conjunction with a resort hotel (or rural resort hotel or neighborhood casino). Per Table 30.44-1, resort hotels are only permitted in the H-1 zoning district and subject to the approval of a special use permit. In addition to the standards listed in Table 30.44-1, additional regulations for the establishment and enlargement of the GED are found in this Chapter. (Ord. 3397 § 7 (part), 6/2006; Ord. 3355 § 6 (part), 2/2006)

30.48.260 **Conditions for Enlargement or Establishment.** The gaming enterprise district may be enlarged or established in accordance with the following requirements:

1. **Limitations on Enlargement or Establishment.** Applications to enlarge the GED by expanding an existing development or establishing a new development shall be accepted by the Zoning Administrator only under the following circumstances. Waivers or variances to these requirements shall not be accepted:

   A. The property is within the Las Vegas Boulevard Gaming Corridor, as defined in NRS 463.3076; or

   B. The property is exempted by NRS 463 from the provisions of NRS 463.3086; or

   C. The property is outside the Las Vegas Boulevard Gaming Corridor and is also designated for resort use on the adopted land use plan or is located within one half mile of the right-of-way line for I-15 in the portion of Community District 1 which includes the Las Vegas Boulevard Gaming Corridor. If the property is inside the Bureau of Land Management Disposal Boundary and is not exempted from the provisions of NRS 463, it shall also conform with the following:

      i. Is 1,500 feet from the property upon which any structure, including structures within another political subdivision, used primarily for religious services, or public or private school is located; and

      ii. Is 500 feet from the property line of any residential development, including uses within another political subdivision and a subdivision within which at least one dwelling has been constructed on the date of the application for the enlargement or establishment; or

   D. If the property is located within a major project, the Board may determine at any time whether the establishment should be:

i. Exempted from the minimum acreage and/or separation distance requirements listed in subsection (E) below (must always meet minimum separations listed in subsection (C) above);

ii. Required to disclose to potential buyers of homes within a major project, the intent to have live gaming and to post signs on the property intended to be used for live gaming in the future; and/or

iii. Required to increase the separation distance requirements established in subsection 30.48.230(1)(C) up to those established in subsection 30.48.260(1)(E), from the gaming area to residential uses within the major project area, and/or from residential uses outside of the major project area; or

E. Any other property shall:

i. Be a minimum of 5,000 feet from the property line of any residential, school, or church use;

ii. Not be within the Cooperative Management Agreement boundary (reference Interim Cooperative Management Agreement between the U.S. Department of the Interior, Bureau of Land Management and Clark County dated November 4, 1992);

iii. Contain a minimum of 50 acres;

iv. Have a minimum lot depth of 600 feet; and

v. Have immediate access to freeways/beltways and or future frontage roads via arterial streets or access roads within 1/4 mile of the freeway/beltway on-ramps/off-ramps. (The Board may consider other locations that deviate from this requirement where the location generally meets the intent of this section).

F. Where property is zoned residential, but designated for a non-residential use by a land use plan map, separations shall be considered based on the land use plan designation, and where the land use plan may designate a mixture of residential and non-residential uses, the separation requirements shall be considered based on the area as if it is a residential designation;

G. The requirements of this subsection do not apply to: 1) any application for a gaming enterprise district filed prior to May 1, 2000; 2) any property that was designated by the Board of County Commissioners as a gaming enterprise district prior to May 1, 2000, or 3) any property for which nonrestricted gaming was planned as a part of a major project approved prior to May 1, 2000.

2. Applications.

A. Zoning Base District. All applications to establish or enlarge a GED, as defined and permitted per subsection 1 (above), shall only be accepted for properties located within an existing or proposed H-1 (Limited Resort and Apartment) District.

B. Special Use Permit. All applications to establish or enlarge a GED shall include a special use permit application for a resort hotel and casino in conformance with the requirements established in Table 30.16-4.

C. Pre-submittal Conference. Prior to acceptance of any application for a resort hotel, a pre-submittal conference with the developer (or an authorized representative) and County staff, including staff from other regulatory agencies or jurisdictions, shall be required to discuss proposed plans and review submittal requirements. One pre-submittal conference may be utilized for all related applications (see Chapter 30.16 for submittal requirement details).

3. Preliminary plans for the proposed development should satisfy the following expectations:

   A. Demonstrate conformance to the development expectations, especially for neighborhood casinos.

   B. Provide for an orderly and creative arrangement of land, including pedestrian-oriented urban form.

   C. Provide for harmonious development compatible with surrounding development, pursuant to Section 30.04.020(11).

   D. Minimize impacts upon adjacent roadways, neighborhood traffic, public facilities and other infrastructure.

   E. Protect the general prosperity, health, safety and welfare of the community.

4. Documents required for the land use application pre-submittal conference shall include, but not be limited to, the following:

   A. Site Plans (may be conceptual for pre-submittal only).

   B. Project Description.

   C. Elevations.

   D. Floor Plans.

   E. Preliminary Traffic Impact Analysis.

5. **Support Material.** The applicant shall also concurrently prepare and submit written documentation demonstrating that:

   A. The roads, water, sanitation, utilities and related services to the location are adequate;

   B. The proposed establishment will not unduly impact public services, consumption of natural resources and the quality of life enjoyed by residents of the surrounding neighborhoods;

   C. The proposed establishment will enhance, expand and stabilize employment and the local economy;

   D. The proposed establishment will be located in an area planned or zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive;

   E. The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area;

   F. All traffic impacts can be adequately mitigated. This requirement must be satisfied by the submission of a traffic study meeting the requirements set forth in the Clark County improvement standards adopted per Chapter 30.52 to the Clark County traffic engineer thirty days prior to submitting the application for a zone change.

6. **Public Hearing.** Upon receipt of the documentation required above, the Commission and Board shall hold a public hearing in accordance with the procedures established in Table 30.16-4. A three quarters majority vote of the total membership of the Board (the entire elected or appointed membership of the Board, regardless of whether the entire membership is present at a meeting or not, but does not include members present at a meeting who abstain for ethical reasons) is required to approve an application for such a use;

7. **Decision.**

   A. The proposed use shall not adversely affect any residential development, or any structure used primarily for religious services, or public or private school within two thousand five hundred feet of the property upon which the establishment is located;

   B. Following the public hearing, the Board shall either grant or deny the petition. The Board may grant a petition only if it is determined that the proponents have brought forth adequate evidence to demonstrate that the petition meets the requirements of subsection (5) of this section.

8. **Successive Applications.** The Board shall not consider another petition for reclassification to the H-1 district or enlargement of the gaming enterprise district concerning the same location or any portion thereof for one year after the date of a final denial. (Ord. 3397 § 7 (part), 6/2006; Ord. 3355 § 6 (part), 2/2006; Ord 3296 § 6 (part), 10/2005; Ord. 3106 § 7, 8/2004; (Ord. 2741 § 8 (part), 5/2002; Ord. 2537 § 10, 2001)

30.48.270 Deleted (Ord. 3355 § 6 (part), 2/2006)

PART F Red Rock Design Overlay District

30.48.280 **Purpose.** The Red Rock Design Overlay District is hereby established to impose additional design standards within and adjacent to the Red Rock Canyon National Conservation Area (RRCNCA) to minimize the visual impact of development within the area, to maintain the rural character and cultural heritage of the community, preserve wildlife habitat, and minimize the impacts of additional traffic. (Ord. 2914 § 3 (part), 7/2003)

30.48.290 **Policy Framework and Relevant Plans**. The design components of this overlay district are consistent with the Northwest County Land Use and Development Guide, as adopted by the Board of County Commissioners on October 15, 1996.

30.48.300 **Red Rock Design Overlay District Map**. The Red Rock Design Overlay District, as adopted by the Board of County Commissioners, shall be incorporated into Title 30 and hereinafter referred to as the "Red Rock Design Overlay District Map" in Appendix G, Map 12. (Ord. 2914 § 3 (part), 7/2003)

30.48.310 **Establishment of Overlay District**. This overlay district may be established and/or expanded by the initiation and adoption of an ordinance and map describing the boundaries therein. (Ord. 2914 § 3 (part), 7/2003)

30.48.315 **Density & Intensity Restrictions.** Unless proposed for public facilities, land use applications shall not be accepted for the following:

a. Any request to increase the number of residential dwelling units allowed by the zoning regulations in existence on the effective date of this ordinance unless the increase can be accomplished by the trading of development credits (or similar mechanism) that would allow a greater number of residential dwelling units to be constructed in an area without increasing the overall density of residential dwelling units in that area.

b. Any request to establish a new nonresidential zoning district, except for public facilities.

c. Any request to expand the size of any nonresidential zoning district in existence on the effective date of this ordinance.

d. Exception: The density and intensity restrictions herein described shall not apply to properties located within the following described Sections within Township 22 South, Range 59 East: Sections 13, 14, 15, 16, 21, 22, 23, and 24. (Ord. 2914 § 3 (part), 7/2003)

30.48.320 **Permitted Uses.** The uses listed under the column of the respective underlying zoning districts within Chapter 30.44 and Table 30.44-1 (see also Appendix F, for uses categorized by zoning district) shall establish the uses permitted within the overlay district, subject to the conditions listed and to all administrative and special use permits as shown in the Table. (Ord. 2914 § 3 (part), 7/2003)

30.48.330 **Site Development Standards.**

a. The provisions of this section shall serve as a supplement to the underlying zoning district regulations. Unless otherwise specified in Section 30.56.100 (Design Standards - Hillside & Foothills Development) and in this overlay district, the uses, minimum lot sizes, lot width, yard requirements, lot coverage, and other general development requirements shall be determined by the regulations applicable to the underlying zoning district.

b. In addition to the design standards listed in Section 30.56.100, the following standards shall also apply:

1. The contours of the Blue Diamond Hill form two distinct ridgelines as defined by Map 12 in Appendix G. One faces the Las Vegas Valley urban area, and the other faces Cottonwood Canyon and the Red Rock scenic loop and overlook. To preserve the view sheds from both sides of the hilltop, no development shall be permitted on the eastern side of the east ridge and the western side of the west ridge, nor within an area extending 600 feet down the interior side of each ridgeline. The maximum height of any structure should be lower than the elevation of the ridgelines, and structures along either ridgeline that are visible from the urban area or from Highway 159 are expressly prohibited. Unlighted and unobtrusive overlook facilities such as parking lots, picnic areas, and restrooms may be permitted if approved through a public hearing design review application process.

2. In areas where the land has not been significantly altered through mining and/or where the natural land forms have been preserved, grading shall be kept to a minimum; however, grading may be performed on site in order to provide flood control protections for the site, and such grading may include the construction of channels and/or berms as necessary to develop the site in conformance with Public Works flood control standards. In areas where the land has been altered through mining or other uses, a plan to re-grade the land to create a natural appearance without significant importation of fill materials shall be submitted for any proposed development request. To minimize visual impacts, a building site may be cut below, or filled above, the natural grade to conceal the development from a critical viewpoint, provided that Public Works flood control standards are met.

3. Drainage shall be designed to utilize natural channels unless such a design is impractical based on Public Works flood control standards as determined by the County.

4. Subdivision mapping shall respect the undisturbed landforms such as natural washes and hillsides, and all development shall be designed to follow the natural contours of the land. In areas that have been previously disturbed through grading and/or mining activities, subdivisions shall be designed to avoid the rectilinear designs typical of flat land development.

c. Additional residential or commercial ingress or egress from SR 159 is prohibited within the boundaries of the RRCNCA (which includes the entire area between the James Hardie plant and the detention basin on Charleston Boulevard and SR 159) unless required by the County for emergency access or unless the property is adjacent to SR 159 and provides the only means of legal access. New vehicular access within this area shall be limited to public areas such as trails and recreational facilities. Access from residential development should be controlled, and pedestrian, bicycle, and equestrian access to public lands shall be limited to developed trailheads and parking areas. In addition, no dead end streets or drives are permitted. Fencing suitable for the protection of wildlife (non-hazardous, "wildlife friendly"), as identified by existing Bureau of Land Management standards, shall be provided along all conservation area boundaries.

d. The architectural design regulations established herein apply to all new development. They are intended to exemplify the most appropriate design responses for the area and are not meant to pose absolute design constraints. The architectural criteria listed below establish minimum design standards for buildings within the Red Rock Design Overlay District in order to minimize the impacts of development on adjacent existing communities and environmentally sensitive areas which include, but are not limited to, the town of Blue Diamond, the Calico Basin, and portions of the RRCNCA. As such, the architectural characters or styles permitted within this overlay district shall be consistent with commonly acceptable Southwest architectural designs. The highest quality of architectural design and innovation is encouraged.

1. The architectural components of any development shall complement the texture and color palette found in the existing natural rock mosaic and shall consist of subtle, low reflectance, neutral hues and earth tones.

2. The use of accent colors is a primary element of the various Southwest architectural styles. The following accent colors, usually lighter in color and hue than the building's exterior walls, are acceptable: blues, greens, reds, and yellows.

3. The use of fluorescent or neon colors shall be prohibited as accent colors.

4. Exterior surfaces should harmonize with the natural environment and consist of building materials able to withstand the climatic extremes. The use of stucco is encouraged. Where exterior plaster or stucco is used, the use of a light or medium texture shall also be used.

5. The use of rooflines that reflect the geometries of the nearby hillsides is encouraged.

6. New buildings shall harmonize with existing buildings by incorporating design elements of the adjacent architecture, including the scale and massing of structure; roof and parapet forms; window fenestration patterns; finishes, materials, and colors; site amenities such as walls and landscaping; and traditional or prevailing setbacks and building orientation.

7. The detailing of side and rear elevations shall be consistent with the front elevations.

8. The use of franchise architecture shall not be permitted unless the color palette and texture is consistent with the traditional southwest style.

9. The use of illuminated canopies shall not be permitted.

10. Irrespective of the particular use, any development within the overlay district shall be limited to a height no greater than thirty-five (35) feet. However, when adjacent to residential uses, Section 30.56.070, Table 30.40-4, and Figure 30.56-10 shall apply. This provision shall not be interpreted to prohibit the acceptance of special use permit applications to establish communication towers at heights greater than thirty-five (35) feet as needed for reception or service in compliance with the Federal Telecommunications Act of 1996.

11. If permitted within the historic Bonnie Springs Ranch area, commercial development may deviate from certain design standards to allow for Western architectural features, provided the development is consistent with the existing ranch development. Residential development, however, shall follow the guidelines listed in 30.48.330(d).

e. The following residential site design standards are intended to minimize the impacts of residential development on adjacent existing communities and environmentally sensitive areas, including the town of Blue Diamond, the Calico Basin, and the RRCNCA, and shall apply to all existing vacant lots of two or more acres in size and all new lots of any size.

1. To preserve the intrinsic characteristics of the natural setting, each lot shall contain a building envelope surrounded by a natural area.

   A. The building envelope delineates the maximum area in which any proposed building or structure may be erected and includes fences or walls other than retaining walls, except as permitted by subsection (B)(i) below. The building envelope is predetermined for each lot as specified on the approved subdivision map filed with the County, shall be generally located in the center of the lot, and in no case shall be located closer than 25 feet from the property line or right-of-way.

B. The natural area is the land extending from the boundary of the building envelope to the property line. Because the purpose of the natural area is to buffer adjacent properties and enhance the rural and scenic aspects of the area, it shall remain in, or be restored to, a condition characteristic of the surrounding native geographical features.

i. Retaining walls constructed of man-made materials such as concrete, and solid perimeter walls, fences, and patios are prohibited within the natural area. Property line fences must conform to the following standards:

a. Chain link or coated chain link fence are prohibited; however, tubular metal fencing may be acceptable if augmented at fifty-foot (50') intervals by decorative pilasters that complement the site's architectural features.

b. Fencing materials may include traditional farm fencing (smooth twisted wire mounted on posts) or alternative fencing used for confining domestic animals, provided that all fencing is compatible with the rural character of the immediate area.

ii. Sidewalks and driveways may penetrate the natural area; however, driveway widths and surfaces should be minimized.

iii. No entrance feature shall exceed a maximum height of 48 inches, and entry arches or portals are prohibited.

iv. Only native species (see list in Appendix C - Plant List, Part 9) shall be planted in the natural area, and a list of native species shall be filed as part of the mapping process *(Note: turf is not a native species within this overlay district).*

2. Because the Red Rock Design Overlay District contains a significant amount of hillside topography, development may be clustered at a specific location on the site to preserve open space and minimize infrastructure costs. Clustered development shall only be considered in conjunction with an approved major project (see Chapter 30.20) and may only be permitted within a specific development and then only if the overall density distribution results in a project site plan consistent with the goals and policies of the overlay district. Moreover, the maximum number of units allowed for a specific site shall be limited to that required by the underlying zoning classification.

3. Because the appearance of rooflines and materials will have a significant visual impact on the area, traditional southwest roofs, either flat or hipped, are preferred. Mansard, steeply pitched, or Dutch hipped roofs are not appropriate. Roofing materials shall be non-reflective and display soft earth tones. Roofs made of wood, barrel tile, or red tile (mission style) are not permitted.

4. Walls or fences, required or otherwise, must be designed to complement the architecture, must match the exterior materials of the primary structure on site, and shall be limited to a maximum height of six (6) feet. Retaining walls within the building envelope must also complement the architecture and are limited to a maximum height of four (4) feet. Chain link or coated chain link fence are prohibited; however, tubular metal fencing may be acceptable if augmented at 50 foot intervals by decorative pilasters that complement the architecture. Fencing materials within the Blue Diamond and Calico Basin areas (where a variety of fences already exist) may include traditional farm fencing (smooth twisted wire mounted on posts) or alternative fencing similar to that used for confining domestic animals, provided that all fencing is compatible with the rural character of the immediate area. (Ord. 3209 § 7, 3/2005; Ord. 2914 § 3 (part), 7/2003)

30.48.340 **Landscaping, Buffering, and Screening.** The intent of this section is to require the integration of all landscape improvements with the overall project site requirements and with particular sensitivity to the natural topography and existing or indigenous vegetation. All plant materials shall be used to enhance the existing area, particularly as viewed from an adjacent right-of-way, and to mitigate developmental impacts on major washes, slopes, and any other sensitive environmental features. The introduction of non-native or competitive species that could threaten the native flora within this environmentally sensitive area is prohibited. The following standards shall be used:

1. Plant materials shall be selected to blend in form, texture, and scale with the design scheme proposed for the site.

2. Plant materials shall be used as accent elements at entry ways to provide a definite sense of arrival to the proposed development.

3. In order to design a landscape theme in character with the desert environment, xeriscape landscaping only shall be used for non-residential developments within the overlay district.

4. All non-residential off-street parking areas must be screened from all rights-of-way, including but not limited to State Highways 159 (Blue Diamond Road) and 160 (Pahrump Highway), by low walls and/or fences no greater than three (3) feet in height, or by continuous dense vegetation or by a combination wall/fence, vegetation, or berm.

5. All development must provide a homogenous landscape design of appropriate character using plants similar in form and scale to the existing vegetation in the area. Additionally, non-residential development must also provide accent plants at entryways, changes in direction, and intersections of roads; trees clustered at plaza areas or other public gathering places; and clear identification of public, semi-public, and private areas using harmonious design elements such as varying elevations, low walls, fences, landscaping, lighting, color, and changes in paving texture to create distinctions between different land use areas .

6. Each natural area, as defined in Section 30.48.330(e), shall only contain species indigenous to the native desert and/or mountain elevation and climate zone in which it exists except that development in the lower desert elevations may incorporate more water consumptive species if deemed appropriate to the area. Private areas within the building envelope may also contain naturalized species in addition to native species provided that the vegetation does not exceed 25 feet in height at maturity. Palm trees are prohibited. See also 30.48.330(e)(1)(B). (Ord. 2914 § 3 (part), 7/2003)

30.48.350 **Signage and Gateway Community Features**. This section is intended to provide for a cohesive and unified sign program for the overlay district. The following provisions shall apply:

1. All sign designs shall conform to established color guidelines of this section and complement the architecture of the site.

2. Signs shall be limited to monument, placard type, and building mounted (wall) signs.

3. All monument signs shall have a design that is consistent with the architecture of the building.

4. Off-premise (billboard) signs, temporary, free standing, revolving, blinking, and parapet signs shall be prohibited.

5. No exposed neon is permitted for signs or buildings.

6. All signs shall be integrated with and complement the site plan and architecture.

7. Building mounted signs shall be limited to a maximum ten (10) percent of the wall surface on which applied. One wall sign is permitted per building.

8. In order to give the Gateway Corridor an aesthetic visual coherence and enhance the pedestrian environment, the following shall apply:

   A. Combine landscaping, street furniture, public information signs, utilities and street lighting to eliminate visual clutter and to free sidewalk areas of impediments.

   B. Any form of public art, especially smaller scale exhibits that can be appreciated at close range by pedestrians, may be incorporated in the overall design of the site plan.

   C. The composition of any art work shall be constructed of permanent type of materials in order to be durable against vandalism, theft, weather, and in order to require a low level of maintenance.

   D. Any art work shall be related in terms of scale, material, form, and content to adjacent buildings and landscape so that it complements the site and surrounding environment.

   E. Any artwork shall complement and conform to the architectural and color guidelines set forth in this section.

   F. Any public art shall not be used as a sign directly related to the business or be used as advertisement.

   G. Public art shall be located in roadway intersection areas outside of established sight zones where possible. (Ord. 2914 § 3 (part), 7/2003)

30.48.360 **Site Lighting**. Development within the Red Rock Design Overlay District shall be limited to lighting that is functional, safe, aesthetically pleasing, and unobtrusive. The guidelines listed below establish clear, objective, and quantifiable standards for lighting that adequately serves a site while minimizing negative impacts on surrounding properties. Whenever a specific measurement is required under these provisions, it shall be incumbent upon the applicant to demonstrate, through a letter from a licensed engineer of the State of Nevada, that the standard has been met. The following standards shall be used:

1. Lighting standards and fixtures shall not cause abrupt visual transitions and shall gradually define land use transitions.

2. Accent lighting of plant materials, buildings, and signage, and lighting for walkways, driveways, and other security and safety related lighting shall be achieved with hidden light sources. These typically include: surface mounted fixtures; lamps recessed in building soffits, overhangs, and walls; lamps recessed in the ground; and lamps hidden by plant materials.

3. Accent lighting is permitted; however, surface lighting is limited to an average of two (2) foot-candle measured four (4) feet from the surface level of any point on the building surface being lighted.

4. Exterior fixtures (luminaries) mounted on buildings shall be no higher than the line of the first story eave, or fourteen (14) feet above finished grade, whichever is lower.

5. Floodlights, spotlights, or any other similar lighting shall not be used to illuminate buildings or other site features unless approved as an integral architectural element on the development plan.

6. On-site lighting may be used to accent architectural elements but not used to illuminate entire facades of buildings or signs.

7. Exterior lighting should be architecturally integrated with the building style, material, and colors.

8. Exterior fixtures shall be oriented to focus light inward from the edge of the property to minimize light spillage into neighboring residential areas.

9. Parking lot fixtures shall be cut-off fixtures, designed and positioned to cast adequate light for safety and security but adjusted to eliminate encroachment on neighboring properties.

10. Light sources shall be limited to a maximum off-site luminance not to exceed 0.5 foot-candles of illumination beyond the property containing the light source.

11. Luminaries must be completely shielded to prevent obtrusive light trespass on adjoining properties.

12. Average light levels shall be limited to two (2) foot-candle with maximum levels limited to sixteen (16) foot-candle as measured from four (4) feet above the surface level of any point on the site.

13. All outdoor light fixtures installed and maintained on commercial developments or under the provisions of a special development shall remain off during non-business hours except for accent lighting permitted under subsection (2) above.

14. Streetlights shall have a sharp cutoff angle (no cobra heads) and shall not exceed a maximum height of 35 feet. (Ord. 2914 § 3 (part), 7/2003)

30.48.370 **Lighting Exemptions.** The lighting provisions set forth in this section shall not apply to seasonal lighting that is part of customary holiday decorations or annual civic events, or municipal lighting installed for the benefit of public health, safety, and welfare. (Ord. 2914 § 3 (part), 7/2003)

30.48.380 **Landscape, Lighting, and Signage Plans.** Any proposed development requiring a site plan or subdivision plan shall include, as a part of the site plan and subdivision plan submission, a detailed landscape, lighting, and signage plan. These plans shall address and conform to all provisions set forth under this section. (Ord. 2914 § 3 (part), 7/2003)

30.48.390 **Deviations or Waivers of Standards**. The site development standards cannot be waived or varied except as permitted within this Part. (Ord. 2914 § 3 (part), 7/2003)

30.48.400 **Non-conforming Lighting.** Except for residential development and unless otherwise specified within this section, within two (2) years of October 31, 2001, all outdoor lighting fixtures that do not conform to the requirements of this Overlay District must be replaced with conforming fixtures, or existing fixtures must be retrofitted to comply. Until that time, all existing outdoor lighting fixtures shall be considered legal nonconforming fixtures, provided that the existing fixtures may not be expanded or increased in a manner which would result in greater non-conformity. (Ord. 2914 § 3 (part), 7/2003; Ord. 2674 § 2, 2001)

PART G TRANSITION CORRIDOR OVERLAY

30.48.420 **Purpose.** The Transition Corridor Overlay is intended to augment and/or complement the regulations and standards established for non-residential development through the application of special design standards required for specific area locations in transition from residential to non-residential uses. The regulations enumerated in this section are designed to preserve existing single family residential buildings for non-residential reuse where traffic patterns and the characteristics of existing structures no longer encourage a single-family environment. The regulations are also intended to allow for a smooth transition between viable residential districts and major streets while maintaining an aesthetic visual character reflecting the historic pattern of development within specific area locations. (Ord. 2832 § 5 (part), 12/2002)

30.48.430 **Policy Framework and Relevant Plans.** The design standards and land use regulations established for the Transition Corridor Overlay shall be consistent with the Comprehensive Plan. (Ord. 2832 § 5 (part), 12/2002)

30.48.440 **Establishment, Expansion, or Amendment of the Transition Corridor Overlay.** The Transition Corridor Overlay may be established, expanded, or amended by the initiation of a text amendment and/or ordinance in accordance with the provisions of Table 30.16-2. A specific area location may thereby be amended, included in, or removed from, the Transition Corridor Overlay. (Ord. 2832 § 5 (part), 12/2002)

30.48.450 **Permitted Uses.** Non-residential development within the Transition Corridor Overlay should be limited to only the CRT and C-P Districts unless an adopted land use plan permits a more intense district or unless a use may be obtained by special use permit and the proposed use will not generate more traffic than general office uses. The uses established for the underlying zoning districts (see Chapter 30.44 and Table 30.44-1) shall also establish the uses permitted with the Transition Corridor Overlay unless otherwise restricted elsewhere in this Section. (Ord. 2832 § 5 (part), 12/2002)

30.48.460 **Site Development and Design Standards.** Development of vacant lots or redevelopment of existing sites and/or structures, including residential conversions or reconstructions of demolished dwellings, should closely resemble the scale and architectural character of neighboring residential development and promote uses and site conditions which are compatible with adjacent residential and non-residential uses (also see Table 30.56-2 for additional design standards).

For all properties within the Transition Corridor Overlay, the following standards shall apply:

1. Unless remodeling an existing two-story dwelling, non-residential development shall be limited to a maximum height of 21 feet, including architectural intrusions.

2. The existing height of all buildings shall be retained, with no future additions to the overall height except for architectural intrusions permitted up to three feet (3'); however, such additions shall not result in an overall height that exceeds 21 feet.

3. The existing facade shall be retained or, if remodeled, conform to the general and/or predominant residential architecture of the surrounding area (including such elements as roofing materials, design and pitch, architectural design features, and color schemes).

4. When feasible, driveways shall be combined with adjacent lots through the recording of perpetual cross access, ingress/egress, and/or parking agreements.

5. Except for new construction, no increase in curb cuts shall be permitted on any arterial street, and curb return driveways are preferred.

6. When feasible, conversions shall be made on an assemblage of lots.

7. No balconies shall overlook adjacent residential uses, and all rear and side second-story windows of non-residential buildings shall be opaque (see Table 30.56-2).

30.48.470 **Russell Road Corridor –** ***Eastern Avenue to Mountain Vista Street.*** Due to the residential character of the neighborhood, and in addition to the general regulations and standards listed elsewhere in this Title, special development standards are hereby established for non-residential development adjacent to or within two hundred feet from back of curb on Russell Road, from Eastern Avenue to Mountain Vista Street as follows:

1. "Intense landscape buffer" per Figure 30.64-12 is required adjacent to residential uses.

2. For new construction only, parking shall be located at the sides or rear of buildings and shall be gated and secured after non-business hours.

3. For property four or more acres in size located on the corner of two arterial streets, the Board may consider with a public hearing a maximum 35 foot high building with a 3:1 height setback ratio from residential uses and a 1:3 height setback ratio from the street frontage. (Ord. 2832 § 5 (part), 12/2002)

30.48.480 **Desert Inn Road Corridor –** ***Buffalo Drive to Decatur Boulevard.*** Due to the residential character of the neighborhood, and in addition to the general regulations and standards listed elsewhere in this Title, special development standards are hereby established for non-residential development adjacent to or within 300 feet from back of curb on Desert Inn Road between Buffalo Drive and Decatur Boulevard.

Unless otherwise noted, the following standards shall not be waived or varied:

A. To the extent that they are applicable, the following factors shall be satisfied before an application for a non-residential use is accepted:

1. Sole legal front access to the property (both ingress and egress) must be from Desert Inn Road. Property whose primary or ancillary access is from a cul-de-sac off Desert Inn Road, or from a side street that intersects Desert Inn Road, or from a cul-de-sac off a side street that intersects Desert Inn Road, shall not be considered unless the side street in question is a section line street.

2. The fronts of existing residential structures must face Desert Inn Road. Property within a walled community whose rear or side faces Desert Inn Road shall not be considered.

B. If the factors in Subsections A and B above are met, the following standards shall be satisfied:

1. Non-residential development shall be limited to the CRT. Uses that generate more traffic than general office uses shall not be permitted.

2. When lots or parcels of land extend beyond the three hundred foot (300') overlay boundary, those portions beyond the boundary shall remain residential property and be developed as a residential use simultaneously with the non-residential use and in accordance with the surrounding residential zoning requirements.

3. All new construction shall utilize tile or concrete roofs and stucco or masonry exteriors.

4. Landscaping, setbacks, and buffering shall consider and accommodate existing conditions, lot sizes, and dimensions.

5. Waivers to reduce the required setbacks for new construction and/or conversions to non-residential use that are contiguous to existing residential development are not permitted. Alternative building setbacks may only be considered for property that is not contiguous to existing residential development.

6. Landscape buffers shall be required when adjacent to residential development, shall be a minimum width of ten feet (10') on the property's side boundary and twenty feet (20') on the property's rear boundary, and shall consist of mature trees planted a maximum fifteen feet (15') apart on center and standing a minimum ten feet (10') high after planting. Plant materials and placement shall maximize any space limitations when adjacent to residential development. When not contiguous to existing residential development, alternative landscape setbacks may be considered.

7. Unless otherwise approved, any wall between residential and non-residential property shall be decorative and maintain a minimum height of six (6) feet on the non-residential property side.

8. When contiguous to existing residential development, new construction and/or residential development converting to non-residential use shall provide parking in the front and/or side yard at a minimum ten foot (10') setback from existing residential development. When not contiguous to existing residential development, alternative parking setbacks may be considered.

9. Parking per Code requirements must be provided on site.

10. All driveways and parking areas for residential development converting to non-residential use shall be consistent with existing surface materials or shall be concrete.

11. Parking areas adjacent to Desert Inn Road shall be screened by landscaping that utilizes three-foot high berms and/or landscape hedges, and/or three foot (3') high decorative walls unless existing walls screen the parking areas.

12. Only monument signs shall be permitted, shall be subject to a design review, have a horizontal presentation, be limited to a maximum height of seven (7) feet, and incorporate architectural elements that preserve the residential character of the neighborhood.

13. Neon lights, beacons, flashing lights, message boards, or animated signs of any kind shall not be permitted.

14. On-site light poles shall be limited to a maximum height of ten feet (10') and shall be decorative.

15. Any required traffic analysis must demonstrate that all queuing and staging are performed on site.

16. Non-residential driveway egress shall be limited to right turns only.

17. A public hearing design review shall be required for all changes, including signs. (Ord. 2832 § 5 (part), 12/2002)

PART H ADULT USE OVERLAY

30.48.500 Purpose.

a. The Adult Use Overlay is intended to augment and/or complement the regulations and standards established for adult uses in unincorporated Clark County. The regulations delineated in this Section are designed to establish safe and appropriate locations for adult uses, to minimize the possible adverse effects of adult uses on nearby public and private property, and to protect existing communities from incompatible uses.

b. **Scope.** Adult uses shall be considered a principal use rather than an accessory use, shall be limited to the Adult Use Overlay District as described in Section 30.48.530 and as shown on Map #13 in Appendix G, and shall demonstrate minimal adverse impact on nearby private and public property.

c. **Waivers and Variances.** The standards and requirements specified in Chapter 30.48 Part H shall not be waived or varied except as permitted within this Part.

30.48.510 Adult Use Overlay District Map. The Adult Use Overlay District, as adopted by the Board of County Commissioners, shall be incorporated into the Official Zoning Map, hereinafter referred to as the "Adult Use Overlay" in Appendix G, Map 13.

30.48.520 Establishment, Expansion, or Amendment of the Adult Use Overlay. The Adult Use Overlay may be established, expanded, or amended by the initiation of a text amendment and/or ordinance in accordance with the provisions of Table 30.16-2. A specific area location may thereby be amended, included in, or removed from, the Adult Use Overlay.

30.48.530 Permitted Locations. Adult uses shall only be permitted on M-1 zoned property within the area specified as the Adult Use Overlay District whose boundaries are as follows:

South Boundary:	a line 660' north of Sunset Road extending from I-15 to Arville Street
West Boundary:	Arville Street from a line 660' north of Sunset Road to Tompkins Avenue; then east along Tompkins Avenue to Wynn Road; then north along Wynn Road to Harmon Avenue; then east along Harmon Avenue to Valley View Boulevard; then north along Valley View Boulevard to the Desert Inn Arterial; then east along the Desert Inn Arterial to I-15; then north along I-15 to the City of Las Vegas/Clark County boundary; then east and south along the City of Las Vegas/Clark County boundary to the Union Pacific Railroad tracks (UPRR); then north along the UPRR to Sahara Avenue
North Boundary:	Sahara Avenue from the UPRR to Industrial Road
East Boundary:	Industrial Road from Sahara Avenue to I-15; then south along I-15 to a line 660' north of Sunset Road

30.48.540 Permitted Uses. The uses listed under "Adult Use" in Chapter 30.08, along with the conditions stipulated for each use in Chapter 30.44, Table 30.44-1, shall establish the adult uses permitted within the Adult Use Overlay District. No adult use shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to specified sexual activities or specified anatomical areas from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window, or other opening.

30.48.550 **Separations.** Except as otherwise provided, separations shall be measured radially in all directions from the adult use property line to the nearest property line of the uses described below. Where the proposed use is within 500 feet of the required separation, the applicant shall provide evidence, certified by a professional land surveyor licensed in the State of Nevada, that demonstrates conformity with the separation requirements listed below. Separation requirements shall be satisfied as of the date the application is filed.

A. 1,500 foot minimum separation from any residential use, public library, public park, day care facility for children, major school, or place of worship. An exception is permitted only for day care facilities established after an adult use was established and which serve the employees of the adult use.

B. 1,000 foot minimum separation from another existing adult use except that the 1,000 foot separation shall be measured from the building or suite of each adult use when located on the same parcel.

C. 660 foot minimum separation from any mixed use or mixed development. (Ord. 3055 § 5, 4/2004)

30.48.560 **Site Development and Design Standards.** Development of lots or the redevelopment of existing sites and/or structures should promote site conditions which are compatible with adjacent uses and structures. In addition to the site development standards required of the underlying zoning district per Chapters 30.40 and 30.56, the following development and/or design standards shall also be required for any adult use within the overlay:

A. Adult uses shall only be approved within an existing or approved building upon which construction has commenced.

B. Industrial buildings proposed for adult uses shall be constructed (or reconstructed if existing) in conformance with the aesthetic standards required for commercial buildings per Table 30.56-2.

C. All required parking shall be located on the parcel approved for the adult use.

30.48.570 **Signs.** On-premise signs within the Adult Use Overlay must comply with the sign provisions of Chapter 30.72. Signs for adult uses shall not contain any emphasis, either by wording, picture or otherwise, on matter related to sexual activities and/or anatomical areas as defined in Chapter 30.08 (see also 30.48.540). (Ord. 2899 § 5 (part), 5/2003)

PART I COOPERATIVE MANAGEMENT AGREEMENT (CMA) AREA DESIGN OVERLAY DISTRICT - *SPRING VALLEY AND ENTERPRISE*

30.48.600 **Purpose.** The Cooperative Management Agreement (CMA) Design Overlay District for the Spring Valley and Enterprise planning areas is hereby established to impose, and thereby encourage and promote, a high level of quality developments that will produce a stable environment in harmony with existing and future development and protect the use and enjoyment of neighboring properties. Compliance with the standards and provisions of this Section is intended to ensure development that will:

a. Assist in providing and fostering a positive physical image and identity for non-residential developments.

b. Promote and ensure high quality non-residential developments.

c. Ensure a cohesive and unified streetscape and thereby enhance the visual environment along rights-of-way of commercial and industrial development.

d. Assist in further implementing the goals and policies recommended in the Enterprise and Spring Valley Land Use Plans (as amended) and the Clark County Comprehensive Plan.

e. Stimulate investment and strengthen the economic vitality and stability of this area.

f. Protect and enhance property values.

g. Maintain and enhance the quality of life for residents of this community and elsewhere that traverse this community every day.

30.48.610 **Policy Framework and Relevant Plans.** The design components of the CMA Area Overlay District are consistent with the Enterprise and Spring Valley Land Use Plans, as amended, and the Clark County Comprehensive Plan.

30.48.620 **Cooperative Management Agreement (CMA) Area Overlay District Map.** The Cooperative Management Agreement Area Overlay District Map, as adopted by the Board of County Commissioners, shall be incorporated into Title 30 and hereinafter referred to as the "CMA Area Overlay District Map" in Appendix G, Map #14.

30.48.630 **Establishment of Overlay District.** This overlay district may be established and/or expanded by the initiation and adoption of an ordinance and map describing the boundaries herein.

30.48.640 **Site and Design Development Standards.** The provisions of this Section shall serve as a supplement to the underlying zoning district regulations. Unless otherwise specified in Section 30.56.100 (Design Standards – Hillside & Foothills Development) and in this overlay district, the uses, minimum lot sizes, lot width, setback requirements, lot coverage, and other general development requirements shall be determined by the regulations applicable to the underlying zoning district.

a. Scope.

1. The development standards and guidelines established apply to all new non-residential development. The provisions for buffering between incompatible uses shall apply to the project site (nonconforming development), whether residential or non-residential, and include residential developments developing in areas planned for non-residential land uses.

2. The standards exemplify the most appropriate design responses for non-residential developments and do not pose absolute design constraints or eliminate design freedom. Additionally, they are intended to promote innovative design, eliminate elements of poor design, and ultimately ensure high quality developments consistent with the overall purpose of the overlay district.

b. **Site Design and Orientation.** This Section relates to the arrangement and functional relationships of buildings, areas allocated to pedestrian and vehicular spaces, landscape, and other ancillary uses. The standards require clear orientation and access for pedestrian and vehicular traffic and promote enhanced streetscapes when visible from public streets and nearby properties.

1. Adjacent non-residential developments shall provide for shared access through the recordation of a perpetual cross access easement with adjacent lots. The intent of this provision is to minimize access points along arterial rights-of-way; thereby, reducing traffic congestion. This provision shall be applied to non-residential land uses that are of similar type uses (complementary uses), with consistent levels of intensity and therefore having similar parking requirements and shall be depicted on the site development plan.

2. Where pedestrian circulation crosses vehicular routes, a change in grade, materials, texture, color, or other form of enhanced paving shall be provided to emphasize the conflict point and improve its visibility and safety.

3. Varying building and parking lot setbacks to enhance visual interest along the streetscape and allow for adequate visual buffering and screening are strongly encouraged.

4. Office and retail commercial developments shall orient some buildings closer to perimeter streets or the street frontage (freestanding pad sites) in order to screen parking in the interior of the site, provide for strong pedestrian connections to the freestanding buildings, and provide for visual relief along the street. A minimum of ten percent of the total property frontage (primary street frontage only) shall be occupied by buildings and they shall be located at the building setback line or within 100 feet of the front property line.

5. No outside storage, as defined in Section 30.08, shall be permitted within 660 feet of the right-of-way of the Las Vegas Beltway unless completely screened with a masonry wall and additional landscaping consistent with other provisions in this Section and Title 30.

6. All outside storage areas, loading areas with roll-up, overhead doors, and areas intended for large semi-truck parking shall be located in the rear of the complex in a service yard unless adequate screening is provided consistent with this section, and no outside storage areas shall be located immediately adjacent to a residential use or public right-of-way.

30.48.650 **Architectural Standards and Guidelines.** The following design standards, guidelines, and enhancements are established to create a sense of architectural consistency throughout the overlay district, ensure high quality architectural design, and avoid large monolithic, box-like building shapes.

1. The colors of buildings and any corresponding façade surfaces shall consist of the predominantly subdued intensity of tones of the surrounding landscape. Additionally, color shades shall be used to unify and integrate the overall development project, including but not limited to features such as roll-up, overhead doors.

2. Any new proposed buildings shall serve as an orderly transition in scale to existing buildings on adjacent properties and in the immediate area. Building heights for non-residential developments,

when adjacent to a residential use or along a street, shall have an appropriate transition or step-down of building scale to reduce and mitigate any potential adverse impacts. Therefore, Section 30.56.070, Tables 30.40-4, 30.40-5, and Figure 30.56-10 shall apply.

3. The façade design of buildings situated in a shopping or office center that are oriented towards the public street (freestanding pad sites) shall include pedestrian scale architectural elements or details at the first floor level that may include, but are not limited to, enhanced window fenestration, cornices, projections, colonnades, and recesses. Additionally, all elevations, either visible from the interior of the center, contiguous residential uses, and/or public rights-of-way shall have the same architectural detailing and enhancements as the principal elevation façade.

4. Freestanding buildings (pad sites) or any accessory structures (e.g., security kiosks, maintenance buildings, etc.) shall have architectural detailing and design elements consistent with the primary buildings of the development complex to provide a cohesive project site.

5. In multi-building complexes, a comprehensive architectural concept shall be implemented through the use of unifying site components, including but not limited to similar design, materials, and colors.

6. All non-residential buildings that are visible from any public right-of-way, especially buildings that are situated parallel to a right-of-way or contiguous to a residential use, shall minimize the visual impact of large, uninterrupted, austere facades with the use of architectural features such as, but not limited to, windows and variations in color, texture, and material. A building façade shall not be longer than 100 horizontal feet and/or two stories in height; otherwise Table 30.56-2 (2) shall apply. Other innovative techniques or design solutions proposed by the applicant may be considered in determining compliance with this standard.

7. Roofline variations shall be incorporated to provide architectural character for all non-residential developments. Horizontal roof lines longer than 100 feet shall be broken up by providing articulations in the façade, changing the height of roof portions, or by adding elements such as, but not limited to, towers or domes.

8. Roof styles for multi-building complexes shall be compatible and consistent with roof designs for the entire complex.

9. Large manufacturing and industrial buildings shall have decorative roof elements (e.g., projecting cornices, etc.) to enhance roof edges.

30.48.660 **Perimeter Buffering, Landscape, and Screening.** This Section primarily addresses perimeter and street landscape areas and establishes standards to provide visual streetscape aesthetics, enhanced privacy, and noise reduction. Minimum buffer widths required herein may be reduced when unique site constraints necessitate such a reduction. However, any reduction shall be offset by wider buffer widths in non-constrained areas, and the average buffer width shall comply with the minimum width requirement. The following standards shall apply:

1. All new soundwalls, masonry walls, or fences 50 feet in length or longer and 3 feet in height or taller, shall be decorative and designed to visually minimize the stark appearance of a monotonous block wall face by incorporating variations in surface planes (landscape pockets), height, material, or texture.

2. Drive-thru facilities and stacking lanes, when contiguous to any public right-of-way, residential use, or pedestrian gathering area shall be obscured from view by an intense landscape buffer consistent with Figure 30.64-12.

3. The perimeter of all building footprints visible from a right-of-way or a residential use shall have a landscape area between the building and parking area consisting of a raised concrete sidewalk and/or landscape area whose total combined width averages no less than three (3) feet. In no instance shall pavement for parking aisles or spaces directly abut the building footprint.

4. For large parking areas of 100 spaces or more, the parking areas shall be designed in a series of smaller, connected parking courts or lots that are dispersed throughout the site. Where this cannot be achieved, proper screening from any public right-of-way of the large expanses of unrelieved pavement or asphalt areas shall be accomplished with a combination of landscaping, berm, and/or decorative low profile masonry wall ranging in height from up to 36 inches. Generally, any berm used alone or in combination with a low profile wall should not exceed one foot of rise for every three feet of linear distance and must be self stabilizing.

5. All outside storage areas, loading areas with roll-up, overhead doors, service areas, and areas intended for large semi-truck parking shall be completely screened from any public street and residential use as follows:

   i. Landscaping and screening shall be installed prior to the development (any phase) of such areas to obscure their view from public streets or residential use.

   ii. A minimum 6 foot high decorative masonry wall is required unless the area will be visible from an arterial or collector right-of-way, a residential use, or the Las Vegas Beltway, and then a 6 foot high masonry wall and landscape combination shall be required to soften the appearance.

   iii. An exception to the 6 foot high masonry wall may be made for loading and service areas with roll-up, overhead doors; however, when visible from any public street or residential use, they must be completely and visually obscured from view.

6. The use of chain link fencing shall not be used along the Las Vegas Beltway, or along an arterial or collector street frontage, or where visible from a residential use.

7. Sites that are adjacent to the Las Vegas Beltway frontage roads shall provide a 15-foot minimum landscape area along the street frontage with medium trees (24-inch box) per 30.64.030(k) and shrubs to provide a 50 % coverage of the landscape area.

8. Sites along collector and arterial streets shall provide a minimum of 15 feet of landscape area with a detached sidewalk along the street frontage with medium trees, 24 inch box in size, with shrubs to cover 50 percent of the landscape area. An attached sidewalk may be provided when additional right-of-way is granted for the purpose of required bus turn-outs.

9. Non-residential development that is adjacent to a residential use shall provide a minimum 10 foot wide intense landscape area consistent with Figure 30.64-12.

30.48.670 **Site Lighting.** This Section establishes standards for non-residential lighting within the overlay district.

a. **Scope.** All lighting shall be designed to integrate the overall development character and shall:

   1. Be architecturally integrated with the character of on-site structures.

   2. Be unobtrusive to adjacent properties and public rights-of-way.

   3. Be energy efficient and shielded so that all glare is confined within the boundaries of the site.

   4. Be appropriate in height, intensity, and scale to the site it is serving.

b. Lighting Design. The following standards shall apply:

1. All lighting fixtures on a project site shall be from the same family of fixtures with respect to design, materials, finish, color, and color of light and shall complement the architectural theme and materials established by the primary buildings.

2. Any light source shall be shielded to direct light rays onto the subject parcel only and shall not be visible from adjacent properties or the public right-of-way.

   i. Any exterior accent lighting of landscaping and buildings shall be achieved with hidden light sources which typically include, but are not limited to, surface mounted fixtures and lamps recessed in building soffits, overhangs, walls, or the ground.

   ii. Only "full-cutoff" fixtures (light lens not visible) may be used adjacent to a residential use to avoid glare and up-light.

3. Exterior fixtures (luminaries) mounted on buildings shall be no higher than the line of the first story eave, or 14 feet above finished grade, whichever is lower.

4. Freestanding light poles shall be no higher than 14 feet above the finished grade if located within 50 feet of a residential use.

5. Floodlights, spotlights, or any other similar lighting shall not be permitted to illuminate buildings visible from a public right-of-way or residential use.

6. Building illumination and architectural lighting should be indirect in character and should respect and reinforce the architectural treatment of the building. Exposed neon may be permitted as accent lighting, provided the maximum amount used does not exceed 1.5 times the linear distance of the building.

7. Lighting in large surface areas (parking lots) should use a larger number of lower, pole mounted fixtures rather than fewer, taller fixtures.

8. Service area lighting should be contained within the service yard boundaries and enclosure walls. No light spillover should occur outside the service area.

9. Off-site luminance shall not exceed 0.5 foot-candles of illumination beyond the property containing the light source if contiguous to a residential use.

10. Off-site luminance shall not exceed 1.0 foot-candles of illumination beyond the property containing the light source if contiguous to a non-residential use.

30.48.680 Signage. This Section establishes minimum standards to promote and ensure a cohesive and unified on-premise identification program within the overlay district. Unless otherwise specified in this Section, all signage within the overlay district shall comply with the definitions and regulations for signs in Chapters 30.08, 30.72, and 30.76.

a. Scope. These sign standards are established to:

1. Encourage creative and well designed signage that contributes to a positive visual environment and helps in developing a distinctive image for the CMA area within the unincorporated towns of Spring Valley and Enterprise;

2. Enhance overall property values, community character, and the visual environment within the Town's of Spring Valley and Enterprise by discouraging signs which contribute to the visual clutter of the streetscape;

3. Encourage signage that is responsive to the aesthetics and character of their particular geographic location, adjacent buildings and uses, and surrounding neighborhood. Signs should be compatible and consistent with the building's architectural design and with other signage on-site;

4. Integrate the design of individual signs for a development project with the design of the structures, into a unified architectural program;

5. Ensure that signage enhances the overall development, be in harmony with, and relate visually to other signs in the immediate area, structures or developments they identify, and to surrounding developments;

6. Ensure that lighting of signage is considered as an integral element in a projects overall design;

7. Provide for flexibility in the review process.

8. Provide for fair and uniform application of sign regulations to all sign users; and

9. Implement and promote the goals and policies of the Enterprise and Spring Valley Land Use Plans.

b. **Permitted and Prohibited Signs.** All on-premise sign types permitted by Chapter 30.72 shall be permitted within the overlay district except for the following, which shall be prohibited: animated signs, banner signs, pennant signs, and revolving signs. The following additional requirements shall apply to on-premise signs permitted within the overlay district:

1. Service station "pricing signs" shall clearly be secondary in terms of placement and size to the primary sign display.

2. Monopole signs must provide a pole cover at a minimum width of 20% of the sign width.

c. **Sign Standards.**

1. **Maximum Height.**

A. Las Vegas Beltway (I-215) oriented – 28 feet, provided the property has at least one property line adjacent to the Beltway right-of-way.

B. All others – 20 feet (consistent with a one story building height).

2. **Maximum Number of Signs and Sign Area.** Unless otherwise specified in this Section, the maximum square footage per sign area and maximum number of signs permitted shall comply with the requirements established in Chapter 30.72, except for the following:

   A. One freestanding sign per 300 linear feet of street frontage; and

   B. One monument sign per pad site, whether or not the pad site is along a street frontage.

3. **Sign Compatibility with Buildings and Adjacent Uses.**

   A. All freestanding signage shall be constructed of materials and design that are architecturally related, compatible with, and complementary to the principal buildings (at least one of the predominant visual elements).

      i. External bracing treatment per 30.72.040(1) shall apply.

      ii. Sign colors shall complement the colors used on buildings and structures within the entire development.

   B. The scale of signs should be appropriate for the building on-site. The size and shape of a sign should be proportionate with the scale of the structure.

   C. Signs shall be designed and located so that they have little or no impact on adjacent uses.

   D. Wall signs that are oriented towards a major street or the Las Vegas Beltway should be placed to complement building scale and proportion and enhance the architectural flow of established facade features.

   E. Where there is more than one sign on a site, all signs shall be complementary to each other in the following manner:

      i. Shape of total sign and related components; and

      ii. Type of construction materials.

d. Sign Lighting.

1. Any exterior light source shall be completely shielded and directed solely on the sign (direct light source) and not upon any other object or adjacent properties.

2. Any primary source of light for a sign, whether internal or external, shall not be visible from adjacent parcels or rights-of-way.

3. Signage shall not have blinking, flashing, or fluttering lights, or other illuminating device that has a changing light intensity, brightness, or color.

4. No lamps or reflective type bulbs shall be used on the exterior surface of a sign so that the face of the bulb or lamp is visible from a right-of-way or adjacent parcel.

5. Neon is permitted only as accent lighting and shall not exceed a total linear amount of 25% of a sign's area, excluding letters.

e. **Comprehensive Sign Plan.** Any proposed development requiring a final design review land use application shall include a detailed signage plan that addresses and conforms to all provisions set forth in this Section. The following elements shall be part of the plan:

1. Sign dimensions.

2. Color scheme.

3. Lighting.

4. Location of each sign on the building and on the ground.

5. Materials.

6. Height.

f. **Alternative Sign Standards.** It is recognized that individual sites may present unique characteristics, including site shape and location, and the design of existing and proposed structures could be best developed through the application of alternative sign standards which depart from the requirements of this Section. In certain circumstances, such alternative standards may be considered beneficial by the Board as a tool to achieve the land development policies of the County. In such cases, the Board may consider alternative sign standards for this Section through a waiver of development standards per Table 30.16-17, subject to finding that the alternative standards will:

1. Result in a development character which is as or more compatible with adjacent development than anticipated by the requirements of this Section; and

2. Comply with the intent of Section 30.48.680(a); and

3. Encourage a development trend or visual character similar to that anticipated by the requirements of this Section.

4. Not exceed the standards for signs established in Chapter 30.72.

(Ord. 3397 § 8, 6/2006; Ord. 3043 § 2, 3/2004)

30.48 PART J MIXED USE OVERLAY DISTRICT

30.48.700 Purpose. The purpose of the Mixed Use Overlay District (Overlay) is to encourage a diversity of compatible land uses, including a mixture of residential with at least one or more of the following: commercial, office, educational, institutional, and other appropriate urban uses. While the commercial component is required to exceed the limits of "Accessory Commercial Use", it may be determined that additional commercial area may be required in order for the project to meet the intent of the Mixed Use Overlay. The Overlay provides a mechanism to encourage new housing and innovative urban design that is less dependent on automobile transit and can be used to revitalize older commercial corridors and increase opportunities for infill housing. Mixed use projects are intended to create and sustain pedestrian oriented neighborhoods where local residents have convenient access to jobs, schools, shops, public facilities, transit, and various services. A photo gallery of visual illustrations depicting the application of various mixed use development criteria is included in Section 30.48.780. The regulations in this Part (J) apply to mixed use development in the U-V zoning district within the Overlay. Mixed use developments are also permitted in the C-1, C-2, and H-1 zoing districts and are governed by Chapters 30.40 and 30.44, which refer to standards within this Part (J). (Ord. 3397 § 9 (part), 6/2006; Ord. 3174 § 6 (part), 1/2005)

30.48.710 Establishment of the Mixed Use Overlay District. The Mixed Use Overlay District described in this Part (J) is hereby established as shown on the Mixed Use Overlay District Map, which may be amended from time to time in conformance with Section 30.48.720, and incorporated by reference (see Appendix G, Map 15a). (Ord. 3174 § 6 (part), 1/2005)

30.48.720 Expansion or Amendment of the Mixed Use Overlay District.

a. The Mixed Use Overlay District may be expanded or amended by the approval of a text amendment application in accordance with the provisions of Table 30.16-2. Text amendment requests to expand or amend the Overlay require Board member concurrence prior to initiating the application process (including pre-submittal conference), and all such proposals shall be considered at a public hearing before the Commission whose recommendation shall be forwarded to the Board for final action no sooner than the second zoning agenda following Commission action. Approval by the Board shall cause a subsequent ordinance amending the Mixed Use Overlay District Map to be introduced and considered. A specific area location or Overlay subdistrict may thereby be amended, included in, or removed from the Mixed Use Overlay District.

b. Text amendment applications to expand or amend the Mixed Use Overlay District (Overlay) shall be evaluated in terms of the proposal's ability to satisfy the overall purpose of the Overlay and specific subdistrict expectations, including evaluative criteria, and shall therefore include the following submittal requirements:

1. Vicinity Map (2,500' radius) indicating proximity to existing Overlay boundaries, major streets, highways, railway lines and transit options, proposed and adjacent uses, zoning districts, land use plan categories, range of existing and proposed densities and structural heights, and consistency with Overlay subdistrict requirements.

2. Project Description (see 30.16.240(a)(20)

3. Reports (see 30.16.240(a)(17)

4. Compelling Justification that the proposed expansion or amendment satisfies the following criteria:

i. A change in law, policies, trends, or facts that have substantially changed the character or condition of the area, or the circumstances surrounding the subject property, which makes the proposed expansion or amendment appropriate; and

ii. The density or intensity of the uses allowed by the requested mixed use overlay subdistrict is compatible with the existing and planned land uses in the surrounding area per Section 30.48.770(A); and

iii. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the proposed expansion or amendment; and

iv. The proposed expansion or amendment conforms to other applicable adopted plans, goals, and policies; and

v. The proposed expansion or amendment does not establish an undesirable precedent.

5. Written consent from Board member(s) or Board approval per Table 30.16-2(b). (Ord 3296 § 6 (part), 10/2005; Ord. 3219 § 6 (part), 5/2005; Ord. 3174 § 6 (part), 1/2005)

30.48.730 Applications.

1. Mixed use developments shall be permitted in the U-V district within the Mixed Use Overlay District boundaries, subject to design review approval (public hearing) by the Board when conforming to the standards, requirements and procedures established in this Part (J). The U-V district shall only be permitted within the Mixed Use Overlay District pursuant to Section 30.40.310, and nonconforming zone boundary amendment applications to establish C-1, C-2, or H-1 zoning for a mixed use development within the Overlay shall not be accepted.

2. Mixed use development shall also be permitted in the C-1, C-2 and H-1 districts, whether inside or outside of the Mixed Use Overlay District, subject to compliance with Section 30.48.750 and 30.48.770(A), (B) and (C)(3 – 9) and special use permit and design review approval (public hearing) before the Board, in addition to any other required application.

   a. Mixed use development in the C-2 district shall only be permitted in compliance with all MUD-4 subdistrict requirements.

   b. Mixed use development in the C-1 district shall only be permitted for minimum 10-acre sites located within 330 feet of the intersection of two arterial streets, or the intersection of one arterial and one collector street, and compliance with all MUD-4 subdistrict requirements.

   c. A pre-submittal conference per Section 30.48.750 shall be required for all mixed use development, regardless of location (inside or outside of the Mixed Use Overlay District).

3. Conducting a neighborhood meeting with area residents to discuss the mixed use proposal prior to scheduled Town Board, Planning commission, and County Commission meetings is strongly encouraged (but not required). If conducted, the neighborhood meeting should be generally consistent with the procedure described in Table 30.16-3 (f)(2)(D), and the information presented should include the Vicinity Map and the Project Description.

Exceptions.

1. Proposed mixed use developments in the C-1, C-2, U-V, and H-1 districts that do not conform to the minimum height, setback, and landscaping requirements of Section 30.48.770 shall also require special use permit approval with an additional hearing before the Commission pursuant to Table 30.16-4, even if submitted in conjunction with an application that would otherwise only be scheduled for a hearing before the Board.

2. Regardless of zoning district, any special use permit required by Section 30.48.770 shall require public hearings before the Commission and the Board. (Ord. 3432 § 7 (part), 10/2006; Ord. 3397 § 9 (part), 6/2006; Ord. 3354 § 7 (part), 2/2006; Ord. 3219 § 6 (part), 5/2005; Ord. 3174 § 6 (part), 1/2005)

30.48.740 **Permitted Uses.** The specific uses listed for the U-V zoning district within Table 30.44-1 shall establish the uses permitted within the Mixed Use Overlay District, subject to the conditions listed and including any

additional application requirements indicated therein (also see Appendix F for the U-V district). Where less restrictive alternative standards are established by this Part (J), the less restrictive standards shall apply. (Ord. 3174 § 6 (part), 1/2005)

30.48.750 **Pre-Submittal Conference.** Prior to acceptance of any application for a mixed use development (whether inside or outside of the Overlay) or a text amendment application to amend the Overlay boundaries, a pre-submittal conference with the developer (or an authorized representative) and County staff, including staff from other regulatory agencies or jurisdictions, shall be required to discuss proposed plans and review submittal requirements. One pre-submittal conference may be utilized for all related applications (see Chapter 30.16 for submittal requirement details).

A. Preliminary plans for the proposed development should satisfy the following expectations:

1. Demonstrate conformance to the development expectations and evaluative criteria for the mixed use overlay subdistrict in which the project proposes to locate.

2. Provide for an orderly and creative arrangement of land uses that includes a mixture of residential, commercial, employment, recreational, and open space opportunities designed to achieve a pedestrian oriented urban form.

3. Avoid premature or inappropriate development that could result in incompatible uses, establish undesirable precedents, or create traffic and public service demands exceeding the capacity of existing or planned facilities.

4. Demonstrate compatibility and harmony with adjacent and surrounding development.

5. Minimize impacts upon adjacent roadways, neighborhood traffic, public facilities and other infrastructure.

6. Protect the general prosperity, health, safety and welfare of the community.

B. Documents required for the land use application pre-submittal conference shall include, but not be limited to, the following:

1. Site Plans (may be conceptual for pre-submittal only)

2. Project Description

3. Elevations

4. Floor Plans

5. Preliminary Traffic Impact Analysis (required for mixed use projects of regional significance only)

6. Pedestrian Circulation Plan (see 30.16.240(a)(24))

C. Documents required for a text amendment pre-submittal conference shall include, but not be limited to, the following:

1. Compelling Justification

2. Vicinity Maps

3. Project Descriptions

4. Reports

5. Written consent from Board member(s) or Board approval per Table 30.16-2(b).
(Ord. 3397 § 9 (part), 6/2006; Ord 3296 § 6 (part), 10/2005; Ord. 3229 § 9 (part), 6/2005; Ord. 3219 § 5 (part), 5/2005; Ord. 3174 § 6 (part), 1/2005)

30.48.760 Mixed Use Overlay Subdistricts.

a. The Mixed Use Overlay District consists of four distinct subdistricts, MUD-1, MUD-2, MUD-3, and MUD-4, which are identified on the Overlay map (Appendix G, Map 15a) and summarized below. Each subdistrict has specific development standards and design criteria intended to promote community goals and objectives, including intensity and density considerations for the appropriate urban form; however, all mixed use developments are expected to provide compatible height features, use transitioning, landscaping, and setbacks whenever adjacent to established single-family detached residential use.

b. All proposed mixed use developments will be evaluated in terms of subdistrict criteria described in this subsection. (Note: amending a subdistrict location or boundary is the same as amending the Overlay and requires a text amendment application pursuant to Section 30.48.720.)

1. **MUD-1 – Most intense urban form.** The MUD-1 subdistrict is intended to permit a highly concentrated and intense development of mixed residential, commercial, employment, and recreational uses typical of high intensity central business districts where existing high-rise, mid-rise, and high density uses already exist. The MUD-1 is characterized by a highly developed pedestrian network and access to a combination of transportation modes, such as high frequency bus service, light rail, monorail, freeway, or other rapid transit modes of transportation.

2. **MUD-2 – Most intense suburban form.** The MUD-2 subdistrict is designed to be nodal, permits a highly concentrated mixture of low-rise to high-rise (up to 100 feet)* residential, commercial, employment and recreational uses typical of high density suburban areas, and may be used to transition between MUD-1 and less intense land uses. The MUD-2 is also characterized by a highly developed pedestrian network and access to a combination of transportation options, such as freeway interchanges, arterial streets, and high frequency transit consisting of fixed guideways and enhanced bus service. *Additional height may be requested per Table 30.48-J1.

3. **MUD-3 – Moderately intense suburban form.** The MUD-3 subdistrict is intended to permit a moderately concentrated mixture of low-rise to mid-rise (up to 55 feet)* residential, commercial, employment, and recreational uses within suburban areas and is designed for areas transitioning from higher intensity to lower intensity mixed uses. MUD-3 may also be established at freeway interchanges, the intersection of arterial streets, and along high frequency transit corridors where a higher intensity mixed use may not be appropriate due to adjoining planned land uses. *Additional height may be requested per Table 30.48-J1.

4. **MUD-4 – Least intense suburban form.** The MUD-4 subdistrict is intended to permit a less concentrated mixture of low-rise (up to 35 feet)* residential, commercial, employment, and recreational uses typical of medium to low density areas and is designed for areas transitioning from higher intensity mixed uses to suburban and single-family development. MUD-4 may also be established at the intersection of arterial streets and along transit corridors where a higher intensity mixed use may not be appropriate due to adjoining planned land uses. *Additional height may be requested per Table 30.48-J1. (Ord. 3432 § 7 (part), 10/2006; Ord. 3174 § 6 (part), 1/2005)

30.48.770 **Evaluative Criteria.** In addition to satisfying the MUD subdistrict expectations, all proposed mixed use developments shall be further evaluated in terms of the criteria established in this subsection. (Note: mixed use developments located within the boundaries of the Major Flight Corridor delineated on Map 15a (Mixed Use Overlay District) are subject to additional sound attenuation requirements established in subsection (C)(9).

A. Transitioning Considerations. All mixed use developments shall incorporate appropriate bulk and use transitioning measures along the development's perimeter to achieve compatibility with existing development on adjacent properties. Consideration will be given to the following to determine if appropriate transitioning measures are included in the plans.

1. Compatibility refers to the characteristics of different land uses that allow them to be harmoniously located near or adjacent to each other with minimal impacts. Compatibility considerations may include a range of activities and design features related to existing and proposed development, such as but not limited to height, mass, density, architecture, landscaping, signage, hours of operation, and environmental impacts (see Chapter 30.68 for Site Environmental Standards).

2. Incompatibility refers to the transfer of negative impacts over property lines from one land use to an adjacent land use. Incompatibility considerations may include but are not limited to a range of incompatible activities and design features related to existing and proposed development, such as but not limited to height, mass, density, architecture, landscaping, signage, loss of privacy, unsightly views, traffic and parking concerns, hours of operation and environmental impacts (see Chapter 30.68 for Site Environmental Standards).

B. Pedestrian Orientation. Mixed use developments shall emphasize and incorporate pedestrian orientation in the project's overall design. Proposed projects are expected to provide site design and building scale features with a primary emphasis on streetscape functionality and pedestrian access to a site (rather than vehicular access and parking concerns which are limited). Pedestrian oriented buildings are typically constructed close to the street with windows and display features facing the street and main entrances designed to accommodate access from the street sidewalk. (Also see subsection (C)(6), "pedestrian realm".)

C. Design and Development Standards. Applications for a mixed use project shall demonstrate compliance with the standards established in this subsection, in addition to the standards generally required by this Title and including the residential proximity standards defined in Section 30.08.030. Standards shall only be modified with the approval of a special use permit per Table 30.16-4, as permitted in the subsections below and provided the applicant demonstrates the proposed modification is necessitated by an increased provision of amenities as described in this subsection (C). Where less restrictive alternative standards are established by this Part (J), the less restrictive standards shall apply, except signage in the CMA Area Design Overlay District shall comply with all applicable restrictions established in Section 30.48.680 (also see Table 30.56-2 for additional design standards). Where this subsection (C) does not address requests to modify standards, such modifications shall not be permitted. In no case shall the residential proximity standards be waived or varied; however the three to one (3:1) height setback ratio may be reduced if the single-family residential use is located in an area master planned for a non-single family residential use, subject to special use permit approval with public hearings before the Commission and the Board.

1. Density.

a. Densities permitted within each Mixed Use Overlay subdistrict are established in Table 30.48-J1 and do not include mixed use development incentives allowed per subsection (b) below. Density bonuses in accordance with subsection (b) below shall require special use permit approval with pubic hearings before the Commission and the Board.

Table 30.48-J1 Development Standards for Mixed Use Development with U-V Zoning				
Subdistrict[1]	**MUD-1**	**MUD-2**	**MUD-3**	**MUD-4**
Density (du/ac)[2]	as approved	up to 50	up to 32	up to 18
Height[3]				
Maximum	up to 100'	up to 100'	up to 55'	up to 35'
With Special Use Permit	as approved	up to 200'	up to 100'	up to 55'

Additional Requirements:

1. Regardless of MUD subdistrict, facades and garages that face existing single-family shall be designed to be compatible with the height and setbacks of the existing development.
2. Density bonuses per subsection 30.48.770(C)(1)(b) require special use permit approval and hearings before the Commission and the Board.
3. Architectural height intrusions up to 10 % are permitted without an Administrative Minor Deviation or letters of consent from adjacent property owners.

b. Mixed Use Development Incentives. This subsection provides a list of incentives and corresponding density bonuses to encourage certain urban uses capable of producing a sustainable community and addressing community housing needs. Percentage increases for each incentive used will be calculated on the base density requirement for the subdistrict in which the proposed mixed use project is located. For the purpose of implementing the following incentives, "walking distance" shall generally be interpreted to mean one quarter mile (plus or minus 10% of 1,320 linear feet), and the distance shall be measured from the exterior wall of the nearest mixed use building to the property line of the other specified use.

i. Developments located within walking distance along the nearest pedestrian access to a developed or planned and funded transit stop (Regional Transportation Commission) may be eligible for a density bonus up to 20 %.

ii. Providing a minimum 100 space Park and Ride facility and program within walking distance along the nearest pedestrian access to a developed or planned and funded transit stop (Regional Transportation Commission) may permit a density bonus up to 10 %. An additional 1 % for every additional 10 Park and Ride spaces over the first 100 spaces may be permitted up to a maximum of 20 % (200 Park and Ride spaces).

iii. A grocery store (or other similar retail use with 6,000 square feet or more of grocery sales area) within the project, or within walking distance along the nearest pedestrian access to an existing grocery store, may permit a density bonus up to 20 %.

iv. A continuous street frontage from one intersecting street to another (minimum 600 linear feet) may permit a density bonus up to 20 %.

v. In addition to the required open space, providing a publicly accessible plaza area of 1.5 acres or more may permit a density bonus up to 100 units for the first acre of project, and up to 50 units for each additional acre up to 250 units.

vi. Providing a 15 foot wide or larger supplemental pedestrian area (beyond what is required per Table 30.48-J2) may permit a density bonus up to 20 %.

c. Limitations. In no case shall the maximum density within MUD-4 exceed 32 dwelling units per acre.

2. Height. Additional height permitted by Table 30.48-J1 may be established with the approval of a

special use permit pursuant to Table 30.16-4.

a. Building heights and scale adjacent to developments with differing building heights and scale shall provide appropriate transitioning features, including but not limited to varying heights, placement of lower buildings adjacent to streets and surrounding residential uses, incremental (stepped) building heights, architectural relief of building mass, and building placement shifts.

b. Maximum heights permitted within each Mixed Use Overlay subdistrict are established in Table 30.48-J1. (Also see height restrictions in 30.56.040 and 30.56.070.)

3. **Setbacks.** The pedestrian realm requirements established in 30.48.770(C)(6) shall also establish the perimeter setbacks required for a mixed use development, which shall not be waived or varied. Additional setback requirements are established in subsections (a) and (b) below. All other setbacks, including setbacks for detached single family residential development, shall be established by the approved site development plans.

a. A three foot (3') setback for each one foot (1') of height shall be required from any single family residential use located anywhere within the entire distance radius established by the three-to-one setback, or sixty feet (60'), whichever is greater, and regardless of any other intervening uses (See Section 30.08.030, "Residential Proximity Standards", however the options to the 3:1 setback shown in Figure 30.56-10 shall not apply to this standard). In no case shall the residential proximity standards be waived or varied; however the three to one (3:1) height setback ratio may be reduced if the single-family residential use is located in an area master planned for non-single family residential use, subject to special use permit approval with public hearings before the Commission and the Board.

b. All buildings and structures exceeding 35 feet in height adjacent to arterial streets shall comply with Section 30.56.040(d)(4) and Figure 30.56-4 (1:3 height setback requirement), which shall not be waived or varied; however, this setback requirement may be reduced for development within MUD-1 and MUD-2 only, subject to special use permit approval with public hearings before the Commission and the Board.

4. **Open Space Requirements.** Because functional open space depends upon a variety of factors such as product type, location and development theme, the type of open space required is not prescribed. People-oriented spaces may be open or enclosed, large or small, greenscaped or hardscaped, and shall be designed to create a strong image and sense of place for the development. Open space for mixed use may include the pedestrian realm, sidewalks, trails, parks, gardens, plazas, town greens, promenades, courtyards, atriums, gallerias, pools, tennis courts, ball fields, clubhouses, lounges, or libraries for residents of the development. The required amount of open space for mixed use development shall be based on the following formula:

(.0165) x (dwelling units per acre) x (total acreage) x (35%)
= required open space (in acres)

(For conversion to square footage, multiply the open space acreage by 43,560)

5. **Parking and Traffic Circulation.**

a. Unless otherwise required by this Part (J), parking shall comply with the requirements established in Chapter 30.60. Parking reductions may be requested with a special use permit if the project is within one quarter mile (approximately 1,320') of a planned and funded transit stop (Regional Transportation Commission).

b. Primary consideration shall be given to the functional integration of shared vehicular, parking, transit, and pedestrian areas.

c. Mixed use projects shall be designed to minimize motor vehicle circulation through local single-family neighborhood streets.

d. In order to create a streetscape inviting to pedestrian activity, parking should be located to the rear of the principal buildings, screened from the right-of-way and adjacent residential uses.

e. Guest parking areas shall be designed to accommodate anticipated use and be conveniently distributed throughout the mixed use development.

f. The Board may consider traffic conditions in the area, queuing, access points, proximity to intersections, and any other matter the Board deems relevant.

6. **Pedestrian Realm.** Pedestrian connections shall be provided throughout the development, and except for interior streets, a pedestrian realm shall be provided along all streets (also see 30.08.030, "pedestrian connection"). Because outside dining and outside display are encouraged to promote a lively streetscape, parking (except bicycles), drive aisles parallel to the pedestrian realm, loading zones, and asphalt or gravel pavement shall not be permitted in this area.

a. **Minimum Requirements.** The pedestrian realm shall include an enhanced sidewalk area consisting of a detached sidewalk and amenity zone with trees which shall be provided adjacent to all public streets. A supplemental pedestrian area is additionally required for the MUD-1 and MUD-2 subdistricts and for building heights over 35 feet in the MUD-3 and MUD-4 subdistricts.

b. **Enhanced Sidewalk Area.** In all MUD subdistricts, the enhanced sidewalk area shall consist of a minimum 5-foot wide detached sidewalk (maintained as an unobstructed clear zone up to minimum 8-foot height) and 5-foot wide amenity zone (area between the back of the curb and edge of the detached sidewalk where street trees, public signs, power poles, street lighting and other traffic control devices will be placed).

Table 30.48-J2 Pedestrian Realm Requirements

Subdistrict	MUD-1[1]	MUD-2[1]	MUD-3	MUD-4
Minimum Width	15'	15'	10'	10'
Adjacent to Building Heights ≥ 35' [2,3]	15'	15'	15'	15'
Adjacent to Building Heights ≥ 50' [2,3]	20'	20'	20'	20'

Additional Requirements:

1. Minimum widths include required (minimum) supplemental pedestrian area.
2. Buildings and structures exceeding 35 feet in height adjacent to arterial streets shall comply with Section 30.56.040(d)(4) and Figure 30.56-4. This requirement cannot be waived or varied; however, it may be reduced for development within MUD-1 and MUD-2 only, pursuant to subsection 30.48.770(C)(3).
3. Buildings and structures shall comply with Section 30.56.070(b) and Figure 30.56-10; however, in no case shall buildings and structures exceeding 35' in height be permitted within a minimum 60' setback from adjacent single-family residential use. In no case shall the residential proximity standards be waived or varied; however the three to one (3:1) height setback ratio may be reduced if the single-family residential use is located in an area master planned for a non-single family residential use, subject to special use permit approval with public hearings before the Commission and the Board.

i. **Amenity Zone Requirements.** One small to medium tree per Section 30.64.030(k) for every

twenty linear feet of street frontage and decorative waste receptacles shall be provided within the amenity zone. Large trees or trees with invasive root systems are prohibited (see Appendix C, Plant List, Part 10).

ii. **Amenity Zone Features.** The following features are encouraged in the amenity zone: bus shelters, shade structures other than bus shelters, bicycle racks, directional and public information kiosks, benches, pedestrian scale lighting, drinking water fountains, enhanced paving materials (colored, textured or patterned, but no stamped concrete), public art, or other amenity enhancements consistent with the intended purpose of an amenity zone. All mixed use projects, regardless of location, shall provide a minimum of four such features within the required amenity zone.

c. **Supplemental Pedestrian Area.** The supplemental pedestrian area is a minimum 5-foot wide area located between the back of sidewalk and the building façade. The supplemental pedestrian area is required for developments within the MUD-1 and MUD-2 subdistricts. If not required for additional height per Table 30.48-J2, supplemental pedestrian area requirements in the MUD-3 and MUD-4 subdistricts may replace open space requirements on a one to one ratio (1:1) for square footage. The supplemental pedestrian area shall include the following attributes:

i. Visual and pedestrian access from the sidewalk into the site in the form of features such as plazas and pedestrian arcades, atriums, patios, and walkways with enhanced paving. (also see 30.08.030, "pedestrian arcade")

ii. Pedestrian scale design elements such as lighting (including 12-foot maximum height for street lights), site furniture, public art, drinking fountains, benches, pergolas, kiosks, shade structures, bicycle racks, or areas for outside dining and vendors. (also see 30.08.030, "pedestrian scale")

iii. Landscaping that enhances the space and architecture and/or screens undesirable elements.

d. **Maintenance.** Pedestrian realm elements provided by the property owner shall be maintained by the property owner and/or lessee.

Figure 30.48-J1 Pedestrian Realm with Supplemental Pedestrian Area

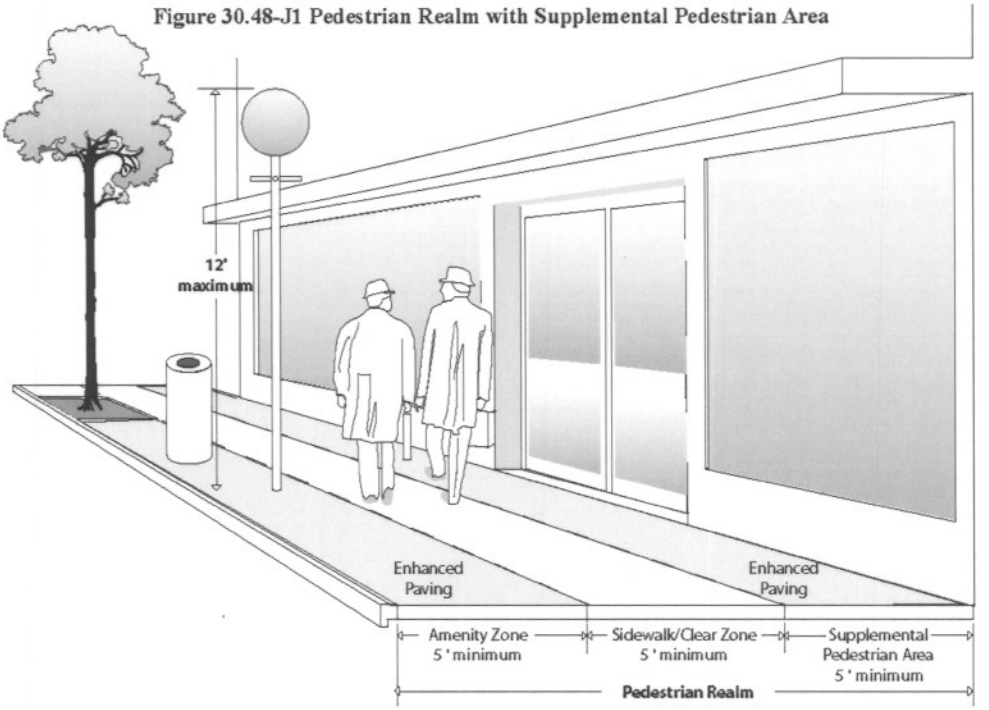
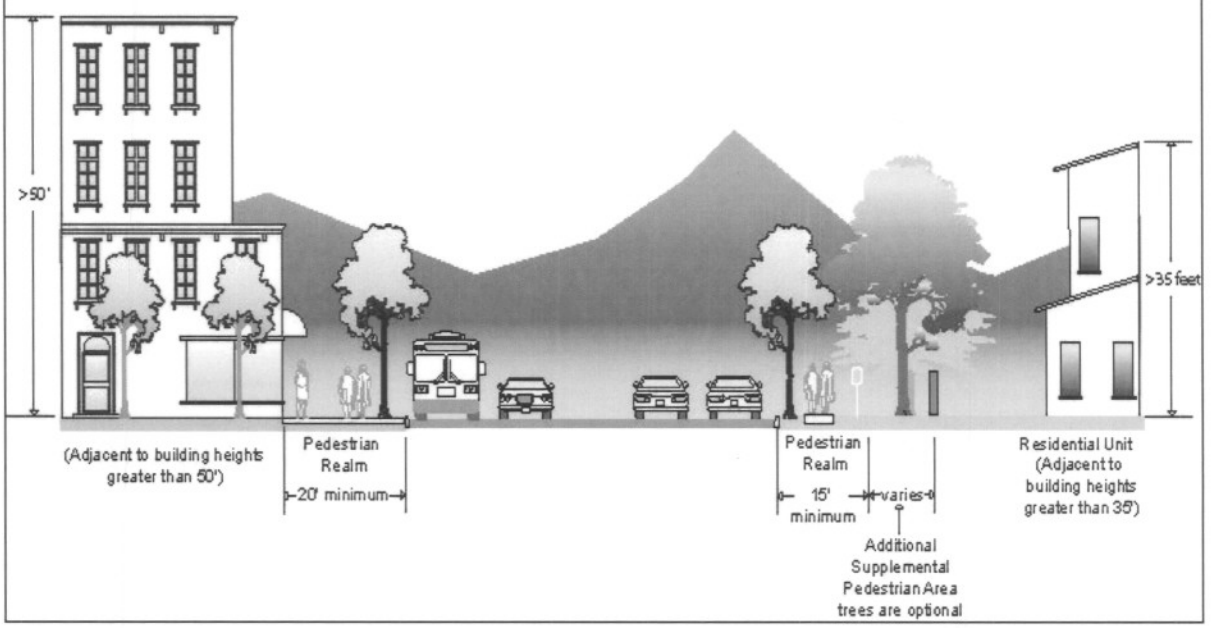


Figure 30.48-J2 Pedestrian Realm and Building Heights



7. **Landscaping.** See Pedestrian Realm requirements and Figures 30.48-J1 and 30.48-J2

   a. All mixed use development within the Overlay shall provide landscaping along perimeter streets per Section 30.48.770(C)(6). This requirement may be waived or varied in the MUD-3 and MUD-4 subdistricts with approval of a special use permit only if an attached sidewalk was constructed by a Special Improvement District (SID), provided that the general intent of the pedestrian realm is otherwise satisfied.

   b. Landscaping per Figure 30.64-11 (one large tree per 20 feet) shall be required when the perimeter of the mixed use development is adjacent to a less intense use. In this instance only, modified landscaping requirements may be established with special use permit approval pursuant to Table 30.16-4.

8. **Trash Receptacles and Enclosures.** In addition to compliance with the requirements established in Section 30.56.120, all trash receptacles and enclosures shall be designed to provide adequate noise mitigation which shall include plastic lids and rubber sleeves (mufflers) on all receptacles.

9. **Major Flight Corridor.** The boundary of the Major Flight Corridor is based on the locational contours of the Airport Environs Overlay District and related mitigation requirements established in Chapter 30.48 Part A, which can not be waived or varied. Residential components of mixed use developments located within all MUD subdistricts within the boundaries of the Major Flight Corridor as delineated on Map 15a, Appendix G (Mixed Use Overlay District) shall be subject to the additional sound attenuation requirements listed below unless in conflict with the International Building Code, except developments located within the MUD-4 subdistrict boundary shall only be subject to subsections (i) and (ii):

   i. noise disclosure form to be recorded against the land by the developer and copy provided to the Clark County Department of Aviation (DOA); and

   ii. copy of recorded noise disclosure form to be presented to future buyers separate from other escrow documents; and

   iii. map provided by the DOA to the developer that highlights the project location and associated flight tracks, which is included as part of the noise disclosure notice; and

   iv. 30 dB noise level reductions (exterior to interior) required where habitable space exceeds a maximum height of 35 feet, except projects located within the AE-65 subdistrict or higher shall provide 35 dB reductions where habitable space exceeds a maximum height of 35 feet; and

   v. passive activity areas, designed for quiet and peaceful enjoyment by residents, must be enclosed.

10. **Signage.** All sign structures for mixed use development shall be integrated with and complement the proposed site plan and architecture, provide aesthetic visual coherence, and enhance the pedestrian environment.

    a. All mixed use development proposals shall provide a comprehensive signage plan that shall require design review approval to ensure conformance to the provisions set forth in this subsection. The following elements shall be clearly identified in the comprehensive signage plan:

       i. Sign dimensions.

       ii. Color scheme.

iii. Lighting.

iv. Location of each sign on the building(s) and on the ground.

v. Materials.

vi. Height.

b. **Permitted and Prohibited Signs.** The on-premise and temporary signs permitted by Chapter 30.72 shall be permitted within the Overlay, except the following shall be prohibited: animated, banner, beacons, blinking, exposed neon lettering, flashing lights, message boards, pennant, parapet, and revolving signs.

c. **Sign Standards.** All proposed sign structures shall be responsive to the aesthetics and character of the particular geographic location, adjacent buildings and uses, and surrounding neighborhood. Additionally, all signs shall be coordinated with the location of street furniture, public information signs, utilities, and street lighting to eliminate visual clutter and to free sidewalk areas of impediments. The following standards are applicable to all signage proposed for mixed use development:

i. **Maximum Sign Heights.**

A. The maximum height of freestanding signs may be permitted in accordance with Table 30.72-1 unless located in the MUD-3 and MUD-4 subdistricts.

B. In the MUD-3 and MUD-4 subdistricts, the maximum height of any freestanding sign shall not exceed 20 feet (consistent with a one story building height), except that freestanding signs located along or adjacent to CC-215, I-95, and I-15 may be permitted up to a maximum height of 28 feet.

C. Regardless of location, all freestanding signs for mixed use development shall be subject to providing pole covers at a minimum 20 % width of the sign.

ii. **Maximum Number of Signs and Sign Area.** The maximum square footage per sign area and maximum number of signs in any MUD subdistrict may be permitted in accordance with Tables 30.72-1 and 30.72-3; however, in the MUD-3 and MUD-4 subdistricts, one freestanding sign per 300 linear feet of street frontage shall be permitted in addition to one monument sign per pad site, whether or not the pad site is along a street frontage.

d. **Sign Lighting.**

i. Any exterior light source shall be completely shielded and directed solely on the sign (direct light source) and not upon any other object or adjacent properties.

ii. Any primary source of light for a sign, whether internal or external, shall not be visible from adjacent parcels or rights-of-way.

iii. Reflective lamps or bulbs that are visible from any right-of-way or adjacent parcel shall be prohibited on the exterior surface of any sign.

iv. Neon shall only be permitted as accent lighting limited to no more than 25% of a sign's area.

e. **Alternative Sign Standards.** Because individual sites may present unique characteristics, including site shape, location, and the design of existing and proposed structures, the application of alternative sign standards which depart from the requirements of this subsection may be considered beneficial by the Board as a tool to achieve desirable land development policies. The Board may consider alternative sign standards for mixed use with a waiver of development standards application. In all MUD subdistricts, the Board shall ensure that any alternative sign standards will:

i. Result in a development character comparable to or more compatible with adjacent development than anticipated by the requirements of this subsection;

ii. Encourage a development trend or visual character similar to that anticipated by the requirements of this subsection;

iii. Comply with the overall intent of this subsection; and

iv. Not exceed the standards for signs established in Chapter 30.72.

(Ord. 3432 § 7 (part), 10/2006; Ord. 3397 § 9 (part), 6/2006; Ord. 3354 § 7 (part), 2/2006; Ord 3296 § 6 (part), 10/2005; Ord. 3229 § 9 (part), 6/2005; Ord. 3219 § 6 (part), 5/2005; Ord. 3174 § 6 (part), 1/2005)

30.48.780 **Photo Gallery.** The illustrations in this Section are intended to provide a supplementary visual guide for implementing the criteria established for the Mixed Use Overlay District. Each illustration may be used as needed to visualize evaluative criteria components required by Section 30.48.770.

Illustration 30.48-J1:

Illustration 30.48- J2:

Illustration 30.48-J3:

Illustration 30.48-J4:

Illustration 30.48-J5:

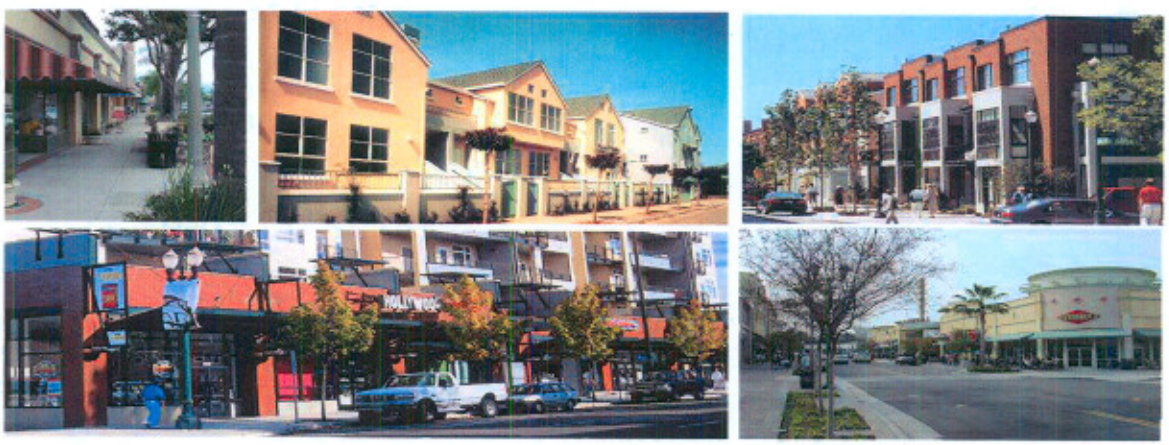


Illustration 30.48-J6:

Illustration 30.48-J7:

(Ord. 3174 § 6 (part), 1/2005)

30.48 PART K ASIAN DESIGN OVERLAY DISTRICT

30.48.800 **Purpose.** The purpose of the Asian Design Overlay District is to protect and maintain the Asian character and cultural heritage of existing and proposed developments within the designated overlay area by implementing additional design standards that unify appropriate physical and architectural elements. The Asian Design Overlay District is intended to ensure architectural unity through a comprehensive design review process for the following criteria:

1. Creation of aesthetic and functional continuity through physical integration of eclectic architectural components;

2. Creation of an appealing pedestrian-oriented environment and implementation of the Cultural Heritage Program.

30.48.805 **Policy Framework and Relevant Plans.** The design components of the Asian Design Overlay District are consistent with the Winchester/Paradise Land Use Plan and the Clark County Comprehensive Plan.

30.48.810 **Establishment of the Asian Design Overlay District and Map.** The boundaries of the Asian Design Overlay District described in this Part K are hereby established as shown on the Asian Design Overlay District Map, as adopted by the Board of County Commissioners and amended from time to time, which shall be incorporated by reference into Title 30 (see Appendix G, Map # 16).

30.48.815 **Expansion or Amendment of the Asian Design Overlay District.** The Asian Design Overlay District (Overlay) may be expanded or amended by the initiation and adoption of an ordinance as directed by the Board.

30.48.820 **Permitted Uses.** The specific uses allowed per zoning district in Table 30.44-1 shall establish the uses permitted within the Asian Design Overlay District, subject to the conditions listed and including any additional application requirements indicated therein.

30.48.825 **Applications.** All development within the Asian Design Overlay District boundaries shall be subject to design review approval (public hearing) by the Board and must be in conformance with the standards, requirements and procedures established in this Part (K).

1. Where more restrictive alternative standards are established elsewhere in this Title, the more restrictive standards shall apply. Mixed use projects located within both the Mixed Use Overlay District and the Asian Overlay District shall meet the requirements of Chapter 30.48 Part J and Part K.

2. Applications to waive the requirements established in this Part K shall not be accepted.

3. Any modification to an approved or existing development within the Asian Overlay District which increases the building area by more than 100 sq. ft. or ten percent (10%), whichever is greater, increases the building height by more than four (4) feet or ten percent (10%),whichever is greater, or significantly changes the location of previously approved uses or principal structures, shall result in the entire development complying with this section.

30.48.830 **Pre-Submittal Conference.** Prior to acceptance of any land use application for development within the Asian Design Overlay District a pre-submittal conference with the developer (or an authorized representative) and County staff, including staff from other regulatory agencies or jurisdictions, shall be required to discuss proposed plans and review submittal requirements. One pre-submittal conference may be utilized for all related applications (see Chapter 30.16 for submittal requirement details).

1. Preliminary plans for the proposed development shall satisfy the following expectations:

   A. Conformance to the development expectations and design criteria for the Asian Design Overlay

District.

B. Prevent proposed development that is in conflict with the thematic intent of the Overlay.

C. Compatibility with adjacent and surrounding development.

D. Protection of the general prosperity, health, safety and welfare of the community.

2. Documents required for the pre-submittal conference and design review submittal shall include, but not be limited to, the following:

A. Project Description including a brief analysis of how the proposed design meets the intent of the Asian Design Overlay district.

B. Site Plans (may be conceptual), including sign schedule.

C. Elevations with color illustration.

D. Floor Plans.

E. Preliminary Traffic Impact Analysis (required for projects of regional significance except non-mixed use projects within the H-1).

F. Comprehensive circulation plan, including the Cultural Heritage Program and the Asian District pedestrian realm elevation.

G. Landscape Plan (see 30.16.240), including a Garden Design component and light feature schedule.

30.48.840 **Design Element.** The special standards established in this section are intended to coordinate the overall site design with the architecture of the development, in order to provide a cohesive development which preserves typical Asian character. While maintaining the Asian architectural framework is critical to the development, these standards are not intended to mandate a specific architectural style. The development shall embrace eclectic forms by providing architectural elements from the past and present including but not limited to Chinese gate, Japanese pagoda, and the use of geometric design with an emphasis on primary colors.

30.48.850 **Architectural Development Standards.** The architectural design requirements established herein are intended to exemplify the most appropriate design response for the Asian Design Overlay District, promote and maintain the Asian character of the area through continuity in design, and minimize the impacts of proposed development on adjacent, existing neighborhoods and developments. The architectural framework and design criteria listed below are not meant to impose absolute design constraints, but rather to establish minimum design standards for all proposed development within the Asian Design Overlay District.

1. **Roof Lines and Parapet Treatments.** Roof lines shall be designed to establish a visually interesting roof horizon that will carry Asian design character and parapet treatments shall be used as an integrating architectural element through out the development. Both treatments shall be used to reduce apparent scale and mass of building walls.

A. Roof design shall provide a variety of roof and plane lines, especially where building heights exceed 50 feet.

B. Cornice treatments, parapet wall details, and overhanging eaves which enhance the Asian architectural character of the roof shall be incorporated into the design.

C. The design of building rooftops shall include parapets to conceal rooftop equipment, chimneys, cooling towers, and solar panels.

2. **Building Design.** Building design shall incorporate the architectural styles above (traditional, contemporary, fusion), as well as provide architectural components which complement the Asian form, texture and color palette.

   A. Building facades shall include articulated openings and window treatments with geometric patterns including but not limited to, columns, entry ways, and arches.

   B. Architectural accessories, such as engraving and calligraphy, as well as varying finished materials shall be incorporated into the design.

   C. Side and rear building facades shall be designed with specific attention to architectural character and level of detail complementary to the front façade.

   D. The overall design of all proposed buildings shall enhance the streetscape by creating functional and visually appealing public spaces for pedestrian activities.

3. **Lighting.** On-site lighting shall be designed to prevent over-illumination and glare and avoid insufficient or uneven illumination, especially in areas where pedestrian and vehicle coincide.

   A. Where proposed developments are adjacent to residential uses, the use of down-shielded low intensity lighting , such as low pressure sodium lighting, shall be required.

   B. In pedestrian areas and parking areas the use of high light intensity such as metal halide source lighting shall be required to provide visual comfort for pedestrians.

   C. Building illumination and architectural lighting shall be compatible with the architectural treatment of the building.

   D. Service area lighting shall be shielded and directed to illuminate the service yard boundaries only.

   E. Exterior accent lighting for landscaping and buildings shall be accomplished with low intensity light sources which typically include surface mounted fixtures, lamps recessed in building overhangs, walls, architectural, and landscape architectural accents.

30.48.860 **Site Development Standards.** The standards below are intended to serve as supplemental requirements to the underlying zoning district regulations and various site development standards established in Title 30, Chapters 30.40, 30.44, 30.48, and 30.56. The uses, minimum lot sizes, lot width, yard requirements, lot coverage, and other development requirements shall be determined by the regulations applicable to the underlying zoning district

1. **Cultural Heritage Program.** All development within the Asian Design Overlay shall provide a cultural heritage program, which is an essential and unique element of this Overlay. The program shall provide an opportunity for exploration and interpretation of the multicultural heritage between the Asian Cultures throughout the proposed development and the pedestrian realm. The program shall meet the following regulations:

   A. A pedestrian realm shall be constructed in per 30.48.770 (C) (6) (Pedestrian Realm) and Table 30.48-J2 for MUD-2.

   B. An interpretive sign program must be incorporated into the pedestrian realm and throughout

the development which illustrates and explains the cultural heritage and the architectural significance of the development through text and graphics.

C. The height and area of the signs shall follow the regulations for "Entry/Exit" signs found in Table 30.72-1 (On-premise Signs).

D. Signs shall be located at significant points of entry to the development and should be integrated with landscape and pedestrian realm.

E. Signs shall be constructed of durable materials to serve the artistic and functional purpose of interpretive, historical, or commemorative signs located outdoors.

2. **Pedestrian and Vehicular Circulation.** Pedestrian activity should be a focal point of development within the Asian Overlay District. Development shall be designed to promote safe and inviting pedestrian activity and circulation while maintaining safe and efficient on-site vehicular circulation.

A. Developments shall provide unobstructed pedestrian circulation within activity centers and pedestrian realm, allowing direct pedestrian movement from parking to the sidewalks and safe movement along walkways and sidewalks.

B. Pedestrian connections shall be provided between existing and proposed developments.

C. Sidewalks shall be provided between rows of parking to provide a clear separation between parking and pedestrian areas.

D. A comprehensive circulation plan shall be submitted with all land use applications demonstrating allowance for parking, loading, and maneuvering, with attention to functional and aesthetic concerns such as trash removal and emergency access.

E. Shared loading areas, dumpster, and drive thru shall be properly screened with landscaping.

F. Alternative paving material shall be used through out the development to reduce heat build-up and indicate the separation of pedestrian activities from vehicular traffic.

G. Pedestrian access shall be provided along the development's perimeter, at a minimum of every 75 feet per Tables 30.64-1 and 2, or the Board may allow a breech in the required wall adjacent to a less intensive use at the time of the public hearing. Points of access shall be designed to be inviting and provide a sense of arrival with gateway design, landscape treatment and security lighting.

H. On-site circulation design shall incorporate traffic calming measures as well as accommodate alternative transportation modes such as car pools, bicycle and public transportation.

3. **Landscape Design.** Landscaping and gardens shall be used to enhance the overall experience of the Asian District, as well as integrate the cultural heritage trail and the pedestrian activities.

A. Asian garden design shall be eclectic and integrated in all development to create a diverse garden palette that will convey regional landscape and cultural identity. Gardens from different regions and nationalities shall include but not be limited to: China, Japan, Korea, Laos, Vietnam, etc.

i. Gardens shall consist of a diversified plant selection, landscape accessories of cultural significance such as statuaries and Asian landscape architectural details such as lighting features, benches, kiosks, court yards, park pavilions, and signs.

ii. Gardens shall be used for passive recreation such as observation, pedestrian contemplation, cultural interpretation and may include interpretive signs.

iii. While the garden area is not prescribed, the area should be comparable to the size of the development as required by the design review approval.

B. The landscape shall integrate the desert environment by specifying the desert plant material (see Appendix C, Plant List, Part 3), and designing dry rock streams and using decorative rock ground cover.

C. Decorative rock shall not be used as the only ground cover. A combination of artificial grass, vegetative ground cover and decorative rock shall be used.

D. The use of water-conserving plants (see Appendix C, Plant List, Part 3) and hydro-zones methodology shall be required for all development. Water conserving desert plants with minimal irrigation needs shall be used for parking and low pedestrian activity areas, and plants with greater irrigation needs (Asian garden design) shall be used for high pedestrian activity areas.

4. Perimeter Walls. In addition to the landscaping element, walls may be provided if designed to minimize visual dominance and complement overall design of the development.

A. Free standing and perimeter walls over 75 feet long and 3 feet high shall vary wall alignments with jog, curves, setbacks, etc.

B. In addition to the landscaping adjacent to a less intensive use per Table 30.64-2 (Non-Single Family Residential Screening and Landscape Buffer Requirements) and Figure 30.64-11 (Buffer Adjacent to a Less Intensive Use), accessories and statuary shall be placed in voids created by wall variation with appropriate accent lighting.

C. Walls shall be constructed to avoid a single mass concrete wall, by providing two or more finished materials resulting in various colors and an articulated facade.

5. Signs. Signs shall be designed to maintain architectural continuity and consistency in the design and location, while providing an information system that will improve the overall visual appeal and promote ease of use within the Asian District.

A. Signs shall be placed in positions and locations that will not obscure the views of oncoming traffic and pedestrian users entering and exiting a destination site, while at the same time, enhance the overall circulation pattern.

B. The sign structure shall be designed to complement the surroundings rather than being a dominant feature on the site, by implementing appropriate scale, height and color schemes with the development.

C. A continuous and uniform sign program shall be maintained through out the development.

30.48.870 **Photo Gallery.** The illustrations in this section are intended to provide a visualization for the different design components established for the Asian Overlay District. These illustrations are not intended to create unrealistic expectations, but to provide a point of physical reference for the sole purpose of design concept development.

Architectural –Eclectic Forms

Architectural Development Standards

Cultural Heritage Interpretation Program

The Asian District Pedestrian Real

Landscape Design

(Ord. 3882 § 3, 5/2006)