

1 **BILL NO. 2009-41**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO REVISE THE HILLSIDE DEVELOPMENT STANDARDS AND  
4 GUIDELINES TO REFLECT THEIR APPLICABILITY TO NONRESIDENTIAL DEVELOPMENT,  
AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Stavros S. Anthony      Summary: Revises the hillside development  
6 standards and guidelines to reflect their  
applicability to nonresidential development.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

8 AS FOLLOWS:

9 SECTION 1: Title 19, Chapter 6, Section 170, Subsection (C), Paragraph (2), of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is amended to read as follows:

11 (2) Site Design. (See Figures 1 and 2)

12 (a) Structures shall be sited in a manner that will fit into the hillside's contour and relate  
13 to the form of the terrain. This may be done through a variety of methods, such as varying setbacks  
14 and structure heights; the use of innovative building techniques (e.g., earth shelter or earth berm  
15 construction); and retaining walls.

16 (b) Site design should take into account the need to do the following, while maintaining  
17 the natural character of a hillside area:

18 (i) Preserve vistas of natural hillside areas and ridgelines from "key vantage  
19 points";

20 (ii) Preserve views from existing development; and

21 (iii) Allow new [dwellings] development access to views similar to those enjoyed  
22 from existing [dwellings.] development.

23 (c) Site design should allow for different lot shapes and sizes, as well as split development  
24 pads, with the prime determinant being the natural terrain.

25 SECTION 2: Title 19, Chapter 6, Section 170, Subsection (C), Paragraph (4), of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is amended to read as follows:

27 (4) Architecture/Building Design. [Dwellings built] Development within hillside areas shall  
28 conform to the following:

1 (a) Reflective building materials (i.e., mirror finishes or metal roofs) are not permitted  
2 unless treated to eliminate glare.

3 (b) Limited slab-on-grade, with staggered floor elevations, shall be utilized to avoid  
4 massive building forms, excessive cuts and fill, and surfaces which contrast with the surrounding  
5 terrain.

6 (c) All external mechanical equipment shall be screened, and required vents shall be  
7 architecturally compatible with the structure.

8 (d) Building architecture should have predominant horizontal features. Vertical features  
9 should be minimized and generally used to accentuate entryways, garages, main doors and any type  
10 of vertical embellishment.

11 (e) No portion of a structure shall exceed a height of two stories or thirty-five feet, and a  
12 minimum of twenty feet of the structure must be lower than the elevation of the primary ridgeline.  
13 (See Figure 5)

14 (f) [Dwellings shall use wall] Wall articulation (e.g., insets, pop-outs, etc.) and roof  
15 orientation shall be used as a means to prevent a massive look.

16 (g) Rooflines and elements shall reflect the naturally occurring ridgeline silhouettes and  
17 topographical variation in order to blend with the hillside. (See Figure 6)

18 (h) Building materials and colors shall be compatible with the natural setting. Whenever  
19 possible, exterior colors shall be limited to earthtones that are found in nearby natural vegetation or  
20 soil, that come from natural sources (e.g., rock, stone, wood), or that resemble a natural appearance.

21 SECTION 3: Title 19, Chapter 6, Section 170, Subsection (C), Paragraph (5), of the  
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is amended to read as follows:

23 (5) Clustered Development. Clustered development is encouraged as a means of preserving the  
24 natural appearance of the hillside and maximizing the amount of open space. Under this concept,  
25 [dwelling units are grouped in] development is grouped on the more level portions of the site, while  
26 steeper areas are preserved in a natural state. Clustering can enhance the environmental sensitivity  
27 of a development project, and facilitate the permanent protection of key features of the natural  
28 environment, such as biological habitats, open space areas, scenic areas, ridgelines, and steep slopes.

1 (See Figure 7) Also, it is often more feasible to provide the needed infrastructure for a cluster  
2 development, since clustering results in shorter roads and water, sewer, and utility lines. Clustering  
3 does not allow an increase in the overall density of an area beyond that which is otherwise permitted  
4 by the General Plan.

5 (a) Clustered [dwelling units shall be placed] development shall occur in a staggered or  
6 stepped manner so [their] that the visual impact is lessened.

7 (b) Clustered subdivisions shall be sited so they do not have a dominant presence within  
8 the hillside.

9 (c) The location of clustered units shall be restricted to the flatter portions of a site, unless  
10 another location better minimizes impacts as relates to public safety, visual impact or environmental  
11 issues.

12 (d) Clustered development must preserve open space in its undeveloped form. Appropriate  
13 documents must be recorded to ensure the preservation of the open space areas in perpetuity. Open  
14 space areas shall be identified on the final subdivision map or parcel map as common lots.

15 SECTION 4: Title 19, Chapter 6, Section 170, Subsection (C), Paragraph (6), of the  
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is amended to read as follows:

17 (6) Walls and Fences.

18 (a) The height of walls shall be in accordance with Section 19.12.075.

19 (b) Walls shall conform to the topography of the site. (See Figure 8)

20 (c) Walls shall either incorporate the use of native materials or be earthtone colors to  
21 match the native soils and rocks. Walls and fences (other than retaining walls) should be made of  
22 natural materials (e.g., stone, wood, split rail) whenever possible and, at a minimum, shall be a color  
23 that blends with the surrounding environment. Where retaining walls front on or are visible from  
24 public streets or public vantage points, they shall be constructed of (or faced with) materials that are  
25 appropriate in color and texture to help visually blend the wall into the terrain. (See Figure 9)

26 (d) The use of retaining walls and retaining structures is encouraged when it significantly  
27 reduces site grading.

28 (e) Large retaining walls in a uniform plane should be avoided. Retaining walls should

1 be broken up into elements and terraces, with landscaping used to screen them from view. (See Figure  
2 10)

3 (f) Retaining structures shall be located so that they do not become a dominating visual  
4 feature.

5 (g) Tall retaining structures that are absolutely necessary should be located behind [the  
6 dwelling] development so as to be screened from view.

7 (h) Whenever possible, the location of walls and fences (other than retaining walls) should  
8 be limited to areas within fifty feet of [dwellings] primary buildings and accessory structures in order  
9 to limit their impact on hillside viewsheds.

10 (i) Solid walls and fences shall be prohibited within fifty vertical feet of a ridgeline in  
11 order to prevent impacts on wildlife corridors and maintain the natural area surrounding the ridgeline.

12 (j) Fences that have pointed vertical elements shall not be permitted.

13 SECTION 5: Title 19, Chapter 6, Section 170, Subsection (D), Paragraph (4), of the  
14 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is amended to read as follows:

15 (4) Other elements that should be considered in a successful design and, where indicated, reflected  
16 in submittal documents are the following:

17 (a) Preservation of distinctive natural features, the general existing topographical forms,  
18 significant trees, landscaping, natural water courses and wildlife corridors, with data and aerial maps  
19 to be provided showing the location, type and nature of existing major vegetation, including  
20 significant clusters or contiguous areas of dense growth and existing vegetation to be preserved;

21 (b) Preservation of prominent skyline ridges, which must be shown by providing a graph  
22 or other visual analysis indicating rooftop in relation to ridgeline; (See Figure 14)

23 (c) The location of roads and structures below the skyline ridge, with a visual analysis to  
24 be provided indicating circulation related to existing contours;

25 (d) The location and construction of roadways, with drawings and explanations to be  
26 provided showing how roadways will be constructed in a manner compatible with the natural terrain  
27 and with scarring eliminated;

28 (e) Incorporation of hiking, biking, walking and equestrian trails, where appropriate;

- 1 (f) Variation in lot size, building placements, setbacks, and orientation;
- 2 (g) Variable changes in elevation and siting of buildings to ensure views and avoid
- 3 monotony;
- 4 (h) Preservation of steep hillsides by clustering buildings or use of other innovative
- 5 approaches;
- 6 (i) Sensitivity to the project's appearance from lower or adjacent development;
- 7 (j) Placement of equipment and other unsightly forms below ridgelines and in bermed and
- 8 landscaped areas.
- 9 (k) [Dwelling] Development design, with documentation to be provided indicating that
- 10 significant effort has been made towards incorporating energy-conservation and water saving
- 11 techniques;
- 12 (l) Maintenance of natural drainage/water runoff characteristics where possible;
- 13 (m) The use of exterior lighting for buildings that is:
- 14 (i) Of a "cut-off" type designed to ensure that excess light does not spill over; and
- 15 (ii) Of the lowest intensity feasible so as to be adequate for the purposes intended but not
- 16 likely to attract undue attention.

17 SECTION 6: Title 19, Chapter 6, Section 170, Subsection (D), Paragraph (6), of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is amended to read as follows:

19 (6) A [final] grading plan must first be approved by the Director of Planning and Development  
20 before Site Development Plan Review is considered by the Planning Commission. The Director's  
21 review shall coincide with staff review of the Site Development Plan and drainage study.

22 SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.06.170  
23 is deemed to be a subchapter rather than a section.

24 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or  
25 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
26 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

1 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
2 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
3 invalid or ineffective.

4 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,  
5 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
6 1983 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2009.

8 APPROVED:

9  
10 By \_\_\_\_\_  
11 OSCAR B. GOODMAN, Mayor

12 ATTEST:

13 \_\_\_\_\_  
14 BEVERLY K. BRIDGES, CMC  
City Clerk

15 APPROVED AS TO FORM:

16 Valstad 9-23-09  
17 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2009, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2009, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk