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Requestor:
COMPREHENSIVE PLANNING CLARK COUNTY
03/11/2009 11:26:45 T20090082888
Book/Instr: 20090311-0002007
Miscellaneous Page Count: 5
Fees: \$0.00 N/C Fee: \$0.00

Debbie Conway
Clark County Recorder

APN# 176-04-201-001

Code Section Update

(Title on Document)

Recording requested by:

Department of Comprehensive Planning

Return to:

Name Major Projects Team

Address _____

City/State/Zip _____

Attn: Kathy Durbin

This page added to provide additional information required by NRS 111.312 Sections 1-2
(Additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.



Department of Comprehensive Planning Major Projects Team

500 S Grand Central Pky 1st Fl • Box 551749 • Las Vegas NV 89155-1749
(702) 455-3256 • Fax (702) 455-3271

Barbara Ginoulias, Director • Rod Allison, Assistant Director

March 11, 2009

RE: RHODES RANCH DEVELOPMENT AGREEMENT – Code Section Update

Pursuant to Section 7.04 of the Rhodes Ranch Development Agreement, originally entered into on the 18th of December 1996, Rhodes Ranch has the option to accept new codes, ordinances, rules, regulations or policies by giving written notice of such acceptance. The Rhodes Ranch Development Agreement was updated in July, 2008. This updated agreement was recorded on August 18, 2008 as document number 20080818-0001526.

Clark County code has been revised since the inception of the Rhodes Ranch Development Agreement. Rhodes Ranch, LP has requested to update its “locked-in” Development Code (Title 29) to include one of these changes. The code section to be updated with the section in effect as of March 4, 2009 (the date of the Rhodes Ranch request) is as follows:

- 30.52.090 Completion of Public Improvements

Upon recordation, the above listed code section will be updated to those in effect as of March 4, 2009, and, with the exception of fees, “locked-in” for the Rhodes Ranch Master Planned Community. A copy of the revised code section, as well as the Rhodes Ranch request is attached to this document.

If you should have any questions, please contact me at 455-2208.

Sincerely,

Joel V. McCulloch
Major Projects Coordinator



March 4, 2009

Joel McCulloch
Clark County Major Projects
500 S. Grand Central Parkway
Las Vegas, Nevada
89155

RE: Clark County Unified Development Code – Rhodes Ranch Master Plan

Dear Joel,

We respectfully request the following amendments to the Development Code for Rhodes Ranch Development Agreement. Certain code sections in Clark County's existing code have been modified since the adoption of the Rhodes Ranch Development Agreement for Rhodes Ranch recorded in Official Records 07/30/2008, and as supplemented, or modified, from time to time. Section 7.04 of the Rhodes Ranch Development Agreement for Rhodes Ranch permits such modifications to the Clark County Unified Development Code for Rhodes Ranch upon our written request.

The Code Section that we would like to adopt is:

- Clark County Code Section 30.52.090 "Completion of Public Improvements"

We understand this letter is the first step in the modification process and that Clark County's acceptance of this letter and subsequent recordation of this request is generally

RHODES[®]
H O M E S

the extent of the process. Following recordation, the code section set forth above will be the adopted code section for the Rhodes Ranch Development Agreement for Rhodes Ranch, as of the date of this letter. Please advise if there are any additional requirements.

Thank you in advance for your attention and cooperation.

Sincerely,



Scott Prokopchuk
Director of Land Development and Acquisitions
Rhodes Homes

Cc: John Rhodes, Vice President; Rhodes Homes

- f. Gravel shall be required when the parcel is more than 660 feet from a paved road, or a road for which paving is committed, as described in this Section, when the parcel is outside the PM-10 Non-Attainment Area. The road providing the access to the parcel, as well as dedicated and private streets within or adjoining the parcel, shall, as a minimum, be graveled. If the smallest resulting parcel is 2 acres or greater, only the dedicated road, or roads, providing the access to the parcels must be graveled. All graveled rights-of-way accepted for dedication will not be accepted for maintenance and repair. The owner(s) of record, their heirs, assigns or successors of the divided parcel remain liable and are required to maintain such roads until maintenance is accepted by the County. (Ord. 2573 § 11 (part), 2001)
- g. Within the PM-10 Non-Attainment Area, minimum paving requirements shall comply with Clark County Air Quality Regulations, Sections 91 and 93, and shall not be waived. (Ord. 2769 § 95, 7/2002; Ord. 2741 § 9 (part), 5/2002)

30.52.090 Completion of Public Improvements. Within a period of 2 years of approval of the final map, all public improvements required by these regulations, and other applicable laws and regulations, shall be completely installed and constructed within the area covered by such map. The Director of Development Services may administratively approve extensions of time not to exceed 2 year increments if there are no resulting impacts to programmed, publicly funded projects, or that the extension would not result in a hazardous traffic situation or have a substantial impact on traffic flow as determined by the Director of Development Services. If the extension of time is denied, the manner of appeal is the filing a Waiver of Development Standards per Table 30.16-7. The applicable bonds, or cash guarantees, shall be recalculated and renewed to cover the extension of time. If the work is not completed within the approved time frame, the bond posted under Section 30.32.150 shall be deemed in default. (Ord. 3518 § 11 (part), 5/2007; Ord. 3432 § 8 (part), 10/2006; Ord. 2961 § 8 (part), 10/2003; Ord. 2769 § 96, 7/2002)

30.52.100 Provisions for Water.

- a. **Public Water Service.** Except as permitted by Section 30.52.040(7)(C), when any portion of a development is within 1,250 feet of a public waterline with adequate capacity and pressure to serve the development, water service shall be provided by a public system.
- b. **Individual Wells.** Where single family residential development on lots which were not created by a major or minor subdivision is located in excess of 360 feet of a public waterline, where all other development is located in excess of 1,250 feet of a public waterline, or if a waterline within this distance does not have adequate capacity and pressure to serve the development, individual wells may be used to provide the required water if the developer can provide evidence of the following approvals. Where individual wells are approved as the adequate water supply, the developer shall denote such intention upon the final plat and every sales contract for each lot purchaser.
 - 1. **Las Vegas Valley Artesian Basin.** In the Las Vegas Artesian Basin, as designated and described by the Office of the State Engineer of the State of Nevada (see Appendix G), further subdivision will only be allowed if all the lots within the subdivision are 5 acres or more in size, or if non-revocable water rights are obtained and relinquished back to the public waters in an amount sufficient to support the number of lots being created in a manner approved by the State Engineer for the drilling of individual domestic wells or a water right permit sufficient to support the number of lots being created in a manner approved by the State Engineer. An exception is made within the area shaded on the map titled "Las Vegas Valley Oversizing Areas Map and Projected Urban Water Service Boundary", dated July 29, 1999, adopted herewith, and on file in the Office of the County Clerk (see Appendix G). Lots within this area which rely on wells, surface or groundwater as the adequate source of water may be created if all of the following conditions are met:
 - A. The lot must be created by a parcel map and constitute less than 5 acres, but consist of at least 40,000 square feet or more.