

**CLARK COUNTY BOARD OF COMMISSIONERS**  
**ZONING / SUBDIVISIONS / LAND USE**  
**AGENDA ITEM**

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**Petitioner:** Sami Real, Director, Department of Comprehensive Planning

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**Recommendation:** AG-24-900187: Receive the required 2 year review of the Summerlin South Development Agreement. JJ/jor (For possible action)

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**FISCAL IMPACT:**

None by this action.

**BACKGROUND:**

As required by the Howard Hughes Properties, LP Development Agreement and Nevada Revised Statute, the 24-month report has been submitted summarizing the status of the Development Agreement and specifying those sections of the Development Agreement that have been complied with, completed, or ongoing. This is the ninth, 24-month report for Summerlin South. The Development Agreement has been amended 5 times whereas the Fifth Amendment was recorded on March 7, 2022 and the Development Agreement is set to expire on November 16, 2033. The document is available for review in the Department of Comprehensive Planning.

Since the last review period, many projects have been completed in various villages throughout Summerlin and Development Plans have been submitted and approved. They are: the Village 13 West Update Development Plan was approved on June 8, 2022, the Village 15A – Parcel M/N (to residential/commercial) and Parcel F (to commercial) Development Plan was approved on September 5, 2018, the Village 17 Amended Development Plan was approved on January 14, 2022, the Village 17A – Development Plan was approved on July 21, 2021. Furthermore, through January 2024 there is a total of 12,487 subdivided single family residential units and 3,068 total multiple family residential units. In collaboration with Clark County, a fire station was constructed on a 2.5-acre site at Flamingo and Azimuth Drive. The fire station was turned over to Clark County on August 4, 2022. The following parks have been constructed to date within the Planned Community, in addition to numerous private parks, paseos, and other walking trails: Village 19 Sagemont Park (10.3 acres) and NP-3 Park (1.3 acres). A lighting analysis for LED luminaires for new construction and existing streetlights was incorporated on August 24, 2020. Also, as of August 2022, a total of \$7,373,683.27 in Off-site Traffic Mitigation Fees have been paid to Clark County. The Off-site Traffic Mitigations Fees have been paid for the entire Summerlin South. Lastly, the expanded Summerlin Unincorporated Town will require the creation of a Town Advisory Board on or before November 16, 2033.

Based on staff's review of this 24-month report, staff recommends that the Board receive the report.

**Cleared For Agenda**  
04/17/24

**Summerlin Development Agreement**  
**24-Month Report Detailed Review**  
**March 2024**

Howard Hughes Properties, Inc./The Howard Hughes Corporation (HHPI/THHC) (Owner) concludes that, to the best of its knowledge, information, and belief, both parties are generally in compliance with all material obligations, and that the terms contained within those sections of the Development Agreement that are not specifically listed or addressed herein are being met and are in effect.

General comments, clarifications, and recommendations for future action are as follows (changes since the last update are printed in **bold**):

1.01(b) (vii) Definitions: "Applicable Rules"

1.01(g) Definitions: "Concurrent Approvals"

Concurrent Approvals/modified development standards have been supplemented with additional modified development standards approved in conjunction with Village Development Plans. See 3.03.

1.01(o)

The latest Land Use and Development Guide (LUDG) for Summerlin's Southern Comprehensive Planning Community was approved by the Board of County Commissioners on November 19, 2014 (MP-0758-14).

1.01(u)

The Howard Hughes Company, LLC (THHC) has been included within the definition of "Owner" (in addition to Howard Hughes Properties, Inc. (HHPI)).

1.01(v)

ZC-0620-05 is now included within the definition of "PC Zoning."

1.01(x)

The phrase "described in the Agreement" was deleted from this paragraph.

1.01(aa)

The fact that additional lands have been added to the "Subject Property" is now referenced.

1.01(bb)

"The most recently updated version" of the Clark County, Nevada, Developer Special Improvement District Guidelines adopted on December 21, 1993 is now referenced.

1.01(ii)

A definition for "Qualified Parks" has been added.

2.01(b) Ownership Interest

Howard Hughes Properties Limited Partnership (HHPLP) transferred ownership of the Planned Community to Howard Hughes Properties, Inc. (HHPI) as described in a letter to Dale Askew, County Manager, dated February 18, 1998. HHPI and The Howard Hughes Company, LLC (THHC) are jointly referred to as "Owner" per the Third, Fourth, and Fifth Amendments to the Development Agreement, recorded on August 16, 2005, and July 27, 2011, respectively.

3.02 Summerlin Master Plans

The Land Use and Development Guide (as updated periodically) along with the Parameters adopted in the Third Amendment constitute the Summerlin Land Use Master Plan. The Summerlin Master Parks and Public Facilities Plan, the Summerlin Master Transportation Plan, and the Summerlin Master Drainage

Plan will guide development of the Planned Community. These four plans are collectively referred to as the "Summerlin Master Plans."

The following Master Plans have been prepared and approved by Clark County:

1. Summerlin Master Parks and Public Facilities Plan, submitted on October 30, 1996 with Village 13 Development Plan (Faith Lutheran High School and Fire Station) and approved on December 18, 1996.
2. Summerlin Transportation Master Plan, submitted in May, 1996.
3. Summerlin Transportation Master Plan Update, submitted in September, 1998 and approved in February, 2000.
4. Summerlin Master Drainage Plan:
  - Summerlin Stormwater Management Plan, prepared in December, 1990
  - Summerlin Stormwater Management Plan Update, prepared in August, 1991
  - Summerlin Stormwater Management Plan Update, prepared in December, 1992
  - Summerlin Flood Control Master Plan Update, prepared in July, 1995; approved by CCPW on September 12, 1995; CCRFCD concurrence obtained on November 6, 1995.
  - Summerlin Southern Planning Area Flood Control Master Plan Update, prepared Sept., 1997; approved by CCPW on October 24, 1998; CCRFCD concurrence obtained on March 25, 1999

### 3.03 Village Development Plans

Through **January 2024**, the following Development Plans have been submitted and approved:

Village 13 (Faith Lutheran High School and Fire Station) - approved on December 18, 1996  
Village 13 East - approved on February 17, 1999  
Village 13 West - approved on February 17, 1999; zoning areas updated administratively on November 20, 2002  
Village 13 West Updated Development Plan – approved on December 5, 2007  
**Village 13 West Updated Development Plan – approved on June 8, 2022**  
Village 14A - approved on June 5, 1996; 1st revision approved on March 1, 1997; 2nd revision approved on July 2, 1997  
Village 14B - approved on September 16, 1998  
Village 15A - approved on April 19, 2000  
Village 15A, Parcel 1 (to residential); approved on June 2, 2004  
**Village 15A, Parcel M/N (to residential/commercial), Parcel F (to commercial); approved on September 5, 2018**  
Village 15B - approved on September 2, 1998  
Village 16 - approved on May 22, 2002  
Village 16 – Revised Development Plan was approved on January 4, 2006 and update administratively approved on December 7, 2016.  
Village 16A - Development Plan was approved on October 16, 2013, and update administratively approved on May 8, 2017.  
Village 17 – approved on January 21, 2015.  
**Village 17 Amended Development Plan - approved on January 14, 2022**  
**Village 17A – Development Plan was approved on July 21, 2021**  
Village 18 - approved on July 21, 1999  
Village 18C - approved on December 17, 1997  
Village 19 - approved on February 17, 1999; revision approved on September 6, 2000  
Village 19 - Revision (to residential) - approved on April 16, 2003; zoning areas updated administratively via submittal dated March 24, 2004.  
Reservoir & Substation Parcels - approved on March 19, 1997.

Through **January, 2024**, Village Development Plans have created zoning as follows:

Village	R-D	R-1a	R-2	R-2/ R-3	R-3	R-4	R-4/ C-2	R-5	C-P	C-1	C-2	C-3	H-1	PF	Mix Use
	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)
V13E			155		72				2			10		30	
V13W											21		90	3	308
V14A			602		86	45									
V14B			176			32				44	82			21	
V15A					57	0					29	104	63		23
V15B			660								5				
V16			415		25	16								84	
V16A			357		37									34	
V17			256												8
V17A			217												
V18	199	422	177		53	12					13				
V18C		733									5				
V19			49	121			51				43			9	
Resrvr/ substn														33	
Current Total	199	1155	3064	121	330	105	51	0	2	44	198	114	153	214	339

### 3.04 Supplemental Development Agreements

The following supplemental agreements have been executed to date: Supplement (Ownership Title Transfer Notification) 980220.00976 recorded on February 20, 1998; Supplement (Ordinances 1780, 1792, 1817, 1823, 1840, 1854, 1871, 1876, 1898, 1903, 1929, 1938, 1966, 1989, 1990, 2020, 2021, and 2027) 980821.00779 recorded on August 21, 1998; Supplement (Ordinance 2155) 980821.00779 recorded on August 21, 1998; Supplement ("Ordinance No. 2260 (Grading Permits)") 990324.00639 recorded on March 24, 1999; Supplement ("County Code Title 27") 990609.00520 recorded on June 9, 1999; Supplement (Public Improvements Permit Extensions) 20100202.02263 recorded on February 2, 2002; Supplement 20100202.02263 recorded on February 2, 2010; Supplement 20110727.03196 (Completion of Public Improvements), and Supplement 20110802.02095 (4<sup>th</sup> Amendment), and Supplement (Extensions of Time) 20120807.0001974 recorded on August 7, 2012. See Section 13.04 for amendments.

### 3.06(a) Reliance of Concurrent Approvals

ZC-0620-05 and the Third Amendment have been added to the Planned Community Parameter, as follows: (i) a maximum of 32,600 residential dwelling units, including the residential component of the mixed-use development, may be developed within the Planned Community; (ii) a maximum of 740 acres of the Planned Community may be developed with non-residential private uses; (iii) The Planned Community may include golf courses containing up to 90 holes of golf and related facilities, and (iv) the Planned Community may be developed with the other uses and facilities described in the Land Use and Development Guide.

Through **January 2024**, maps including the following number of units have been recorded in each respective Village:

Village	Single Family Residential (units)	Multi-Family Residential (units)	Golf Holes
13E	1,048	306	0
13W	0	<b>686</b>	0
14A	2,620	965	0
14B	682	381	0
15A	<b>140</b>	<b>371</b>	0
15B	1,176	0	18
16	1,215	0	0
16A	1,150	0	0
17	<b>245</b>	0	18
17A	<b>429</b>	0	0
18	1,434	128	18
18C	821	0	36
19	1,527	231	0
Current Total	<b>12,487</b>	<b>3,068</b>	<b>90</b>

3.06(d)

Three H-1 zones were created by ZC-1986-95 under a resolution of intent to reclassify for 8 years. The boundaries of three of these zones were shifted by ZC-1894-98 (Village 13 West Development Plan approved February 17, 1999); ZC-1956-98 (H-1 Zone boundary change approved December 16, 1998); and ZC-1288-98 (Village 15B Development Plan approved September 2, 1998). On December 4, 2002, the Board of County Commissioners (BCC) finalized H-1 zoning for the site located on the southeast corner of Charleston Blvd. and the Western Beltway and the site located at the intersection of Tropicana Blvd. and Town Center Drive. The H-1 zoning for the site located at the northwest corner of Flamingo Road and Town Center Drive was finalized by the BCC on April 7, 2002. All H-1 zones in the Planned Community are now permanently zoned.

3.07(b)

Owner has agreed to adopt the following ordinances per Supplement Agreements: 1780, 1792, 1817, 1823, 1834, 1840, 1854, 1871, 1876, 1898, 1903, 1929, 1938, 1966, 1989, 1990, 2020, 2021, 2027, 2155, and 2260. Owner has also agreed to accept Title 27, executed an ownership Title Transfer Notification, both by use of Supplemental Agreements, and adopted Title 30 Section 30.52.090 to replace Summerlin Development Code Section 28.28.120. (See Section 3.04 for Supplemental Agreement details).

Owner has the option of accepting the Current Development Code, Title 30, by means of a supplement to the Development Agreement. As of **January 2024**, Owner has elected not to accept Title 30.

3.09 Digital Map Data

Owner and purchasers of land who intend to further subdivide are providing map data to the Assessor's office in the format requested by the County Assessor's office.

3.10 Special Improvement Districts

Four Special Improvement Districts have been created to date: SID No. 108, SID No. 128, SID No. 132, and SID No. 151. Since September 2014, SID (No. 159) for Village 16A has been established. It is anticipated that others will be identified as development proceeds into undeveloped areas of the Planned Community.

3.11 Affordable Housing

Owner agrees to participate in the contribution of funds for the creation of affordable housing opportunities in Clark County once a County-wide program is created for that purpose. Owner further agrees to use its

best efforts to encourage residential builders to produce a maximum of 1,500 affordable housing units within the Planned Community provided such units shall not be counted against the total limit of residential units permitted within the Planned Community.

Owner encourages all developers and builders to offer housing opportunities that address a wide variety of affordability, attainability, and income ranges within the Planned Community.

### 3.12 Air Quality Conformity

Owner has taken the following efforts to promote air quality conformity:

- Coordination with RTC CAT in the appropriate siting of bus stops and placement of benches at higher volume stops. Identification of Bus Pullout Locations with the RTC, Clark County and the City of Las Vegas.
- Provision of network, land use, and traffic modeling information to the RTC for updating the Regional Transportation model.
- Provision of traffic modeling information to assist in Beltway interchange type selection and Beltway design.
- Continued implementation of the Summerlin trail system.
- Extensive efforts to promote implementation of the Beltway Multi-Modal Trail, including protection of right-of-way, planning and design, utility coordination and assistance to the City of Las Vegas and Clark County in preparation of T-21 grant applications.
- Resolution of trail access across Summerlin to the Red Rock Canyon National Conservation area and other BLM lands documented in Transportation Master Plan approval conditions and responses.
- Reduction of commercial curb cuts on arterial roadways to reduce side friction and promote better traffic flow.
- Attraction of employers to Summerlin, providing over 22,000 jobs (to date), to promote a jobs/housing balance.
- Planning of mixed-use centers, including Villages 13 and 19 encompassing Summerlin Centre, and mixed-use centers in Village 15A. These projects are designed to provide significant housing opportunities within walking distance of offices, retail, entertainment and recreation.
- Continued implementation of Summerlin's on-street bike path system.
- Completion of a Bus Routing Master Plan with the RTC.

### 3.13 Dust Mitigation

Owner has implemented an aggressive policy for dust control in Summerlin. State-of-the-art dust mitigation plans have been approved by Clark County for all of the required projects within the planned community per the applicable rules of the Department of Air Quality Environmental Management. Dust mitigation is on the weekly agenda of construction meetings between Owner and general engineering contractors. Compliance personnel are on patrol during business hours to assure that dust control practices are being implemented by the builders and their contractors.

### 4.01 Unincorporated Town

The boundary for the Unincorporated Town of Summerlin was expanded in conformance with section 29.49.020 (D) of the Code. In addition, the Planned Community has expanded into adjacent Spring Valley Unincorporated Town by approximately 318 acres. The expanded Summerlin Unincorporated Town will require the creation of a Town Advisory Board on or before **November 16, 2033**. Owner acknowledges that County may elect to consolidate the financial, taxing, and accounting functions of the unincorporated towns within the urbanized areas of Clark County.

#### 5.01 County Fire Station

As a part of the Third Amendment, Sections 5.01, 5.01(a), 5.01(b), and 5.01(c) were deleted and were re-written as summarized below:

**In collaboration with Clark County, Owner designed and constructed a fire station for a 2.5-acre site at Flamingo and Azimuth Drive. The fire station was turned over to Clark County on August 4, 2022.**

##### 5.01(a) Aerial Fire Truck

**Owner provided payment in December 2019 to Clark County for the purchase of the (100') aerial fire truck (and related equipment) to be stationed at the new fire station #35 located within Village 15A.**

##### 5.01(b) Second Fire Station

**In collaboration with Clark County, Owner designed and constructed a fire station for a 2.5-acre site at Flamingo and Azimuth Drive. The fire station was turned over to Clark County on August 4, 2022.**

##### 5.01(c) Third Fire Station

Owner conveyed a ±2 acre site near the intersection of Maule Avenue and Grand Canyon Drive in Summerlin South to the County on June 8, 2018 for the construction of a third fire station sometime in the future. If the County determines that the third fire station is not required subsequent to conveyance, the County will re-convey the parcel to Owner at no cost to the Owner.

#### 5.02 Satellite Government Center

A satellite government center site of approximately five acres has been identified **and approved by Clark County** in conjunction with Owner's continued planning efforts associated with Village 15A, Parcel 4 (**northwest** corner of **Hualapai Way**/Flamingo Road).

#### 5.03 Planned Community Sports Park

The Sports Park commitment has been included in paragraph 7.04.

#### 5.04 Summerlin Master Parks and Public Facilities Plan

The Summerlin Master Parks and Public Facilities Plan requirements are included in paragraph 7.02.

#### 5.05 County Sports Park

Clark County has constructed and is currently operating Desert Breeze Park, located at the corner of Spring Mountain Road and Durango Drive.

#### 5.07 Olympic Training Facility

No proposal for an Olympic Training Facility has been submitted.

#### 5.08 Trash Transfer Site

There are no current proposals for a trash transfer site within one-half mile of the Planned Community.

#### 5.09 Design of Public Facilities

Owner acknowledges that the design and construction of County facilities must be done in accordance with the standard operating procedures of the Department of Real Property Management using as an example the most recent prototypical design at the time of construction.

#### 5.10 Police Substation

Owner has **constructed** a police substation near Far Hills Drive at the corner of Carriage Hills Drive and Redpoint Drive at Owner's cost and expense as described in the Police Substation Agreement between Owner, the City of Las Vegas, and the Las Vegas Metropolitan Police Department. The police substation **was** completed **at** the end of the fourth quarter of 2019.

Per the requirements of the Third Amendment to the Development Agreement, Owner agreed to construct this facility in the City of Las Vegas. County agrees that Owner shall have no further obligation to provide, construct, equip, or maintain a police station within the Subject Property other than the payment of normal taxes and fees that apply to development and construction within the County's jurisdiction.

#### 6.01 Water Conservation

Owner is actively encouraging developers and builders to adopt water conservation measures throughout the Planned Community. Please refer to the attached document (ATTACHMENT "H" TO DEVELOPMENT DECLARATION) as a typical example of the guidelines Owner is including in sales documents and similar agreements with developers and builders within the Planned Community.

#### 6.02 Alternative Water Sources for Irrigation

Owner has constructed and/or coordinated the construction of treated effluent distribution lines in Hualapai Way, Flamingo Road, and Town Center Drive for the purposes of golf course irrigation. These treated effluent distribution lines connect to the LVVWD pumping facilities located on the east side Hualapai Way between Flamingo Road and the Western Beltway.

#### 6.03 Village Water Conservation Plan

Water Conservation Plans were submitted with Development Plans and approved for Villages 13 (Faith Lutheran High School and Fire Station), 13 East, 13 West (as revised), 14A, 14B, 15A (as revised), 15B, 16A, 18, 18C, and 19 (as revised).

#### 6.04 Golf Courses - Water Conservation

Golf courses exist within Villages 15B, 17, 18C, and 18. Treated effluent reuse water distribution lines have been constructed per section 6.02 above. Provisions were made in the approved water conservation plans to allow for connection to treated effluent reuse water at time of availability. Provisions for such were made during the design and construction of Village 15B, 17, 18 and 18C golf courses.

#### 6.06 Use of Treated Effluent and Conversion to Such Use

No requirements have been imposed with approval of Water Conservation Plans for Village 13 (Faith Lutheran High School and Fire Station), Village 13 East, Village 13 West, Village 14A, Village 16A, Village 19, or Reservoir and Substation Parcels. The water conservation plan for Village 15B and Village 18C indicates that "No treated effluent reuse water will occur within residential areas.... Golf Course irrigation system will be designed to incorporate the use of treated effluent reuse water at the time of availability." The Village 18 Water Conservation Plan provides similar wording for the golf course areas. Golf course irrigation systems in Villages 15B, 17, 18C, and 18 are in compliance with the requirements of this paragraph.

The Clark County Water Reclamation District has constructed and operates a regional water reclamation plant adjacent to Desert Breeze Park (Flamingo Road at Tomsik Street), which provides treated effluent reuse water for all of Summerlin South's golf courses. The treated effluent reuse meter for Village 18 golf course (Bear's Best Las Vegas), and for Village 17 private golf course (Summit) has been constructed.

#### 6.07 Regional Water Reclamation Plant Location

There are no existing or currently identified planned regional water reclamation plants in or within one-half mile of the Planned Community. It is expected that the Clark County Water Reclamation District will comment on this issue during their review of this document.

#### 7.01 Parks

The following parks have been constructed to date within the Planned Community, in addition to numerous private parks, paseos, and other walking trails: Village 13 Community Park (20.05 acres), Village 13 Village Green Park (6.32 acres), Village 14A Willows Park (17.00 acres), Village 14A Spotted Leaf Park (10.50 acres), Village 14B Gardens Park (18.04 acres), Village 16 Mesa Park (18.0 acres), Village 18

Ridgebrook Park (6.26 acres), Village 19 West Park (2.72 acres), **Village 19 Sagemont Park (10.3 acres)**, Village 16A Community Park (25.0 acres), **and NP-3 Park (1.3 acres)**.

7.02 Master Plan for Parks

Owner and the County Parks Department will continue to coordinate related issues.

7.03 Ownership and Control

Proposed "HOA Operated Parks" Owner-developed parks, trails, and paseos that are conveyed to a homeowner's association shall have programmed activities and maintenance and security provided, with public access provided by means of a Public Access Easement Agreement for parks funded with Regional Tax Credit (RTC) monies.

Proposed "County Operated Parks" Owner-developed parks (minimum 10 acres) that are conveyed to the County shall be programmed by, be maintained by, and have security provided by the County. For such County parks, Owner has the right to install artworks subject to approval by the County. All parks shall be designed in accordance with County Park Design/Specification Standards and constructed in accordance with procedures developed by the Department of Real Property Management for all County Operated Parks. Names for Owner supplied, County-operated parks must be approved by the County.

7.04 Community Park and Water Park

The Community Park (including the Aquatic Facility) and Water Park, as described in the Fourth Amendment to the Development Agreement, dated July 22, 2011 between Owner and the County, have been completed. The Community Park and Aquatic Center were conveyed to Clark County on May 8, 2014, and the Aquatic Facility building was conveyed to Clark County on July 26, 2016. The Water Park a.k.a. Wet n' Wild Las Vegas, is operated by a third party.

7.05 Property Dedications

The Community Park is owned in fee simple absolute, and is operated and maintained by the County. The Water Park has been constructed, and is owned, operated, and maintained by a third party.

7.06 Residential Construction Tax Credit

The Board of County Commissioners approved park credit agreements for Willows Park, Spotted Leaf Park, Gardens Park, Community Park, **Detention Basin Park (Village Green Park)**, and Ridgebrook Park.

7.06(iii)

Qualified Park Improvements must be in conformance with NRS 278.4983.

7.06(iv)

Tax credits shall not be available for any residential unit for which a building permit has been issued.

7.06(v)

Owner shall be entitled to the Residential Tax Credits, which shall be 75% of the estimated construction costs of the park, when the County approves a park plan for a "Qualified Park" and Owner posts a park bond. The final credit shall be adjusted by the County to reflect the actual cost of the "Qualified Park."

8.01(a) Master Transportation Study

The Summerlin Transportation Master Plan was prepared, submitted, and approved in 1996. This document has been used as the basis for all Village traffic studies within the Planned Community.

A Summerlin Transportation Master Plan Update was prepared and submitted in September 1998, and was approved in February, 2000.

8.01(b) Village Traffic Studies

Owner agrees that the existing and proposed roadways within a village will be addressed in a village-level traffic study for adequacy in accommodating the traffic proposed for that village, including mitigation measures that may be required for roadways within or outside the Planned Community that are anticipated to have level of service "E" or lower. Owner agrees to construct those mitigation measures identified for roadways within the Planned Community, including Hualapai Way.

8.02(a)

To satisfy its obligations to provide Offsite Improvements, Owner will pay an amount as calculated in Exhibit G-2 in the Third Amendment to the Development Agreement as adjusted by subsection 8.01 (b) for the lands shown on Exhibit G-1 of that Third Amendment.

8.02(c) Off-Site Traffic Mitigation Fee

As of **August, 2022** a total of **\$7,373,683.27** in Offsite Traffic Mitigation Fees has been paid to the County. **The Offsite Traffic Mitigations Fees have been paid for the entire Summerlin South.**

8.03(c) and 8.04 Beltway and Interim Beltway Road Construction and Offer of Dedication

County and Owner have partnered and cooperated in the design of the Western Beltway through the Planned Community. Owner has dedicated right-of-way for the Western Beltway, and the County has constructed final Beltway improvements through the Planned Community.

8.05 Interchanges

Interchange right-of-way has been provided by the Owner.

8.06 Bridges

Beltway construction within Summerlin South is complete, and the bridges listed in Exhibit "H" of the agreement are complete. The need for the Navajo Willow Lane overpass was addressed in the Village 15A traffic study and is not required. To date, completed bridges within Summerlin South and the City of Las Vegas portions of Summerlin include Hualapai Way, Town Center Drive, Desert Inn Road, Sahara Avenue, Summerlin Centre Drive, Charleston Boulevard, Alta Drive, Far Hills Avenue, Summerlin Parkway, Lake Mead Drive, and Cheyenne Avenue.

8.07 Regional Transportation Commission Priority

To date, the County has accommodated Owner's requirements for off-site roads. Owner has not seen a need to submit a projection.

8.09 Internal Roadway Network

County Code Section 16.05 has been deleted and incorporated into Chapter 27, which has been adopted by Owner per letter dated June 4, 1999, which recorded on June 9, 1999 in Book 990609, Instrument 00520.

8.11 Jobs Housing Balance

Zoning and/or parcel/final mapping for employment uses have been secured in some villages. See update to Sections 3.03 and 3.06(a) for details.

8.16 Streetlights

Owner has provided the required street light inventory. A \$30,000.00 check was provided by Owner to Clark County on October 13, 2004 in accordance with paragraph 8.16 of the Development Agreement. The use of metal halide street light luminaires for the Village 13 West area bounded by Town Center Drive, Sahara Avenue, Pavilion Center Drive, and Charleston Boulevard (excluding those exterior streets) was approved by the Board of County Commissioners on December 5, 2007 (WT-1020-07). **A Lighting Analysis was completed by Owner to utilize LED Luminaires for new construction and retrofit existing streetlights to utilize LED Luminaires. This LED Analysis was incorporated into WT-0216-99 on August 24, 2020.**

#### 8.17 Bus Transfer Station

Owner conveyed a bus transfer station site to the Regional Transportation Commission of Southern Nevada (RTC) on August 23, 2017. Construction of the bus transfer station, a.k.a. the 'Downtown Summerlin Bus Station', was completed and open for operation by the RTC in the third quarter of 2017.

#### 9.01 Flood Control Facilities and Technical Drainage Studies

Village Conceptual Drainage Studies and Technical Drainage Studies for each phase of the Planned Community or the infrastructure that serves it have been prepared, submitted, and approved for all on-site and off-site construction completed by the Owner as of this date.

#### 9.02 CCRFCD Priority

None of the proposed construction completion dates listed are guaranteed to be achievable because the completion dates are outside the control of the Owner or the County.

A portion of Red Rock Channel, the R-4 Detention Basin, and the R-4 Channel are under the control of the United States Corps of Engineers (Corps). Only twenty-five percent (25%) of the project cost is a local cost. Through and adjacent to Summerlin South, the Red Rock Channel, the R-4 Detention Basin and Channel, the F-1 Debris Basin and Channel, the F-2 Channel, and the F-4 Detention Basin Channel have all been constructed. As a result of the completion of the F-4 improvements, the associated Letter of Map Revision (LOMR) has been in effect since September 30, 2008.

Gravel extraction for the Flamingo Detention Basin enlargement is progressing in pace with the growing detention needs. Any gravel extraction needed to complete the project by 2004 to 2005 will be completed either as part of the BLM gravel extraction, or as part of the detention basin project scope.

#### 10.01 Frequency of Reviews

This is the **ninth** report. The County should receive the next report by **February 20, 2026**.

#### 13.04 Amendment or Cancellation of Agreement

The Development Agreement has been amended **five (5)** times: the First Amendment recorded on February 20, 1998; the Second Agreement recorded on June 30, 1999; the Third Amendment recorded on August 16, 2005; the Fourth Amendment re-recorded on August 2, 2011; **and the Fifth Amendment recorded on March 7, 2022.**

ATTACHMENT "H"  
TO DEVELOPMENT DECLARATION

Water Smart Guidelines

**WATER CONSERVATION GUIDELINES FOR NEW MULTI-FAMILY PROJECTS IN  
SUMMERLIN**

**March 8, 2004**

Landscape and Open Space Areas

1. Turf, if used, shall not exceed 30% of the total landscape area and shall have a minimum width of 10 feet.
2. A minimum of 50% of the landscape area shall be covered with organic material at two year's growth on the ground plane.
3. Turf shall be set back 3 feet min. from any building or wall if spray irrigation is used. There are no setback restrictions if subterranean irrigation is used.
4. Artificial turf may not be used.
5. Trees and shrubs must be chosen from the approved Summerlin plant list.
6. Planting areas shall be covered with a minimum 2" layer of mulch material (rock, decomposed granite, fiber, etc.). Bare soil is not permitted. If a weed barrier fabric is used, it shall be permeable to air and water.
7. Decorative fountains are allowed but shall not exceed 25 square feet of surface area for each fountain.

Recreation Areas

1. Turf, if used, shall not exceed 30% of the total landscape area and shall have a minimum width of 10 feet.
2. The surface area of swimming pools, spas, water features and fountains shall be counted as turf area, but shall not exceed 2,000 square feet in total for each recreation area.
3. Turf shall be set back 3 feet min. from any building or wall if spray irrigation is used. There are no setback restrictions if subterranean irrigation is used.
4. Artificial turf may not be used.
5. Non-turf planting areas shall be covered with a minimum 2" layer of mulch material (rock, decomposed granite, fiber, etc.). Bare soil is not permitted. If a weed barrier is used, it shall be permeable to air and water.
6. Swimming pools and spas shall be permanently plumbed to the sanitary sewer system for draining.
7. No misting systems are allowed.

Irrigation

1. Irrigation systems shall be designed so that, if properly operated, no spray or runoff leaves the property.
2. Spray irrigation is allowed for turf and flower beds only. Drip irrigation shall be used on all other planting areas.
3. Subterranean irrigation may be used in lieu of spray or drip irrigation.
4. Spray heads shall have 4" or greater pop-up height and matched precipitation nozzles.
5. Turf, flower beds, and non-turf planting areas shall be on different valves.
6. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush end assembly and any other appropriate components. Components shall be accessible for maintenance.

7. Irrigation systems shall be zoned for exposure (north and east exposures together, south and west exposures together).
8. Solid state irrigation controllers shall be installed that provide the following minimum features:
  - a. Three independent programs
  - b. Station run times of 0-99 minutes in one-minute increments
  - c. Three watering start times per day per program
  - d. Watering schedules that are selectable per program for any day of the week from daily to every fourteen days
  - e. Non-volatile memory for program data (no battery required to maintain program)
  - f. Capable of accepting external soil moisture and/or rain sensors
9. An owner's manual shall be provided for all irrigation controllers and other components.
10. A seasonal watering schedule for each zone shall be posted at the controller.

#### Interior of the Dwelling Unit

1. Service pressure for all uses (indoor and outdoor) shall be set to a maximum 60 psi by a pressure regulating valve (PRV) downstream of the water meter.
2. Builders shall provide the following waster conserving features as standards:
  - a. Toilets using 1.6 gallons per flush maximum
  - b. Kitchen faucets using 2.2 gallons per minute (gpm) maximum
  - c. Bathroom faucets using 1.5 gallons per minute (gpm) maximum
  - d. Shower heads using 2.5 gallons per minute (gpm) maximum  
(Note: There shall be no limit to the number of shower heads or spray jets if the total flow is less than 2.5 gpm. If multiple heads or spray jets exceed 2.5 gpm, they shall be on separate valves so that each valve controls a flow of 2.5 gpm or less. The total available flow cannot exceed 5 gpm in any single shower enclosure.)
  - e. Sink faucet aerators
3. Builders shall provide the following water conserving features as options:
  - a. Hot water recirculating systems (with timer required) and/or point of use devices
  - b. Ultra-high efficiency dishwashers (if dishwashers are offered)
  - c. Pressure assisted toilets and/or other high performance (1.6 gallons per flush) technologies
  - d. Water softeners, if offered, shall be a type where the interval of regeneration is variable (either automatically or manually) and can be adjusted to match actual use. It shall also be capable of using potassium instead of sodium in the exchange process.
4. No evaporative cooling systems are allowed.