



City of Las Vegas

Agenda Item No.: 38.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 26, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
XT-2805 - TEXT AMENDMENT PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Discussion and possible action to amend The City of Las Vegas Zoning Ordinance "Title 19" to update and revise various requirements and make corrections and clarifications as appropriate to chapters 19.00, 19.02, 19.04, 19.06, 19.08, 19.12, 19.18, and 19.20.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

- 1. Conditions and Staff Report

Motion made by GLENN TROWBRIDGE to Approve subject to the following revision:
A. Delete the section with regard to financial institutions, specified, and the references to the PD District.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES, GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

NOTE: CHAIR GOYNES disclosed that he had been retained by a client for a project on Indian Springs who had subsequently hired Kummer, Kaempfer, Bonner, Renshaw and Ferrario (KKBR&F). He stated KKBR&F does not represent him and he would vote on this matter.

Minutes:
CHAIR GOYNES declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, recommended that the language addressing financial institutions be stricken as it was no longer necessary.

MR. FAGG highlighted the changes proposed in this text amendment. He pointed out the minimum acreage required for the Traditional Development (TD) and Planned Development

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(PD) designations to reflect similar standards for both. He noted that new uses were being added to include the terms convalescent hospital, convenience store and grocery store and to remove the term psychiatric hospital use. He pointed out the language which would allow casinos to have multiple alcohol uses. Regarding the modification to the airport overlay districts, MR. FAGG clarified that the airport overlay boundaries would not change and stated the City was working with Nellis Air Force Base to provide information regarding projects within the City. He also noted that the Code was being modified to allow the installation of solar panels to both commercial and residential structures. MR. FAGG concluded his presentation by pointing out the perimeter landscaping requirements for freeways and the definition of the new uses.

MARK FIORENTINO appeared on behalf of Focus Property Group. He expressed concern that this text amendment would change the minimum size for PD development from 5 acres to 50 acres. MR. FIORENTINO noted the City has enjoyed success with the PD designation and pointed out its value. He suggested other zoning are less flexible and that this text amendment could create unintended consequences. He requested an opportunity to work with staff on this issue.

MARGO WHEELER, Director of the Planning and Development Department, pointed out that the City does not recognize non-conforming zone changes.

FLINN FAGG, Planning and Development Department noted that the area still eligible for development under the creation of the PD designation was partially zoned Planned Community Development, the same equivalent to PD, and the remainder was zoned as Rural. MR. FIORENTINO stated that the property owners would be forced to file for General Plan Amendments under the proposed version of the text amendment because the PD designation would no longer be an option.

MS. WHEELER suggested the reference to the PD designation be removed from the text amendment so staff could continue to work on it.

COMMISSIONER DUNNAM suggested including language stating nominal acreage would be acceptable, noting true five-acre parcels are not always possible when sections are broken down.

COMMISSIONER TROWBRIDGE suggest including an opportunity for discretion in cases of exceptions or appeals of decisions.

MS. WHEELER assured COMMISSIONERS TROWBRIDGE and DUNNAM that staff would pursue their suggestions.

CHAIR GOYNES declared the Public Hearing closed.