



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 26, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-28053 APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Title 19.02.040 is hereby amended as follows:

19.02.040 PURPOSE OF ZONING DISTRICTS

D. Special Purpose Districts

1. C-V (Civic) District. The C-V (Civic) District is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V (Civic) District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V (Civic) District is consistent with the Public Facilities category of the General Plan.
2. P-C (Planned Community) District. The purpose of the P-C (Planned Community) District is to permit and encourage the development of comprehensively planned communities, with a minimum of three thousand contiguous acres of land under one ownership or control, which can flourish as unique communities as a result of the comprehensive planning required for this large scale development.
3. R-PD (Residential Planned Development) District. The purpose of the R-PD (Residential Planned Development) District is to allow maximum flexibility to permit imaginative and innovative residential design and to utilize land for the development of residential communities which are planned and developed with appropriate amenities to establish a clear sense of community. It is intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and homogeneity of use patterns. Portions of an R-PD (Residential Planned Development) development may have a higher or lower density than

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permitted by the General Plan if the overall density for the entire development is in compliance with the General Plan. The maximum density permitted in an R-PD (Residential Planned Development) will be a function of the location and land use designation of a particular R-PD (Residential Planned Development) District and a determination of compatibility with surrounding development.

4. T-D Traditional Development District. The purpose of the T-D District is to provide for the development of comprehensively-planned mixed-use communities, with a minimum of ~~eighty~~ fifty contiguous acres of land under one ownership or control, which can provide a balanced mix of residential, commercial and civic uses. For purposes of the preceding sentence, acreage is contiguous if it shares a common boundary with other commonly-owned property, or is acreage that is separated from other commonly-owned property only by a public right-of-way whose dedication or acquisition caused the separation. Developments planned under the T-D zoning regulations will feature pedestrian-oriented neighborhoods, an interconnected hierarchy of streets, and demonstrate an appropriate relationship between street type, building type, and use. Communities within the T-D District are intended to feature civic amenities, and retain and incorporate existing natural features where feasible as organizational and recreational elements of the community.
5. PD Planned Development District. The PD District is intended to be a flexible district which may be applied to individual properties, larger planning areas or areas with multiple properties for redevelopment, economic development and cultural enrichment. The PD District may be used for office, retail, entertainment or commercial uses or for mixed-use developments where commercial and residential uses are combined. The PD District is further intended to buffer small infill tracts and adjacent uses, encourage the conservation of open space, promote creative siting arrangements, preserve prominent natural features, provide for the efficient development of large tracts for multiple uses, and provide for development which enhances neighborhood areas. The minimum size of tract eligible for PD designation is ~~five~~ fifty acres.
6. D-O Downtown Overlay District. The D-O District is intended to regulate development in the City's downtown core and to encourage compatible development therein. The D-O District is intended to establish special standards for development that will be applicable to any property and zoning category in the downtown core.

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- 7. G-O Gaming Overlay District. The G-O District is intended to reflect the implementation of LVMC 6.40.160.
- 8. A-O Airport Overlay District. The A-O District is intended to regulate development in proximity to the airport to prevent the encroachment of incompatible structures surrounding the airport.
- 9. H Historic Designation. The Historic designation is intended to safeguard the heritage of the City by preserving buildings, structures, places, sites and districts which reflect elements of the City's cultural, social, economic, political or architectural history. Designation is further intended to stabilize neighborhoods and improve property values, to foster civic beauty, to strengthen the local economy by promoting tourist interest, and to promote the preservation of historic and architectural resources of the City.

2. Title 19.04.010 is hereby amended as follows:

19.04.010 LAND USE TABLES

**Table 2 Land Use Table
Residential & Lodging**

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Group Residential Care Facility	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	C	C	C	C	C	C	C	C	C	C											
<p>Description: A dwelling of a residential character which is used or intended to be used to provide housing and care for up to ten elderly persons or persons with a handicap. This use does not include an individual residential care facility; convalescent care facility; nursing home; hospital; convalescent hospital; facility to provide testing, treatment, or counseling for drug or alcohol abuse; or any facility which:</p> <ol style="list-style-type: none"> 1. Provides surgical, medical, psychiatric or other specialized treatment on a regular basis; 2. Provides housing and care to persons who have a chronic illness, disease, injury or other medical condition; or 3. Provides housing, care or treatment to persons whose occupancy would constitute a direct threat to the health or safety of other individuals or their property. 																					

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Conditional Use Regulations:

1. The facility must be located on a parcel with minimum size of 6500 square feet.
2. Off-street parking shall be provided on the basis of at least one space per 6 residents, plus an additional space for the administrator.
3. Common area shall be provided on the basis of a minimum of 15 square feet per resident.
4. A facility may not be located closer than 660 feet from another Group Residential Care Facility, measured by means of the shortest distance from property line to property line. The provisions of Section 19.04.040(B) do not apply to this Regulation 4. However, a waiver of the distance limitation may be obtained from the City Council, after a recommendation from the Planning Commission, as follows:
 - a. A public hearing must be conducted by both the Planning Commission and City Council, after notice of hearing has been provided as in the case of a Special Use Permit.
 - b. The applicant must demonstrate to the satisfaction of the City Council that approval of the waiver will not have a detrimental impact on surrounding properties.
 - c. Approval of a waiver may be conditioned upon measures designed to ensure compatibility of the use.
5. The facility must comply on an ongoing basis with all governmental licensing requirements.
6. Conditional Use Regulations 1-4 shall not apply to the first Group Residential Care Facility to locate within any particular neighborhood. Such facility shall be treated as a single family dwelling.

On-site Parking Requirement: As set forth in Conditional Use Regulation 2 above.

Table 2 Land Use Table
Institutional & Community Service

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL		
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M
Convalescent Care Facility/Nursing Home	S	S	S	S	S	S	S	S	S	S						S	S	P		
	<p>Description: A building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. This use includes a rest home and nursing home, but does not include an assisted living apartment, <u>convalescent hospital</u>, hospital or other medical facility that is specifically defined in Chapter 19.20.</p>																			

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<p>Minimum Special Use Permit Requirements: U through R-2 Districts</p> <ol style="list-style-type: none"> 1. The minimum parcel size shall be 20,000 square feet. 2. The maximum number of beds per acre shall be 25. 3. Setbacks for buildings shall be the same as required for a single family dwelling in the zoning district where located. 4. The maximum building height shall be 2 stories. 5. The facility must be located on a collector street or larger. <p>R-3, R-4, R-5 Districts</p> <ol style="list-style-type: none"> 1. The minimum parcel size shall be 10,000 square feet. 2. The maximum number of beds per acre of land shall be 50. 3. Minimum building setbacks and building height are as follows: <ol style="list-style-type: none"> a. A one-story structure shall be set back a minimum of 25 feet from all property lines. b. A two-story structure shall be set back a minimum of 35 feet from all property lines. 4. The facility must be located on a collector street or larger. <p>On-site Parking Requirement: One space for each 6 beds, plus one space for each employee on the largest shift, plus 3 spaces for use by medical professionals.</p>

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Convalescent Hospital	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																S		C	C	C	C
<p>Description: A building designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, and who need medical, surgical or other specialized treatment normally provided by a hospital. This use does not include an assisted living apartment, hospital, rest home, nursing home, or other medical facility that is specifically defined in Chapter 19.20.</p> <p>Conditional Use Regulations:</p> <ol style="list-style-type: none"> 1. The use shall be located on a secondary thoroughfare or larger. 2. The facility shall comply on an ongoing basis with all governmental licensing requirements. <p>On-site Parking Requirement: One and one-half spaces for each patient bed.</p>																					

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Psychiatric Hospital	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																			S		S
<p>Description: A facility for the diagnosis, care, treatment, or housing of persons with mental illness who are admitted on an involuntary basis.</p> <p>Minimum Special Use Permit Requirements:</p> <ol style="list-style-type: none"> 1. The facility must be adjacent to, and accessed from, a collector or arterial street. 2. The facility shall provide adequate security, in the form of perimeter walls, secured buildings, and qualified supportive staff to monitor patients and visitors. 3. The facility must comply on an ongoing basis with all governmental licensing requirements. <p>On-site Parking Requirement: One and one-half spaces for each patient bed.</p>																					

**Table 2 Land Use Table
 Office & Professional**

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL				
Financial Institution, Specified	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M	
															S	S	S	S		C	C	
<p>Description: Any business whose primary function is to:</p> <ol style="list-style-type: none"> 1. Lend money; 2. Cash checks or other negotiable instruments for a fee, service charge or other consideration; or 3. Provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. <p>This use includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances, but does not include a pawn shop.</p>																						
<p>Conditional Use Regulations:</p> <ol style="list-style-type: none"> 1. The use shall comply with all applicable requirements of LVMC Title 6. 2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area. 3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a grand opening or that a business is coming soon may be approved administratively for a period not to exceed 30 days. 4. Window signs shall not: <ol style="list-style-type: none"> a. Cover more than 20 percent of the area of all exterior windows; b. Include flashing lights or neon lighting; or c. Include any text other than text that indicates the hours of operation and whether the business is open or closed. 5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m. 6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as teller windows or desks). 7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 4000 660 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Regulation 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term property line refers to property lines of fee interest parcels and not leasehold parcels. 																						

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Minimum Special Use Permit Requirements:

- *1. The use shall comply with all applicable requirements of LVMC Title 6.
- *2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
- 3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a grand opening or that a business is coming soon may be approved administratively for a period not to exceed 30 days.
- 4. Window signs shall not:
 - a. Cover more than 20 percent of the area of all exterior windows;
 - b. Include flashing lights or neon lighting; or
 - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
- 5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
- 6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as teller windows or desks).
- *7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 400 660 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term property line refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

**Table 2 Land Use Table
Recreation, Entertainment & Amusement**

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Gaming Establishment, Non-restricted																	S	S		S	S
<p>Description: An establishment which is used or intended to be used for the conduct of gaming activities for which a non-restricted gaming license is required pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations consist of 16 or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool at that establishment. <u>Additionally, a gaming establishment, non-restricted use, when in conjunction with a hotel consisting of 200 or more rooms, allows an unlimited number of on-sale alcohol related uses [(i.e. hotel lounge bars, supper clubs, liquor establishment (tavern))] provided they are in conformance with the provisions of LVMC Chapters 6.40 and 6.50.</u></p>																					

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Minimum Special Use Permit Requirements:

- *1. Except as otherwise exempted by State law, non-restricted gaming establishments must be located within the Gaming Enterprise Overlay District described in Section 19.06.070.
- *2. A Special Use Permit is required for:
 - a. Any new non-restricted gaming establishment.
 - b. Any increase in the amount, variety or magnitude of gaming to be offered within an existing non-restricted gaming establishment whether or not the existing gaming was approved by means of a Special Use Permit.
- *3. The Special Use Permit requirement in Paragraph (2) above:
 - a. Applies to all property in the City, wherever located and whether or not it is located in the Gaming Enterprise Overlay District;
 - b. Applies to existing non-restricted gaming establishments whether or not they have applied for an increase in the amount, variety or magnitude of gaming to be offered;
 - c. Applies to any property or establishment irrespective of any rights or purported rights established by prior adjudication, to the extent such rights have not become vested by the exercise thereof; and
 - d. Supersedes and prevails over every other provision of the Municipal Code to the contrary, or that might be deemed to be interpreted to the contrary.

On-site Parking Requirement: One space for each 90 square feet of gross floor area.

Table 2 Land Use Table
Retail & Personal Services

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
<u>Convenience Store</u>														<u>C</u>	<u>A</u>		<u>C</u>	<u>C</u>	<u>S</u>	<u>C</u>	<u>C</u>
	<p>Description: A facility, limited in size and scope, for the retail sale of merchandise for offsite consumption, including food, prepackaged food products, sundries, household and similar consumer items, to the public. A retail business licensed as a drugstore pursuant to LVMC Title 6 shall not be considered to be a convenience store.</p> <p>Conditional Use Regulations:</p> <ol style="list-style-type: none"> 1. The building or portion thereof that is dedicated to the use shall have a minimum size of 1,200 square feet, and shall be designed to have no more than 5,000 square feet of floor space, exclusive of warehouse and office areas, devoted to the display of merchandise. 2. All loading areas shall be screened from view from adjacent residential properties. 3. The following are not permitted (N-S): <ul style="list-style-type: none"> a. The sale or dispensing of gasoline or other automotive fuels. b. The sale of alcoholic beverages for off-premise consumption. <p>On-site Parking Requirement: One space per 175 square feet of gross floor area.</p>																				

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USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
General Retail Store, Other Than Listed (3500 Square Feet or More)																	P	P	S	P	P
	<p>Description: A facility (with 3500 square feet or more) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. This use does not include a grocery store, convenience store, or other retail facility that is specifically defined in Chapter 19.20.</p> <p>On-site Parking Requirement: 1. If less than 25,000 square feet, one space per 175 square feet of gross floor area. 2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.</p>																				

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
General Retail Store, Other Than Listed (Less than 3500 Square Feet)														C	A	C	P	P	S	P	P
	<p>Description: A facility (with less than 3500 square feet) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. This use does not include a grocery store, convenience store, or other retail facility that is specifically defined in Chapter 19.20.</p> <p>Conditional Use Regulations: 1. The following are not permitted: a. The sale or dispensing of gasoline or other automotive fuels. b. The sale of alcoholic beverages for off-premise consumption. c. Outdoor storage and sales. 2. All loading areas shall be screened from view from adjacent residential properties.</p> <p>On-site Parking Requirement: One space for each per 175 square feet of gross floor area.</p>																				

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Grocery Store																	P	P	S	P	P
	<p>Description: A facility, over 5,000 square feet in size, primarily for the retail sale of household foodstuffs for offsite consumption, including the sale of fresh produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, baked foods and/or prepared foods. Other household supplies or other products shall be secondary to the primary purpose of food sales.</p> <p>On-site Parking Requirement: 1. If less than 25,000 square feet, one space per 175 square feet of gross floor area. 2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.</p>																				

**Table 2 Land Use Table
 Utilities, Communications & Transportation**

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL				
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M	
<u>Solar Panel</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
	Description: A small scale power and/or heat generating unit established as an accessory use designed to provide necessary power and/or heat for the principal use. This use does not include an electric generating plant or other utility facility that is specifically defined in Chapter 19.20. This use is not deemed an accessory structure.																					
	Conditional Use Regulations: 1. When visible from a public right-of-way, solar panels shall be installed so that they project no more than 18 inches from the roof surface; 2. When mounted on sloped roofs, with the exception of the solar collection cells, the enclosure cladding and support structure shall match the roof in color and appearance; 3. Roof mounted hot water storage systems shall not be visible from neighboring properties or public rights-of-way; and 4. Within an area designated as a Historic Preservation District, the location of the proposed unit must first be reviewed pursuant to LVMC 19.06.090 before the approval as a conditional use.																					
	On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.																					

**Table 2 Land Use Table
 Temporary Uses**

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL				
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M	
<u>Temporary Contractors Construction Yard</u>	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
	Description: An on-site or off-site facility for the storage of construction materials and equipment intended for use in conjunction with a specific development, to be removed at the time the development is completed. This use may include a temporary batch plant. <u>When on-site, no Temporary Commercial Permit is required pursuant to LVMC 19.18.100.</u>																					
	On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.																					

3. Title 19.06.050 is hereby amended as follows:

19.06.050 PD PLANNED DEVELOPMENT DISTRICT

C. Rezoning and Minimum Site Area.

Property may be rezoned to the Planned Development District by the City Council in accordance with the requirements of this Chapter and Chapter 19.18.040. Each rezoning parcel shall be described as a separate district, with distinct boundaries and specific design and development standards. Each district shall be assigned a district development project number or label, along with the designation PD. The rezoning shall include the adoption of a specific master development plan and development standards. The minimum site area for a Planned Development District is ~~five~~ fifty acres, except that ~~the City Council may waive this requirement when proper planning justification is shown~~ any additional tract which contains less than the minimum site area and which is contiguous to property previously zoned PD may also be zoned PD by the City Council if it otherwise qualifies for the PD zoning designation and, at the time of such rezoning, is owned by or is under the control of the same property owner (including its successors and assigns) that applied for and obtained PD zoning on the original property so zoned. The rezoning of any such additional property shall be made subject to the approved Development Standards and Design Guidelines applicable to that property.

4. Title 19.06.080 is hereby amended as follows:

19.06.080 A-O AIRPORT OVERLAY DISTRICT

A. Establishment

1. There is hereby established an Airport Overlay District which consists of those certain areas that are delineated on the following maps:
 - a. The McCarran International Airport Official Airspace Zoning Map; sheet number three, prepared by the Clark County Airport Engineering Department, dated July 18, 1990; hereafter known as the McCarran Airport Overlay Map and;
 - b. The North Las Vegas Air Terminal Official Airspace Zoning Map, consisting of one sheet, prepared by the Clark County Airport Engineering Department, dated July 18, 1990; hereafter known as the North Las Vegas Airport Overlay Map.

2. An area which is identified on more than one airport map is considered to be only in the map with the more restrictive height limitations.
 3. Copies of the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map, are maintained in the Department of Planning and Development.
 4. Although not included as part of the overlay district, consideration shall be given to the protection of the Nellis Air Force Base airspace.
5. Title 19.06.160 is hereby amended as follows:

19.06.160 T-D TRADITIONAL DEVELOPMENT DISTRICT

D. Minimum Site Area for Rezoning.

The minimum site area that is eligible for rezoning to the T-D District is ~~eighty~~ fifty acres, which is the minimum area deemed necessary to accommodate a balanced mix of housing, commercial, and civic uses. Any additional tract which contains less than the minimum site area and which is contiguous to property previously zoned T-D may also be zoned T-D by the City Council if it otherwise qualifies for the T-D zoning designation and, at the time of such rezoning, is owned by or is under the control of the same property owner (including its successors and assigns) that applied for and obtained T-D zoning on the original property so zoned. The rezoning of any such additional property shall be made subject to the approved Development Standards and Design Guidelines applicable to that property.

6. Title 19.08.040 is hereby amended as follows:

Table 1 Single-Family Residential District Development Standards

STANDARD	U	R-A	R-E	R-D	R-1	R-CL	R-MH	R-MHP
Min. Lot Size (s.f.)	20,000	40,000	20,000	11,000	6,500	3,500 ²	6,500	4,000
Dwelling Units per Lot	1	1	1	1	1	1	1	1
Min. Lot Width (ft.)	100 ⁶	100 ⁶	100 ⁶	90 ⁶	65 ⁶	35 ^{3,6}	65 ⁶	45 ⁶
Min. Front Yard Setback (ft.)	50 ¹	50 ¹	50 ¹	25	20	14 ⁴	20	5
Min. Side Yard Setback (ft.)	10 ⁷	10 ⁷	10 ⁷	10 ⁷	5 ⁷	10 ^{5,7}	5 ⁷	5 ⁷
Min. Corner Side Yard Setback (ft.)	15 ⁷	15 ⁷	15 ⁷	15 ⁷	15 ⁷	10 ⁷	10 ⁷	5 ⁷
Min. Rear Yard Setback (ft.)	35 ⁷	35 ⁷	35 ⁷	30 ⁷	15 ⁷	10 ⁷	15 ⁷	5 ⁷
Max. Lot Coverage	NA	NA	NA	NA	50%	50%	50%	NA
Max. Building Height (ft.)	2 stories or 35 feet, whichever is less ⁸							

Notes:

1. U, R-A and R-E Districts--Lots which front onto a public street shall maintain a minimum front yard setback of fifty feet. The minimum front setback for an attached, open porte cochere is thirty feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of thirty feet from the edge of the private street access easement; provided, however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be twenty feet from the edge of the private street or access easement.
2. R-CL District--The minimum lot size is three thousand five hundred square feet, provided, however, the minimum average of all lots within the development shall be three thousand seven hundred fifty square feet.
3. R-CL District--The minimum lot width is thirty-five feet. In all cases, lot width shall be sufficient to provide the street frontage necessary for driveways to conform to the requirements of LVMC Chapter 13.16, LVMC 18.28.360 and other adopted City driveway standards.
4. R-CL District--The minimum front yard setback is fourteen feet. The minimum front yard setback for front entry garages and carports is sixteen feet for any lot located on a knuckle or cul-de-sac bulb and eighteen feet in all other cases.

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5. R-CL District--The minimum total (combined) width of both side yards for each lot is ten feet. The minimum side yard setback for a side yard along a street is ten feet, in which case the total width must be fifteen feet. Such side yard setbacks may be configured in any manner that conforms to the Uniform Building Code and results in maintaining the total side yard setback width required on each lot. In no case, however, may lots be configured or improvements placed on lots in a manner that result in open space or yard setback area for one lot actually being located on a separately owned lot. The use of use easements to create such a result is specifically prohibited.
6. All Districts--Notwithstanding the minimum lot width in this Table, lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of thirty feet in width at the front property line, provided the average lot width meets the required lot width.
7. All Districts--Side, corner side and rear yard setbacks are subject to the patio cover provisions set forth in Subsection 19.08.040(B)(4).
8. All Districts--Roof mounted Solar Panel units are subject to the conditional use regulations set forth in Subsection 19.04.010 Table 2 and shall not be considered as a part of the building height.

Table 2. Residential District Development Standards, Other than Single Family

STANDARD	R-2	R-3	R-4	R-5
Minimum Lot Size sq. ft.	6,500	6,500	6,500	7,000
Dwelling Units per Gross Acre	6-12	13-25	26-50	unlimited ¹
Min. Lot Width (ft.)	NA	NA	NA	NA
Min. Front Yard Setback (ft.) ³	20	20	10	10
Min. Side Yard Setback (ft.) ³	5 ⁴	5 ⁴	5 ⁴	5 ⁴
Min. Corner Side Yard Setback (ft.) ³	5 ⁴	5 ⁴	5 ⁴	5 ⁴
Min. Rear Yard Setback (ft.) ³	20 ⁴	20 ⁴	20 ⁴	20 ^{2,4}
Min. Distance Between Buildings ³	10	10	10	unlimited
Max. Lot Coverage ³	NA	NA	NA	NA
Max. Building Height (ft.) ^{3,6}	2 stories or 35 feet, whichever is less ⁵			5 stories or 55 feet, whichever is less

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Notes:

1. R-5 District--The maximum density is unlimited. However, the height limit on development imposes a de facto limitation on density in all areas except the Downtown Overlay District (see Section 19.06.060), where the height is unlimited.
2. R-5 District--The minimum rear yard setback shall be twenty feet. However, where the rear twenty feet of the lot has direct access to a public alley and is used for the on-site parking of automobiles, this area may be covered by a roof provided it is otherwise open on three sides.
3. Downtown Overlay District--All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in Table 2. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Section 19.06.060.
4. All Districts--Side, corner side and rear yard setbacks are subject to the patio cover provisions set forth in Subsection 19.08.040(B)(4).
5. R-3 and R-4 Districts--The height limit for senior citizen apartment developments shall be three stories or forty feet, whichever is less, upon approval of a Site Development Plan in accordance with Section 19.18.050. Senior citizen apartment developments that exceed the permitted height limit may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060.
6. All Districts--Roof mounted Solar Panel units are subject to the conditional use regulations set forth in Subsection 19.04.010 Table 2 and shall not be considered as a part of the building height.

7. Title 19.08.050 is hereby amended as follows:

19.08.050 COMMERCIAL AND INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS

C. Minimum Standards for Commercial and Industrial Development

1. General. The standards set forth in Table 1 are minimum standards that shall apply to the various zoning districts as indicated.

Table 1
Commercial and Industrial District Development Standards

STANDARD	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Min. Site Area to Rezone	NA	NA	NA	NA	NA	NA	20 ac.	NA	NA
Min. Lot Width (ft.) ⁴	60	100	100	100	100	100	100	100	100
Setbacks, Principal Structures									
Min. Front Yard Setback (ft.) ⁴	20	25	25	25	20	20	20	10	10
Min. Side Yard Setback (ft.) ⁴	5	10	10	10	10	10	10	10	10
Min. Corner Side Yard Setback (ft.) ⁴	15 ³	15	15	15	15	15	20	10	10
Min. Rear Yard Setback (ft.) ^{1,4}	15	25	15	25	20	20	15	20	0
Setbacks, Accessory Structures									
Min. Front Yard Setback (ft.)	20	25	25	25	20	20	20	10	10
Min. Side Yard Setback (ft.)	5	8	8	8	8	8	8	8	0
Min. Corner Side Yard Setback (ft.)	15	15	15	15	15	15	20	10	10
Min. Rear Yard Setback (ft.)	8	8	8	8	8	8	8	8	0
Max. Lot Coverage ⁴	50%	30%	30%	30%	50%	50%	50%	NA	NA
Max. Building Height ^{1,2,4,5}	Lesser of 2 stories or 35 feet			NA	NA	NA	NA	NA	NA

Notes:

1. Rear Yard Setbacks, Building Heights. Rear yard setbacks and building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.060.
2. Building Height.
 - a. Non-Residential Building Height When Adjacent to Residential. See Section 19.08.060(B).
 - b. P-R and O Districts. The maximum building height in the P-R and O Districts is two stories or thirty-five feet, whichever is less.
 - c. C-D District. Unless otherwise approved by the City Council in a Site Development Plan, building heights in the C-D District shall not exceed:
 1. One story or twenty feet, whichever is less, for parcels that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard;
 2. Two stories or thirty-five feet, whichever is less, for all other parcels.

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- d. C-1 and C-2 Districts. For parcels that are located within the C-1 and C-2 Districts, but are outside the Neighborhood Revitalization Area, the maximum building height for mixed-use development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, the Neighborhood Revitalization Area means the area so designated in the Las Vegas 2020 Master Plan adopted by Ordinance No. 5250, as the boundaries of that area may be amended from time to time.
 - e. C-PB District. The maximum building height in the C-PB District is five stories or eighty-five feet, whichever is less. For parcels of land located within a C-PB Zoning District that is contiguous to, or within two hundred feet of, a freeway or expressway, the maximum building height shall be six stories or one hundred feet, whichever is less. Notwithstanding the above, in the case of permitted commercial and retail uses, the maximum building height shall be two stories or thirty-five feet, whichever is less.
 - f. Exemptions. Chimney and vent stacks; roof structures for the use of elevations, stairs, tanks, ventilation, solar panels, and similar necessary mechanical equipment; visual screens which surround mounted mechanical equipment; skylights; and whip and mounted antennas and flag poles up to forty feet in height may be erected above the required height limits. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.
 - g. Height Along Certain Streets. For additional building height restrictions along streets classified as collector or larger, see Section 19.08.030(C).
3. P-R District. A development in the P-R District which is a conversion from an existing residential structure may maintain the existing setbacks. Any additions may also be constructed to the existing established corner setback.
 4. Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in this Chapter. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Section 19.06.060.
 5. Gaming Enterprise Overlay District. All licensed gaming establishments within the Gaming Enterprise District are exempted from the automatic application of any height limitations specified in this Chapter. However, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan.

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- 6. C-1 District. Senior citizen apartments and mixed-use developments that exceed the permitted lot coverage limitation may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. In addition, a mixed-use development shall be subject to all of the following requirements:
 - a. The mixed-use development must contain both residential and commercial uses in the same structure;
 - b. Commercial uses shall be located at the front yard setback facing the public right-of-way; and
 - c. The residential units shall be located at or above the second story of the mixed-use structure.

- 7. M District. Where a property in an M District is adjacent to, or across the street from, a residential district, the minimum setback from the property line or the street right-of-way line shall be fifty feet. The setback area shall be maintained free and clear of all buildings or industrial uses, except that this area may be used for parking. Such parking use may include parking for industrial equipment and vehicles if parking areas are completely screened from any residential view.

- 8. Title 19.08.050 is hereby amended as follows:

19.08.050 COMMERCIAL AND INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS

E. Urban Design, Screening and Lighting.

- 4. Screening and Lighting. The following uses and equipment shall be screened from public view from all rights-of-way, pedestrian areas, and parking lots: Trash and refuse collection areas; mechanical equipment such as air conditioners, pumps and motors; propane tanks and other storage tanks; electrical equipment such as switching equipment and transformers; emergency generators; valves; vents; utility meters; satellite dishes; ~~solar collectors~~; grouped mailboxes; and any commercial project which abuts a residential property. Screening includes, without limitation, solid walls and landscaping of a density sufficient to screen the use.
 - c. Mechanical and Electrical Equipment. In the initial design stage of a development project, mechanical and electrical equipment should be incorporated into the architectural form and layout of the proposed building to reduce the need for screening (See Figure 28).

- i. Mechanical and electrical equipment, ~~solar collectors,~~ satellite dishes and any other communications equipment, excluding communications towers and antennas, shall be concealed from view of public rights-of-way and neighboring properties from street level within one hundred feet of the property boundary. Communication antennas shall be of a design, and installed in such a manner, as to blend in with the architecture and design of the building on which they are mounted. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials (See Figure 29).
 - ii. Ground and wall mounted mechanical and electrical service equipment, such as utility boxes, valves, gas and electric meters, shall be screened from public view with materials architecturally compatible with the finishes and character of the principal structures within the development or through the use of shrubs and landscaping, and shall be screened to the height of the tallest equipment, integrated with the building design, or both (See Figure 30).
- d. Mechanical Equipment on Sloped Roofs. No mechanical equipment shall be mounted on or attached to any sloped roof.
- ~~i. With the exception of solar panel equipment, no mechanical equipment shall be mounted on or attached to any sloped roof.~~
 - ~~ii. When mounted on sloped roofs, solar panel equipment, with the exception of the solar collection cells, shall match the roof in color and appearance. Panels shall be mounted directly to the roof plane and be integral to the roof design. Roof mounted hot water storage systems shall not be visible from neighboring properties or public rights of way.~~

9. Title 19.08.060 is hereby amended as follows:

19.08.060 RESIDENTIAL ADJACENCY STANDARDS

B. Building Height and Setback Requirements.

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- 3. Exceptions.
 - a. The following structures may project a maximum of twelve feet above the Proximity Slope:
 - i. Chimney and vent stacks.
 - i. Roof structures for the use of Solar Panels units, elevators, stairs, tanks, ventilation, and similar necessary mechanical equipment.
 - ii. Visual screens which surround mounted mechanical equipment.
 - iv. Skylights.
 - v. Whip and mounted antennas.

10. Title 19.12.040 is hereby amended as follows:

19.12.040 PERIMETER LANDSCAPE BUFFERING

B. Plant Material.

The following are spacing requirements for plant material:

- 1. The standard planting requirement is as set forth in Figure 2. Trees shall be spaced within the required buffer zones in accordance with Table 2 below, with trees to be spaced on center. Alternatives to the standard planting requirement are set forth in Paragraphs (2) and (3) that follow Table 2.

Table 2 Perimeter Landscape Buffer--Spacing of Trees

STANDARD	RESIDENTIAL (MULTI-FAMILY)	COMMERCIAL	INDUSTRIAL	RESIDENTIAL (SINGLE-FAMILY)
Minimum Trees (24 box minimum)	1 per 20 linear feet <u>1 per 30 linear feet</u> ³	1 per 20 linear feet ¹ 1 per 30 linear feet ^{2,3}	1 per 20 linear feet ¹ 1 per 30 linear feet ^{2,3}	1 per 30 linear feet

1. Where adjacent to any residential use.
2. Where adjacent to any commercial or industrial use.
3. Where adjacent to any right-of-way classified as a freeway.

11. Title 19.18.040 is hereby amended as follows:

19.18.040 REZONING

C. Minimum Site Requirements.

Property which is proposed to be rezoned to the following zoning districts must meet the minimum criteria denoted below in order to be considered for rezoning, except that a minimum site area requirement for an R-CL, R-MHP, P-C, or C-PB District may be waived in a particular case by the City Council.

1. R-CL District. Rezoning parcel must be an infill parcel which has a maximum site area of three acres, is surrounded by existing R-CL development and does not lend itself to R-PD development.
2. R-MHP District. Minimum site area of five acres.
3. P-C District. Minimum site area of three thousand acres.
4. C-PB District. Minimum site area of twenty acres.
5. PD District. Minimum site area of ~~five~~ fifty acres.

12. Title 19.20.020 Words and Terms Defined is hereby amended as follows:

Convalescent Hospital. A building designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, and who need medical, surgical or other specialized treatment normally provided by a hospital. This use does not include an assisted living apartment, hospital, rest home, nursing home, or other medical facility that is specifically defined in this Chapter.

Convenience Store. A facility, limited in size and scope, for the retail sale of merchandise for offsite consumption, including food, prepackaged food products, sundries, household and similar consumer items, to the public. A retail business licensed as a drugstore pursuant to LVMC Title 6 shall not be considered to be a convenience store.

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Gaming Establishment, Non-restricted. An establishment which is used or intended to be used for the conduct of gaming activities for which a non-restricted gaming license is required pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations consist of 16 or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool at that establishment. Additionally, a gaming establishment, non-restricted use, when in conjunction with a hotel consisting of 200 or more rooms, allows an unlimited number of on-sale alcohol related uses [(i.e. hotel lounge bars, supper clubs, liquor establishment (tavern)] provided they are in conformance with the provisions of LVMC Chapters 6.40 and 6.50.

General Retail Store, Other Than Listed (3500 Square Feet or More). A facility (with 3500 square feet or more) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. This use does not include a grocery store, convenience store, or other retail facility that is specifically defined in this Chapter.

General Retail Store, Other Than Listed (Less than 3500 Square Feet). A facility (with less than 3500 square feet) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. This use does not include a grocery store, convenience store, or other retail facility that is specifically defined in this Chapter.

Grocery Store. A facility, over 5,000 square feet in size, primarily for the retail sale of household foodstuffs for offsite consumption, including the sale of fresh produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, baked foods and/or prepared foods. Other household supplies or other products shall be secondary to the primary purpose of food sales.

Solar Panel. A small scale power and/or heat generating unit established as an accessory use designed to provide necessary power and/or heat for the principal use. This use does not include an electric generating plant or other utility facility that is specifically defined in this Chapter. This use is not deemed an accessory structure.

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**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to amend Title 19.02, 19.04, 19.06, 19.08, 19.12, 19.18, and 19.20 to add/revise various uses and associated development standards, include consideration for Nellis Air Force Base in the application of a Special Use Permit for exceeding the height limitation as set by the A-O (Airport Overlay) District and to revise the minimum lot area required for a T-D or PD zoning district.

BACKGROUND INFORMATION

The minimum area required to rezone to either the PD (Planned Development) or T-D (Traditional Development) Districts are not consistent with one another. These two districts are intended to create master plan communities that while having different requirements offer distinctive options for large tracts of land. They do this by providing for mixed-use communities that take advantage of the flexibility provided by the creation of a unique land use plan for the property.

Further, Title 19.04 currently does not address several uses that have unique operational characteristics that differentiate them from the more general uses then they are currently identified with or are so unique that they are not permitted because they are precluded by their nature from the more general category. Additionally, a prior amendment to the code incorporated a separate use category for a Psychiatric Hospital, which had not been intended for inclusion as Nevada Revised Statutes Chapter 449 (Medical and Other Related Facilities) provides most regulations pertaining to psychiatric hospitals and Chapter 433A (Admission to Mental Health Facilities, Hospitalization and Sealing of Records) establishes regulations relative to admissions.

ANALYSIS

The proposed amendment will align the minimum lot areas of the PD (Planned Development) and T-D (Traditional Development) Districts to require a minimum of 50 acres to rezone to these districts versus the five and 80 acres, PD (Planned Development) and T-D (Traditional Development) respectively, currently required. Additionally, the option to waive the minimum lot area for a PD (Planned Development) District has been removed and language has been added to permit smaller lot areas to be rezoned provided they are contiguous to an existing PD (Planned Development) District and they will be incorporated into the approved master community plan.

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Solar Panel has been added as a permitted use, provided development standard related conditions are met, that is intended to encourage the use of solar power and/or heat generation as an ancillary use to the principle activity performed on-site in all standard zoning districts. Provided the development standards identified as conditions in the use table are met, the addition of these small scale power and/or heat generating units may be approved as a part of the building permit process and will not require additional planning related approvals, public hearings, or interfere with established building heights. Previously, there were no provisions for solar panel or collector units within any of the standard residential zoning districts and were handled as mechanical/electrical equipment within the commercial zoning districts. The development standards for commercial zones require that all such equipment be screened from view and included no exemption for solar panel units to project above the maximum height of the building. The proposed amendment has removed references to solar panels from the mechanical and electrical equipment section of the commercial development standards and has addressed solar related standards as a condition of approval for the use.

In addition to the changes described above, the following associated code elements are proposed for revision:

- Title 19.02.040: The description of the T-D (Traditional Development) and PD (Planned Development) Districts will be amended to require a minimum area of 50 acres in order to submit for a rezoning to either of these districts.
- Title 19.04.010 Group Residential Care Facility and Convalescent Care Facility/Nursing Home: These use descriptions will be amended to include Convalescent Hospital as one of the uses not included as a function of that either use.
- Title 19.04.010 Convalescent Hospital: This use will be added to provide conditions and identify appropriate zoning districts for a facility that is designed to handle the needs of a convalescent care facility but also provides medical services normally applicable to a hospital facility.
- Title 19.04.010 Psychiatric Hospital: This use will be deleted.
- Title 19.04.010 Financial Institution, Specified: The conditional use regulations and special use permit requirements will be amended to allow a 660-foot distance separation between like uses where 1,000 feet is required presently. The requirement of 200 feet to a residential use will remain the same. The distance separation requirements, to both residential property and a property containing a like use, will no longer be able to be waived.
- Title 19.04.010 Gaming Establishment, Non-restricted: The description will be amended to include a reference to the fact that an unspecified number of on-sale alcohol related uses may be operated when the use is in conjunction with a 200+ room hotel.
- Title 19.04.010 Convenience Store: This use will be added to provide conditions and identify appropriate zoning districts for a retail store that is distinct in the scale and scope of merchandise it offers for off-site consumption.

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- Title 19.04.010 General Retail Store, Other Than Listed (3500 Square Feet or More) and General Retail Store, Other Than Listed (Less Than 3500 Square Feet): These use descriptions will be amended to include Convenience Store and Grocery as two of the uses not included as a function of that either use.
- Title 19.04.010 Grocery Store: This use will be added to identify appropriate zoning districts for a retail store that is distinct in that household foodstuffs are the principle merchandise that is offered for off-site consumption.
- Title 19.04.010 Solar Panel: This use will be added to provide conditions and identify appropriate zoning districts for the use of small scale solar power and/or heat generating units.
- Title 19.04.010 Temporary Contractors Construction Yard: The description will be amended to include a reference to the fact pursuant to Title 19.18.100; no Temporary Commercial Permit is required when the use is proposed on-site.
- Title 19.06.050: The PD (Planned Development) District rezoning and minimum site area regulations will be amended to require a minimum of 50 acres in order to rezone and to allow no waiver of the area requirement. The section is further amended to allow for contiguous parcels that are less than 50 acres to be rezoned to the PD (Planned Development) District provided that the area is to be incorporated into the approved master plan community to which it is adjacent.
- Title 19.06.080: The A-O (Airport Overlay) District regulations will be amended to acknowledge that the Nellis Air Force Base airspace shall be taken into consideration when evaluating a request to exceed the height limitations established for the district.
- Title 19.06.160: The T-D (Traditional Development) District minimum site area for rezoning regulations will be amended to require a minimum of 50 acres in order to rezone.
- Title 19.08.040, Table 1 Notes and Table 2 Notes: The notes section will be amended to indicate that solar panel units are not considered as a part of the building height.
- Title 19.08.050, Table 1 Notes: The notes section will be amended to include solar panel units as an exception when determining the building height.
- Title 19.08.060: The Residential Adjacency Standards will be amended to include solar panel units as an exception when calculating the 3:1 Proximity Slope.
- Title 19.12.040, Table 2: The footnotes will be amended to include a tree spacing of one tree per 30 linear feet where adjacent to rights-of-way designated as freeways.
- Title 18.18.040: The Rezoning minimum site requirements will be amended to require a minimum of 50 acres in order to rezone to a PD (Planned Development) District and to allow no waiver of the area requirement for the this district.
- Title 19.20.020: The definition for Group Residential Care Facility; Convalescent Care Facility/Nursing Home; Gaming Establishment, Non-restricted; General Retail, Other Than Listed (3500 Square Feet or More); and General Retail Store, Other Than Listed (Less Than 3500 Square Feet) will be amended. Definitions for Convalescent Hospital, Convenience Store, Grocery Store, and Solar Panel will be added.

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The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.02.040 Purpose of Zoning Districts	<ul style="list-style-type: none"> • T-D (Traditional Development) District: Minimum size is eighty acres 	<ul style="list-style-type: none"> • T-D amended to a minimum size of fifty acres
	<ul style="list-style-type: none"> • PD (Planned Development) District: Minimum size is five acres 	<ul style="list-style-type: none"> • PD amended to a minimum size of fifty acres
Title 19.04.010 Land Use Tables	<ul style="list-style-type: none"> • Group Residential Care Facility use does not include a Convalescent Hospital as a distinct use not included within this category 	<ul style="list-style-type: none"> • Group Residential Care Facility use description amended to include a Convalescent Hospital one of the uses that arent included under this use category
	<ul style="list-style-type: none"> • Convalescent Care Facility / Nursing Home use does not include a Convalescent Hospital as a distinct use not included within this category 	<ul style="list-style-type: none"> • Convalescent Care Facility/Nursing Home use description amended to include a Convalescent Hospital one of the uses that arent included under this use category
	<ul style="list-style-type: none"> • No allowance for a convalescent care type use that provides services typically found in a hospital 	<ul style="list-style-type: none"> • Convalescent Hospital use added to conditionally allow a convalescent facility that also provides services typically found in a hospital
	<ul style="list-style-type: none"> • Psychiatric Hospital allowed with approval of a Special Use Permit within a C-2, C-M, or M zoning district 	<ul style="list-style-type: none"> • Use deleted.
	<ul style="list-style-type: none"> • Financial Institution, Specified uses have a minimum separation distance of 1,000 feet from a like use and 200 feet from a residential use which may be waived 	<ul style="list-style-type: none"> • Financial Institution, Specified distance separations amended to allow a separation of 660 feet between like uses with no waiver of the distance separation requirements
	<ul style="list-style-type: none"> • Gaming Establishment, Non-restricted use does not address the allowance of an unspecified number of on-sale alcohol related establishments when operated in conjunction with a 200+ room hotel 	<ul style="list-style-type: none"> • Gaming Establishment, Non-restricted use amended to note the allowance of an unspecified number of on-sale alcohol related establishments when operated in conjunction with a 200+ room hotel
	<ul style="list-style-type: none"> • No distinction made between a convenience store and a general retail store use 	<ul style="list-style-type: none"> • Convenience Store use added to conditionally allow limited size retail use predominately for off-site personal consumables in certain commercial and industrial zones

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	<ul style="list-style-type: none"> No distinction made between a convenience store or grocery store and a general retail store use 	<ul style="list-style-type: none"> General Retail Store, Other Than Listed (3500 Square Feet or More) and General Retail Store, Other Than Listed (Less Than 3500 Square Feet) amended to indicate that the use does not refer or include a convenience store or grocery store use.
	<ul style="list-style-type: none"> No distinction made between a grocery store and a general retail store use 	<ul style="list-style-type: none"> Grocery Store use added to permit a primarily foodstuff related retail use in certain commercial and industrial zones.
	<ul style="list-style-type: none"> No allowance for the use of Solar Panels provided within residential zones. 	<ul style="list-style-type: none"> Solar Panel use added to conditionally allow the use of solar panels for ancillary power or heat generation in all standard zoning districts.
	<ul style="list-style-type: none"> A conflict exists between the use table requirement for a Temporary Commercial Permit (TCP) for a Temporary Contractors Construction Yard and Title 19.18.100(C)(1) which states that no TCP is required when the use is on-site 	<ul style="list-style-type: none"> Description amended to indicated that no TCP is required when the use is on-site pursuant to Title 19.18.100(C)(1).
Title 19.06.050 PD (Planned Development) District	<ul style="list-style-type: none"> PD (Planned Development) District: Minimum size to rezone is five acres and that can be waived 	<ul style="list-style-type: none"> PD amended to a minimum size of fifty acres to rezone and no waiver Allowance for area less than minimum size to be rezoned if it is contiguous to and will be a part of an already existing master plan.
Title 19.06.080 Airport Overlay District	<ul style="list-style-type: none"> No provision is made for the consideration of the Nellis Air Force Base (AFB) airspace 	<ul style="list-style-type: none"> Section amended to indicate that consideration shall be given to the protection of the AFBs airspace.
Title 19.06.160 T-D (Traditional Development) District	<ul style="list-style-type: none"> T-D (Traditional Development) District: Minimum size to rezone is eighty acres 	<ul style="list-style-type: none"> T-D amended to a minimum size of fifty acres to rezone.
Title 19.08.040 Residential District Development Standards	<ul style="list-style-type: none"> No provision for a Solar Panel to extend above the maximum height limitation as set forth in Tables 1 and 2 	<ul style="list-style-type: none"> Note added to indicated that Solar Panels are subject to the conditional requirements outlined in Title 19.04 and are not counted as a part of the building height.
Title 19.08.050 Commercial and Industrial District Development Standards	<ul style="list-style-type: none"> No provision for a Solar Panel to extend above the maximum height limitation as set forth in Table 1 	<ul style="list-style-type: none"> Note 2(F) amended to indicated that Solar Panels are an exception to the building height.
	<ul style="list-style-type: none"> Mechanical and Electrical Equipment is required to be screened, including solar panels 	<ul style="list-style-type: none"> Screening requirements amended to remove solar collectors from the list of equipment to be screened.

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	<ul style="list-style-type: none"> • Provisions for mechanical equipment on a sloped roof allow only solar panels and dictate how they should be mounted and their appearance 	<ul style="list-style-type: none"> • Section amended to indicate no mechanical equipment on a sloped roof as the new Solar Panel use address the conditional standards that apply including when affixed to a sloped roof.
Title 19.08.060 Residential Adjacency Standards	<ul style="list-style-type: none"> • Exceptions are provided for various roof structures but no provision is made with regard to solar panels 	<ul style="list-style-type: none"> • Exceptions section amended to include solar panels among the roof structures that are excepted from the height used in the 3:1 Proximity Slope calculation.
Title 19.12.040 Perimeter Landscape Buffering	<ul style="list-style-type: none"> • No indication is made as to the spacing of trees when development occurs adjacent to a freeway 	<ul style="list-style-type: none"> • Table 2 and footnotes amended to include a spacing requirement of 1 tree per 30 linear feet.
Title 19.18.040 Rezoning	<ul style="list-style-type: none"> • PD (Planned Development) District: Minimum size to rezone is five acres and that can be waived 	<ul style="list-style-type: none"> • PD amended to a minimum size of fifty acres to rezone. • Waiver provision limited to R-CL, R-MHP, P-C, and C-PB.
Title 19.20.020 Definitions	<ul style="list-style-type: none"> • Definitions do not address a Convalescent Hospital, Convenience Store, Grocery Store or Solar Panel use 	<ul style="list-style-type: none"> • Definitions added for a Convalescent Hospital, Convenience Store, Grocery Store or Solar Panel use.
	<ul style="list-style-type: none"> • Definitions for Group Residential Care Facility and Convalescent Care Facility/Nursing Home uses do not state that the use does not include a Convalescent Hospital use 	<ul style="list-style-type: none"> • Definitions amended to indicated that the use does not include a Convalescent Hospital use.
	<ul style="list-style-type: none"> • Definition for Gaming Establishment, Non-restricted does not address the availability of an unspecified number of on-sale alcohol uses when in conjunction with a 200+ room hotel 	<ul style="list-style-type: none"> • Definition amended to address the potential for an unspecified number of on-sale alcohol uses when in conjunction with a 200+ room hotel.
	<ul style="list-style-type: none"> • Definitions for General Retail uses do not state that the use does not include a Convenience Store or Grocery Store use 	<ul style="list-style-type: none"> • Definitions amended to indicated that the use does not include a Convenience Store or Grocery Store use.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0