



AGENDA MEMO

CITY COUNCIL MEETING OF: AUGUST 5, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-32693 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is to adopt an updated Land Use & Rural Neighborhoods Preservation Element and to incorporate it into the city of Las Vegas 2020 Master Plan.

This element was last updated in July 2005. From July 2005 to July 2008, the city added 23,114 persons and 1,948 acres of land to its boundaries. A new update to the Land Use Element is needed to keep current with existing conditions and to remain in compliance with state statutes regarding master plans. Likewise, a rural neighborhoods preservation plan is a required component of the city's master plan, and this updated document includes information that satisfies those requirements.

The Land Use & Rural Neighborhoods Preservation Element accomplishes the following:

- Meets the requirements of Nevada Revised Statutes for a land use plan and a rural neighborhoods preservation plan to be included in the city's master plan
- Inventories and classifies types of land and existing land uses;
- Shows comprehensive plans for the most desirable utilization of land;
- Addresses mixed-use development, transit-oriented development, master planned communities and gaming enterprise districts;
- Addresses the acquisition and use of federally managed land; and
- Shows general plans to preserve the character and density of rural neighborhoods.

The Land Use & Rural Neighborhoods Preservation Element satisfies the Nevada Revised Statutes Chapter 278.160 requirements for both a land use plan and a rural neighborhoods preservation plan. It complies with NRS 278.150, which requires entities with a population of 400,000 or greater to adopt a master plan that addresses both of these elements.

A draft of the Land Use & Rural Neighborhoods Preservation Element was sent to the Department of Public Works and the Office of Business Development for review. Comments have been received and incorporated into the draft document.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/01/92	The City Council adopted Ordinance No. 3636, thereby adopting the Las Vegas General Plan as required by NRS 278. This master plan contained a Land Use Element.

12/07/94	An update to the Land Use Element was approved.
09/06/00	The City Council adopted Ordinance No. 5250, which adopted the Las Vegas 2020 Master Plan.
07/06/05	The City Council adopted Ordinance No. 5787, which adopted a new Land Use Element and superseded the 1994 update.
01/18/06	The City Council adopted Ordinance No. 5810, which amended the Land Use Element and the Centennial Hills Sector Plan to include the TND (Traditional Neighborhood Development) land use category.
10/05/05	The City Council adopted Ordinance No. 5791, which established the Rural Preservation Overlay District.
05/03/06	The City Council adopted Ordinance No. 5827, which amended the Rural Preservation Overlay District Map and revised the means for future updates to the map.
07/09/09	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #32/ss).
<i>Neighborhood Meetings</i>	
06/15/09	A neighborhood meeting was held at Mirabelli Community Center, 6200 Hargrove Avenue. One member of the public attended and inquired about the Sheep Mountain Parkway as it relates to Kyle Canyon Gateway.
06/16/09	A public meeting was held at Centennial Hills Community Center, 6601 N. Buffalo Drive. No members of the public attended the meeting.
06/17/09	A public meeting was held at Rafael Rivera Community Center, 2900 Stewart Avenue. No members of the public attended the meeting.

ANALYSIS

The update to the Land Use & Rural Neighborhoods Preservation Element is not intended to introduce changes in policy regarding land use or the preservation of rural neighborhoods. Rather, it is aimed at complying with state mandated requirements concerning the Master Plan, providing the latest available information, clarifying maps and tables, and presenting a format consistent with other Master Plan elements. No changes were made to the existing land use designations or densities, and there were no new special plan areas added. The definition of a “rural preservation neighborhood” remains unchanged, and additions or deletions of properties on the Rural Preservation Neighborhood Overlay District map simply reflect the application of the definition at this point in time.

The proposed revisions to the document from the 2005 update are listed below:

- An Executive Summary was added;
- The Introduction was expanded with a new section on enabling legislation and additional descriptions showing the relationship of land use to the other master plan documents;

- Goals, Objectives and Policies from the 2020 Master Plan Policy Document related to land use and rural neighborhood preservation were added;
- The land use distribution tables were updated with the latest available statistical information;
- Added sections on Mixed Use Development and Federally Managed Lands as required by NRS;
- The land use tables were updated for accuracy and consistency;
- Land use category descriptions were updated to match those of the various special area plans;
- The General Plan Amendment process section was expanded to include the factors to consider when determining approval of a General Plan Amendment or Major Modification, and also to list which plans require a Major Modification for changes in land use;
- The Rural Neighborhoods Preservation section was expanded to bring the element into compliance with NRS requirements and to provide updated information since the previous revision;
- The Rural Preservation Overlay District Map was updated to add or remove properties based on the existing Title 19 definition of a rural preservation neighborhood; and
- The Gaming Enterprise District map, General Plan land use and special plan area maps were updated to provide current information; all have adopted date and action included.

Land Use Table Updates

- All allowable zoning districts within a particular land use category are shown, illustrating the cumulative nature of the categories. Each higher density residential category permits all land uses of the lower density residential districts below it. Likewise, each higher intensity commercial and industrial category permits all land uses of the lower intensity commercial districts below it. This clarifies the relationship between zoning districts and land use categories and does not represent a change in policy.

The notable exception to this cumulative relationship is in the Downtown Land Use Plan Area, where the U (Undeveloped) zoning district is not allowable in the MXU (Mixed Use) category and the lower intensity commercial districts are not allowable in the LI/R (Industrial) category.

- The LI/R (Light Industry/Research) category was shifted from the “Other” grouping to a new grouping called “Commercial/Industrial.”
- The TND (Traditional Neighborhood Development) category was added to the General Plan land use category table (Table 5). (The description had already been included in the 2005 update but had been omitted from the table.)

- The LVMD (Las Vegas Medical District) category was added with a reference to the existing table (Table 13) containing special land use designations within this category. (The category had been shown on the Southeast Sector Map but had been omitted from Table 5.)
- Notes were added to each special area plan stating when that plan was last updated. This is not intended to be the date of the latest map amendment.
- An explanatory note was added to the Grand Teton Village table to clarify the existing density restriction along Farm Road in the L (Low Density Residential) category
- The SFSD (Single Family Special Lot Development) category was added to the Summerlin North and West tables and the allowable density in the SFA (Single Family Attached) category in each of these tables was amended from 14 to 18 to match the Summerlin Development Standards of September 15, 2004.
- The tables clarify that the allowable density is gross density where a special area plan calls for it and reference each document that uses gross density to determine residential land use categories

Land Use Description Updates

- The group headings “Residential,” “Commercial/Industrial” and “Other” were added to coincide with the groupings in the general land use table.
- Text regarding the Interlocal Agreement was amended to reflect a restated Interlocal Agreement approved 12/03/08 by the City Council.
- A description for LVMD (Las Vegas Medical District) was added.
- Land use descriptions within the Cliff’s Edge (Providence), Grand Canyon Village, Grand Teton Village, Lone Mountain, and Lone Mountain West master plan areas were altered to match those of the special area plan documents. Also the M (Medium) designation in the Lone Mountain master plan area was changed to the equivalent MFM (Multi-Family Medium) to be consistent with the land use plan contained in the special area plan document.
- References to special standards such as the number of stories in the special area plans were removed.

Relationship to Nevada Revised Statutes

The Nevada Revised Statutes (NRS) are the current codified laws of the State of Nevada. The Statutes of Nevada are a compilation of all legislation passed by the Nevada Legislature during a particular legislative session. With respect to these laws, the Land Use & Rural Neighborhoods Preservation Element conforms to the following:

NRS 278.150 through 170 inclusive requires that the governing body (in this case the city of Las Vegas) prepare and adopt a comprehensive, long-term general plan for the physical development of the city. This document, known as the Las Vegas 2020 Master Plan, must include a land use plan, which must include “an inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land.” The land use plan must address, if applicable:

--Mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts; and

--The coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.

According to NRS, the land use plan “may also include a provision concerning the acquisition and use of land that is under federal management within the city, county or region, including, without limitation, a plan or statement of policy prepared pursuant to NRS 321.7355.”

The Master Plan must also include a rural neighborhoods preservation plan, which must show “general plans to preserve the character and density of rural neighborhoods.” The Land Use & Rural Neighborhoods Preservation Element addresses the NRS requirements of these two plans while combining them into one interrelated document.

Relationship to Las Vegas 2020 Master Plan

The city of Las Vegas 2020 Master Plan policy document was adopted in September 2000. It provides a broad policy structure intended to direct the actions of the city regarding land use and development for the period from 2000 to 2020. The individual elements are intended to provide more specific direction, through detailed analysis and recommended actions, as to how the City should react to certain issues. The Land Use & Rural Neighborhoods Preservation Element contains the goals, objectives and policies from the Master Plan policy document that best relate to land use and the preservation of rural neighborhoods.

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

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PROTESTS

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