



City of Las Vegas

Agenda Item No.: 25.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 17, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: ABEYANCE - TXT-38170 - TEXT AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend
Title 19.08 and 19.12 to provide standards for the temporary fencing of construction sites and
vacant parcels.

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:

Conditions and Staff Report

Motion made by BYRON GOYNES to Hold in abeyance to 1/28/2010

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
KEEN ELLSWORTH, VICKI QUINN, BYRON GOYNES, GLENN TROWBRIDGE,
RICHARD TRUESDELL, STEVEN EVANS, GUS FLANGAS; (Against-None); (Abstain-
None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development, stated the text amendment would provide
standards for temporary construction fencing and add conditions to require soil stabilization
and/or chain links on vacant or abandoned lots to secure properties.

To address COMMISSIONER QUINNS query regarding specified time fencing can be in place,
MR. RANKIN replied that construction fencing would be allowed during the period the
construction permit is in force. Regarding abandoned/vacant properties, there is a one-year
review period.

COMMISSIONER TRUESDELL felt there should be a standard in place for temporary fencing.
He appreciated the intent of the text amendment but was concerned that property owners would

PLANNING COMMISSION MEETING OF: DECEMBER 17, 2009

be forced to put fencing on their properties when they are not the individuals creating the issue; in addition, vandalism and dumping on properties is common and fencing can end up being an expensive solution at the property owners expense. MARGO WHEELER, Director of Planning and Development, stated that staff was open to suggestions, as the intent of the text amendment was to give the property owners options.

DEPUTY CITY ATTORNEY JIM LEWIS discussed with MS. WHEELER some of the history regarding some of the lots in the valley that are now remaining vacant for longer periods of time. With the text amendment, it would assist the property owner in alleviating some of the issues related to vandalism and dumping trash on properties. The attorney questioned if property owners would be required to do the abatement upon developing a site or for those sites that remain vacant. MS. WHEELER explained that upon staff receiving a complaint, the property owner will then have the opportunity to stabilize their lot with the two aforementioned options. Currently there are no provisions within the Code to leave chain link fencing, unless one has a building permit, so a property owner has limited protection currently. MR. RANKIN added that the proposed text amendment was in response to citations received by Clark County from property owners seeking some type of mitigation.

CHAIR TROWBRIDGE and COMMISSIONER ELLSWORTH did not believe a burden was being placed on a property owner but rather giving him/her an alternative. COMMISSIONER TRUESDELL believed the text amendment would be a revenue source for the County.

COMMISSIONERS ELLSWORTH and EVANS agreed with COMMISSIONER FLANGAS, who believed the text amendment was convoluted and recommended that it be modified to state that a property owner is allowed to put up a chain link fence.

MS. WHEELER expressed to COMMISSIONER EVANS that the requirements are that of the County and not the City. These issues continue to exist throughout the city.

COMMISSIONER GOYNES believed additional discussions needed to take place prior to any text amendment or approval.

CHAIR TROWBRIDGE declared the Public Hearing closed.