



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
TXT-37525	Staff recommends APPROVAL.	N/A

** PROPOSED AMENDMENT(S) **

1. Title 19.04.010 is hereby amended as follows:

19.04.010 LAND USE TABLES

**Table 2 – Utilities,
Communications & Transportation**

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Utility Transmission Lines	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	C	C	C	C	C	C	C	C	C	C	C
	Description: Utility infrastructure providing electrical power, natural gas, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company. Conditional Use Regulations: 1. The location of routes for lines which are 15,000 volts or above must first be approved by the Planning Commission. 2. The location of routes for lines which transport natural gas that operates at 20 percent or more of the specified minimum yield strength of the material from which the line is constructed which has been approved for construction after October 1, 1991 by the state or federal government must first be approved by the Planning Commission. 3. The approval of a special use permit will serve as the method of compliance with NRS 278.145(2) reporting requirements. On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.																				

2. Title 19.20.020 is hereby amended by adding hereto the term “Utility Transmission Lines” and its corresponding definition as follows:

“Utility Transmission Lines” means utility infrastructure that:

1. Provides electrical power, natural gas, telephone, or cable television; and

2. Is installed, operated and maintained by a municipality or a franchised utility company.⁷⁴

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**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to amend Table 2 of Title 19.04 and Title 19.20 to modify the descriptions, minimum standards and applicability of the Utility Transmission Lines use to meet NRS requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/19/08	The City Council adopted Ordinance 6014, which was introduced as Bill No. 2008-50, to adopt the Public Services & Facilities Element of the Las Vegas 2020 Master Plan. The Planning Commission and staff recommended approval.

Under existing use standards the Utility Transmission Lines use is defined as utility infrastructure providing electrical power, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company. This use does not have parking requirements.

In all standard zoning districts the use is conditionally permitted as follows:

- The location of routes for lines which are 15,000 volts or above must first be approved by the Planning Commission.

An applicant may request a deviation of these requirements via the Special Use Permit process if they can demonstrate to the satisfaction of the City Council that the use can still be performed in a manner that is harmonious and compatible with surrounding present and future land uses; that the site is physically suitable and adequate access for the use exists; and that the approval would not be inconsistent with or compromise the public health, safety, or welfare objectives of the General Plan.

ANALYSIS

The proposed modification to the description, definition and conditional use regulations of the Utility Transmission Lines use are relatively minor. The change in the description and definition will add the words “natural gas”, as one of the items identified as a utility transmission line. This change is the result of Recommendation 2 of the Las Vegas 2020 Master Plan Public Services & Facilities Element.

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The amendment also proposes to make revisions to the Utility Transmission Lines code elements as follows:

- The description and definition will be amended to read: Utility infrastructure providing electrical power, natural gas, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company.
- Adds a condition that requires the location of routes for lines which transport natural gas that operates at 20 percent or more of the specified minimum yield strength of the material from which the line is constructed which has been approved for construction after October 1, 1991 by the state or federal government must first be approved by the Planning Commission.
- Add a condition that the submission of a special use permit will serve as the method of compliance with NRS 278.145(2) reporting requirements.

The proposed changes will fulfill Recommendation 2 of the Las Vegas 2020 Master Plan Public Services & Facilities Element and NRS 278.145, report of location of utility project. Additionally, the inclusion of natural gas in the description and definition will make it clear that natural gas is considered as a utility transmission line and therefore subject to the Utility Transmission Lines use's Special Use Regulations. For these reasons staff recommends approval of this amendment.

FINDINGS

The proposed text amendment will achieve the following:

- Make corrections and clarify various requirements resulting in an improved interpretation and implementation of the Zoning Ordinance;
- Bring the requirements for Utility Transmission Lines into line with the recommendations of the adopted the Public Services & Facilities Element of the Las Vegas 2020 Master Plan and NRS 278.145.

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The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.04.010 Land Use Tables	• Utility Transmission Lines is a conditional use in all zoning districts • Conditional Use Regulations require that schools be located on a collector street or larger.	• The description and definition will be amended to add natural gas. • Minimum Special Use Permit Requirements for the location of routes for lines to transport natural gas • Special Use Permit Requirements require the city to meet NRS 278.145(2) reporting requirements.
Title 19.20.020 Definitions – Words and Terms Defined	• There is no mention of “natural gas” in the definition for Utility Transmission Lines	• Adds “natural gas” to the definition for Utility Transmission Lines

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

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PROTESTS

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