



Las Vegas

Agenda Item No.: 5.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 18, 2010

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2010-20 Revises and updates zoning-related application and hearing procedures generally; provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council; and provides a procedure for Required Review of approved zoning applications. (TXT-37402) Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact

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No Impact

☐ Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will revise zoning-related application and hearing procedures generally, implementing various recommendations made as part of the Development Review Process Efficiency Analysis presented to and approved by the City Council in January. Of particular note are 1) a provision that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council, and 2) a new procedure for Required Reviews of approved zoning applications.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2010-20

Motion made by STAVROS S. ANTHONY to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

FLINN FAGG, Planning and Development, outlined this bill which incorporated Recommendations 3 and 18 of the 95 recommendations within the Developmental Review Process Efficiency Analysis (DERP) accepted by the City Council in January of 2010. The purpose is to improve the development review process, including final action by the Planning Commission similar to the processes of the County and other Valley municipalities.

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As to special use permits, staff will continue to forward recommendations to a Councilmember six weeks prior to the Planning Commission meeting and the City Council would still have 10 days to call those items forward if they felt an application required additional review. Special use permits required by prior Council action or related to a general plan amendment, rezoning or site development plan review will still require Council review.

The other amendment delineates the appeal process for all applications. Denial of an administrative deviation or a decision made by the Director of Planning and Development Department are clearly defined as having to come forward as a variance.

MR. FLINN stated that there is no threshold currently existing for site development plan reviews; therefore, any new construction is required to go before the Planning Commission and City Council. This amendment would exempt construction of 5,000 square feet or less, residential construction of four dwelling units or less or additions to existing buildings where there are no variances or waivers associated with those projects. Just as with other applications, the City Council will be notified of those actions and will have 10 days to request those items be pulled forward if they felt they required additional review.

Modifications to approved site plans are clarified to allow the Director to approve reductions in square footage, height or density where there are no variances or waivers associated with the application. However, the Director cannot approve any increases over 10% of any material changes to the appearance of an approved plan.

As to variance applications, current language in the code states that any parking reduction or additions to existing structures have to go to City Council. That language will be removed; however, those items can still be pulled forward by the City Council and any variance associated with a general plan amendment, rezoning or site plan must automatically go before City Council.

MR. FLINN indicated that while the City Council has been hearing required reviews, that process has not been formally delineated in the code. Therefore, a section will be added to Title 19.18 outlining the required review process.

COUNCILMAN BARLOW expressed concern about the Councils need to monitor special use permits that impact neighborhoods, specifically for liquor use. Cell towers applications are provided to a Councilmember 10 days in order to determine whether they want to review the application. He confirmed with MR. FAGG that the same process will be followed under this amendment as relates to special use permits. MR. FLINN repeated a Councilmembers ability to see an application prior to the Planning Commission hearing, review the Planning Commissions finding and 10 days thereafter to require a Council review of such application. This simply streamlines the application process for the development community, as well as mirrors other entities.

COUNCILMAN BARLOW declared the Public Hearing closed.