

19.16.090

REZONING

A. Purpose

The purpose of this Section is to set forth the procedures by which the Planning Commission and City Council will periodically review and amend the Official Zoning Map Atlas of the City to ensure that it meets the goals and objectives of the General Plan and related land use policies and plans.

B. Authority

Whenever public necessity, safety and general welfare may require, the City Council may, upon recommendation by the Planning Commission, rezone any parcel or area of land within the City from one zoning district to another when the rezoning will conform to the General Plan and the requirements of Subsection (K) of this Section.

C. General Plan Amendment

If a proposed rezoning will not conform as to use or density, the application may not be approved unless the General Plan is amended first to accommodate the proposed rezoning. The applicant may submit an application to amend the General Plan and an application for rezoning at the same time, and the applications may be heard concurrently.

D. 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:

1. **P-C District.** Minimum site area of three thousand acres.
2. **PD District.** Minimum site area of ~~five~~ 40 acres.

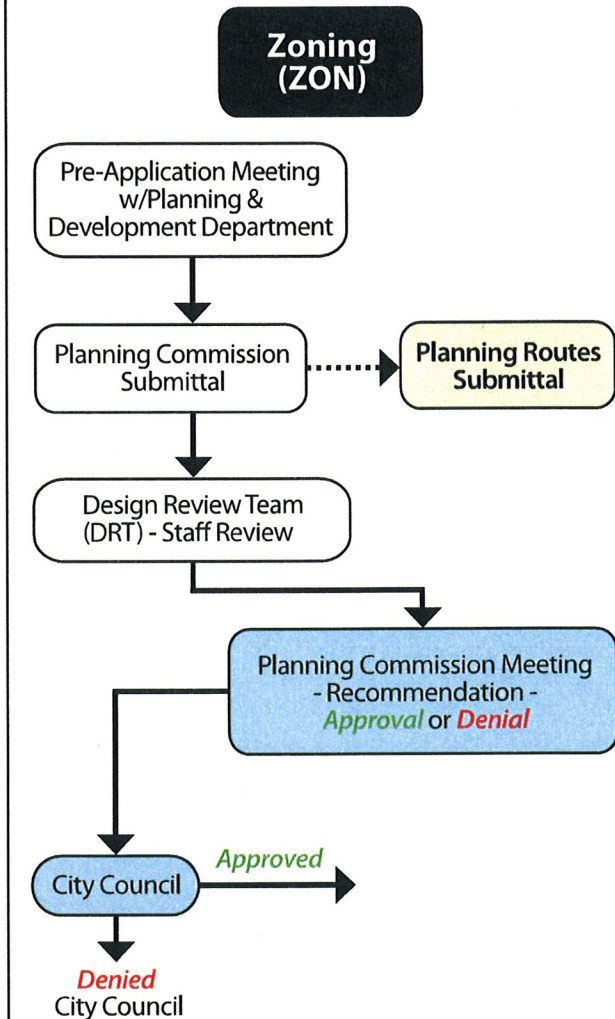
E. Application - General

1. **Application Form.** An application to rezone property shall be on a form provided by the Department. The application shall be signed, notarized and acknowledged by the owner of record of each parcel of property. The application shall be filed with the Secretary of the Planning Commission at the office of the Department.
2. **Initiation of Application.** An application for a rezoning may be initiated by the Department, Planning Commission or by the City Council, or by means of an application filed by the owner(s)

Rezoning

Typical Review Process

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B. Definitions

For purposes of this Section:

1. "Master development plan" means a specific written plan and accompanying maps which identify, with respect to a PD District development, the proposed location and size of development parcels, land uses and zoning designations; transportation plans and a traffic impact analysis; open space, community facilities and amenity plans; and the applicable development regulations and design standards.
2. "Development standards" means the minimum standards for development in the Planned Development District, including but not limited to standards for intensity and type of use; densities; building design, layout, configuration, height, coverage, spacing, bulk and setback requirements; provision for utilities; topography and drainage patterns; signage; open space and landscaping; on-site vehicular and pedestrian circulation and parking; urban design elements and features; and site amenities.

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 Section and LVMC 19.16.090. 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~~ 40 acres, ~~except that the City Council may waive this requirement when proper planning justification is shown.~~

D. Application Requirements

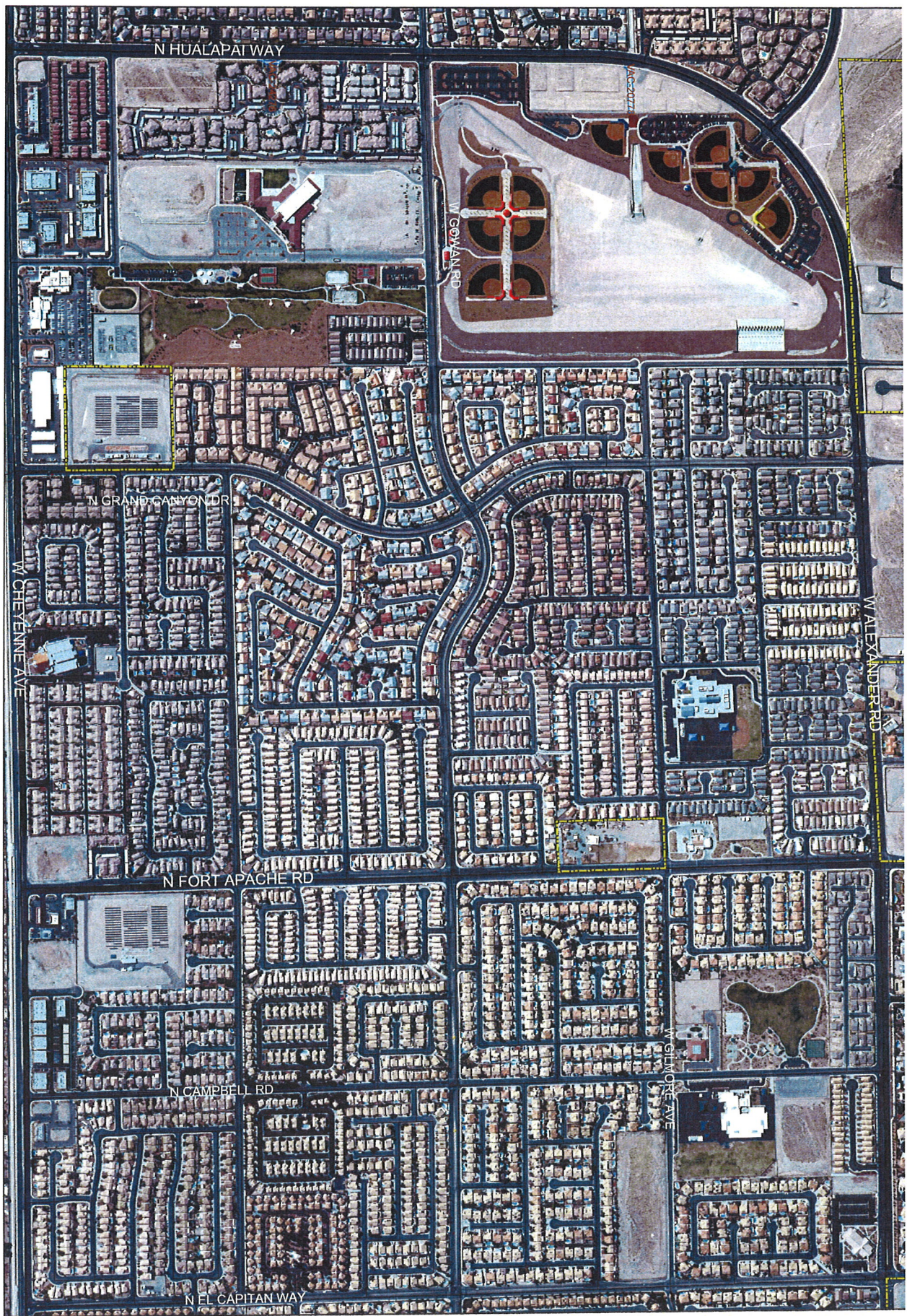
1. In the case of property that is sought to be reclassified to the Planned Development District by the property owner, the owner or authorized representative must meet with the Director, or the Director's designee, before the City has any obligation to accept the rezoning application as complete.
2. In addition to the submittals required by LVMC Chapter 19.18, the following must accompany an application for rezoning submitted by a property owner:

- a. A metes and bounds description of the proposed Planned Development District.
- b. A proposed master development plan for the entire site.
- c. Development standards that are proposed to be applied to the development. The development standards must include provisions regarding the installation of utility boxes and above ground utilities that are at least as restrictive as those set forth in this Title for comparable development.
- d. Any proposed conditions, covenants and restrictions for the development, including easements and grants for public utility purposes.
- e. The location of primary and secondary thoroughfares proposed for the development, including right-of-way widths and the location of access points to abutting streets.
- f. Identification of all rights-of-way, easements, open spaces or other areas to be dedicated, deeded or otherwise transferred to the City.
- g. A plan for the extension of any necessary public services and facilities, including sewer facilities and facilities for flood control and drainage.
- h. Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design, landscape, open space and signage concepts.
- i. The location and description of all buffering that is proposed between the development site and adjacent properties.
- j. Additional information and detail as may be required in order to respond to the unique characteristics of the site and its location.

E. Permitted Uses and Standards

Any combination of residential, commercial, industrial or public uses may be permitted within a specific Planned Development District to the extent they are consistent with the Master Development Plan for that District. The uses to be permitted within the District must be specified in the adopted Master Development Plan for the District. Because of the nature and purpose of the PD District, and notwithstanding any other provision of this Section:





The SNHBA appreciated the opportunity to work with staff in developing this form based code.

We applaud the web based nature of the new code and recognize the value in the reorganization of the code in a form that is more user friendly, *and will contain ~~tech~~ technological ~~enhancements~~*
We would like to acknowledge the willingness of staff to adjust an originally high level of connectivity in developments to a lower, more workable level.

The original proposed level would have eliminated amenities ^{that} the home buying public seeks in a residential development.

There remains, however some aspects of the code that the association finds very troublesome, particularly the proposed complete street policy.

This policy which requires a ridged plan of minor collector streets at 1,320' ^{foot} intervals.

This requirement could directly affect the economic feasibility of a project.

Even with ^{the} adjustment in levels of connectivity to ^a more workable ^{ratio} ~~level~~ and the other minor adjustments that have been made in the code to date, this requirement is very burdensome from a cost perspective.

(add points from accompany letter)

The SNHBA CAN NOT SUPPORT THE ADOPTION OF THE CODE with the Complete Street Policy in place as currently defined--specifically the requirement for 60' ^{foot} minor collector streets at 1/4- mile intervals.

"While some of the concepts in this code may be desirable by the city's agencies, it is the home buying public we must please.

The home buying public is highly desirous of cul-de-sacs, less intersections, separations of land uses and in many cases privacy for their communities.

A new code for the city should allow for the inclusion of the amenities that the home buying public seeks". .

Retain P-D zoning
but 5 to 40 min
acres now required