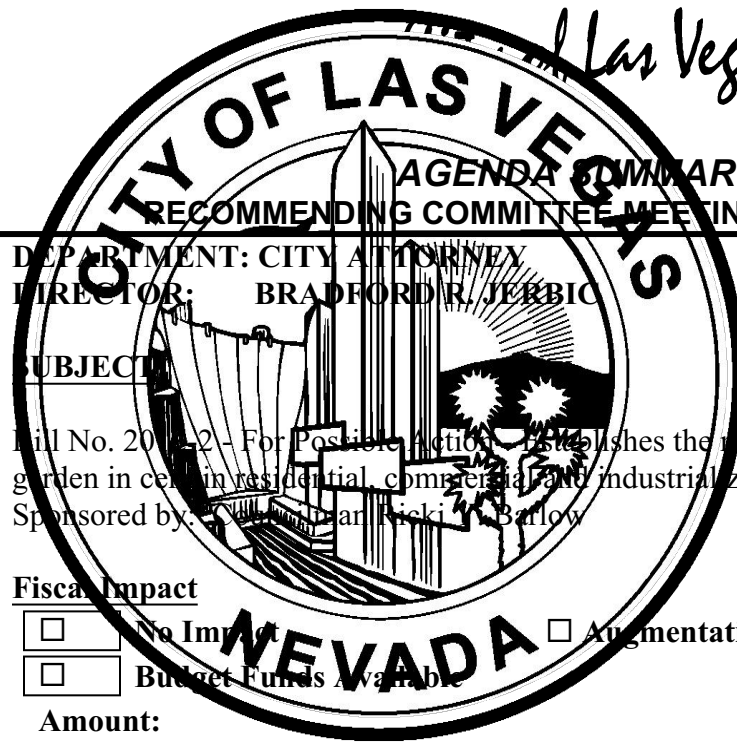




AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: JANUARY 17, 2012

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2012-2 - For Possible Action - Establishes the means of allowing the use community garden in certain residential, commercial and industrial zoning districts. (TXT-43411)
Sponsored by: Councilman Ricki Y. Barlow

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will establish the means of allowing the use "community garden" in certain residential, commercial and industrial zoning districts. Allowing this use supports several Master Plan policies. It promotes healthy neighborhoods and helps to provide food security for low-income persons. The bill provides limitations and standards to ensure that the use can be operated in a manner compatible with surrounding uses.

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. 2012-2

Motion made by BOB COFFIN to Hold in abeyance to 2/14/2012

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

RICKI Y. BARLOW, BOB COFFIN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

FLINN FAGG, Director of Planning, indicated the use "community garden" will be added to the use table making it a conditional use in a Residential District and a permitted use in Commercial and Industrial Districts. Certain standards for community gardens will be established as well. The Tonopah Community Garden is only existing community garden, and this category will

RECOMMENDING COMMITTEE MEETING OF: JANUARY 17, 2012

bring the community garden in conformance with the zoning regulations. The use will be allowed elsewhere, such as in a vacant lot not currently developed or it can become a permanent use where neighbors create a garden. Standards to allow sales of produce are limited to once a week as to not impact residential neighborhoods.

TODD FARLOW, Las Vegas resident, supports the community garden but noted that those using a vacant lot for a community garden should be told that if the property is sold, they will lose the rights to harvest the crops.

COUNCILMAN COFFIN asked if there is a right to harvest. DEPUTY CITY ATTORNEY VAL STEED replied that it might be common law or a statute that applies to agricultural land.

COUNCILMAN COFFIN congratulated COUNCILMAN BARLOW for sponsoring this bill because Ward 3 has areas where a community garden could be created. He suggested requiring a special use permit for a community garden larger than 10 percent. MR. MAGNUS stated that the limitation exists as one of the conditional use requirements, and if that standard is not met, a special use permit is required.

COUNCILMAN BARLOW requested an abundance as he would like to meet with the owner of the Tonopah Community Garden, downtown business owners and residents interested in creating a community garden to discuss their concerns. His goal is to bring something positive to the business community and residents without impacting anyone indirectly. COUNCILMAN BARLOW declared the Public Hearing closed.

