



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 14, 2012

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
TXT-46056	Staff recommends APPROVAL.	n/a

** PROPOSED AMENDMENT **

1. Title 19.16.010(B), “General Requirements – Application”, is hereby amended to read as follows:

B. Application

1. **Time of Filing.** In order to provide sufficient time for the necessary investigation by the Department, Planning Commission and/or its Secretary and agents, a complete application for the request must be filed as follows:
 - a. Applications that are subject to administrative review must be filed in the office of the Department a minimum of 30 days prior to the date of the meeting at which the application would be heard and considered if it Planning Commission and/or City Council review; and
 - b. Applications that are subject to Planning Commission and/or City Council review must be filed in the office of the Department a minimum of 30 days prior to the date of the meeting at which the application is to be heard and considered.

2. Form. Applications shall be on forms provided by the Department and may take the form of an application that is meant to be printed and submitted in hardcopy or an electronic form provided through that City’s electronic plans check system meant to be submitted electronically.

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3. Notarized Application. Applications shall be signed, notarized and acknowledged by the owner of record of the property for which the General Plan Amendment, rezoning or development application is sought. If the property has multiple owners, the applicant shall provide the City with a list of all persons and entities with an ownership interest in the property if not all of the owners have signed the application.

(a) Submission to the Department of an electronic document requiring a signature, notarization and or acknowledgement is a representation by the submitter that, prior to submission, the submitter verified the property owner's signature as required under this Paragraph (2). The Department may rely on this representation for purposes of determining compliance with the signature, notarization and or acknowledgement requirements of this Section.

- 3 4. Pre-application Conference.** A pre-application conference with a designated representative from the Department is required prior to submitting an application for a Tentative Map, General Plan Amendment, Vacation, Rezoning, Major Site Development Plan Review, Special Use Permit, Variance or Development Agreement.
- 4 5. Review of Applications.** Following the submittal of an application, staff shall review the application to verify that the information is complete and fulfills application requirements. If the application is not complete, staff will notify the applicant, and the application will not be scheduled on an appropriate agenda until the application is complete.
- 5 6. Discretion Regarding the Acceptance of Applications.** The Director has the discretion not to accept any application which seeks action that is not available under this Title.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend LVMC 19.16.010(B) related to application requirements by allowing the submission of an application via electronic means and that making such a submission is an assertion by the applicant certifying that the appropriate signatures and notarizations are correct on the submitted electronic copy of the application and to provide for other related matters.

BACKGROUND INFORMATION

Beginning in 2009, the City of Las Vegas began to examine various ways to streamline its development review processes. This review, also known as the Kirchhoff Report, produced a number of findings related to areas of the development review process where attention was needed in order for the process to become more efficient. One of themes that came out of the review process and the subsequent report was the need to make the review process shorter by allowing staff to work more efficiently while being more convenient for customers. To that end the City has invested time and resources in an effort to address one of the key report findings, Finding No. 72 - *There is a critical need for an electronic application/plans submittal, review, tracking, and storage system*, and begun the process of procuring and implementing an electronic plans review solution that works for entitlement applications, building permits, fire permits and other city development related applications.

ANALYSIS

The proposed amendment is intended to help facilitate changes to the development review process that will allow customers to submit their entitlement applications on-line via a new electronic plans check computer system. The proposed change will clarify existing Unified Development Code (UDC) provisions regarding the submission of signed and notarized application documents via the new electronic system.

Currently, Nevada Revised Statutes (NRS) provides for the legal validity of documents that are provided in electronic form and provides that “if a law requires a signature or record to be notarized, acknowledged, verified or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.”

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FINDINGS

The proposed text amendment will achieve the following:

- Indicate that an application may either be submitted in hardcopy or electronic form.
- Allow for a signed, notarized and acknowledged application to be submitted electronically.
- Clarify the implications of submitting an entitlement application electronically.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
19.16.010(B)	n/a	Adds a new Paragraph to define the two forms an application may take
19.16.010(B)(2)	Spells out notarization requirements for applications	Adds a Subparagraph that provides an assertion that the by submitting an application as an electronic document that the submitter has verified the signatures and notarization as currently required

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

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PROTESTS

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