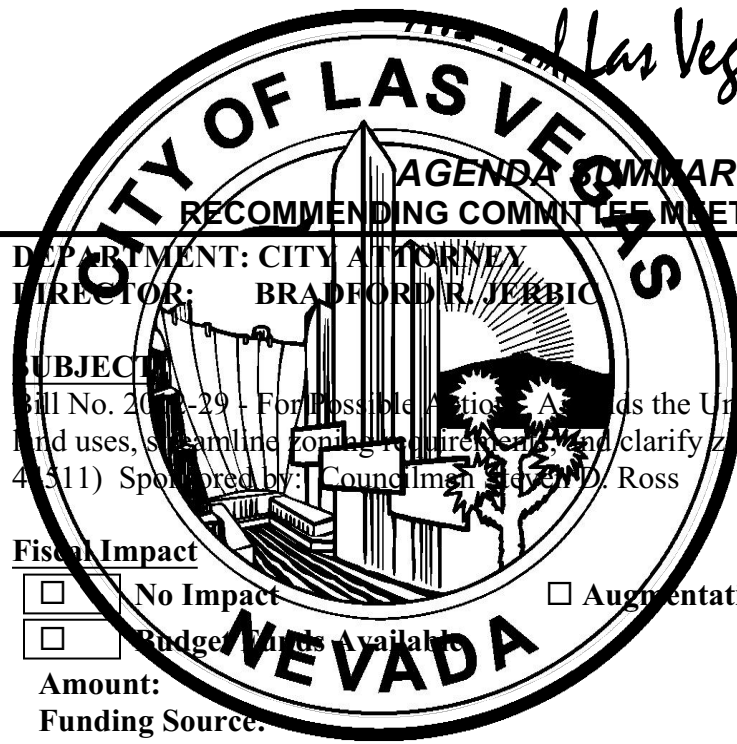




Las Vegas

Agenda Item No.: 3.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 17, 2012

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:
Bill No. 2012-29 - For Possible Action: Amends the Unified Development Code to consolidate land uses, streamline zoning requirements, and clarify zoning and development standards. (TXT-43311) Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend the Unified Development Code to consolidate a number of land uses, streamline zoning requirements, and clarify various zoning and development standards. Among the goals of the amendment are to eliminate redundancies and make the Code easier to understand and interpret.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Bill No. 2012-29
2. Submitted at Meeting - Summary Sheet of Consolidated Uses by Staff

Motion made by BOB COFFIN to Hold in abeyance to 08/14/2012

Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

BOB COFFIN, STAVROS S. ANTHONY, LOIS TARKANIAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

By way of reading the item, COUNCILMAN ANTHONY declared the Public Hearing open.

FLINN FAGG, Director of Planning, explained that part of the Planning Department's efforts to simplify processes for applicants as a means of becoming more business friendly, he is proposing several changes to the uses within Title 19. He read a summary sheet in detail and submitted a copy for the record. Several City Councilmembers had voiced concerns with changes to Secondhand Dealers and Swap Meets.

RECOMMENDING COMMITTEE MEETING OF: JULY 17, 2012

COUNCILMAN ANTHONY had MR. FAGG clarify which uses are proposed to change from Special Use Permits or Conditional Uses to Permitted Uses. These Permitted Uses would not require any Special Use Permits. MR. FAGG confirmed for the Councilman that uses going from Special Use Permits to Conditional Uses would be approved administratively. COUNCILMAN ANTHONY questioned what would happen if a Councilmember disagreed with staff's approval of an application. MR. FAGG explained that these are not discretionary, meaning they have certain standards that have to be met before staff can approve them. There is no appeal process so the application would not come before the City Council. However, violating the minimum standards would result in them being referred to Licensing Compliance or Code Enforcement. COUNCILMAN ANTHONY asked that there is no recourse for City Councilmembers should they disagree with staff's determination. As an example, MR. FAGG read the minimum standards that would have to be met by a Swap Meet. COUNCILMAN ANTHONY received confirmation from MR. FAGG that if a business meets and abides by the minimum standards, neighbors will not have any recourse even if they are all against the business.

COUNCILWOMAN TARKANIAN expressed concern with the dissipation of Councilmembers' authorities as elected officials. COUNCILMAN ANTHONY agreed and suggested there should be something included to allow an appeal. MR. FAGG explained that Swap Meets and Secondhand Dealers were two uses that other Councilmembers were uncomfortable with approving.

COUNCILMAN COFFIN stated that many of these uses were relatively harmless and he understands the common sense aspect of these changes. He received confirmation from MR. FAGG that these changes can reduce the process by as much as 100 days for applicants.

COUNCILMAN ANTHONY questioned how the language could be amended to include provisions allowing Councilmembers to bring an application before the council.

MR. FAGG suggested holding this item in abeyance, but COUNCILMAN COFFIN stated it could be done piecemeal. MR. FAGG was amenable to striking certain uses from today's bill.

DEPUTY CITY ATTORNEY VAL STEED stated there is no middle ground between administrative and council approval. From a developers perspective, if staff have approved a use but City Council has the power to veto that use, it might as well have gone before the City Council in the first place.

COUNCILMAN COFFIN suggested changing the approach to this amendment. He received confirmation from MR. FAGG that the location and not the business is grandfathered. MR. FAGG agreed to research how secondhand books, collectibles and antiques stores are classified for COUNCILMAN COFFIN. Occasional swap meets would fall under the Swap Meet Use or a Special Event.

By way of reading the next item, COUNCILMAN ANTHONY declared the Public Hearing closed.