



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
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-46131	Staff recommends APPROVAL.	n/a

**** PROPOSED AMENDMENTS ****

1. The first paragraph of Section A.2. of the Town Center Development Standards Manual, “Purpose of this Manual,” is hereby amended as follows:

The Town Center (T-C) District (Section ~~19.06.110~~ 19.10.060 of the ~~Zoning Ordinance~~ Unified Development Code) requires a Land Use Plan which identifies general land use designations, transportation networks, open space and community facilities for developments within Town Center. The T-C District also requires the development of standards which establish requirements for commercial intensities, residential densities, building height and setbacks, signage, landscaping, parking and open space requirements, as well as procedures for site plan review.

2. The second paragraph of Section A.3. of the Town Center Development Standards Manual, “Relationship to Other Documents,” is hereby amended as follows:

All development plans shall comply with the adopted Town Center Development Standards as well as all other applicable regulations in the city, county, state and federal jurisdictions. These Standards are not intended to override or contradict the ~~City of Las Vegas codes~~ Las Vegas Municipal Code or any other requirements. Where differences occur, the most stringent shall apply in all cases. Any items not covered in this manual shall adhere to the Unified Development Code of the City of Las Vegas.

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3. Section A.4. of the Town Center Development Standards Manual, "Procedures," is hereby amended as follows:

4. PROCEDURE

The Town Center Development Standard Manual shall be on file in the office of the City Clerk and in the ~~Planning & Development~~ Department.

A. Revisions to Development Standards

The Town Center Development Standards Manual may be amended from time to time by ordinance or by resolution of the City Council per LVMC ~~19.18.120~~ 19.16.220.

B. Modification of the Land Use Map

Any request by or on behalf of the property owner, or any proposal by the City, to modify a land use district as depicted on Map 4 Town Center Land Use, shall be filed with the ~~of Planning & Development~~ Department in accordance with the procedures and standards applicable to a rezoning application as set forth in LVMC ~~19.18.040~~ 19.16.090.

C. Waiver – Distance Separation

Distances referred to in these standards shall be measured in a straight line from the property line of the use that may be adversely affected, to the property line of the use that may cause the adverse effect.

A waiver of required separation requirements ~~by the Director of the Planning & Development Department~~ may be requested by the submission of the following:

1. ~~Certified Return/Receipt by U.S. Mail notification of the ownership of all the property within 330-feet of the subject property indicating that a request for a waiver is being made to the City of Las Vegas of the Town Center Development Standards and a description of the use that requires the waiver.~~
2. A neighborhood meeting to be held prior to the ~~request for a waiver~~ public hearing by the applicant at a place and time approved by the ~~Planning & Development~~ Department.
3. The applicant shall provide notice to all property owners within 1000 feet, or 1500 feet if alcohol related, of the subject property, the time, place and purpose of the neighborhood meeting by U.S. Mail.

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The above requirements must be met prior to submission of an application for a Waiver and a Special Use Permit to the ~~Planning & Development~~ Department.

D. Waiver – Development Standards

The standards set forth in the Town Center Development Standards Manual are minimum requirements. A waiver of any of these standards may be approved upon the request of an applicant if the applicant can show through convincing and substantial evidence that the waiver will not be contrary to the overall purpose and intent of the standards or the Town Center Land Use Plan. ~~Such a waiver may be granted by the Director in connection with the approval of a Site Development Plan Review. In cases where the Director does not approve a requested waiver, the request may be acted upon by the Planning Commission or City Council as part of a Site Development Plan Review. In the case of action by the Planning Commission or City Council, the waiver request need not be identified as a separate action item, and disposition of the request may be incorporated into the action on the Site Development Plan Review. Notice of action on the waiver request may be incorporated into the notice of decision regarding the Site Development Plan Review. An applicant may request a waiver by following the procedures outlined in LVMC 19.16.130.~~

E. Non-Conformity Resulting from City Action

Refer to ~~Section in LVMC 19.16~~ 19.14.090.

4. Section A.5. of the Town Center Development Standards Manual, “Land Use Hierarchy,” is hereby amended by amending Subsection (F), “Employment Center Mixed Use (EC-TC),” to read as follows:

F. Employment Center Mixed Use (EC-TC):

The Employment Center Mixed Use District is was intended to accommodate needed non-polluting and non-nuisance services which, under normal circumstances, would not otherwise be found in a Central Business District. Given the land use constraints of the Centennial Hills Sector Plan, few opportunities for light manufacturing uses ~~exist~~ existed within the Centennial Hills sector of the City. ~~Given the propensity for visual pollution, all uses within the district are required to be completely self-contained within a structure, thus giving a business park appearance. The Employment Center Mixed Use District permits the broadest spectrum of uses within the Town Center. However, residential development opportunities are minimal. As of the approval of MOD-47016, all EC-TC designated parcels have been converted to some other Special Land Use Designation. Therefore, new development under this designation is no longer anticipated and will not be available under this Manual.~~

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~~Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district.~~

5. The third paragraph of Section A.6. of the Town Center Development Standards Manual, “Montecito Development Agreement,” is hereby amended as follows:

With regard to any issue pertaining to land use and development that may arise in connection with the Montecito Development Agreement Development Standards, and that are not addressed or provided for specifically in these standards or a development agreement entered into pursuant to LVMC ~~19.18.090~~ 19.16.150 and NRS 278.0201 through NRS 278.0207), the applicable regulations and standards contained in the city of Las Vegas ~~Zoning~~ Unified Development Code will apply.

6. Paragraph (A) of Section B.1. of the Town Center Development Standards Manual, “Permitted Uses,” is hereby amended as follows:

A. With regard to any issue pertaining to land use and development that may arise in connection with these Development Standards and that are not addressed or provided for specifically in these standards or a development agreement entered into pursuant to LVMC ~~19.18.090~~ 19.16.150 and NRS 278.0201 through NRS 278.0207), the applicable regulations and standards contained in the city of Las Vegas ~~Zoning~~ Unified Development Code will apply.

7. Paragraph (C) of Section B.1. of the Town Center Development Standards Manual, “Permitted Uses,” is hereby amended as follows:

C. Other uses may be added by following the procedures found in LVMC ~~19.18.120~~ 19.16.220.

8. Paragraph (D) of Section B.2. of the Town Center Development Standards Manual, “Permitted Uses Matrix Legend,” is hereby amended as follows:

D. Special Use Permits (S):

Certain uses may be permitted in the designated Land Use district only after obtaining a Special Use Permit in accordance with LVMC ~~19.18.060~~ 19.16.110 and compliance with specific conditions. These conditions are listed following the Permitted Use Matrix in Section B.4 of these standards, labeled “Special Use Permits.”

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9.Paragraph (E) of Section B.2. of the Town Center Development Standards Manual, “Permitted Uses Matrix Legend,” is hereby amended as follows:

E. Temporary Commercial Permits (TCP):

An application for a Temporary Commercial Permit must be made in accordance with ~~Section 19.18.100 of Title 19~~ LVMC 19.16.160.

10. Table 1 of the Town Center Development Standards Manual, “Permitted Uses – Table 1,” is hereby amended as follows:

USES	GC	SC	UC	SX	MS	EC	L	ML	MLA	M	PF
Amphitheater	€	S	S			S					
Animal Hospital, Clinic, Shelter, Boarding or Kennel with Outside Pens	S	S				S					
Animal Hospital, Clinic, Shelter, Boarding or Kennel without <u>no</u> Outside Pens	P	S	S	S		€					
Antique/Collectible Stores	P	P	P	P	P	P					
Auto Body Paint & Body Repair Shop	S					€					
Auto Parts (Accessory Installation)	C	S		S							
Auto Repair Garage (Major)	S					§					
Auto Repair Garage (Minor)	S	C				§					
Automobile Rental	S	S				P					
Auto Title Smog Check	C	C				€					
Auto Title Loan	S	S									
Beer/Wine/Cooler Off-Sale Establishment	S	S	S	S	S	§					
Beer/Wine/Cooler On and Off-Sale Establishment	S	S	S	S	S	§					
Beer/Wine/Cooler On-Sale Establishment	S	S	S	S	S	§					
Boat & Trailer Dealership (New and Used)	S					€					
Building & Landscape Material/Lumber Yard	C	S				€					
Bus Charter Service & Service Facility						§					S
Car Wash, Full Service or Auto Detailing	P	S				§					
Caretaker/Domestic Quarters or Security Unit			C	C	C	€					
Cemetery/Mausoleum	C					§					

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USES	GC	SC	UC	SX	MS	EC	L	ML	MLA	M	PF
Child Care – Family Home (1-6 children)-Individual Care - Family Home							P	P	P	P	
Child Care – Group Home (7-12 children)-Individual Care - Group Home							S	S	S	S	
Child Care Center Individual Care Center	P	P	P	P	P	P					
Church/House of Worship	P	P	P	P	C	P	S	S	S	S	P
College, University or Seminary	P	P	P	P	P	P					P
Commercial Recreation/Amusement (Indoor)	P	P	P	P	P	P					P
Commercial Recreation/Amusement (Outdoor)	P										S
Community Recreational Facility, Public	P	P	P	P	P	P	P	P	P	P	P
Convalescent Care Facility/Nursing Home	S	S	S	S	S						S
Convenience Stores (w/Fuel Pumps)	S	S		S		S					
Copy Center	P	P	P	P	P	P					
Country Club, Private	P	P									P
Crematory	C					S					
Dry Cleaners	P	P	P	P	P	P					
Electric Utility Substation	P	P	S	S	S	S					S
Financial Institutions (Specified)	S	S									
Financial Institutions, General (With Drive-Through)	P	P	C								
Financial Institutions, General (Without Drive-Through)	P	P	C								
Gaming Establishment, Restricted License	S	S	S	S	S	S					
Garden Supply/Plant Nursery	P	C	P	P		P					
General Personal Service	P	P	P	P	P	P					
General Retail Store	P	P	P	P	P	P					
Government Facility	P	P	P	P	P	P					P
Gun Club, Skeet or Target Range Use						C					
Health Club	P	P	P	P	P	P					
Heavy Machinery & Equipment (Rental, Sales, Service)						S					
Helipad	S	S	S	S	S	S					S
High Density (25 + du/ac)-Mixed Use			P	S	S	S					
High Density (25 + du/ac)-Single Use			S	S							

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USES	GC	SC	UC	SX	MS	EC	L	ML	MLA	M	PF
Home Occupation			C	C	C	€	C	C	C	C	
Hospital	P	C	P	P	P	Ɔ					P
Hotel, Motel, or Hotel Suites	S	S	S	S	S	Ɔ					
Laboratory, Medical or Dental	P	P				Ɔ					
Library, Art Gallery, or Museum (Public)	P	P	P	P	P	Ɔ					P
Light Assembly & Fabrication						€					
Liquor Establishment (Tavern)	S	S	S		S	Ɔ					
Low Density (1-5.5 du/ac)							P				
LPG Installation	S	S				Ɔ					
Massage Establishment	S	S									
Massage , Accessory	A	A	A	A							
Medium Residential (12.1 -25 DUA)			P	P	P					P	
Medium-Low Residential (5.6 - 8 DUA)				P				P	P	P	
Medium-Low Residential Attached (8.1-DUA)			P	P					P	P	
Mini-Storage Facility	C	S	S	S	S	Ɔ					
Mortuary or Funeral Chapel	P	S	C	C		€					
Motor Vehicle Sales (New)	C					€					
Motor Vehicle Sales (Used)	C					€					
Museum or Art Gallery (Private)	C	C	C	C	C	€					C
Night Club	P	S	S		S	Ɔ					
Office Medical or Dental	P	P	P	P	P	Ɔ					
Office, other than listed	P	P	P	P	P	Ɔ					P
Open Air Vending, Transient Sales Lot	S	S	S		S						
Outdoor Storage, Accessory	C	S	S	S	S	€					
Package Liquor Off-Sale Establishment	S	S	S	S	S	Ɔ					
Parking, Commercial Parking Facility	P	P	P	P	P	Ɔ					P
Pet Boarding	C	C	C	S		€					
Pet Shop	C	C	C	C	C	€					
Post Office, Local Service	P	P	P	P	P	Ɔ					P
Private Club, Lodge or Fraternal Organization	P	P	P	P	P	Ɔ					P
Private Sports Arena, Stadium or Track	S		S			Ɔ					S
Private Street	S	S	S	S							
Public Park or Playground	P	P	P	P	P	Ɔ	P	P	P	P	P
Public, or Private School, Primary	S	S	€S	€S	€S						€S

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USES	GC	SC	UC	SX	MS	EC	L	ML	ML A	M	PF
Public, or Private School, Secondary	S	S	€ <u>S</u>	€ <u>S</u>	€ <u>S</u>						€ <u>S</u>
Radio, TV, Microwave Communication Tower	S	S	S	S	S	S					S
Recreational Vehicle & Boat Storage	C	S				S					
Rental Store, w/Outside Storage	P	P	P	P	P	P					
Rescue Mission, Shelter for the Homeless	S					S					
Restaurant with Service Bar	S	S	S	S	S	S					
Restaurant (w/drive through)-	S	S		S		S					
Restaurant (w/out drive through)	P	P	P	P	P	P					
Retail Establishment with Accessory Package Liquor Off-Sale	S	S	S	S	S	S					
Retirement Residential (Mixed Use)			P	P	P						
Retirement Residential (Single Use)							P	P	P	P	
Secondhand Dealer	S	S									
Service Station	S	S				S					
<u>Shopping Center</u>	<u>P</u>	<u>P</u>									
Small Wind Energy System	C	C	C	C	C	€	C	C	C	C	C
Solar Panel	C	C	C	C	C	€	C	C	C	C	C
Supper Club	S	S	S	S	S	S					
Swap Meet	S	S				P					
Temporary Contractors Construction Yard	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP
Temporary Outdoor Commercial Event	TCP	TCP	TCP	TCP	TCP	TCP					TCP
Temporary Real Estate Sales Office	C	C	C	C	C	€	C	C	C	C	C
Thriftshop Thrift Shop						€					
Towing & Impound Yard						S					
Trade Schools	P	P	P	P	P	P					P
Transit Passenger Facility	P		P	P	P	P	P	P	P	P	P
Truck Rental	S					S					
TV Broadcasting & Other Communication Service	S	S	S	S		S					
Utility Transmission Lines	C	C	C	C	C	€	C	C	C	C	C
Warehouse Distribution Center						P					
Wedding Chapel	P	S	P	P	P	P					
Wholesale Showroom Facility	P	P	P	P	P	P					
Wireless Communication Facility	S	S	S	S	S	S	S	S	S	S	S

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11. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by deleting therefrom the entries for the following uses, together with their respective conditions as applicable:
 - Amphitheater
 - Auto Body Paint and Body Repair Shop
 - Public or Private School, Primary and Secondary

12. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending condition (a) for the “Auto Parts (Accessory Installation)” entry as follows:
 - a. All conditions for this use as specified under ~~LVMC 19.04.040~~ Chapter 19.12 must be satisfied for ~~the issuance of a Special Use Permit for~~ conditional approval of this use. In addition, the following conditions must also be satisfied.

13. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending condition (e) for the “Auto Smog Check” entry as follows:
 - e. Any permanent structure shall have a Site Development Plan Review, per LVMC ~~19.18.050~~ 19.16.100.

14. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending condition (a) for the “Car Wash, Full Service or Auto Detailing” entry as follows:
 - a. ~~The use shall comply with all minimum conditions, standards and requirements applicable to the use “Car Wash, Full Service or Auto Detailing,” as that use is permitted by means of conditional approval under LVMC 19.04.010.~~ The use shall comply with all minimum conditions, standards and requirements applicable to the use “Car Wash, Full Service or Auto Detailing,” as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

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15. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending the conditions for the “Cemetery/Mausoleum” entry as follows:
 - a. ~~A decorative masonry and/or wrought iron fence with a minimum height of six feet shall be constructed around the perimeter of the cemetery site. The wall along the primary street frontage shall be set back a minimum of 35 feet from the front property line. The front yard area shall not be used for interment and shall be landscaped. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Cemetery/Mausoleum,” as that use is permitted by means of conditional approval under LVMC Chapter 19.12.~~
 - b. ~~Cemeteries shall only be allowed on parcels abutting and having access to an 80-foot street or larger.~~

16. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending the conditions for the “Church/House of Worship” entry as follows:
 - a. Activities such as religious services, religious instruction, church club activities and similar activities are allowed.
 - b. Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director of ~~Planning & Development~~, are ancillary to the primary use are also permitted; provided, however, that all proposed uses shall be specifically stated in the application.
 - c. If, after the approval of the Conditional Use Permit, additional uses not specifically covered by the existing Conditional Use Permit are proposed, an additional review by the Director of ~~Planning & Development~~ shall be required to add the uses.

17. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending condition (a) for the “Home Occupation” entry as follows:
 - a. Requirements within LVMC ~~19.18.110~~ 19.16.180 shall apply.

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- 18. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending condition (b) for the “Outdoor Storage, Accessory” entry as follows:
 - b. All outdoor storage areas shall be contained within a definable area and shall be aesthetically screened as determined by the Director of ~~Planning & Development~~.

- 19. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending the conditions for the “Pet Shop” entry as follows:
 - a. ~~All animals shall be confined within an enclosed building at all times. The use shall comply with all~~ minimum conditions, standards and requirements applicable to the use “Pet Shop,” as that use is permitted by means of conditional approval under LVMC Chapter 19.12.
 - b. ~~The building shall be designed to provide complete sound barriers and odor protection for the adjacent property.~~

- 20. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending condition (a) for the “Temporary Real Estate Sales Office” entry as follows:
 - a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Temporary Real Estate Sales Office,” as set forth in Table 2 of LVMC 19.04.010 as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

- 21. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending the conditions for the “Thrift Shop” entry as follows:
 - a. ~~No outdoor display, sales or storage of any merchandise shall be permitted. The use shall comply~~ with all minimum conditions, standards and requirements applicable to the use “Thrift Shop,” as that use is permitted by means of conditional approval under LVMC Chapter 19.12.
 - b. ~~The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.~~

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22. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, “Conditions,” is hereby amended by amending condition (a) for the “Utility Transmission Lines” entry as follows:

a. ~~The location of routes for lines that are 15,000 volts or above must first be approved by the Planning Commission.~~ The use shall comply with all minimum conditions, standards and requirements applicable to the use “Utility Transmission Lines,” as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

23. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by deleting therefrom the entries for the following uses, together with their respective minimum requirements as applicable:

- Amphitheater
- Auto Body Paint and Body Repair Shop

24. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Auto Parts (Accessory Installation)” entry as follows:

a. All conditions for this use as specified under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12 must be satisfied for the issuance of a Special Use Permit for this use. ~~In addition, the following conditions~~ minimum requirements must also be satisfied.

25. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Auto Title Loan” entry as follows:

a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Auto Title Loan” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

26. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Automobile Rental” entry as follows:

a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Automobile Rental” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

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- 27. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Beer/Wine/Cooler/Off-Sale Establishment” entry as follows:
 - a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Beer/Wine/Cooler/Off-Sale Establishment” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

- 28. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Beer/Wine/Cooler/On and Off-Sale Establishment” entry as follows:
 - a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Beer/Wine/Cooler/On and Off-Sale Establishment” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

- 29. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Beer/Wine/Cooler/On-Sale Establishment” entry as follows:
 - a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Beer/Wine/Cooler/On-Sale Establishment” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

- 30. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Car Wash, Full Service or Auto Detailing” entry as follows:
 - a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Car Wash, Full Service or Auto Detailing,” ~~as that use is permitted by means of special use permit~~ under LVMC ~~19.04.010~~ Chapter 19.12.

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31. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending the title and minimum requirements for the “Child Care – Group Home (7-12 Children)” use as follows:

Child Individual Care – Group Home (7-12 Children)

- a. The minimum size lot shall be 6,500 square feet.
- b. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site.
- c. The use of outdoor ~~play~~ recreation shall be limited to the hours between 6:00 a.m. and 10:00 p.m.
- d. Outdoor lighting shall be designed so as not to shine directly onto any abutting residential property.
- e. ~~The use is subject to the childcare regulations and standards of the Department of Finance and Business Services.~~
- f. ~~In order for this use to be conducted on a parcel developed with multi-family housing, the child care center must be provided within a separate structure.~~

32. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending the minimum requirements for the “Church/House of Worship” entry as follows:

- a. Activities such as religious services, religious instruction, church club activities and similar activities are allowed.
- b. Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director of ~~Planning & Development~~, are ancillary to the primary use are also permitted; provided, however, that all proposed uses shall be specifically stated in the application.
- c. If, after the approval of the ~~Conditional Special~~ Special Use Permit, additional uses not specifically covered by the existing ~~Conditional Special~~ Special Use Permit are proposed, an additional ~~review by the Director of Planning & Development~~ public hearing process shall be required to add the uses.

33. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Financial Institution, Specified” entry as follows:

- a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Financial Institution, Specified” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

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34. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending the minimum requirements for the “Massage Establishment” entry as follows:

- a. ~~The use shall comply with all applicable requirements of LVMC 6.~~ The use shall comply with all minimum conditions, standards and requirements applicable to the use “Massage Establishment” under LVMC Chapter 19.12.
- b. ~~The use must be located on a secondary thoroughfare or larger.~~
- c. ~~The use may not be located within 400 feet of any church, synagogue, school, city park, child care facility or any parcel zoned for residential use.~~
- d. ~~The use may not be located within 1,000 feet of any other massage establishment.~~
- e. ~~The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m.~~

35. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (b) for the “Outdoor Storage, Accessory” entry as follows:

- b. All outdoor storage areas shall be contained within a definable area and shall be aesthetically screened as determined by the Director of ~~Planning & Development~~.

36. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Package Liquor Off-Sale Establishment” entry as follows:

- a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Package Liquor Off-Sale Establishment” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

37. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Package Liquor Off-Sale Establishment” entry as follows:

- a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Package Liquor Off-Sale Establishment” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

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38. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Retail Establishment with Accessory Package Liquor Off-Sale” entry as follows:

- a. The use shall comply with all minimum conditions, standards and requirements applicable to the use “Retail Establishment with Accessory Package Liquor Off-Sale” under ~~Table 2 of LVMC 19.04.010~~ Chapter 19.12.

39. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (a) for the “Wedding Chapel” entry as follows:

- a. ~~The use shall comply with all minimum conditions, standards and requirements applicable to the use “Wedding Chapel” under Table 2 of LVMC 19.04.010.~~ Reviewed and conditioned on a case-by-case basis.

40. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, “Minimum Requirements,” is hereby amended by amending minimum requirement (b) for the “Wireless Communication Facility” entry as follows:

- b. Towers and mono-poles are subject to ~~LVMC 19.08.060~~ 19.08.040 (H).

41. The first paragraph of Section C.1.B. of the Town Center Development Standards Manual, “Exterior Features,” is hereby amended to read as follows:

The use of visually interesting features such as awnings, signage, windows and doors are required, particularly along primary pedestrian routes. Such features are subject to review and approval by the ~~Planning & Development~~ Department. At a minimum, all proposed applications shall adhere to the following standards.

42. Paragraph (b) of Section C.1.C.1. of the Town Center Development Standards Manual, “Standards applicable for Figures 38 only,” is hereby amended to read as follows:

- b. As shown in Figure 8, buildings along primary pedestrian corridors must abut the build-to-line on the side of the building facing the street. Minor variations may be approved by the Department of ~~Planning & Development~~ to allow the articulation of decorative features such as columns and pillars.

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43. Paragraph (c) of Section C.1.C.2. of the Town Center Development Standards Manual, “Standards Applicable to Specific Land Use Districts,” is hereby amended to read as follows:

c. Urban Center Mixed-Use (UC-TC)

Development within this land use designation will typically be multi-storied having ground floor offices and/or retail, with similar or residential uses utilizing the upper floors. Minimum development shall be two stories in height. Developments in excess of twelve (12) stories along the Durango corridor are possible with a Special Use Permit (SUP). Within the UC-TC District, there are no density limitations, and the provisions of LVMC Chapter 19.06 and 19.08 shall not apply.

44. Paragraph (e) of Section C.1.C.2. of the Town Center Development Standards Manual, “Standards Applicable to Specific Land Use Districts,” is hereby amended to read as follows:

e. Main Street Mixed-Use (MS-TC):

Because of the intensive pedestrian orientation of the Main Street Mixed-Use designation, buildings in this district are required to be a maximum of two stories or 35 feet in height, whichever is less, in those areas that are across from or adjacent to Low Density Residential. ~~Uses such as automobile services, outdoor sales yards, drive-in businesses and other similar uses are prohibited from locating within this district.~~

45. Section C.2.A. of the Town Center Development Standards Manual, “Fences and Walls,” is hereby amended to read as follows:

1. ~~Screen walls,~~ Perimeter walls, fences, screen and retaining walls shall be designed and constructed in conformance with Town Center setback requirements.
2. ~~Screen~~ Perimeter and retaining walls shall be composed of 100 percent decorative material in accordance with the standards of the city of Las Vegas and shall include 20 percent contrasting material and color. Neither contrasting texture of the same material nor light to dark variations of the same color are permitted.
3. A combination of a 2’-10” low masonry wall with a 3’-2” wrought iron fence is the required design in ~~residential~~ commercial districts ~~when privacy is not compromised~~ (See Figure 11).
4. Chain link fences are not permitted within the Town Center except on temporary construction sites after obtaining a Temporary Commercial Permit.
5. Razor wire and barbed wire are not permitted within the Town Center.

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- 6. Subdivision perimeter walls with retaining walls with a height of greater than six feet shall be designed with a minimum five foot wide landscape planter as a buffer (Figure 10).
- 7. When abutting I-215 or U.S. 95, the requirement for offset between the screen wall and retaining wall is not required.
- 8. Wall height shall be in accordance with LVMC ~~19.12.075~~ 19.08.040 (G).

46. The third paragraph of Section C.2.B. of the Town Center Development Standards Manual, “Landscaping,” is hereby amended to read as follows:

All landscaped areas shall be landscaped with a combination of plant materials tolerant of the Las Vegas climate. The ~~booklet, “Desert Demonstration Gardens, Self Guided Tour and Southern Nevada Plant List” (1996) by the Las Vegas Valley Water District Southern Nevada Regional Planning Coalition Regional Plant List~~ Southern Nevada Regional Planning Coalition Regional Plant List is recommended to designers as a resource of climate tolerant plant materials.

47. Paragraph (10) of Section C.2.B. of the Town Center Development Standards Manual, “Landscaping,” is hereby amended to read as follows:

10. Open air courtyards, plazas, open space, patios and gathering places, together with public amenities such as fountains, arbors, arcades, cloisters and landscaped corridors, paths or lanes, will be required of all projects. Combinations of such features will satisfy, in part, the 20 percent open space requirement in LVMC ~~19.06.110~~ 19.10.060 (E). The parking lot landscaping, landscaped areas, buffers and landscaping in setback areas, together with the above, will account for the required open space. Developments shall be designed to enhance pedestrian activity.

Plans submitted for development review shall include analysis of proposed landscaping to ascertain compliance with LVMC ~~19.06.110~~ 19.10.060 (E).

48. Paragraph (11) of Section C.2.B. of the Town Center Development Standards Manual, “Landscaping,” is hereby amended to read as follows:

11. The 20 percent open space requirement in LVMC ~~19.06.110~~ 19.10.060 (E) shall be applied to the GC-TC, SC-TC, UC-TC, SX-TC, and MS-TC ~~and EC-TC~~ districts of Town Center.

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49. Section E.1.B. of the Town Center Development Standards Manual, “Standards Applicable to All Town Center Streets,” is hereby amended by adding thereto and new paragraph (7) to read as follows:

7. Within the Trails Element of the Las Vegas 2020 Master Plan, Multi-Use Transportation Trail alignments are identified within the Town Center plan area on Map 8. In instances where a Multi-Use Trail alignment is adjacent to any proposed development within the Town Center plan area, the Multi-Use Trail standards contained within the Trails Element shall supersede and replace the required streetscape treatment as prescribed in Section E of this document. In conjunction with this action, no waiver of the standards of this Manual shall be required to replace the prescribed streetscapes with a multi-use trail. Conversely, a General Plan Amendment, as provided for in LVMC 19.16.030, shall be required to modify any Multi-Use Transportation Trail alignment or development standards prescribed in the Trails Element of the Las Vegas 2020 Master Plan.

50. The Town Center Development Standards Manual is hereby amended by updating all Table of Contents entries; section references; numbering of lists, figures, maps, tables, or illustration; alphabetical lists or table entries; and page numbers as necessary to facilitate the modifications made above.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to update the Town Center Development Standards to make various clarifications and update code references related to changes made to LVMC Title 19 with the adoption of the Unified Development Code.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/16/11	The City Council adopted Ordinance #6135 which adopted a new Title 19 - the Unified Development Code of the City of Las Vegas - by merging the Subdivision Regulations and Zoning Code. The Planning Commission and staff recommended approval of the Text Amendment (TXT-39750) which was heard at the City Council as Bill Number 2011-7.
09/05/12	The City Council adopted Ordinance #6210 which amended the Unified Development Code by revising the zoning district applicability, titles, descriptions, definitions, standards and requirements of various uses in an effort to consolidate categories and streamline standards and requirements. The Planning Commission and staff recommended approval of the Text Amendment (TXT-44511) which was heard at the City Council as Bill Number 2012-29.
01/08/13	The Planning Commission accepted the applicant's request for this item to be held in abeyance to the 02/12/13 Planning Commission meeting.
02/12/13	The Planning Commission recommended approval to a planned community modification (MOD-47016) to change the last 36.36 acres of EC-TC (Employment Center Mixed Use - Town Center) within the Town Center Land Use Plan to ML-TC (Medium-Low Density Residential - Town Center). City Council will hear this request at their March 20, 2013 meeting. Staff recommended approval.
02/12/13	The Planning Commission accepted the applicant's request for this item to be held in abeyance to the 03/12/13 Planning Commission meeting.

In addition to the full range of development standards, the Town Center Development Standards Manual establishes the list of permitted uses in the Town Center area. Many of these standards rely on the various provisions of Title 19 by providing numerous references to applicable code sections for standards that are the same as those provided by the Unified Development Code (UDC).

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ANALYSIS

In late 2010, the Planning Commission recommended adoption of a Unified Development Code (UDC) for the city of Las Vegas to consolidate the city’s subdivision and zoning codes into one comprehensive development code. Further the UDC was amended in 2012 to consolidate use categories and streamline standards and requirements. This proposed amend will update the Town Center Development Standards Manual to reflect the changes and corrected references to properly mirror the updated Title 19 (aka the UDC).

The proposed amendment will also eliminate standards and use listings for the EC-TC (Employment Center Mixed Use - Town Center) special land use designation since this land use category has been effectively eliminated by a series of planned community modifications over the years culminating in the most recent, MOD-47016, which removes the last 36 acres from this designations. EC-TC was intended to accommodate needed non-polluting and non-nuisance services which, under normal circumstances, would not otherwise be found in a Central Business District. Given the land use constraints of the Centennial Hills Sector Plan, few opportunities for light manufacturing uses existed within the Centennial Hills sector of the City.

FINDINGS

The proposed text amendment will accomplish the following:

- Make various corrections and clarification as a result of the adoption of the Unified Development Code and subsequent Title 19 amendments.
- Eliminate standards for the EC-TC (Employment Center Mixed Use - Town Center) special land use designation as the recent Planning Commission recommendation on MOD-47016 effectively eliminates the designation.

NOTICES MAILED **NEWSPAPER ONLY**

APPROVALS 0

PROTESTS 0