



City of Las Vegas

Agenda Item No.: 11.

**AGENDA SUMMARY PAGE - PLANNING
SPECIAL PLANNING COMMISSION MEETING OF: AUGUST 14, 2018**

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

EXT-7398 - TEXT AMENDMENT SUBJECT HEARING - APPLICANT: CITY OF LAS VEGAS - For possible addition to amend Ordinance Chapters 19.12 Permitted Uses and 19.18 Definitions and Measures to provide for standards and a definition for a Short-Term Residential Rental in Mixed-Use and Multi-Family Residential developments, and to provide for other related matters. Staff has NO RECOMMENDATION.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

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City Council Meeting

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City Council Meeting

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RECOMMENDATION:

Staff has NO RECOMMENDATION

BACKUP DOCUMENTATION:

1. Proposed Amendments and Staff Report

Motion made by TRINITY HAVEN SCHLOTTMAN to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

CHRISTINA ROUSH, DONNA TOUSSAINT, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, VICKI QUINN, LOU DESALVIO, BRENDA J. WILLIAMS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR CHERRY declared the Public Hearing open.

PETER LOWENSTEIN, Deputy Planning Director, reported that the proposed Text Amendment, if adopted by the City Council, would allow up to five percent of a Multi-Family Residential or within the residential component of a Mixed-Use development to be used as short-term rentals (STR). The 660-foot distance separation would continue to apply to the parcel containing Multi-Family Residential or Mixed-Use development but not to the units within the development. Staff had no recommendation.

JONAS WOOLVERTON and JEFF BELCHER spoke in opposition and shared concerns regarding illegal short-term rentals currently operating within the Ogden. MR.BELCHER wished for all short-term rentals to be banned; however, if this was not possible, he hoped for

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them to be banned in historic neighborhoods. He felt five percent was an arbitrary number. HOWELL JONES, CHRIS JONES, on behalf of the Buffalo Coalition, DINA CIANCHETTI and TERRY O'ROURKE also spoke in opposition to short-term rentals citing concerns of safety and security.

CHAIR CHERRY reminded the audience the subject Text Amendment was specific to Multi-Family Residential and Mixed Use development.

TOM DELIO noted there are a lot of common areas with mixed-use buildings and believed the residents within the building should be allowed to provide their opinion regarding short-term rentals.

ATTORNEY MATTHEW SIBERT agreed that the item pertained to the residential component of mixed-use development and believed it was something the City's code needed. He did not believe the 660-foot rule was one size fits all. Though he appreciated the opposition's time, he asserted he has been working every week with the homeowners association (HOA) and their attorney. MR. SIBERT stated that he and his clients were trying to make this a safe, compatible and harmonious environment for all parties involved. He stated his purpose was something appropriate for mixed-use developments and was willing to continue negotiation with the residents. Lastly, MR. SIBERT commented that for these type of development, the CC&Rs (covenants, conditions and restrictions) were the appropriate mechanism for regulating this type of use.

COMMISSIONER SCHLOTTMAN agreed that he had three short-term rentals within his neighborhood and has never had any over a three-year period with the exception of one. In saying that, he also believed short-term rentals do not fit every neighborhood, and he felt applications should not be accepted for applications for short-term rentals within 660-feet of another as neighborhoods need not be saturated. The Commissioner asserted that he and CHAIR CHERRY have always felt that short-term rentals do not belong in high rise buildings. He advised the residents of the Ogden to review their CC&Rs.

CHAIR CHERRY lives in a high rise building which has in its CC&Rs the requirement of a six-month lease. He did not believe high rise buildings were set up for the hotel environment and agreed with COMMISSIONER SCHLOTTMAN'S belief that short-term rentals may have a fit in some areas but not in others. He expressed his opinion regarding his support in new, multi-family or mixed-use development where such a use has been disclosed in the beginning; however, he could not support the use in existing development without any plan or rule.

COMMISSIONER ROUSH thought it was evident that no one desires short-term rentals and felt the Text Amendment may need more work. She asserted there were unintended consequences subsequent to each decision made. She advised the removal of high rise condominiums and the consideration of carving out certain historic neighborhoods including the Legal District. She did not wish to be short-sighted but wanted to be protective of the city's neighborhoods, as well. She was not in favor of the Text Amendment and believed it needed more work.

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COMMISSIONER SCHLOTTMAN agreed with COMMISSIONER ROUSH as he felt the Text Amendment needed some work. In addition to his motion for Denial, COMMISSIONER SCHLOTTMAN requested staff make a recommendation to the City Council to review the allowable percentage amount as well as consider excluding certain historical districts.

ASSISTANT CITY ATTORNEY BRYAN SCOTT wondered if the Commission had a specific percentage recommendation. CHAIR CHERRI did not believe in a specific number, rather he believed in how the project is managed and disclosed to residents. COMMISSIONER SCHLOTTMAN agreed and believed staff could provide the Commission's comments to the City Council.

CHAIR CHERRI declared the Public Hearing closed.

