



Las Vegas

Agenda Item No.: 10.

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 15, 2018

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2018-50 - For possible action. Amends various provisions of the Unified Development Code (UDC) to add a new chapter relating to Form-Based Code and Transect Zones, and to make parallel changes in other parts of the UDC where necessary. Proposed by: Robert Summerfield, Director of Planning

Fiscal Impact:

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend various provisions of the Unified Development Code (UDC) to add a new chapter relating to Form-Based Code and Transect Zones, and to make parallel changes in other parts of the UDC where necessary. The bill represents the initial regulatory step in implementing the corresponding provisions of the Land Use and Rural Neighborhoods Preservation Element of the Las Vegas 2020 Master Plan. The bill is intended to allow for a gradual phasing approach to the use of Form-Based Code provisions rather than regulation based on traditional zoning districts.

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. 2018-50
2. Exhibits A-F
3. Submitted at Meeting - PowerPoint Presentation

Motion made by BOB COFFIN to Approve as Do Pass

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)

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Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the proposed bill seeks to introduce a new chapter within the Unified Development Code pertaining to the Form-Based Code.

MICHAEL HOWE, Planning Section Manager, reviewed a PowerPoint presentation regarding the Form-Based Code, which was submitted as backup. He explained that the Form-Based Code became a top priority coming out of the Vision 2044 Downtown Master Plan, and it is rooted in the five big ideas that consolidate each of the major efforts for the Master Plan. The five big ideas are to diversify the economy, create mixed-use hubs, create streets for people, for a greener Downtown and to expedite implementation.

MR. HOWE stated that the Medical District has an active Master Plan that was created in 1997, and it is considerably outdated. Staff has learned through experience and working with the consultant that the uses allowed in the Downtown Centennial Plan are too limited, specifically within the Las Vegas Medical District. There are developers that want to build multi-story, mixed-use, office and affordable housing that is complementary to the School of Medicine; however, those proposals would require land use amendments and multiple Variances and Waivers on a case-by-case basis. When trying to build walkable areas in an urban environment, there needs to be a level of expectation of what would occur within a block of a neighborhood. To have the vision of getting the newest regional medical center achieved, staff prefers the new coding effort that puts developers, neighbors, hospital operators and UNLV (University of Nevada, Las Vegas) all on the same page.

MR. HOWE showed a slide with two images of Target stores that are both considered General Commercial under the current code; he discussed how the new code acknowledges the differences in features such as the size, scale, parking lot, character, nature and uses of the building, which is the difference between Form-Based Code and Use-Based Code.

MR. HOWE stated that the Form-Based Code adoption is for the development standards and is currently restricted to the Las Vegas Medical District Pilot Plan Area, which he described. Staff is focused on the Medical District due to the anticipation of the School of Medicine and the amount of capital investment going into the area. Once adopted, the guidelines are not applicable until there has been an appropriate underlying Form-Based Code land use amendment and Rezoning for each of the properties and is only applicable for new development. He reviewed the timeline which included a General Plan Amendment coming before the City Council on November 21st; the Rezoning staff is submitting will go to the Planning Commission with anticipation it would come before the City Council on December 19th. Over time, the hope is to have the Form-Based Code applied to the overall Downtown Plan area.

COUNCILMAN COFFIN referred to a slide of the Medical District noting that Symphony Park was not notated on the map; he expressed concern that all conversations regarding the Medical

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District include the Cleveland Clinic Lou Ruvo Center for Brain Health. COUNCILWOMAN TARKANIAN stated that the Lou Ruvo Clinic may not be included in the pilot test area, but it is part of the Medical District.

MR. HOWE stated that there have been multiple meetings and courses regarding the Form-Based Code that have been open to the community, leadership and neighbors, there have been multiple open house forums and one-on-one meetings with the stakeholders, and there has also been work done with UMC (University Medical Center), who has a large campus plan. A six-month review period has been incorporated into the pilot plan to make sure the zoning, development standards and uses are right. This will be fully transparent, and comments from the public and developers will be taken. He mentioned that minor changes to the code may have to be made and cited an example of the current code allowing for 12-story buildings and UMC's anticipation of exceeding that. Changes are possible if they stay within the realm of the zoning district.

What helped elevate the Form-Based Code to one of the top priorities of implementation of the Downtown Master Plan was that there will be 10 new zoning districts that will describe the scale, character and nature of the area on a block-by-block or street-by-street basis; there will be seven new street types because they have a huge bearing on adjacent development; and the code will acknowledge parking agreements that are in place and will not put all the burden on the developer to provide additional parking spaces.

COUNCILWOMAN TARKANIAN commented that the way the purpose and background are written, it sounds like this is a sure thing that will move ahead, but she emphasized that this is a trial basis. The Councilwoman complimented the Planning Department regarding the time and effort spent on this, but she thought it was still confusing to the public and some of the Councilmembers. She desired that language be added that this was being done on a trial basis. MR. HOWE replied that the Proposed First Amendment has language that provides that clarification, and he read it for the record.

COUNCILWOMAN TARKANIAN said that what was being done is putting together the Form-Based Code in a particular part of the Medical District, and based upon the feedback collected, determining if the City would move toward the Form-Based Code. She was concerned that the information reads as though they will move to the Form-Based Code right away or it would happen naturally by proceeding with one step after another. MR. HOWE explained that the language and the map apply the Form-Based Code to the Pilot Plan Area. She wanted to ensure that this is a plan that would be evaluated to see if it was the best way to proceed. MR. HOWE explained that the language within the code is forward-looking, but there are certain steps to be taken that are considerable in depth, and there is no way to proceed outside of the Pilot Plan Area until they know it works. The Councilwoman was concerned that nothing indicated that the plan would be evaluated before proceeding.

COUNCILMAN ANTHONY asked if it was correct that staff would proceed with the Pilot Program and come to the City Council with an evaluation of it, and MR. HOWE replied in the

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affirmative. COUNCILMAN ANTHONY asked if staff would come before the City Council if this was to expand to other districts, and MR. HOWE replied that staff would have to come to the City Council prior to even taking that step. He explained that there is no way to initiate that step until staff is granted authorization to move forward.

COUNCILMAN ANTHONY reiterated that it is on the record that the City Council would hear about the Pilot Program and would have to approve any changes or expansion prior to moving forward. MR. HOWE affirmed.

COUNCILWOMAN TARKANIAN was still concerned because in her years on the Council, she has seen things discussed, and the way it was written was the way it turned out. She wanted the people to know that this is not a done deal. The Councilwoman also emphasized how hard staff has worked on this.

COUNCILMAN COFFIN thanked MR. HOWE for the presentation and back-up material. He appreciated that staff was moving slowly on this. MR. HOWE confirmed for COUNCILMAN COFFIN that the expectation with Form-Based Code is that a project would fit with what else is within the block. This type of code can be used for neighborhood landmark preservation because the code is built off of the character: the driving of a sign, what the development standards are and what is in place that creates that character. Downtown is challenging because there are a lot of vacant areas.

PATRICK OLSON, Director of Development for Northcap, which is a project that is ready to be developed in the Medical District. They are excited about the future of this District, and the more development that comes to the area the more walkable becomes, and it makes the quality of life better. MR. OLSON stated that this project is for a 12-story mixed-use tower with retail on the ground floor and offices and micro units above. The target customers are people who are working and living in the District. This project fits the vision for downtown and the Medical District.

COUNCILMAN COFFIN asked about the location of the project and if it would be adjacent to residential homes on the south side of Charleston Boulevard. MR. OLSON explained that the project will be on the corner of Pinto Lane and Martin Luther King Boulevard, and their office is south of the Chevron on the corner of Rancho Drive and Charleston Boulevard.

COUNCILWOMAN TARKANIAN thought that where the 12-story project was going to be located was appropriate, but if that was what was appropriate in the District, she wondered how a 12-story building would be on the corner of Alta Drive and Rancho Drive, noting that a precedent would be set.

MR. OLSON commented that the area of Alta Drive and Rancho Drive would not be as dense as where the medical school would be located. He thought that the Form-Based Code was moving in the right direction, and he was in support of this bill. He noted that they could move forward with their project under the current code and zoning, but they were given a list of Waivers and

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Variances that would be required. They are excited to be working through this process with the City and to be the first project to submit once the bill is approved

This bill will be eligible for adoption at the October 17, 2018 City Council meeting.

COUNCILMAN ANTHONY declared the Public Hearing closed.

