

CLARK COUNTY COMMUNITY PLAN WORKING GROUP



PUEBLO ROOM
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
THURSDAY, November 5, 2015 – 6:00 P.M.

MINUTES

Community Plan Work Group Meeting
October 22, 2015 – 6:00 P.M.

Attendees:

Chris Giunchigliani, County Commissioner
Marilyn Kirkpatrick, County Commissioner
Vivian Kilarski, Planning Commission
Keith Spencer, CBRE
David Diffley, Lewis Operating Group
Robert Orgill, Paradise
Michael Dias, Sunrise TAB
Dave Chestnut, Enterprise TAB
Cheryl Wilson, Enterprise TAB
John Getter, Spring Valley TAB
Tony Celeste, Kaempfer Crowell
Chris Dingell
John Getter, Spring Valley TAB

Staff

Mario Bermudez, Planning Manager
Shane Ammerman, Assistant Planning Manager
Paul Doerr, Senior Planner
Kevin Smedley, Principal Planner
Garrett TerBerg, Principal Planner
Michael Popp, Senior Management Analyst
Janice Ridondo, Liaison District B

- 1) **Call to Order.** Mr. Popp called the meeting to order at 6:01 p.m. and opened the meeting with welcoming everyone to the meeting.
- 2) **Public Comment.** Ms. Wilson commented that when reviewing the minutes from last meeting there were a couple of comments she made she felt were swept under the rug and felt if she reiterated that in reviewing the categories document and seeing how everything played out the last time she still believes that NRS and Title 30 are an integral part of this and staff has talked about wrapping things up in a nice package, but Ms. Wilson is unsure whether these two items have really been discussed. Ms. Wilson really feels like NRS and Title 30 is what the TAB, Planning Commission, and planners use as criteria and understands that the DA is too busy to attend but it if not used and accompanied with the category document it could cause a lot of problems for him. Continuing Ms. Wilson talked about the RNP that it is in the NRS and is defined as that and it seems like a no brainer to her that we need to call it that and refer to it as that. Ms. Wilson also noted and had an idea suggesting staff work with the current planners who actually write up summaries and applications that are actually coming through, and apply this new process to this to see if there is a difference between what's taken place in the past and what would happen in the future; and again suggesting if NRS and Title 30 are not right up to speed then that criteria and standards could be too big and again it starts more legal issues. Staff commented they can address her comments through the Land Use Category agenda item. Mr. Getter commented that he tends to agree with Ms. Wilson comments and has the same concern that the RNP doesn't exist when it does, and Mr. Getter feels the workgroup and staff keep talking around it instead of to it and feels it would make sense to talk to it. Secondly Mr. Getter believes there has been discussion back and forth of looking at these things piece by piece by piece, and feels that the process was done backwards where the group started with policies and tried to find some goals to match them and so on, instead of maybe a top down approach. Mr. Getter continued that the workgroup is being told that they are now getting close to having the whole elephant, to use the analogy, and if he follows through on the analogy he feels the workgroup should see the whole elephant before voting on recommending anything to the commissioners, because if you are putting together a committee designing an elephant piece by piece yet you have a prehensile nose might make a lot of sense, but when you put it all together you might think maybe it should have thumbs. Mr. Getter believes the workgroup might have to have something that includes the categories, goals, policies and how it all interacts with Title 30 before the workgroup can really come up with a comprehensive recommendation.
- 3) **Motion to Approve Agenda.** Motion by Ms. Kilarski, and second by Mr. Orgill.

- 4) **Approval of the September 3, 2015 Minutes.** Mr. Dias noted that word “not be designated” instead of “designated” be added to the first paragraph in the section on Land Use Categories. The motion to approve by Mr. Orgill, and second by Ms. Kilariski
- 5) **Approval of the September 17, 2015 Minutes.** Motion by Mr. Orgill, and second by Mr. Spencer
- 6) **Introduction to Community Land Use Categories.** Mr. Smedley asked the group if they had a chance to review the documents that were sent to them and instead of reading each category he requested the group provide feedback on each category. Mr. Smedley started with Open Land category. Mr. Chestnut asked if these (categories) would apply out into the rural areas. Staff noted that these new proposed categories are just for the urban valley. Mr. Smedley continued with Rural Neighborhood Residential. Mr. Getter noted that he still would be more comfortable if we could describe the RNP areas not just limited to overlays because he feels it’s a description that should be consistent. Mr. Getter wondered why we need the second sentence in the category description and why we don’t say medium density residential is intended to prevent....etc., etc. Why do we need that sentence singling this description out and although he is a strong support of RNP he wonders why we are treating this differently. Staff explained that the language he is referring to in the second sentence is the language we have in the books and have been currently referring to when describing this category because there is an effort to protect these areas because a lot of the area are still undeveloped and so there often looked at large areas that could be developed with a lot of homes. Mr. Smedley continued that staff is making it clear that this area is being preserved and protected and that’s why staff used the word preservation. Mr. Getter explained that he understood staff attempt and felt that term Rural Preservation would be better suited in the category name than in the description in that you would be addressing that and not singling out for a different treatment than other areas. Mr. Getter continued that he is not opposed to the protection but he is assuming that all we are doing is to protect the areas we are designating. Mr. Smedley commented that if we change the category name then we would be singling it out because where it would not be a residential category by title, where they are all now residential in the title. Mr. Smedley again said we are going with the category name that the group selected, even though staff realizes it was a split decision.

Mr. Chestnut commented that the way he read the language restricts additional RNPs because you already say you have house built to make an RNP, and if we open up the disposal boundary Enterprise has 4-5 square miles of land that could be developed some of which could be RNP that could have zero houses in it before it starts to build, and don’t have any other category that says we have to have house in it to be built in order to be categorized. Mr. Chestnut believe we have to make it equal to all the other categories and develop/protect is really what were after. Mr. Chestnut believe the second sentence should come out completely after trying several personal reiteration, none of which he liked. Mr. Chestnut commented that when he was asked to define the goal for what was at that time estate residential, he wrote up an analysis of it, and in that analysis contained 9 potential characteristics of an RNP which two are in the category description and four additional potential policies that you go because we shortened the goals to a point that a lot was dropped out, so to date we have not seen none of those, so what is the status of the 9 characteristics. Staff commented that he page and half of suggestions is the description he provided for the category and asked Mr. Chestnut how he would fit them into a brief category description. Mr. Chestnut comment that the 9 characteristics where based on what was going on throughout the other towns in the valley, and asked staff to take a look at some of them to see if they are appropriate for Rural Neighborhood Residential. Mr. Chestnut gave as an example large lot with predominately animal livestock with some of the other uses are the traditional forms of development such as the isolated subdivisions and the fact that HOAs tend to restrict and in RNP with livestock conflict with one another, where we currently have HOAs in Enterprise that restrict large animals or any animals in the RNP and that it’s these kind of things we need to get a clearer picture on what where talking about, maybe make a list of those items. Mr. Kilariski noted that at the Planning Commission they have to notify and tell the neighbors what is currently developed there. Ms. Wilson commented on that NRS defines RNPs and she feels like staff is trying to reinvent the wheel with the category name, everyone knows what an RNP is. Staff commented that the County’s RNP is broader that the NRS because NRS is more restrictive than what the County has. Ms. Wilson commented the RNP is a term that the residents in the valley are very familiar with and should be used to keep it user friendly and simple. Staff asked Ms. Wilson what she would like changed in the language and she felt the category name should be changed to Rural Neighborhood Preservation. Chris Dingell wanted to make the point out that a zoning district and a land use category shouldn’t be named the same because it causes mass confusion and that he has attended meeting throughout the years and people will be confused whether it is planned RNP or zoned RNP and they won’t understand. Mr. Dingell agreed on changing the name to minimize the confusion that way if there is a Rural Neighborhood Residential and a RNP zoning district there won’t be any confusion. Mr. Dias suggested that he may have a possible fix on both of the issues. Mr. Dias asked what if the second sentence was changed a little bit where is says “This category is intended to protect areas within the Las Vegas Valley that are already developed” and then add in “or planned as estate or rural”, so

that would allow if it's in the plan at that point or at some future use. Mr. Dias commented that one other thing that we have talked about as a group for hours is that RNP should be a category how about if the desired zoning of R-U, R-A, R-E, include also RNP. Staff commented that the County does not have an RNP zoning district but has an overlay but could add R-E (RNP-1). Staff clarified with the workgroup if there was a desire to change the category name. Ms. Kilarski agreed with Mr. Dingell that a zoning district and category should not have the same name in it. Ms. Wilson commented that not all of the land uses under the RNP overlay is not RE and how would that play out under Mr. Dias solution. Staff clarified that when the RNP-1 overlay were applied broadly throughout the valley there were lines drawn, some property owners asked to be include and some didn't; the BLM didn't weigh in on it so it was applied without all of the property owners consent, so it was applied broadly and in the area of Cactus near Dean Martin drive, that RNP overlay goes beyond the area that is designated as RNP on the map; the overly goes beyond the area that is planned RNP and then on the opposite side in a lot of the other RNPs especially around the edges the RNP overlay does not go to the edge of the RNP designation. Mr. Smedley continued so you have a little bit where it overlaps and some where it doesn't. Staff explained as an example let's say the zoning on the property is R-E and the planned land use is O-P (R-L) and is RNP overlay, so the underlying zoning is still R-E. Commissioner Giunchigliani asked what then governs. Staff responded that the zoning district governs goes first by right; they have the entitlement with the zoning district. Ms. Ridondo asked why RNP can't be a category. Staff explained that as a group the decision was to keep the name Rural Neighborhood Residential. Ms. Ridondo expressed in the ten years she has worked with the County RNP gets the most discussion and is the most confusing among neighborhood residents. Mr. Dias commented if what we are discussing is the confusion between this being a potential between a category named Rural Neighborhood Residential vs RNP being put over desired zoning, Mr. Dias feels having the RNP in the desired zoning and renaming this category to Low Density Residential or Low Residential makes a lot more sense. Staff commented that that was the original proposal. Ms. Wilson mentioned that if we consider changing the name to Low Residential then the next category on the list would have to change because it is currently named Low Residential. Mr. Getter voiced his concern that in the first paragraph regarding the arterial edges, where it reads where only the RNP land use designation goes right to the arterial; now that means it has to be an existing decision to go right to the arterial and Mr. Getter noted as recently as a couple of years ago the desire of residence to do so was stopped by staff action and Commissioners going with the staff so Mr. Getter is concerned that the group is locked into something that is based in the past and not based on what might be the best use now going forward.

Mr. Smedley used as an example by and large staff saw that office professional was the land use category that was designated between the arterial and the rural neighborhood preservation so as staff was discussing this and drafting this and we are not sure we made it clear in our discussions that as we subsequently updated the land use plans, if we as a community feel like it's appropriate to eliminate that office professional and draw the RNP to the arterial edge then it effectively wipes the other category out and makes this edge treatment we are talking about viable. Mr. Getter asked where in this description it says you can do that. Mr. Smedley said it doesn't say that in the paragraph because it's through the planning process that it is done. Mr. Getter pointed out that the language in the paragraph says it only applies when it exists basically. Mr. Getter cited the specific example of was the Jones/Russell corridor discussion that resulted in an RNPI overlay that the neighbors pushed hard to get but the RNP overlay was either stopped 330' or 660' from the arterials for the preservation of what remains on empty unused/undeveloped land and the neighbors want that RNP to go to the arterial and that was not allowed. So Mr. Getter's point is that under the verbiage that would never be allowed and he feels it should be allowed and that there should be the option written in language to extending the RNP to the arterial. Mr. Smedley clarified that was not the intent of the language and staff can go back and rework the language. Mr. Smedley drew on the board the intent of the language clarifying the arterial edge treatment would not apply on the arterials that run directly through an RNP area and anyplace where there is an edge to an arterial we could draw the RNP out to the edge if that's the desire of the community in the planning process. Mr. Getters concern specifically in this case is where you don't have an arterial going through the RNP, you rather have an arterial on two sides of an RNP and on both of those sides despite what the neighbors wanted at the time a 330'/660' setback was put in place for the RNP and years later it sits empty making dust and there are homes being built all through there and they could potential be built in there but this would prevent it. Mr. Smedley noted that in none of the categories do we say that this category describes how we can apply this on the land use plan map, that is done through the land use plan update process and we have had that example and every time we do a land use plan there is a request to change "x to y" and that can happen in the update, the description of the category doesn't describe how it can be applied or the method it can be applied it describes once it has been applied. Mr. Dias commented that he is reading this differently because the way he is reading it is that you're allowing this potential buffering zoning that it only applies when the RNP goes right to the arterial. Mr. Dias continued that he has a whole bunch of existing RNPs that go to arterial and he asked this question before and Mr. Dias was told that if the existing RNP goes up to the arterial that this buffering would not be allowed it would be only for future RNPs that

your planning where your planning this buffering and it almost sounds like your kind of perpetuating this 330'/660' by saying all of this edge stuff should something other than RNP where it's been very appropriate in at least a mile to a mile and half in Sunrise Manor where we've got RNPs right up to the arterials where they have been existing and have been viable and they have been developable that way and to change or to say "if you've got an existing RNP that goes to the arterial this buffering is automatically allowed" and that is concerning to Mr. Dias. Mr. Chestnut commented that one of his questions that relates into the other questions is if we extend out to one of these 330'/660' the RNP to the edge how in the future do we tell if its arterial edge or its not, there is no designation here or identification because as Mr. Chestnut looks at it and it extends out to the edge of the next go around does this apply. Staff commented that perhaps one of the missing words in the text is RNP "Boundary" because we are talking about the boundary and not the interior of the RNP. Mr. Chestnut commented that we need an additional tools on how it will be applied in the future, Windmill street is a great example where there is two strips of 330 and most of its dirt and the RNP is out on the both sides right to Windmill, so in the future how do we tell if this is an arterial edge buffering and can be treated with a paragraph or it was part of the original RNP before this went in and cannot be treated that way. Mr. Dias commented that what he has heard is that if RNP is up to the edge then buffering would not apply. Ms. Kilariski commented that what she is hearing where the TAB members are coming from but would like to hear from the homebuilders and their position because we are supposed to be working as a group and all that Ms. Kilariski is hearing is from the TABs. Mr. Celeste said he thought he understood and it was clear before the dialogue began because it goes back to what Mr. Smedley was saying how big of the implementation of this plan, I think it becomes at that stage that the Rural Neighborhood Residential or what we ultimately call this category is approved during whatever Spring Valley or Enterprise land use up to an arterial then there's these additional zoning possibilities for the buffer (330'/660') either through special use permit or added justification for that use is the way Mr. Celeste has been interpreting and to Mr. Celeste it is more of an implementation of the plan than the wording and to me that makes sense. Mr. Celeste continued that he understands if it's Windmill in this example if the RNP is on both sides of it then this option or these buffering tools are not an option. Mr. Celeste asked what's wrong with the wording; it seems to him more how we implement it. Mr. Diffley commented that he thought that the current language and categories reflected what we discussed in earlier when Mr. Smedley in earlier meetings was up on the board and the group worked through similar issues and conditions and Mr. Diffley thought this was the desired outcome having something where you no-man's land on the edges and that we wanted some tool to have alternate uses. Mr. Diffley thought this stated what the group discussed and agreed upon.

Mr. Getter said he hears what everyone is saying but his concern is that we have areas that personally opinion would work very well if RNP1 went to the border and then we could consider exactly what Mr. Celeste is suggesting but what we have now is areas that have uses laid on them that are everything from O-P to C-1 to C-2 and that really it hasn't worked and I think what we have or what we are trying here for is something we all sense could really work and my concern is that we not be preventive from doing that from the flexibility that is required to make it work by having something that says that it already has to have that designation. Mr. Diffley said that those were good points but would remedy for that when a land use update comes around changing that to RNP, then you would have the flexibility to use this material. Mr. Getter said he would be more comfortable if that were happening simultaneously, but we can't promise what's going to happen in 5 or 10 years whenever we can get a land use plan approved actually as we recommended. Mr. Celeste asked Mr. Getter what he meant by simultaneously. Mr. Getter commented we could say our intention is that when the land use plan is updated we'll do this but we can't guarantee that. Mr. Dingell commented that the treatment along the arterials, all arterials that run through because there is a reason why they haven't developed, people know that it going to be a six lane road and where planning for the future and eventually the valley is going to be filled; why can't you do something now that can mitigate that, to put an office in not just along the RNP but arterials that cut through. Mr. Dingell cited Decatur, saying the houses that exist that face Decatur and if you think about it in 20 years every single road that goes through an RNP is going to be fully built out to six lanes. Mr. Spencer agreed with Mr. Dingell that some of the areas that he talked about where there are no developments that are either designated either for commercial or office might take on that representing commercial clients is that those are early in their development stage so the need for those services and the demand for customers don't exist and when you have RNP that surround those areas the density for that population is much lower than you would find in a lot of other areas where those services will eventually develop. Mr. Spencer continued that he felt those categories on the arterials as a potential makes sense and so do residential estates where they have developed historically and what Mr. Spencer thinks makes sense in Las Vegas which is one of the fastest changing environments in our country is where you take a look at use permit and applications and the specifics of each design and how it integrates into that community and historically Mr. Spencer remembers when the RNP first discussed the real push was that the rural lifestyle with livestock was that they are being pushed out of the valley, and one of the questions that Mr. Spencer asked with the new estate developments is that they are not developing with livestock and horses in mind and

that there is a nuance between the two that is taking place. The workgroup decided to hold this item until the next meeting and allow staff to work on the language based on the comments provided. Ms. Wilson commented that what Mr. Spencer said is perfect and goes right back and lends itself to RNP being a category, there are large lot estates and there are RNPs, they are different, the buffering to edges she agree with Mr. Dias and she understands there's a lot of land out there that could be developed and as Mr. Dingell brought up with traffic where you have that big arterial going through perhaps if there were traffic mitigation and we got something out of public works on that then we could minimize the traffic going through the RNPs. Mr. Dias commented one quick point just to clarify that we are talking about two different problems with the edge points or the no-man's lands that exist through the master planning and those property owners should be coming in asking what they want put on there and then the master plan process can work that out at that point, the other is the existing where it goes up there and it has been working, the R-E has been working, its either been backed up to the arterials or side up to the arterials there existing plotted lots that are out there, we shouldn't change them or convert them into something else and then you've got the third issue which is future RNP where I think having the suggestion on the buffering on the outside of the arterials are find but again it really has to with those properties owners coming in for those plans at that point to express what they can see as their vision then how it can work into the whole plan. It was moved to table this item until the next meeting.

Mr. Smedley continued with the category Low Residential. Ms. Kilarski asked about arterial edging on low residential and medium residential, not recalling the discussion. Staff clarified that it has always been on the table and part of the discussion the arterial edge was removed from the matrix and put into the text. Mr. Chestnut commented that on the arterial edge it looks like we either have a new zoning district or new category because it's an animal and once you extend it into residential low and residential medium the potential to apply it is huge and again it becomes how we will define it. Mr. Chestnut further commented that he is beginning to think that it needs to be split out so they can go on a map as arterial edge zoning (planning) and be captured in "x" areas. Mr. Dias commented since we are potentially going to change the other category to Rural Low, shouldn't this be called Medium Residential which it has traditional been called in the past and the next category go from medium to high which will discuss at that point. Staff pointed out that in previous meetings that the group did not like the use of the word "high". Mr. Chestnut commented that the suggestion was made to change Rural Neighborhood Residential to Rural Low Density, commenting if you do than there's no need to change down the list. Mr. Smedley commented with that in mind as staff is looking at Residential Low and the second paragraph on all of these is the same so staff will go ahead and look at that so we are not discussing the second paragraph on the low and the medium, we are just discussing the first paragraph. Mr. Smedley commented we already know we are splitting it out and we have had that suggestion, and we already know they are essentially the same with modification. Mr. Getter commented that he felt 5 per acre is not low, and feels this is medium. Staff commented that this came up on all of our discussion and the group supported up to R-1. Mr. Getter commented that he still believes 5 acres maybe low residential in suburban New York but does not feel it is here. Mr. Getter continued that he feels the reason is because what's going to happen is what always happens, developers will rightfully come in and say I can go up to 5 so I want 5 and the argument is going to be 2 or 3 fit and it's all going to be subjective and if our effort here to try to clarify and simplify and reduce nonconforming applications and so on then Mr. Getter feels we are creating another issue. Commissioner Kirkpatrick asked question about the difference gross acreage vs. net acreage per acre. Staff concurred with Commissioner Kirkpatrick that acreage is calculated on the gross and it will depend on the off-site whether they are public or private whether the can be calculated in.

Staff also commented on the developers asking up to the maximum and asked the group to remember when we started the project that the burden of proof, support is on the developer to prove to staff, as well as staff looking at code whether it's a matter of having to change things in the code or just look at the code differently that staff will look at putting a higher level of burden on the developer to justify a conforming/nonconforming zone changes as well as staff to look at it harder and to get that to the Planning Commission and the Board, that's the departments goal to that and staff is aware is going to take some growing pains to get there. Mr. Getter asked is this will reduce the nonconforming zone changes. Staff commented that this is the goal, and even reducing the nonconforming, staff still want from today a higher level of proof of justification for conforming zone change and believe this will reduce the number of nonconforming zone changes. Mr. Smedley commented that when we first started the discussion on residential and staff did some research January through August 2015 and staff looked at the R-2 zoning which has a maximum of 8 units to the acre and out of the 25 to 30 applications one or two went to the maximum and the average was around 6 units to the acre and some of them were around 4 to 5 units to the acre, staff expressed that everyone argues that a developer will go to the maximum is not a valid argument. Ms. Wilson suggested that we take some of these applications, even some of the past applications and have the

planners, staff that actually write everything up and do it with this new process and see if it will eliminate anything or if they concerns or helps, or hinder and let them be the guinea pigs let's not change everything at once and the say oops sorry, let's pull things from the past and test it. Mr. Chestnut commented on the nonconforming discussion that he went through and looked at 115 nonconforming zone changes in Enterprise and Spring Valley from 2012 to today and did a best fit analysis of the land use proposed groups as they were briefed in the last meeting, my consensus is it would not have prevented 87% and I have that analysis and will get it to staff. Ms. Ridondo commented on Mr. Spencer comment on big lot developments with RV and campers and those folks don't always want to be around horses and everything that comes with horses but Ms. Ridondo feels if there is only a category less than five homes on an acre you're going to force those folks to get into the rural low residential and then cause trouble with neighbors; is that it were going to go from rural low to 5 units to the acre, no more 2 units to per acre. Mr. Getter commented that the group actually discussed that and had a proposal on what amounts to two categories of low density and that went into the vapor. The group and staff clarified to Ms. Ridondo that 2 units to the acre doesn't go away and that you still can do 2 units to the acre and 5 units is only along the edge treatment. Mr. Celeste commented that with respect to a developer coming in and asking the maximum, we need to remember that Title 30 comes into play and certain zoning districts have minimal lot sizes and when you factor those in it adds up usually less than the maximum. Mr. Getter asked how Title 30 applies. Mr. Celeste commented that Title 30 controls the zoning with side and set back standards so you have start with Title 30 when you're designing. Mr. Getters point is he feels that it hasn't been matched up yet. Mr. Smedley summarized no changes proposed that Mr. Getters not comfortable with up to 5 units to the acre that was discussed while aback and is the current practice among the Board if its abutting an arterial on an RNP then the lots facing the RNP are 10,000 sq. and at 5 units an acre lots are 8,000 sq. so staff would anticipate that the lots facing the RNP would still be 10,000 sq. and the lots adjacent to that would be slightly smaller that but bigger than Ms. Kilarski 7,000 sq. lot. Mr. Chestnut asked the way low residential is developed now can you go up to 2 units to the acre where you need the R-E zone district in there.

Staff and the group commented that you could do 2 units. Mr. Dias commented in reading the buffering again we've got her RNP-3 in Sunrise Manor that goes up to Sahara, the current master plan is calling for C-P or CRT in this area it's been working very well, again we've had a number of telephone, building and office use come in there, Mr. Dias is concerned C-1 being in there at that point being allowed or would it be allowed at that point and kind of change everything historically that has been happening. Staff commented that we would not see a change and it would stay planned as office professional which is still the category, and staff doesn't see through the update process why we would change it because it's already starting to develop out. Mr. Smedley introduced Medium Residential. Commissioner Giunchigliani asked why three story homes are listed in the description and is not an attractable product. Staff clarified that this portion is in italics and is dropping out of the description. Commissioner Giunchigliani asked where detached would fit in a category and staff noted it would be listed in Multi-family. Mr. Smedley introduced Multiple Family Residential category. Ms. Kilarski asked clarification on multiplexes, where staff noted that would be town homes. Mr. Chestnut commented that in Enterprise, Manson is also listed under this category and it might be useful to add verbiage of mansion homes and lofts. Mr. Smedley introduced Office category. There were not comments or questions. Mr. Smedley introduced Commercial category and noted that we have combined commercial neighborhood and general commercial uses within this description. Mr. Chestnut asked clarification for RVP. Mr. Smedley commented that under the current commercial general that there are a number of places in the valley where we have recreational vehicle parking that are not adjacent to casinos. Commissioner Kirkpatrick asked clarification on the last sentence about nodes vs strip commercial patterns. Staff explained that why strip center are not encouraged is because it creates a lot of drive lead time and congestion so in the planning profession in general throughout the country is to create more nodes that are more of a destination where you can park your car and walk to various commercial stores or smaller nodes close to home where you can walk from your home to the store. Commissioner Kirkpatrick asked if those would include C-2 uses, to which staff mentioned they would not and are generally C-1 uses. Mr. Diffley based on a planning standpoint he agrees it makes more sense and based on a land ownership and there is a lot of land on arterials that has been developed strip commercial and it might be difficult to do some other pattern other than that and from a planning standpoint it may be more desirable but you might have push back down the road from commercial with 330' deep and some of these uses do service neighborhood in general. Commissioner Giunchigliani suggested that the "and not configured in a "strip commercial" pattern" be eliminated. Mr. Smedley moved to the next category light commercial and there were no changes to the description. Mr. Smedley moved to the next category manufacturing. Commissioner Kirkpatrick asked were outdoor storage is located and is especially concerned about storage along Nellis Blvd. with construction and recreational storage. Mr. Smedley commented that the examples that were given were approved many years ago and today staff and the Board would not approve anything that didn't have a set back with fencing and landscape and specifically outdoor storage falls within M-1. Mr. Smedley

continued that other areas are protected by use because of Nellis Air Force base and the Accident Prevention Zone (APZ). Mr. Bermudez commented that originally there was language for outdoor storage under the M1 description and staff will work to get that language back in the description. Mr. Chestnut commented about the statement on manufacturing that the statement on buffering should be a little stronger particularly near residential uses by strengthening the last sentence by adding in language “manufacturing and outdoor facilities”. Mr. Dias commented that shouldn’t we note some type of buffering along the arterials if it’s the outside storage. Mr. Smedley said staff will add language to buffering and arterial. Mr. Diffley commented this specific example and think other examples policies and parts of code define what’s required for buffering and how much detail should we go into this when its more currently defined in code. Ms. Wilson commented that again unless Title 30 reviewed and is a companion to this. Mr. Bermudez noted that Title 30 will define any M-1 use which includes outside storage, especially on arterials the County has a certain street design with detached sidewalks at a minimum 5’ landscaping, 5’ sidewalk and a screened wall and the outside storage that has stacking height limits. Commissioner Kirkpatrick commented that when staff goes back a revisits the language for arterial edge potential zoning could staff maybe consider some of that within M-1 and M-D areas because you have to drive sometimes for a very long time to can get to any type of services and that creates a whole different atmosphere, you have some services before where these large potential folks are working, so if staff could visit that she would love to see what staff could come up with.

Mr. Smedley introduced the next category Public Facilities. Mr. Chestnut commented that within the Enterprise land use Public Facilities is permitted within any land use category so this appears to be different that Public Facilities now coming out as its own category, how it relates to conforming zone changes if you put it into residential low. Mr. Smedley commented that the only place that the County applies this is where there is a planned park or school site or existing or other government facility, we don’t plan for a church or those sorts of things, a use permit would apply. Mr. Chestnut commented would it be wise to turn around and add public facilities to these conforming zone districts for all these other uses. Mr. Bermudez commented that Title 30 says that any locally supporting public facility is conforming and if it’s regional serving then it becomes nonconforming. Mr. Smedley commented that what the County is trying to get away from is having it in every category was the problem that been created with places of worship where there is under parking because they can apply under the current categories they can apply for public facilities by taking it out they would then have to do it through use permit. Mr. Smedley continued its definition is broad and that’s why staff didn’t include it in the residential categories or any of the others because then if it was allowed for it and potentially get approved they would be able to do all kinds of waivers. Commissioner Kirkpatrick asked that when some larger master planned communities have a golf course are you telling me the under lying zoning would be public facility so when the golf course went away it would still have a lower density, or does it have the designation open space, and two some big master plan communities are now starting to chart courses to have their own school in the neighborhood, so when the word says public that doesn’t necessarily mean it’s a public school; so Commissioner Kirkpatrick feels we could be creating adversarial conversation for folks in the neighborhood and should be aware of what happening out there. Commissioner Giunchigliani commented that under the golf course scenario that if it had been open space like National Golf course we wouldn’t have an issue but it’s our golf course but Commissioner Kirkpatrick is dealing with Silverstone in the City which might have been Open Space.

Mr. Bermudez commented that as Public Facility (P-F) of course that’s when the development comes in and asks for whatever they want so a golf course is permitted in the district it’s up to the Commission to decide if that’s appropriate, with Open Space it’s still held residential at one unit to 10 acres, so if you’re looking for the ultimate protection against residential development it would be Public Facilities at that time. Commissioner Giunchigliani commented with the new law that will hopefully be challenged and overturned where you have private charters in calling themselves public, staff should pay attention and be aware of this new law. Mr. Bermudez commented that where currently in the code says that a private entity that is performing a government function as a public facility can be considered a public facility. Mr. Smedley introduced Employment Center category. There were not comments or questions. Mr. Smedley introduced Resort category and noted for the record that Amy Beaulieu sent an email regarding the Boulder Highway corridor and that the language was still geared towards the Strip hotels and not addressing the issues of the neighborhood casinos. Mr. Chestnut asked on a resort would that be applied to something like the South Point hotel which is an isolated casino by itself. Mr. Smedley commented that generally we do apply it to those areas and if they are owned by the hotel casino to the vacant or otherwise developable parcels but we don’t extend it broadly. Ms. Kilarski commented so that does include the Boulder Highway to which staff confirmed. Mr. Chestnut commented so someone could come in and request Resort and that was their plan. Staff commented that NRS defines where gaming is allowed under SB208 and the gaming

overlay and then Title 30 is even more restrictive. Mr. Smedley introduced the Community Activity Center. The group discussed the language and word “ripe” for revitalization and decided to keep the word in since it is generally used nationwide as a term. Mr. Dias commented that he has asked the question before but again in a mast plan how do you apply this, and believes it would be very difficult to try to use this particular category unless you got all types of transportation modes and everything else to support and surround it and where do we envision something like this happening. Mr. Smedley commented that a Community Activity Center is, currently Title 30 or more appropriately the mixed use overlay is applied very broadly in Clark County there is literally thousands of acres designated for potential mix use which is kind of describing here, so this is our attempt and under our current category we have no category that describes a combined activity area, everything is a specific use such as resort, residential or commercial to name a few, so this is our attempt to create some focus and what has been said that actually identifies where they are is places where there are already an existing infrastructure, but there has also been an effort on the part of a property owners in that area in general to create something that is unique and that would draw people, an example of that would be the Asian district along Spring Mountain avenue that was the idea through the update process and it’s evolving over time but it is a focus for that type of use. Mr. Smedley continued that we would see this on a very limited basis because we don’t envision thousands of acres of this type of use and through the update process within each community we would work really hard with the property owners and TAB to identify what areas do you think are appropriate and we would probably see this type of development in one or two spots. Mr. Dingell commented that on the Maryland parkway corridor that if someone was at this for federal funding like this and they see a land use map that say commercial or office professional they might say it’s not worth it but if they see something like Community Activity Center it would help out those corridors. Commissioner Kirkpatrick commented that it would also include the revitalization of an area like Lake Mead Avenue, where it also includes the improvements to neighborhoods. Mr. Chestnut commented that when we talk about both the Community and Regional Activity centers do we need to indicate that there’s some idea of size because someone comes in and say I want to do a 10 acre Community Activity Center what’s there chances of success. Mr. Smedley commented that were not looking at this category as a standalone project but through the update process if an area is designated it would be a limited area but would come in piece mill because we have individual property owners but the vision of it becoming that activity center is in place. Mr. Chestnut commented that as he understands we are changing from our free zoning type of land use process to a community planned process and in that how do we indicate to these folks these are relatively rare and large areas. Mr. Smedley commented by putting them on the map. Mr. Chestnut commented that it’s not in the description and for the description one could say I could get all of these zone districts.

Commissioner Kirkpatrick commented that her thought process to use as an example Cheyenne and MLK is an area where there is hodgepodge development and there’s vacant pieces left to develop and when you say ripe for revitalization you’re really trying to infill and in her mind it’s more of a community village because that’s a HUD term they use and “community center” is appealing but not as appealing at village or community which are buzz words for HUD to do different things to put together and really a village is a vision that you’re not going to get the zoning for any one kind of use type and to put a minimum acreage of R-3 or commercial it then becomes ghettoized which was the situation you were trying to get away from in the first place. Commissioner Kirkpatrick noted that village in her mind is a visual that people can relate to and as staff when you go back ask yourself if this falls within the vision of a village or completing what they are missing around here and you will find in the older neighborhoods especially those that give you the flexibility so that it is not all apartments as an example. Mr. Getter commented that he wonders if having spent a lot of time in the last couple of weeks over in Maryland Parkway if it would makes sense to add along with village the word redevelopment. Mr. Getter continued and asked if the goal for this is to attract developer but also potentially government activities tax incentive grants and special considerations etc. Mr. Bermudez commented that the County would hate to use the term redevelopment because the County does not have a redevelopment agency are development areas so it wouldn’t be a good idea to give someone the impression redevelopment ability. Mr. Smedley commented that the word revitalization captures that because at one point we had a redevelopment agency but it was just focused on two specific sites and that’s no longer in existence. Commissioner Kirkpatrick commented that we could do is you could say ripe for revitalization or redevelopment if you go back in do something different because then you’re not referring to a redevelopment agency or zone or all of that but your saying that the goal this new village is redeveloping it revitalizing or whatever takes to prepare it feels that you do have to be careful with the word redevelopment because it means so many other things but she feels if you put it after revitalization it paints it different. Mr. Smedley summarized that staff would go back to add some language to the HUD definition community village and adding in something to the idea of redevelopment. Mr. Chestnut asked if the name of the category would change since there was a suggestion. Commissioner Kirkpatrick clarified that Community Village makes more sense; the Community Activity Center implies

something bigger. The workgroup agreed the name change. Mr. Smedley introduced the last category Regional Community Center. Mr. Dias asked if there is a reason C-1 is not included in this category. Mr. Chestnut commented that all C-1 used are covered under C-2 by right. Mr. Smedley noted that staff can add C-1, however Mr. Smedley indicated that the goal of this category is to look for more intense uses in this category but not to say those C-1 used cannot be in there but just trying to portray that idea. The group asked about C-P, and staff noted that C-P under this use is not intended for two story offices but something a little more intense and under C-2 the maximum height allowed is 50' and with a use permit you could go higher if you were trying to locate an office tower. The group decided then to remove the zoning district C-P and not include C-1. Mr. Chestnut asked about the idea of calling the category Regional Center instead of Regional Activity Center. The group agreed and modified the name to Regional Center. Mr. Dias commented that he felt that the workgroup has not discussed regarding the residential areas where you're saying this buffering and feels the workgroup has not talked about a depth to this. Mr. Dias further commented that Mr. Chestnut's comment to size of things brought that up in his mind for the entire residential where you're recommending buffering, how deep are we talking about because some land developer could say this could go in for five blocks. Mr. Chestnut commented that we talked about the 330'/660'. Mr. Dias commented that we did talk about it but he doesn't see it defined. Mr. Smedley noted that if he understands buffering correctly then we are talking about onsite buffering of uses, is that correct, because if we are planning a buffer category as a category then we are creating a no man's land. Mr. Bermudez agreed and noted that with the onsite buffering transition; and as an example we talked about the 10,000 sq. lots next to the RNP, as far as the depth and as far as the 330'/660', the arterial edge, the buffering would all be onsite. Mr. Dias asked again to what extent would the buffering be at that point, we have talked about 330'/660' but we really haven't firmed that up and it's not in the paper. Mr. Dingell suggested that we do not define it because then it's situational and as Mr. Celeste said earlier you're going to come in with a use permit and it would be up to you to define it and would not be automatically defined, it would be more jagged depending on the situation on how it is developed. Mr. Spencer agreed and noted that it's also dependent on the merits of the project and to just put arbitrary lines would probably not be a good idea as opposed to let's look at the values and merits of the project of each proposal. The item Goals was table for the next meeting.

- 7) **Public Comment.** Mr. Dias commented, that going back the originally committee stated goal to lessen the NCZs and he thinks we really need to note Mr. Chestnut's analysis that he has brought up that these proposed current categories will only fix 13% of the past non-conforming zone changes and Mr. Dias feels that's an important point that needs to be noted at this point. Ms. Kilariski would like to second Ms. Wilson's point to check some of the current applications against the proposed categories to see how it works and see if it would have made a difference. Mr. Smedley commented to the group that the original idea behind this was to reduce the number of non-conforming zone changes but the main idea was to get away from spot planning or preplanning zoning to have categories made broader. Mr. Dingell commented that you're never going to solve the non-conforming process as long as there is so much growth and with so much volatility in the market and all the jurisdictions amend their maps four times a year and you're never going to stop that as long as you have commercial and residential being separate and unless you go to an intensity based zone where commercial and residential co-exist you're never going to stop it. Mr. Chestnut commented that with the analysis he has done the second conclusion was this mass was driven by market forces not land use.
- 8) **The next date and location for a regular meeting of the Clark County Community Plan Work Group is tentatively scheduled for November 5, 2015 at 6:00 p.m. in the Pueblo Room.**
- 9) **Adjournment.** The meeting was adjourned at 8:15 p.m. Motion made by Mr. Orgill and second by Mr. Dingell.

Respectfully submitted,

Michael Popp, Senior Management Analyst

Date