

**ATTACHMENT A**  
**GOODSPRINGS CITIZENS ADVISORY COUNCIL**  
**ZONING AGENDA**  
**TUESDAY, 7:30 P.M., FEBRUARY 25, 2020**

03/18/20 BCC

1. **WS-20-0062-WIEGAND FAMILY TRUST & WIEGAND STEVEN M & COLLEEN A TRS:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** eliminate landscape buffer adjacent to a less intensive use (single family residence); **4)** reduce trash enclosure setback; **5)** allow vehicles to back out onto public streets; **6)** reduce setback for an existing accessory structure; **7)** on-site paving; **8)** allow modified street standards; and **9)** waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).  
**DESIGN REVIEW** for an off-highway vehicle rental facility on 0.5 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Main Street and the west side of Fayle Street within Goodsprings. JJ/md/ja (For possible action)

OFF-HIGHWAY VEHICLE RENTAL  
(TITLE 30)

MAIN ST/FAYLE ST  
(GOODSPRINGS)

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

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**RELATED INFORMATION:**

**APN:**

202-26-610-092

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping where required per Figure 30.64-13.
2. Eliminate parking lot landscaping where required per Figure 30.64-14.
3. Eliminate landscape buffer adjacent to a less intensive use where required per Figure 30.64-11.
4. Reduce trash enclosure setback from a residential development (single family residence) to 30 feet where 50 feet is required per Section 30.56.120 (a 40% reduction).
5. Allow vehicles to back out onto public streets where not permitted per 30.60.050 and Table 30.60-4.
6. Reduce the setback for an existing accessory structure to 6 feet where 10 feet is required per Table 30.40-4 (a 40% reduction).
7. Waive on-site paving for parking spaces and off-highway vehicle parking area where paving is required per Section 30.60.050.
8.
  - a. Reduce the approach distance for a driveway along Main Street to 35 feet where a distance of 150 feet is required to Fayle Street per Uniform Standard Drawing 222.1 (a 76.7% reduction).
  - b. Reduce the departure distance for a driveway (driveway off-set) from Main Street

for a driveway along Fayle Street to 72 feet where a distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 62.1% reduction).

9. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Main Street and Fayle Street where required per Chapter 30.52.

**LAND USE PLAN:**

SOUTH COUNTY (GOODSPRINGS) - RURAL NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 45 W. Main Street
- Site Acreage: 0.5
- Project Type: Off-highway vehicle rental facility
- Number of Stories: 1
- Building Height (feet): 14.5 (single family residence)/10 (storage building)/11.5 (well house)
- Square Feet: 1,780 (single family residence)/120 (storage building)/48 (well enclosure)
- Parking Required/Provided: 8/8

History and Request

VC-1537-95 was approved by the Planning Commission in October 1995 to permit 2 single family residences on 2 separate and adjacent C-2 zoned parcels. A single family residence was constructed on the subject property in 1996. A condition of the approved variance imposed a time limit of 2 years for the applicant to rezone the subject property for a residential use. A zone boundary amendment to reclassify the subject property to a residential zoning district was never initiated by the property owner. The applicant, and current property owner, is proposing to convert an existing single family residence to a commercial building to operate a proposed off-highway vehicle rental facility. The intent of the business is to rent off-highway vehicles to be used on the existing trails in the surrounding area of Goodsprings.

Site Plans

The plans depict an existing 1 story single family residence with an attached garage that will be utilized to operate the vehicle rental business. The existing building is set back 18 feet from the north property line, along Main Street and 47 feet from then east property line, adjacent to Fayle Street. The building is also set back 40 feet from the west property line of the existing single family residence. An existing 120 square foot storage building and a 48 square foot well enclosure are located to the southwest of the building. The storage shed is set back 6.5 feet from the west property line and 39 feet from the south property line. The well enclosure is set back 10 feet from the west property line and 18 feet from the south property line. An existing propane tank is located within the rear yard of the site, with a setback of 19 feet from the south property line. An enclosed parking area measuring 1,440 square feet for the storage of the off-highway vehicles, consisting of a 6 foot high wood fence and gate is located at the southeast corner of the site, with a setback of 18 feet from Fayle Street. A 324 square foot staging area is located directly adjacent to the parking area, located between the fence and Fayle Street, for the rental

vehicles. Two parking spaces, a loading zone, and 4 bicycle spaces are also located adjacent to the parking area. Six parking spaces are located to the north of the building, along Main Street. The parking spaces and parking area for the off-highway vehicles will not be paved with asphalt, but rather a “tar and chip paving” alternative. Furthermore, vehicle drive aisles will not be provided within the interior of the project site. Vehicles will back directly out onto the right-of-way being Main Street and Fayle Street. The applicant has submitted correspondence from the Clark County Department of Air Quality stating the alternative paving materials qualifies for a waiver request. A trash enclosure is located along the west side of the building, with a setback of 30 feet from the west property line. Five foot wide pedestrian connections are proposed from Main Street and Fayle Street that will connect to the entrances of the building. Eight parking spaces are required for the off-highway vehicle rental facility where 8 parking spaces are provided. Access to the site is granted from Main Street and Fayle Street.

### Landscaping

The plans and photographs depict existing shrubs and trees dispersed throughout the project site. No additional street landscaping or parking lot landscaping is proposed with this application. An existing wooden fence is located along a portion of the southwest property line. An existing non-decorative CMU block wall is located along the south property line, adjacent to the Pioneer Saloon.

### Elevations

The photographs depict an existing 1 story single family residence measuring 14.5 feet in height consisting of an asphalt shingled roof and wood plank exterior siding. An existing 10 foot high accessory structure (storage building) and an existing 11.5 well enclosure consisting of wood siding are located to the southwest of the residence. The storage building features a flat roof while the well enclosure features a pitched roof with asphalt shingles. Both structures, including the single family residence, are painted with neutral, earth tone colors.

### Floor Plans

The plans depict an existing single family residence measuring 1,400 square feet in area that will be converted into an office. An attached 380 square foot garage is located to the northeast of the building. Proposed offices, restroom facilities, and a storage area are depicted on the floor plans. The existing storage building consists of 120 square feet and the existing well enclosure measures 48 square feet.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states that Goodsprings is a rural community that does not have any street landscaping or off-site improvements that include curb, gutter, streetlights, and paving. The applicant requests to utilize the existing drought tolerant landscaping on-site in lieu of the required parking lot landscaping and landscaping adjacent to a less intensive use (existing single family residence) to the west. The applicant is requesting to utilize “tar and chip paving” as an alternative paving material to asphalt or concrete. The lighter decorative stone that will be utilized is more aesthetically pleasing than balk asphalt. Additionally, the alternative paving

materials will reduce the carbon footprint by lowering the heat generated from asphalt. The longevity of the “tar and chip paving” is expected to last for a period of 10 years. The applicant states that due to the configuration and size of the existing parcel, in addition to the low volume of traffic within Goodsprings, it is either extremely difficult or not possible to meet the approach and departure distance requirements, in addition to prohibiting vehicles from backing out onto the public streets.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VC-1537-95	Permit 2 single family residences on 2 separate and adjacent parcels zoned C-2 - expired	Approved by PC	October 1995

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood (up to 2 du/ac)	R-T	Single family residence
South	Rural Neighborhood (up to 2 du/ac) and Commercial General	C-2	Tavern (Pioneer Saloon)
East	Rural Neighborhood (up to 2 du/ac)	C-2 & R-U	Undeveloped
West	Rural Neighborhood (up to 2 du/ac)	C-2	Single family residence

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Current Planning**

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waivers of Development Standards #1 and #2

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. The interior of the site contains several tree covers and, while staff supports efforts to maintain and preserve existing landscaping, staff cannot support

the request to waive parking lot and street landscaping. The waiver requests are a self-imposed burden and the applicant has not provided compelling justification to eliminate the required landscaping. Therefore, staff recommends denial of this request.

#### Waiver of Development Standards #3

The intent of providing landscaping adjacent to a less intensive use is to provide a buffer consisting of evergreen trees and shrubs to mitigate any impact a commercial use would have on an existing residential development. Staff finds the project site can accommodate the required 5.5 foot wide landscape area, including the 6 foot high decorative wall, with large evergreen trees along the west property line adjacent to the existing single family residence. The waiver request is a self-imposed burden; therefore, staff cannot support this request.

#### Waiver of Development Standards #4

The proposed trash enclosure can be relocated on-site where the required separation distance of 50 feet can be met from the single family residence to the west. Therefore, staff cannot support this request.

#### Waiver of Development Standards #5

Although the volume of vehicular traffic on public streets is typically lower in rural areas of Clark County when compared to the urban area, staff finds the request to permit vehicles to back out onto the public right-of-way presents a potential safety hazard. Immediately south of the project site is the Pioneer Saloon, which, at times, temporarily increases the volume vehicular traffic within the surrounding area. Permitting vehicles to back out onto public streets potentially increases the opportunity for vehicular collisions. Staff finds the area of the subject parcel is large enough to accommodate 8 parking spaces within the interior of the site. There is an open area within the interior of the site adjacent to Fayle Street that could potentially accommodate a parking lot for the rental facility. The waiver request is a self-imposed burden which staff cannot support.

#### Waiver of Development Standards #6

Staff finds the reduction to the setback for the existing accessory structure (storage building) will have minimal to no impact on the adjacent single family residence. However, since staff is not supporting the waiver of development standards relating to the required on-site improvements, staff cannot support this request.

#### Waiver of Development Standards #7

Per the Department of Air Quality, the project site is located in hydrographic area 164A (Ivanpah Valley). The Department's asphalt paving requirements do not apply to this area; therefore, a waiver request can be made for alternative paving materials.

Staff cannot support the request to provide alternative on-site paving ("tar and chip paving") for the proposed parking lot. Staff is concerned with the long-term durability and maintenance of the alternative paving that will be utilized to pave the parking spaces and areas.

### Design Review

Staff recognizes the intent of the project site is to provide an off-highway vehicle rental facility with minimal impact to the surrounding land uses and properties. Staff is concerned with the lack of on-site improvements that are not proposed with the conversion of the residence to a commercial building. The design of the proposed facility cannot function independently of the waiver of development standards requests; therefore, staff cannot support the overall design review.

### **Public Works - Development Review**

#### Waiver of Development Standards #8

Staff does not have a practical problem with the location of the driveways since the streets see minimal usage and are designed for limited speed. However, since Current Planning is not support waivers #1 through #7 and Public Works is not supporting waiver #9, staff is recommending denial of this request.

#### Waiver of Development Standards #9

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

### **Staff Recommendation**

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised to obtain any necessary permits to convert the existing single family residence to a commercial building; compliance with Department of Air Quality regulations is required, including obtaining a dust control permit; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### **Public Works - Development Review**

- 5 years to review Waiver of Development Standards #9 for off-site improvements;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant shall install a minimum of 32 feet of paving adjacent to the site;

- Non-standard improvements and parking shall not be permitted in the right-of-way.

**Building Department - Fire Prevention**

- Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved access gates in accordance with Section 503.6 of the Clark County Fire Code, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). (7315 mm), exclusive of shoulders, except for approved access gates in accordance with Section 503.6 of the Clark County Fire Code, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that there are no public sanitary sewer facilities available and none are planned within the next 5 years.

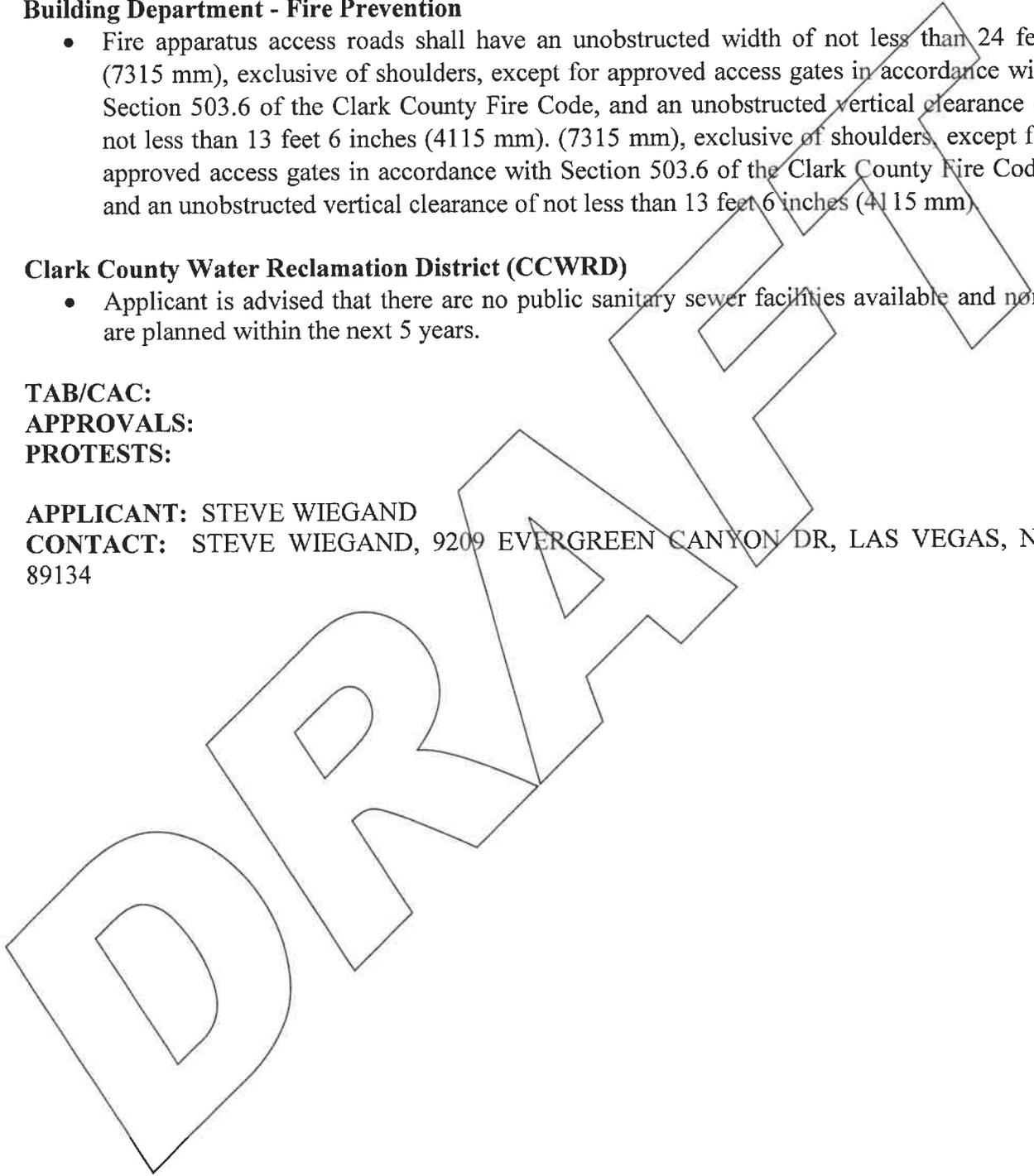
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** STEVE WIEGAND

**CONTACT:** STEVE WIEGAND, 9209 EVERGREEN CANYON DR, LAS VEGAS, NV 89134





# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>	DATE FILED: <u>1/22/20</u> PLANNER ASSIGNED: <u>MND</u> ACCEPTED BY: <u>MND</u> FEE: <u>\$1,150</u> CHECK #: _____ COMMISSIONER: <u>JONES</u> OVERLAY(S)? <u>NONE</u> PUBLIC HEARING? <input checked="" type="checkbox"/> <u>Y</u> / <input type="checkbox"/> <u>N</u> TRAILS? <input checked="" type="checkbox"/> <u>Y</u> / <input type="checkbox"/> <u>N</u> PFNA? <input checked="" type="checkbox"/> <u>Y</u> / <input type="checkbox"/> <u>N</u> APPROVAL/DENIAL BY: _____
	<b>PROPERTY OWNER</b>	APP. NUMBER: <u>WS-20-0062</u> TAB/CAC: <u>GOODSPRINGS</u> TAB/CAC MTG DATE: <u>2/25/20</u> TIME: <u>7:30</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/19/20 9:00 AM</u> ZONE / AE / RNP: <u>C-2 / NONE / NONE</u> PLANNED LAND USE: <u>SCRN</u> NOTIFICATION RADIUS: <u>500'</u> SIGN? <input checked="" type="checkbox"/> <u>Y</u> / <input type="checkbox"/> <u>N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>APPLICANT</b>	NAME: <u>Steve Wiegand</u> ADDRESS: <u>45 E. Main Street</u> CITY: <u>Goodsprings</u> STATE: <u>NV</u> ZIP: <u>89019</u> TELEPHONE: _____ CELL: <u>702-219-4737</u> E-MAIL: <u>atvlasvegas@outlook.com</u>
	<b>CORRESPONDENT</b>	NAME: _____ ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 202-26-610092  
 PROPERTY ADDRESS and/or CROSS STREETS: 45 E. Main Street Goodsprings NV 89019  
 PROJECT DESCRIPTION: OHV Rentals

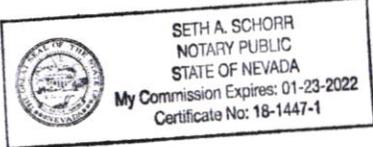
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

\_\_\_\_\_  
 Property Owner (Signature)\*

\_\_\_\_\_  
 Steve Wiegand  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 01/21/2020 (DATE)  
 By Steve Wiegand  
 NOTARY PUBLIC: \_\_\_\_\_



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

Justification Letter

WS-20-0062

Project Location  
Parcel: 202-26-610092  
45 West Main Street  
Goodsprings, NV 89019

I am writing the letter to obtain approval for ATV Adventures to conduct business at: 45 East Main Street, Goodsprings NV. The address is located in a C-2 Commercial Zone and meets most standard requirements to conduct OHV rentals from this location. Our rental business will utilize the existing OHV trails in the area. We feel our business will benefit the town of Goodsprings by bringing additional tourism to the area. The Goodsprings community will benefit from increased interest and tourism in their historical town. We would financially benefit existing businesses and provide employment for locals. We are very excited about this opportunity and feel that Goodsprings is an ideal location for our ATV rental business.

List of Waivers of Development

1. Street Landscaping.
2. Off-site Improvements (curb, gutter, streetlights, sidewalk, and paving).  
*Request waiver as Goodsprings is a rural community and does not have any street landscaping, curb, gutter, streetlight, or sidewalks in the community. Current alternative paving (tar and chip) on Fayle and Main Street meet Air Quality waiver requirements for hydrographic area 164A (Ivanpah Valley).*
3. Interior Parking Lot Landscaping.  
*Request waiver and permission to use existing drought tolerant landscaping.*  
**LANDSCAPING IS CONSISTENT & COMPATIBLE W/ SURROUNDING PROPERTIES.**
4. Onsite Paving (use of alternative). Reference: Anna Sutowska Air Quality Supervisor  
*"Your project is within parcel 202-26-610-092 and is located in hydrographic area 164A (Ivanpah Valley). Air Quality's asphalt paving requirements apply to hydrographic areas 212 (Las Vegas Valley) and 216/217 (Apex Valley). Your project would qualify for a waiver of the paving requirement from Air Quality."* Regards, Anna Sutowska Air Quality Supervisor  
**TALK ABOUT / DISCUSS WHY PROPOSED ALTERNATIVE IS EQUIVALENT**
5. Permit vehicles to back up into a street.
6. Approach distance to intersection of Main and Fayle 36' where 150' is required.
7. Depart distance to intersection of Main and Fayle 74' where 190' is required:  
*Request waiver do to the low density of traffic and the size and configuration of this parcel makes it extremely difficult or impossible to meet these standards.*

Thank you for your consideration,

Steve Wiegand

*\* REVISED  
JUSTIFICATION  
LETTER FORTHCOMING \**

**PLANNER  
COPY**