

07/17/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-24-400048 (UC-19-0153)-JONLUCK INVESTMENT LIMITED:**

**USE PERMIT FIRST APPLICATION FOR REVIEW** for exotic animals (wolf-dog hybrid).  
**WAIVER OF DEVELOPMENT STANDARDS** to increase fence height.

**DESIGN REVIEWS** for the following: **1)** exotic animals (wolf-dog hybrid) facility; **2)** a grading plan within a Hillside Area; and **3)** alternative development standards in conjunction with an existing single-family residence and accessory structures on a portion of 21.72 acres in an RS80 (Residential Single-Family 80) Zone.

Generally located on the west side of Fayle Street (alignment), 750 feet north of Sandy Valley Road within Goodsprings. JJ/lm/ng (For possible action)

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RELATED INFORMATION:

**APN:**

202-26-703-035 ptn

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase a perimeter fence height to 8 feet where 6 feet is the standard per Chapter 30.64 (a 33% increase).

**DESIGN REVIEWS:**

1. Exotic animals (wolf-dog hybrid) facility.
2. Grading plan for an exotic animal (wolf-dog hybrid) facility within a Hillside Area.
3.
  - a. Reduce the front setback to an accessory structure to zero feet where a minimum of 40 feet is required per Table 30.40-1 (a 100% reduction).
  - b. Reduce the side setback to an accessory structure to zero feet where a minimum of 5 feet is required per Table 30.40-1 (a 100% reduction).

**LAND USE PLAN:**

SOUTH COUNTY (GOODSPRINGS) - OUTLYING NEIGHBORHOOD (UP TO 0.5 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 475 S. Fayle Street
- Site Acreage: 21.72 (portion)
- Project Type: Exotic animals

### History

This facility has existed within Clark County for approximately 10 years and was previously approved through UC-0033-09 and UC-0484-13 in the Enterprise area south of the M Resort. Prior to 2009, the facility operated in Pahrump since 2005. While operating in the Enterprise area, the facility encountered zero issues with surrounding residents and there were no Clark County Public Response Office (CCPRO) complaints for this facility. Additionally, there were no Clark County Animal Control issues or complaints on file. Clark County Animal Control previously reviewed and inspected the original facility in 2009. However, in late 2016, a residential builder purchased several parcels surrounding the original facility and began building single family residences directly adjacent to the wolf hybrid sanctuary, and as a result the applicant moved to a more rural location (current site) within Goodsprings.

### Site Plans & Project Scope

The approved plans depict an exotic animal (wolf-dog hybrid) facility that functions as a sanctuary and is not open to the public. The overall parcel is approximately 22 acres with the facility occupying the southeast portion of the site. The applicant currently has 9 wolf hybrids. At the time of the original request the applicant had 4 animals but was approved for up to 12 wolf hybrids which are located on the subject parcel and housed in 4 habitat areas that are generally northeast and northwest of the existing single-family residence. The approved habitat areas range in size from 1,325 square feet to 1,980 square feet and are set back a minimum of 25 feet from the nearest property line. The habitat areas are approximately 1,000 feet from the nearest single-family residence and have a natural physical barrier in the form of greater than 50% slopes on the overall 22 acre parcel.

The approved plan also depicts accessory structures located on the southeast portion of the parcel. The applicant requested waivers of development standards to allow a reduction in setbacks for several accessory structures. All structures and fencing exist, and no new construction was proposed.

The entire parcel is within 12% or greater slopes with center portions of the overall 22 acre parcel having greater than 50% slopes; and therefore, was subject to Hillside development standards. The single-family residence, accessory structures, and habitat areas are within the 12% to 25% slope area of the overall parcel and demonstrated compliance with all provisions.

### Elevations

The approved structures are as follows: 1) habitat areas with shelters, wood platform and play structures within each habitat; and 2) 10 foot to 12 foot high fencing with security curving on top of the fence for each habitat area. All structures and fencing exist and no new construction was proposed. There is also additional fencing along the property's perimeter and around the outside of each pen which provides an added level of security for the animals. A portion of the 8 foot perimeter fence is along the eastern property line on the southern portion of the site.

### Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400123 (UC-19-0153):

#### Current Planning

- Until April 17, 2024 to review.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has been completed within the time specified.

#### Public Works - Development Review

- 6 months to comply with previous conditions.

Listed below are the approved conditions for UC-19-0153:

#### Current Planning

- 2 years to commence and review;
- Limited to 12 wolf dogs/hybrids;
- Paint the accessory structures and residence with a unified, matching color.
- Applicant is advised that compliance with Animal Control regulations is required including approval of the animal enclosures; approval of this application does not constitute or imply approval of any other County issued permit, licenses, and/or approvals; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

#### Public Works - Development Review

- Apply to vacate the portion of the cul-de-sac on the southeast corner of the parcel.
- Demonstrate legal access and, if necessary, secure a private grant from the BLM for access to the site from Sandy Valley Road.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the Southern Nevada Health District concerning the use of an individual disposal system.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant has been running an animal sanctuary for abandoned and abused wolf-dog hybrids since 2005. The sanctuary originally began in Pahrump where the applicant lived, then moved near the M Resort and finally to the current location in Goodsprings. The applicant obtained approval for the current location with UC-19-0153 and there has not been reported complaints. Currently, the applicant has 9 wolf hybrids where a total of 12 are permitted.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-22-0148	Vacated and abandoned a portion of right-of-way (Fayle Street)	Approved by PC	June 2022
ET-21-400123 (UC-19-0153)	First extension of time for exotic animals (wolf dog-hybrid)	Approved by BCC	September 2021
UC-19-0153	Original request for exotic animals and fence height	Approved by BCC	April 2019

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS80 & RS40	Single family residential & undeveloped
South	Open Land	RS80	Undeveloped
East	Outlying Neighborhood (up to 0.5 du/ac)	RS80	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS80	Single family residential & undeveloped

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis****Comprehensive Planning**

Since approval of the original use permit in April 2019 and the first extension of time in September 2021 there have been no complaints recorded on the keeping of the wolf-dog hybrids on this parcel. The applicant has complied with conditions and reviews imposed by the Board of County Commissioners, specifically the recording of the vacation and abandonment of a portion of right-of-way (Fayle Street). The applicant has shown themselves to be responsible with their wild/exotic animals. Therefore, staff can support approval of this application review and removal of the time limit.

**Public Works - Development Review**

The applicant has complied with all of Public Works conditions. Therefore, staff has no objection to this application.

**Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Remove the time limit.

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

- No comment.

### **Fire Prevention Bureau**

- No comment.

### **Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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

- No comment.

### **Animal Control**

- Yearly inspections to be completed by Animal Control.

**TAB/CAC:** Goodsprings - approval (remove the time limit).

**APPROVALS:**

**PROTEST:**

**APPLICANT:** CHRISTOPHER CARACCI

**CONTACT:** ELISABETH OLSON, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135