

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0775-LAS VEGAS HORSE RIDES, LLC:

ZONE CHANGE to reclassify 0.5 acres from a C-2 (Commercial General) Zone to an R-E (Rural Estates Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate sidewalk and street landscaping; and **2)** reduce setback in conjunction with an existing residence and proposed agricultural livestock and accessory building.

Generally located on the southwest corner of Main Street and Revere Street within Goodsprings (description on file). JJ/jud/syp (For possible action)

RELATED INFORMATION:

APN:

202-26-610-084

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate street landscaping including the detached sidewalk along Main Street where landscaping and detached sidewalks are required per Figure 30.64-17.
- b. Eliminate street landscaping including the detached sidewalk along Revere Street where landscaping and detached sidewalks are required per Figure 30.64-17.
2. Reduce the front setback to 22.5 feet where 40 feet is required per Table 30.40-1.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 315 W. Main Street
- Site Acreage: 0.5
- Existing Land Use: Ranch Estate Neighborhood (up to 2 du/ac)
- Project Type: Agricultural livestock and agricultural accessory building
- Number of Stories: 1
- Building Height (feet): Up to 12

History, Site Plan & Request

The plans show a residential single story residence built in 1940. The residence is 1,691 square feet and is in a commercial zoning district. In 1990, the town of Goodsprings went through a large rezoning and this property among others, were rezoned to C-2 (Commercial General). However,

the residence did not obtain commercial occupancy. Currently, the property owner is requesting to rezone the property to R-E and house 5 horses on the site. The plans depict a 1,690 square foot residence located on the northwest portion of the site. The house is located 22.5 feet from the front property line, necessitating a waiver of development standards to reduce the front setback from 40 feet to 22.5 feet.

Additionally, the plans show a 7,309 square foot arena on the northeast portion of the site, which will have clay-based sand and will use sprinklers for dust control as needed, 2 times per day. Four horse stalls measuring 240 square feet each and a 288 square foot tack/hay shed are depicted on the southwest portion of the site. The existing perimeter fence will remain. All gates will have self-locking or latching devices to prevent accidental loss of horses from the premises. The application also includes a waiver of development standards to eliminate the required street landscaping as well as detached sidewalks.

Landscaping

There are no proposed changes to the existing landscape on-site. The applicant is requesting waivers to not install street landscaping along both street frontages.

Elevations & Floor Plan

The plans show an arena enclosed with a 6 foot high tubular steel fence. Four, 240 square foot horse stalls will be enclosed with 10 foot high tubular steel. The proposed tack/hay shed is 12 feet in height.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the intended use for the site is to live on-site and to have horses. There will be no training, horseback rides, or boarding of horses on-site. The arena will be used for personal exercise only. No noise will be produced at the site, and there will be no light pollution or light shining directly into the adjacent sites since there is no training or horseback rides on the site. There is an existing light that is attached to the house and will provide sufficient lighting.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-230-90	Rezone from R-U, R-T & C-2 to R-T & C-2 for several parcels in the town of Goodsprings	Approved by BCC	September 1990

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-T	Developed residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
South	Ranch Estate Neighborhood (up to 2 du/ac)	C-2	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	C-2	Developed residential

Clark County Public Response Office (CCPRO)

CE23-21950 is an active zoning violation for animals kept without shade and people residing in recreational vehicles on-site.

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**Zone Change

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. Staff finds the request to reclassify the site to R-E zoning to be compatible with the surrounding area. The planned land use for this area in the town of Goodsprings is for Ranch Estate Neighborhood making this request conforming with Policy SO-1.5 of the Master Plan, which encourages uses and activities in or adjacent to Goodsprings that are compatible with the community's historic character, quiet and rural setting, abundant wildlife, and natural environment. The rezoning of the property will allow agricultural livestock uses on the site in conjunction with the existing residential structure. For these reasons, staff finds the request for the R-E zone is appropriate for this location.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Staff typically does not support requests to eliminate sidewalks and street landscaping. However, staff understands the site is located within the rural town of Goodsprings and neighboring properties do not provide sidewalks and there are no sidewalks in the surrounding areas. Goal SO-1 of the Master Plan reinforces the distinct identity and unique characteristics of South County communities. Furthermore, staff finds that the request to reduce the front setback from 40 feet to 22.5 feet will not negatively impact the surrounding properties. The existing residence was built in 1940 and similar structures, as similar setbacks are also built on neighboring properties. Therefore, staff can support these requests.

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**

- No resolution of intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised within 2 years from the approval date the waivers of development standards application must commence or the application will expire unless extended with approval of an extension of time; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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; changes to the approved project will require a new land use application; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include spandrel at the northeast corner of the site.

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 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.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LAS VEGAS HORSE RIDES, LLC

CONTACT: SUZANA RUTAR ARCHITECT LTD., 1950 E. WARM SPRINGS RD., LAS VEGAS, NV 89119