

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-25-0836-BANYAI, PETER:**

**ZONE CHANGE** to reclassify 1.12 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located north of Smoke Ranch Road and west of Apricot Lane within the Lone Mountain planning area (description on file). WM/gc (For possible action)

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RELATED INFORMATION:

**APN:**

138-13-801-069; 138-13-801-072

**PROPOSED LAND USE PLAN:**

LONE MOUNTAIN - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2425 Apricot Lane & 5220 Smoke Ranch Road
- Site Acreage: 1.12
- Existing Land Use: Undeveloped

Applicant's Justification

The applicant states that other properties in the area, within the City of Las Vegas, have similar developments as RS3.3 zoning would allow. Such examples include an R-PD6 zoned development approximately 350 feet to the west, an R-PD11 zoned development approximately 1,200 feet to the west, an R-PD9 development approximately 2,100 feet to the west, and an R-PD6 development approximately 1,100 feet to the north. Rezoning the site will help fulfill the need for affordable single-family homes in Clark County and supports Goal 1.1 of the Master Plan which promotes providing opportunities for diverse housing options to meet the needs of residents of all ages and income levels. The property is also located adjacent to Smoke Ranch Road, an arterial street; and therefore, can handle additional traffic. The applicant has provided a petition with 7 signatures and a letter from property owners in the area supporting the zone change request. Additionally, the applicant indicates the non-permitted outside storage, and fencing will be removed from the property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
PA-24-700022	Plan amendment from Ranch Estate Neighborhood to Mid-Intensity Suburban Neighborhood - expired	Held by PC	November 2024
ZC-24-0514	Zone change from RS20 to RS3.3 for residential development – expired	Held by PC	November 2024

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

**Related Applications**

Application Number	Request
PA-25-700052	A plan amendment from Ranch Estate Neighborhood (RN) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
WS-25-0838	Waivers of development standards and a design review for a single-family residential development is a companion item on this agenda.
VS-25-0837	A vacation and abandonment for a portion of right-of-way being Apricot Lane is a companion item on this agenda.

**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**

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 RS3.3 zoning is not compatible with the surrounding area. The site is located within a County island within the Lone Mountain Planning Area, that is surrounded by the City of Las Vegas, where all the properties within the County island are planned for Ranch Estate Neighborhood (RN) uses and primarily zoned RS20. Changing the zoning to RS3.3 for this site would be out of character and not compatible with the adjacent and surrounding properties in the County’s jurisdiction. The request does not comply with Policy LM-1.4 of the Master Plan which promotes protecting the character of existing Ranch Estate Neighborhoods by discouraging the development of lots less than 20,000 square feet; and Policy LM-1.2 which supports preserving the integrity of contiguous and uniform neighborhoods and encourages compatible infill development. For these reasons, staff finds the request for RS3.3 zoning not appropriate for this location.

### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for North Las Vegas Airport (VGT). Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies just outside the AE-60 (60-65 DNL) noise contour for the North Las Vegas Airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport to meet future air traffic demand.

### **Staff Recommendation**

Denial. This item has been forwarded to the Board of County Commissioners for final action.

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.

**PLANNING COMMISSION ACTION:** February 3, 2026 – APPROVED – Vote: Aye: Frasier, Mujica, Kirk, Roitman, Stone Nay: Gibson, Kilarski

### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation. The Determination of No Hazard must not be expired.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at [landuse@lasairport.com](mailto:landuse@lasairport.com) is strongly encouraged;

and that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998, and funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; for any sanitary sewer needs to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**TAB/CAC:**

**APPROVALS: 1 card**

**PROTESTS: 10 cards, 2 letters**

**APPLICANT: PETER BANYAI**

**CONTACT: PETER BANYAI, 5150 SMOKE RANCH ROAD, LAS VEGAS, NV 89108**