

06/01/21 PC AGENDA SHEET

SMALL LIVESTOCK
(TITLE 30)

LAS ALTURAS AVE/VIA MAZARRON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0125-BINGHAM ROBERT:

USE PERMIT to allow agriculture-livestock, small (chickens) in conjunction with a single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Las Alturas Avenue, 300 feet east of Via Mazarron Street within Paradise. MN/bb/jo (For possible action)

RELATED INFORMATION:

APN:

177-10-311-075

USE PERMIT:

Allow agriculture-livestock, small (8 chickens) on a residential property in an R-1 zone where permitted only in Community District 5 per Table 30.44-1.

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 521 Las Alturas Avenue
- Site Acreage: 0.3
- Project Type: Agriculture-livestock, small (chickens)
- Building Height (feet): 6.5 (chicken coop)
- Square Feet: 97

Site Plan

The site plan depicts an existing single family residence on the south side of Las Alturas Avenue, 300 feet east of Via Mazarron Street. The home is located at the end of a hammerhead street with the front facing Las Alturas Avenue and the yard extending to the end of the hammerhead. The applicant is proposing to keep a single 97 square foot chicken coop in the northeast corner of the yard. The site plan shows the chicken coop in a location that is at least 100 feet from the nearest neighboring house.

Landscaping

There is existing landscaping in the front, side, and rear yards of the residence, and additional landscaping is neither required nor a part of this request. A 6 foot high wall is located on the property line between the chicken coop and Villa Montera Street to the east.

Elevations

Per the submitted drawings, the covered chicken coop is constructed of wood and wire with a sloped flat roof.

Floor Plans

Per the plans, the covered chicken coop has 5 sides of 7.5 feet by 6.5 feet high, and 15 feet in diameter for a total of 97 square feet.

Applicant's Justification

The applicant has a 12 year old son that has raised 8 female chickens since they were hatchlings for a school project. The school project began before Covid-19 in March 2020. The applicant agreed to house the chickens since their lot is over 13,000 square feet in area. The chickens were intended to be given away, until the other family abruptly moved out of Nevada. The chickens helped the son get through the pandemic and deal with the Covid-19 restrictions. The chickens will not be used for meat and the eggs will only be consumed by the family. The coop is cleaned on a regular monthly basis and waste material disposed of or used as mulch/compost. The materials used in the coop are all natural, dirt, straw, and wood chips. There are 2 feeding and watering troughs. The family has a letter of support from a medical professional in support of up to 8 chickens as emotional support animals in the treatment of an identified disability.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0534-09	Brick pavers in conjunction with single family subdivision	Approved by PC	October 2009
TM-0287-04	Tentative map	Approved by PC	June 2004
WS-0433-04	Increased wall height with retaining wall for the subdivision	Approved by PC	April 2004
NZC-0006-04	Reclassified from R-E to R-1 zoning for a portion of the subdivision	Approved by BCC	May 2004
WS-1801-03	Street off-sets	Approved by PC	February 2004
TM-0496-03	Tentative map	Approved by PC	March 2004
VS-1653-03	Vacation of easements	Approved by PC	November 2003
ZC-0793-03	Reclassified from R-E to R-1 zoning for a single family development	Approved by BCC	July 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential

Clark County Public Response Office (CCPRO)

There is an active case CE20-16726 for housing farm animals.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. Caring for small agricultural livestock (up to 10 chickens) is a conditional use meant for areas in Community District 5 and on lots with a minimum lot size of 10,000 square feet. The subject property is 13,068 square feet in area and located at the end of a hammerhead road, but located in an urban area outside Community District 5. The nearest homes are over 90 feet away to the east, and 100 feet to the northwest and south of the chicken coop. Agricultural animals are not generally supported in residential urban areas where the animals may result in substantial or undue adverse effects on adjacent properties, character of the neighborhood, or other matters affecting the public health, safety, and general welfare. The proposed keeping of small animals is not in harmony with the requirement of the Code to be located in Community District 5; therefore, staff does not support this request.

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:

- 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; 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval (Maximum of 8 chickens, 10 year limitation).

APPROVALS:

PROTESTS:

APPLICANT: ROBERT BINGHAM

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