

07/21/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0322-PONCE, ROSA MARLENE MARIN:

USE PERMIT for small livestock (chickens).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduce building separation for accessory structures in conjunction with an existing single-family residence on 0.17 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located north of Cedar Avenue and east of Wind River Road within Sunrise Manor.
TS/rp/cv (For possible action)

RELATED INFORMATION:

APN:

140-33-112-023

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the rear setback for an existing accessory structure (Shed A) to 2 feet where a minimum of 5 feet is required per Section 30.02.06B (a 60% reduction).
 - b. Reduce the rear setback for an existing accessory structure (Shed B) to 2 feet where a minimum of 5 feet is required per Section 30.02.06B (a 60% reduction).
 - c. Reduce the rear setback for an existing detached shade structure (Patio Cover #2) to 2 feet where a minimum of 5 feet is required per Section 30.02.06B (a 60% reduction).
 - d. Reduce the side setback for an existing detached shade structure (Patio Cover #2) to 2 feet where a minimum of 5 feet is required per Section 30.02.06B (a 60% reduction).
2.
 - a. Reduce the building separation between Shed A and Shed B to 2 feet where 6 feet is required per Section 30.02.04 (a 66% reduction).
 - b. Reduce the building separation between Shed A and the chicken run to 5 feet where 6 feet is required per Section 30.02.04 (a 16% reduction).
 - c. Reduce the building separation between the chicken coop and the single-family residence to 5 feet where 6 feet is required per Section 30.02.04 (a 16% reduction).

LAND USE PLAN:

SUNRISE MANOR - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 620 Wind River Drive

- Site Acreage: 0.17
- Project Type: Livestock small, setback, and separation
- Building Height (feet): 6 (Shed A & B)/10 (Patio Cover #2 & Chicken Coop)
- Square Feet: 100 (Shed A)/ 60 (Shed B)/324 (Patio Cover #2)/100 (Chicken Coop)

Site Plan

The plan shows a single-family residence with access from Wind River Drive to the west. A chicken coop is located within the rear yard northeast of the house, set back 5 feet from the north (side interior) property line and 2 feet from the east (rear) property line.

Two sheds (Shed A and Shed B) are also located in the northeast portion of the lot. Shed A is set back 2 feet from the east (rear) property line and 5 feet from the north property line. Shed B is 2 feet south of Shed A and 2 feet from the rear property line.

Patio Cover #2 is located near the southeast corner, set back 2 feet from both the south (side) and the east (rear) property lines, and is 6 feet from Patio Cover #1, which is an existing patio cover attached to the rear of the home.

Landscaping

Landscaping is not a part of this request.

Elevations

The photo depicts Shed A and Shed B, each constructed of metal and measuring 6 feet in height. Patio Cover #2 is a metal structure with an overall height of 10 feet. The wooden chicken coop is also depicted with a height of 10 feet.

Floor Plans

The plan depicts Shed A at 100 square feet, Shed B at 60 square feet, a detached patio cover totaling 324 square feet, and a chicken coop measuring 100 square feet in area.

Applicant's Justification

The applicant requests approval for a small livestock use permit to keep chickens on the property. The applicant states that the chickens are housed in a secure rear-yard coop and enclosed run, kept clean, and supplied with proper food, water, shade, and cooling during warmer months. Food is stored in rodent proof containers, and the chickens do not roam freely on the property. The applicant states that keeping chickens supports household food production, teaches their homeschooled children responsibility and sustainability, and provides eggs for the family and neighbors. The applicant also states there are 13 chickens and one rooster, and the rooster has not caused disturbances. The justification references small livestock standards; however, the property does not meet the required 10,000 square foot minimum lot size.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential

Clark County Public Response Office (CCPRO)

CE25-14100 is an active violation for outdoor storage and agricultural animals

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

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The applicant is requesting a use permit for small livestock. Staff's primary concern with this request is ensuring compatibility with the surrounding residential uses. Agricultural livestock is not compatible with the established neighborhood. In addition, the lot size is significantly smaller than what is typically considered appropriate for keeping livestock, which increases the likelihood that the use would negatively impact nearby homes. The number of chickens proposed further intensifies these concerns, as noise and odor can easily travel beyond the property boundaries in a compact residential setting. These impacts would be especially difficult to mitigate given the limited space available for adequate setbacks, sanitation, and buffering. Therefore, staff cannot support this application.

Waivers of Development Standards #1 & #2

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 finds the request to reduce setbacks and the building separation for the existing sheds, patio cover and chicken coop is a self-imposed hardship, and the applicant has not provided a compelling justification demonstrating why the existing structures could not be built or moved to comply with Title 30 development standard. Having those structures with reduced setbacks will negatively impact the adjacent properties and the neighborhood. Setbacks are intended to promote safety and aesthetically pleasing neighborhoods. Therefore, staff cannot support these requests.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Outdoor storage to be removed prior to building permit issuance;
- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: VICTOR A. MARTINEZ

CONTACT: VICTOR MARTINEZ, 620 WIND RIVER DRIVE, LAS VEGAS, NV 89110