

07/08/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-26-400046 (UC-23-0540)-6670 GOMER ROAD, LLC:

USE PERMIT FIRST EXTENSION OF TIME to allow a cannabis establishment (cultivation) in conjunction with an existing office/warehouse building.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping and detached sidewalks; **2)** security fence setback; **3)** full off-site improvements; **4)** unscreened mechanical equipment; and **5)** access gate setback.

DESIGN REVIEW for cannabis establishment (cultivation) on 2.7 acres in an IL (Industrial Light) Zone.

Generally located east of Redwood Street and north of Gomer Road within Enterprise. JJ/jm/kh
(For possible action)

RELATED INFORMATION:

APN:

176-23-401-016

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping and detached sidewalk requirement along Gomer Road where landscaping and a detached sidewalk is required per Figure 30.64-17.
2. Allow an 8 foot high security wall/fence on the south property line where it is required to be setback behind the landscaping per Section 30.64.020.
3. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) where required per Chapter 30.52.
4. Allow ground mounted mechanical equipment around the perimeter of the building without screening where required per Table 30.56-2.
5. Reduce an access gate setback from the northwest property line at a private street to 18 feet where 50 feet is required for a gate closed during business hours per Section 30.64.020 (a 10% reduction).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 6670 Gomer Road
- Site Acreage: 2.7
- Project Type: Cannabis cultivation
- Number of Stories: 1

- Building Height (feet): 27
- Square Feet: 11,952 (existing)/15,969 (newly enclosed material shelters)/12,919 (new addition)/40,840 (total)
- Parking Required/Provided: 75/77

Site Plan

The previously approved plan depicts an existing office/warehouse building in an industrial area west of the railroad spur and east of Rainbow Boulevard, between Gomer Road and Richmar Avenue in Enterprise. The subject site (176-23-401-016) has current access from Gomer Road to the south, and Arden Road, a private access drive at the northwest corner of the property. The approved plans depict a single access driveway from the private access easement at the northwest corner from Arden Road. The existing building is set back 50 feet from the south property line at Gomer Road, 75 feet from the west property line, 30 feet from the north property line, and 78 feet from the east property line, and is situated in the middle of the site. The site provides 77 parking spaces where 75 parking spaces were required for the proposed office and cannabis cultivation uses. Current access to the site is provided by 2 commercial driveways, 1 in the northwest portion of the site from a private access called Arden Road, and 1 in the southwest portion of the site along Gomer Road. The Gomer Road access is proposed to be closed with a 8 foot high security wall/fence built on the property line that was a subject of a waiver. The majority of parking spaces are located along the west property line and south property line, with some located on the east and north sides of the parcel. The remaining access will continue to be from the northwest corner of the property and includes a gated entrance that will be closed during business hours and located 18 feet from the property line, and was included as a waiver request. A loading zone is located at the northwest corner of the building and along the east side of the building. The main entrance to the building is located at the east side of the building. A fire access road circles the building with water tanks, septic system and emergency power generator located on the east side of the property.

Landscaping

Per the previously approved plans, landscaping is located within the parking lot, and includes required finger islands and a large landscape area over the septic system leachfield on the east side of the property. The existing septic system is being relocated to the east to accommodate the building addition. These planters contain a variety of large and medium trees with shrubs interspersed. There are 23 trees (24 inch box) located around the perimeter of the property and the parking lot. No landscaping or sidewalk is being proposed along Gomer Road, which was the subject of a waiver request in the original application.

Elevations

The existing warehouse and office is a 30 foot high metal building with 2 large covered storage areas attached to the main building. The applicant proposal was to renovate and enclose the covered storage areas as additions to the existing building that will accommodate the proposed use. The building renovations and new addition will include metal siding, metal roof panels, 4 inch insulated walls, and pedestrian access doors on the north, east, and west sides of the building. The east side of the building has accessibility ramps for pedestrian access and is the main access point.

Floor Plans

The previously approved plans depict an existing 27,921 square foot building, with 11,952 square feet of enclosed building area, and 15,969 square feet used as attached material shelters that are open at each end. After renovations, the material shelters will be enclosed as part of the cultivation facility, with a new 12,919 square foot addition built on the south side of the existing building resulting in a total of 40,840 square feet of enclosed building space. There will be 33,223 square feet used for cannabis cultivation, with the remainder used for office, restrooms, loading, packing, trimming, and mechanical rooms. The offices, packaging, trimming, and harvest storage, will be located on the north side of the building where a material shelter is currently located. The remainder of the building will be flower rooms and grow tables, and dry storage areas.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-24-400046 (UC-23-0540):

Comprehensive Planning

- Applicant to pay \$915 per required tree towards the tree fund for waived street and parking lot trees;
- A valid Clark County business license must be issued for this cannabis establishment (cultivation facility) within 2 years of approval or the application will expire;
- Security wire located on the property line must be slanted inward or above the security fence, and not project into the right-of-way;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department;
- Provide an emergency access at Gomer Road with a gate to remain closed during business hours, and only used for emergency access;
- If no access is provided from Gomer Road, the owner shall obtain a change of address prior to the issuance of a certificate of occupancy;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that address will be reassigned, this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; the installation and use of cooling systems that consumptively use water will be prohibited; 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; 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

- Drainage study and compliance;
- Applicant to pay a contribution for local roadway, drainage, or trail related improvements in District F in lieu of constructing full off-site improvements, as determined by Public Works.
- Applicant is advised that off-site improvement permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property appears to have an existing septic system; and to contact the Southern Nevada Health District when modifying existing plumbing fixtures.

Applicant's Justification

The applicant states that an extension of time is requested as the client has been unable to complete the construction and thus has not been able to commence the operations due to a major copper theft on the property. The client had paid the fee-in-lieu as directed in the Notice of Final Action. Additionally, the company currently holds a State of Nevada Cannabis Cultivation License. The applicant requests approval of this extension of time to continue to construct the building and commence operations in the very near future.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0540	Use permit for a cannabis establishment	Approved by BCC	October 2023
VS-18-0072	Vacated right-of-way	Approved by PC	March 2018
WS-0775-13	Waiver of development standards for an accessory office building and covered storage	Approved by BCC	January 2014
VC-2142-98 (ET-0043-01)	First extension of time for a temporary office trailer - expired	Approved by PC	January 2001
VC-2142-98	Temporary office trailer - expired	Approved by PC	February 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, East, & West	Business Employment	Industrial Light (IL)	Office warehouse
South	Business Employment	Industrial Light (IL)	Manufacturing & storage

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

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

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that there are no active or under review permits. However, the applicant has paid the required tree fee-in-lieu as directed in the notice of final action. Additionally, since this is the first extension of time request, staff can support the request. However, the County has adopted a rewrite to Title 30 effective January 1, 2024, the projects are expected to comply with new standards. Therefore, staff cannot support the future extension of time requests if no significant progress is made towards commencement of the project.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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

- Until October 4, 2027 to obtain a valid Clark County business license for this cannabis establishment (cultivation facility) or the application will expire.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to 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 applications; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

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: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: 6670 GOMER ROAD, LLC

CONTACT: ADAM FULTON, ADAM FULTON ESQ., 2580 SORREL STREET, LAS VEGAS, NV 89146