

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-26-0197-DESERT PALMS, INC.:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; and **2)** eliminate buffering and screening requirements.

**DESIGN REVIEW** for a communication utility building compound and all ancillary and associated equipment on a 2.66 acre portion of 32.10 acres in a CG (Commercial General) Zone, an H-2 (General Highway Frontage) Zone, and an RS80 (Residential Single-Family 80) Zone.

Generally located east of US Highway 95 and north of State Highway 163 within the South County. MN/hw/cv (For possible action)

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RELATED INFORMATION:

**APN:**

260-32-702-001 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping along US Highway 95 where a 10 foot wide landscape area containing large trees every 30 feet on center is required per Section 30.04.01D.
2.
  - a. Eliminate buffering and screening requirements along the north property line where a 15 foot wide landscape strip consisting of 2 off-set rows of evergreen trees is required per Section 30.04.02C.
  - b. Eliminate buffering and screening requirements along the east property line where a 15 foot wide landscape strip consisting of 2 off-set rows of evergreen trees is required per Section 30.04.02C.
  - c. Eliminate buffering and screening requirements along the south property line where a 15 foot wide landscape strip consisting of 2 off-set rows of evergreen trees is required per Section 30.04.02C.

**CURRENT AND PROPOSED LAND USE PLAN:**

SOUTH COUNTY - OPEN LANDS

SOUTH COUNTY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 0.33 (Fenced Compound Area)/2.66 (Future Parcel Area)/32.1 (Overall)
- Project Type: Fiber optic communication utility building compound
- Building Height (feet): 14
- Square Feet: 864 (Communication utility buildings, each)

### Site Plan

The plan depicts a 32.1 acre parcel which is currently in the process of being subdivided through MSM-26-600005 into 2 parcels: Parcel 1 consisting of 2.66 acres located to the northwest, and Parcel 2 consisting of the remainder of the site. Parcel 1 is proposed to rezone to CG through a companion application, ZC-26-0196, while Parcel 2 remains as H-2 and RS80. The plans show that a proposed communication utility building compound is located within the southeast corner of Parcel 1. The 0.33 acre fenced compound area will host the proposed communication utility buildings and is set back 35 feet from both the future east and south property lines. The two communication utility buildings are approximately 864 square feet each and are situated parallel to each other, spaced 15 feet apart. Both buildings are set back 15 feet from the eastern edge of the fenced area with the southern building set back 15 feet from the southern edge of the fenced area. Smaller generator and load bank shelters are located approximately 20 feet to the west of each communication utility building. Access to the site is provided from US Highway 95 with a 16 foot wide, graveled access driveway through an 8 foot tall access gate, which is set back 153 feet from US Highway 95. The fenced area is enclosed with an 8 foot tall chain link fence with 1 foot of barbed wire on top.

### Landscaping

No landscaping is proposed with this request.

### Elevations

The elevations show the proposed communications utility buildings will be approximately 14 feet tall constructed of painted metal with a painted, pitched, metal roof. The east and west facades will contain power switch panels and air conditioning units covered with metal mesh panels. The north facades will have a single access door with conduit entry panels with the south facades containing 2 access doors on each side of the building.

### Floor Plans

The floor plans show the interior of the buildings will contain 864 square feet of space divided between an area housing servers and transfer modules and an electrical control room.

### Applicant's Justification

The proposed communication buildings will be unmanned and not open to the public with infrequent technician access. The site of the proposed communication utility buildings is needed to support long-haul fiber optic communications networks with the main fiber optic line located in the adjacent US Highway 95 right-of-way. The elimination of required landscaping is justified as the proposed site is rural with little access to water and is primarily surrounded by natural vegetation.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
NZC-0643-07	Nonconforming zone change from R-U & H-2 to R-1, R-3, R-V-P, C-1, & C-2 for a residential and commercial development - expired	No Action Taken	September 2007

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & South	Open Lands	RS80 & H-2	Undeveloped
East	Open Lands	RS80	Undeveloped
West	Corridor Mixed-Use	H-2	Undeveloped & communication tower

The US Highway 95 right-of-way is directly to the west of the site.

### Related Applications

Application Number	Request
PA-26-700016	A plan amendment from Open Lands to Corridor Mixed-Use is a companion item on this agenda.
ZC-26-0196	A zone change from an H-2 to CG is a companion item on this agenda.

### 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

##### 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.

Given the rural nature of the surrounding area and the fact the surrounding area has generally maintained its rural desert landscaping, staff finds the placement of a screening buffer and street landscaping would be out of place for the area. While staff does not generally support reductions to landscaping standards, given the lack of residential development to the east of US Highway 95 and the difficulty of maintaining non-native desert landscaping for this area, staff finds the site would be enhanced by the maintenance of the native desert vegetation. Additionally, the area being disturbed on the site is relatively small and should not have a significant impact on the surrounding area with or without additional landscaping. Finally, the future parcel to the east and south is zoned H-2 and RS80, and will likely have a commercial designation once rezoned to a current zoning district. For these reasons, staff can support these requests.

##### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations,

design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Overall, staff finds the design of the proposed communication utility building compound is similar to those found in other parts of the County. The proposed structures are relatively small in relation to the overall site and are set back significantly from the US Highway 95 right-of-way and the surrounding property lines. Staff finds that, if the buildings are painted in a neutral, desert hue, they should generally blend into the surrounding areas. They are also enhanced by the pitched roof design. The structures direct wire and conduit activity away from areas visible from the street and HVAC equipment is screened. While no new landscaping is being provided, staff finds the maintenance and restoration of the existing natural, desert landscaping will better serve the site and area than non-native species. Overall, staff finds the proposed communication utility building compound will support Master Plan Policies 3.5.1, 3.6.5, and 6.2.1, which all support development and uses that are sensitive and appropriate to the context specific conditions of the surrounding area that promotes the maintenance and use of native desert landscaping. For these reasons, staff can support this request.

### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 17, 2026 at 9:00 a.m., unless otherwise announced.

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**

- Structures to be painted with neutral, desert toned colors;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance, and payment of the tree fee-in-lieu is required for any required trees waived.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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**

- Drainage study and compliance;
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that there are no public sanitary sewer facilities available and none are planned within the next 5 years.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MIDDLE MILE INFRASTRUCTURE, LLC

**CONTACT:** LTS MANAGED TECHNICAL SERVICES, LLC, 14400 THE LAKES BOULEVARD, BUILDING C, SUITE 100, PFLUGERVILLE, TX 78660