

02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0846-UNOWSKY JONATHAN M & BARBARA A & WEAVER DALE A:

USE PERMITS for the following: **1)** allow agriculture-livestock, small (chickens & turkeys) in conjunction with a single family residence not in Community District 5; and **2)** allow for a greater number of agriculture-livestock, small (chickens & turkeys) in conjunction with a single family residence on 0.5 acres in an R-1 (Single Family Residential) (RNP-III) Zone.

Generally located on the north side of Viking Road and the west side of Robar Street within Paradise. TS/dd/syp (For possible action)

RELATED INFORMATION:

APN:

162-13-705-010

USE PERMITS:

1. Allow agriculture-livestock, small (chickens & turkeys) on a residential property in an R-1 zone that is not located in Community District 5 per Table 30.44-1.
2. Allow 35 agriculture-livestock, small animals (chickens & turkeys) on a residential property in an R-1 zone where none are allowed or a maximum of 10 are allowed if in Community District 5 per Table 30.44-1.

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3020 E. Viking Road
- Site Acreage: 0.5
- Project Type: Agriculture-livestock, small (chickens & turkeys)
- Square Feet: 100 (Coop #1)/60 each (Coops #2 & #3)

Site Plans

The site plans depict an existing single family residence on the north side of Viking Road and the west side of Robar Street. The applicant is requesting to maintain 3 chicken/turkey coops in the rear yard on the north side of the property, north and northeast of the garage. One coop is 100 square feet, while the other 2 are 60 square feet each. All coops on the property meet minimum setback requirements, and a 6 foot high wall is located on the property line separating the

owner's property from the neighbors to the north and the west. The total number of animals on site is 33 hens and 2 turkeys.

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.

Applicant's Justification

The applicant states that they were originally given some of the chickens & turkeys as part of a gift, and later received more of them from an animal rescue foundation. The applicant only uses the chickens and turkeys for eggs, and does not plan to slaughter them or replace them as they pass away. One rooster was previously kept on-site, but the applicant claims to have given it away as it was too loud. Additionally, the applicant states that there is mature landscaping throughout the site that helps to buffer the chicken/turkey coops from neighboring properties, and has provided photos to support this claim.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 (RNP-III)	Single Family Residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-1 (RNP-III)	Undeveloped

Clark County Public Response Office (CCPRO)

CE23-21559 is an active case for housing farm 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

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.

Based on satellite imagery and photographs submitted by the applicant, there does appear to be dense landscaping throughout the property that may help act as a buffer between the existing coops and the surrounding neighbors. The lot is the size of an R-E zoned parcel, being just over 20,000 square feet, and there are screen walls around the perimeter of the property. Although certain conditions exist which may be seen as reducing impact, staff typically does not support a small livestock use in an R-1 zone outside of Community District 5. In addition, 35 animals

exceeds the 20 animals that are permitted in an R-E zone. Additionally, the applicant has stated that the chickens and turkeys will not be replaced as they pass away so that the use will be lessened over time. However, Code does not allow small livestock within this zoning district unless the site is within Community District 5; therefore, staff cannot 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 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; 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; 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: Paradise - approval (no roosters allowed).

APPROVALS:

PROTESTS:

APPLICANT: JONATHAN MICHAEL UNOWSKY

CONTACT: JONATHAN UNOWSKY, 3020 EAST VIKING ROAD, LAS VEGAS, NV 89121