10/06/26 PC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-26-400083 (UC-23-0261)-S M P HOLDINGS, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: **1)** communication tower; and **2)** reduce the separation from another communication tower.
WAIVER OF DEVELOPMENT STANDARDS for encroachment into air space.
DESIGN REVIEW for a proposed communication tower and associated ground-mounted equipment on 0.8 acres in a CG (Commercial General) Zone.

Generally located south of Windmill Lane and west of Tamarus Street within Paradise. MN/lm/kh (For possible action)

RELATED INFORMATION:

APN:
177-14-101-003

USE PERMITS:
1. Communication tower.
2. Reduce the separation from another communication tower to 90 feet where 600 feet is required per Table 30.44-1 (an 85% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:
Project Description
General Summary
- Site Address: 1465 E. Windmill Lane
- Site Acreage: 0.8
- Project Type: Communication tower
- Tower Height (feet): 80

Site Plans
The approved plans show a previously approved communication tower to be located in the southwest portion of the parcel, with a 27 foot setback from the west property line, 236 feet from the north property line, and 34 feet from the southern property line.

Landscaping
Landscaping is not a part of this application.

Elevations

The previously approved tower may house up to 3 sets of antenna arrays on a new stealth monopole design communication tower. The previously approved monopole has an overall height of 80 feet including the pole, all antennae, and branches. The tower and all structures and enclosures will be painted to match the surrounding buildings

Previous Conditions of Approval

Listed below are the approved conditions for UC-23-0261:

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- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; and that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet, otherwise additional land use applications may be required; the installation and use of new cooling systems that consumptively use water will be prohibited; 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.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace

determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Applicant's Justification

The applicant indicates that since the original approval, AT&T placed all new projects on hold to change equipment from Nokia to Ericsson which took some time to accomplish and is now complete. The building permit for the structure (BD25-47692) and communication equipment surround (BD25-47724) have been issued however the construction has not commenced due to the need for the contractor to secure bids and move forward with the construction.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0261 (ADET-25-900339)	Administrative extension of time for a communication tower	Approved by ZA	May 2025
UC-23-0261	Use permit for a communication tower	Approved by PC	July 2023
UC-0065-10	Vehicle maintenance (smog check)	Approved by PC	March 2010

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	RS20	Undeveloped
South	Corridor Mixed-Use	RS20	School
East	Corridor Mixed-Use	CG	Retail/office
West	Corridor Mixed-Use	CG	Commercial retail

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

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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 although 3 years have passed since the project was originally approved, the applicant has continued to make progress toward commencing the development. This includes ongoing coordination with other departments and agencies and obtaining the necessary permits. Therefore, staff can support this request for an extension of time. However, staff may not be able

to support any future extension requests if significant progress toward initiating the development is not demonstrated.

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:

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- Until July 18, 2028 to commence 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.
APPROVALS:
PROTEST:

APPLICANT: SMP HOLDINGS, LLC
CONTACT: CENTERLINE COMMUNICATIONS, 510 MANDALAY COURT, HENDERSON, NV 89012