

HORSE RIDING/RENTAL STABLES  
(TITLE 30)

COTE RD/BLUE DIAMOND RD  
(RED ROCK)

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0259-REXIUS, RICK D. & ROCHELLE:**

**USE PERMITS** for the following: **1)** horse riding/rental stables; **2)** reduce lot area for a horse riding/rental stables; **3)** allow an accessory agricultural building in the front yard; and **4)** waive the required trees along all side and rear property lines.

**WAIVER OF DEVELOPMENT STANDARDS** to increase accessory structure height.

**DESIGN REVIEW** for a residential boarding facility and horse riding/rental stables in conjunction with a single family residence on 2.4 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the west side of Cote Road, 280 feet south of Blue Diamond Road within Red Rock. JJ/md/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

175-15-701-014

**USE PERMITS:**

1. Allow a horse riding/rental stables.
2. Reduce the lot area for a horse riding/rental stables to 101,059 square feet where a minimum of 400,000 square feet is required per Table 30.44-1 (a 75% reduction).
3. Allow an accessory agricultural building (riding arena) within the front yard where required in the side or rear yards per Table 30.44-1.
4. Waive the requirement for 1 tree per 50 linear feet along all side and rear property lines per Table 30.44-1.

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase accessory structure height (riding arena) to 29 feet where 25 feet is permitted per Table 30.40-1 (a 16% increase).

**LAND USE PLAN:**

NORTHWEST COUNTY (RED ROCK) - RESIDENTIAL RURAL (UP TO 0.5 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8521 Cote Road

- Site Acreage: 2.4
- Project Type: Residential boarding and horse riding/rental stables
- Number of Stories: 1
- Building Height (feet): Up to 29
- Square Feet: 3,150 (barn)/24,183 (covered riding arena and stables)
- Pasture Area Required/Provided: 30,000/44,397
- Parking Required/Provided: 8/8

### History & Request

The subject property was reclassified to an R-E zoning district via NZC-0664-16 by the Board of County Commissioners (BCC) in December 2016 as part of a future single family residential development on 22.9 acres. In May 2019, the BCC approved a residential boarding facility and horse riding/rental stables in conjunction with a single family residence via UC-18-0913. A companion item, WS-19-0215, to waive full off-site improvements (including partial paving) along Cote Road was also approved by the BCC. The previous use permit approval consisted of two, 3,000 square foot barns and a 12,480 square foot covered riding arena. Due to the demands and needs of the previously approved use, a 501(c)(3) non-profit organization offering faith based therapeutic horseback riding lessons to women and children survivors of domestic abuse, several modifications are necessary to the project site. The modifications to the project site include the following: 1) providing a single barn consisting of 3,150 square feet where 2 barns were previously approved; and 2) increasing the size of the previously approved covered riding arena from 12,480 square feet to 24,183 square feet (a 48.4% increase). A first extension of time for UC-18-0913 was heard by the BCC on July 7, 2021, as the property owner desired to keep the original application active prior to the public hearing for this request.

### Site Plan

The plan depicts a residential boarding and horse riding/rental stables on a 2.4 acre parcel with access from Cote Road to the east. A recently constructed residence is located near the southeastern portion of the site oriented towards Cote Road. The site will accommodate up to 24 horses in a barn and covered riding arena located within the northern half of the project site. The covered riding arena is set back 40 feet from Cote Road, 25 feet from the north property line, 83 feet from the west property line, and 150 feet from the south property line. The barn is located behind the covered riding arena and is set back 25 feet and 30 feet from the north and west property lines, respectively. The barn is set back 160 feet from the south property line, and maintains a minimum building separation of 15 feet from the covered riding arena. The proposed accessory structures meet setback and separation requirements other than the height of the arena which is shown at 29 feet. The entire boarding facility will be enclosed with a 6 foot high agricultural fence. The required parking spaces for the facility are located within the western portion of the site. Eight parking spaces are required and provided for the facility.

### Landscaping

No additional landscaping is proposed with this request.

### Elevations

The agricultural buildings are reminiscent of a western rustic theme consisting of metal siding and a standing seam metal roof for the barn and wood paneling with an architectural composition roof for the covered arena. The barn is 15 feet in height, while the covered arena is 29 feet in height. Both buildings will be painted with neutral, earth tone colors.

### Floor Plans

The floor plans depict a 3,150 square foot barn that consists of 10 stalls, a tack and grooming room. The covered riding arena measures 24,183 square feet in area and consists of 14 stalls. The area of the stalls are 144 square feet each, which is greater than the 120 square feet required by Code.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates this project is the second phase of a project that was approved by NZC-0664-16 in December 2016. Phase 1 is complete with the completion of the first home, which establishes the first residence, the community focal point, and the standard of construction and architectural quality of the community. Building permits have been submitted for the second home immediately to the south. The next step is the establishment of the equestrian focused community with the residential boarding stables through this land use application. According to the applicant there will be no rental of horses, simply horses being used for the proposed non-profit use. The owners are willing to agree to a condition that this service will be offered free of charge and there will be no more than 3 people on-site at a time participating in the therapeutic non-profit treatment. The equestrian theme is very prevalent and consistent with the desired rural character of the area and the provisions under the Red Rock Overlay District.

Furthermore, the applicant states the developers of the property have remained consistent with the original vision, and with completion of Phase 1, and the development of Phase 2, which includes the riding/ boarding stables. The development of the future Phase 3 will provide lots in an area near Blue Diamond Road and the Red Rock National Conservation area where residents can board their horses at the community stables, live on an R-E sized lot with a rustic home, in a setting that allows for easy access to an extensive horse trail network, without the need to keep and board their horses within the confines of their personal lot.

### **Prior Land Use Requests**

| <b>Application Number</b>    | <b>Request</b>   | <b>Action</b>   | <b>Date</b> |
|------------------------------|--|-----------------|-------------|
| ET-21-400073<br>(UC-18-0913) | First extension of time for a residential boarding and horse riding/rental stables in conjunction with a single family residence | Approved by BCC | July 2021   |

**Prior Land Use Requests**

| <b>Application Number</b>     | <b>Request</b>   | <b>Action</b>   | <b>Date</b>   |
|-------------------------------|--|-----------------|---------------|
| ET-19-400164<br>(NZC-0664-16) | First extension of time to reclassify the project site to R-E zoning for a proposed single family residential development, waiver for full off-site improvements, and design reviews for a residential boarding stables, and a preliminary grading plan in conjunction with a hillside development | Approved by BCC | February 2020 |
| WS-19-0215                    | Full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) in conjunction with a single family residence  | Approved by BCC | May 2019      |
| VS-19-0176                    | Vacated and abandoned patent easements and portions of right-of-way being Cougar Avenue, Eagle Ranch Drive, and Ford Avenue - recorded   | Approved by PC  | May 2019      |
| UC-18-0913                    | Residential boarding and horse riding/rental stables in conjunction with a single family residence   | Approved by BCC | May 2019      |
| NZC-0664-16                   | Reclassified this site and the surrounding area to R-E zoning for a proposed single family residential development, waiver for full off-site improvements, and design reviews for a residential boarding stables, and a preliminary grading plan in conjunction with a hillside development        | Approved by BCC | December 2016 |
| VS-0666-16                    | Vacated and abandoned easements on the property - expired  | Approved by BCC | December 2016 |
| VS-2013-98                    | Vacated and abandoned Wigwam Avenue - recorded   | Approved by BCC | February 1999 |

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>    | <b>Zoning District</b> | <b>Existing Land Use</b>  |
|-------|-------------------------------------|------------------------|---------------------------|
| North | Open Land (up to 1 du/10 ac)        | H-2                    | Undeveloped               |
| South | Residential Rural (up to 0.5 du/ac) | R-U                    | Single family residential |
| East  | Residential Rural (up to 0.5 du/ac) | R-E                    | Single family residential |
| West  | Open Land (up to 1 du/10 ac)        | R-U & H-2              | Undeveloped               |

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis****Current Planning**Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

It may appear, based on the number of use permit requests, that this facility may not be compatible with the existing area. However, compatibility refers to characteristics of different land uses that allow the uses to be harmoniously located near or adjacent to each other with minimal impacts. Compatible use considerations may include a range of activities and design features related to existing and proposed development, such as but not limited to height, scale, mass, density, landscaping, hours of operation, and environmental impacts.

With appropriate siting, required parking, and appropriate buffering, and assessing the totality of this request, this facility can be consistent and compatible with the open rural character of the area. Since there will be no rental of horses and no more than 3 people on-site at a time participating in the therapeutic non-profit treatment staff can support this request. However, to ensure full compliance with all provisions and statements made by the applicant, staff recommends a review period with additional conditions.

#### Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Urban Specific Policy 19 of the Comprehensive Master Plan states that scale relationships between buildings and adjacent developments should be carefully considered. Staff finds the covered riding arena meets all other Code requirements, including setbacks, and does not anticipate any negative impacts on the adjacent neighborhood due to a 16% increase in height.

#### Design Review

Staff can support the design review for the boarding stables. The design of the project complies with the design standards of the Red Rock Overlay District including the provision of a building envelope surrounded by a non-buildable area no less than 25 feet from the property lines, appropriate fencing material, and building elevations depicting a rustic desert mountain theme appropriate in the Red Rock Overlay District. Furthermore, the design of the elevations and floor plans meet Urban Land Use Policy 43 of the Comprehensive Master Plan by providing a variety of elevations with articulating building facades. Therefore, staff can support this request.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

- 2 years to commence and review to ensure additional mitigation is not required for the facility;
- Horse riding/rental stables for participants in the therapeutic non-profit treatment only;
- No monetary exchange or rental of horses;
- No more than 3 people at a time in conjunction with horse riding/rental stables.
- Applicant is advised that 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 and application for review; 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**

- Compliance with approved drainage study PW 16-40861;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Provide paved legal access.

### **Southern Nevada Health District (SNHD) - Septic**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto: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:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CHRIS ARMSTRONG

**CONTACT:** CHRIS ARMSTRONG, OLYMPIA COMPANIES, 11411 SOUTHERN HIGHLANDS PARKWAY #300, LAS VEGAS, NV 89141