



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MAY 14, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CENTURY COMMUNITIES NEVADA, LLC -
OWNER: SDE 50057 IRREVOCABLE BUSINESS TRUST AND SDE 60016
IRREVOCABLE BUSINESS TRUST

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0081-GPA1	Staff recommends DENIAL.	
24-0081-ZON1	Staff recommends DENIAL.	24-0081-GPA1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED 64

PROTESTS 0

APPROVALS 3

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a General Plan Amendment and Rezoning on 18.24 acres on the south side of Kyle Canyon Road approximately 818 feet south of the road alignment and approximately 1,005 feet west of the Shaumber Road alignment.

ISSUES

- The applicant has requested a General Plan Amendment (22-0081-GPA1) from PCD (Planned Community Development) to ML (Medium Low Density Residential). Staff recommends denial of the request.
- The applicant has requested a Rezoning (22-0081-ZON1) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-CL (Single Family Compact-Lot). Staff recommends denial of the request.

ANALYSIS

The subject site is comprised of six undeveloped parcels totaling 18.24 acres. The site is currently zoned U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] with a PCD (Planned Community Development) General Plan Designation and is subject to the development standards outlined in Title 19.

The subject site is located on the on the south side of Kyle Canyon Road approximately 818 feet south of the road alignment and approximately 1,005 feet west of the Shaumber Road alignment. The site is bordered by undeveloped parcels to the west, north and east with similar zoning and General Plan designations. The south perimeter of the site is bordered by undeveloped parcels within the Skye Canyon Master Planned Community with a T-D (Traditional Development) zoning designation and undeveloped parcels within the jurisdiction of Clark County that are zoned RS80 (Residential Single-Family 80).

The applicant has proposed a General Plan Amendment (22-0081-GPA1) from PCD (Planned Community Development) to ML (Medium Low Density Residential). The Medium Low Density Residential category generally allows single family detached homes, including compact lots and zero lot lines, mobile home parks and two-family dwellings up to 8.50 dwelling units per acre. The land use designation allows the U (Undeveloped), R-E (Residence Estates), R-1 (Single Family Residential), R-SL (Single Family Small Lot Residential), R-CL (Single Family Compact-Lot), R-2 (Medium-Low Density Residential), R-MH (Mobile/Manufactured Home) and PD (Planned Development) zoning districts.

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In addition, the applicant has proposed Rezoning (22-0081-ZON1) the subject site from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-CL (Single Family Compact-Lot). The purpose of the R-CL zoning district has been to provide for single family units and other customary residential uses on a smaller lot size. The density associated with the R-CL District is consistent with the policies of the Medium-Low Density Residential category of the General Plan.

Staff has determined that since the subject site and the surrounding area to west, north and east are undeveloped properties with similar zoning and General Plan designations; the applicants request for a General Plan Amendment and Rezoning is representative of “leapfrog development”. Leapfrog development is defined as the process of “developers skipping over properties to obtain land further out, leaving vacant tracts behind.” This process is one manifestation of the broader phenomenon of urban sprawl.

Also, the proposed ML (Medium Low Density Residential) General Plan Designation and R-CL (Single Family Compact-Lot) zoning district is not located anywhere near the subject site, which is representative of “spot zoning”. Spot zoning is defined as “when a small parcel of land receives zoning that is different than the surrounding properties.” This process is frowned upon because it may provide favoritism toward a particular land owner. Additionally, there are not adequate transportation, recreation, utility, or other facilities present in the surrounding area at this time. Therefore, staff recommends denial of the requested General Plan Amendment (24-0081-GPA1) and Rezoning (24-0081-ZON1).

FINDINGS (24-0081-GPA1)

Section 19.16.030(l) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The proposed ML (Medium Low Density Residential) General Plan designation which has an allowable density of 8.49 dwelling units per gross acre, is not consistent and harmonious with the existing PF (Public Facility) and PCD (Planned Community Development) General Plan Designation land uses to the north, south and east.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

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The ML (Medium Low Density Residential) General Plan land use designation allows the U (Undeveloped), R-E (Residence Estates), R-1 (Single Family Residential), R-2 (Medium-Low Density Residential), R-SL (Residential Small Lot), R-CL (Single Family Compact-Lot) and R-MH (Mobile/Manufactured Home), zoning districts. The applicant has proposed a Rezoning (24-0081-ZON1) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-CL (Single Family Compact-Lot) on the subject site, which is not consistent with the surrounding area.

- 3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

Currently, there are not adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment to the ML (Medium Low Density Residential) General Plan land use designation. The City of Las Vegas is currently engaged in refining the Master Plan for the Kyle Canyon Area with regards to proposed vehicular right-of-way alignments, open space, parks, residential densities and location of commercial land uses.

- 4. The proposed amendment conforms to other applicable adopted plans and policies.**

All applicable plans and policies are met with the proposed amendment.

FINDINGS (24-0081-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

- 1. The proposal conforms to the General Plan.**

The proposed R-CL (Single Family Compact-Lot) zoning district conforms to the proposed ML (Medium Low Density Residential) General Plan designation which allows seven zoning districts: U (Undeveloped), R-E (Residence Estates), R-1 (Single Family Residential), R-2 (Medium-Low Density Residential), R-SL (Residential Small Lot), R-CL (Single Family Compact-Lot), R-MH (Mobile/Manufactured Home).

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- 2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The residential uses allowed in the proposed R-CL (Single Family Compact-Lot) zoning district are not compatible with the existing surrounding undeveloped parcels located on larger lots that are zoned U (Undeveloped) located to the west, north and east within the area.

- 3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

There are no growth or development factors in the community that indicate the proposed R-CL (Single Family Compact-Lot) is appropriate for the subject site.

- 4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

Street and highway facilities providing access to the property are not adequate in size to meet the requirements of the proposed zoning district. The subject site is located Iron Mountain Road alignment, approximately 1,000 feet west of the intersection with Shaumber Road. Currently, the Iron Mountain Road alignment has not been developed west of Shaumber Road, so the subject site has no vehicular access.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
06/01/05	The City Council approved a request for a Petition of Annexation (ANX-5528) to annex approximately 529 acres of land, generally located north of Iron Mountain Road and west of Hualapai Way.
06/04/08	The City Council approved a request for a Petition of Annexation (ANX-23103) to annex approximately 604 acres of land, generally located south of Moccasin Road and west of Mainwal Way.
04/09/24	<p>The Planning Commission voted (7-0) to HOLD IN ABEYANCE the following Land Use Entitlement project requests:</p> <p>24-0081-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL)</p> <p>24-0081-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-CL (SINGLE FAMILY COMPACT-LOT)</p>

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Most Recent Change of Ownership	
06/13/11	A deed was recorded for a change in ownership. (APNs 126-01-401-007, 008 and 009)
06/23/11	A deed was recorded for a change in ownership. (APNs 126-02-801-018, 020 and 021)

Related Building Permits/Business Licenses	
There are no Building Permits or Business Licenses associated with the subject site.	

Pre-Application Meeting	
02/08/24	A pre-application meeting was held with the applicant to discuss submittal requirements for General Plan Amendment, Rezoning, Variance, Petition of Vacation and Tentative Map applications. During the meeting the applicant indicated that they would move forward with the proposed Tentative Map and associated Petition of Vacation and Variance application on another Planning Commission agenda.

Neighborhood Meeting	
03/20/24	<p>A neighborhood meeting was held at Centennial Hills YMCA at 6601 North Buffalo Drive, Las Vegas, NV 89131, at 5:30pm to discuss the proposed General Plan Amendment and Rezoning.</p> <p>The meeting was attended by one staff member and one representative from the Council Ward 6 Office. There were zero members of the public; as such, there were no concerns raised regarding the proposed General Plan Amendment and Rezoning request.</p>

Field Check	
02/29/24	During a routine site inspection staff noted that the subject site is undeveloped with natural desert vegetation.

Details of Application Request	
Site Area	
Gross Acres	18.24

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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
North	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
		PF (Public Facilities)	U (Undeveloped) [PF (Public Facilities) General Plan Designation]
South	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
		OL (Open Lands) - Clark County	RS80 (Residential Single-Family 80) - Clark County
		TND (Traditional Neighborhood Development)	T-D (Traditional Development)
East	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
West	Undeveloped	PF (Public Facilities)	U (Undeveloped) [PF (Public Facilities) General Plan Designation]

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Kyle Canyon	Y
Northwest Open Space Plan	Y

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Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Existing Zoning	Permitted Density	Units Allowed
U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]	1 dwelling per lot	1 dwelling per lot
Proposed Zoning	Permitted Density	Units Allowed
R-CL (Single Family Compact-Lot)	1 dwelling per lot	1 dwelling per lot
Existing General Plan	Permitted Density	Units Allowed
PCD (Planned Community Development)	< 8 du/acre	145
Proposed General Plan	Permitted Density	Units Allowed
ML (Medium Low Density Residential)	< 8.5 du/acre	155