

**ACTION REPORT
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION**

May 14, 2014

BRIEFING

5:30 P.M., Caucus Room, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada

CALL TO ORDER

6:00 P.M., Council Chambers, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada

WELCOME

Chairwoman Laura Perkins

VERIFICATION

Julie Shields, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Sylvia Joiner-Greene

PUBLIC FORUM

There was no public participation.

AGENDA

1. Approval of the Planning Commission Meeting Agenda of May 14, 2014 (For possible action)

ACTION: APPROVED

MOTION: Commissioner Acevedo

SECOND: Commissioner Aston

AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston, Ewing, Joiner-Greene, and Acevedo

NAYS: None

ABSTAIN: None

MINUTES

2. Approval of Minutes for the Planning Commission meeting of April 9, 2014 (For possible action)

ACTION: APPROVED

MOTION: Commissioner Acevedo

SECOND: Commissioner Aston

AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston, Ewing, Joiner-Greene, and Acevedo

NAYS: None

ABSTAIN: None

NEW BUSINESS

3. **ZN-58-05 (48480) SHADOW RANCH (Public Hearing).** An application submitted by Randy Bury-Randall Martin Company on behalf of RB Las Vegas Land Ventures 2 LLC, property owner, for an amendment to an existing PUD, Planned Unit Development District regarding open space amenities. The properties are located at southeast corner of Ann Road and Bruce Street. The Assessor's Parcel Numbers are 124-35-501-001, 124-35-501-004, 124-35-501-005, 124-35-501-006, 124-35-501-007, 124-35-501-009 and 124-35-501-010. (For possible action)

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston
SECOND: Vice-Chairman Stone
AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston,
Ewing, Joiner-Greene, and Acevedo
NAYS: None
ABSTAIN: None

4. **T-1366 (48478) SHADOW RANCH.** An application submitted by Randy Bury – Randall Martin Company on behalf of RB Las Vegas Land Ventures 2, LLC, property owner, for Tentative Map in a PUD, Planned Unit Development District to allow 105 residential lots. The properties are located at the southeast corner of Ann Road and Bruce Street. The Assessor's Parcel Numbers are 124-35-501-001, 124-35-501-004, 124-35-501-005, 124-35-501-006, 124-35-501-007, 124-35-501-009 and 124-35-501-010. (For possible action)

ACTION: APPROVED

MOTION: Commissioner Aston
SECOND: Vice-Chairman Stone
AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston,
Ewing, Joiner-Greene, and Acevedo
NAYS: None
ABSTAIN: None

5. **FDP-02-14 (48479) SHADOW RANCH.** An application submitted by Randy Bury – Randall Martin Company on behalf of RB Las Vegas Land Ventures 2, LLC, property owner, for a Final Development Plan review in a PUD, Planned Unit Development District consisting of 105 residential lots. The properties are located at the southeast corner of Ann Road and Bruce Street. The Assessor's Parcel Numbers are 124-35-501-001, 124-35-501-004, 124-35-501-005, 124-35-501-006, 124-35-501-007, 124-35-501-009 and 124-35-501-010. (For possible action)

ACTION: APPROVED

MOTION: Commissioner Aston
SECOND: Vice-Chairman Stone
AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston,
Ewing, Joiner-Greene, and Acevedo
NAYS: None
ABSTAIN: None

6. **SPR-02-14 (48521) MDM STORAGE YARD (Public Hearing).** An application submitted by Blake Anderson on behalf of LMBG, Inc, property owner, for a site plan review in an M-2, General Industrial District, to allow approximately 130,000 square feet of outdoor storage for a proposed construction equipment and material storage facility. The property is located at southwest corner of Berg Street and Lone Mountain Road. The Assessor's Parcel Number is 139-01-101-011. (For possible action)

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Vice-Chairman Stone

AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston, Ewing, Joiner-Greene, and Acevedo

NAYS: None

ABSTAIN: None

7. **VAC-05-14 (48520) TIERRA SANTA (Public Hearing).** An application submitted by Woodside Homes of Nevada, LLC, property owner, to vacate all public utility, drainage, and access easements. The properties are located at the northwest corner of North 5th Street and Dorrell Lane. The Assessor's Parcel Numbers are 124-22-512-000 thru 124-22-512-312. (For possible action)

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Joiner-Greene

AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston, Ewing, Joiner-Greene, and Acevedo

NAYS: None

ABSTAIN: None

8. **UN-16-14 (48518) DOLLAR LOAN CENTER (Public Hearing).** An application submitted by David Galyen for Dollar Loan Center on behalf of Inland Diversified North Las Vegas Losee LLC, property owner, for a special use permit in a C-2, General Commercial District to allow a Deferred Deposit Loan or Short Term Loan Establishment. The property is located at 2590 East Craig Road, Suite 110. The Assessor's Parcel Number is 139-01-210-005. (For possible action)

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Stone
SECOND: Commissioner Acevedo
AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston,
Ewing, Joiner-Greene, and Acevedo
NAYS: None
ABSTAIN: None

9. **VAC-06-14 (48536) DESERT MESA (Public Hearing)**. An application submitted by GRGW Development on behalf of Desert Mesa 30 Investors LLC, property owner, to vacate Evening Snow Court (a.k.a. McNulty Court) commencing south of Desert Senna Avenue and extending south approximately 315 feet and a portion of Sand Sage Avenue commencing approximately 176 west of Desert Senna Avenue and extending west approximately 175 feet. The Assessor's Parcel Numbers are 139-15-417-005 thru 139-15-417-014, and 139-15-417-024 thru 139-15-417-031. (For possible action)

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Joiner-Greene
SECOND: Commissioner Acevedo
AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston,
Ewing, Joiner-Greene, and Acevedo
NAYS: None
ABSTAIN: None

10. **AMP-05-14 (48447) NORTH VALLEY HEALTH CLINIC & TRAINING FACILITY (Public Hearing)**. An application submitted by the City of North Las Vegas, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of Single Family Low to Public/Semi-Public. The properties are located at 1800, 1804, 1808, 1812, 1816, and 1820 West Carey Avenue. The Assessor's Parcel Numbers are 139-16-410-215 thru 139-16-410-220. (For possible action)

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Acevedo
SECOND: Commissioner Joiner-Greene
AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston,
Ewing, Joiner-Greene, and Acevedo
NAYS: None
ABSTAIN: None

11. **ZN-07-14 (48448) NORTH VALLEY HEALTH CLINIC & TRAINING FACILITY (Public Hearing).** An application submitted by the City of North Las Vegas, property owner, for reclassification of property from the current designation of R-1, Single-Family Low Density District to PUD/PID, Planned Unit Development District/Planned Infill Development District consisting of a health and training facility. The properties are located at 1800, 1804, 1808, 1812, 1816 and 1820 West Carey Avenue. The Assessor's Parcel Numbers are 139-16-410-215 thru 139-16-410-220. (For possible action)

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Joiner-Greene

SECOND: Commissioner Acevedo

AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston, Ewing, Joiner-Greene, and Acevedo

NAYS: None

ABSTAIN: None

12. **ZOA-02-14 (48564) CITY OF NORTH LAS VEGAS (Public Hearing).** An ordinance amendment initiated by the City of North Las Vegas to amend Title 17 (Zoning Ordinance), Section 17.12.070.J.2.a (City Council Hearing Required), Section 17.16.050.F Table 17.16-3 (I-A Overlay District Permitted Uses), Section 17.20.010.B Table 17.20-1 (Permitted Land Use Table), Section 17.20.020.C (Commercial and Office Uses), and Section 17.32.030 (Definition of Terms) of the North Las Vegas Municipal Code to add provisions and definitions for Medical Marijuana Establishments; and providing for other matters properly related thereto. (For possible action)

ACTION: APPROVED PER STAFF'S AMENDMENTS; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

Section 17.20.020C was amended as follows:

SECTION 3: Chapter 20, Section 020, Subsection C of Title 17 of the North Las Vegas

Municipal Code is hereby amended by adding a new subsection 29 as follows:

29. Medical Marijuana Establishments

a. Purpose and Intent

The purpose of this section is to provide a procedure for the regulations of medical marijuana establishments as they relate to land uses within the City. These regulations are related to the licensing requirements in Title 5 of the North Las Vegas Municipal Code and provide all land use regulations for medical marijuana establishments.

b. Permit Required

All medical marijuana establishments within the City of North Las Vegas require a special use permit or a conditional use if located within the I-A Industrial – Apex Overlay District.

c. Distance Separation Requirements

(i) Proximity Distance Requirements

Table 17.20-2.1 establishes minimum separation distances between medical marijuana establishments and other specified uses.

TABLE 17.20-2.1: PROXIMITY DISTANCE REQUIREMENTS FOR MEDICAL MARIJUANA ESTABLISHMENTS					
Medical Marijuana Establishments	Separation from Schools (feet) [1]	Separation from a Community Facility (feet) [2]	Separation Between Medical Marijuana Establishments (feet)	Separation from Developed Residential (feet) [3]	Separation from a Non-Restricted Gaming Establishment that contains a hotel or motel component (feet) [4]
Independent Testing Laboratory	1,000	300		300	
Cultivation Facility	1,000	300		300	
Facility for the Production of Edible Marijuana Products or Marijuana-Infused Products	1,000	300		300	
Medical marijuana Dispensary	1,000	300	1,000 [5]		1,500 [5]

NOTES:
 [1] For the purposes of this section, “schools” shall be defined as preschool, or kindergarten through 12th grade.
 [2] For the purposes of this section, “community facilities” shall have the meaning ascribed to it in NRS Chapter 453A.322(7).
 [3] For the purposes of this section, “developed residential” shall be defined as a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.

[4] For the purposes of this section, "Non-Restricted Gaming Establishment" shall have the meaning ascribed to it in NRS Chapter 463.011 or as amended .

[5] A waiver of the 1,000 or 1,500 foot proximity distance requirement may be considered with approval of a special use permit from the appropriate governing body for the proposed use.

b. Proof of Proximity Distance Compliance Required

- (i) The City shall not accept, nor set for hearing any request unless the applicant provides to the City a survey plat prepared by a Nevada Licensed Professional Land Surveyor showing that the proposed location complies with the proximity distance requirements above.
- (ii) Such distances shall be measured utilizing the shortest direct line distance between two property lines, one being the property line of the proposed medical marijuana establishment and the other being the nearest property line of property to which it must be separated.

c. Medical Marijuana Establishments

(i) Generally

- (1) Approval of a special use permit or a conditional use for any medical marijuana establishment does not constitute or imply approval of any privileged license that may be otherwise required by this Code.
- (2) Any change in land use, location, or license type as defined in Title 5 shall necessitate application for and approval of a new special use permit or conditional use for the new land use, location, or license type.
- (3) The special use permit or conditional use shall expire by operation of law and be deemed null and void if the applicant fails to fulfill any and all conditions, stipulations, and limitations within one year from the public meeting date upon which the special use permit was approved, unless an extension of time is granted by the appropriate governing body.
- (4) The special use permit or conditional use shall expire by operation of law and be deemed null and void at 12:01 AM the calendar day after the applicant's registration certificate issued by the Health Division of the Department of Health and Human Services expires.

(ii) Medical Marijuana Establishment License

In addition to any other requirements as provided by this Code or any other relevant law, Medical Marijuana Establishment must fulfill any and all conditions, stipulations and limitations and commence operations as prescribed by the State.

d. Standards for Medical Marijuana Establishments

(i) The following development standards shall apply to all medical marijuana establishments:

- (1) Must be located in a separate, stand alone building or facility.
- (2) Must be located in an appropriate zoned district.
- (3) In addition to complying with Sections 17.24.120(E) and 17.24.150, every establishment shall have discreet and professional signage that is consistent with the traditional style of signage for pharmacies and medical offices.
- (4) With the exception of the specific medical marijuana establishment approved as part of any special use permit or conditional use, no other activity may occur within the facility.
- (5) A single entrance shall be provided for the medical marijuana establishment, except for additional exits that may be required to comply with life safety requirements.
- (6) No outside storage on-site shall be permitted.

(ii) In addition to all conditions in (i) above, the following development standards shall apply to all medical marijuana dispensaries:

- (1) No drive-through facilities shall be permitted.
- (2) The hours of operation are limited to 8:00 AM to 10:00 PM.
- (3) No accessory uses are permitted.
- (4) The minimum size of a medical marijuana dispensary shall be 1,500 square feet and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space.
- (5) Must have an appearance, both as to the interior and exterior that is professional, orderly, dignified and consistent with the traditional style of pharmacies and medical offices.

- (6) The establishment shall ensure there is no emission of dust, fumes, vapors, or odors into the environment or adjacent suites from the facility.
- (7) Windows must remain unobstructed, allowing visibility into the facility. Window tint, decals or signage of any kind shall be strictly prohibited.
- (iii) In addition to all conditions in (i) above, the following development standards shall apply to all medical marijuana production facilities, or medical marijuana cultivation facilities:
 - (1) The minimum size of the establishment shall be 3,500 square feet.
 - (2) The establishment shall ensure there is no emission of dust, fumes, vapors, or odors into the environment from the facility.
 - (3) There shall be no retail sales.
- (iv) In addition to all conditions in (i) above, the following development standards shall apply to all testing laboratories:
 - (1) There shall be no retail sales.
 - (2) The establishment shall ensure there is no emission of dust, fumes, vapors, or odors into the environment from the facility.

MOTION: Commissioner Aston
SECOND: Commissioner Joiner-Greene
AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston, Ewing, Joiner-Greene, and Acevedo
NAYS: None
ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Director Blackburn acknowledged Marc Jordan, Planning Manager for a job well done on the presentation of Item No. 12, ZOA-02-14. In addition, he thanked the City Attorney, and Public Works Department for their participation and assistance in drafting this ordinance.

CHAIRWOMAN'S BUSINESS

Chairwoman Perkins also thanked staff for their efforts in presenting Item No. 12, ZOA-12-14.

Vice-Chairman Stone thanked Director Blackburn for providing individual briefings concerning ZOA-12-14.

ADJOURNMENT

The meeting adjourned at 7:27 p.m.