PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-0755-13 – BROWN, JR, WILLIE C.:

**USE PERMIT** for an aviary.

**WAIVER OF DEVELOPMENT STANDARDS** to increase the number of birds (racing pigeons) in an aviary on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the north side of Brynhurst Drive, 275 feet west of Mt. Hood Street within Sunrise Manor. CG/gc/ml (For possible action)

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**RELATED INFORMATION:**

**APN:**
140-22-416-011

**WAIVER OF DEVELOPMENT STANDARDS:**
Increase the number of birds (racing pigeons) in an aviary to 65 where a maximum of 20 birds is allowed (a 225% increase).

**LAND USE PLAN:**
SUNRISE MANOR - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**
- Site Acreage: 0.2
- Project Type: Aviary
- Building Height: 9.5 feet (coop)
- Square Feet: 200 (coop)

**Site Plan**
The plans show an existing aviary for racing pigeons. The pigeons are housed in a coop located in the rear yard of an existing single family residence. The coop is located approximately 12 feet from the rear property line, 5 feet from the side (west) property line, and 11 feet from the residence to the south. The applicant is requesting up to 65 racing pigeons on the property.

**Landscaping**
No changes are proposed or required to the existing landscaping.
Elevations
The plans show an existing 9.5 foot high pigeon coop that has a shed-like appearance. The coop is constructed of “Smartside” wood siding and composite shingle roofing. The roof pitch is between 5:12 and 6:12. Openings to the pigeon coop are on the east side of the coop.

Floor Plans
The plans show a 200 square foot pigeon coop.

Applicant’s Justification
The applicant began racing pigeons as a child and has been passionate about racing pigeons ever since. The applicant states that there are a number of pigeon fanciers and racing clubs in Las Vegas.

Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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<tbody>
<tr>
<td>Residential Suburban (up to 8 du/ac)</td>
<td>R-1</td>
<td>Single family residences</td>
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Clark County Public Response Office (CCPRO)
Case #13-6379 is an active complaint filed in May 2013 for pigeons on the property. The Code Enforcement officer noted in the report that the birds were in good health and the coop was in clean condition. However, the coop contained more than the 20 birds allowed by Code.

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

Analysis
Current Planning
Use Permit and Waiver of Development Standards
Staff has previously supported applications for aviaries for racing pigeons over the maximum number allowed per Code in the past, but those locations were in rural residential zoning districts with larger lot areas to accommodate the use and number of birds. Until a few months ago, the aviaries that were approved in the County in suburban residential zoning districts, such as this site, were approved for other types of birds (e.g. finches, canaries) that are kept in cages at all times, and therefore, do not fly freely in a neighborhood. However in July 2013, the Board of County Commissioners on appeal approved UC-0185-13 to allow a racing pigeon aviary in an R-1 zoned single family residential neighborhood, but did not allow more than the permitted number of 20 birds. Staff is concerned that allowing racing pigeons to fly in a neighborhood will have a negative impact on the surrounding residential properties, especially with the limited size of the subject property. The waiver request to allow up to 65 pigeons will increase negative impacts to the neighboring properties, especially without any proposed mitigation measures. Such impacts may include, but are not limited to noise and odors. Staff can support the use permit request for an aviary with a condition for 1 year to review as a public hearing to closely monitor any potential negative impacts to the surrounding area, but cannot support the request to increase the number of pigeons on the site. The request to increase the number of pigeons on the site will not comply with Policy 2.2 of the Sunrise Manor Land Use Plan which promotes
ensuring that new uses that are adjacent to existing land uses are appropriately buffered with transitional space and uses.

**Staff Recommendation**
Approval of the use permit; and denial of the waiver of development standards.

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 Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**
If approved:
- 1 year to commence and review as a public hearing.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

**Public Works – Development Review**
- No comment.

**Clark County Water Reclamation District (CCWRD)**
- No comment.

**TAB/CAC:**
**APPROVALS:**
**PROTESTS:**

**APPLICANT:** Willie Brown Jr.
**CONTACT:** Willie Brown Jr., 6260 Brynhurst Drive, Las Vegas, NV 89156