

04/22/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-26-400008 (ZC-23-0794)-DEAN JERRY & DEANNA FAMILY TRUST:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** retaining wall height; and **2)** modified driveway geometrics.

DESIGN REVIEW for finished grade in conjunction with a proposed single-family residential subdivision in an RS10 (Residential Single-Family 10) Zone.

Generally located south of Diablo Drive and east of Mann Street within Spring Valley. MN/rr/cv
(For possible action)

RELATED INFORMATION:

APN:

163-26-801-039

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the combined screen and retaining wall height to 15 feet 4 inches (6 foot screen wall and 9 foot 4 inch retaining wall) where a maximum of 9 feet (6 foot screen wall and 3 foot retaining wall) is permitted per Section 30.64-050 (a 71% increase).
2. Reduce the required setback from the property line to the driveway to zero feet where 6 feet is required per Uniform Standard Drawing 222.2 (a 100% reduction).

DESIGN REVIEW:

Increase finished grade up to 112.8 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 214% increase).

LAND USE PLAN:

SPRING VALLEY - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.20
- Number of Lots: 3
- Density (du/ac): 2.5
- Project Type: Single-family residential
- Existing Land Use: Low-Intensity Suburban Neighborhood

History, Request, & Site Plan

ZC-22-0284 and VS-22-0283 were companion applications for the subject parcel for a proposed zone change to reclassify the site from R-E zoning to R-D zoning for 3 single-family residential lots. A waiver of development standards for modified driveway geometrics was also a part of the zone change. These applications were denied without prejudice by the Board of County Commissioners in June 2022.

The applicant subsequently requested the same zone change from R-E to R-D (now RS10) via ZC-23-0794, along with a waiver for an increased retaining wall height, modified driveway geometrics, which was a re-design from the previous application, and a design review for increased finished grade. The approved plans showed that the subject parcel is triangular and that access to 3 proposed lots is located on the northwest corner of the parcel adjacent to Diablo Drive (northwest) and Mann Street (north). The approved site plan depicted a 22 foot wide roll curb driveway, that is 20 feet in length spanning across all 3 lots. A waiver was approved to increase the height of a retaining wall height that is located within the rear yard areas of Lot 1 and Lot 2 adjacent to the Tropicana /Flamingo Washes Trail and Flood Channel to 9 feet 4 inches. A design review for finished grade to increase the amount of fill up to 112.8 inches in this same area was also approved.

Landscaping

Landscaping is not required and is not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-23-0794:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit or approval, applications for extensions of time will be reviewed for conformance with the regulations in place at the time of application; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 the waivers of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0198-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The requested extension of time will allow sufficient time to complete the design review for increase fill and to address any agency comments to ensure the project complies with Clark County requirements and will provide long-term flood protection and site safety. The applicant states that the proposed request is compatible with the surrounding area and planned development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-23-0794	Zone change from R-E to R-D (now RS10) zoning with waivers of development standards and a design review for a single-family residential subdivision	Approved by BCC	February 2024
VS-23-0793	Vacation and abandonment for an easement	Approved by BCC	February 2024
ZC-22-0284	Zone change from R-E to R-D, with waivers of development standards and a design review for a single-family residential subdivision	Denied by BCC	June 2022
VS-22-0283	Vacation and abandonment for an easement	Denied by BCC	June 2022
WS-0350-10 (ET-0120-12)	First extension of time for non-standard off-site improvements - expired	Approved by PC	November 2012
WS-0350-10	Waiver of development standards for non-standard off-site improvements - expired	Approved by PC	September 2010
UC-0335-10	Use permit for an accessory structure before primary structure - expired	Approved by PC	September 2010

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20	Single-family residential
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20 & RS10	Single-family residential

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

Comprehensive Planning

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 no substantial changes have occurred on the subject site or on surrounding properties. Additionally, there is an active off-site permit (PW25-13280) and an active minor subdivision map (MSM-24-600101). Since this is the first extension of time, staff can support this request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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:

Comprehensive Planning

- Until February 7, 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; the County has adopted a rewrite to Title 30 effective January

1, 2024, 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 the application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: MIKE DEAN

CONTACT: AIMEE ENGLISH, LR NELSON CONSULTING ENGINEERS, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118