

OFF-SITE IMPROVEMENTS  
(TITLE 30)

**UPDATE**  
WILLOW AVE/SWAPP DR  
(MOAPA VALLEY)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0160-BRIGGS, ROD & MICKI:**

**HOLDOVER WAIVER OF DEVELOPMENT STANDARDS** to waive requirements for paving on Willow Avenue in conjunction with a minor subdivision map to subdivide an existing parcel on 10.0 acres in an R-U (Rural Open Land) Zone within the Moapa Valley Design Overlay District.

Generally located on the south side of Willow Avenue, 1,040 feet east of Swapp Drive within Moapa Valley. MK/al/ja (For possible action)

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RELATED INFORMATION:

**APN:**

070-02-401-013

**LAND USE PLAN:**

NORTHEAST COUNTY (MOAPA VALLEY) - OUTLYING NEIGHBORHOOD (UP TO 0.5 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1200 W. Cottonwood Avenue
- Site Acreage: 10
- Number of Lots: 2
- Density (du/ac): 0.2
- Minimum/Maximum Lot Size (acres): 2.5/7.5
- Project Type: Subdivide a parcel into 2 lots

Site Plan

The site is a 10 acre parcel that has been developed with a single family residence. The existing residence is located on the southern portion of the parcel with access from Cottonwood Avenue. The applicant is proposing to subdivide the parcel into 2 lots with areas of 2.5 acres and 7.5 acres. The existing residence will be located on the 2.5 acre parcel and the plans indicate the residence will meet all setbacks on the proposed lot. The applicant is requesting to waive the paving requirement for Willow Avenue.

### Applicant's Justification

The applicant indicates that the northern parcel will take access from Cottonwood Avenue by an easement through the southern parcel or by creating a flag lot. Paving on Willow Avenue would serve no purpose as there are no homes on this street that would benefit from a paved road. The cost of paving Willow Avenue will be excessive.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
MSM-21-600037	Minor subdivision map to subdivide the parcel into 2 lots	Reviewed by PW	April 2021

### **Surrounding Land Use**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Outlying Neighborhood (up to 0.5 du/ac)	R-U	Single family residential
South	Edge Neighborhood (up to 1 du/ac)	R-A	Single family residential
East	Outlying Neighborhood (up to 0.5 du/ac)	R-U & R-E	Single family residential
West	Edge Neighborhood (up to 1 du/ac)	R-U	Single family residential

### **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Current Planning**

##### 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.

#### **Public Works - Development Review**

Staff cannot support the request to not install the minimum required paving on Willow Avenue. Willow Avenue is designated as a 60 foot plus wide right-of-way on the Transportation Element. While paving may not currently exist on this portion of Willow Avenue, it is important to provide paving, at a minimum, for any street identified on the Transportation Element in Moapa Valley.

#### **Staff Recommendation**

Denial.

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:**

**Current Planning**

If approved:

- 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; 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 this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Execute a Restrictive Covenant Agreement (deed restrictions);
- Grant any necessary easements.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC: Moapa Valley - approval.**

**APPROVALS: 1 card**

**PROTESTS: 3 cards**

**COUNTY COMMISSION ACTION:** May 18, 2022 – HELD – To 06/08/22 – per Commissioner Kirkpatrick.

**COUNTY COMMISSION ACTION:** June 8, 2022 – HELD – To 06/22/22 – per Commissioner Kirkpatrick.

**APPLICANT: MICKI BRIGGS**

**CONTACT: MICKI BRIGGS, PO BOX 1466, OVERTON, NV 89040**