

08/03/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

UPDATE
WITTWER AVE/RICE ST
(MOAPA VALLEY)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-22-0298-PACK, TRAVIS & EMILY:

AMENDED HOLDOVER ZONE CHANGE to reclassify 4.9 acres from an R-U (Rural Open Land) Zone to an R-E (Rural Estates Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to waive off-site improvements (previously not notified).

DESIGN REVIEW for a single family residential development within the Moapa Valley Design Overlay District.

Generally located on the south side of Wittwer Avenue, 640 feet east of Rice Street within Moapa Valley (description on file). MK/al/jo (For possible action)

RELATED INFORMATION:

APN:
041-34-701-003

LAND USE PLAN:
NORTHEAST COUNTY (MOAPA VALLEY) - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

WAIVER OF DEVELOPMENT STANDARDS:
Waive off-site improvements (curbs, gutters, streetlights, and paving) for a single family residential development where required per Section 30.52.040 (previously not notified).

BACKGROUND:
Project Description
General Summary

- Site Address: 1795 Wittwer Avenue
- Site Acreage: 4.9
- Number of Lots: 4
- Density (du/ac): 0.8
- Minimum/Maximum Lot Size (square feet): 25,854/80,854
- Project Type: Single family residential development

Site Plan

The site is an approximate 4.9 acre parcel developed with a single family residence and associated accessory structures. The applicant is proposing to reclassify the site to an R-E zone

and subdivided the parcel into 4 lots for a single family residential development with a density of 0.8 dwelling units per acre. The lots will be between 25,854 square feet to 80,854 square feet in area. Access to the proposed lots will be provided by a private street that intersects with Wittwer Avenue. The private street will be 40 feet in width and terminate in a cul-de-sac in the southern portion of the site. There are no plans for the future homes on the proposed lots since this will be a custom home subdivision. **The plans are not depicting any off-site improvements to the adjacent public rights-of-way.**

Applicant's Justification

The applicant indicates that there is an existing residence on the parcel. The request is to subdivide the parcel into 4 lots. The existing residence will remain on 1 of the proposed lots and the other 3 proposed lots will be sold for the future development of custom homes. There is an existing single family residential development approximately 330 feet to the east of the site. This site and the surrounding parcels are designated as Ranch Estate Neighborhood (up to 2 du/ac) in the Master Plan; therefore, the request to reclassify the site to an R-E zone is in conformance with the Master Plan. Approval of this request will not have a negative effect on the neighborhood as the proposed zoning fits into the rural residential development of the area. The layout of the proposed subdivision and sizes of the lots are consistent and compatible with existing and planned developments in this area.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North, South, & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-U	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-U	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change & Design Review

This site is designated as Ranch Estate Neighborhood (up to 2 du/ac) in the Master Plan and a request to reclassify the site to an R-E zone is in conformance to the Master Plan. Reclassifying the site to an R-E zone complies with Goal 1.1 of the Master Plan to provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities. The request also complies in part with Policy 1.1.1 of the Master Plan to encourage the provision of diverse housing types at varied densities and in numerous locations. Therefore, staff can support these requests.

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
Waiver of Development Standards

Staff cannot support the applicant's request to not provide paved legal access to the parcel. County-maintained paving exists approximately 330 feet east of the subject parcel. Since the plan for the subject parcel is to subdivide it into 4 lots, there is no valid reason as to why the minimum paving requirements cannot be met.

Staff Recommendation

Approval of the zone change and design review; **denial of 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications will be reviewed for conformance with the regulations in place at the time of application.

Public Works - Development Review

- Drainage study and compliance;
- **Execute a Restrictive Covenant Agreement (deed restrictions).**
- Applicant is advised that off-site improvement permits may be required; **and that compliance with Section 30.52.080 of County Code is required, except as waived with this application.**

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for the proposed minor subdivision; so that SNHD may review the impact of the proposed subdivision on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available, and none are planned within the next 5 years.

TAB/CAC: Moapa Valley - approval (5 year review; deed restrictions).

APPROVALS:

PROTESTS: 3 cards

COUNTY COMMISSION ACTION: June 22, 2022 – HELD – To 08/03/22 – per the applicant.

APPLICANT: TRAVIS PACK

CONTACT: BAUGHMAN & TURNER, INC., 1210 HINSON ST., LAS VEGAS, NV 89102