



Moapa Valley Town Advisory Board

Moapa Valley Community Center

320 N. Moapa Valley Blvd.

Overton, NV 89040

January 10, 2024

7:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486 Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Judy Metz, (702) 397-6475
 - Supporting material is/will also be available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155 & Moapa Valley Community Center 320 N. Moapa Valley Blvd. Overton, NV. 89040
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/MoapaValleyTAB>.

Board/Council Members: Janice Ridondo – Chairperson
 Brian Burris - Vice-Chair
 Jill Williams
 Lori Houston
 Lois Hall

Secretary: Judith Metz, 702-397-6475. Judith.Metz@ClarkCountyNV.gov
 Business Address: Moapa Valley Community Center
 320 N. Moapa Valley Blvd. Overton, NV. 89040

County Liaison(s): William Covington, 702-455-2540, William.Covington@ClarkCountyNV.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Invocation, Pledge of Allegiance, and Roll Call

II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

III. Approval of Minutes for December 13, 2023. (For possible action)

BOARD OF COUNTY COMMISSIONERS
 JAMES B. GIBSON, Chair - TICK SEGERBLOM, Vice Chair
 JUSTIN C. JONES - MARILYN KIRKPATRICK - WILLIAM MCCURDY II - ROSS MILLER - MICHAEL NAFT
 KEVIN SCHILLER County Manager

IV. Approval of the Agenda for January 10, 2024, and Hold, Combine, or Delete any Items. (For possible action)

V. Informational Items

NONE

VI. Planning and Zoning

01/16/24 PC

1. **VS-23-0803-SUN & RIVER REVOCABLE LIVING TRUST & GOTTSCHALK JOHANNES & NATHALIE MARIE-FRANCE TRS: YACATE AND ABANDON** a portion of a right-of-way being Cooper Street located between Ramos Ranch Road and Cave Avenue (alignment) within Moapa Valley (description on file). MK/hw/syp (For possible action)
2. **WS-23-0724-BARLOW 1978 TRUST ETAL & BARLOW DOUGLAS KENT & SUSAN L TRS: WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setback; 2) reduced separation; and 3) eliminate detached sidewalk in conjunction with single family residential lots on 8.7 acres in an R-U (Rural Open Land) Zone within the Moapa Valley Overlay District. Generally located on the west side of Mills Street, 975 feet south of Wells Avenue within Moapa Valley. MK/bb/syp (For possible action)
3. **WS-23-0792-MOSDELL WESLEY & TONYA: WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback; 2) allow non-earth tone colors; and 3) eliminate sidewalks and landscaping in conjunction with a proposed single family residence on 1.8 acres in an R-A (Residential Agricultural) Zone within the Moapa Valley Overlay District. Generally located on the south side of Cottonwood Avenue and the east side of Palo Verde Street within Moapa Valley. MK/tpd/syp (For possible action)

VII. General Business

Review and approve the Meeting Calendar for 2024. (For possible approval)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: January 31, 2024.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Moapa Valley Community Center - 320 N. Moapa Valley Blvd. Overton, NV. 89040
<https://notice.nv.gov>

BOARD OF COUNTY COMMISSIONERS
JAMES B. GIBSON, Chair – TICK SEGERBLOM, Vice Chair
JUSTIN C. JONES - MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT
KEVIN SCHILLER County Manager



Moapa Valley Town Advisory Board

December 13, 2023

DRAFT MINUTES

Board Members: Janice Ridondo, Chairperson - Present
Brian Burris, Vice Chair - Present
Lois Hall - **Present**
Jill Williams – **Present**
Lori Houston -- **Excused**

Secretary: Judith Metz, 702-397-6475. Judith.Metz@clarkcountynv.gov

Liaison: William Covington, 702-455-2540, William.Covington@ClarkCountyNV.gov

I. Call to Order, Invocation, Pledge of Allegiance, Roll Call
The meeting was called to order at 7:00 p.m.

II. Public Comment

NONE

III Approval of Minutes of November 29, 2023

Moved by: Lois Hall
Action: Approved
Vote: 4-0/Unanimous

IV. Approval of Agenda for December 13, 2023

Moved by: Brian Burris
Action: Approved
Vote: 4-0/Unanimous

BOARD OF COUNTY COMMISSIONERS
JAMES B. GIBSON, Chair – TICK SEGERBLOM, Vice Chair
JUSTIN C. JONES - MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT
KEVIN SCHILLER, County Manager

V. Information Items

NONE

VI. Planning & Zoning

12/19/23 PC

1. **WS-23-0684-AMERICA FIRST FEDERAL CU:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) an entrance not facing the Moapa Valley Boulevard right-of-way; 2) attached sidewalk and alternative street landscaping; 3) exterior colors; 4) an internally illuminated monument sign; 5) an animated sign; and 6) wall signs.
DESIGN REVIEWS for the following: 1) a new financial services building with drive-thru; 2) signage; 3) lighting; and 4) alternative parking lot landscaping on 1.1 acres in a C-1 (Local Business) Zone within the Moapa Valley Overlay District. Generally located on the east side of Moapa Valley Boulevard and the south side of Virginia Avenue within Moapa Valley. MK/dd/syp (For possible action)

After general conversation regarding landscaping, colors, and signage. The Board does not want Animate LED signage but is good with all other items.

Moved by: Brian Burris

Action: Approval/w condition of no LED signage

Vote: 4-0/Unanimous

VII. General Business

Reminded Board members to file CE & FDS by January 15, 2024

VIII. Public Comment

Thank you to the Board for their work.

New Years Eve party at the Fine Arts Building at Fairgrounds.

Kids out of school Friday, with all the construction, drive carefully.

Wishes from the Board for Fabulous Holiday Season.

IX. Next Meeting Date is January 10, 2024

X. Adjournment @ 7:17

BOARD OF COUNTY COMMISSIONERS

JAMES B. GIBSON, Chair – TICK SEGERBLOM, Vice Chair

JUSTIN C. JONES - MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT

KEVIN SCHILLER, County Manager

January 2024

DRAFT

Meeting Schedule

Monday	Tuesday	Wednesday	Thursday	Friday
1	2	3	4	5
HOLIDAY	6:00 pm PC Briefing 7:00 pm PC Meeting	9:00 am BCC Meeting		
8	9	10	11	12
1:30 pm Laughlin 6:30 pm Lone Mountain 7:00 pm Moapa* 7:00 pm Paradise 7:30 pm Sandy Valley 6:00 pm Spring Valley 6:00 pm Winchester	6:00 pm Enterprise 7:00 pm Moapa Valley 6:00 pm Mt. Springs 6:00 pm Searchlight	7:00 pm Burkerville* 6:30 pm Indian Springs 6:30 pm Sunrise Manor 6:00 pm Whitney		
15	16	17	18	19
HOLIDAY	6:00 pm PC Briefing	9:00 am BCC Meeting		
22	23	24	25	26
29	30	31	1	2
6:30 pm Goodsprings 1:30 pm Laughlin 6:30 pm Lone Mountain 5:30 pm Lwr Kyle Canyon 7:00 pm Moapa 7:00 pm Paradise 6:00 pm Spring Valley 6:00 pm Winchester	6:00 pm Enterprise 7:00 pm Moapa Valley* 7:00 pm Red Rock 6:00 pm Searchlight	7:00 pm Burkerville 6:00 pm Mt. Charleston 6:30 pm Sunrise Manor 6:00 pm Whitney		

* = SPECIAL CALL MEETING

February 2024

DRAFT

Meeting Schedule

Monday	Tuesday	Wednesday	Thursday	Friday
29	30	31	1	2
6:30 pm Goodsprings 1:30 pm Laughlin 6:30 pm Lone Mountain 5:30 pm Lwr Kyle Canyon* 7:00 pm Moapa 7:00 pm Paradise 6:00 pm Spring Valley 6:00 pm Winchester	6:00 pm Enterprise 7:00 pm Moapa Valley* 7:00 pm Red Rock 6:00 pm Searchlight	7:00 pm Bunkerville 6:00 pm Mt. Charleston 6:30 pm Sunrise Manor 6:00 pm Whitney		
5	6	7	8	9
6:00 pm PC Briefing 7:00 pm PC Meeting	9:00 am BCC Meeting			
12	13	14	15	16
1:30 pm Laughlin 6:30 pm Lone Mountain 7:00 pm Moapa* 7:00 pm Paradise 7:30 pm Sandy Valley 6:00 pm Spring Valley 6:00 pm Winchester	6:00 pm Enterprise 7:00 pm Moapa Valley 6:00 pm Searchlight	7:00 pm Bunkerville* 6:30 pm Indian Springs 6:30 pm Sunrise Manor 6:00 pm Whitney		
19	20	21	22	23
HOLIDAY 6:00 pm PC Briefing 7:00 pm PC Meeting	9:00 am BCC Meeting			
26	27	28	29	1
6:30 pm Goodsprings 1:30 pm Laughlin 6:30 pm Lone Mountain 7:00 pm Moapa 7:00 pm Paradise 6:00 pm Spring Valley 6:00 pm Winchester	6:00 pm Enterprise 7:00 pm Moapa Valley* 7:00 pm Red Rock 6:00 pm Searchlight	7:00 pm Bunkerville 6:00 pm Mt. Charleston 6:30 pm Sunrise Manor 6:00 pm Whitney		

* = SPECIAL CALL MEETING

March 2024

DRAFT

Meeting Schedule

Monday	Tuesday	Wednesday	Thursday	Friday
25	26	27	28	29
6:30 pm Goodsprings 1:30 pm Laughlin 6:30 pm Lone Mountain 7:00 pm Moapa 7:00 pm Paradise 6:00 pm Spring Valley 6:00 pm Winchester	6:00 pm Enterprise 7:00 pm Moapa Valley* 7:00 pm Red Rock 6:00 pm Searchlight	6:00 pm Enterprise 7:00 pm Moapa Valley* 7:00 pm Red Rock 6:00 pm Searchlight	7:00 pm Bunkerville 6:00 pm Mt. Charleston 6:30 pm Sunrise Manor 6:00 pm Whitney	
4	5	6	7	8
6:00 pm PC Briefing 7:00 pm PC Meeting	9:00 am BCC Meeting			
11	12	13	14	15
1:30 pm Laughlin 6:30 pm Lone Mountain 7:00 pm Moapa* 7:00 pm Paradise 7:30 pm Sandy Valley 6:00 pm Spring Valley 6:00 pm Winchester	6:00 pm Enterprise 7:00 pm Moapa Valley 6:00 pm Mt. Springs 6:00 pm Searchlight	7:00 pm Bunkerville* 6:30 pm Indian Springs 6:30 pm Sunrise Manor 6:00 pm Whitney		
18	19	20	21	22
6:00 pm PC Briefing 7:00 pm PC Meeting	9:00 am BCC Meeting			
25	26	27	28	29
6:30 pm Goodsprings 1:30 pm Laughlin 6:30 pm Lone Mountain 7:00 pm Moapa 7:00 pm Paradise 6:00 pm Spring Valley 6:00 pm Winchester	6:00 pm Enterprise 7:00 pm Moapa Valley* 7:00 pm Red Rock 6:00 pm Searchlight	7:00 pm Bunkerville 6:00 pm Mt. Charleston 6:30 pm Sunrise Manor 6:00 pm Whitney		

* = SPECIAL CALL MEETING

ATTACHMENT A
MOAPA VALLEY TOWN ADVISORY BOARD
ZONING AGENDA
WEDNESDAY, 7:00 P.M., JANUARY 10, 2024

01/16/24 PC

1. **VS-23-0803-SUN & RIVER REVOCABLE LIVING TRUST & GOTTSCHALK JOHANNES & NATHALIE MARIE-FRANCE TRS:**
VACATE AND ABANDON a portion of a right-of-way being Cooper Street located between Ramos Ranch Road and Cave Avenue (alignment) within Moapa Valley (description on file). MK/hw/syp (For possible action)

2. **WS-23-0724-BARLOW 1978 TRUST ETAL & BARLOW DOUGLAS KENT & SUSAN L TRS:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setback; 2) reduced separation; and 3) eliminate detached sidewalk in conjunction with single family residential lots on 8.7 acres in an R-U (Rural Open Land) Zone within the Moapa Valley Overlay District. Generally located on the west side of Mills Street, 975 feet south of Wells Avenue within Moapa Valley. MK/bb/syp (For possible action)

3. **WS-23-0792-MOSDELL WESLEY & TONYA:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) allow non-earth tone colors; and 3) eliminate sidewalks and landscaping in conjunction with a proposed single family residence on 1.8 acres in an R-A (Residential Agricultural) Zone within the Moapa Valley Overlay District. Generally located on the south side of Cottonwood Avenue and the east side of Palo Verde Street within Moapa Valley. MK/tpd/syp (For possible action)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0803-SUN & RIVER REVOCABLE LIVING TRUST & GOTTSCHALK JOHANNES & NATHALIE MARIE-FRANCE TRS:

VACATE AND ABANDON a portion of a right-of-way being Cooper Street located between Ramos Ranch Road and Cave Avenue (alignment) within Moapa Valley (description on file). MK/hw/syp (For possible action)

RELATED INFORMATION:

APN:

070-12-601-003; 070-12-601-005; 070-12-601-019 through 070-12-601-021

LAND USE PLAN:

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

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a portion of right-of-way described as Cooper Street between its intersections with Ramos Ranch Road, Airport Road, and Lee Avenue. The right-of-way is shown to be 60 feet wide with the total length of 693.4 feet being vacated, for a total vacated area of 41,604 square feet. The applicant states that the vacation and abandonment of this portion of Cooper Street is being requested since the right-of-way is no longer needed due to the realignment of the nearby Airport Road. The applicant indicates that a private access easement will be provided to parcel 070-12-601-020 through the adjacent properties to prevent it becoming landlocked due to the vacation of Cooper Street. Finally, the applicant also states that a 20 foot wide, 693.4 foot long utility easement will be dedicated to the Moapa Valley Water District on the western portion of the existing Cooper Street right-of-way to allow for the maintenance of an existing water line.

Prior Land Use Requests

Application Number	Request	Action	Date
SC-22-0136	Changed the name of Anita Avenue to Ramos Ranch Road between Cooper Street and Deer Street	Approved by PC	May 2022
SC-22-0135	Changed a segment of Cooper Street to Airport Road between Lee Avenue and Anita Avenue	Approved by PC	May 2022

Prior Land Use Requests

Application Number	Request	Action	Date
SC-22-0134	Named Cooper Street as one continuous alignment from Lee Avenue to Willow Avenue, east of Anderson Street	Approved by PC	May 2022
ZC-0243-02	Reclassify the site from R-U to R-E zoning for a residential development of two non-conforming lots	Approved by BCC	April 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Outlying Neighborhood (up to 0.5 du/ac) & Public Use	P-F & R-U	Overton municipal airport & undeveloped
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac) & Outlying Neighborhood (up to 0.5 du/ac)	R-U & R-A	Single family residential
East	Outlying Neighborhood (up to 0.5 du/ac) & Public Use	R-U & P-F	Pioneer Hill Memorial Cemetery, single family residential & undeveloped
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac) & Outlying Neighborhood (up to 0.5 du/ac)	R-U & R-A	Muddy river channel & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of right-of-way that is not necessary for site, drainage, or roadway development.

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

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JOHANNES GOTTSCHALK

CONTACT: JOHANNES GOTTSCHALK, MOAPA VALLEY BUILDERS, 304 S JONES BLVD, SUITE 300, LAS VEGAS, NV 89107

01/16/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0724-BARLOW 1978 TRUST ETAL & BARLOW DOUGLAS KENT & SUSAN L TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setback; 2) reduced separation; and 3) eliminate detached sidewalk in conjunction with single family residential lots on 8.7 acres in an R-U (Rural Open Land) Zone within the Moapa Valley Overlay District.

Generally located on the west side of Mills Street, 975 feet south of Wells Avenue within Moapa Valley. MK/bb/syp (For possible action)

RELATED INFORMATION:

APN:

041-22-201-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the front setback for an existing single family residential home to 31 feet where 40 feet is required per Table 30.40-1 (a 23% reduction).
2. Reduce the separation between an existing shed and an existing accessory agricultural shade structure to 5 feet where 6 feet is required per Table 30.40-1 (a 17% reduction).
3. Eliminate a detached sidewalk along Mills Street where required per Section 30.64.030.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4153 Mills Street
- Site Acreage: 8.7
- Number of Lots/Units: 1 existing/4 proposed
- Project Type: Single family residential

Site Plan

The site plan depicts an 8.7 acre. R-U (Rural Open Land) parcel with an existing single family residential home located on the east side of the property adjacent to Mills Street. The home is approximately 61 feet from the current location of the west right-of-way (property) line. The property is proposed to be subdivided into 4 lots by parcel map (MSM-22-600081). The land division requires dedication of 30 feet of right-of-way that will create a non-conforming setback of 31 feet, 9 feet to the closest point of the existing house, which is less than the 40 foot minimum required by Table 30.40-1, and the subject of the waiver request #1.

Also, the parcel map will result in the existing accessory agricultural structures to be on lot 1, while the house will be on lot 2. Title 30 allows accessory agricultural structures to be on a lot prior to a principal use if the lots are adjacent and are under the same ownership. However, the existing shed and the existing shade structure are only 5 feet apart, where 6 feet separation is required. The applicant is requesting a waiver to reduce the separation requirement.

Landscaping

Landscaping is not required as lots that are 40,000 square feet or larger are exempt from this requirement. However, the applicant has requested to waive the sidewalk requirement.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is in the process of dividing the property into 4 conforming parcels for future development. The property is currently zoned R-U (Rural Open Land) and will be designated RS80 starting in 2024. The land division requires dedication of 30 feet of right-of-way for Mills Street and will bring the property line to within 31 feet of the existing single family residential home on the property. This request is for a waiver to allow a 31 foot front setback where 40 feet is required per Table 30.40-1. The applicant further states that the area is rural and no sidewalks currently exist in the area. Since the area is planned to remain rural, the need for detached sidewalks is not necessary as the residents would like the area to remain as such.

Surrounding Land Use

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

Comprehensive Planning

Waivers 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.

Waiver of Development Standards #1

The new front setback will provide adequate space for access and parking at the existing single family residential home. The home was built in 1983 and met the front setback required at the time of construction. The setback after dedication of the street will not create an undue burden for public services or create a hazardous condition for the public. Staff supports this request.

Waiver of Development Standards #2

Staff finds that existing mature landscaping along the street is sufficiently screening the existing shed and shade structure from the right-of-way. They are set back from all property lines and; therefore, will not adversely impact the surrounding area. Staff can support this request.

Waiver of Development Standards #3

Staff generally supports public sidewalks adjacent to streets in areas where pedestrian access is anticipated. This area is rural in character and would benefit from a more naturally graded area of ground. This area does not have a linked system of pedestrian sidewalks to connect with in the future. In this part of the county, there is just as likely a chance that horses will use this corridor for travel as people. Staff supports this request.

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

- Applicant is advised that 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 this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW23-12405;
- Right-of-way dedication to include 30 feet for Mills Street.

Southern Nevada Health District (SNHD) - Engineering

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

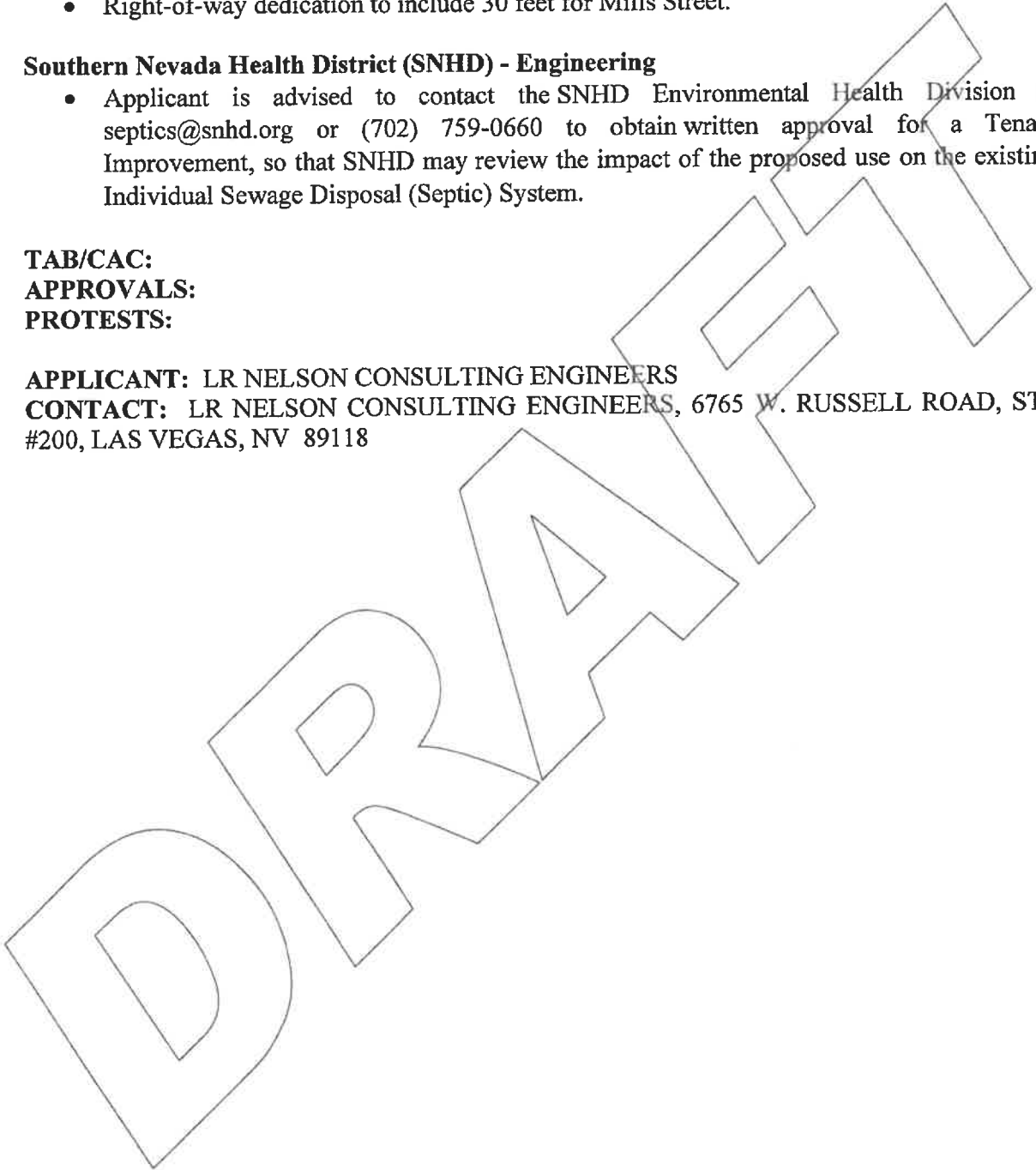
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LR NELSON CONSULTING ENGINEERS

CONTACT: LR NELSON CONSULTING ENGINEERS, 6765 W. RUSSELL ROAD, STE #200, LAS VEGAS, NV 89118



01/16/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0792-MOSDELL WESLEY & TONYA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) allow non-earth tone colors; and 3) eliminate sidewalks and landscaping in conjunction with a proposed single family residence on 1.8 acres in an R-A (Residential Agricultural) Zone within the Moapa Valley Overlay District.

Generally located on the south side of Cottonwood Avenue and the east side of Palo Verde Street within Moapa Valley. MK/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

070-11-501-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear setback to 26 feet 6 inches where 50 feet is required per Table 30.40-1 (a 47% reduction).
2. Allow non-earth tone exterior colors where earth tone exterior colors are required per Section 30.48.930.
3. Eliminate detached sidewalks and landscaping where detached sidewalks and landscaping are required per Figure 30.44-17.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 1240 Palo Verde Street
- Site Acreage: 1.8
- Project Type: Single family residence
- Number of Stories: 1
- Building Height (feet): 21
- Square Feet: 4,244

Site Plans

The plans depict a proposed 1 story single family residence located on a 1.8 acre parcel. The single family residence features the following setbacks: 1) 26 feet 6 inches from the east property lines (rear); 2) 40 feet from the west property line (front); and 3) 140 feet from the south property

line adjacent to Bader Street. An existing pole barn located immediately to the northeast, approximately 19 feet from the single family residence will be removed. A proposed propane tank will be located 25 feet south of the residence while the septic tank will be located 12 feet south of the residence, and measures 10 feet in length. Access to the subject property is granted via a proposed concrete driveway off Palo Verde Street.

Landscaping

There is no landscaping or sidewalk provided which necessitates a waiver of development standards for landscaping and detached sidewalks.

Elevations

The plans depict a proposed single family dwelling measuring up to 21 feet in height. The exterior of the dwelling will consist of a stucco finish with pitched concrete roof tile and exterior cultured stone. The fascia, soffit, stucco, and garage door will be white; while the rain gutter, window trim, light fixtures, and house numbers will be black. The roof will be a dark grey and the stone will have a mix of white and earth tones. There will be low-e vinyl framed windows placed on all sides of the dwelling, measuring in various heights. The attached covered patio to the east of the residence will be open on the north, east, and south sides. The front of the dwelling will be to the west and features a covered entry with a decorative fence that measures 3 feet in height.

Floor Plans

The proposed single family residence measures 2,890 square feet in area. The plans also depict a 602 square foot 2 car garage, a 564 square foot covered patio, and a 188 square foot covered entry. There will be 3 bedrooms, 2 and a half bathrooms, a home office, living room, laundry room, kitchen, dining room, mud room, and a courtyard.

Applicant's Justification

The applicant states the subject parcel is narrow and while the 40 foot front setback is met, the rear setback cannot be met. Allowing a reduced rear setback while maintaining the front setback would ensure that neighboring pedestrians are not impacted by the proposed dwelling. The second waiver in this request is to allow for the dwelling to be painted pure white and black instead of earth tone colors. The third waiver in this request is to eliminate detached sidewalks and the required landscaping as there are no sidewalks in the surrounding area. This is because there are no sidewalks in the surrounding area thus the required landscaping for detached sidewalks is not needed either. There is an active building permit (BD23-42281) for the proposed dwelling and the existing pole barn will be removed.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Outlying Neighborhood (up to 0.5 du/ac)	R-U	Single family residential
South, East,	Outlying Neighborhood (up to 0.5 du/ac)	R-A	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
West	Edge Neighborhood (up to 1 du/ac) & Outlying Neighborhood (up to 0.5 du/ac)	R-A	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

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

This site is located within the Moapa Valley Overlay and classified as a rural location. This classification allows for lower density housing, for which the applicant is proposing. While the proposed setback does not meet Title 30 standards for this R-A classification, there is still a substantial setback proposed from the rear property line. However, there are no substantiated documents provided as to why the proposed single family dwelling cannot be elongated so that it is less wide and thus meets the required rear setback. While staff recognizes the narrow nature of the parcel, there is still plenty of space to build the dwelling to the total square footage as proposed with the recommended modifications. This is a self-imposed hardship and staff cannot support this request.

Waiver of Development Standards #2

As mentioned previously, the site is located within the Moapa Valley Overlay. This designation requires that structures be painted in earth tone colors as to preserve the rural desert feeling of the area. A home painted in pure white and black colors will not match the other homes in surrounding area with earth tone colors. It is for these findings that staff can not support this request.

Waiver of Development Standards #3

The surrounding area does not have any established sidewalks or landscaping along the right-of-way. Staff could support the requests to waive the required detached sidewalks and landscaping, since it would be consistent with the surrounding area. However, since staff cannot support waivers of development standards #1 and #2, staff is unable to recommend approval of this request.

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:

Comprehensive Planning

If Approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property appears to have an existing septic system; to please contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures; the location of existing public sanitary sewer is greater than 400 feet from the parcel; and that upon approval of change in use of the property and if connecting to public sanitary sewer, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MOAPA VALLEY BUILDERS

CONTACT: MOAPA VALLEY BUILDERS, 304 S. JONES BLVD SUITE 300, LAS VEGAS, NV 89107