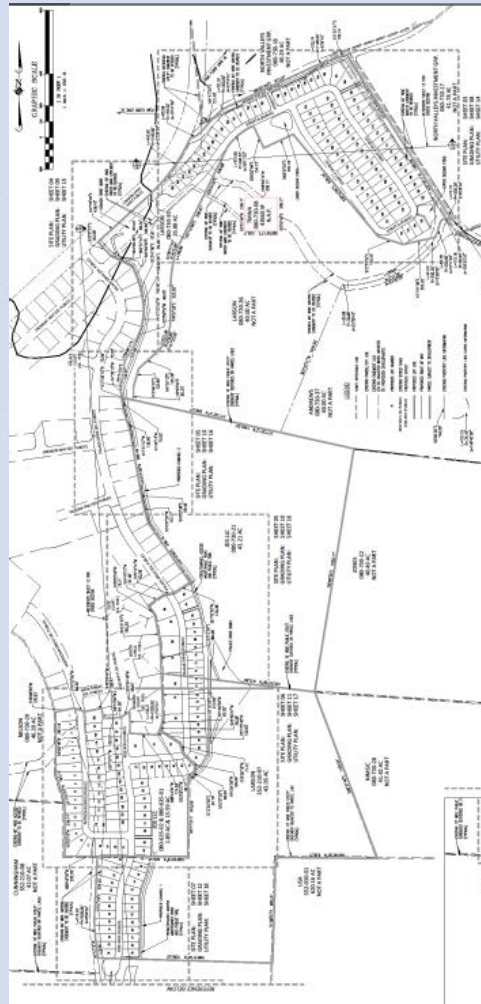




WTM18-001 (Lemmon Valley Heights)



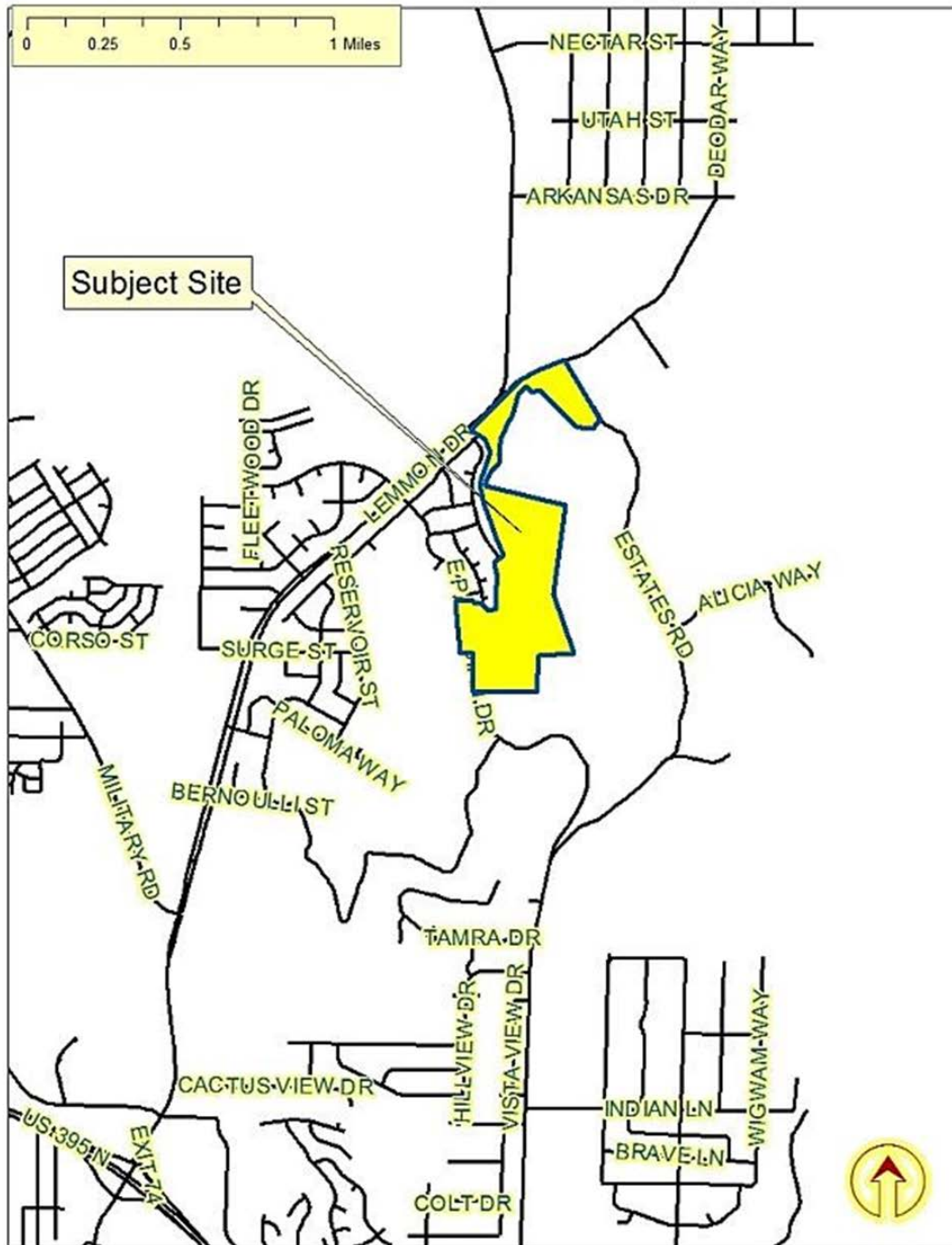
Board of County Commissioners
April 24, 2018



Overview

- **206-lots**
- **common open space**
- **from 4,500 square feet to 17,206**
- **Side yard setbacks: 5 feet**
- **Lot widths: 45 feet minimum.**

Vicinity Map





Appeal

- **Tammy Holt-Still filed an appeal of the decision of the Planning Commission on March 13, 2018, based upon:**
 - Flood risk
 - Health risks
 - Hydrological reports not peer-reviewed
- **Appeal Application included in Staff Report**

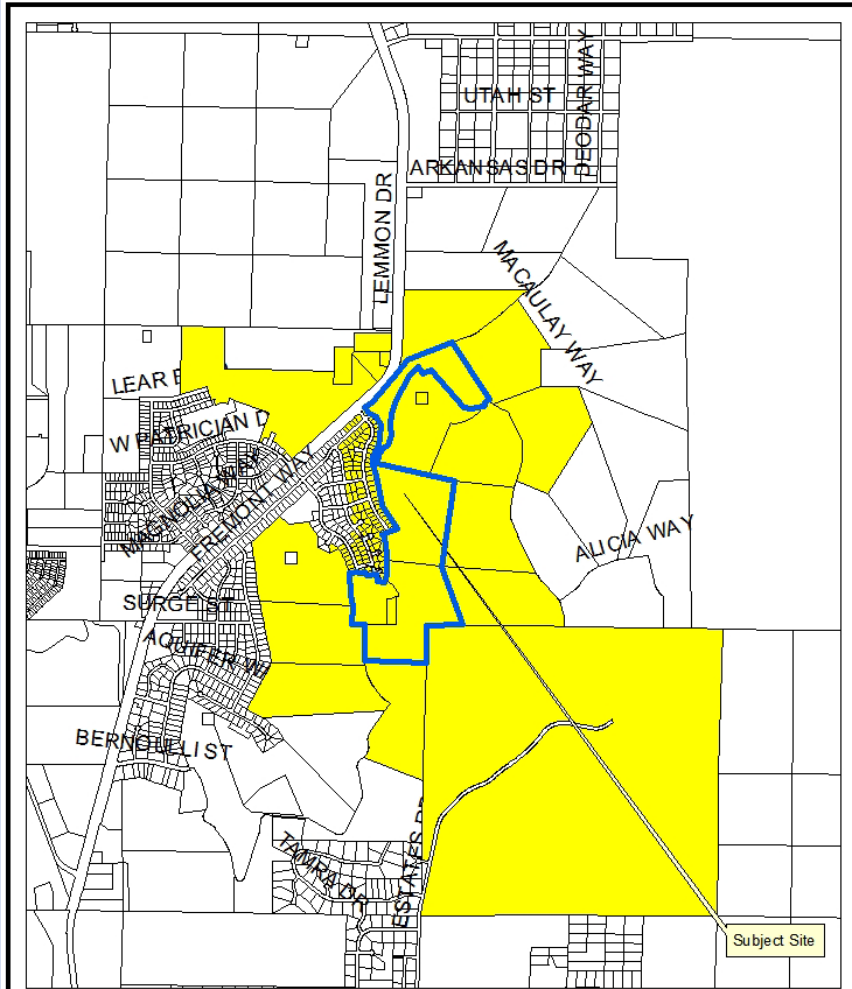


Standing (Right) to Appeal

- **The Deputy District Attorney provided substantial analysis of “standing” or the legal right to appeal a decision.**
- **Page 3 through 5 of the Staff Report.**
- **“Aggrieved” person is generally within 500 feet of the project.**
- **The Appellants property is approximately 13,200 feet from the proposed project site.**
- **It is requested that the BCC make a finding as to whether or not the appellant has standing, as part of the action on this item.**



Public Notice & CAB



- North Valleys CAB met on 2/12 recommended approval.
- Notice provided to 146 parcels within 500 feet of the proposed subdivision.
- Notice Provided for both PC and BCC hearings.

Mailing Label Map
Tentative Subdivision Map Case Number WTM18-0001
Lemmon Valley Heights
146 Parcels selected at 500 feet.



Community Services
Department
Planning and
Development Division
WASHOE COUNTY
NEVADA

Post Office Box 11120
Reno, Nevada 89520
775.335.5800

Date: January 2018

Source: Planning and Development Division

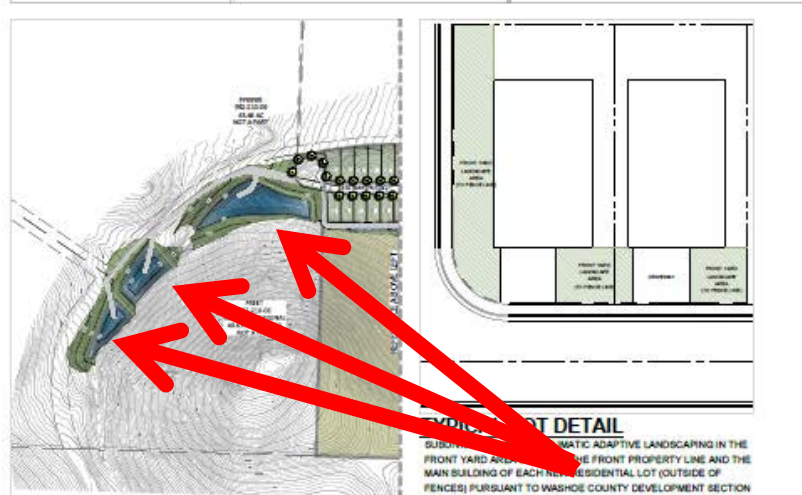
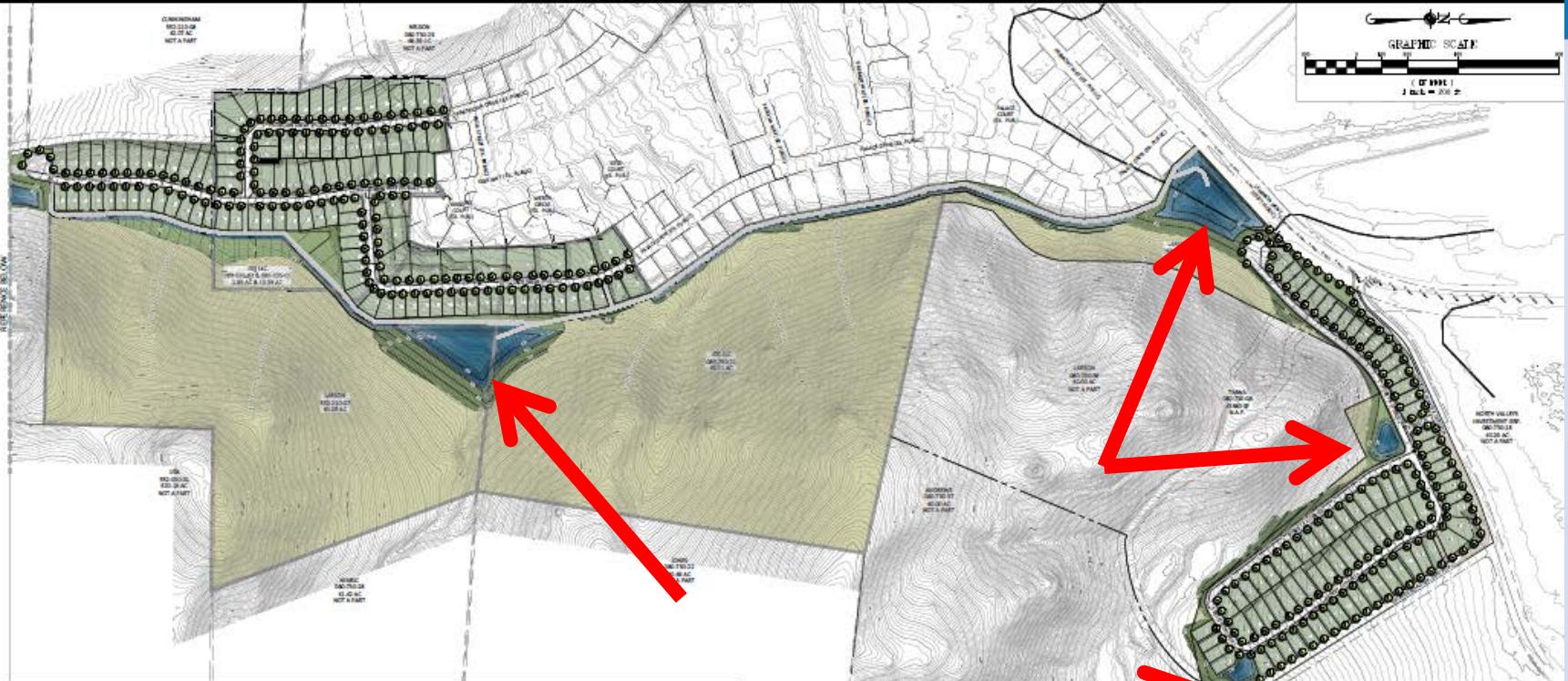


Planning Commission Action

- **Hearing held on March 6, 2018**
- **The Planning Commission approved the proposed subdivision with a vote of five in favor and two opposed.**
- **Planning Commission made all required findings of fact.**



Storm Water Retention Basins



LEGEND

- STREET TREE
- PRIVATE LOTS
- REVEGETATED / COMMON OPEN SPACE
- UNDISTURBED AREAS (NATIVE)
- POND LANDSCAPING / DITCH LANDSCAPING
- ACCESS ROAD / TRAIL

PRELIMINARY LANDSCAPE PLAN NOTES:

1. ALL AREAS DISTURBED BY GRADING ACTIVITIES (REVEGETATED / COMMON OPEN SPACE) ARE TO RECEIVE EROSION CONTROL DRYLAND NATIVE REVEGETATION SEED MIX IMMEDIATELY AFTER GRADING UNLESS SHOWN OTHERWISE. EXISTING VEGETATION SHALL NOT BE DISTURBED MORE THAN 15 DAYS BEFORE GRADING IS SCHEDULED TO BEGIN.
2. ALL POND / DITCH AREAS ARE TO BE TREATED WITH A COMBINATION OF RIP-RAP AND NATIVE REVEGETATION SEED MIX.
3. ALL LANDSCAPED AREAS OUTSIDE OF LOTS ARE TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION (HOA).
4. STREET TREES ARE SHOWN AT 50 SPACING PER WASHOE COUNTY STANDARDS AND ARE TO BE LOCATED 8' FROM RDW. TREES WITHIN LOTS ARE TO BE MAINTAINED BY HOMEOWNER. TREES OUTSIDE OF LOTS ARE TO BE MAINTAINED BY THE HOA.
5. COMMON AREA TREE IRRIGATION TO BE BY METEDED, DRIP IRRIGATION SYSTEM.
6. STREET TREES TO BE IRRIGATED BY INDIVIDUAL LOT-OWNER'S METER.
7. PRIVATE LOTS TO BE LANDSCAPED AND MAINTAINED BY OWNER AND SHALL MEET MINIMUM STANDARDS AS SHOWN IN "TYPICAL LOT DETAIL"



Project Evaluation

- **Development on flatter areas**
- **Steep areas to remain as open space permanently**
- **Compliance with Grading Code (Art 438) will be required at Final Map**
- **Community Water and Sewer services are available**
- **Storm water run off will be reduced**
- **Parcel size will match when adjacent to existing development**



Tentative Subdivision Map Findings

1. Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
2. Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
3. Type of Development. That the site is physically suited for the type of development proposed;
4. Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
5. Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;



Tentative Subdivision Map Findings

6. Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
7. Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
8. Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
9. Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
10. Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.



Recommendation

It is recommended that the Board of County Commissioners affirm the decision of the Planning Commission and uphold the approval of Tentative Subdivision Map Case Number WTM18-001 (Lemmon Valley Heights).



Possible Motion

“Move to affirm the approval, with conditions, of Tentative Subdivision Map Case Number WTM18-001 (Lemmon Valley Heights), having found that the appellant lacks standing and/or having not found that the decision of the Planning Commission:

- A. Was made contrary to the constitution, a statute, an ordinance or regulation, or the law of the case;**
- B. Exceeds the jurisdiction or statutory authority of the deciding official or body;**
- C. Was made on unlawful procedure;**
- D. Is affected by an erroneous interpretation or other error of law;**
- E. Is clearly erroneous in view of the reliable, probative and substantial evidence on the whole record, or**
- F. Is arbitrary or capricious or characterized by abuse of discretion.”**



Questions?