206-lots

common open space

from 4,500 square feet to 17,206

Side yard setbacks: 5 feet

Lot widths: 45 feet minimum.
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- Hydrological reports not peer-reviewed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
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.
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.
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

PRELIMINARY LANDSCAPE PLAN NOTES:
1. All streets, sidewalks, curbs, gutters, and areas surrounding common open spaces are to receive broom control, sprayer, and native revegetation. Seed mix immediately after grading unless otherwise provided. Existing vegetation shall not be disturbed more than 10 days before grading is scheduled to begin.
2. All residential lots are to be treated with a combination of strip and native revegetation seed mix.
3. All landscaped areas outside of lots are to be maintained by the homeowner's association.
4. All trees and shrubs are to be spaced per Washoe County standards and are to be located at grade. Those within lots are to be maintained by homeowner. Trees outside of lots are to be maintained by the HOA.
5. Common area trees (irrigation to be supplied by HOA) shall be irrigated by individual lot owners’ meter.
6. Street trees to be irrigated by individual lot owners’ meter.
7. Private lots to be spaced 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
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;
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).
“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?