



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: DIR-14960 - WATER FEATURE EXEMPTION -
APPLICANT/OWNER: CANYON OAKS OWNERS ASSOCIATION

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The applicant shall pay a fee to the City through the Planning and Development Department of \$1,090.00 to operate the water feature through December 31, 2006. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of \$250.00 shall be paid.
2. The applicant shall post a sign at the water feature to indicate an exemption has been received allowing its operation.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to allow the operation of a 109 square foot water feature at the entry way to an existing single family residential development adjacent to the northwest corner of Crestdale Lane and Aspen Ridge Avenue.

EXECUTIVE SUMMARY

The request from the applicant would allow the operation of an existing water feature, which is located at the entrance to an existing single family residential development. The 109 square foot calculation is derived from the area of the water feature that comes into contact with water.

ANALYSIS

The applicant is proposing to re-activate an existing 109 square foot water feature, which is located at the entrance to the Canyon Oaks residential subdivision. The applicant is not removing any turf in conjunction with the re-activation of the water feature. A fee of \$1,090.00 dollars will be required to re-activate the fountain if the exemption is approved. The applicant has been advised of the fees associated with the re-activation, and has agreed to pay the fees if approved. Additionally, the applicant will be required to pay an additional yearly fee of \$250.00 when either the Drought Watch or Drought Alert is declared.

Pursuant to Title 14.11.190, the City Council may approve exemptions to allow the operation of water features during Drought Watch and Drought Alert as defined by the Southern Nevada Water Authority (SNWA). On sites where turf exists at the time of the exemption request, 50 square feet of turf shall be converted to drought tolerant landscaping (such as desert landscaping) to allow for each square foot of water feature area. In cases where there is not enough turf at the time of the request to meet this ratio, a fee of \$10 per square foot of surface area shall be paid for the remaining portion of the water feature area not covered by the turf conversion. In cases where there is no turf on the subject site, the \$10 per square foot of water feature area shall be applied.

The SNWA notes that there are no outstanding violations regarding this water feature.

Title 14.11.190 states that a water reduction plan is required for exemption eligibility. The submitted plans for this site indicate that the subject water feature contains 109 square feet of surface area. There is no turf to convert to as part of this request. In the event that the required water savings cannot be achieved, as in this case, Title 14.11.190 states that a fee must be paid to allow for the exemption. Therefore, the amount of the fee the applicant shall be required to pay to allow for the operation of the water feature during the current declaration of Drought Alert is \$1,090. In subsequent years when either Drought Watch or Drought Alert is declared, the property owner shall pay an annual fee of \$250 to allow for the continued operation of the water feature.

In order to inform the public that an exemption has been received for the subject water feature, the applicant shall post a sign adjacent to the subject water feature indicating such. This is in conformance to Title 14.11.

FINDINGS

The re-activation of the 109 square foot water feature is minor in nature and does not impose an undue hardship on the Southern Nevada Water Authority. Therefore, staff can support the proposed water feature exemption as conditioned.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0