

Hem # 54B

**City of Carson City
Agenda Report**

Date Submitted: June 10, 2008

Agenda Date Requested: June 19, 2008
Time Requested: Consent

To: Board of Supervisors

From: Larry Werner, City Manager

Subject Title: Action to appoint one member to the Planning Commission for a four year term ending June, 2012.

Staff Summary: Carson City Municipal Code chapter 18.02.01 and NRS 278.030 provide for a Planning Commission to be composed of not more than seven members who shall be appointed by the Board of Supervisors. There is one vacancy for a four year term due to an existing members term expiring. There is one applicant.

Type of Action Requested: (check one)
 Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to appoint Steven Reynolds to the Carson City Planning Commission for four year terms ending June, 2012.

Explanation for Recommended Board Action: There is one opening on the Planning Commission due to a members term expiring. Steven Reynolds has requested reappointment and there are no other applicants for this position.

Applicable Statute, Code, Policy, Rule or Regulation: C.C.M.C. 2.12.020, N.R.S 278.030

Fiscal Impact: None

Explanation of Impact:

Funding Source:

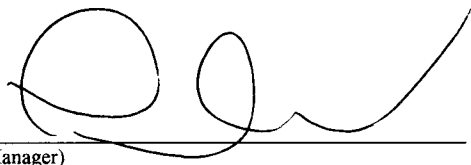
Alternatives:

Supporting Material: Application for reappointment, roster, recruitment announcement, C.C.M.C. 18.02.010, and NRS 278.030.

Prepared By: Rose Gardner, Management Assistant

Reviewed By:

(City Manager)



Date:

6-10-07



(District Attorney)

Date:

6-10-08

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

requesting reappointment

Carson City Application for Appointive/Volunteer Position

Please print or type

Title of Board or Commission: Planning Commission

Title of Position: Commissioner

Name: Reynolds Steven M
Last First Middle Initial

Address: 388 Pasture CC NV 89701
Street City State Zip

Occupation/Business: Business Owner

Telephone: Work- 750-8244 Home- 882-6749 Cell- 750-8244

E-mail- signpro@pyramid.net

How long have you lived in Carson City: 14 Are you an active Carson City Registered Voter: yes

Note: only complete if a degree is required for this position

College, professional, vocational or other schools attended	Major Subject	Degree Conferred

List any professional license(s) and or certification(s):

License/Certification	License/Certification #

1. Briefly describe the qualifications you possess which you feel would be an asset to this board/commission/committee.

BOC 1 term as Planning Commissioner.
 2 terms on Regional Transp. Committee
 Knowledgeable about Carson City Master Plan, ordinances, goals, growth, state statutes, etc. regarding growth & community planning.

2. List the community organizations in which you have participated and describe participation.

Chairperson - CC Chamber of Commerce
 Board - Rotary Club of Carson City
 Associate - Builder's Assn. of Western Nevada

3. List your affiliation with professional or technical societies. (if required for the Position)

[Empty box for professional or technical societies affiliation]

4. Do you anticipate any potential conflicts of interest? If yes, please explain.

None additional to those existing in first term.

Business in Carson City Service Area: *Yes - Mount Rose Marketing/Sign Pro*

Length of time in Business: *8 years*

Personal/Professional References:

Name	Address	Telephone #

I have sufficient time to devote to this community and plan to attend the required meetings if I am appointed to fill this or a future vacancy. I understand that if I am appointed to a Board/Commission or Committee where a disclosure of Assets Statement is required by State Law or Council Policy I shall do so, and that I may not assume office until 10 days after statement is filed. I hereby declare that all statements given by me on this form are truthful and complete to the best of my knowledge.

[Handwritten Signature]

Signature of Applicant

5-21-08

Date

You may attach more information.

All applications are public information.

Applications not acted upon will expire after two years from date submitted unless renewed by applicant.

Mail directly to Carson City Executive Offices
201 N. Carson Street #2, Carson City NV 89701
(775)887-2100 Fax(775)887-2286

PLANNING COMMISSION MEMBERSHIP

<u>MEMBERSHIP</u>	<u>APPOINTMENT</u>	<u>TERM EXPIRES</u>
William Vance 205 S. Ormsby Blvd. Carson City NV 89703 882-4764 (h) 220-7929 (c) vancenv@yahoo.com	Partial Term 6/04 Reappt.6/2005	6/2009
Craig Mullet 3710 Timberline Dr. Carson City, NV 89703 885-1779 (h) 450-1870 (c) 885-0536 (f) team1cm@msn.com	Initial Term 06/03 Reappt. 6/2007	6/2011
Mark Kimbrough (Vice Chair) 6163 Rio Vista Lane Carson City NV 89701 298-0233 (w) 885-2095 (h) 298-0013 (f) mkimbrough@parks.state.nv.us	Initial Term 6/02 Reappt. 6/06	6/2010
George Wendell P.O. Box 4447 Carson City NV 89702 885-7722 (w) 882-1800 (h) 412-2262 (c) vccwendells@sbcglobal.net	Initial Term 6/07	6/2011
John Peery (Chair) 2352 Gentry Lane Carson City NV 89701 887-9348 (w) 885-0307 (h) 887-9288(f) djpeery@gbis.com	Initial Term 6/01 Reappt. 6/05	6/2009
Connie Bisbee 685 E. College Parkway #24 Carson City NV 89706 687-5049 x 231(w) 885-2949 (h) 220-5008 (c) 687-6736 (f) cbisbee@parole.nv.us	Partial Term 6/05 Reappt. 6/06	6/2010
Steve Reynolds 388 Pasture Drive Carson City NV 89701 887-8817 (w) 882-6749 (h) 887-8824 (f) 750-8244 (c) signpro@pyramid.net	Initial Term 6/04	6/2008

ELECTED/APPOINTED REPRESENTATIVES

Walter Sullivan
Planning & Community Development
887-2188 ext 1001

Tom Grundy
Development Engineering
887-2305 ext. 1204

Attorney Assignment: District Attorney's Office
887-2070

AUTHORITY: NRS 278.030 and CCMC 18.02.010 requires 4-year staggered terms with seven resident members. Terms to expire every June 30th

MEETINGS: This Commission usually meets the last Wednesday of every month at 3:30 p.m. at the Community Center, Sierra Room.

PURPOSE: To follow the requirements of the City's Charter, as well as CCMC Title 18 and NRS 278.

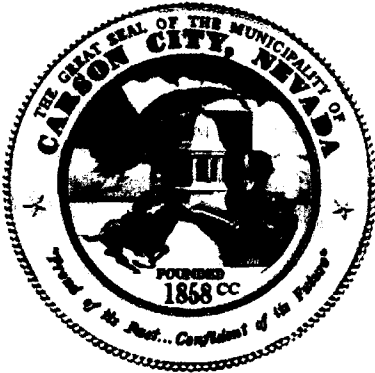
TYPICAL DUTIES: The approval of special use permits, variances, subdivisions, changes of land use, master plan amendments, street abandonments, etc.

Coordinator: Walt Sullivan, Planning and Community Development.

7/25/08
emailed

Wait - 2188 x 1001

~~Expiring~~
Steve Reynolds



CARSON CITY PLANNING COMMISSION

The Carson City Board of Supervisors is seeking applications from persons interested in serving for about 12 to 16 hours a month on the Carson City Planning Commission. This Commission oversees all matters pertaining to Carson City's planning and zoning, land use and growth management. Meetings are the last Wednesday of every month at 3:30 P.M. There is one opening for a four year term, expiring June, 2012.

The Board of Supervisors shall appoint a qualified person to the Commission who is a resident and registered voter of Carson City.

Volunteer applications may be obtained from the Carson City Executive Offices or on our website. **Applications will be accepted until May 30, 2008.**

Let it be known that all applications submitted to this office for this position will be considered public information.

CARSON CITY EXECUTIVE OFFICES
201 N. Carson Street #2
Carson City, Nevada 89701
(775) 887-2100 FAX 887-2286
E-Mail rgardner@ci.carson-city.nv.us
Web Page <http://www.carson-city.nv.us>
AN EQUAL OPPORTUNITY EMPLOYER

CCMC - 18.02.005 Short title.

1. This title shall be known and may be cited in all proceedings as the Carson City Zoning Ordinance. (Ord. 2001-23 § 2 (part), 2001).

18.02.007 Power of board of supervisors (hereinafter in Title 18 referred to as "board")- Zoning and planning.

1. The board may:

- a. Divide Carson City into districts and regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land within those districts.
- b. Adopt master plans for Carson City which will serve as a pattern and guide for the kind of orderly physical growth and development of the city that will minimize impairment of the city's natural resources.
- c. Establish and adopt ordinances and regulations relating to the subdivision of land.

2. The board shall carry out the provisions of subsection 1 in the manner prescribed by Chapters 278 and 278A of Nevada Revised Statutes (NRS). (Ord. 2001-23 § 2 (part), 2001).

18.02.010 Planning commission.

1. Purpose. The purpose of this ordinance is to specify the establishment and authority of the Carson City Planning Commission (hereinafter in Title 18 referred to as "commission").

2. Authority; powers; duties; review by the board.

- a. The commission is hereby created, pursuant to NRS 278.030.
- b. The commission shall perform all duties and functions delegated to a County Planning Commission by the terms of NRS 278.010 to 278.630, inclusive, and CCMC Title 2 (Planning Commission).
- c. The commission shall take action to approve, conditionally approve or deny special use permits, variances, and appeals of administrative decisions. The commission shall hear applications and recommend to the board action on changes to the Master Plan, zoning districts, amendments to Title 18 ordinances, amendments to the Development Standards, and all other appropriate subjects.
- d. On matters where the commission takes final action, the proponent, any aggrieved party, or member of the board may appeal the decision to the board.
- e. On matters where the commission makes a recommendation to the board, the board by majority vote may affirm, deny, or return to the recommendation to the commission for further consideration of any proposed recommendations.

3. Membership; terms of office; vacancies; removal; attendance by director.

- a. There shall be seven (7) members of the commission.
- b. The terms of the members shall be four (4) years or until a successor takes office and all terms shall expire on June 30th of their respective years.
- c. Vacancies occurring before the expiration of a commissioner's term shall be filled for the remaining unexpired portion of the term.
- d. Members may be removed, after a public hearing, by a majority vote of the board for inefficiency, neglect of duty, or malfeasance of office.

e. The Planning and Community Development Director (hereinafter in Title 18 referred to as director) or his designee shall be in attendance at all commission meetings.

4. Qualifications.

a. The mayor shall appoint, with the approval of the board, the members of the commission.

b. The members shall be residents of Carson City and registered voters therein at the time of their appointment and continuously throughout their term.

5. Compensation. All members of the commission shall serve without compensation.

6. Meetings and Records.

a. The commission shall hold at least one (1) regular meeting in each month.

b. The commission shall adopt by-laws and rules for the transaction of their business and shall keep a record of its decisions and findings. This record shall be a public record.

c. Complete records of official actions of the commission shall be kept on file in the office of the planning and community development department.

7. Chairman and Other Officers.

a. The commission shall elect yearly its chairman from among the appointed members.

b. The commission shall elect yearly other offices as it may determine necessary. (Ord. 2001-23 § 2 (part), 2001).

2. Before submitting a recommendation for proposed legislation or beginning any program or project relating to the mandatory provisions of the comprehensive regional plan, a unit of local government or an affected entity shall file all relevant information relating to that request, program or project with the governing board.

(Added to NRS by 1989, 766)

NRS 278.0288 Exempted region. The region defined in NRS 278.790 is exempt from the provisions of NRS 278.026 to 278.029, inclusive, and 278.145.

(Added to NRS by 1989, 766; A 1991, 954)

NRS 278.029 Facilities plan not required. Nothing contained in the provisions of NRS 278.026 to 278.029, inclusive, requires any entity that has not already adopted a facilities plan to do so.

(Added to NRS by 1989, 766)

PLANNING COMMISSIONS

NEVADA CASES.

Citizens could not use the initiative process to invoke an administrative act. Where a group of concerned citizens attempted, by way of the initiative process (see Nev. Art. 19, §§ 2 and 4), to require a county to preserve in perpetuity a particular park and fairgrounds, the supreme court explained that although the initiative process applies to legislation, it does not apply to administrative acts. Because issues of the control, management and disposal of county real property (see NRS 244.281, 244.282 and 278.030 et seq.) are

governed by statute, with the applicable statutory provisions to be carried out by local governmental entities, the proposed initiative to preserve the park and fairgrounds amounted to an improper attempt to control administrative acts, rather than a permissible attempt to legislatively create a new course of policy. *Glover v. Concerned Citizens for Fuji Park*, 118 Nev. ___, 50 P.3d 546 (2002)—(Adv. Op. No. 52), cited, *Citizens for Pub. Train Trench Vote v. City of Reno*, 118 Nev. ___, at ___, 53 P.3d 387 (2002)—(Adv. Op. No. 60), AGO 2002-33 (9-11-2002)

NRS 278.030 Creation by cities and counties; number of members.

1. The governing body of each city whose population is 25,000 or more and of each county whose population is 40,000 or more shall create by ordinance a planning commission to consist of seven members.

2. Cities whose population is less than 25,000 and counties whose population is less than 40,000 may create by ordinance a planning commission to consist of seven

(2003)

278-60

members. If the governing body of any city whose population is less than 25,000 or of any county whose population is less than 40,000 deems the creation of a planning commission unnecessary or inadvisable, the governing body may, in lieu of creating a planning commission as provided in this subsection, perform all the functions and have all of the powers which would otherwise be granted to and be performed by the planning commission.

[Part 3:110:1941; A 1947, 834; 1943 NCL § 5063.02]—(NRS A 1973, 914; 1989, 1917; 2001, 1967)

NRS CROSS REFERENCES.

City planning commissions, NRS 268.110-268.220

Population defined, NRS 0.050

WEST PUBLISHING CO.

Zoning and Planning — 351.

WESTLAW Topic No. 414.

C.J.S. Zoning and Land Planning §§ 97, 177 to 185.

ATTORNEY GENERAL'S OPINIONS.

Creation of a planning commission is optional with a governing body. In counties having less than 15,000 (now 25,000) population, the governing body of the city or county may dissolve its planning commission, because, under NRS 278.030, the creation of a planning commission is optional with the governing body. AGO 20 (4-23-1971)

NRS 278.040 Members: Appointment; qualifications; compensation and expenses; terms; removal; vacancies.

1. The members of the planning commission are appointed by the chief executive officer of the city, or in the case of a county by the chairman of the board of county commissioners, with the approval of the governing body. The members must not be members of the governing body of the city or county. The majority of the members of the county planning commission in any county whose population is 400,000 or more must reside within the unincorporated area of the county.

2. In Carson City, the members of the planning commission established as provided in NRS 278.030 are appointed by the Mayor from the city at large, with the approval of the Board of Supervisors.

3. The governing body may provide for compensation to its planning commission in an amount of not more than \$80 per meeting of the commission, with a total of not more than \$400 per month, and may provide travel expenses and subsistence allowances for the members in the same amounts as are allowed for other officers and employees of the county or city

4. Upon compliance with the terms of the ordinance, the owner or operator of the theme park or permanent exhibition is not required to acquire any license or certificate from a state agency which would otherwise be required to operate a lift, tramway, monorail, elevator, escalator, roller coaster or other conveyance used primarily in connection with the theme park or permanent exhibit.

(Added to NRS by 1987, 508)

WEST PUBLISHING CO.
Theaters and Shows ⇐ 3.

WESTLAW Topic No. 376.
C.J.S. Theaters and Shows §§ 17 to 30.

REGIONAL PLANNING AGENCIES

WEST PUBLISHING CO.
Zoning and Planning ⇐ 13.5.

WESTLAW Topic No. 414.
C.J.S. Zoning and Land Planning § 10.

NRS 268.098 City's powers subordinate to powers of Nevada Tahoe regional planning agency. [Effective upon proclamation by governor of withdrawal of California from Tahoe Regional Planning Compact or of his finding that the Tahoe Regional Planning Agency has become unable to perform its duties or exercise its powers.] In the region of this state for which there has been established by NRS 278.780 to 278.828, inclusive, a regional planning agency, the powers of every city which relate to planning, subdivision regulation and zoning are subordinate to the powers of such regional planning agency.

(Added to NRS by 1969, 51; A 1979, 1133, effective upon proclamation by governor of withdrawal of California from Tahoe Regional Planning Compact or of his finding that the Tahoe Regional Planning Agency has become unable to perform its duties or exercise its powers)

NRS 268.099 City's powers subordinate to powers of regional planning agency. In any region of this state for which there has been established by interstate compact a regional planning agency, the powers conferred by this chapter which relate to planning, subdivision regulation and zoning are subordinate to the powers of such regional planning agency.

(Added to NRS by 1968, 13; became effective upon proclamation by the governor of the enactment of the Tahoe Regional Planning Compact by the State of California and its approval by the Congress of the United States)

CITY PLANNING COMMISSION

WEST PUBLISHING CO.
Zoning and Planning ⇐ 351 and 358.
WESTLAW Topic No. 414.

C.J.S. Zoning and Land Planning §§ 3, 10, 21,
97, 177 to 189.

NRS 268.110 Creation by ordinance. The city council or governing body under any other name of any incorporated city may, by ordinance, create a city planning commission for such city.

[Part 1:131:1921; NCL § 1267]