

**City of Carson City
Agenda Report**

Date Submitted: September 27, 2011

Agenda Date Requested: October 6, 2011

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Public Works - Planning Division

Subject Title: For Possible Action: To adopt Bill No. 117, on second reading, Ordinance No. 2011-___, an ordinance amending Carson City Municipal Code Title 17, Division of Land, Subdivision of Land, Chapter 17.06, Final Maps, Section 17.06.015, Time Limit For Recording, and Chapter 17.09 Planned Unit Development, Section 17.09.055 Time Limits for Filing Application for Final Approval, to modify the time limits for recording a final map in accordance with NRS. (ZCA-11-049) (Lee Plemel)

Summary: The State Legislature amended NRS in 2009 to extend tentative subdivision map approvals from two to four years, with two year extensions rather than one year extensions. These provisions were to expire in 2013, but the Legislature adopted a bill in 2011 (AB 454) that eliminated the sunset of the extended time periods and made them permanent. The ordinance would implement the Legislative changes.

Type of Action Requested:

Resolution

Formal Action/Motion

Ordinance-Second Reading

Other (Specify)

Does This Action Require A Business Impact Statement: () Yes (X) No

Prior Board Action: Approved the ordinance on first reading on September 15, 2011, by a vote of 5 ayes and 0 nays.

Recommended Board Action: I move to adopt Bill No. 117, on second reading, Ordinance No. 2011-___, an ordinance amending Carson City Municipal Code Title 17, Division of Land, Subdivision of Land, Chapter 17.06, Final Maps, Section 17.06.015, Time Limit For Recording, and Chapter 17.09 Planned Unit Development, Section 17.09.055 Time Limits for Filing Application for Final Approval, to modify the time limits for recording a final map in accordance with NRS.

Explanation for Recommended Board Action: The Board of Supervisors, pursuant to Carson City Municipal Code, is required to take final action on all code amendments. See the attached staff report to the Planning Commission for more explanation.

Applicable Statute, Code, Policy, Rule or Regulation: 18.02.075 Zoning Code Amendments

Fiscal Impact: N/A

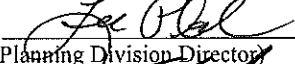
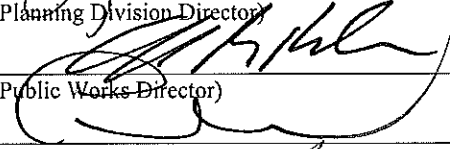
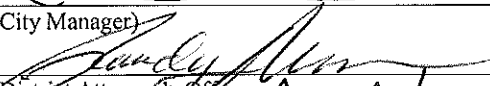

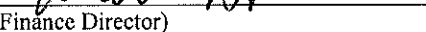
Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Refer back to staff and Planning Commission for further review.
2) Do not introduce the ordinance (leave the code requirements the same as they are now).

Supporting Material: 1) Ordinance

Prepared By: Janice Brod, Grants Program Coordinator

Reviewed By: 
(Planning Division Director)

(Public Works Director)

(City Manager)

(District Attorney's Office)

(Finance Director)

Date: 9-26-11

Date: 9-27-11

Date: 9/27/11

Date: 9/27/11

Date: 9/27/11

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

BILL NO. 117

ORDINANCE NO. 2011-__

AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND, CHAPTER 17.06, FINAL MAPS, SECTION 17.06.015, TIME LIMIT FOR RECORDING, TO MODIFY THE TIME LIMIT FOR RECORDING; AND AMENDING CARSON CITY MUNICIPAL CODE TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND, CHAPTER 17.09, PLANNED UNIT DEVELOPMENT; SECTION 17.09.055, TIME LIMITS FOR FILING APPLICATION FOR FINAL APPROVAL, TO ELIMINATE THE PREVIOUSLY ADOPTED SUNSET DATE OF JUNE 30, 2013, AND OTHER MATTERS PROPERLY RELATED THERETO.

Fiscal effect: None

THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

SECTION I:

That the Carson City Municipal Code Chapter 17.06 (Final Maps), Section 17.06.015 (Time Limit For Recording) is hereby amended, in part, as follows:

17.06 Final Maps.

17.06.015 Time Limit for Recording.

1. ~~[Except as otherwise provided in paragraph 2, a]~~ **A** final map, prepared in accordance with the tentative map, for the entire area for which the tentative map has been approved or the first of a series of final maps covering a portion of the approved tentative map must be approved by the Board for recording within ~~[two]~~ **four** years after the approval of a tentative map unless a longer time is provided for in an approved development agreement with the City. If the subdivider elects to present a successive map in a series of phased final maps, the successive final map must be approved by the Board within ~~[one]~~ **two** years of the recording of the preceding final map. The Board may grant an extension of not more than ~~[one]~~ **two** years for any successive final map after the ~~[one]~~ **two**-year period for presenting a successive final map has expired. Failure to obtain Board approval of a final map or any phase thereof within these time limits terminates all proceedings, requiring an entirely new Tentative Map submittal.

~~[2. From the effective date of this Ordinance until June 30, 2013, a final map, prepared in accordance with the tentative map, for the entire area for which the tentative map has been approved or the first of a series of final maps covering a portion of the approved tentative map must be approved by the Board for recording within four years after the approval of a tentative map unless a longer time is provided for in an approved development agreement with the City. If the subdivider elects to present a successive map in a series of phased final maps, the successive final map must be approved by the Board within two years of the recording of the preceding final map. The Board may grant an extension of not more than two years for any successive~~

~~final map after the two-year period for presenting a successive final map has expired. Failure to obtain Board approval of a final map or any phase thereof within these time limits terminates all proceedings, requiring an entirely new Tentative Map submittal.]~~

SECTION II:

That the Carson City Municipal Code Chapter 17.09 (Planned Unit Development), Section 17.09.055 (Time Limits For Application for Final Approval) is hereby amended, in part, as follows:

17.09 Planned Unit Development.

17.09.055 Time Limits for Filing Application for Final Approval.

1. ~~[Except as otherwise provided in paragraph 2, w~~ **When** the landowner has been granted tentative approval of a Planned Unit Development, the landowner shall file an application for final approval, for the first phase or unit, on or before a date set at the discretion of the Board or within ~~[two]~~ **four** years from the time of tentative approval as granted by the Board. Specific Final Map filing dates for all phases may be extended, upon application to the Board, but in no event shall the dates exceed ~~[12 months]~~ **two years** from the previously established final filing date. Tentative approval of a plan does not qualify a plat of the Planned Unit Development for recording or authorize development or the issuance of any building permits.
- ~~[2. From the effective date of this Ordinance until June 30, 2013, when the landowner has been granted tentative approval of a Planned Unit Development, the landowner shall file an application for final approval, for the first phase or unit, on or before a date set at the discretion of the Board or within four years from the time of tentative approval as granted by the Board. Specific Final Map filing dates for all phases may be extended, upon application to the Board, but in no event shall the dates exceed two years from the previously established final filing date. Tentative approval of a plan does not qualify a plat of the Planned Unit Development for recording or authorize development or the issuance of any building permits.]~~
- ~~[3]~~ **2.** Tentative approval shall be revoked for areas included in the plan for which final approval has not been given if:
 - a. The landowner elects to abandon the plan or any part thereof, and so notifies the Director in writing; or
 - b. The landowner fails to file application for the final approval within the required time.

SECTION III:

No other provisions of Title 17 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2011.
PROPOSED BY Supervisor _____
PASSED _____, 2011.

VOTE:

AYES:

NAYS:

ABSENT:

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ day of the month of _____ of the year 2011.