

Item # 8E

**City of Carson City
Agenda Report**

Date Submitted: July 10, 2007

Agenda Date Requested: July 19, 2007

Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to introduce, on first reading, Bill No. _____, an ordinance to change the zoning of properties within the Downtown area to Downtown Mixed-Use (DT-MU), specifically changing the zoning from Downtown Commercial (DC) to DT-MU for APN's 1-183-02, -04, -06, 1-184-07, -08, -09, 1-187-05, -06, 1-188-01, -02, -03, -04, 1-193-02, -05, -06, 1-194-01, 2-162-01, -02, 2-163-03, -04, -05, 2-164-02, 3-081-17, -18, 3-082-01, -02, -03, -04, 3-091-01, -02, -03, -04, 3-092-03, -04, -05, 3-093-03, -05, 3-095-06, -07, -08, -09, -10, 3-112-03, -04, -05, -06, 3-113-09, -10, -11, -12, -13, -14, -15, 3-114-01, -02, -03, -04, -05, 3-115-01, -02, -03, -04, -05, 3-116-01, -02, -03, -04, 3-212-01, -03, -04, -05, 3-213-01, -02, -03, 3-222-02, -03, -04, 3-223-01, 3-224-01, -02, -03, -04, -06, -07, -08, -09, 3-225-03, -10, 3-228-01, 3-229-01, -02, -03, -04, -05, -06, -07, 3-282-02, -03, -04, -05, 3-283-04, -05, 3-285-02, -03, -04, 4-051-07, 4-053-02, -03, 4-055-02, -06, -07, -09, -13, 4-061-01, -02, -04, 4-062-08, 4-065-01, 4-066-01, -02, -04, 4-067-01, -02, -03, -04, -05, -06, 4-068-08, -09, -10, -11, 4-069-02, 4-211-05, -07, -08, -09, -10, -11, 4-213-01, -02, -03, -04, -05, -06, 4-214-02, 4-215-01, -02, -03, -04, -06, -07, -08, 4-221-01, 4-224-02, -03, -04, -05, -07, -08, 4-261-01, -02, 4-263-01, -02; changing the zoning from General Commercial (GC) to DT-MU for APNs 2-154-03, 2-161-02, -06, -07, -08, -09, 2-171-04, -06, 4-191-11, 4-202-01, -02, -08, 4-216-01, -02, -03, -04, -05; changing the zoning from Retail Commercial (RC) to DT-MU for APNs 1-177-02, -04, 2-171-07, 3-215-02, -04, 3-217-05, -06, -08, -09, 4-055-12, 4-191-11, -12, 4-192-04, -05, 4-223-06, -10, 4-225-02, -04; changing the zoning from General Office (GO) to DT-MU for APNs 4-192-02, 4-222-02, -03, 4-223-07, -08; changing the zoning of parcels split-zoned GC and RC to DT-MU for APNs 1-178-05, -06, 2-154-01, 2-171-10, 4-225-01, -03; and changing the zoning of parcels split-zoned RC and GO to DT-MU for APNs 4-222-01, 4-223-09, 4-226-01, 4-252-01, and 4-254-06. (File ZMA 07-084)

Staff Summary: This zoning map amendment would change the zoning within the described Downtown area to the new Downtown Mixed-Use (DT-MU) zoning district.

Type of Action Requested:

- | | |
|---|---|
| ☐ Resolution | ☒ Ordinance (First Reading) |
| ☐ Formal Action/Motion | ☐ Other (Specify) |

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Planning Commission Action: Recommended approval by June 27, 2007 by a vote of 7 Ayes, 0 Nays.

Recommended Board Action: I move to introduce, on first reading, Bill No. _____, an ordinance to change the zoning of properties within the Downtown area to Downtown Mixed-Use (DT-MU), specifically for properties as published on the agenda, based on the findings contained in the staff report.

Explanation for Recommended Board Action: The Board of Supervisors have the authority to revise the zoning designations of property in Carson City. This is the first of two readings to amend the Title 18 Zoning Map by ordinance. See the attached staff report to the Planning Commission for more information.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.075

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

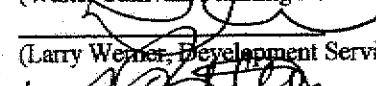
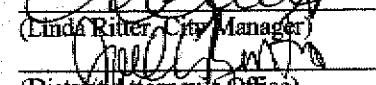
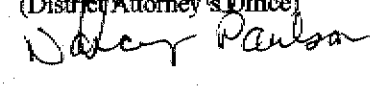
Alternatives:

- 1) Refer back to staff and Planning Commission for further review,
- 2) Deny

Supporting Material: Ordinance, Planning Commission Packet

Prepared By: Donna Fuller, Administrative Services Manager

Reviewed By:

 _____ (Walter Sullivan, Planning Director)	Date: <u>7/10/07</u>
 _____ (Larry Werner, Development Services Director/City Engineer)	Date: <u>7/11/07</u>
 _____ (Linda Ritter, City Manager)	Date: <u>7-10-07</u>
 _____ (District Attorney's Office)	Date: <u>7/10/07</u>
 _____ (Nancy Paulson - Filiana)	Date: <u>7/10/07</u>

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)

ORDINANCE NO. 2007-__

BILL NO. ____

AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN PARCELS WITHIN THE DOWNTOWN AREA TO DOWNTOWN MIXED-USE (DT-MU), SPECIFICALLY CHANGING THE ZONING FROM DOWNTOWN COMMERCIAL (DC) TODT-MU FOR APNS 1-183-02, -04, -06, 1-184-07, -08, -09, 1-187-05, -06, 1-188-01, -02, -03, -04, 1-193-02, -05, -06, 1-194-01, 2-162-01, -02, 2-163-03, -04, -05, 2-164-02, 3-081-17, -18, 3-082-01, -02, -03, -04, 3-091-01, -02, -03, -04, 3-092-03, -04, -05, 3-093-03, -05, 3-095-06, -07, -08, -09, -10, 3-112-03, -04, -05, -06, 3-113-09, -10, -11, -12, -13, -14, -15, 3-114-01, -02, -03, -04, -05, 3-115-01, -02, -03, -04, -05, 3-116-01, -02, -03, -04, 3-212-01, -03, -04, -05, 3-213-01, -02, -03, 3-222-02, -03, -04, 3-223-01, 3-224-01, -02, -03, -04, -06, -07, -08, -09, 3-225-03, -10, 3-228-01, 3-229-01, -02, -03, -04, -05, -06, -07, 3-282-02, -03, -04, -05, 3-283-04, -05, 3-285-02, -03, -04, 4-051-07, 4-053-02, -03, 4-055-02, -06, -07, -09, -13, 4-061-01, -02, -04, 4-062-08, 4-065-01, 4-066-01, -02, -04, 4-067-01, -02, -03, -04, -05, -06, 4-068-08, -09, -10, -11, 4-069-02, 4-211-05, -07, -08, -09, -10, -11, 4-213-01, -02, -03, -04, -05, -06, 4-214-02, 4-215-01, -02, -03, -04, -06, -07, -08, 4-221-01, 4-224-02, -03, -04, -05, -07, -08, 4-261-01, -02, 4-263-01, -02; CHANGING THE ZONING FROM GENERAL COMMERCIAL (GC) TO DT-MU FOR APNS 2-154-03, 2-161-02, -06, -07, -08, -09, 2-171-04, -06, 4-191-11, 4-202-01, -02, -08, 4-216-01, -02, -03, -04, -05; CHANGING THE ZONING FROM RETAIL COMMERCIAL (RC) TO DT-MU FOR APNS 1-177-02, -04, 2-171-07, 3-215-02, -04, 3-217-05, -06, -08, -09, 4-055-12, 4-191-11, -12, 4-192-04, -05, 4-223-06, -10, 4-225-02, -04; CHANGING THE ZONING FROM GENERAL OFFICE (GO) TO DT-MU FOR APNS 4-192-02, 4-222-02, -03, 4-223-07, -08; CHANGING THE ZONING OF PARCELS SPLIT-ZONED GC AND RC TO DT-MU FOR APNS 1-178-05, -06, 2-154-01, 2-171-10, 4-225-01, -03; AND CHANGING THE ZONING OF PARCELS SPLIT-ZONED RC AND GO TO DT-MU FOR APNS 4-222-01, 4-223-09, 4-226-01, 4-252-01, AND 4-254-06.

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAINS:

SECTION I:

An application for a Zoning Map Amendment for the Assessor's Parcel Numbers identified in the title of this ordinance, for property located generally within the historic downtown of Carson City, Nevada, was duly submitted by the Carson City Planning Division in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The request will result in the zoning designation of the parcels from Downtown Commercial (DC), General Commercial (GC), Retail Commercial (RC) and General Office (GO) to Downtown Mixed-Use (DT-MU). After proper noticing pursuant to NRS 278 and CCMC Title 18, on June 27, 2007, the Planning Commission conducted a public hearing, reviewed the Planning Division staff report, took public testimony and voted 7 ayes, 0 nays to recommend to the Board of Supervisors approval of the Zoning Map Amendment.

SECTION II:

Based on the findings that the Zoning Map Amendment would be in keeping with the objectives of the Master Plan, that the Amendment would be beneficial and not detrimental to the immediate vicinity, that the community as a whole would receive merit and value from the change, that adequate consideration for surrounding properties has been made, and that the request satisfied all other requirements for findings of fact enumerated in CCMC Section 18.02.075(5), the zoning map of Carson City is amended for the Assessor's Parcel Numbers identified in the title of this ordinance, changing the zoning from Downtown Commercial (DC), General Commercial (GC), Retail Commercial (RC) and General Office (GO) to Downtown Mixed-Use (DT-MU), as shown on Exhibit "A."

PROPOSED this ____ day of _____, 2007.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2007.

VOTE: AYES: _____

NAYS: _____

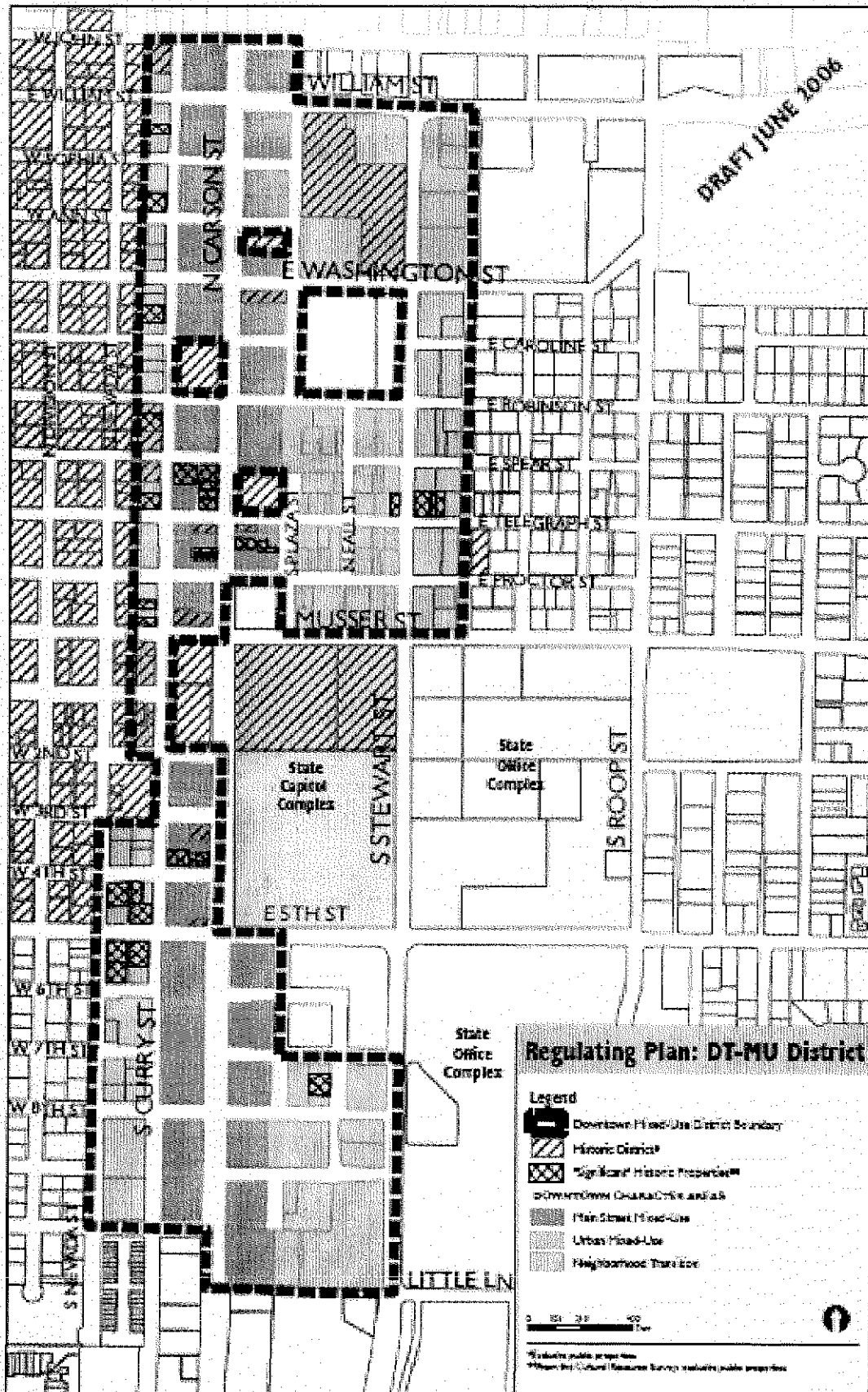
ABSENT: _____

MARV TEIXEIRA, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ of _____, 2007.



STAFF REPORT FOR PLANNING COMMISSION MEETING OF JUNE 27, 2007

FILE NO: ZMA-07-084

AGENDA ITEM: H-12

STAFF AUTHOR: Lee Plemel, AICP, Principal Planner

REQUEST: A Zoning Map Amendment to change the zoning of downtown properties from **Downtown Commercial (DC), General Commercial (GC), Retail Commercial (RC) and General Office (GO)** to **Downtown Mixed-Use (DT-MU)**.

APPLICANT: Carson City Planning Division

RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZMA-07-084, a Zoning Map Amendment to change the zoning of properties within the Downtown area as published on the agenda from Downtown Commercial, General Commercial, Retail Commercial and General Office to Downtown Mixed-Use based on the findings contained in the staff report."

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.075 (Zoning Map Amendments).

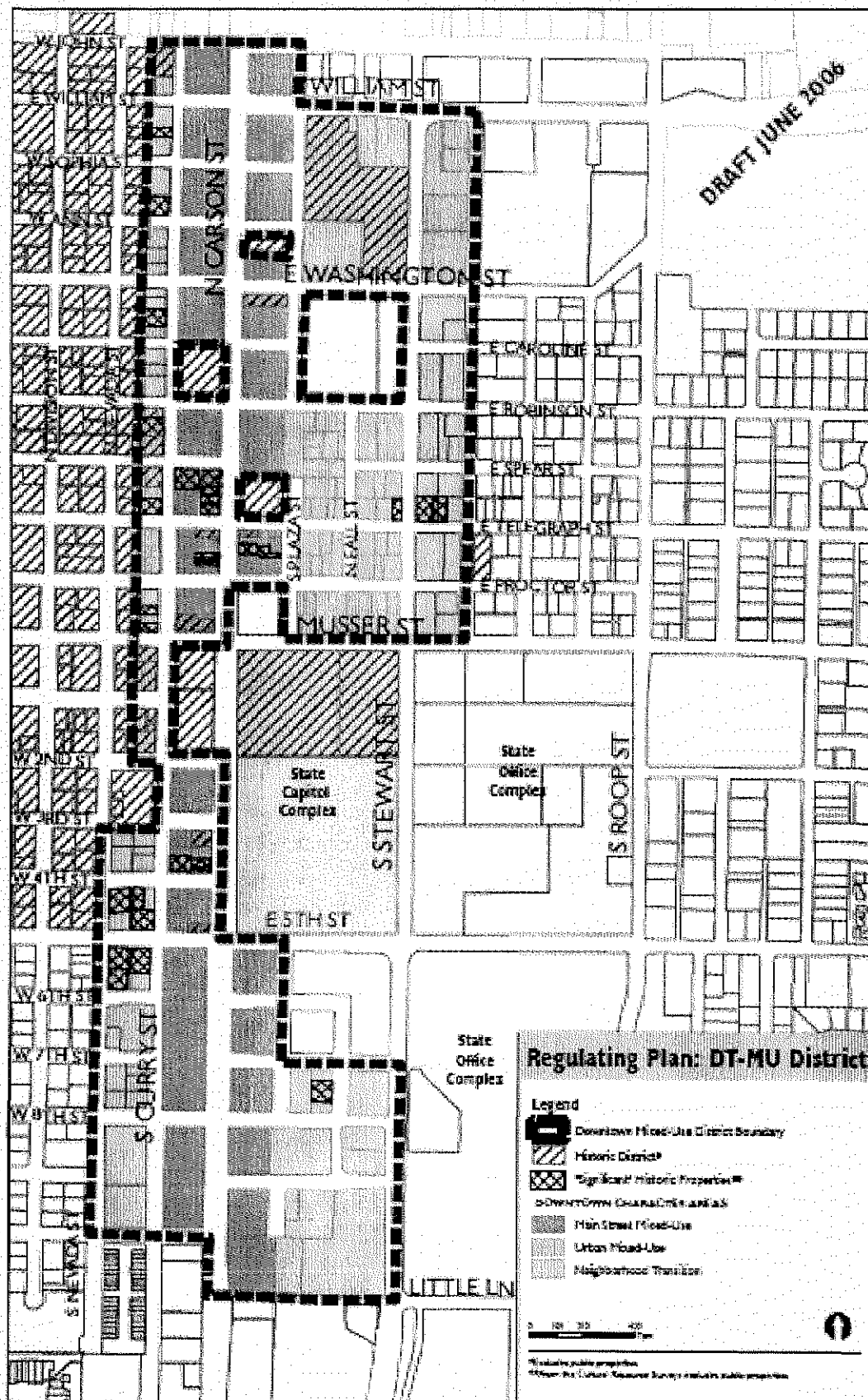
MASTER PLAN DESIGNATION: Downtown Mixed-Use

CURRENT ZONING: Downtown Commercial (DC), General Commercial (DC), Retail Commercial (RC) and General Office (GO)

SURROUNDING ZONING:

North: General Commercial (GC) & Retail Commercial (RC)
West: Residential Office (RO) and Multi-Family Residential (MFA)
South: Retail Commercial (RC)
East: Retail Commercial (RC), General Office (GO) & Public (P)

(See proposed DT-MU boundary map on following page.)



DISCUSSION:

The Downtown Mixed-Use (DT-MU) zoning district is intended to implement the goals and policies of the Carson City Master Plan related specifically to the downtown area. This rezoning is recommended in conjunction with the adoption of the Downtown Mixed-Use Development Standards (ZCA-07-057) which are under consideration concurrently with this application. The adoption of the DT-MU zoning district and development of specific downtown design standards was a top priority identified in the Master Plan Action Plan. The DT-MU zoning district is a new zoning designation that would be created by the adoption of the code changes to Title 18 in the associated Zoning Code Amendment application.

Master Plan Consistency

The subject area proposed to be changed to the new DT-MU zoning district is designated Downtown Mixed-Use in the adopted Master Plan. The proposed DT-MU zoning is intended to implement the goals and policies of the Master Plan.

- Master Plan Action Plan – The creation of the DT-MU zoning district is identified as one of the top five Priority Actions.
- Land Use Map – The proposed DT-MU district is within the area identified on the adopted Master Plan Land Use Map as Downtown Mixed-Use.
- Goal 5.2 (Economic Vitality chapter) and 8.1 (Livable Neighborhoods and Activity Centers) – Promote Downtown revitalization.

See ZCA-07-057 for more discussion regarding the Master Plan goals and policies implemented by the adoption of the DT-MU Development Standards.

PUBLIC COMMENTS: Public notices were mailed to 375 property owners within the proposed DT-MU zoning district and within 300 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. The notice included information on how to obtain copies of the DT-MU documents, including directing property owners to the Planning Division website where the documents can be downloaded. As of June 15, 2007, no written comments have been received either in support or opposition of this application. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division. (Note: Notices were also sent to the same property owners to solicit public comment for the previous discussion on the item at the April Planning Commission meeting. Two written comments were received, both in support of the DT-MU Development Standards with recommended modifications.)

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

The Engineering Division, Building Division and Fire Department submitted written comments with no specific concerns regarding the proposed amendment. No other city department comments were received.

FINDINGS: Staff recommends the following findings for approval pursuant to the Carson City Municipal Code Section 18.02.075(5), Zoning Map Amendments.

1. *The proposed amendment is in substantial compliance with the goals, policies and action programs of the Master Plan.*

Rationale: The proposed amendment is intended to implement specific goals and policies of the adopted Master Plan, including the following:

- Master Plan Action Plan – The creation of the DT-MU zoning district is identified as one of the top five Priority Actions.
 - Land Use Map – The proposed DT-MU district is within the area identified on the adopted Master Plan Land Use Map as Downtown Mixed-Use.
 - Goal 5.2 (Economic Vitality chapter) and 8.1 (Livable Neighborhoods and Activity Centers) – Promote Downtown revitalization.
2. ***The proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.***

Rationale: The proposed DT-MU zoning district includes standards and provisions to provide for compatibility with surrounding properties, including height transitions to protect the character of surrounding neighborhoods. The proposed uses within the DT-MU zoning district include similar uses to those allowed in the existing Downtown Commercial, General Commercial, Retail Commercial and General Office zoning district, and the proposed DT-MU district boundary includes properties that are already zoned for commercial uses.

3. ***The proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.***

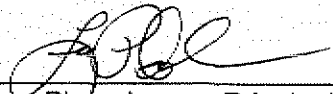
Rationale: The proposed amendment is within an urban service area with existing services and is centrally located within Carson City. Any applicable city services can be easily provided to the area. Additionally, current growth management practices within the city limits and minimizes the potential impacts of the development, and necessary city services will be upgraded or improved, as necessary, with action construction of projects. Therefore, the proposed amendment would have no adverse impact on the public health, safety or welfare.

Attachments:

- 1) Draft Ordinance

Respectfully submitted,

PLANNING DIVISION



Lee Plamel, AICP, Principal Planner