

Item # 7F

**City of Carson City
Agenda Report**

Date Submitted: July 24, 2007

Agenda Date Requested: August 2, 2007

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to adopt Bill No. 122, on second reading, Ordinance No. _____, an ordinance amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010, Words And Terms Defined, to modify the definition of "guest building" to include attached guest buildings; and amending Chapter 18.16, Development Standards, Division 1, Land Use And Site Design, amending Section 1.4, Guest Building Development, to establish regulations for the height, setbacks, occupancy, design and use of guest buildings on single-family residential properties. (File ZCA-07-085).

Staff Summary: "Guest buildings" are permitted on single-family lots. The proposed amendment is to create standards for the construction of guest buildings to limit size and include other design considerations to minimize impacts to surrounding properties and neighborhoods.

Type of Action Requested:

- Resolution
- Ordinance -Second Reading
- Formal Action/Motion
- Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

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

Board of Supervisors Action: Approved July 18, 2007 by a vote of 5:0

Recommended Board Action: I move to adopt Bill No.122, on second reading, Ordinance No. _____, an ordinance amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010, Words And Terms Defined, to modify the definition of "guest building" to include attached guest buildings; and amending Chapter 18.16, Development Standards, Division 1, Land Use And Site Design, amending Section 1.4, Guest Building Development, to establish regulations for the height, setbacks, occupancy, design and use of guest buildings on single-family residential properties, based on the findings contained in the staff report.

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.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.03 (Zoning Code Amendments).


Fiscal Impact: N/A
Explanation of Impact: N/A
Funding Source: N/A

Alternatives: 1) Refer the matter back to Planning Commission for further review, or, 2) Deny the ordinance


Supporting Material: 1) Ordinance

Prepared By: Donna Fuller, Administrative Services Manager

Reviewed By:


(Walter Sullivan, Planning Director)

Date: 7-19-07


(Larry Werner, Development Services Director/City Engineer)

Date: 7/24/07


(Linda Ritter, City Manager)

Date: 7/24/07


(District Attorney's Office)

Date: 7-24-07

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

BILL NO. 122

ORDINANCE NO. 2007-_____

AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITION OF "GUEST BUILDING" TO INCLUDE ATTACHED GUEST BUILDINGS; AND AMENDING CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, SECTION 1.4, GUEST BUILDING DEVELOPMENT, TO ESTABLISH REGULATIONS FOR THE HEIGHT, SETBACKS, OCCUPANCY, DESIGN AND USE OF GUEST BUILDINGS ON SINGLE-FAMILY RESIDENTIAL PROPERTIES, AND OTHER MATTERS PROPERLY RELATED THERETO.

Fiscal effect: None

The Board of Supervisors of Carson City, do ordain:

SECTION I:

That Chapter 18.03 (Definitions), Section 18.03.010 (Words and Terms Defined) of the Carson City Municipal Code is hereby amended, in part, to modify the definitions of "Guest Building" as follows (underlined text is added, stricken text is deleted):

18.03.010 Words and Terms Defined.

Guest Building means a dwelling unit on the same lot as the primary dwelling unit~~[, but physically separate from]~~ and ancillary to the primary dwelling unit. ~~[An accessory dwelling unit]~~ A guest building may provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation, and includes habitable detached structures that may or may not include cooking facilities and which is used exclusively for housing the family members of [a single family] the primary residence and their non-paying guests. A manufactured or mobilehome is not considered a guest building in SF6, SF12, SF21, SF1A, SF2A, or SF5A zoning districts. A recreational vehicle is not allowed as a guest building in any zoning district.

SECTION II:

That Division 1 (Land Use and Site Design) of Chapter 18.16 (Development Standards), Division 1.4 (Guest Building Development) of the Carson City Municipal Code is hereby amended, as follows (added text is underlined, stricken text is deleted):

1.4 Guest Building Development.

Guest building refers to a dwelling unit on the same lot as the primary dwelling unit and ancillary to it. A guest building may provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation. ~~[A detached guest building shall not exceed 50% of the floor area of the main unit excluding the basement.]~~ Typical uses include guest houses, second units, extended family housing and caretaker's quarters.

1.4.1 A site plan shall be submitted indicating the following:

- a. Location of primary residential structure with setback distances, distance to guest building and other accessory structures.
- b. Location of all public and private utilities and/or well and septic tank/leach field.
- c. Access to primary residential structure and guest building.

~~[d. Statement that the guest building is an accessory position on the lot and is used exclusively for housing members of a single family or their non-paying guests.]~~

[e]d. Zoning, size of lot, assessors parcel number, north arrow, scale, location of other outbuildings.

1.4.2 Recordation. ~~[A standard form shall be recorded that specified the information contained in Section 1.4.1 and any other information deemed pertinent by Planning [and Community Development.]~~ The property owner shall, prior to the issuance of a certificate of occupancy for the building permit, record a deed restriction against the subject property with the City Recorder's Office stating the guest building occupation limitations contained in Section 1.4.10.

1.4.3 Existing Guest Buildings. Existing guest buildings may expand to include a kitchen facility only upon full compliance with the provisions of this Division. Approval of a building permit is required if the structure itself is being altered.

1.4.4 Maximum size. Guest building living space gross floor area shall not exceed 50 percent of the assessed floor area of the main residence, excluding garages, basements and other accessory structures, or the following limitations, whichever is less:

- a. In the SF6, MH6, SF12 and MH12 zoning districts, a maximum of 700 square feet.
- b. In all other single family residential districts, a maximum of 1,000 square feet.

- 1.4.5** Required setbacks. All guest buildings shall meet the same setbacks as required for the primary residence on the lot, provided that second story elements of a guest building are a minimum of 20 feet from all property lines.
- 1.4.6** Maximum building height. The guest building shall meet the maximum height requirements of the zoning district in which it is located, provided that second story elements of a guest building are a minimum of 20 feet from all property lines.
- 1.4.7** Required Parking. A minimum of one off-street parking space or, for guest buildings with multiple bedrooms, one parking per bedroom shall be provided outside of the required front-yard setback area in addition to the required parking for the main residential use. In the SF6, MH6, SF12 and MH12 zoning districts, the guest parking must be provided on a paved surface.
- 1.4.8** Site design.
- a. Architectural design and materials for a guest building shall be consistent and compatible with the design and materials of the main structure, including but not limited to roof pitch, roof materials, siding materials and color, and other architectural features.
 - b. Only one entrance may be visible from the street frontage.
- 1.4.9** Modifications to these provisions.
- a. The above guest building provisions relating to size, height and site design may only be modified by approval of a Special Use Permit.
 - b. The above guest building provisions relating to setbacks and parking may only be modified by approval of a Variance.
- 1.4.10** Guest building occupation. A guest building may only be occupied by the family members of the primary residence, as defined by Title 18 of the Carson City Municipal Code, and their non-paying guests. Guest buildings may not be rented as secondary dwelling units.

SECTION III:

That no other provisions of Title 18 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2007.

PROPOSED BY Supervisor _____

PASSED _____, 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 _____ day of the month of _____ of the year 2007.