

Item #10 B

**City of Carson City
Agenda Report**

Date Submitted: August 28, 2007

Agenda Date Requested: September 6, 2007

Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to approve a final map for Division of Land into Large Parcels subdividing one parcel of approximately 640 acres, APN 008-11-04, into 14 parcels of approximately 40 acres each and one parcel of approximately 80 acres on property zoned Conservation Reserve (CR), located generally northwest and northeast of the Goni Road terminus. (File LDM-06-198)

Staff Summary: State law (NRS 278.471-4725) provides that the Planning Commission reviews tentative maps and the Board of Supervisors reviews final maps where the resulting parcels being created are 40 acres or larger.

Type of Action Requested:

☐ Resolution
☒ Formal Action/Motion

☐ Ordinance
☐ Other - Specify

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

Planning Commission Action: Recommended approval November 29, 2006 by a vote of 5 ayes, 0 nays, 1 absent, and 1 abstention.

Recommended Board Action: I move to approve application LDM-06-198, a final map for Division of Land into large parcels to subdivide a parcel of approximately 640 acres, APN 008-11-04, into 14 parcels of approximately 40 acres each and one parcel of approximately 80 acres.

Explanation of Recommended Board Action: The applicant has met all the conditions of approval for the tentative map and the requirements of the Carson City Municipal Code and NRS for Division of Land into Large Parcels. See the attached staff report to the Planning Commission for more information and explanation.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.04 (Land Division Maps) and NRS 278.471-4725.

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

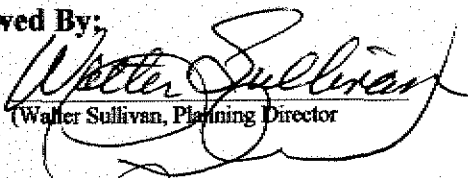
Alternatives: 1) Refer the matter back to Planning Commission for further review.

2) If found to be not in compliance with applicable codes, deny the final map.

Supporting Material: Tentative Map Notice of Decision
Planning Commission Case Record
Staff Report to the Planning Commission
Maps

Prepared By: Donna M. Fuller, Administrative Services Manager

Reviewed By:


(Walter Sullivan, Planning Director)

Date: 8-27-07

(Larry Werner, Development Services Director/City Engineer)


(Linda Ritter, City Manager)

Date: 8/28/07


(District Attorney's Office)

Date: 8/28/07

Date: 8-28-07

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 29, 2006

FILE NO: LDM-06-198 & LDM-06-199

AGENDA ITEMS: G-2 and G-3

STAFF AUTHOR: Lee Plemel, AICP, Principal Planner

REQUEST: Two tentative maps for Division of Land into Large Parcels (40-plus acres) to subdivide approximately 969 acres (three parcels) into a total of 24 parcels, with 23 parcels of approximately 40 acres each and one parcel of approximately 80 acres.

APPLICANT/OWNER: Greg Lehman

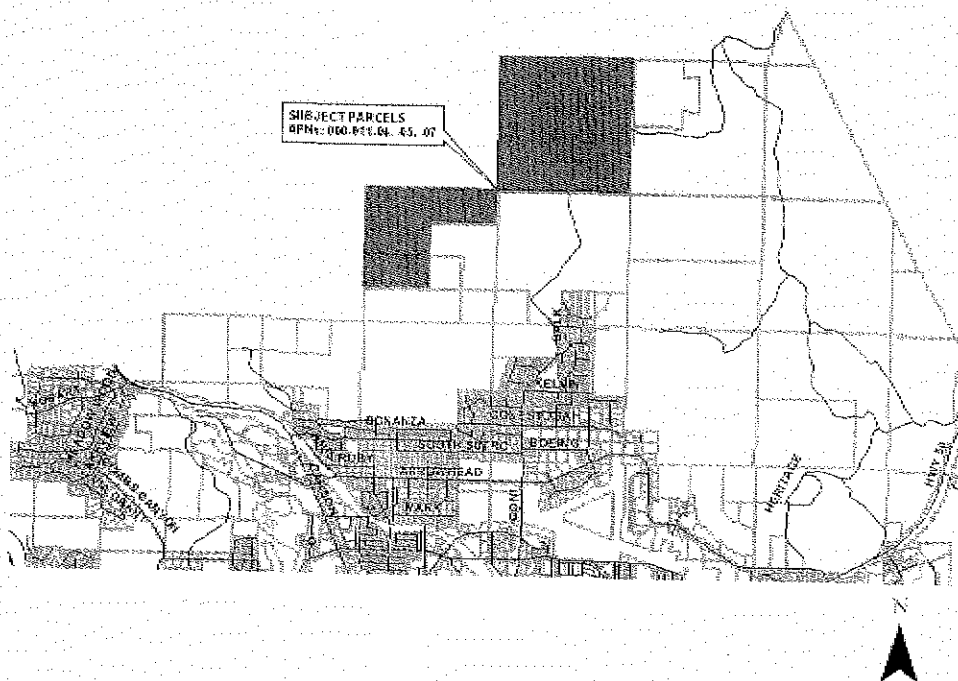
LOCATION: Approximately one mile north and approximately one mile northwest of the terminus of Goni Road.

APNs: 008-011-04, -05 & -07

RECOMMENDED MOTIONS:

1) LDM-06-198: "I move to approve application LDM-06-198, a tentative map for Division of Land into Large Parcels to subdivide a parcel of approximately 640 acres into 14 parcels of approximately 40 acres each and one parcel of approximately 80 acres, APN 8-011-04, subject to the conditions contained in the staff report."

2) LDM-06-199: "I move to approve application LDM-06-199, a tentative map for Division of Land into Large Parcels to subdivide two parcels totaling approximately 320 acres into 8 parcels of approximately 40 acres each, APNs 8-011-05 and -07, subject to the conditions contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL (same for each application):

1. The applicant must sign and return the Tentative Land Division Map Notice of Decision within 10 days of receipt of the Notice.
2. A final land division map application meeting all the conditions of approval of the tentative map must be filed with the Planning Division for Board of Supervisors review within one year of the date of approval of the tentative map by the Planning Commission. It is the responsibility of the applicant to file the final map application with the Planning Division at least 45 days prior to expiration in order to be placed on the appropriate Board of Supervisors meeting agenda. Should the applicant fail to submit a final map within the required time, this tentative approval shall expire.

The following must be completed prior to submitting a Final Land Division Map:

3. Prior to the submittal of a final land division map application, the applicant shall submit plans for review and approval by the Carson City Fire Department and the Engineering Division to include emergency access roads to serve each lot. Emergency access roads must meet requirements for all-weather surface, width, unobstructed height and steepness. "Emergency access" shall consist of an all-weather surface with a 95 percent compaction with a minimum width of 20 feet, minimum 13 feet-6 inches vertical clearance, a maximum 10 percent grade, connection to a public right-of-way, and access/egress per the Fire Code.
 - A. A parcel not served by the main emergency access road can be served by a driveway. A single driveway may serve no more than two parcels. All driveways must be made of an all-weather surface and must be at least 12 feet wide, have a minimum vertical clearance of 13 feet-6 inches. Driveways in excess of 150 feet in length must have approved turnarounds. Driveways in excess of 200 feet must be provided with turnouts at least 10 feet wide and 30 feet long. Driveway turnouts must be located as required by Carson City Fire Department.

The following must be submitted with a Final Land Division Map application:

4. A copy of the final land division map in digital format must be submitted on disc with the final map application.
5. The following notes shall be added to the final map(s):
 - A. These parcels lie outside of reasonable response time criteria established by the Carson City Fire Department and nationally recognized standards for fire protection and emergency medical response.
 - B. These parcels lie within the Wildland Urban Interface zone, which has specific development and construction requirements.
 - C. All emergency access roads to serve each parcel created by this Land Division Map shall be constructed in accordance with Carson City requirements prior to the issuance of any building permits for the construction of any residential structure.
6. Public access easements shall be included on the final map or documentation submitted with the final map showing that such public access easements exist for the Goni Road

extension and Imus Road extension shown on the tentative map through the property, including the westerly Imus Road extension "siphon access road" at the west end of the property.

The following shall be completed prior to the issuance of any building permit for the construction of any residential structure on any of the parcels created by this Land Division Map:

7. All emergence access roads required to serve each parcel created by the Land Division Map shall be constructed in accordance with the plans approved by the Fire Department and Engineering Division. It is the applicant's and/or property owner's responsibility to obtain necessary permits for such construction.

LEGAL REQUIREMENTS: CCMC 18.04 (Land Division Maps); NRS 278.471 – 278.4725.

CURRENT MASTER PLAN DESIGNATION: Conservation Reserve, Private (20-plus ac/du)

CURRENT ZONING: Conservation Reserve (minimum 20 acres per parcel)

SURROUNDING LAND USE AND ZONING:

Master Plan / Zoning

North: Washoe County (BLM & private lands)

West: Washoe County (BLM lands)

South: Open Space, Conservation Reserve / Public Regional, CR (BLM lands and private property)

East: Open Space / Public Regional (BLM lands)

BACKGROUND:

Division of Land into Large Parcels, or a Land Division Map, is defined in NRS 278.471 as the creation of lots that are at least "one-sixteenth of a section as described by a government land office survey" (sometimes slightly less than 40 acres) or at least 40 acres in area. Unlike with parcel maps or subdivision maps, the provisions of NRS for Land Division Maps are structured to allow such divisions of land with minimal improvement requirements (e.g. water, sewer, streets, etc.) and procedural steps.

Discretionary review of Land Division Maps is generally limited to:

- 1) "Any roads or easements of access which are shown on the applicable master plan and any roads or easements of access which are specifically required by the planning commission or governing body..." (NRS 278.472[4]b)
- 2) The requirement that each lot contains an access road that is suitable for use by emergency vehicles. (NRS 278.4725[5])
- 3) Other technical map requirements for recording the final map.

The Planning Commission or Board of Supervisors cannot place conditions upon the map beyond the scope of what the provisions of NRS allow for Land Division Maps.

Tentative Land Division Maps are reviewed by the Planning Commission. Upon meeting the requirements of the Tentative Land Division Map conditions of approval, the Final Land Division Map is reviewed by the Board of Supervisors, after which time the map is recorded.

DISCUSSION:

The three subject parcels comprise a total area of approximately 969 acres. The properties are located approximately one mile north and one mile northwest of the Goni Road terminus (near the Cinderlite pit) and abut the Washoe County border. The parcels are surrounded predominantly by BLM lands, but also abut some private properties in both Carson City and Washoe County.

Since the discretionary aspects of a Land Division Map are limited by NRS, this discussion focuses primarily on the two access road issues noted above. The subject properties are generally surrounded by BLM lands identified in the BLM Urban Interface Plan and the Carson City Master Plan as open space. Public access through the area, for both motorized and non-motorized trails, is identified through the area on the Unified Pathways Master Plan as a key link for connecting recreational trails around the north end of Carson City. Staff recommends a condition of approval (#6) requiring public access easements to be included on the final maps (or documentation provided that they already exist) consistent with the Master Plan road and trails network and existing access road network.

The second issue involves access for emergency vehicles. Where 16 or more lots are created, NRS 278.4725(5) requires construction of an access road "suitable for use by emergency vehicles" to each lot created. Where 15 lots or fewer lots are created, NRS 278.4725(6) states that planning commission may require such access road improvements. Each of the subject Land Division Maps create 15 or fewer or lots.

Regardless of the number of lots being created by the subject map, the Carson City Fire Department has concerns about emergency access to the proposed parcels (which could each have a residential unit) due to the remote location of the parcels. Therefore, recommended conditions of approval numbers 3 and 7 would require the design and construction of emergency access roads to serve the parcels meeting Fire Department standards for all-weather surface, width, clearance and steepness.

However, the applicant has discussed with staff the possibility of delaying construction of road improvements until prior to submittal of a building permit for any of the lots. The applicant indicates that there are no plans for immediate sale of the properties for residential development, but the division of the property is intended to create smaller "management units," which may be used for sale or trade, for example with BLM, and for "estate planning" purposes. Future development could also be in the form of a cluster subdivision that would not necessitate road construction throughout the entire parcels. Staff concurs that it is not in the public's interest to have any access roads constructed beyond what currently exists today until actual development occurs since the roads would encourage additional trespass onto private lands, promote more trash dumping and, most importantly, would unnecessarily create visible road cuts on the hillside.

PUBLIC COMMENTS: As of November 13, 2006, 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.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

Comments from the Fire Department and the Building Division are attached. The Building Division's comments relate to building code requirements upon construction of residential units on the parcels. Fire Department comments also address construction requirements as well as access and other requirements that have been incorporated into the recommended conditions of approval.

CONCLUSION:

With the proposed conditions of approval to protect the public safety and to meet the requirements of NRS for Land Division Maps, staff believes that the proposed tentative map complies with the applicable provisions of NRS and the Carson City Municipal Code and recommends approval of the map.

Respectfully submitted,

PLANNING DIVISION

A handwritten signature in dark ink, appearing to read 'Lee Plemel', written over a horizontal line.

Lee Plemel, AICP, Principal Planner

**CARSON CITY PLANNING COMMISSION
CASE RECORD**

MEETING DATE: November 29, 2006

AGENDA ITEM NO.: G-2

APPLICANT(s) NAME: Washoe Hillview Properties, LLC
PROPERTY OWNER(s): Same

FILE NO.: LDM-06-198

ASSESSOR PARCEL NO(s): 008-011-04

ADDRESS: located generally northwest and northeast of the Goni Road terminus

APPLICANT'S REQUEST: Action to consider a **Division of Land into Large Parcels** application to subdivide one parcel of approximately 640 acres into 14 parcels of approximately 40 acres and one parcel of approximately 80 acres on property zoned Conservation Reserve (CR)

COMMISSIONERS PRESENT: ☐ PEERY ☒ VANCE ☒ SEMMENS
 ☒ BISBEE ☒ MULLET ☒ REYNOLDS ☒ KIMBROUGH

STAFF REPORT PRESENTED BY: Lee Plemel

☒ REPORT ATTACHED

STAFF RECOMMENDATION: ☒ CONDITIONAL APPROVAL

☐ DENIAL

APPLICANT REPRESENTED BY: Greg Lehman

☒ APPLICANT/AGENT
PRESENT

☒ APPLICANT/AGENT
SPOKE

☐ APPLICANT/AGENT
NOT PRESENT

☐ APPLICANT/AGENT
DID NOT SPEAK

APPLICANT/AGENT INDICATED THAT HE/SHE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF. Yes

☒ PERSONS SPOKE IN FAVOR OF THE PROPOSAL

☐ PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

Public comment: Lynn Zahn: 1) Visual impacts
 2) Drainage

MOTION WAS MADE TO RECOMMEND APPROVAL/DENIAL/CONTINUANCE TO:

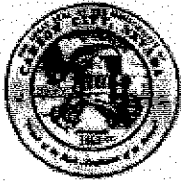
☒ WITH THE FINDINGS AND CONDITIONS AS ENUMERATED ON THE STAFF REPORT
☐ WITH THE FINDINGS AND CONDITIONS OF THE STAFF REPORT AS MODIFIED
☐ WITH THE FINDINGS AND CONDITIONS OF THE COMMISSION ENUMERATED ON THIS CASE RECORD

MOVED: Bisbee SECOND: Vance PASSED: 5 /AYE /NO /DQ 1 /ABSENT 1 /ABSTAINED Semmens

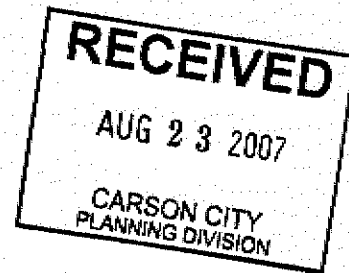
SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE:

H:\PC\2006\Case Records\LDM-06-198 11-29-06.wpd



MEMORANDUM



DATE: August 23, 2007
TO: Planning Division
FROM: Tom Grundy – Engineering *TG*
RE: LDM-06-198, 06-199 Land Division into Large Parcels –
Washoe Hill view, LLC
Engineering Division Review Comments

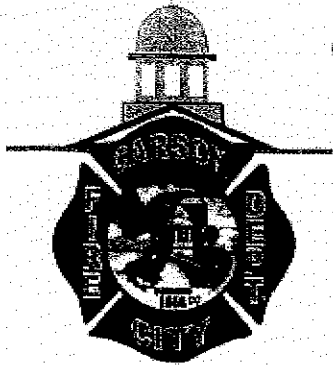
The Engineering Division has completed its review of the above mentioned Land Division map application. This effort included review of the following documents:

- Final Map of Division into Large Parcels for Washoe Hill View, LLC – Section 21, (3 sheets) sealed by Greg Bigby, P.L.S. on August 8, 2007
- Final Map of Division into Large Parcels for Washoe Hill View, LLC – Section 29, (3 sheets) sealed by Greg Bigby, P.L.S. on August 8, 2007
- Road Designs for Lehman/Goni Roads (32 sheets) sealed by Nathan E. Robison on July 31, 2007.

Based on a review of the documents, the following comments are offered:

1. The applicant has met all engineering requirements and conditions of approval for the land division maps.

This completes the list of Engineering review comments.



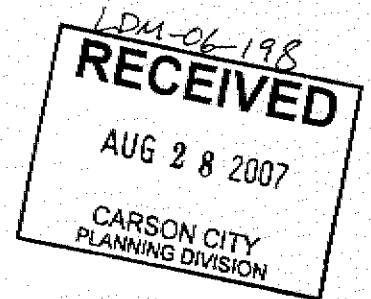
CARSON CITY FIRE DEPARTMENT

"Service with Pride, Commitment, Compassion"

MEMO

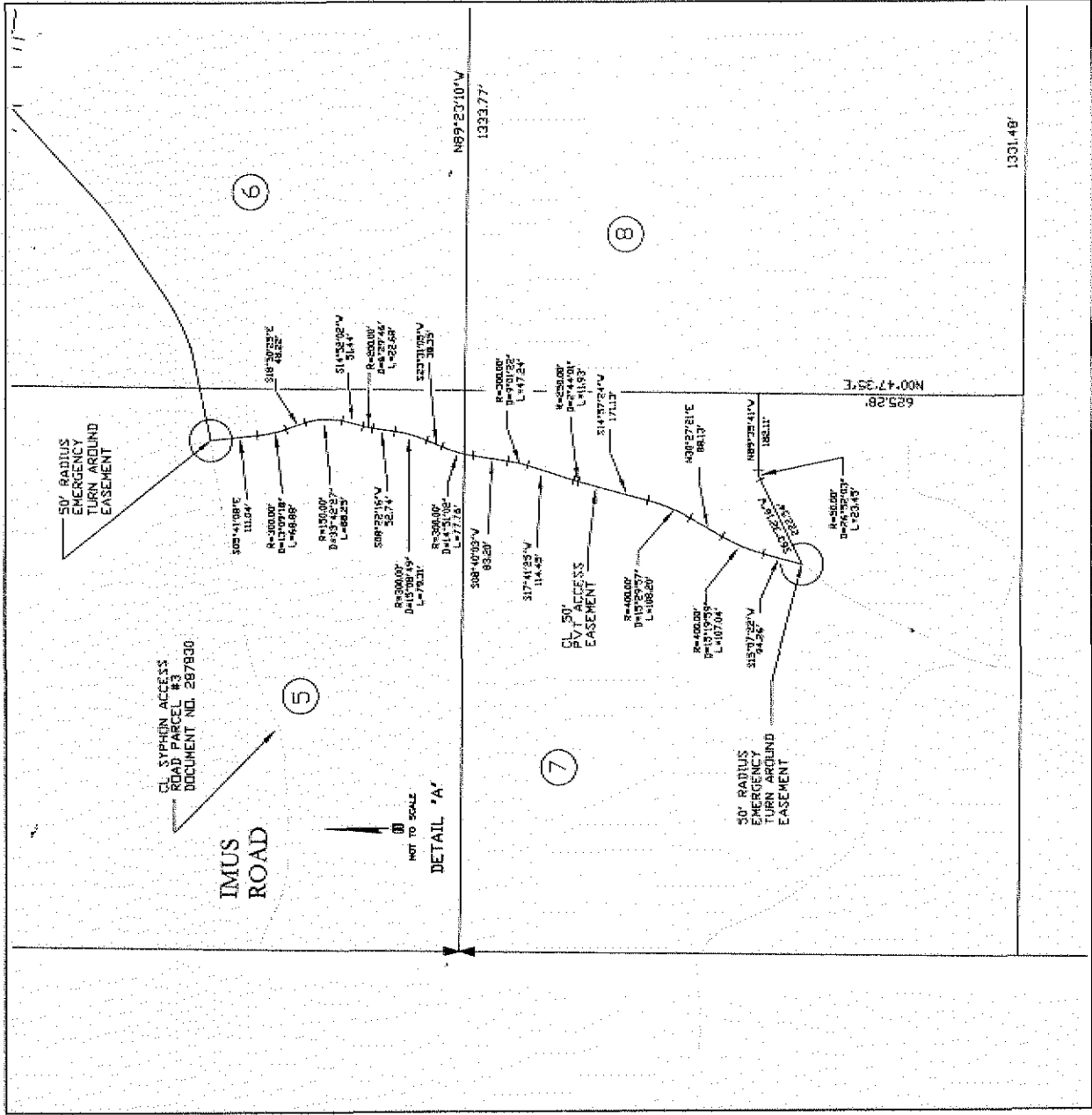
August 24, 2007

TO: Planning Division
FROM: Stacey Giomi, Fire Chief *SG*
RE: LMD-06-198, LMD-06-199



The final map for the Washoe Hillview Properties land division map, LMD numbers as indicated above, meet the conditions of approval for the fire department.

Please contact me if you have any questions or need additional information.



LEGEND

- ROAD SECTION CORNER AS DESCRIBED
- ROAD 1/4 CORNER AS DESCRIBED
- 50' RADIUS EMERGENCY TURN AROUND EASEMENT
- AT ALL LOT CORNERS
- () R-1 SECOND DISTANCE & REFERENCE NO.
- (PM) ZONING

FINAL MAP OF IMUS ROAD INTO LARGE PARCELS

FOR
WASHDE HILL VIEW, L.L.C. - SECTION 20

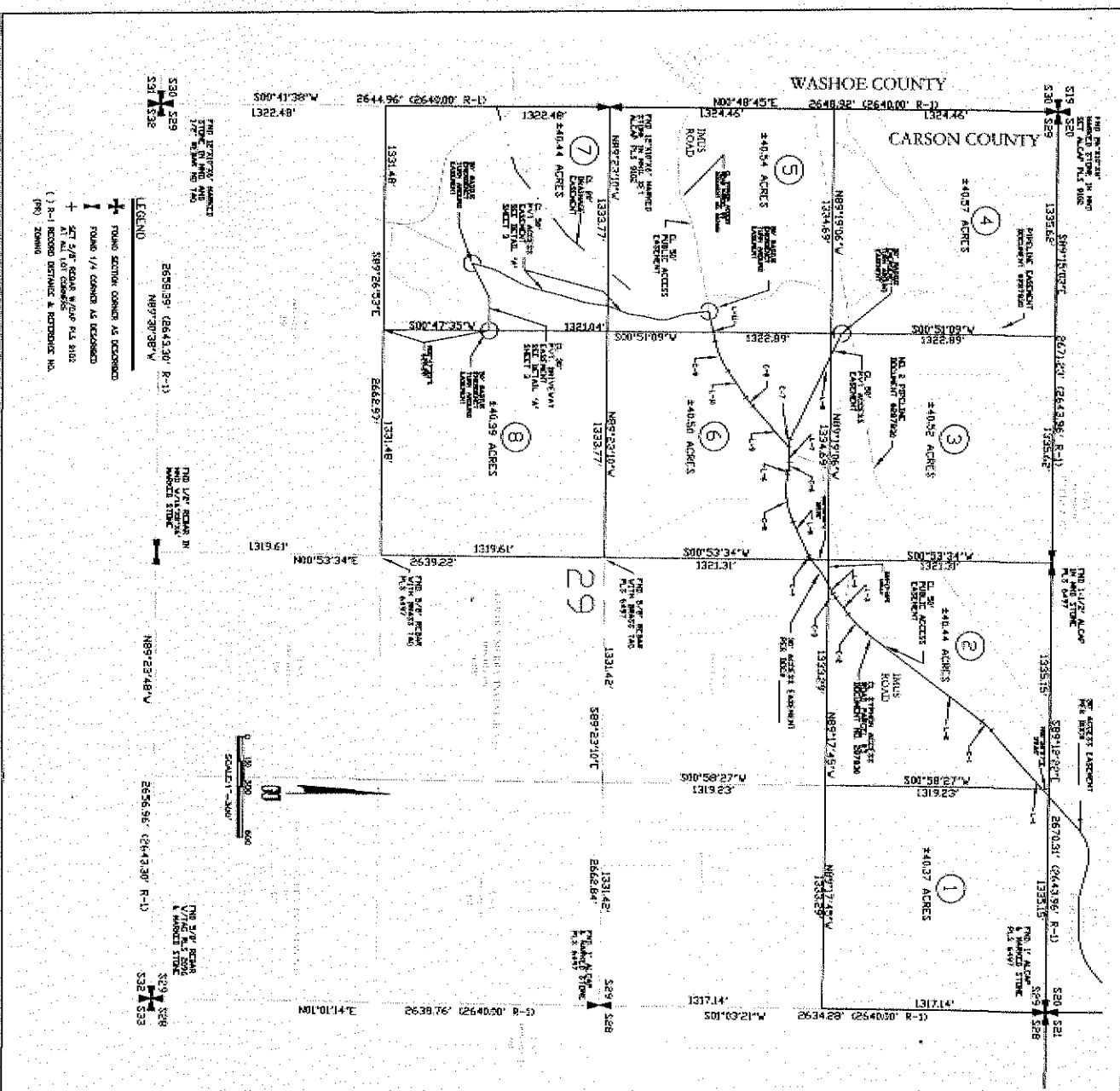
LOCATED WITHIN THE WASHINGTON COUNTY, NEVADA 20' ZONE

CARSON CITY, NEVADA

BIGGS AND ASSOCIATES, INC.
2000 WILLET LANE #2
SPRING VALLEY, NEVADA 89131 (702) 881-3433

FEBRUARY 2007

Sheet 3 of 3



LINE TABLE

L-1	1322.48' N	516.23'
L-2	1322.48' N	516.23'
L-3	1322.48' N	516.23'
L-4	1322.48' N	516.23'
L-5	1322.48' N	516.23'
L-6	1322.48' N	516.23'
L-7	1322.48' N	516.23'
L-8	1322.48' N	516.23'
L-9	1322.48' N	516.23'
L-10	1322.48' N	516.23'
L-11	1322.48' N	516.23'

CURVE TABLE

C-1	1322.48' N	516.23'	1322.48'
C-2	1322.48' N	516.23'	1322.48'
C-3	1322.48' N	516.23'	1322.48'
C-4	1322.48' N	516.23'	1322.48'
C-5	1322.48' N	516.23'	1322.48'
C-6	1322.48' N	516.23'	1322.48'
C-7	1322.48' N	516.23'	1322.48'
C-8	1322.48' N	516.23'	1322.48'
C-9	1322.48' N	516.23'	1322.48'

FINAL MAP OF DIVISION INTO LARGE PARCELS
FOR
WASHOE HILL VIEW, L.L.C. - SECTION 29
 LOCATED WITHIN SECTION 29, T40N, R10E, NEAD
 COUNTY, NEVADA
NEVADA
PREPARED BY
BERRY AND ASSOCIATES, INC.
 1000 W. WASHINGTON STREET, SUITE 200
 LAS VEGAS, NEVADA 89101
 (702) 462-1000
 PREPARED BY
 2/27/2007

