

Item # 5-4B

**City of Carson City
Agenda Report**

Date Submitted: February 10, 2009

Agenda Date Requested: February 19, 2009

Time Requested: Consent

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to adopt Bill No. 102, on second reading, Ordinance No. 2009-4, an ordinance amending the Carson City Municipal Code Title 18 Zoning, Chapter 18.16, Development Standards Division 2 Parking and Loading, by amending Section 2.3, General Parking Requirements, to add an exception to commercial vehicle parking in residential districts for deliveries and similar activities, and other matters properly related thereto. (ZCA-08-095)

Staff Summary: The proposed amendment would clarify that it is permitted for commercial vehicles to be parked in residential neighborhoods for active loading and unloading, construction, repair, service and similar activities. *This item was initially before the Board of Supervisors on February 5, 2009, and was approved by a vote of 5 ayes and 0 nay. The reason this item is back before the BOS is due to a publishing oversight pursuant to Nevada Revised Statutes (NRS) requirements.*

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 on October 29, 2008 by a vote of 7 Ayes, 0 Nays.

Prior Board Action: Introduced Bill No. 102 on January 15, 2009, with a vote of 5 ayes and 0 nays.

Recommended Board Action: I move to adopt Bill No. 102, on second reading, Ordinance No. 2009-4, an ordinance amending the Carson City Municipal Code Title 18 Zoning, Chapter 18.16, Development Standards Division 2 Parking and Loading, by amending Section 2.3, General Parking Requirements, to add an exception to commercial vehicle parking in residential districts for deliveries and similar activities, 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: 18.02.075 Zoning Code Amendments

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

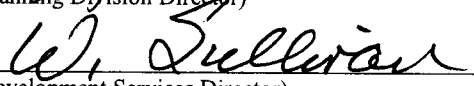
Alternatives: 1) Continue the second reading to the next Board of Supervisors meeting.
2) Deny

Supporting Material: 1) Ordinance

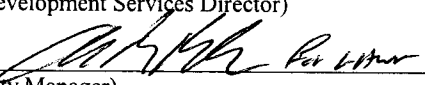
Prepared By: Janice Brod, Management Assistant V

Reviewed By: 
(Planning Division Director)

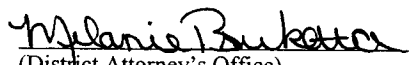
Date: 2/9/09


(Development Services Director)

Date: 2-11-09


(City Manager)

Date: 2-10-09


(District Attorney's Office)

Date: 2-10-09

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

BILL NO. 102

ORDINANCE NO. 2009-4

AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS DIVISION 2 PARKING AND LOADING, BY AMENDING SECTION 2.3, GENERAL PARKING REQUIREMENTS, TO ADD AN EXCEPTION TO COMMERCIAL VEHICLE PARKING IN RESIDENTIAL DISTRICTS FOR DELIVERIES AND SIMILAR ACTIVITIES; 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 18.16, Development Standards, Section 2, Parking and Loading, Subsection 2.3, General Parking Requirements, is hereby amended, in part, as follows:

2.3 General Parking Requirements.

1. Any off-street parking area which abuts or faces a single-family, two-family, or multi-family residential district or residential use shall provide screening meeting the Director's approval along the side abutting or fronting on such residential district or use.
2. In residential and office districts, required parking for residential uses may be located within the front and/or street side yard setback outside of sight distance clearance area. All other uses may provide parking lots in the front or street side yards, provided said parking lot is located at least six feet behind the front and street side property lines, meets sight distance requirements, and provided the area between the parking lot and the property line is landscaped and is not surfaced in whole or in part with concrete, asphalt or other surface material except to provide driveway access to the parking area and walkways. In all other zoning districts, parking lots are not required to be set back from property lines unless required to do so by use or variance permit conditions. Sight distance requirements must be met in all zoning districts.
3. Businesses with parking lots are required to provide a lot with a hard surface such as asphalt, concrete, turf stone type pavers or other material approved by the Director. Gravel and other similar materials are permitted for storage and display areas only.
4. If there is no parking area available on the building site, off-street parking as required by this Division may be provided on a parcel within 300 feet of the building site upon first securing a Special Use Permit in each case. Upon submittal of accredited documentation (e.g. ITE or the latest version of Smart Growth Parking Best Practices), the Director may accept a modification of the distance criteria as specified herein and parking solution provided, or may request Commission approval of such a modification.

5. Parking areas shall be used solely for automobile parking with no permanent sales, storage of inoperable, unlicensed vehicles, repair work, dismantling or servicing of any kind. Parking areas shall not be used for overnight sleeping or camping.
6. Driveways or other areas required to move cars in or out of parking spaces shall not be considered in meeting off-street parking requirements. Tandem spaces shall only be authorized for individual mobile home units within mobile home parks, RV parks and planned unit developments, or as otherwise specifically permitted by the Development Standards.
7. When the required number of off-street spaces results in a fractional space, fractions up to one-half shall be disregarded, and fractions one-half and over shall require an additional space.
8. Open parking of vehicles accessory to a residential use shall be limited to those actually used by the residents or for temporary parking of guests.
9. No truck, commercial trailer or vehicular equipment of a commercial or industrial nature shall be parked in any district except:
 - a. Where permitted as a use in a zoning district; or
 - b. A commercial panel van or pickup truck, when used for personal transportation;
 - c. On residential parcels one acre or larger in size, a commercial panel van or pickup truck is permitted with height not to exceed 10 feet; length not to exceed 22 feet; and shall not be parked within a setback area. Vehicles shall be screened from view from any sidewalk, roadway or adjacent parcel;
 - d. When a person is engaged in the restoration of a vehicle of historic significance and that vehicle is not being used for commercial purposes.
 - e. When actually and expeditiously engaged in the loading or unloading of merchandise or when such vehicle is being used in conjunction with the performance of service, repair, construction or similar essential use within the immediate neighborhood.**
10. No parking of trailers or vehicles larger than a commercial panel van or pickup truck within a public right-of-way shall be permitted within any district, except as specified in 9, directly above.
11. Owners of public and private parking lots shall not allow recreational vehicles to park and to be occupied for living and/or sleeping purposes.
12. Recreational vehicles shall not be parked for living purposes except in approved recreational vehicle parks or where authorized in accord with CCMC 18.05 (Trailers, Mobilehomes, RV's and Commercial Coaches).

13. When an existing building or buildings within the Residential Office, General Office or Redevelopment District are converted to a use requiring more parking than the existing use, on-street curb parking may be considered as part of the required parking, provided all of the following are met:
- a. Adequate off-street space is not available, or the Commission determines that strict compliance with requirements would adversely affect the character of the neighborhood;
 - b. At least 50% of the required parking shall be provided off street;
 - c. Allowable on-street parking shall be restricted to 50% curb parking space adjacent to the exterior boundaries of the subject property;
 - d. On-street parking may not be deducted from the total off-street parking requirements for car, truck or trailer rental agencies or property zoned air industrial park;
 - e. Allowable on-street parking may not be located upon streets which are designated as arterials in the Master Plan;
 - f. All required parking for new construction must be located off street.
14. When ongoing maintenance requires the restriping or altering of a parking lot, no changes shall be allowed without the approval of the Director.

SECTION II:

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

PROPOSED on _____, 2009.

PROPOSED BY Supervisor _____

PASSED _____, 2009.

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 2009.