

Item # 5B

**City of Carson City
Agenda Report**

Date Submitted: September 12, 2006

Agenda Date Requested: September 21, 2006

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Planning Division

Subject Title: Action to introduce, on first reading, Bill No. _____, an ordinance affecting a Zoning Map Amendment to change the zoning of the eastern half of property located at 7051, 7101, 7171 and 7207 Center Drive, APN's 009-311-29, -30, -31 and -46, a total of approximately 4.7 acres, from Single Family One Acre (SF1A) to Single Family 6,000 (SF6), based on the three findings contained in the staff report. (File No. ZMA-06-137)

Staff Summary: Approval of the Zoning Map Amendment would change the designation of the subject parcels on the official Carson City Zoning Map from Single Family One Acre (SF1A) to Single Family 6,000 (SF6).

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 on August 30, 2006 by a vote of 7 Ayes and 0 Nays.

Recommended Board Action: I move to introduce, on first reading, Bill No. _____, an ordinance affecting a Zoning Map Amendment to change the zoning of the eastern half of property located at 7051, 7101, 7171 and 7207 Center Drive, APN's 009-311-29, -30, -31 and -46, a total of approximately 4.7 acres, from Single Family One Acre (SF1A) to Single Family 6,000 (SF6), based on the three findings contained in the staff report.

Explanation for Recommended Board Action: Staff recommended approval of the application based on zoning compatibility issues with surrounding properties and compatibility with the Carson City Master Plan. Staff also offered findings for approval for the Planning Commission's consideration, and the Planning Commission recommended approval by a vote of 7-0. This is the first of two readings. See attached staff report to the Planning Commission for complete explanation on the recommended action.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.075 (Zoning Map Amendments).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

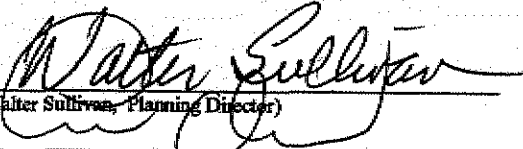



Alternatives:

- 1) Refer back to staff and Planning Commission for further review.

Supporting Material: Staff Report
Case Record
Ordinance

Prepared By: Donna Fuller, Administrative Services Manager

Reviewed By:

 _____ (Walter Sullivan, Planning Director)	Date: <u>9-11-06</u>
 _____ (Andrew Burnham, Public Works Director)	Date: <u>9/12/06</u>
 _____ (Linda Ritter, City Manager)	Date: <u>9/12/06</u>
 _____ (Mike Suglia, Senior Deputy District Attorney)	Date: <u>9-12-06</u>

Board Action Taken:

Motion: _____

1) _____	Aye/Nay
2) _____	_____

(Vote Recorded By)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF THE EASTERN HALF OF PROPERTY LOCATED AT 7051, 7101, 7171, AND 7207 CENTER DRIVE, APN'S 009-311-29, -30, -31, AND -46, A TOTAL OF APPROXIMATELY 4.7 ACRES, FROM SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 6,000 (SF6)

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAIN:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Numbers 009-311-29, -30, -31, and -46, on property located at 7051, 7101, 7171, and 7202 Center Drive, 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 requested change will result in the zoning designation of the eastern half of the subject parcels being changed from Single Family One Acre (SF1A) to Single Family 6,000 (SF6). After proper noticing pursuant to NRS 278 and CCMC Title 18, on August 30, 2006, the Planning Commission reviewed the Planning Division staff report and requested public testimony and voted 7 ayes, 0 nay, and 0 absent, 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 eastern half of Assessor's Parcel Numbers 009-311-29, -30, -31, and -46. a total of approximately 4.7 acres, changing the zoning designation from Single Family One Acre (SF1A) to Single Family 6.000 (SF6), as shown on Exhibit "A."

PROPOSED this ____ day of _____, 2006.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2006.

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 _____, 2006.

EXHIBIT A

**CARSON CITY PLANNING COMMISSION
CASE RECORD**

MEETING DATE: August 30, 2006

AGENDA ITEM NO.: G-7

APPLICANT(s) NAME: CCPD

FILE NO.: ZMA-06-137

PROPERTY OWNER(s): Robert & Phyllis Bateman, Denise & Shane Catlin,
Stephen Luschar, & Sonya Hoffman

ASSESSOR PARCEL NO(s): 9-311-29, -30, -31 & -46

ADDRESS: 7051, 7101, 7171 & 7207 Center Drive

APPLICANT'S REQUEST: Action to consider a Zoning Map Amendment to change the zoning of the eastern half of APN's 009-311-29, -30, -31 and -46, 7051, 7101, 7171 and 7207 Center Drive, a total of approximately 4.7 acres, from Single Family One Acre (SF1A) to Single Family 6,000.

COMMISSIONERS PRESENT: PEERY VANCE SEMMENS

 BISBEE MULLET REYNOLDS KIMBROUGH

STAFF REPORT PRESENTED BY: Lee Plemel

REPORT ATTACHED

STAFF RECOMMENDATION: APPROVAL

DENIAL

APPLICANT REPRESENTED BY: Carson City

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.

PERSONS SPOKE IN FAVOR OF THE PROPOSAL

PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

Public Comment: Pete Bachstadt - could rezone larger area if PC were inclined to.

MOTION WAS MADE TO RECOMMEND APPROVAL:

- 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: Semmens PASSED: 7 /AYE 0 /NO /DQ /ABSENT /ABSTAINED

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: 9-21-06

STAFF REPORT FOR PLANNING COMMISSION MEETING OF AUGUST 30, 2006

FILE NO: ZMA-06-137

AGENDA ITEM: G-7

STAFF AUTHOR: Lee Plemel, AICP, Principal Planner

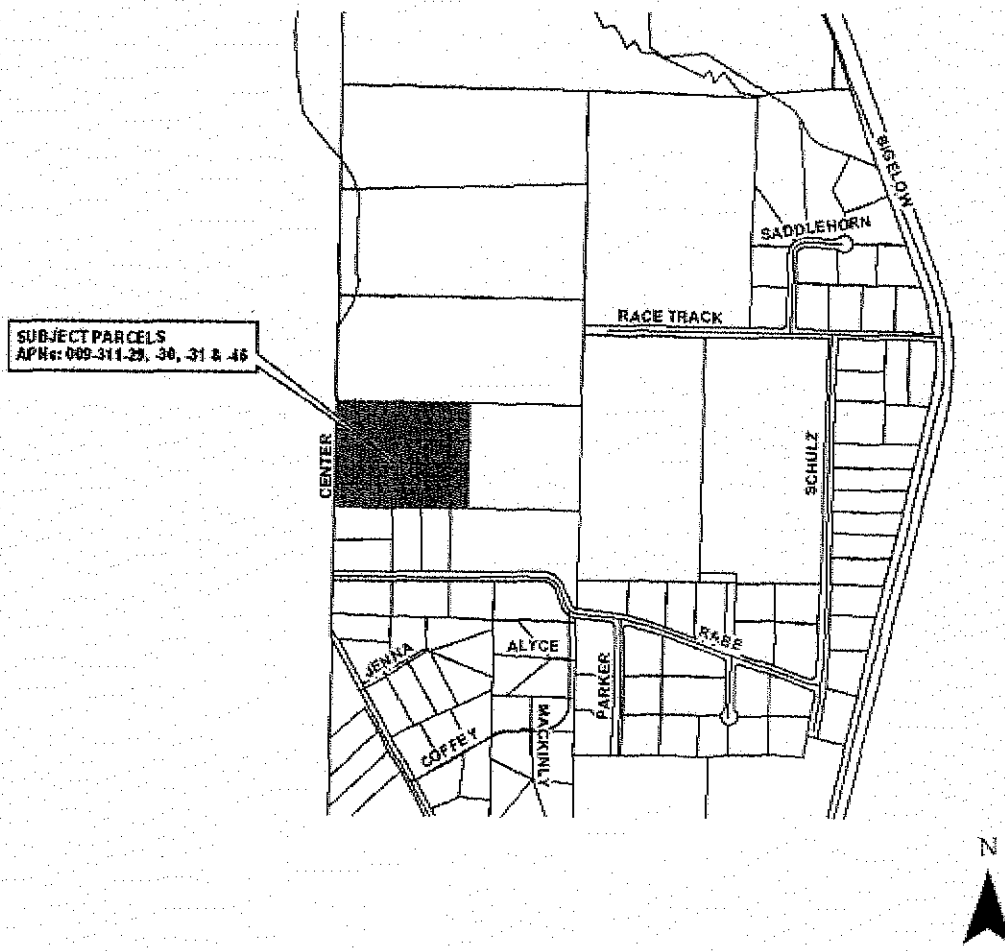
REQUEST: A Zoning Map Amendment to change the zoning of the eastern half of four parcels from **Single Family One Acre (SF1A)** to **Single Family 6,000 (SF6)** in order for the subject area to be included in the adjacent Schulz Ranch subdivision.

APPLICANT: Carson City Planning Division

OWNERS: Robert & Phyllis Bateman, Denise & Shane Catlin, Stephen Luschar, & Sonya Hoffman

LOCATION: 7051, 7101, 7171 & 7207 Center Drive; APNs 9-311-29, -30, -31 & -46.

RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZMA-06-137, a Zoning Map Amendment to change the zoning of the eastern half of property located at 7051, 7101, 7171 and 7207 Center Drive, APN's 009-311-29, -30, -31 and -46, a total of approximately 4.7 acres, from Single Family One Acre to Single Family 6,000, based on the findings contained in the staff report."



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

CURRENT MASTER PLAN DESIGNATION: Medium Density Residential (MDR, 3-8 du/ac)

CURRENT ZONING: Single Family One Acre (SF1A)

SURROUNDING LAND USE AND ZONING:

Master Plan / Zoning – Uses

North: Medium Density Residential (MDR) / Single Family 6,000 (SF6)
 – Vacant (future Schulz Ranch subdivision)

West: Center Drive, Douglas County – Vacant (future open space in residential development)

South: Low Density Residential / Single Family One Acre (SF1A) – Residences

East: MDR / SF6 – Vacant (future Schulz Ranch subdivision)

BACKGROUND:

On February 22, 2006, the Carson City Planning Commission approved a Master Plan Amendment for the subject properties to change the Land Use designation to Medium Density Residential (MDR) on the new Master Plan Land Use Map. The MDR designation for the properties was ultimately adopted by the Board of Supervisors as part of the Land Use Map. The Planning Commission also directed city staff to initiate a Zoning Map Amendment on the behalf of the property owners to change the zoning of the easterly portion of your property from Single Family One Acre (SF1A) to Single Family 6,000 (SF6), consistent with the adjacent Schulz Ranch development proposal, upon final adoption of the Master Plan. This Zoning Map Amendment application has been initiated by staff pursuant to these prior actions.

The MDR Master Plan Land Use designation was requested for the properties by the property owners in order for the eastern half of the properties to be zoned consistent with and included in the adjacent Schulz Ranch subdivision, which borders the subject properties to the north and east and is anticipated to begin construction this year.

DISCUSSION:

Three of the subject parcels are each approximately 2 acres in size, with the fourth parcel at 3.25 acres. Each lot contains an existing residence generally located on the western portion of the parcels, fronting on Center Drive. The planned Schulz Ranch subdivision abuts each of the properties to the east. Approval of the Zoning Map Amendment would allow the eastern portion of the properties to be included within the Schulz Ranch subdivision with lot sizes and zoning consistent with the Schulz Ranch subdivision approvals.

Master Plan-Zoning Consistency

The Master Plan Land Use Map shows the future anticipated or desired land use condition. The zoning of a parcel, which may presently be different than or inconsistent with the present Master Plan designation for a parcel, provide the specific property development entitlements—i.e. what types of uses are permitted and at what densities. The following is a summary of the residential zoning districts that are consistent with the applicable Master Plan Land Use designations in the vicinity.

Master Plan Designation	Consistency Zoning Designations
Low Density Residential (0.33-5 ac/du)	Single Family Two Acre (SF2A) Single Family One Acre (SF1A) Single Family 21,000 (SF21)

Medium Density Residential (3-8 du/ac)	Single Family 12,000 (SF12) Single Family 6, 000 (SF6)
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The proposed SF6 zoning is consistent with the current Master Plan Land Use designation for the subject parcels.

Master Plan Policy Consistency

As detailed below in the Findings section of this staff report, the proposed amendment is consistent with the policies of Master Plan in that it provides for growth in accordance with the Land Use Map in an area served or planned to be served by community water and wastewater facilities and easily served by other city services.

Compatibility with Existing Land Uses

As noted above, the subject properties abut the future Schulz Ranch subdivision to the north and east. However, the subject area also abuts existing single-family one acre residences to the south, on Rabe Way. Two one-acre parcels on Rabe Way abut the subject area proposed to be rezoned to SF6.

The proposed rezoning would leave the existing residences on the subject parcels with at least one acre on the Center Drive side of the parcels. The Center Drive frontage would remain the same, with no additional houses on the western half of the parcels. This area would also remain zoned SF1A. Access to the eastern half of the parcels would only be through the future Schulz Ranch subdivision, so no additional traffic would be anticipated on Center Drive or Rabe Way.

The proposed expansion of the existing SF6 zoning to the subject parcels represents a relatively minimal expansion of the SF6 zoning in this area. The expansion will have minimal impacts to surrounding properties. Additionally, the proposed developers of the properties (the owners of the adjacent property to the east within the Schulz Ranch subdivision) have indicated that development of the subject area would comply with Schulz Ranch development requirements, including periphery setback and lot size requirements consistent with the Schulz Ranch approvals.

PUBLIC COMMENTS: Public notices were mailed to 30 adjacent property owners within 1,000 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of August 22, 2006, no written comments have been received either in support or opposition of this application. Opposition to past approvals for the Schulz Ranch subdivision have documented with the applicable prior applications. 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:

The Engineering 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: (Applicable goals and policies noted.)

Policy 1.1b: Discourage growth outside areas planned to be served by community water and wastewater facilities.

Rationale: The proposed amendment would encourage growth in an area identified for and easily served by water and sewer services.

Policy 1.5d: Locate growth areas to be adequately served by city services including fire and sheriff, and coordinated with the School District to ensure adequate provision of schools.

Rationale: The proposed amendment is in an area adequately served by fire and sheriff services with anticipated quick response times, and the proposed amendment would have insignificant impacts on the school district due to the small size of the area.

Policies 6.2a, 9.3b & 9.4a: Promote compatibility with surrounding development for infill projects or adjacent to existing rural neighborhoods.

Rationale: The proposed rezoning represents a minimal expansion of the existing SF6 zoning in the area and any development in the subject area will conform with peripheral boundary setback and lot width requirements consistent with the adjacent Schulz Ranch subdivision to minimize potential impacts to adjacent one-acre properties.

Land Use Consistency: Provide for zoning consistent with the Land Use designation.

Rationale: The proposed SF6 zoning is consistent with the existing Medium Density Residential for the subject property and located appropriately.

- 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 amendment will not result in a significant change to the residential character of the existing parcels and will have minimal impact on surrounding parcels. The proposed rezoning represents a minimal expansion of the existing SF6 zoning in the area and any development in the subject area will conform with peripheral boundary setback and lot width requirements consistent with the adjacent Schulz Ranch subdivision to minimize potential impacts to adjacent one-acre properties.

- 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 or planned for services. Any applicable city services can be easily provided to the subject parcels, and the impacts of the proposed amendment will be minimal to public services. Therefore, the proposed amendment would have no adverse impact on the public health, safety or welfare.

Respectfully submitted,

PLANNING DIVISION



Lee Plemel, AICP, Principal Planner

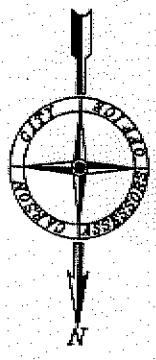
- 26M 9-311-27 MAP
- 3 PM1119
- 39 PM1295
- 40 PM1295
- 41 PM1295
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E1/2 SECTION 5, T.14 N., R.20 E., M.D.B. & M.

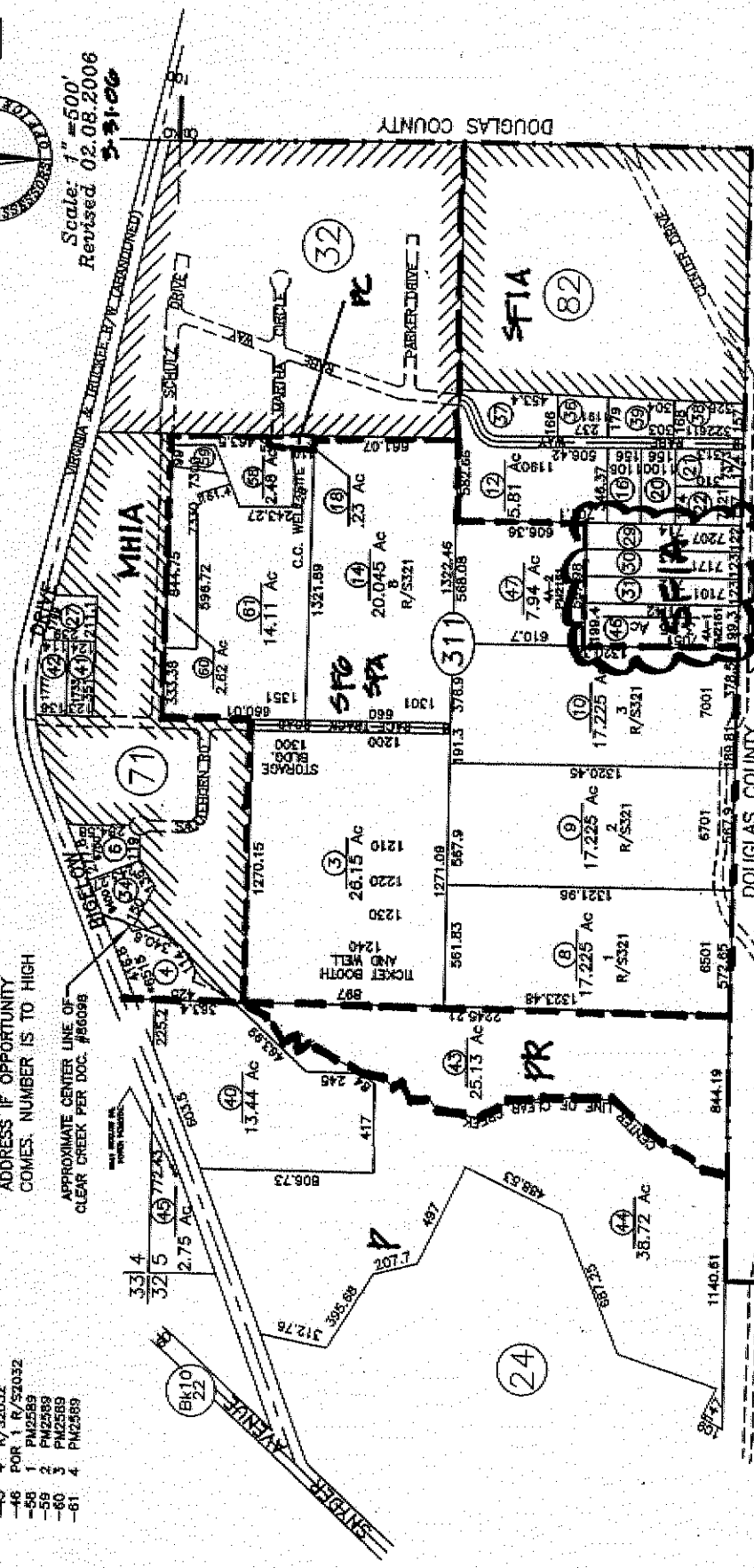
9-31

*APN 9-311-04 CHANGE ADDRESS IF OPPORTUNITY COMES. NUMBER IS TO HIGH

APPROXIMATE CENTER LINE OF CLEAR CREEK PER DOC. #86098



Scale: 1" = 500'
Revised: 02.08.2008
9-31-06



APPROXIMATE LOCATION OF CENTER DRIVE PORTIONS LYING WITHIN DOUGLAS CO. MAINTAINED BY CARSON CITY PER BOARD OF SUPERVISORS RESOLUTION NO. 1971-R-5 MARCH 5, 1971.

SOME PARCELS DELINEATED HEREIN MAY NOT BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION DUE TO DISCREPANCIES BETWEEN LOT LINES.

CARSON CITY, NEVADA
THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY ASSESSOR FOR ASSESSMENT AND ILLUSTRATIVE PURPOSES ONLY. IT DOES NOT REPRESENT A SURVEY OR LIABILITY IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF THE DATA DELINEATED HEREIN. YOU CAN VIEW AND PRINT OUR MAPS AT NO CHARGE FROM OUR WEBSITE AT

CURRENT ZONING

SUBJECT PARCELS

Correction of Parcel Line

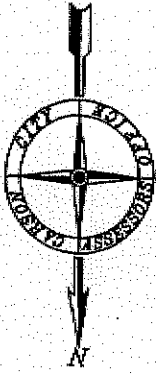
APN	MAP
9-311	27
3	PM1119
40	PM1295
30	AC PM1295
31	48 PM1295
38	1 PM1385
37	2 PM1385
36	1 PM1396
39	2 PM1396
41	LL ADJ 805116
42	LL ADJ 805116
45	4 R/S2032
46	POB 1 R/S2032
58	1 PM2569
59	2 PM2569
60	3 PM2569
61	4 PM2569

E1/2 SECTION 5, T.14 N., R.20 E., M.D.B. & M.

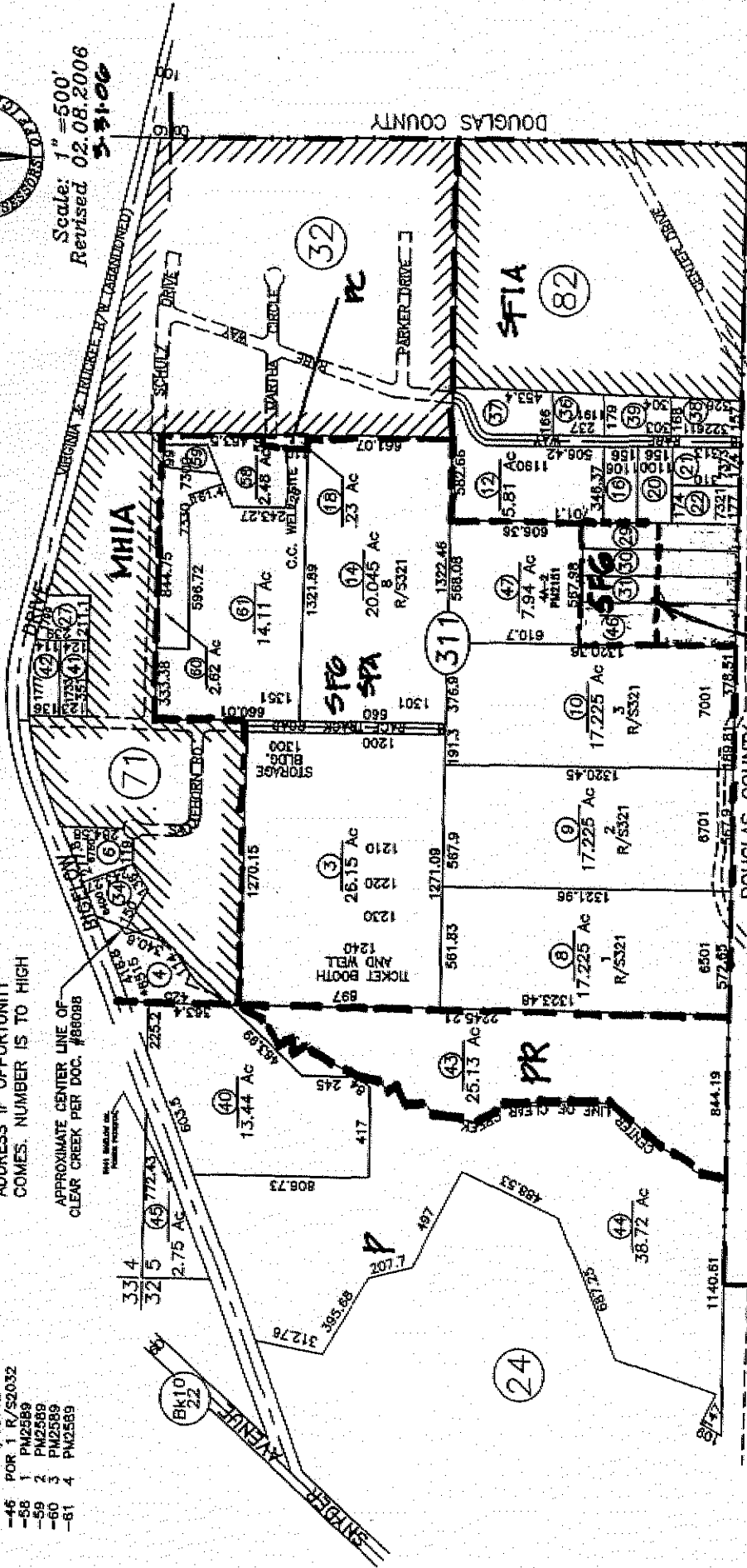
9-31

*APN 9-311-04 CHANGE ADDRESS IF OPPORTUNITY COMES. NUMBER IS TO HIGH

APPROXIMATE CENTER LINE OF CLEAR CREEK PER DOC. #88088



Scale: 1" = 500'
Revised 02.08.2006
3-31-06



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APPROXIMATE LOCATION OF CENTER DRIVE PORTIONS LYING WITHIN DOUGLAS CO. MAINTAINED BY CARSON CITY PER BOARD OF SUPERVISORS RESOLUTION NO. 1971-R-5 MARCH 5, 1971.

SUBJECT AREA CHANGED FROM SFIA TO SF6

PROPOSED ZONING

DRAFT

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF THE EASTER HALF OF PROPERTY LOCATED AT 7051, 7101, 7171 AND 7207 CENTER DRIVE, APN'S 009-311-29, -30, -31 AND -46, A TOTAL OF APPROXIMATELY 4.7 ACRES, FROM SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 6,000 (SF6).

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAINS:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Numbers 009-311-29, -30, -31 and -46, on property located at 7051, 7101, 7171 and 7207 Center Drive, 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 requested change will result in the zoning designation of the eastern half of the subject parcels being changed from Single Family One Acre (SF1A) to Single Family 6,000 (SF6). On August 30, 2006, the Planning Commission voted ayes, nay (and absent) 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 eastern half of Assessor's Parcel Numbers 009-311-29, -30, -31 and -46, a total of approximately 4.7 acres, changing the zoning designation from Single Family One Acre (SF1A) to Single Family 6,000 (SF6), as shown on Exhibit "A."

PROPOSED this ____ day of _____, 2006.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2006.

VOTE:AYES:

NAYS:

ABSENT:

MARV TELXEIRA, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the

 of , 2006.

