

**City of Carson City
Agenda Report**

Date Submitted: January 11, 2011

Agenda Date Requested: January 20, 2011

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Public Works - Planning Division

Subject Title: Action to approve a Master Plan Amendment application to modify the Land Use Map designation of property located in and around the vicinity of the Carson City Landfill, Flint Drive area, changing an approximate 15 acre portion of APN 8-011-19 east of the V&T Railroad track from Public Conservation to Public/Quasi-Public, changing APN 8-521-20 from Public Conservation (311 acres) and Mixed-Use Commercial (65 acres) to Public/Quasi-Public (193 acres), Open Space (135 acres) and Mixed-Use Commercial (48 acres), and changing APN's 8-531-03 (178 acres), 10-011-01 (108 acres) and 10-011-29 (520 acres) from Public Conservation to Public/Quasi-Public. (MPA-10-086) (Lee Plemel)

Summary: The proposed amendments would make the Master Plan land use designations consistent with the actual public use of the landfill and surrounding properties, and will be consistent with the proposed land uses pursuant to the lands bill that will transfer ownership of the properties from the BLM to Carson City. Property acreage noted above is approximate. This application is being processed concurrently with ZMA-10-087 for a change in the zoning designation.

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 on December 1, 2010 by a vote of 6 ayes and 0 nays.

Recommended Board Action: I move to approve a Master Plan Amendment application to modify the Land Use Map designation of property located in and around the vicinity of the Carson City Landfill, Flint Drive area, as published on the agenda, based on the findings contained in the staff report.

Explanation for Recommended Board Action: The Board of Supervisors is required to take final action on all Master Plan Amendments. See the attached staff report to the Planning Commission for further information.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.070 (Master Plan).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

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

Supporting Material:

- 1) Resolution 2010-PC-2
- 2) Case Record
- 3) Staff report


Prepared By: Janice Brod, Management Assistant V

Reviewed By:




 (Planning Director)

Date: 1/10/11



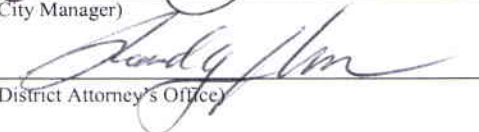
 (Public Works Director)

Date: 1/11/11



 (City Manager)

Date: 1/10/11



 (District Attorney's Office)

Date: 1/11/11

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

RESOLUTION NO. 2010-PC-R-2

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-10-086, A MASTER PLAN AMENDMENT TO CHANGE THE LAND USE MAP DESIGNATION FOR PROPERTY LOCATED IN AND AROUND THE VICINITY OF THE CARSON CITY LANDFILL, FLINT DRIVE AREA, CHANGING AN APPROXIMATE 15-ACRE PORTION OF APN 008-011-19 EAST OF THE V&T RAILROAD TRACK FROM PUBLIC CONSERVATION TO PUBLIC / QUASI-PUBLIC; CHANGING APN 008-521-20 FROM PUBLIC CONSERVATION (311 ACRES) AND MIXED-USE COMMERCIAL (65 ACRES) TO PUBLIC / QUASI - PUBLIC (193 ACRES), OPEN SPACE (135 ACRES), AND MIXED-USE COMMERCIAL (48 ACRES); AND CHANGING APNs 008-531-03 (178 ACRES), 10-011-01 (108 ACRES), AND 10-011-29 (520 ACRES) FROM PUBLIC CONSERVATION TO PUBLIC / QUASI-PUBLIC

WHEREAS, NRS 278.210 requires that any adoption of a master plan amendment shall be by resolution of the Planning Commission; and

WHEREAS, the Planning Commission has given proper notice of the proposed amendment in accordance with the provisions of NRS and CCMC 18.02.070, and is in conformance with City and State legal requirements; and

WHEREAS, on December 1, 2010, the Planning Commission obtained public testimony and duly considered recommendations and findings for the proposed master plan amendment and approved Master Plan Amendment request MPA-10-086 by an affirmative vote of a two-thirds majority of the commission, at least five members of the seven-member commission, pursuant to NRS 278.210, based on four findings of fact; and

WHEREAS, the proposed Master Plan land use designations would be consistent with the existing and intended uses of the property, as well as the Public Omnibus Land Management Act of 2009 providing for the transfer of certain portions of property from the Bureau of Land Management ("BLM") to Carson City and for the sale of certain portions of the property by BLM for economic development.

NOW, THEREFORE, the Carson City Planning Commission hereby recommends to the Board of Supervisors approval of the Master Plan Amendment to change the Master Plan Land Use designation of property located in and around the vicinity of the Carson City Landfill, Flint Drive area, changing an approximate 15-acre portion of APN 008-011-19, east of the V&T Railroad track from Public Conservation to Public / Quasi-Public; changing APN 008-521-20 from Public Conservation (311 acres) and Mixed-Use Commercial (65 acres) to Public / Quasi-

Public (193 acres), Open Space (135 acres), and Mixed-Use Commercial (48 acres); and changing APNs 008-531-03 (178 acres), 10-011-01 (108 acres), and 10-011-29 (520 acres) from Public Conservation to Public / Quasi-Public, as illustrated in the attached Exhibits A, B, and C.

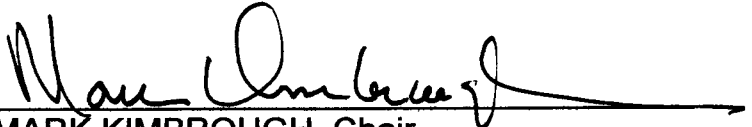
Upon motion by Vice Chairperson Craig Mullet, seconded by Commissioner William Vance, the foregoing Resolution was passed and adopted this 1st day of December, 2010, by the following vote:

AYES: Vice Chairperson Craig Mullet
Commissioner William Vance
Commissioner Malkiat Dhami
Commissioner James Shirk
Commissioner George Wendell
Chairperson Mark Kimbrough

NAYES: None.

ABSENT: None.

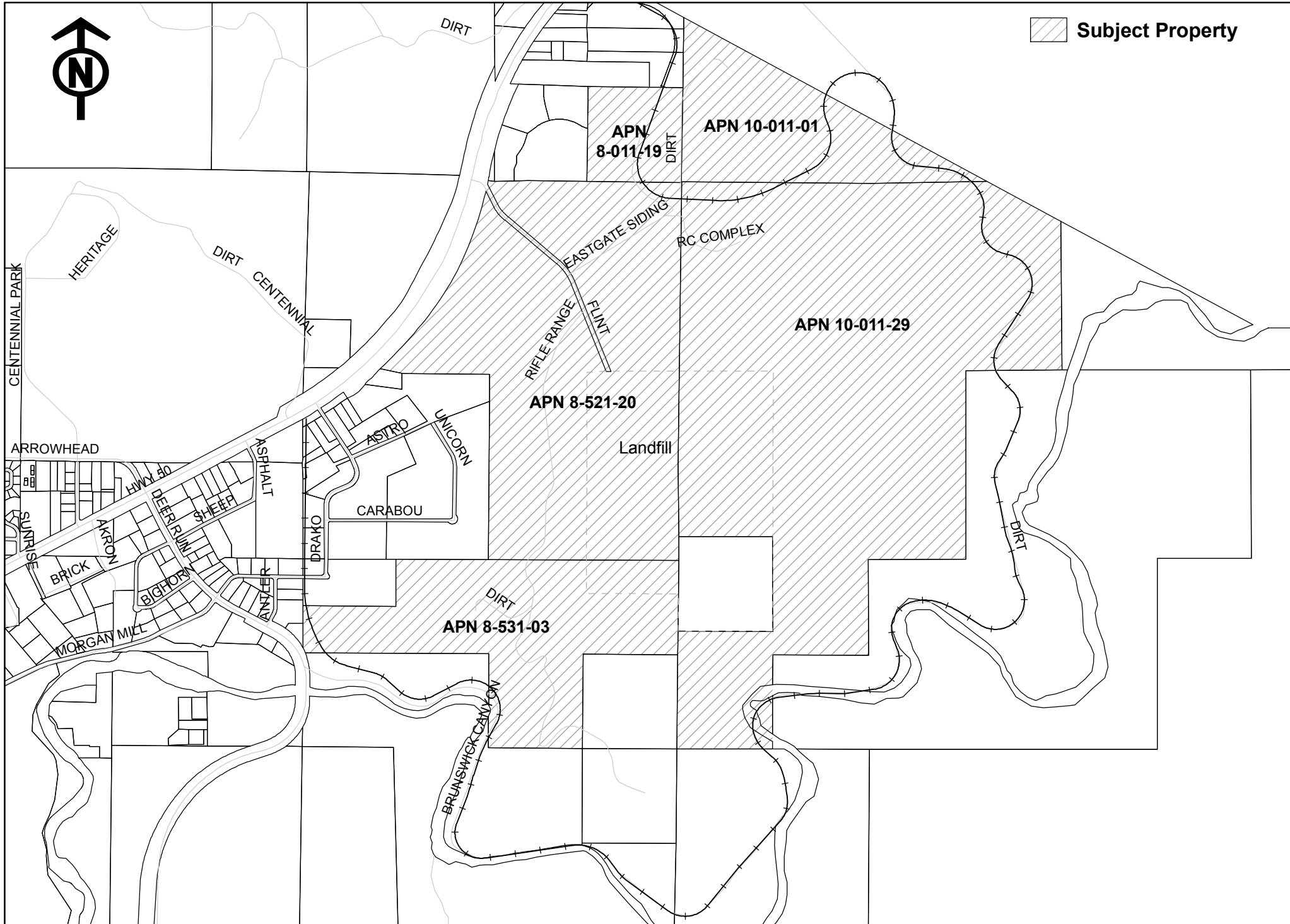
ABSTAIN: None.


MARK KIMBROUGH, Chair

ATTEST:

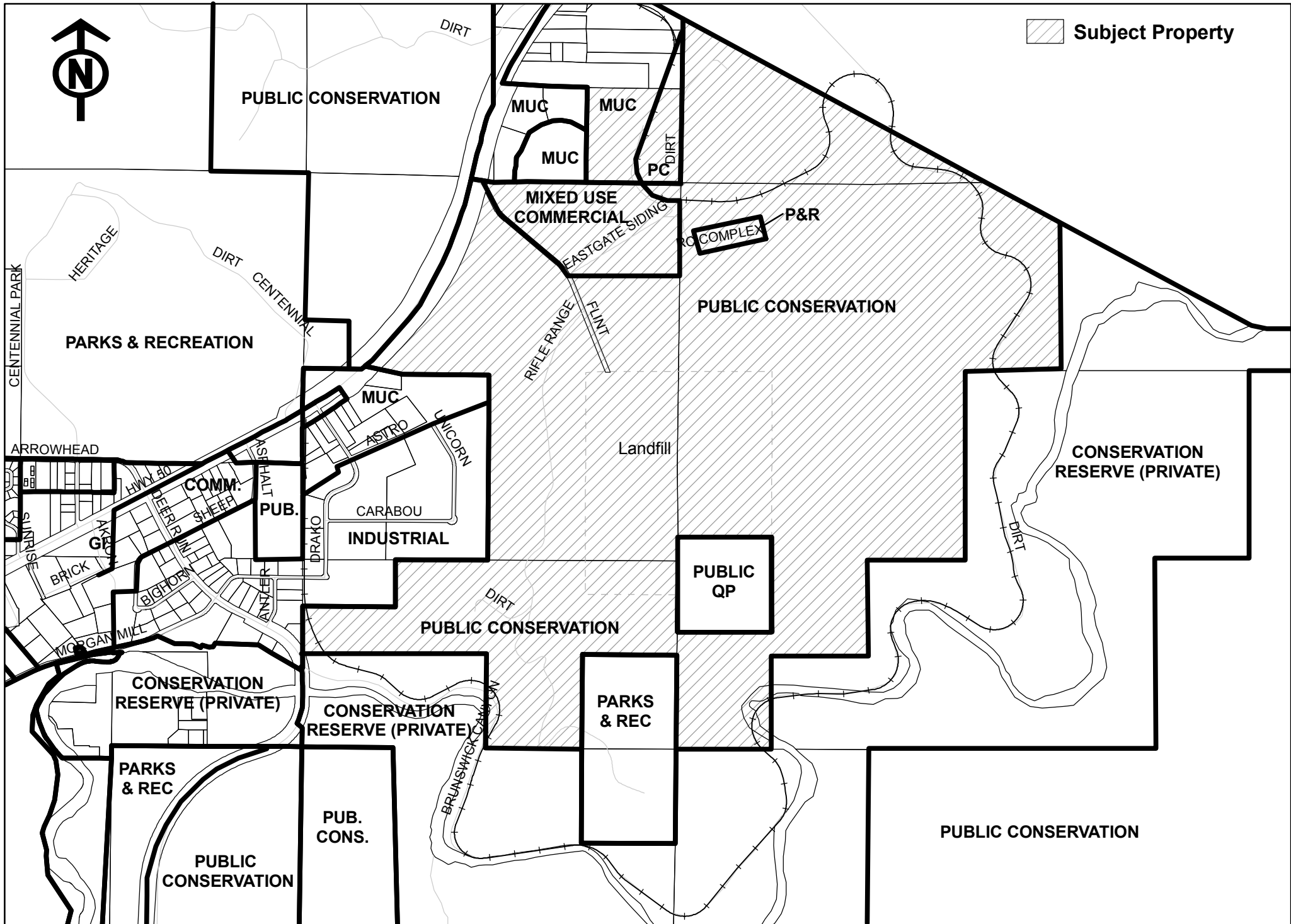

LEE PLEMEL, AICP
Planning Division Director

Subject Property

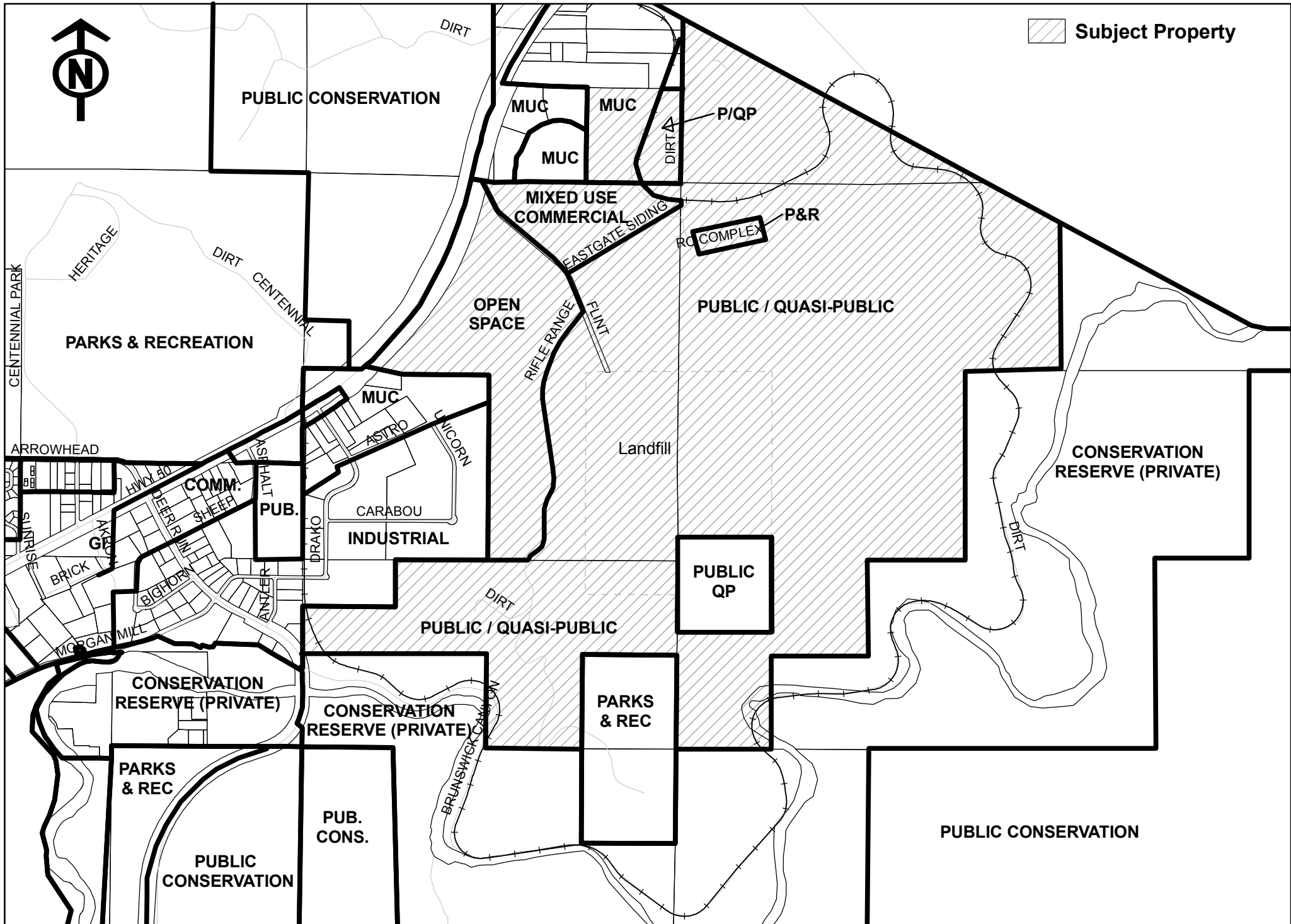


Current Master Plan Land Use

ATTACHMENT B



Proposed Master Plan Land Use



STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 17, 2010

FILE: MPA-10-086

AGENDA ITEM: H-6(A)

STAFF AUTHOR: Lee Plemel, AICP, Planning Director

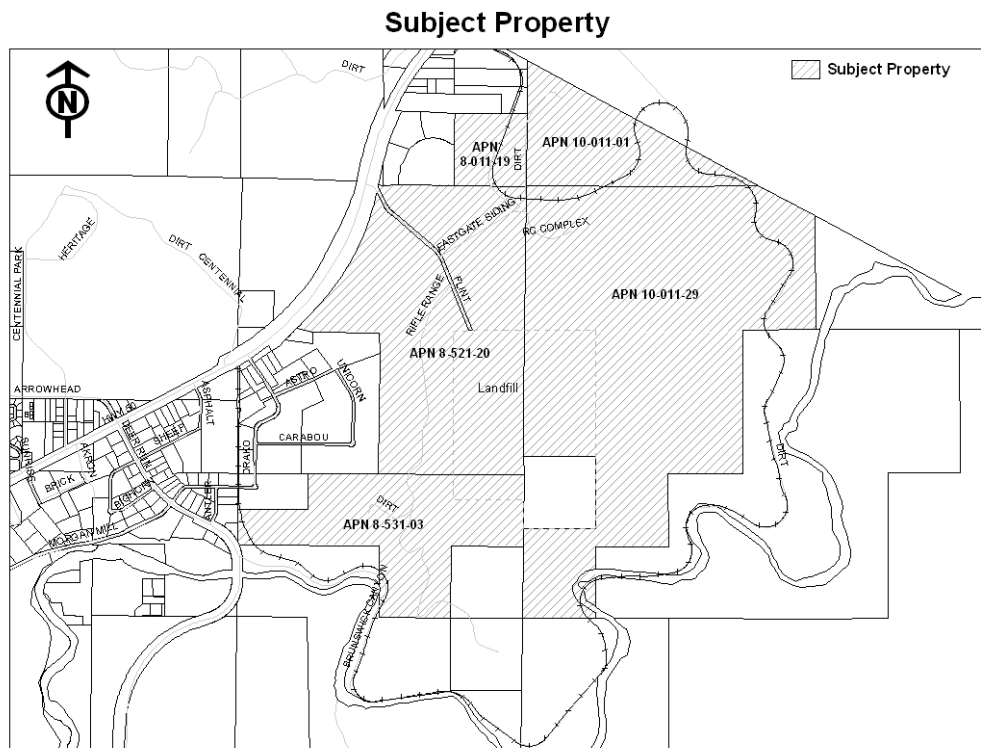
REQUEST: A Master Plan Amendment to change the Land Use Map designation of property located in and around the vicinity of the Carson City Landfill, Flint Drive area, changing an approximate 15 acre portion of APN 8-011-19 east of the V&R Railroad track from Public Conservation to Public/Quasi-Public, changing APN 8-521-20 from Public Conservation (311 acres) and Mixed-Use Commercial (65 acres) to Public/Quasi-Public (193 acres), Open Space (135 acres) and Mixed-Use Commercial (48 acres), and changing APN's 8-531-03 (178 acres), 10-011-01 (108 acres) and 10-011-29 (520 acres) from Public Conservation to Public/Quasi-Public.

APPLICANT: Carson City Planning Division

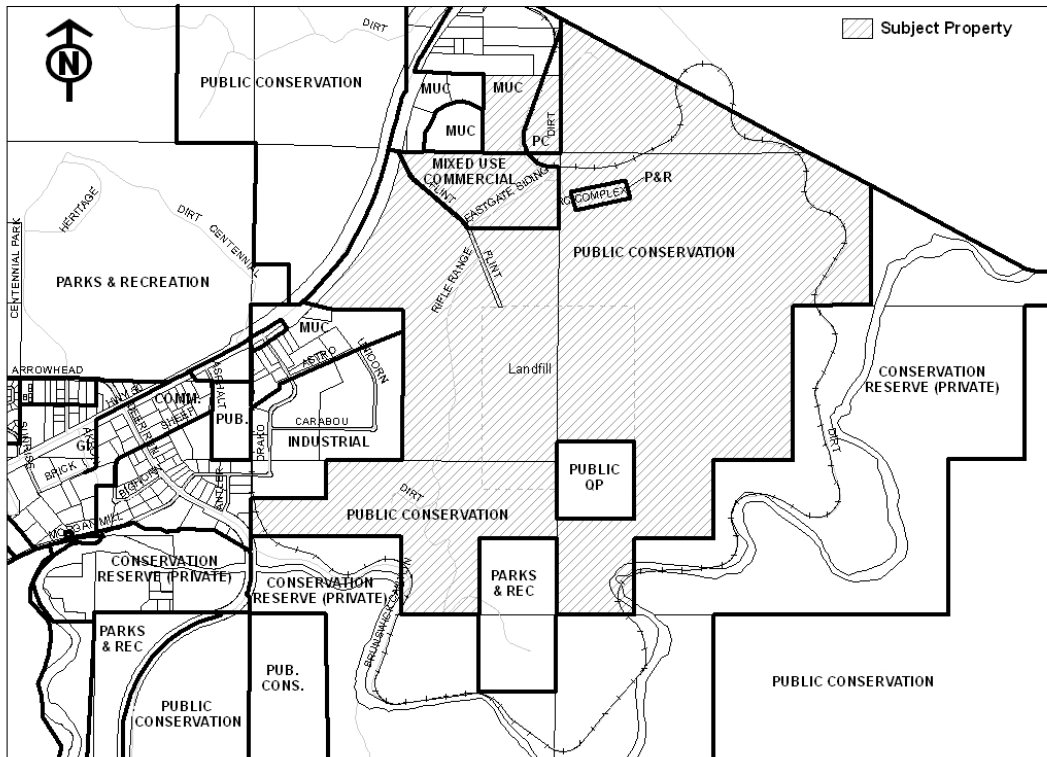
OWNER: Bureau of Land Management (BLM) and Carson City

LOCATION: Highway 50 East/Flint Drive/Landfill vicinity (see map below)

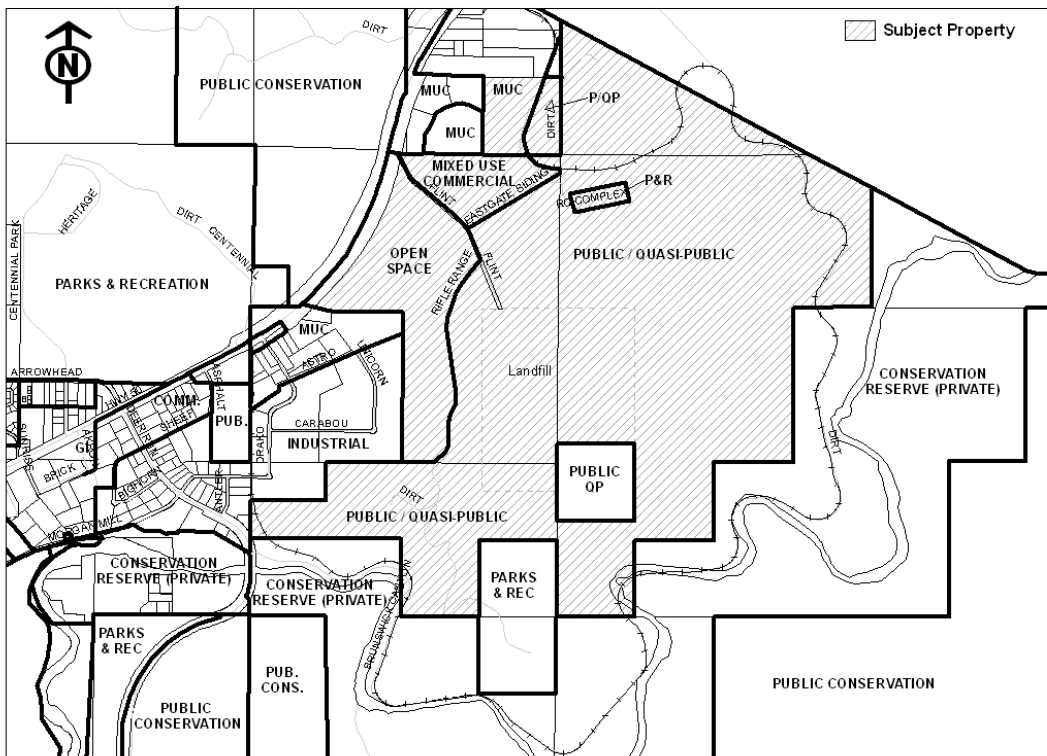
RECOMMENDED MOTION: “I move to adopt Resolution 2010-PC-2 recommending to the Board of Supervisors approval of MPA-10-086, a Master Plan Amendment to change the Land Use designations of public property located in the vicinity of Flint Drive and the Carson City landfill as published on the agenda and presented by staff, based on the findings contained in the staff report.”



Current Master Plan Land Use



Proposed Master Plan Land Use

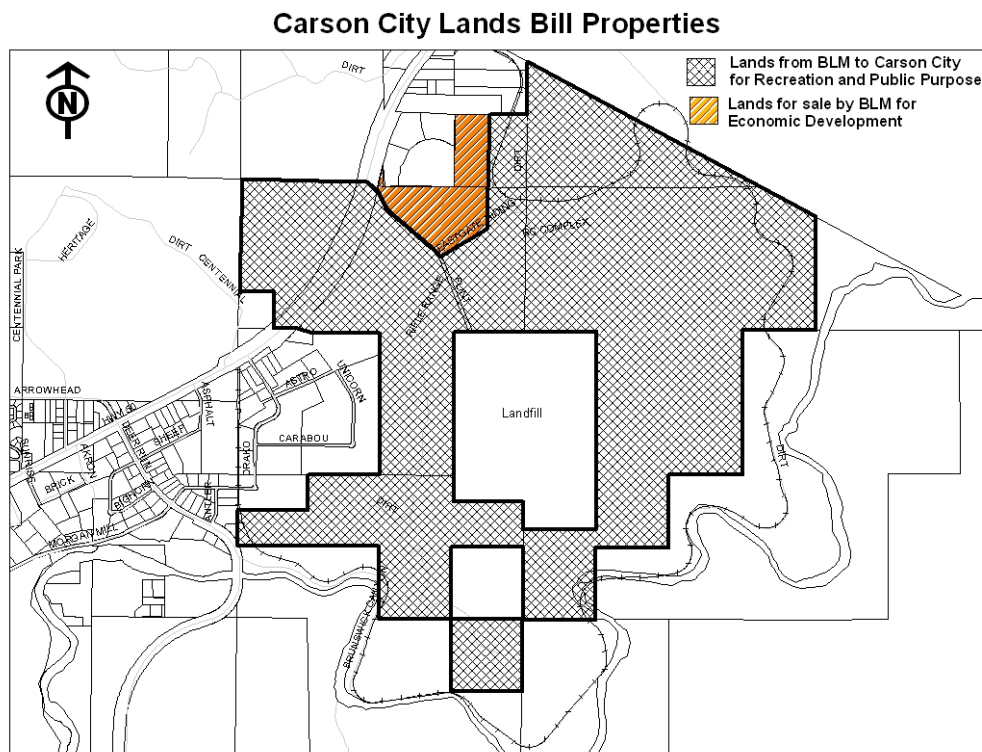


LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.070 (Master Plan).

DISCUSSION:

The subject properties are currently owned by the Bureau of Land Management (BLM), with the exception of the Landfill area that is under patented ownership by Carson City. The V&T Railroad right-of-way also goes through portions of the property, as indicated on the maps on the previous page. The current and proposed Master Plan maps are attached to this staff report with the draft Master Plan Amendment resolution.

Most of the subject property is identified for transfer from BLM to Carson City in the Omnibus Public Lands Management Act of 2009 (“Lands Bill”) adopted by Congress. The properties identified in the Lands Bill for transfer to Carson City are designated “To Carson City for Parks and Public Purposes.” The Lands Bill further states that these lands may be used for “public purposes” consistent with the federal Recreation and Public Purposes Act. The Recreation and Public Purpose Act allows a wide range of public uses and facilities, both for public and non-profit organizations. These properties are currently designated “Public Conservation” on the Master Plan Land Use Map and are proposed to be designated “Public/Quasi-Public” to be consistent with the Lands Bill as well as existing and proposed uses.



The Carson City Master Plan states that the primary purpose of Public Conservation areas is publicly-owned areas preserved for conservation, resource protection, view protection and passive recreation use (e.g. trails). This is contrary the existing uses on the property (e.g. the landfill) and to the Recreation and Public Purpose designation that the BLM has had on the property since the BLM Carson City Urban Interface Plan Amendment of 1996. These same properties were designated as Public Lands Potentially Available for Disposal prior to the 1996 plan.

The proposed designations for these same properties are Public/Quasi-Public and Open Space. The Master Plan states that the primary purpose of the Public/QP designation is for a wide range of public facilities such as public offices, fire stations and other facilities needed for essential public services. This designation is more appropriate for these properties that are already being used for public uses.

The area west of Flint Drive and Rifle Range Road is proposed to be designated Open Space. This is the area of the properties predominantly visible from the Eagle Valley (Carson City) area, and the Open Space designation is consistent with the commitment made to the public during the meetings regarding the Lands Bill that it would left undeveloped. The Open Space designation of this area is consistent with the Open Space designation of other BLM lands to the east and north of Carson City at the urban interface where little or no development is anticipated in the future.

The smaller remainder of the subject property, the area between Flint Drive, Eastgate Siding Road and the V&T Railroad Tracks, is identified in the Lands Bill for sale by BLM for economic development. The proposed Master Plan Amendment is intended to better align the existing Mixed-Use Commercial designation in this area with the Lands Bill map and the actual lands identified for economic development.

The Planning Division is proposing to concurrently rezone these subject parcels to Public Regional and General Commercial commensurate with the proposed Master Plan Amendment and consistent with the existing and proposed uses of the properties. Further detailed discussion regarding the rezoning is included in the staff report for ZMA-10-087.

PUBLIC COMMENTS: Public notices were mailed to 30 adjacent property owners within 1,100 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of November 9, 2010, 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:

Engineering Division: No concerns with the request.

FINDINGS: Staff recommends the following findings for approval of the Master Plan Amendment pursuant to the Carson City Municipal Code Section 18.02.070, Master Plan.

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

Rationale: The proposed amendment will be in substantial compliance with the following goals and policies of the Master Plan:

Goal 1.3 – Promote the preservation of State and Federal lands as a community amenity.

Policy 1.3a – State and Federal Land Disposal – Continue to coordinate with the BLM to ensure that its Urban Interface Plan is consistent with the Land Use Plan.

Policy 1.3b – State and Federal Land Transfers – Monitor lands slated for potential disposal and identify opportunities for the transfer of such lands to City ownership, where lands are needed for public facilities, parks, trail access or similar functions, through the Federal Lands Bill and other programs, particularly within the urbanized area of the City.

This application is submitted by the Carson City Planning Division through the cooperation and coordination with BLM to establish appropriate Master Plan designations consistent with the existing Urban Interface Plan and the Federal Lands Bill.

Policy 1.4c – Protection of Existing Site Features – Ensure that development at the Urban Interface is designed to minimize disturbances to existing stands of mature trees, distinctive topographic features (hillsides/ridgelines), and other character-defining features, particularly those that are visible from other locations in the community.

The proposed Master Plan Amendment includes designating a portion of the hillside visible from the valley as Open Space in order to protect the area from future development and preserve views.

- 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 Public/Quasi-Public designation is consistent with the public uses that are already occurring on the property and will provide for future public uses compatible with the adjacent commercial and industrial uses, as well as the V&T Railroad. The modification of the area designated for Mixed-Use Commercial is consistent and compatible with adjacent commercial uses. The P/QP designation and associated Public zoning will require approval of a Special Use Permit for any new uses, which will ensure continued compatibility of the public uses with adjacent uses.

- 3. The proposed amendment is in response to changed conditions that have occurred since the plan was adopted and the requested amendment represents a more desirable use of land.***

Rationale: Since the adoption of the Master Plan Land Use Map in 2006, the Federal Lands Bill has been adopted by Congress to provide for the long-term uses and ownership of the subject properties. The proposed Master Plan Amendment is consistent with the Lands Bill for existing and proposed uses of the properties, including the areas designated for public uses and those designated for economic development (commercial uses).

- 4. The requested amendment will promote the desired pattern of orderly physical growth and guides development based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.**

Rationale: The proposed amendment provides area for future economic development and area for various public service facilities to accommodate projected growth for Carson City. The area is already identified and used for public facilities, and the proposed amendment will not impair natural resources. The proposed amendment allows for public facilities, such as the landfill and associated uses, to be provided in close proximity to Carson City proper, thereby providing for efficient use of funds for public services.

Respectfully submitted,
DEVELOPMENT SERVICES, PLANNING DIVISION

Lee Plemel
Planning Director

Attachments
Planning Commission Resolution 2010-PC-2 with Maps