

**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 introduce, on first reading, Bill No. _____, an ordinance to amend the zoning designations of property located in and around the vicinity of the Carson City Landfill, Flint Drive area, changing APN 8-011-19 from General Industrial to General Commercial (25 acres) and Public Regional (15 acres), changing APN 8-521-20 from Conservation Reserve to Public Regional (328 acres) and General Commercial (48 acres), and changing APN's 8-531-03 and 10-011-01 and -29 from Conservation Reserve to Public Regional. (ZMA-10-087) (Lee Plemel)

Summary: The proposed amendments would make the zoning 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 MPA-10-086.

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

Recommended Board Action: I move to introduce, on First Reading, Bill No. _____, an ordinance to amend the zoning designations 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, pursuant to the Carson City Municipal Code, is required to take final action on all zoning map amendments. This is the first of two readings to amend the Title 18 City Zoning Map by ordinance. See the complete staff report to the Planning Commission for more information.

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:



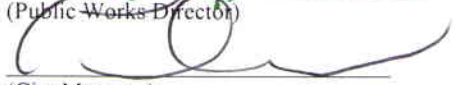

- 1) Approve the Zoning Map Amendment
- 2) Deny the Zoning Map Amendment.
- 3) Refer the matter back to Planning Commission for further review.

Supporting Material:

- 1) Ordinance
- 2) Planning Commission Case Record
- 3) Staff Report

Prepared By: Janice Brod, Management Assistant V

Reviewed By:

 _____ (Planning Director)	Date: <u>1-10-11</u>
 _____ (Public Works Director)	Date: <u>1-11-11</u>
 _____ (City Manager)	Date: <u>1/4/11</u>
 _____ (District Attorney's Office)	Date: <u>1/11/11</u>

Board Action Taken:

Motion: _____

1) _____	Aye/Nay
2) _____	_____

(Vote Recorded By)

BILL NO. ____

ORDINANCE NO. 2011-__

AN ORDINANCE TO CHANGE THE ZONING DESIGNATIONS OF PROPERTY LOCATED IN AND AROUND THE VICINITY OF THE CARSON CITY LANDFILL, FLINT DRIVE AREA, CHANGING APN 8-011-19 FROM GENERAL INDUSTRIAL TO GENERAL COMMERCIAL (25 ACRES) AND PUBLIC REGIONAL (15 ACRES), CHANGING APN 8-521-20 FROM CONSERVATION RESERVE TO PUBLIC REGIONAL (328 ACRES) AND GENERAL COMMERCIAL (48 ACRES), AND CHANGING APN'S 8-531-03 AND 10-011-01 AND -29 FROM CONSERVATION RESERVE TO PUBLIC REGIONAL.

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAINS:

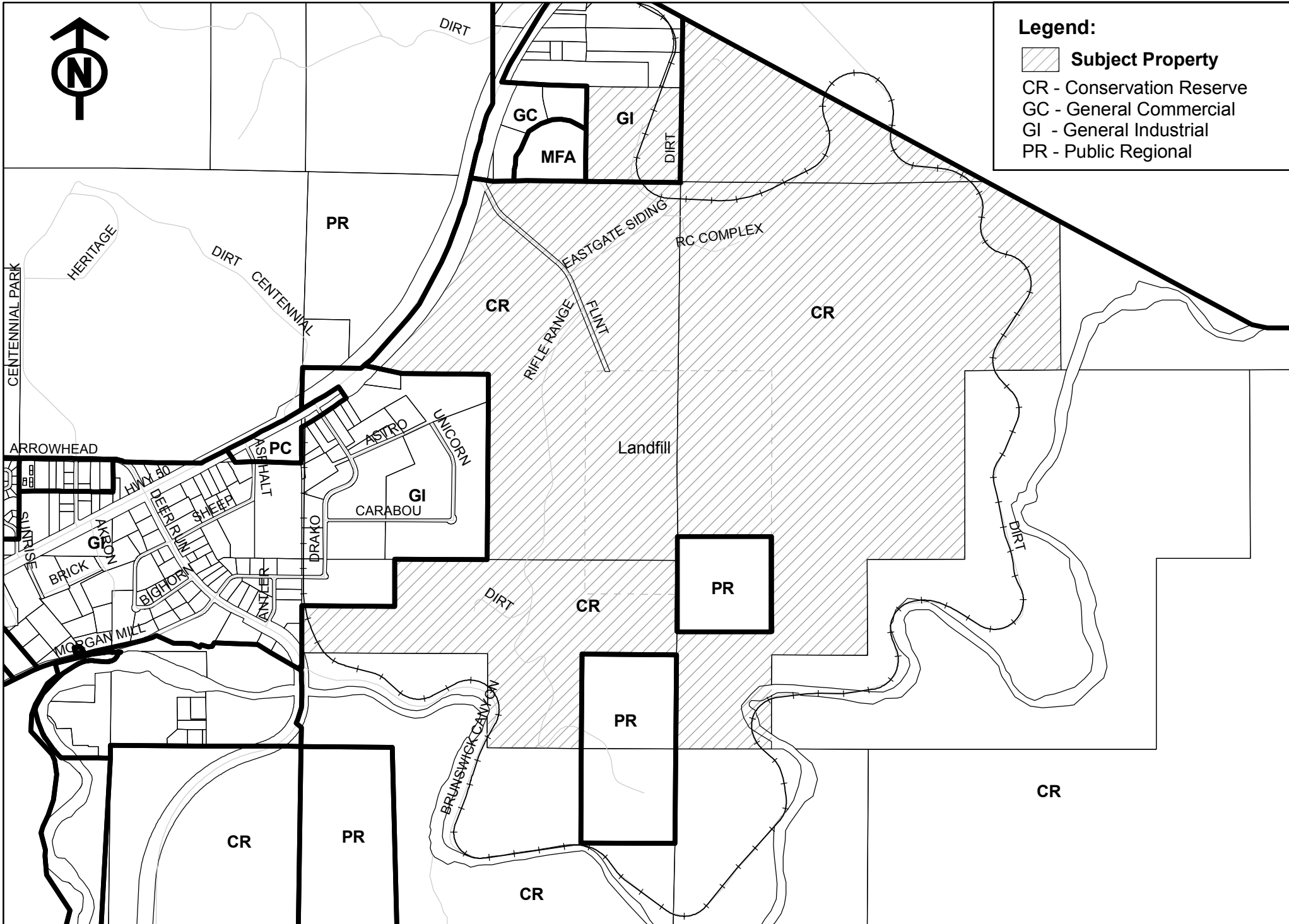
SECTION I: An application for a Zoning Map Amendment on Assessor's Parcel Numbers 8-011-19, 8-521-20, 8-531-03 and 10-011-01 and -29, property located southeast of Highway 50 East in the Flint Drive landfill vicinity, Carson City, Nevada, was duly submitted by the Carson City Planning Division in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The request will result in the zoning of APN 8-011-19 changing from General Industrial (GI) to General Commercial (GC) on approximately 25 acres of the parcel and to Public Regional (PR) on approximately 15 acres of the parcel; and the zoning of APN 8-521-20 changing from Conservation Reserve (CR) to PR on approximately 328 acres and to GC on approximately 48 acres of the parcel; and the zoning of APN's 8-531-03 and 10-011-01 and -29 changing from CR to PR.

After proper noticing pursuant to NRS 278 and CCMC Title 18, on December 1, 2010, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted 6 ayes, 0 nays 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 substantial compliance with the goals, policies and action programs of the Master Plan, that the Amendment will provide for land uses compatible with existing adjacent land uses and will not


Current Zoning

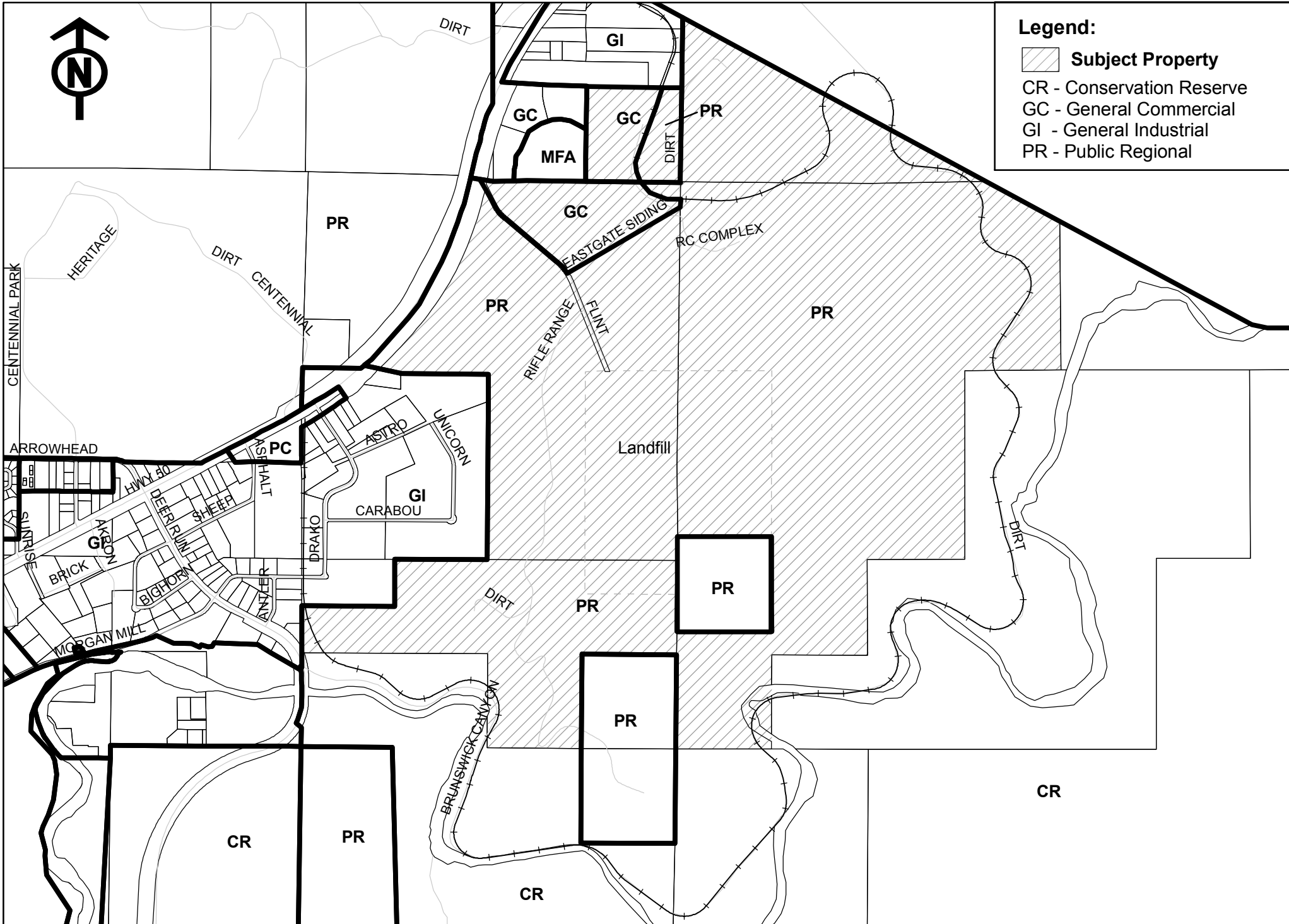


Proposed Zoning



Legend:

-  Subject Property
- CR - Conservation Reserve
- GC - General Commercial
- GI - General Industrial
- PR - Public Regional



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: December 1, 2010

AGENDA ITEM NO.: H-6(B)

APPLICANT(s) NAME: N/A
PROPERTY OWNER(s): N/A

FILE NO. ZMA-10-087

ASSESSOR PARCEL NO(s): N/A
ADDRESS: N/A

APPLICANT'S REQUEST: Action to make a recommendation to the Board of Supervisors regarding an ordinance to change the zoning designations of property located in and around the vicinity of the Carson City Landfill, Flint Drive area, changing APN 8-011-19 from General Industrial to General Commercial (25 acres) and Public Regional (15 acres), changing APN 8-521-20 from Conservation Reserve to Public Regional (328 acres) and General Commercial (48 acres), and changing APN's 8-531-03 and 10-011-01 and -29 from Conservation Reserve to Public Regional.

COMMISSIONERS PRESENT: KIMBROUGH MULLET VACANT
 DHAMI SHIRK VANCE WENDELL

STAFF REPORT PRESENTED BY: Lee Plemel
STAFF RECOMMENDATION: APPROVAL
APPLICANT REPRESENTED BY: Lee Plemel

No persons spoke in favor or in opposition of the proposal.

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

None

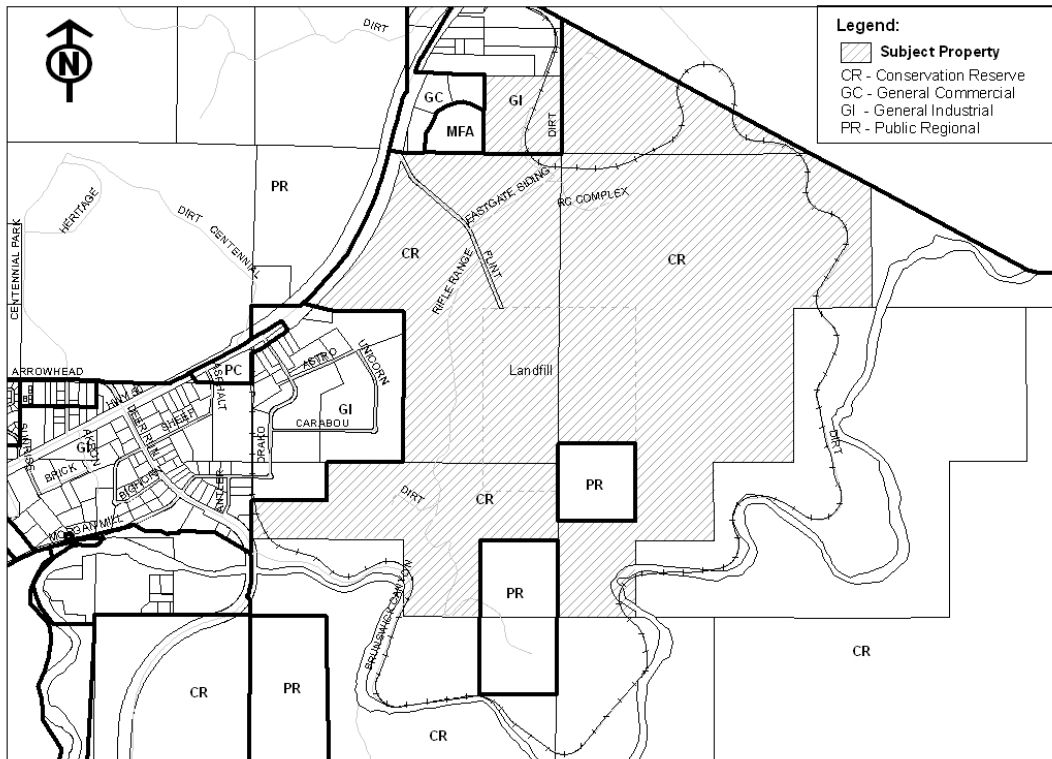
MOTION WAS MADE TO RECOMMEND APPROVAL

MOVED: Mullet **SECOND:** Wendell **PASSED:** 6/AYE 0/NO /ABSTAIN /ABSENT

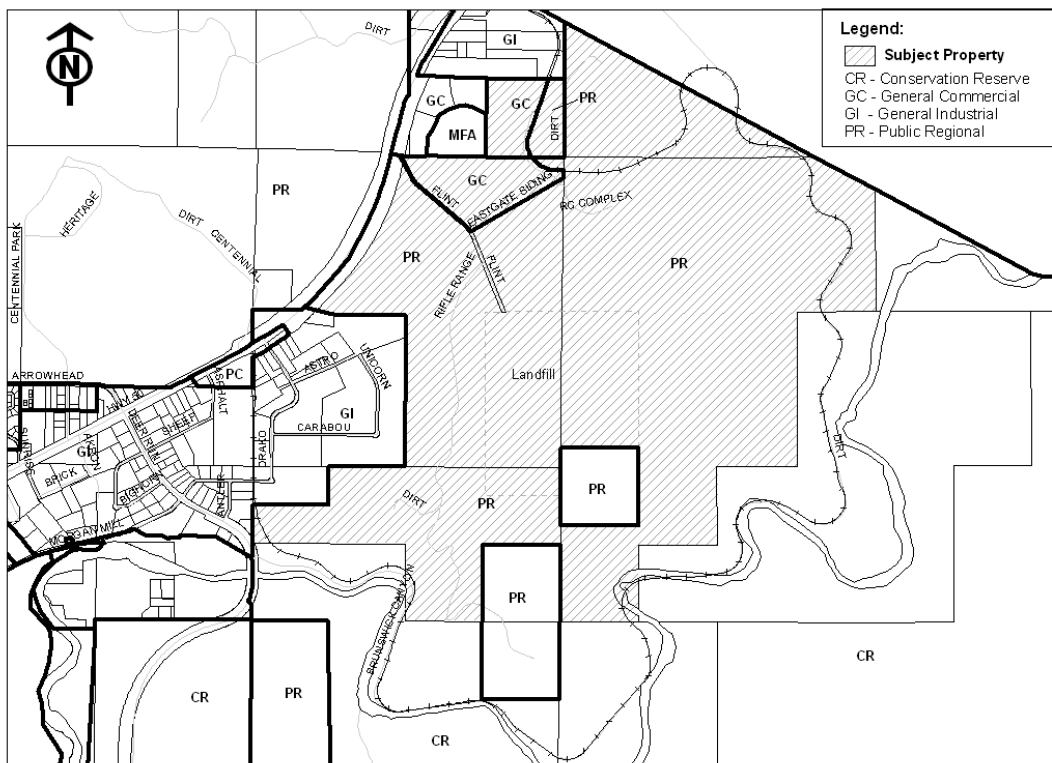
SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: 1-6-11

Current Zoning



Proposed Zoning



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 Zoning Maps are also attached to this staff report with the draft ordinance.

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 zoned Conservation Reserve and are proposed to be designated Public Regional to be consistent with the Lands Bill as well as existing and proposed uses.

The purpose of Conservation Reserve zoning district is "to identify the outlying lands that may be developed in the future when water supply, roads, schools, sewer and other public facilities and services are provided for potential development and lands with environmental constraints" (CCMC 18.04.165). 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 zoning for these same properties is Public Regional. The purpose of the PR zoning district is for federal, state and city facilities and uses whose main purpose is to sustain a wide range of regional needs. The proposed PR zoning is more appropriate for these properties that are already being used for public uses. The PR district requires a Special Use Permit for all uses. (Refer to the attached Carson City Municipal Code Section 18.04.165 (CR) and 18.04.185 (PR) for a complete list of permitted uses.)

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 zoning of General Commercial is intended to be consistent with the proposed sale of the property for commercial development.

This Zoning Map Amendment is being processed concurrently with a proposed Master Plan Amendment. Further detailed discussion regarding the Master Plan Amendment is included in the staff report for MPA-10-086.

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 Zoning Map Amendment pursuant to the Carson City Municipal Code Section 18.02.075, Zoning Map Amendments.

- 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 zoning 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 amendment will provide for public review of all uses to be established on the properties, allowing review of existing site features.

- 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 Regional 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 proposed General Commercial zoning is consistent and compatible with adjacent commercial uses. The PR 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 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 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 adversely impact the public health, safety and welfare.

Respectfully submitted,
DEVELOPMENT SERVICES, PLANNING DIVISION

Lee Plemel
Planning Director

Attachments

- 1) Draft ZMA Ordinance with Maps
- 2) Code Sections 18.04.165 (CR) and 18.04.185 (PR)

Chapter 18.04 Use Districts

Ranch and Farm Hand Living Quarters/Bunkhouses including Seasonal Housing.
Recreational Vehicle Park
Utility Substation

18.04.165 Conservation Reserve (CR). The purpose of the CR District is to identify the outlying lands that may be developed in the future when water supply, roads, schools, sewer and other public facilities and services are provided for potential development and lands with environmental constraints.

1. The Primary Permitted Uses in the CR District are:

Accessory Farm Structure
Agricultural Use
Animals and Fowl
Fire Protection Facility
Flood Control Facility
Park
Residential (limited to one dwelling per 20 acres or larger)
Water Storage Facility

2. The Accessory Permitted Uses incidental to Primary Permitted and Conditional Uses in the CR District are:

Accessory Structure
Domestic and Agricultural Well
Guest Building
Watchman's Quarters

3. The Conditional Uses in the CR District which require approval of a Special Use Permit are:

Agricultural Services
Animal Boarding Facility
Cemetery
Child Care Facility
Church
Extraction Operation
Fraternal Association
Municipal Well Facility
Oil, Gas or Geothermal Drilling Operation
Outdoor Recreational Facility (public or private)
Recreational Vehicle Park
Utility Substation

18.04.170 Public (P). The purposes of the P District is to achieve the following:

1. To accommodate the wide range of public institutional and auxiliary uses which are established in response to the health, safety, cultural and welfare needs of the citizens of the City.

Chapter 18.04 Use Districts

Public Parks
Public Parking Lots
Schools, (Elementary and Middle)
Sheriff's Substation
Storage
Storage containers (permanent) as an accessory to a primary permitted use, subject to
Division 1 and 1.10 Personal Storage of the Development Standards
Storm Drainage and Floodplain Devices

18.04.180 Public Community (PC). PC means facilities and uses that serve primarily a large portion of Carson City. The Conditional Uses permitted in the PC District which require approval of a Special Use Permit are:

Buildings and facilities owned, leased, or operated by the City of Carson City, Carson City School District or any other district, State of Nevada or the government of the United States.
Cemetery
Child Care Facility
Civic Auditorium and Theater
Fire Station
Historical Site
Hospital
Library
Municipal Well Facility
Museum
Public Administrative Office
Public Parks
Public Parking Lots
Resource Management Use/Groundwater Recharge Use
Schools (Elementary, Middle, High School, and College/University)
Senior Center
Sheriff's Office and Jail
Storage
Storage containers (permanent) as an accessory to a primary permitted use, subject to
Division 1 and 1.10 Personal Storage of the Development Standards
Storm Drainage and Floodplain Devices
Swimming Pool
Utility Easement
Utility Facilities
Utility Substation

18.04.185 Public Regional (PR). PR means Federal, state and city facilities and uses whose main purpose is to sustain wide regional needs. The Conditional Uses permitted in the PR District which require approval of a Special Use Permit are:

Airports/Heliports
Animal Shelter
Archaeological Heritage/Cultural Resource

Chapter 18.04 Use Districts

Buildings and facilities owned, leased, or operated by the City of Carson City, Carson City School District or any other district, State of Nevada or the government of the United States

Bus Terminal/Station

Cemetery

Child Care Facility

Civic Auditorium and Theater

Clinic

Community Institution (non-profit)

Communication Antenna/Tower

Congregate Care Housing/Senior Citizen Home

Conservation and Wildlife Sanctuary

Convention Facility

Corporate Yard

Crisis Care Facility/Residency/Center

Equestrian Center

Fairground/Theme Park

Farm

Farmer's Market

Flood/Storm Drain Protection Devices

Forest Area

Fuel Storage Tank Facility

Golf Course/Driving Range/Club House

Historical Site

Hospital

Impound Yard

Institutional Use

Library

Maintenance Garage

Military Facility

Municipal Well Facility

Municipal Garage

Municipal Training Facility

Museum

Noise Attenuation Barrier

Open Space

Outside Storage

Pavilion/Stadium

Prison

Public Administrative Office

Public Nursery

Public Park/Playground

Public Parking Lots

Public Performing Arts Center

Public Utility Building

Public Water Supply

Quarry/Extraction Site

Radio Station/TV Station Tower

Regional Park

Resource Management Use/Groundwater Recharge Use

Chapter 18.04 Use Districts

Schools (Elementary, Middle, High School, and College/University)
Sewage Works Facility
Social Services Center/Facility Offices
Special Complementary Uses
Sport Playing Field
Storage
Storage containers (permanent) subject to Division 1 and 1.10 Personal Storage of the
Development Standards
Storage Facility
Storm Drainage and Floodplain Devices
Summer Camp
Tennis Court Complex
Transfer Station/Sanitary Landfill
Utility Easement
Utility Facilities
Utility Substation
Warehouse
Waste Disposal Area/Site Facility
Wastewater Treatment Facility
Watchman's Quarters
Water Facility
Water, Oil, Gas or Geothermal Drilling Operation Sites
Water Tank
Water Works Facility
Wilderness Area
Wildlife Park/Preserves/Habitat Area
Wind Energy Conversion Facility
Zoo