

**City of Carson City
Agenda Report**

Date Submitted: September 6, 2011

Agenda Date Requested: September 15, 2011
Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Public Works - Planning Division

Subject Title: For Possible Action: To introduce, on first reading, Bill No._____, an ordinance amending Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 7, Hillside Development, Section 7.6.7, Fire Protection, to delete references to the pamphlet entitled "*Wildfire Protection for Homeowners and Developers*" and replace it with guidelines in compliance with the Fire Department. (ZCA-11-050) (Lee Plemel)

Summary: The code presently references a pamphlet for development in hillside areas. This pamphlet is no longer available. The guidelines presently used by the Fire Department would be used instead.

Type of Action Requested:

☐ Resolution
☐ Formal Action/Motion

☒ Ordinance-First Reading
☐ Other (Specify)

Does This Action Require A Business Impact Statement: () Yes (X) No

Planning Commission Action: Recommended approval on August 31, 2011, by a vote of 6 ayes, 0nays, and 1 absent.

Recommended Board Action: I move to introduce, on first reading, Bill No._____, an ordinance amending Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 7, Hillside Development, Section 7.6.7, Fire Protection, to delete references to the pamphlet entitled "*Wildfire Protection for Homeowners and Developers*" and replace it with guidelines in compliance with the Fire Department.

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. See the attached staff report to the Planning Commission for more explanation.

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

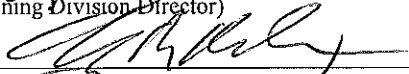
- 2) Do not introduce the ordinance (leave the code requirements the same as they are now).

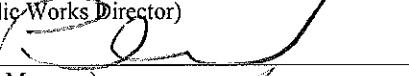
Supporting Material:

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

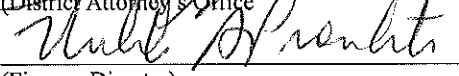
Prepared By: Janice Brod, Grants Program Coordinator

Reviewed By: 
(Planning Division Director)


(Public Works Director)


(City Manager)


(District Attorney's Office)


(Finance Director)

Date: 9-6-11

Date: 9-6-11

Date: 9/6/11

Date: 9/6/11

Date: 9/6/11

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

BILL NO. ____

ORDINANCE NO. 2011-_____

AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18.16 DEVELOPMENT STANDARDS DIVISION 7 HILLSIDE DEVELOPMENT AT SECTION 7.6 FIRE PROTECTION, TO MODIFY THE REFERENCE TO A PAMPHLET TO BE USED BY PROSPECTIVE DEVELOPERS OF PROPERTIES IN THE HILLSIDE AREA.

Fiscal effect: None

The Board of Supervisors of Carson City does ordain:

SECTION I:

That Title 18.16 Development Standards at Division 7 Hillside Development at Section 7.6 Fire Protection of the Carson City Municipal Code is hereby amended as follows (**bold, underlined** text is added, ~~stricken~~ text is deleted) to modify requirements for Hillside Development:

7.6 Fire Protection.

- 7.6.1 Lot size and potential placement of structures shall be such that adequate clearance of hazardous, flammable vegetative cover may be accomplished.
- 7.6.2 All easements for firebreaks for safety of built-up areas shall encompass access for fire fighting personnel and equipment and such easements shall be dedicated for this specific purpose by being recorded.
- 7.6.3 All hillside development plans must provide for fire safety to reduce the spread of wildfire and reduce opportunity of ignition by:
 - a. Providing fire lanes, fuel breaks, and non-combustible roofs and building materials,
 - b. Use of spark arresters,
 - c. Clearing of underbrush and excess vegetation near dwellings and by use of fire resistant local plant species.
- 7.6.4 Addresses and street name signs must be clearly visible and well posted. Use of at least four inch (4") high letters and/or numbers is strongly encouraged.
- 7.6.5 No structure may be located more than one thousand feet (1,000') from a water supply as measured along an unobstructed line of vehicular travel.
- 7.6.6 The use of non-treated wood shingles shall not be allowed as roofing materials in hillside areas.
- 7.6.7 In addition to the standards and requirements set forth above regarding fire protection, all development in hillside areas must comply with ~~provisions contained in the pamphlet entitled "Wildfire Protection for Homeowners and Developers" prepared by the Sierra Front Wildfire Cooperators, attached and~~

~~adopted as an appendix to this section. A copy of this pamphlet must be distributed to all prospective hillside applicants.]~~ **the most current guidelines related to prevention of wildfires in hillside areas as required by the Carson City Fire Department.**

SECTION II:

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

PROPOSED on _____, 2011.

PROPOSED BY Supervisor _____

PASSED _____, 2011.

VOTE: AYES:

NAYS:

ABSENT:

ROBERT 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 2011.

CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: August 31, 2011

AGENDA ITEM NO.: H-3

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

FILE NO. ZCA-11-050

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

APPLICANT'S REQUEST: For Possible Action: To make a recommendation to the Board of Supervisors regarding an ordinance amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 7, Hillside Development, Section 7.6.7, Fire Protection, to delete references to the pamphlet entitled "*Wildfire Protection for Homeowners and Developers*" and replace it with guidelines in compliance with the Fire Department.

COMMISSIONERS PRESENT: ☒ KIMBROUGH ☒ MULLET ☒ SATTLER
 ☒ DHAMI ☒ SHIRK ☒ VANCE ☒ WENDELL

STAFF REPORT PRESENTED BY: Lee Plemel
STAFF RECOMMENDATION: ☒ APPROVAL
APPLICANT REPRESENTED BY: N/A

☒ REPORT ATTACHED
☐ DENIAL

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.

 0 PERSONS SPOKE IN FAVOR OF THE PROPOSAL

 0 PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

Clerical correction noted.

MOTION WAS MADE TO RECOMMEND APPROVAL WITH THE FINDINGS AS ENUMERATED ON THE STAFF REPORT.

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

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: September 15, 2011

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF AUGUST 31, 2011

FILE NO: ZCA-11-050

AGENDA ITEM: H-3

STAFF AUTHOR: Kathe Green, Assistant Planner

APPLICANT: Carson City Planning Division

SUBJECT: Action to make a recommendation to the Board of Supervisors regarding an ordinance amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Section 7 Hillside Development, Section 7.6 Fire Protection, to direct prospective developers of properties in the hillside areas to the Carson City Fire Department to secure the most current information regarding prevention of wildfires in hillside and outlying areas, rather than directing developers to an obsolete pamphlet presently listed in the code.

RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZCA-11-050, an ordinance amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Section 7 Hillside Development, Section 7.6 Fire Protection, to direct prospective developers of properties in the hillside areas to the Carson City Fire Department to secure the most current information regarding prevention of wildfires in hillside areas, based on the findings contained in the staff report."

BACKGROUND:

A pamphlet that was available through the University of Nevada, Cooperative Extension Service titled *"Wildfire Protection for Homeowners and Developers"* has been discontinued. This pamphlet is currently referenced in the Hillside Development Standards. The Carson City Fire Department has information available which describes recommendations for preventing and dealing with wildfire, including in areas which are hillside and outlying lands. This information is available by contacting the Carson City Fire Department or by downloading it from the Carson City web site. This ordinance is intended to direct developers to the most current location for information regarding avoiding and dealing with wildfires.

DISCUSSION:

Development in the outlying areas may require additional review for compliance with more stringent building and fire codes to avoid wildfires. This is an effort to make homeowners and developers aware of these requirements.

PUBLIC NOTIFICATION REQUIREMENTS: Public notices were published in the newspaper for the Zoning Code Amendment in accordance with the provisions of NRS and CCMC 18.02.045. As of August 19, 2011 no written comments have been received from the general public. No City departments had any written comments or concerns regarding this amendment. 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.

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

FINDINGS: Staff recommends the following findings for approval pursuant to the Carson City Municipal Code Section 18.02.075(5), Zoning Map Amendments and Zoning Code Amendments.

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

Goal 6.1 Promote High Quality Development.

Policy 6.1a Durable Materials. Require the use of durable, long-lasting building materials for all new development.

The proposed Zoning Code Amendment is in substantial compliance with the goals, policies and action programs of the Master Plan, as Carson City is seeking to preserve the outlying and hillside areas by encouraging responsible development by requiring those interested in developing in these areas to review and comply with the most current information available regarding protection through compliance with fire avoidance awareness and building practices that minimize the opportunities for wildfires.

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.

This Zoning Code Amendment will provide information to ensure compliance with the requirements for protection of the hillside and outlying areas from wildfires. This protection extends to providing protection from the effects of fire for all residents of Carson City.

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.

The proposed amendment will have no impact on existing or planned public services or facilities, and will not adversely impact the public health, safety and welfare.

Respectfully submitted,

PUBLIC WORKS, PLANNING DIVISION

Kathe Green

Kathe Green
Assistant Planner

Attachments: CCMC 18.16 Development Standards Section 7.6
Draft Ordinance