

**City of Carson City
Agenda Report**

Date Submitted: December 6, 2011

Agenda Date Requested: December 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 to change the zoning of a portion of APN 002-523-18, located at 1946 Hamilton Avenue, from Public Neighborhood to Single Family 6000. (ZMA-11-055) (Lee Plemel)

Summary: Carson City approved the sale of publicly zoned property to an adjacent land owner. This amendment would correct the zoning of the property from public to residential consistent with the actual ownership and use of the property.

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 November 30, 2011 with a vote of 7 ayes and 0 nays.

Recommended Board Action: I move to introduce, on first reading, Bill No. _____, an ordinance to change the zoning of a portion of APN 002-523-18, located at 1946 Hamilton Avenue, from Public Neighborhood to single family 6000, 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:

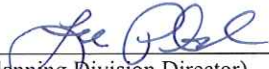
- 1) Approve the Zoning Map Amendment
- 2) Deny the Zoning Map Amendment.
- 3) Refer the matter back to Planning Commission for further review.

Supporting Material:

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

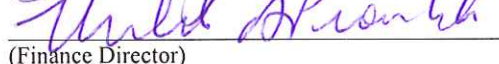
Prepared By: Janice Brod, Grants Program Coordinator

Reviewed By:


(Planning Division Director)

(Public Works Director)

(City Manager)

(District Attorney's Office)

(Finance Director)

Date: 12-6-11

Date: 12/6/11

Date: 12/6/11

Date: 12/6/11

Date: 12/6/11

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

BILL NO. ____

ORDINANCE NO. 2011-__

AN ORDINANCE TO CHANGE THE ZONING OF A PORTION OF APN 002-523-18, LOCATED AT 1946 HAMILTON AVENUE, FROM PUBLIC NEIGHBORHOOD TO SINGLE FAMILY 6000.

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAINS:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Number 002-523-18, property located at 1946 Hamilton Avenue, 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 designation of a portion of the subject parcel, APN 002-523-189, changing from Public Neighborhood (PN) to Single Family 6000 (SF6) for approximately 10,763 square feet of the parcel. After proper noticing pursuant to NRS 278 and CCMC Title 18, on November 30, 2011, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted 7 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 have detrimental impacts to other properties in the vicinity; that the Amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare; 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 changing the zoning of a portion of APN 002-523-18 from Public Neighborhood (PN) to Single Family 6000 (SF6) on approximately 10,763 square feet of the parcel as shown on "Exhibit A" attached.

PROPOSED this 15th day of December, 2011.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2012.

VOTE:

AYES: _____

NAYS: _____

ABSENT: _____

ROBERT L. CROWELL, Mayor

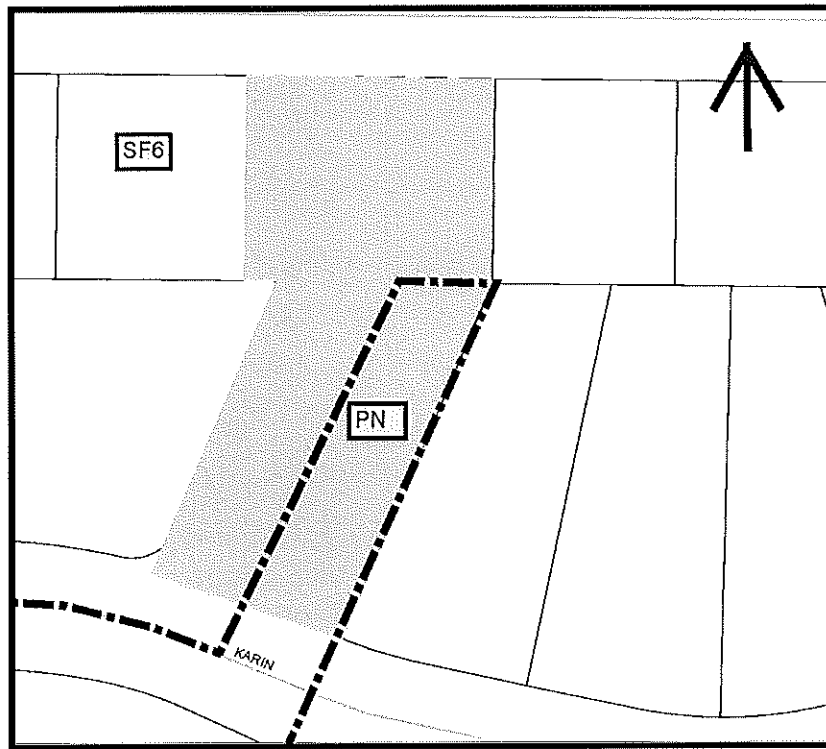
ATTEST:

ALAN GLOVER, Clerk-Recorder

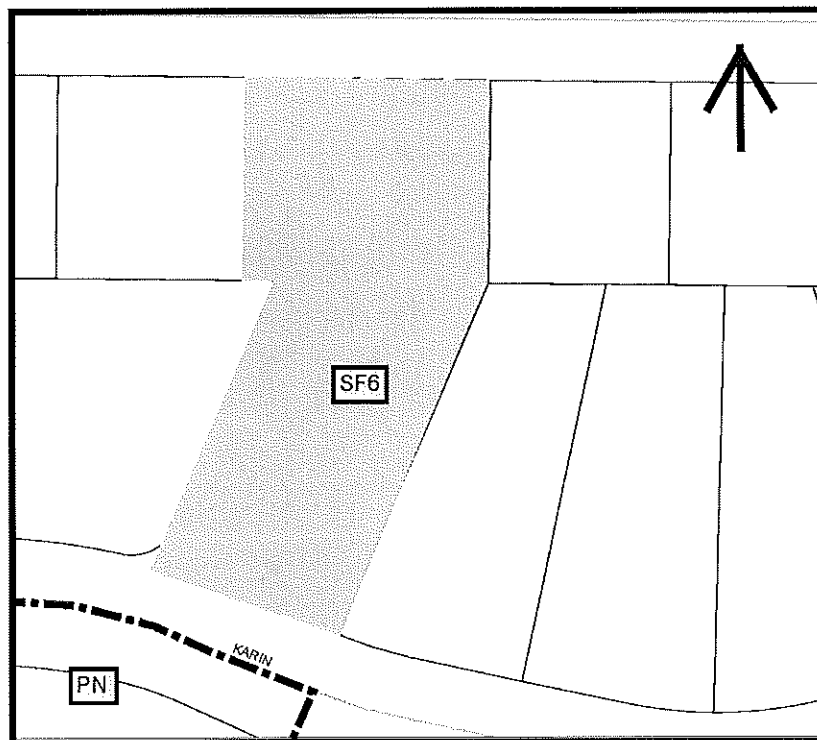
This ordinance shall be in force and effect from and after the ____ day of _____, 2012.

EXHIBIT A

EXISTING ZONING



PROPOSED ZONING



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: November 30, 2011

AGENDA ITEM NO.: H-1(B)

APPLICANT(s) NAME: Carson City Planning
PROPERTY OWNER(s): Robert Morris & Kay Ellen Armstrong

FILE NO. ZMA-11-055

ASSESSOR PARCEL NO(s): 002-523-18
ADDRESS: 1946 Hamilton Avenue

APPLICANT'S REQUEST: For Possible Action: To adopt a Resolution making a recommendation to the Board of Supervisors on a Zoning Map Amendment application from Carson City (property owner: Robert Morris and Kay Ellen Armstrong)) to change the zoning from Public Neighborhood (PN) to Single Family 6000 (SF6) on property located at 1946 Hamilton Avenue, APN 002-523-18.

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

STAFF REPORT PRESENTED BY: Lee Plemel ☒ REPORT ATTACHED
STAFF RECOMMENDATION: ☒ APPROVAL ☐ DENIAL
APPLICANT REPRESENTED BY: Robert Morris & Kay Ellen Armstrong

☒ APPLICANT/AGENT
PRESENT

☒ APPLICANT/AGENT
SPOKE

☐ APPLICANT/AGENT
NOT PRESENT

☐ APPLICANT/AGENT
DID NOT SPEAK

APPLICANT/AGENT INDICATED THAT HE 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: N/A

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

MOVED: DHAMI SECOND: SATTLER PASSED: 7/AYE 0/NO 0/ABSTAIN 0/ABSENT

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: December 15, 2011

STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 30, 2011

FILE: ZMA-11-055

AGENDA ITEM: H-1(B)

STAFF AUTHOR: Kathe Green, Assistant Planner

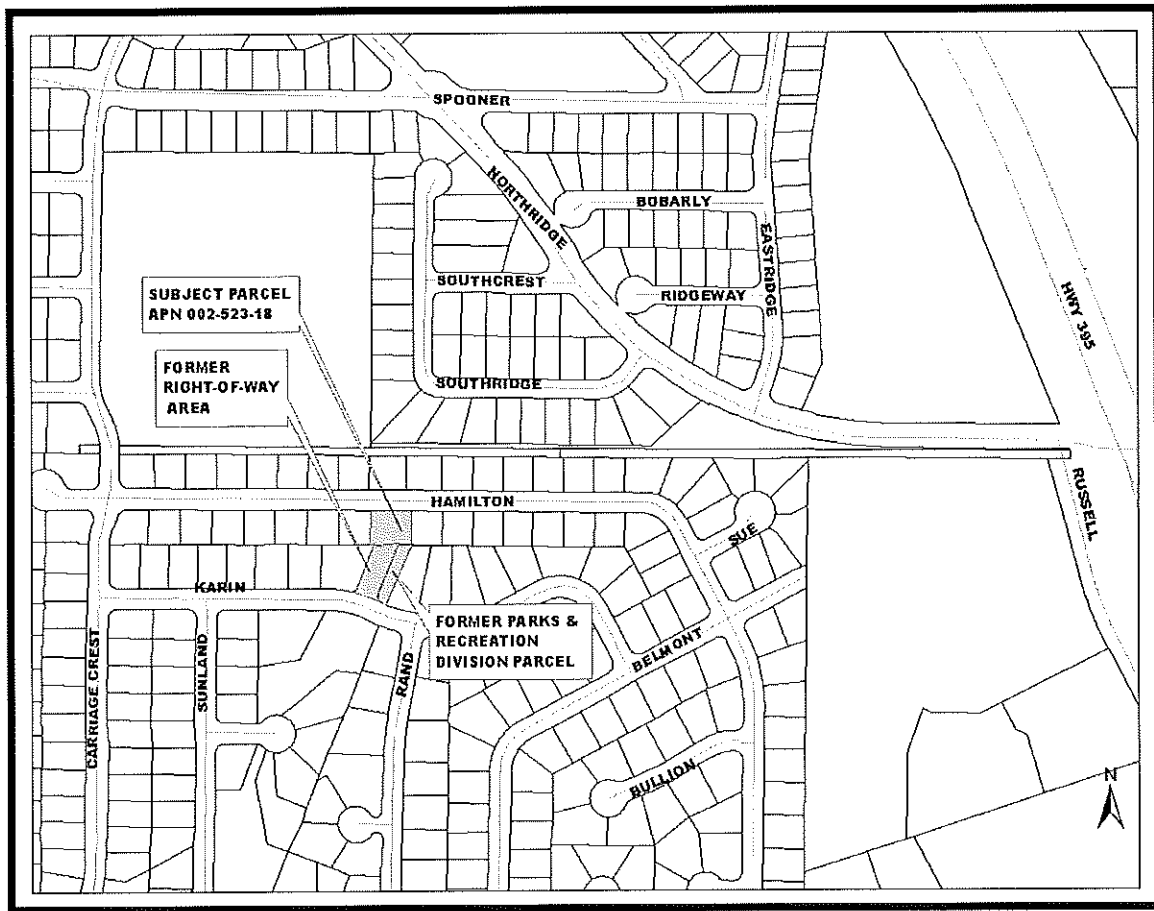
REQUEST: A Zoning Map Amendment to request to change a portion (approximately 10,763 square feet) of the zoning on a parcel from Public Neighborhood (PN) (approximately 4,041 square feet) and right-of-way (approximately 6,722 square feet) to Single Family 6000 (SF6).

APPLICANT: Carson City

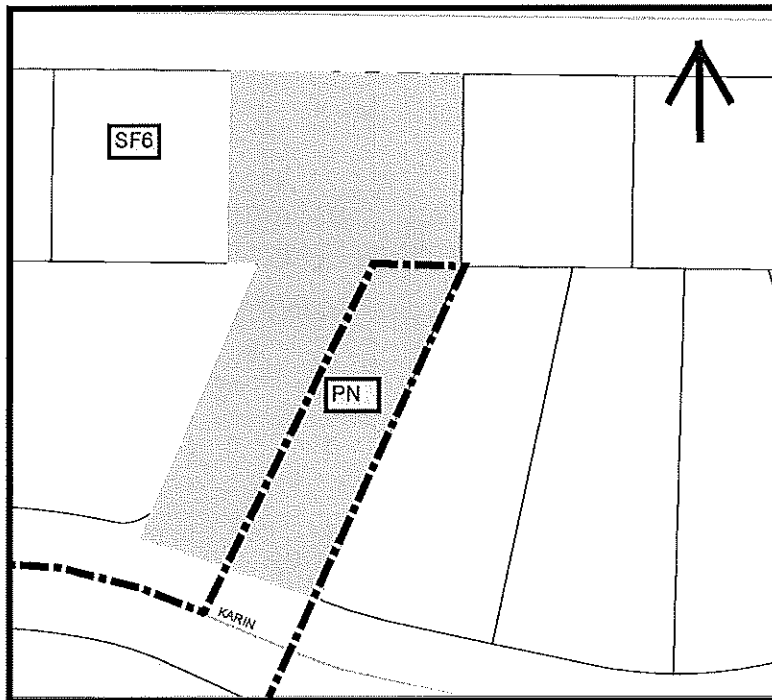
OWNER: Robert T Morris and Kay Ellen Armstrong

LOCATION/APN: 1946 Hamilton Ave/002-532-18

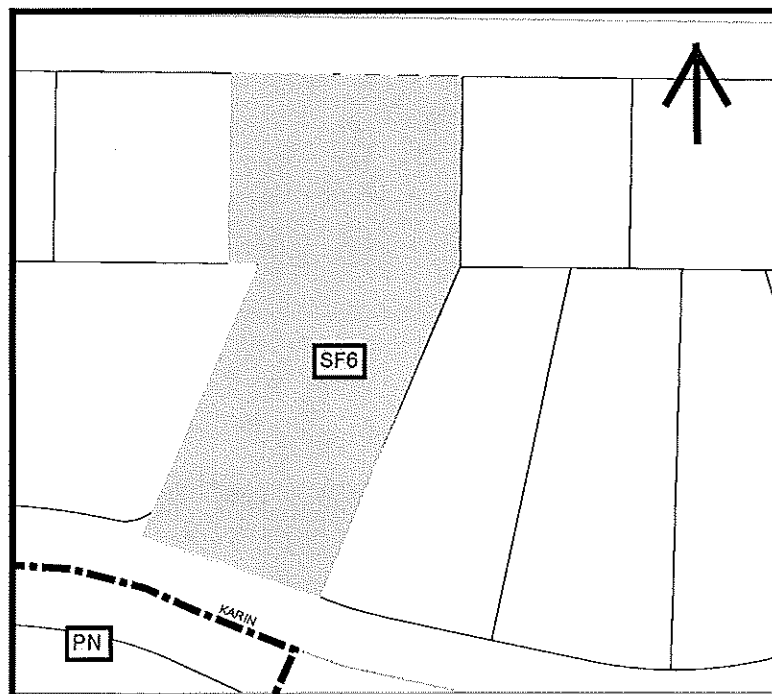
RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZMA-11-055, a Zoning Map Amendment to change the zoning of a portion of APN 002-532-18 from Public Neighborhood and right-of-way to Single Family 6000, on property located at 1946 Hamilton Avenue, based on the findings contained in the staff report."



EXISTING ZONING



PROPOSED ZONING



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

MASTER PLAN DESIGNATION: Public/Quasi-Public

ZONING DESIGNATION: Public Neighborhood, right-of-way

PROPOSED ZONING DESIGNATION: Single Family 6000

BACKGROUND:

The property under discussion was originally a smaller parcel zoned Single Family 6000 with a master plan designation of Medium Density Residential. The parcel was then modified to include two parcels which were sold by Carson City to the property owner. The parcel on the southeast was owned by the Carson City Parks and Recreation Division and was originally zoned Public Neighborhood. The parcel on the southwest was right-of-way. The original parcel of the property owner was located to the north and was approximately 8,045 square feet. When the Parks and Recreation Division parcel was added to this parcel it created a parcel of approximately 12,086 square feet with split zoning and Master Plan designation. The right-of-way parcel was then added to this parcel by lot line adjustment, creating a final parcel of approximately 18,808 square feet, which retained the split designations.

DISCUSSION:

This proposal is to change the split zoning of Single Family Residential, Public Neighborhood and added right-of-way to only Single Family Residential. When the Parks and Recreation Division owned this property it was originally intended for use as a park. Since that use was not developed, and the parcel has been sold to an adjacent property owner, it is reasonable and consistent to change the zoning to the appropriate use of the site, which would reflect the current use as housing and appropriate accessory uses.

PUBLIC COMMENTS: Public notices were mailed to 51 adjacent property owners within 300 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of November 18, 2011, no written comments have been received in opposition or support 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:

Health Department: No comments
Engineering Division: No comments received
Fire Department: No concerns
Building Division: No concerns

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: The proposed project is consistent with the Master Plan policies as identified

in the staff report for MPA-11-056.

GOAL 1.2—PROMOTE INFILL AND REDEVELOPMENT IN TARGETED AREAS

1.2a—Priority Infill and Redevelopment Areas:

Two levels of priority have been identified for areas identified for potential infill and redevelopment on the Land Use Map.

The proposed change of master plan is proposed on a portion of a site that is currently undeveloped. The portion to the north is the residence of the owner. To the east and west are existing residences. To the south of the newly created parcel is the street, then a parcel which is undeveloped which is owned by the Carson City Parks and Recreation Division. The proposed change of master plan will be in an area which is already supplied by City services including connections to sewer, water and emergency services.

GOAL 3.3—MINIMIZE IMPACTS OF POTENTIAL NATURAL DISASTER EVENTS

3.3e—Geologic Hazards

Continue to require any development with an identified earthquake fault on site to have a professional geotechnical report to establish required setbacks from the fault to structures and other mitigation measures.

The area proposed for master plan designation change is the southern portion. This location is identified on the map as an earthquake fault scarp. This area is identified by the owner as intended for a swimming pool rather than habitable space. There is an existing residence on the northern portion of the site.

GOAL 9.3—MAINTAIN THE QUALITY AND CHARACTER OF ESTABLISHED NEIGHBORHOODS

9.3b—Compatibility of Infill and Redevelopment

Ensure that infill and redevelopment is designed in a manner that minimizes impacts on and is compatible with existing neighborhoods through the use of appropriate height and density transitions, similar setbacks and lot coverage, garage and loading area location and configuration, the development of park and recreational facilities, connectivity to existing neighborhoods by a pathways system, and other neighborhood specific design considerations.

The property owner has submitted a request to utilize the recently acquired property on the south for the placement of a swimming pool. No habitable buildings are proposed. The resulting parcel is larger than other parcels in the vicinity. A portion of the lot is not usable for habitable space, due to the earthquake fault in the vicinity.

- 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 provide for zoning that is compatible with existing and planned future uses on this and adjacent properties. The property presently has two zoning designations; Single Family 6000 (SF6) and Public Neighborhood (PN) as well as right-of-way. This proposal is to delete the Public Neighborhood designation

and right-of-way and designate the property as only Single Family 6000. Surrounding properties, which are developed as residential houses, are also Single Family 6000 zoning. The exception to this is the property south of this location and across the street, which is vacant, and is owned by the Parks and Recreation Division. This property is also identified as an earthquake scarp.

- 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 Single Family 6000 zoning designation is consistent with the use of this and surrounding property as the area is developed with single family residences. The owner is proposing to add a swimming pool in the newly acquired area to the south of the house. This use will not negatively impact existing or planned public services or facilities.

- 4. That sufficient consideration has been exercised by the applicant in adapting the project to existing improvements in the area.**

Rationale: Water, sewer and road facilities exist in the vicinity to serve the existing and any proposed development at this site. This request is not in conflict with any Engineering plans for streets or storm drainage. Appropriate easements were retained on the site per the requirements of the Engineering Division at the time of sale to the present owner.

Respectfully submitted,

PLANNING DIVISION

Kathe Green

Kathe Green Assistant Planner

Attachments:

Fire Department comments

Building Division comments

Health Department comments

Planning Commission Resolution 2011-PC-5

Draft Ordinance