

STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 28, 2012

FILE: MPA-12-110

AGENDA ITEM: G-4(A)

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

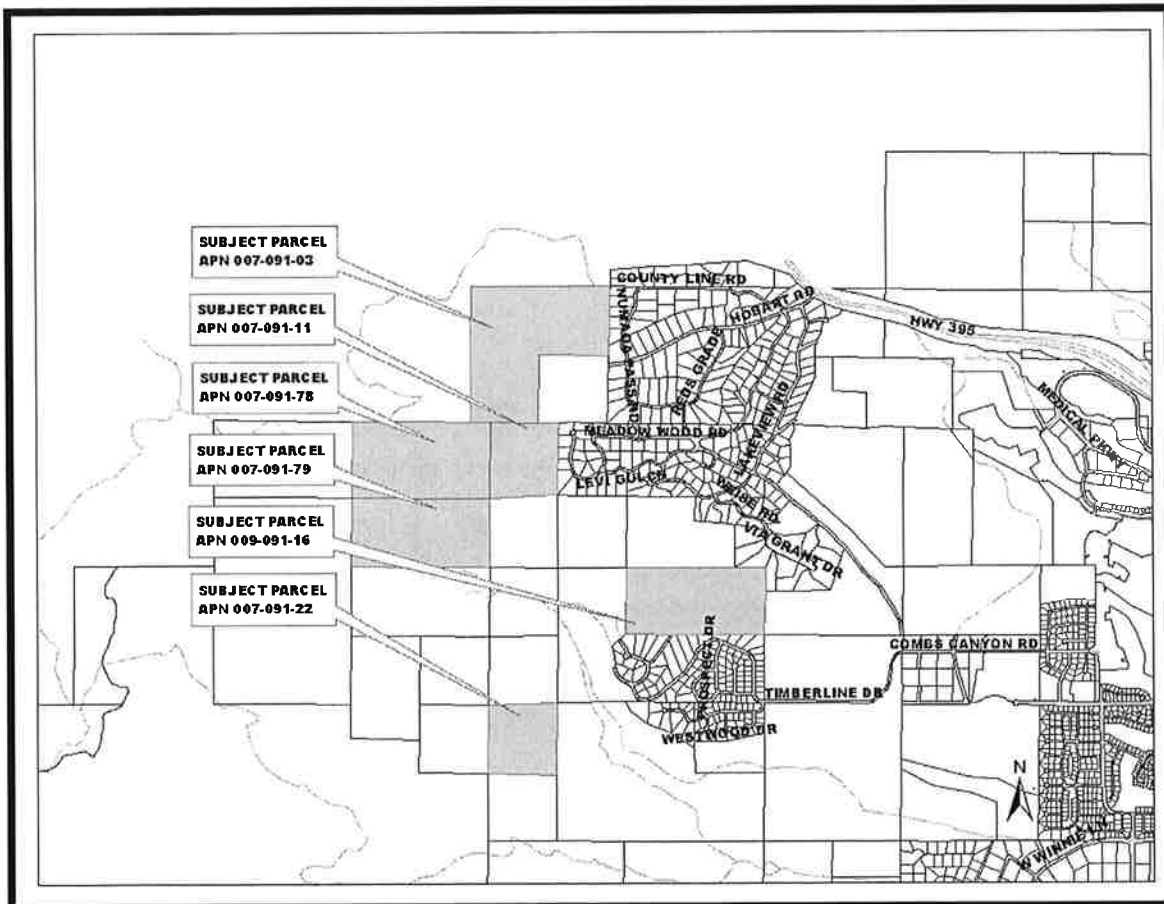
REQUEST: A Master Plan Amendment to change the Land Use Map designation for properties owned by Carson City a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03, -11, -16, -22, -78, and -79, from Public Conservation (PC) to Open Space (OS).

APPLICANT: Carson City Planning Division

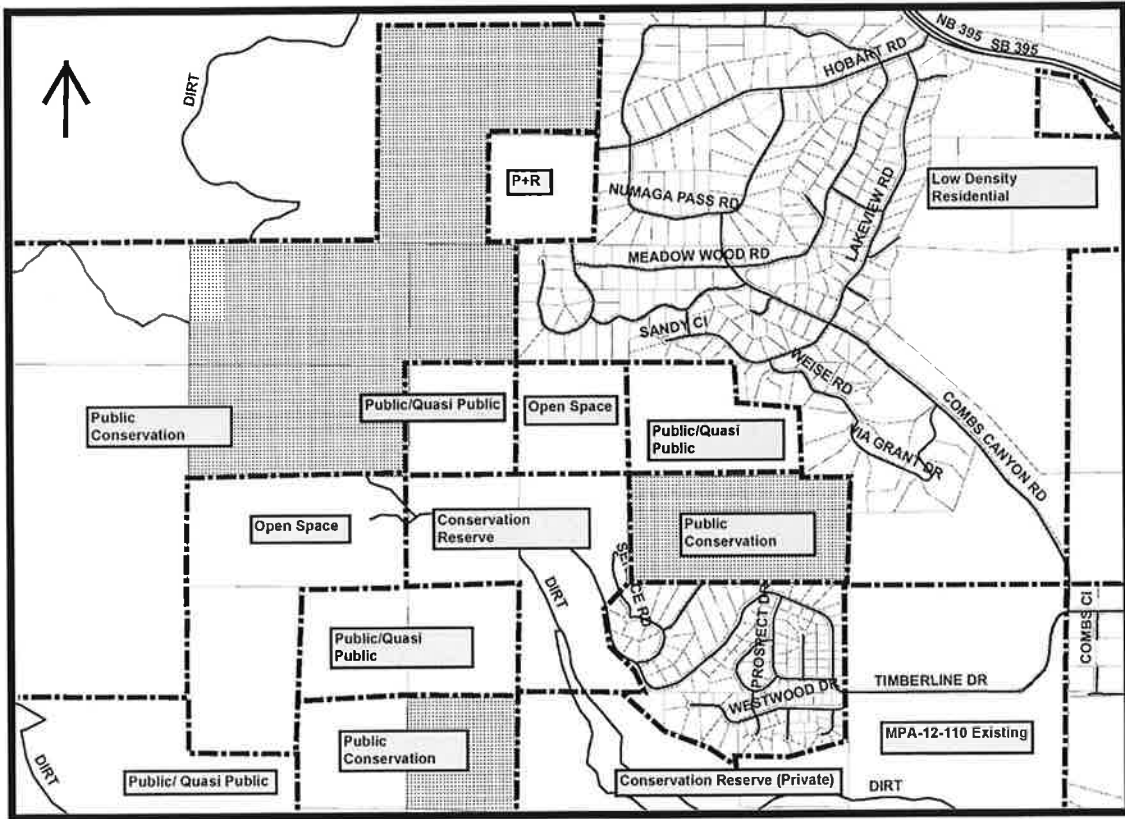
OWNER: Carson City

LOCATION: In the vicinity west of and between the Lakeview and Timberline areas (see map below)

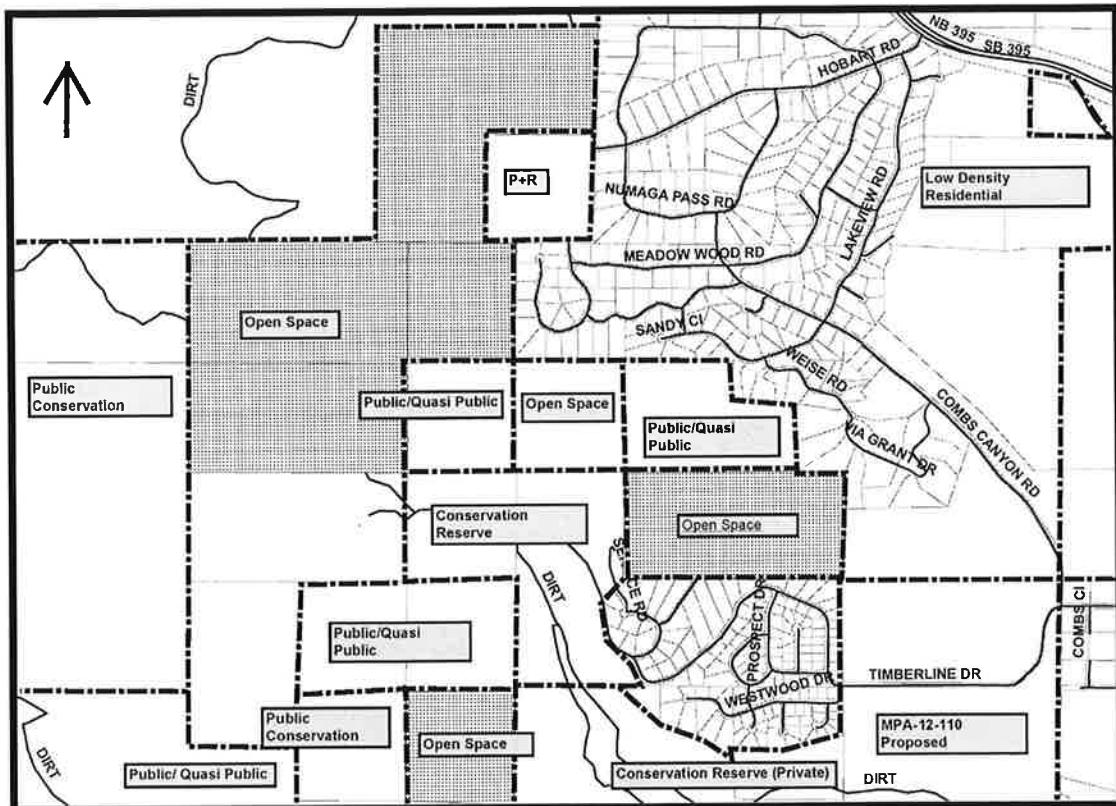
RECOMMENDED MOTION: “I move to adopt Resolution 2012-PC-3 recommending to the Board of Supervisors approval of MPA-12-110, a Master Plan Amendment to change the Land Use designation of a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03, -11, -16, -22, -78, and -79, from Public Conservation (PC) to Open Space (OS). based on the findings contained in the staff report.”



EXISTING MASTER PLAN



PROPOSED MASTER PLAN



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

DISCUSSION:

The subject parcels are located in the vicinity west of and between the Lakeview and Timberline areas. The parcels range in size from 40 acres to 120 acres.

The properties are currently designated "Public Conservation" on the Master Plan Land Use Map and are proposed to be designated "Open Space" for consistency purposes.

These applications are a result of the transfer of lands from the U.S. Forest Service to Carson City completed on September 30, 2011, and will result in Master Plan land use designations and zoning that is consistent with the actual public ownership and intended long-term use of the subject properties for open space.

In 2008, Senators Harry Reid and John Ensign introduced legislation providing for the transfer and sale of more than 6,700 acres of federal property in and around Carson City. This Federal Lands Bill is also called the "Carson City Vital Community Act of 2008," and is the result of years of local, federal, and public collaboration. The bill called for Carson City to assume ownership and management of approximately 6,200 acres of U.S. Forest Service (USFS) and Bureau of Land Management (BLM) lands for permanent open space, parks, and other public uses. Approximately 1,000 acres came from the USFS.

The Carson City Master Plan states that the primary purpose of the Open Space areas is primarily publicly-owned and accessible lands preserved by the City, other government agencies, or as part of a private development (e.g. planned unit development) for conservation, resource protection, or recreational use.

The Planning Division is proposing to concurrently rezone the subject parcels from Conservation Reserve to Public Community. Further detailed discussion regarding the rezoning is included in the staff report for ZMA-12-111.

PUBLIC COMMENTS: Public notices were mailed to 59 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 16, 2012, written comments have been received, see attached email from Wolf J. Gerhardt. 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.

Building Division: No comments.

Fire Department: No comments.

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.

Goal 4.3 –Expand the City's Open Space Network.

Policy 4.3a – Open Space Master Plan- Continue to review future development proposals for consistency with the City's Open Space Master Plan and continue to coordinate with the Open Space Advisory Committee and the Carson River Advisory Committee on Master Plan issues.

Policy 4.3b– Open Space Network- Continue to pursue opportunities to expand or enhance the community's open space network using a range of available tools (as specified in the Open Space Master Plan) to help implement the objectives of this Master Plan.

Rationale: *Carson City has acquired these properties as a result of the Carson City Vital Community Act of 2008. The lands were transferred from the U.S. Forest Service to Carson City in 2011.*

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 Open Space designation is consistent with the public uses that are already occurring on the properties. The use of the subject parcels is limited to open space because of their ownership by the Carson City Open Space program.*

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: *The subject properties have been acquired by Carson City in 2011. The purpose of this application is to amend the Master Plan to properly reflect these publicly owned parcels for Open Space purposes.*

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 areas associated with Open Space uses to be properly designated and to promote the desired pattern of orderly physical growth in other areas identified in Carson City.*

Respectfully submitted,
PUBLIC WORKS, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

Attachments
Planning Commission Resolution 2012-PC-3 with Maps

RESOLUTION 2012-PC-3

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-12-110, A MASTER PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF A TOTAL OF APPROXIMATELY 440 ACRES OF PROPERTY LOCATED IN THE VICINITY WEST OF AND BETWEEN THE LAKEVIEW AND TIMBERLINE AREAS, APNS 007-091-03, -11, -16, -22, -78, AND -79, FROM PUBLIC CONSERVATION (PC) TO OPEN SPACE (OS).

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

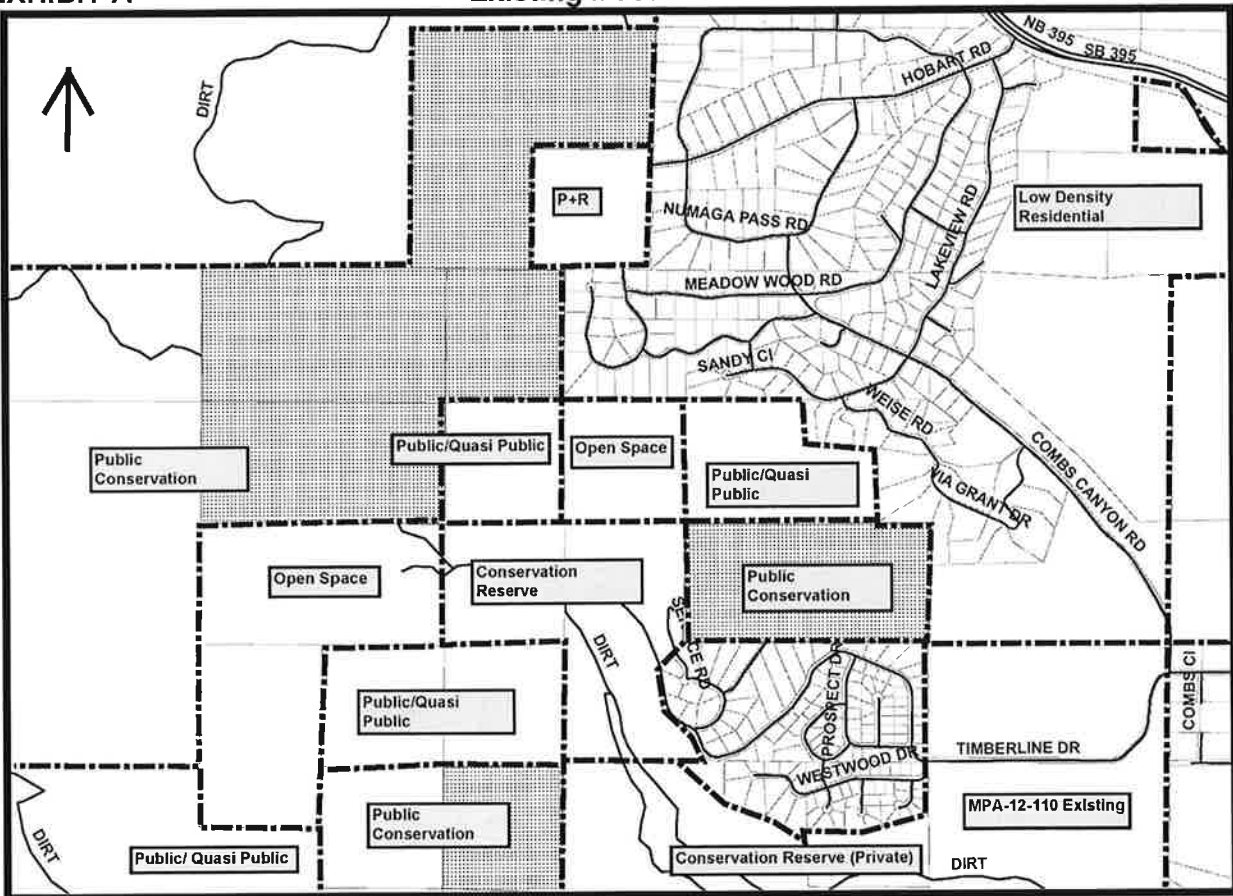
WHEREAS, the Planning Commission has given proper notice of the proposed amendment in accordance with the provisions of NRS and CCMC 18.02.070, and is in conformance with City and State legal requirements; and

WHEREAS, on November 28, 2012, the Planning Commission obtained public testimony and duly considered recommendations and findings for the proposed master plan amendment and approved Master Plan Amendment MPA-12-110 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

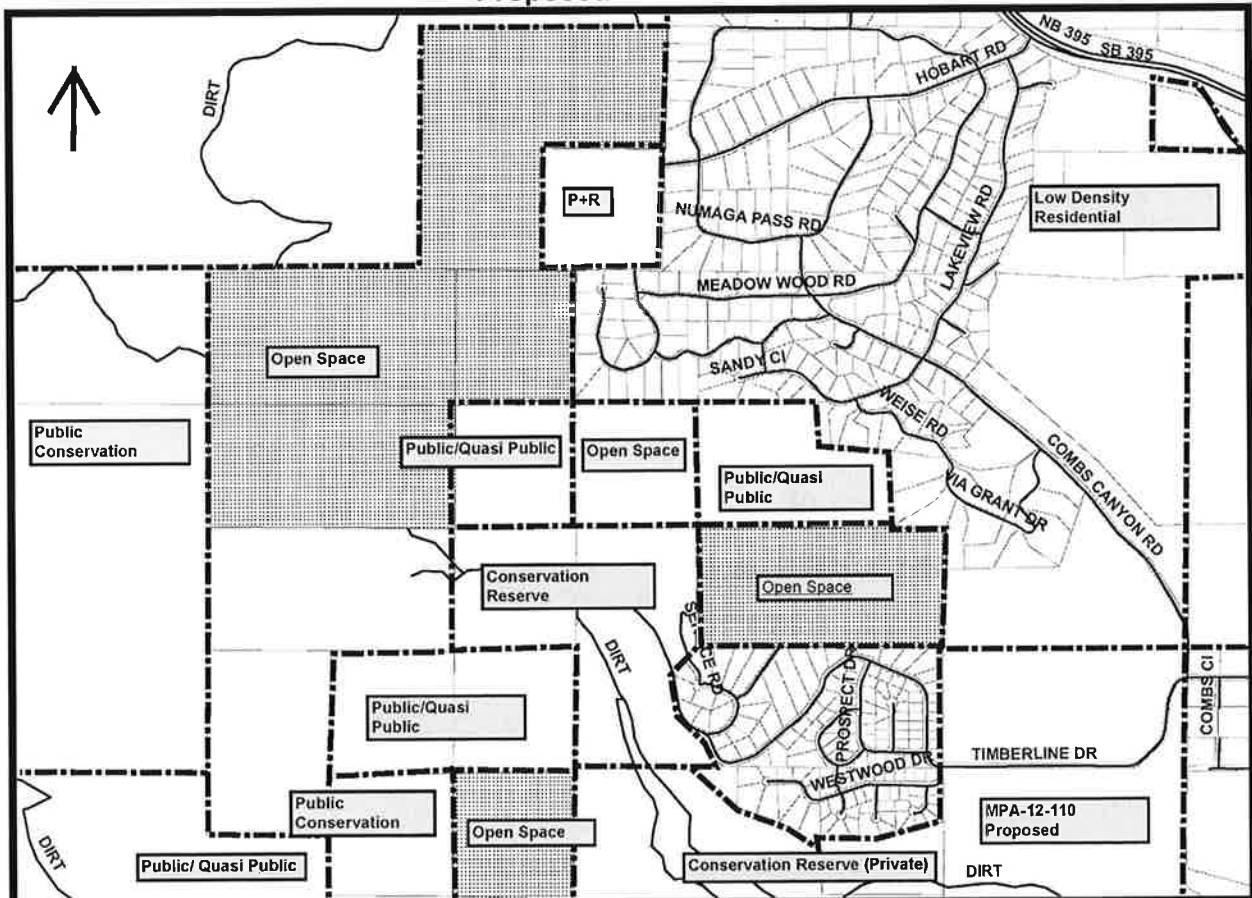
WHEREAS, Carson City has acquired these properties as a result of the Carson City Vital Community Act of 2008. The lands were transferred from the U.S. Forest Service to Carson City in 2011.

NOW, THEREFORE, the Carson City Planning Commission hereby recommends to the Board of Supervisors approval of the Master Plan Amendment to change the Land Use Map designation for specific properties owned by Carson City in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03 (120 acres), 007-091-11 (40 acres), 007-091-16 (80 acres), 007-091-22 (40 acres), 007-091-78 (80 acres) and 007-091-79 (80 acres) from Public Conservation to Open Space, as illustrated attached Exhibit A.

Existing Master Plan



Proposed Master Plan



STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 28, 2012

FILE: ZMA-12-111

AGENDA ITEM: G-4(B)

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

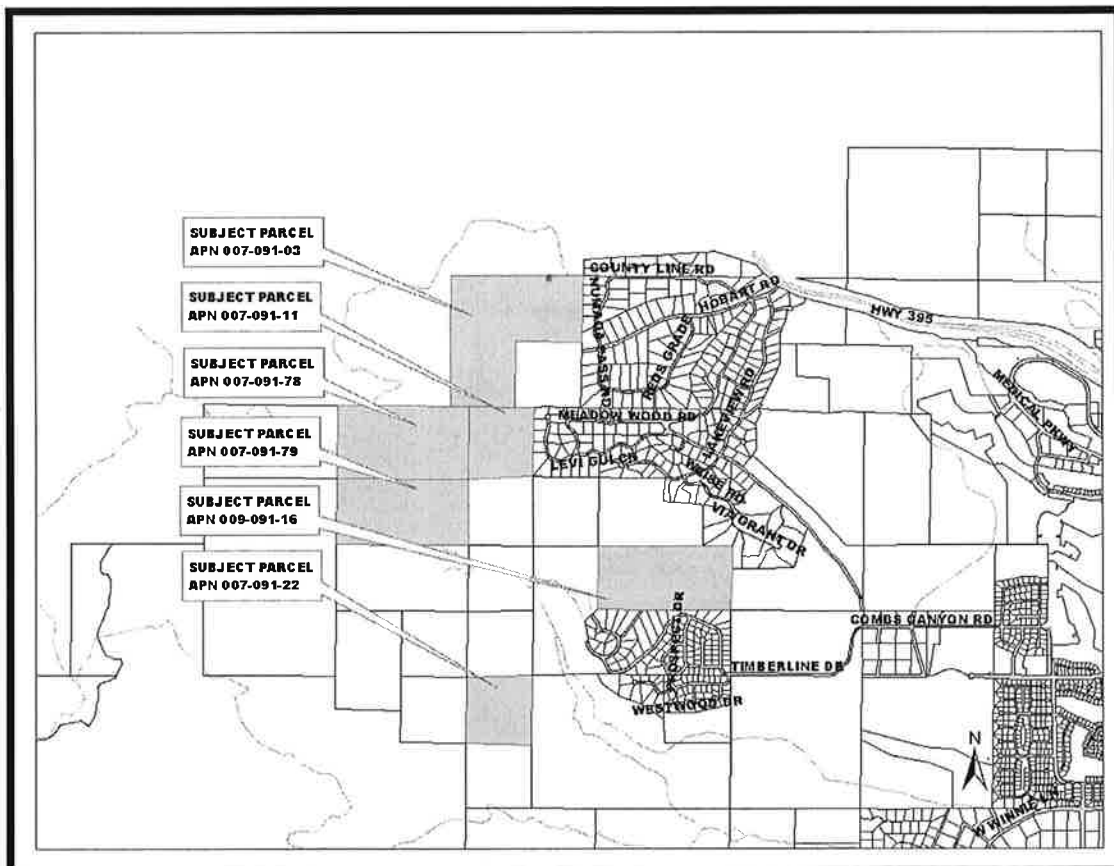
REQUEST: A Zoning Map Amendment to change the zoning of a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03, -11, -16, -22, -78, and -79, from Conservation Reserve (CR) to Public Community (PC)

APPLICANT: Carson City Planning Division

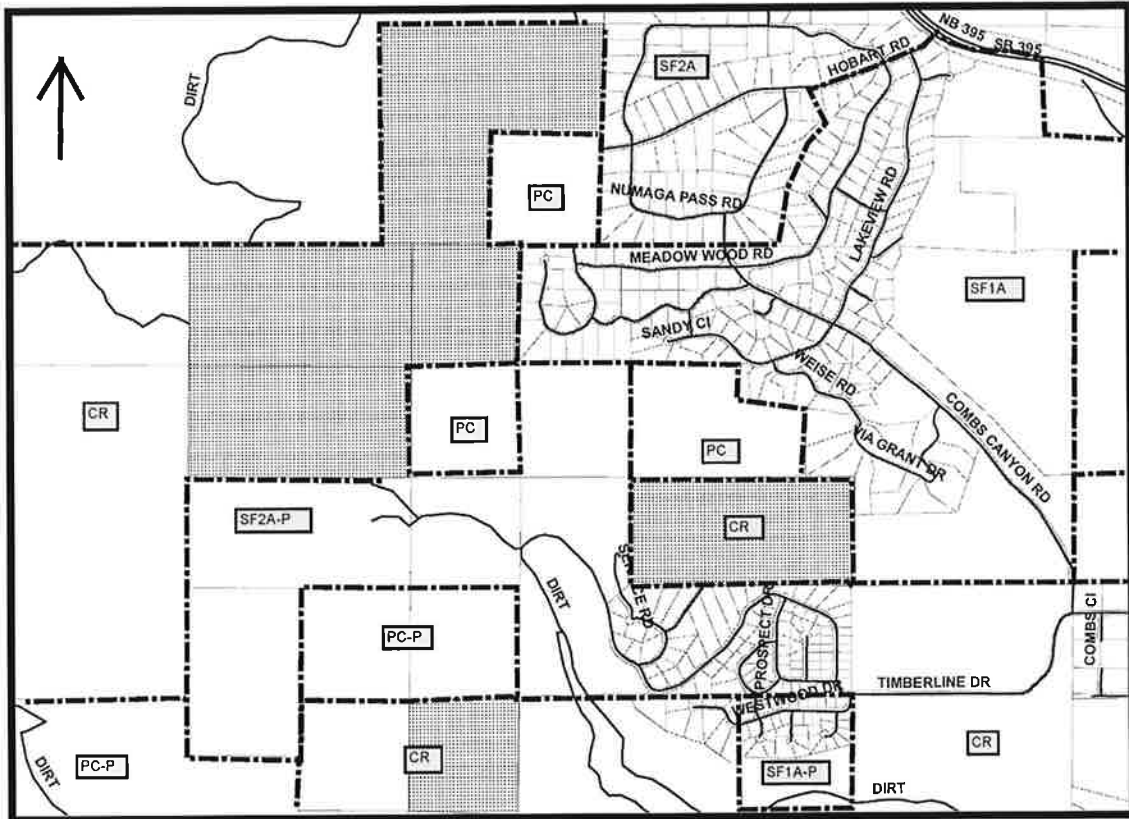
OWNER: Carson City

LOCATION: In the vicinity west of and between the Lakeview and Timberline areas (see map below)

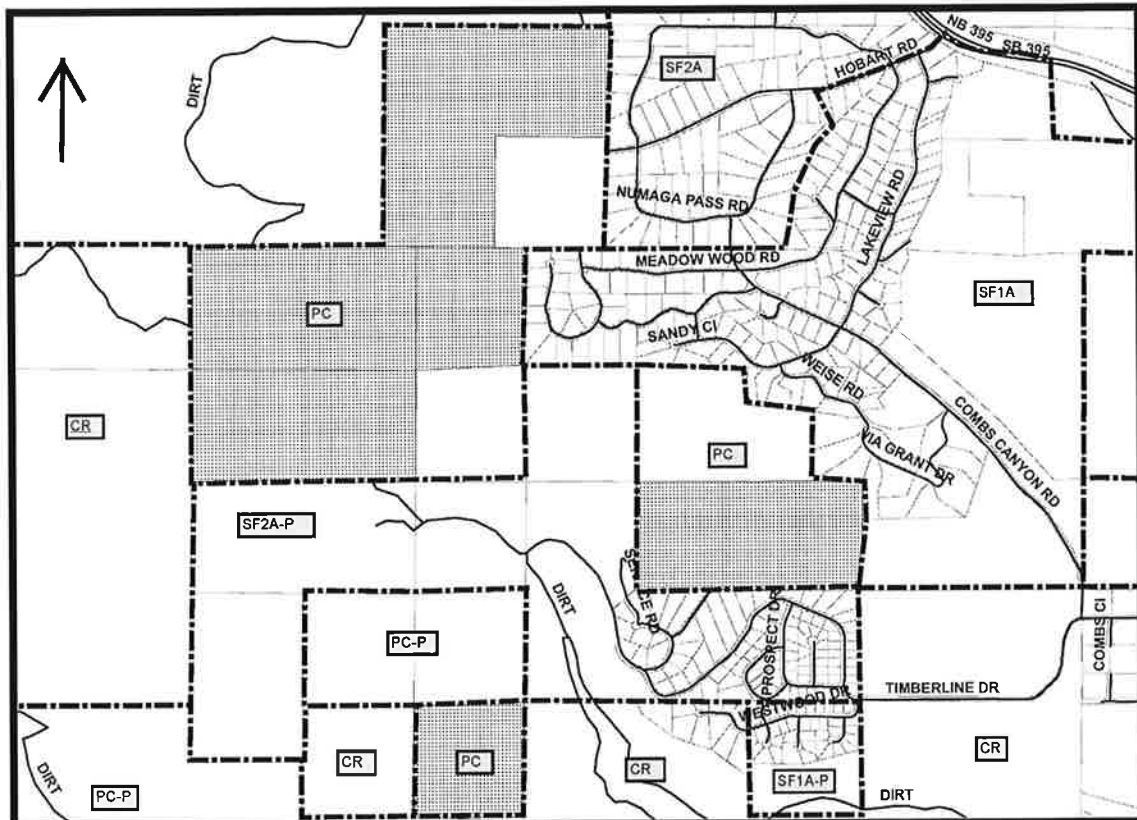
RECOMMENDED MOTION: “I move to recommend to the Board of Supervisors approval of ZMA-12-111, a Zoning Map Amendment to change the zoning of a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03, -11, -16, -22, -78, and -79, from Conservation Reserve (CR) to Public Community (PC), 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 and Zoning Code Amendments).

DISCUSSION:

The purpose of this application and the additional Master Plan applications and Zoning Map applications is to amend the zoning and master plan of several parcels of land owned by Carson City acquired for Open Space purposes to be properly reflected as such on the Land Use map and the Zoning Map of Carson City.

The subject properties are currently owned by Carson City. The current and proposed Zoning Maps are also attached to this staff report with the draft ordinance.

These applications are a result of the transfer of lands from the U.S. Forest Service to Carson City completed on September 30, 2011, and will result in Master Plan land use designations and zoning that is consistent with the actual public ownership and intended long-term use of the subject properties for open space.

In 2008, Senators Harry Reid and John Ensign introduced legislation providing for the transfer and sale of more than 6,700 acres of federal property in and around Carson City. This Federal Lands Bill is also called the "Carson City Vital Community Act of 2008," and is the result of years of local, federal, and public collaboration. The bill called for Carson City to assume ownership and management of approximately 6,200 acres of U.S. Forest Service (USFS) and Bureau of Land Management (BLM) lands for permanent open space, parks, and other public uses. Approximately 1,000 acres came from the USFS.

The purpose of Public Community zoning district is typically facilities and uses that serve primarily a smaller portion of Carson City. The use of the subject parcels is limited to open space because of the ownership by the Carson City Open Space program.

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-12-110.

PUBLIC COMMENTS: Public notices were mailed to 59 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 16, 2012, written comments have been received, see attached email from Wolf J. Gerhardt. 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.

Building Division: No comments.

Fire Department: No comments.

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.

Goal 4.3 – Expand the City's Open Space Network.

Policy 4.3a – Open Space Master Plan- Continue to review future development proposals for consistency with the City's Open Space Master Plan and continue to coordinate with the Open Space Advisory Committee and the Carson River Advisory Committee on Master Plan issues.

Policy 4.3b– Open Space Network- Continue to pursue opportunities to expand or enhance the community's open space network using a range of available tools (as specified in the Open Space Master Plan) to help implement the objectives of this Master Plan.

Rationale: *The proposed amendment will provide for public review of all uses to be established on the properties, allowing review of existing site features. Typically all parcels owned by Carson City are zoned Public Community, Public Neighborhood or Public Regional.*

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 Community zoning designation is consistent with the public uses, facilities and use that serve primarily all portions of Carson City. The use of the subject parcels is limited to open space because of the ownership by the Carson City Open Space program, which is similar to adjacent land 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 consistency purposes with the Carson City Land Use Map. The proposed amendment will not adversely impact the public health, safety and welfare.*

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

Rationale: *The proposed amendment is not associated with a specific project. The subject properties were acquired by Carson City as a result of the Carson City Vital Community Act of 2008. The lands were transferred from the US. Forest Service to Carson City in 2011.*

Respectfully submitted,
PUBLIC WORKS, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

Attachments

- 1) Draft ZMA Ordinance with Maps
- 2) Code Section 18.04.180 (PC)

BILL NO. _____

ORDINANCE NO. 2013- _____

AN ORDINANCE TO CHANGE THE ZONING OF A TOTAL OF APPROXIMATELY 440 ACRES OF PROPERTY LOCATED IN THE VICINITY WEST OF AND BETWEEN THE LAKEVIEW AND TIMBERLINE AREAS, APNS 007-091-03, -11, -16, -22, -78, AND -79, FROM CONSERVATION RESERVE (CR) TO PUBLIC COMMUNITY (PC).

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS DO ORDAIN:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Numbers 007-091-03, 007-091-11, 007-091-16, 007-091-22, 007-091-78 and 007-091-79, properties owned by Carson City located in the vicinity west of and between the Lakeview and Timberline areas of 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 APNs 007-091-03, 007-091-11, 007-091-16, 007-091-22, 007-091-78 and 007-091-79 from Conservation Reserve (CR) to Public Community (PC). After proper noticing pursuant to NRS 278 and CCMC Title 18, on November 28, 2012, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted _____ ayes, _____ nays to recommend to the Board of Supervisors _____ 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 designation of APNs 007-091-03, 007-091-11, 007-091-16, 007-091-22, 007-091-78 and 007-091-79 of approximately 440 acres from Conservation Reserve (CR) to Public Community (PC) as shown on "Exhibit A" attached.

PROPOSED this 17th day of January, 2013.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2013.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

ROBERT L. CROWELL, Mayor

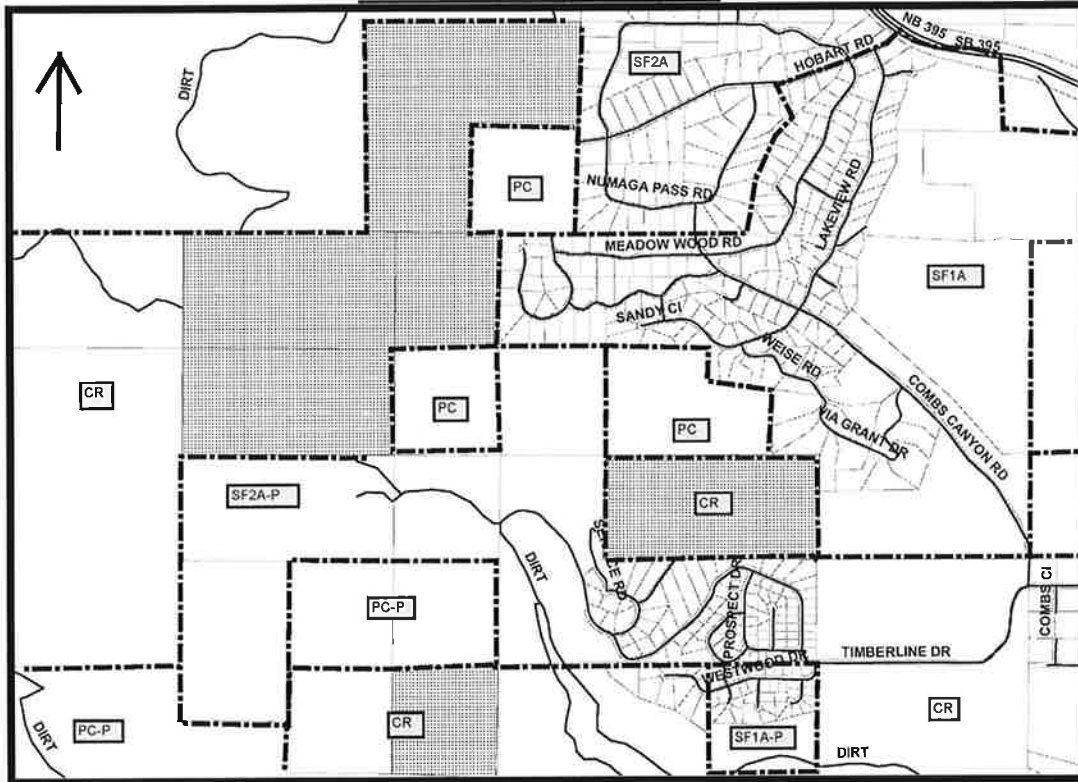
ATTEST:

ALAN GLOVER, Clerk-Recorder

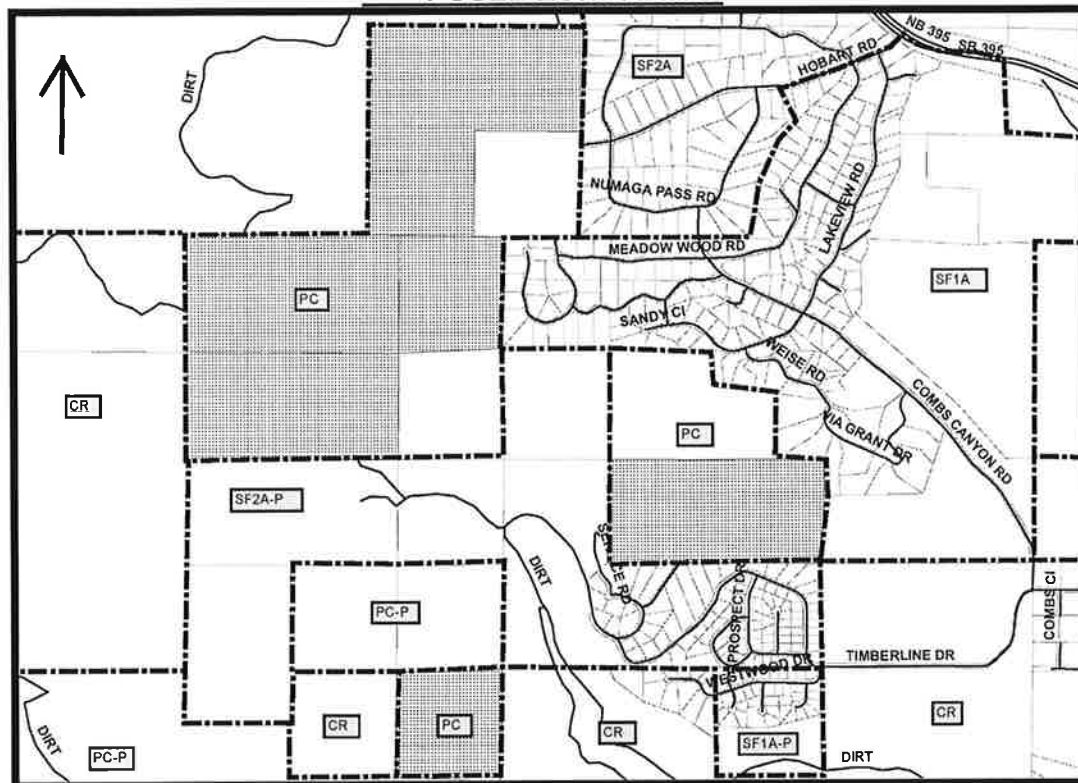
This ordinance shall be in force and effect from and after the ____ of _____, 2013.

Exhibit "A"

EXISTING ZONING MAP



PROPOSED ZONING MAP



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

RECEIVED

OCT 19 2012

CARSON CITY
PLANNING DIVISION

Planning Commission 11-28-12

The Fire Department has no comments or concerns on the following Planning Commission Applications:

SUP-12-102
ZMA-12-109
MPA-12-108
ZMA-12-111
MPA-12-110
ZMA-12-113
MPA-12-112
ZMA-12-115
MPA-12-114
ZMA-12-117
MPA-12-116
ZMA-12-119
MPA-12-118

Stacey Giomi
Fire Chief/Emergency Management Director
Carson City Fire Department
777 S. Stewart St.
Carson City, NV 89701

PHONE: (775) 283-7150
FAX: (775) 887-2209
E-MAIL: sgiom@carson.org

File # (Ex: MPR #07-111)	<i>SUP -12-102 AND ALL THE REST</i>
Brief Description	
Project Address or APN	
Bldg Div Plans Examiner	<i>Kevin Gattis</i>
Review Date	<i>November 28, 2012</i>
Total Spent on Review	

BUILDING DIVISION COMMENTS:

- 1. No comments**

Fw: 5100 Numaga Pass #007-15204

Wolf J. Gerhardt [bayreuth04@aol.com]

Sent: Wednesday, November 14, 2012 4:28 PM

To: Jennifer Pruitt

RECEIVED

NOV 15 2012

CARSON CITY
PLANNING DIVISION

----- Original Message -----

From: Wolf J. Gerhardt

To: j.pruitt@carson.org

Sent: Wednesday, November 14, 2012 2:48 PM

Subject: 5100 Numaga Pass #007-15204

Dear Mrs. Pruitt:

Pursuant to our telephone conversation of this morning, please accept this email as written notification to the receipt of the Master Plan Amendment taking place directly behind our property:

5100 Numaga Pass; tax parcel #007-15204

This is currently a vacant, buildable lot; there are houses on all lots directly adjacent to the south as well as the north of our property. We are planning to construct a home there sometime in the future and therefore request that the planning commission takes this into consideration as the status of the land directly west of our property changes from "Public Conservation" (PC) to "Open Space" (OS).

Thank you very much for your attention and consideration in this matter. Our contact information is as follows:

Wolf J. Gerhardt; Lisa A. Gerhardt
25425 SE 221st Street
Maple Valley, WA 98038-7638
(425) 413-0965
Email: bayreuth04@aol.com

With best personal regards,

Wolf & Lisa Gerhardt