

**City of Carson City
Agenda Report**

Date Submitted: December 11, 2012

Agenda Date Requested: December 20, 2012

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Public Works - Planning Division

Subject Title: For Possible Action: To approve a Master Plan Amendment application to change the land use designation of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APN's 007-031-06, -15, 007-061-03, and 007-601-03, from Public/Quasi-Public to Public Conservation. (MPA-12-116) (Lee Plemel)

Summary: This application is a result of the transfer of lands from Carson City to the U.S. Forest Service completed on September 30, 2011, and will result in Master Plan land use designations and zoning that is consistent with land owned by the U. S. Forest Service.

Type of Action Requested:

- ☐ Resolution
☒ Formal Action/Motion

- ☐ Ordinance
☐ Other (Specify)

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

Planning Commission Action: Recommended approval on November 28, 2012 by a vote of 7 ayes and 0 nays.

Recommended Board Action: I move to approve a Master Plan Amendment application to change the land use designation of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APN's 007-031-06, -15, 007-061-03, and 007-601-03, from Public/Quasi-Public to Public Conservation, 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

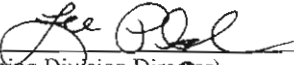
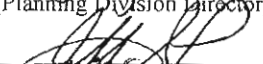
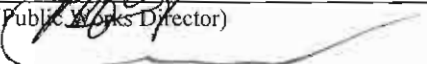
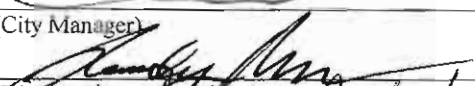
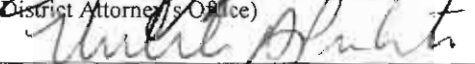
Funding Source: N/A

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

Supporting Material:

- 1) Resolution 2012-PC-6
- 2) Case Record
- 3) 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: 12-11-12

Date: 12/11/12

Date: 12/11/12

Date: 12/11/12

Date: 12/11/12

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

RESOLUTION 2012-PC-6

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-12-116, A MASTER PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF APPROXIMATELY 2,265 ACRES OF PROPERTY LOCATED IN THE RURAL ASH CANYON VICINITY, APNS 007-031-06, -15, 007-061-03, AND 007-601-03, FROM PUBLIC/QUASI-PUBLIC (P/QP) TO PUBLIC CONSERVATION (PC).

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-12-116 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 Carson City to the U.S. Forest Service in 2011.

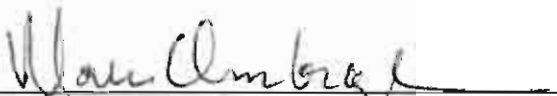
NOW, THEREFORE, the Carson City Planning Commission hereby recommends to the Board of Supervisors approval of the Master Plan Amendment to change the Land Use designation of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APNs 007-031-06, -15, 007-061-03, and 007-601-03, from Public/Quasi-Public (P/QP) to Public Conservation (PC), as illustrated in the attached Exhibit A and Exhibit B.

ADOPTED this 28th day of November, 2012

VOTE: AYES: Mark Kimbrough
 George Wendell
 Malkiat Dhami
 Paul Esswein
 Bill Vance
 Mark Sattler
 Jim Shirk

NAYS: _____

ABSENT: _____

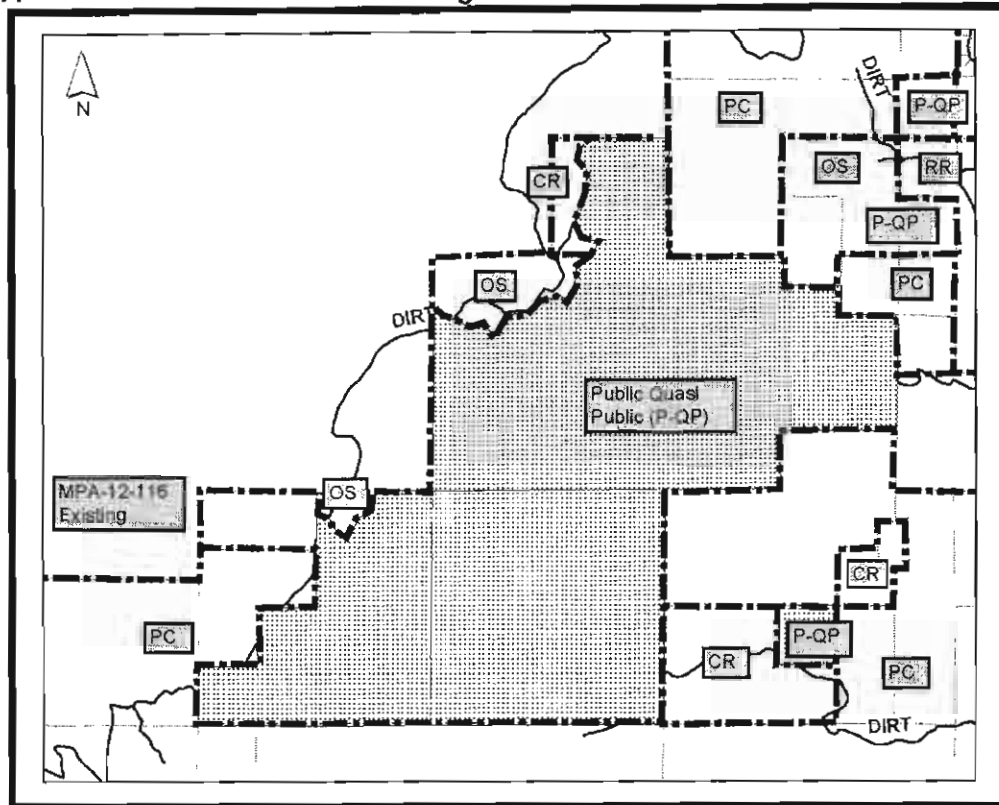


Mark Kimbrough, Chairman

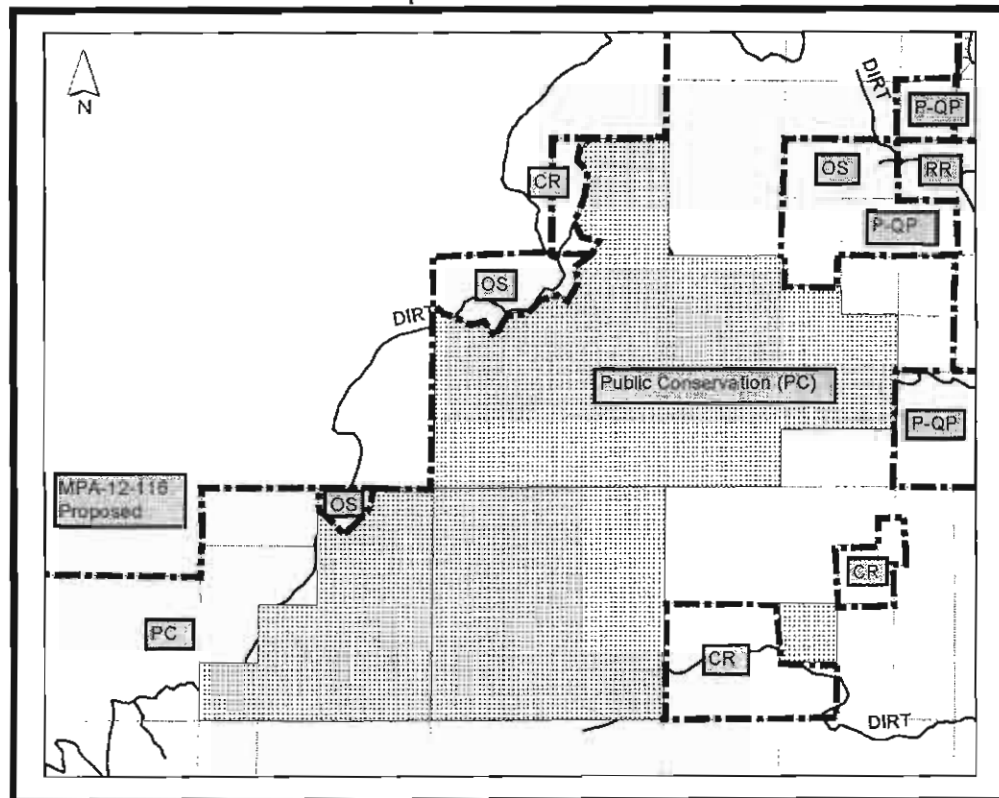
ATTEST:



LEE PLEMEL, AICP
Planning Director



Proposed Master Plan



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: November 28, 2012

AGENDA ITEM NO.: G-7(A)

APPLICANT(s) NAME: Carson City
PROPERTY OWNER(s): United States Forest Service

FILE NO. MPA-12-116

ASSESSOR PARCEL NO(s): 007-031-06, -15, 007-061-03, and 007-601-03
ADDRESS: rural Ash Canyon vicinity

APPLICANT'S REQUEST: For Possible Action: To adopt a Resolution making a recommendation to the Board of Supervisors regarding a Master Plan Amendment to change the Land Use designation of approximately 2,265 acres of property from Public/Quasi-Public (P/QP) to Public Conservation (PC).

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

STAFF REPORT PRESENTED BY: Jennifer Pruitt
STAFF RECOMMENDATION: ☒ APPROVAL
APPLICANT REPRESENTED BY: Jennifer Pruitt

☒ REPORT ATTACHED

☒ APPLICANT/AGENT WAS
PRESENT AND SPOKE

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.

No persons spoke in favor or in opposition of the proposal

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

N/A

MOTION WAS MADE TO APPROVE WITH THE FINDINGS AS ENUMERATED ON THE STAFF REPORT

MOVED: Wendell SECOND: Sattler PASSED: 7/YAYE 0/NO /ABSTAIN /ABSENT

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: December 20, 2012

STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 28, 2012

FILE: MPA-12-116

AGENDA ITEM: G-7(A)

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

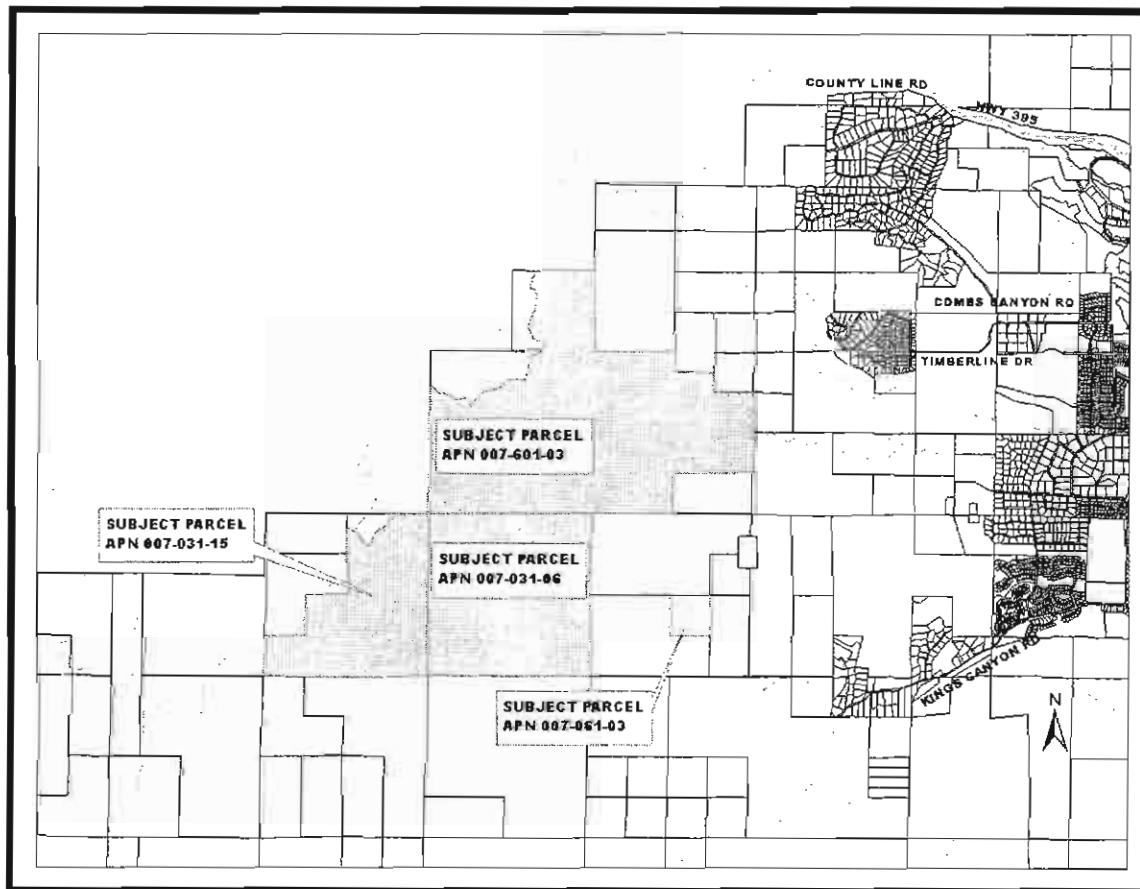
REQUEST: A Master Plan Amendment to change the Land Use designation of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APNs 007-031-06, -15, 007-061-03, and 007-601-03, from Public/Quasi-Public (P/QP) to Public Conservation (PC).

APPLICANT: Carson City Planning Division

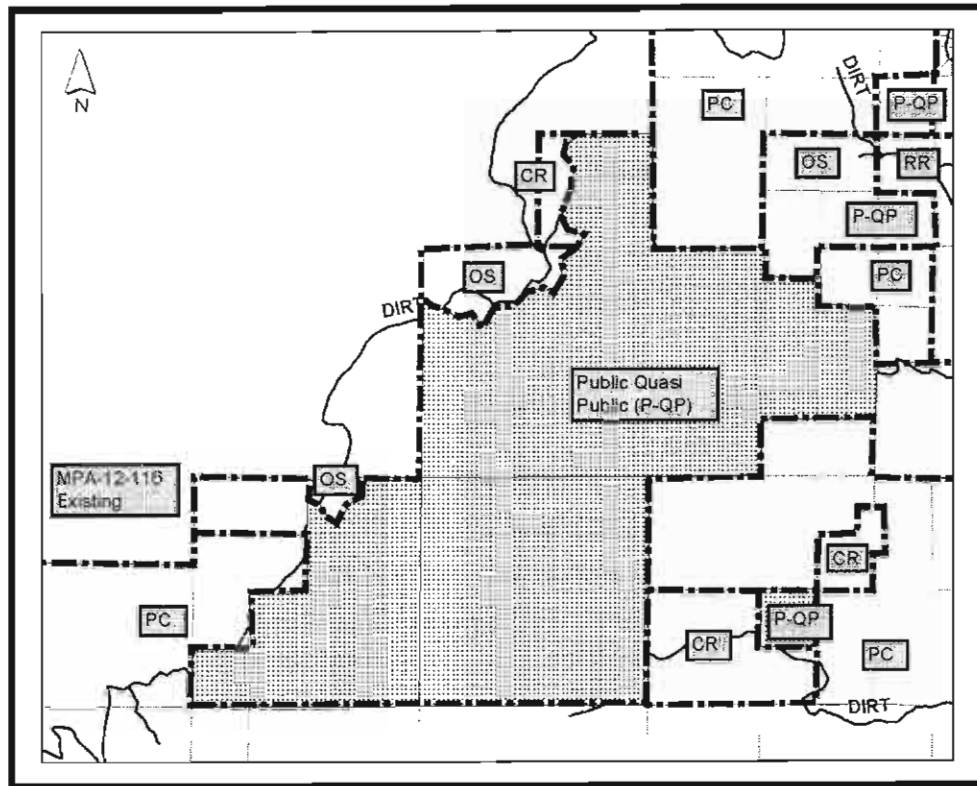
OWNER: Carson City

LOCATION: In the rural Ash Canyon vicinity. (see map below)

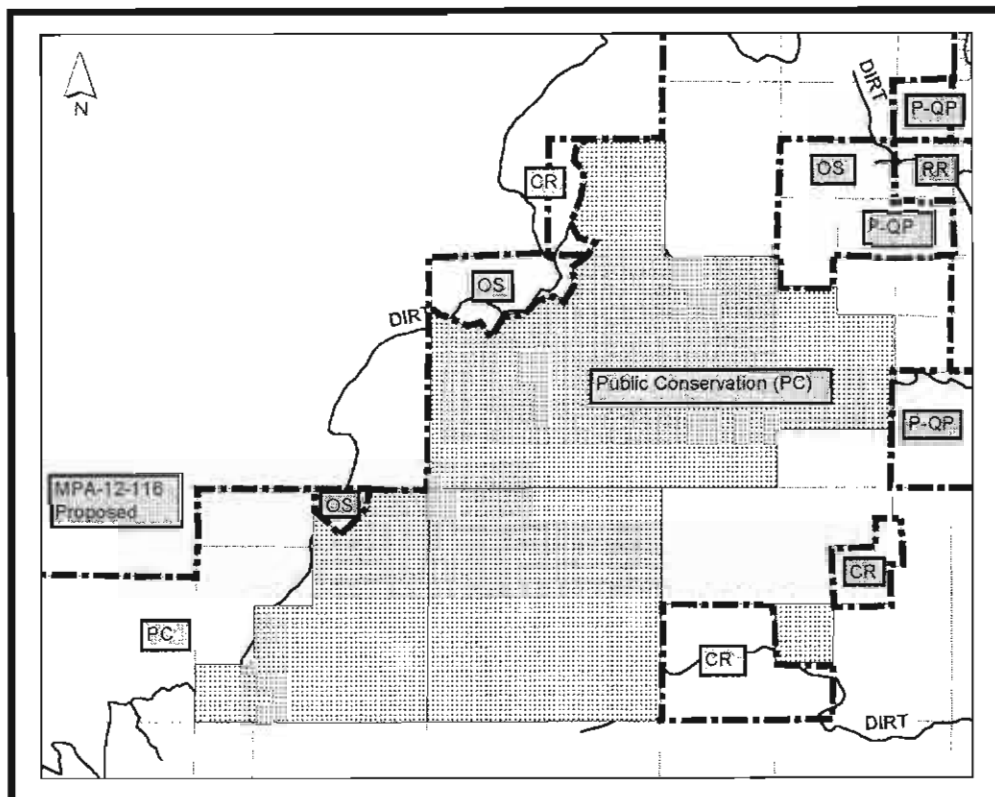
RECOMMENDED MOTION: "I move to adopt Resolution 2012-PC-6 recommending to the Board of Supervisors approval of MPA-12-116, a Master Plan Amendment to change the Land Use designation of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APN's 007-031-06, -15, 007-061-03, and 007-601-03, from Public/Quasi-Public (P/QP) to Public Conservation (PC), 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 rural Ash Canyon vicinity. The parcels range in size from 40 acres to 1160 acres.

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

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

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 Public Conservation designation is Publicly-owned and accessible lands preserved for conservation, resource protection, or recreational use by the Bureau of Land Management (BLM), United States Forest Service (USFS), or State of Nevada Forest Service (SNFS).

The Planning Division is proposing to concurrently rezone the subject parcels from Public Community to Conservation Reserve. Further detailed discussion regarding the rezoning is included in the staff report for ZMA-12-117.

PUBLIC COMMENTS: Public notices were mailed to 33 adjacent property owners within 3500 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of November 16, 2012, 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.

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: These lands were acquired by the U.S. Forest Service from Carson City as a result of the 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.

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: Public Conservation designation is Publicly-owned and accessible lands preserved for conservation, resource protection, or recreational use by the Bureau of Land Management (BLM), United States Forest Service (USFS), or State of Nevada Forest Service (SNFS). The Land Use designation will be consistent with the other lands currently owned by the USFS.

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 USFS in 2011. The purpose of this application is to amend the Master Plan to properly reflect these publicly owned parcels. The conditions that have changed is the fact that Carson City does not own the parcels, which is a change that has occurred since the Land Use map was adopted as a result of the Carson City Vital Community Act of 2008.*

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 publically owned lands 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-6 with Maps