

**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 introduce, on first reading, Bill No. _____, 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, APN's 007-091-03, -11, -16, -22, 78, and -79, from Conservation Reserve to Public Community. (ZMA-12-111) (Lee Plemel)

Summary: This application is 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.

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 28, 2012 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 APN's 007-091-03, -11, -16, -22, 78, and -79, a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, from Conservation Reserve to Public Community, 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:

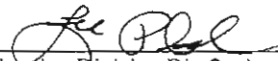
- 1) Approve the Zoning Map Amendment
- 2) Deny the Zoning Map Amendment.
- 3) Refer the matter back to Planning Commission for further review.

Supporting Material:

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

Prepared By: Janice Brod, Grants Program Coordinator

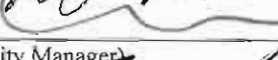
Reviewed By:


(Planning Division Director)

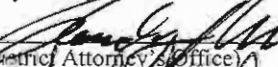
Date: 12-11-12


(Public Works Director)

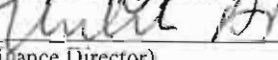
Date: 12/11/12


(City Manager)

Date: 12/11/12


(District Attorney's Office)

Date: 12/11/12


(Finance Director)

Date: 12/11/12

Board Action Taken:

Motion: _____

1) _____ Aye/Nay
2) _____

(Vote Recorded By)

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 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 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

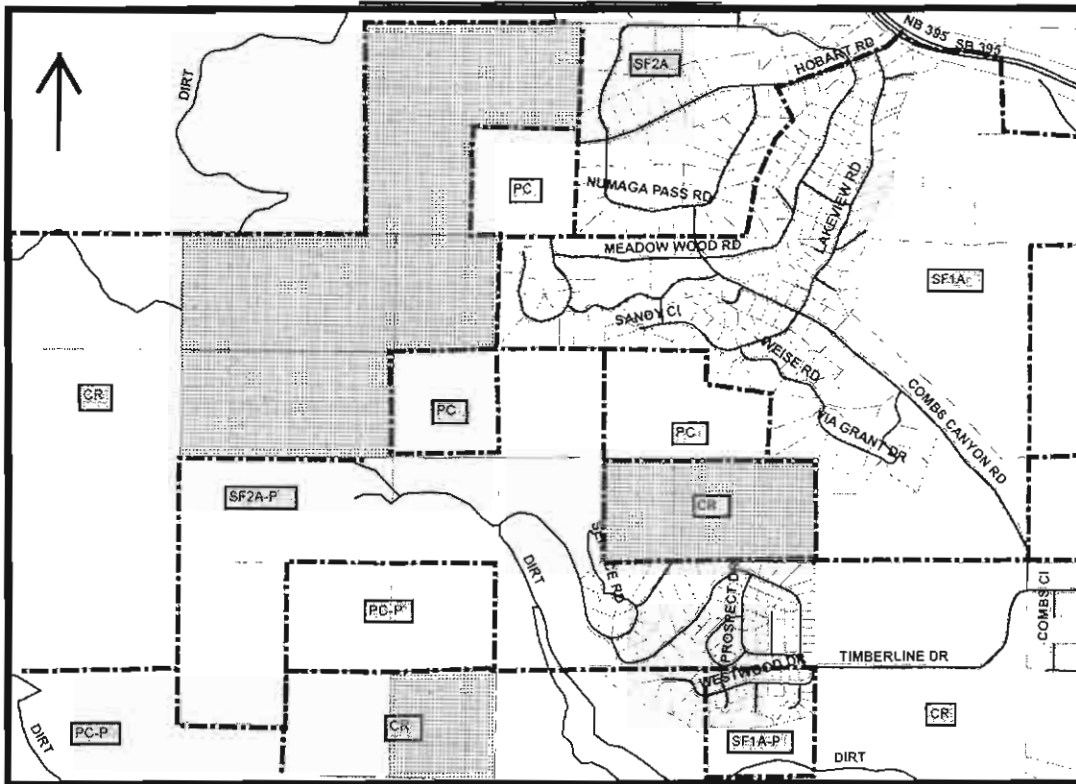
ATTEST:

ALAN GLOVER, Clerk-Recorder

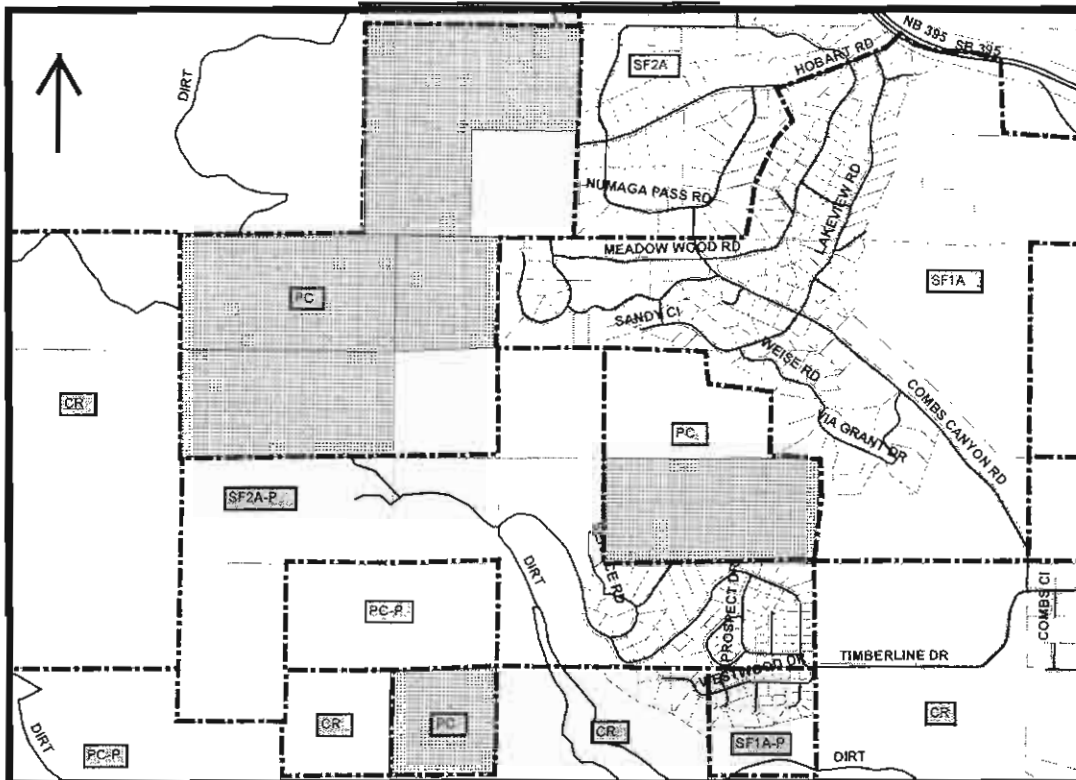
This ordinance shall be in force and effect from and after the ____ of _____, 2013.

Exhibit "A"

EXISTING ZONING MAP



PROPOSED ZONING MAP



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: November 28, 2012

AGENDA ITEM NO.: G-4(B)

APPLICANT(s) NAME: Carson City
PROPERTY OWNER(s): Carson City

FILE NO. ZMA-12-111

ASSESSOR PARCEL NO(s): 007-091-03, -11, -16, -22, 78, and -79
ADDRESS: in the vicinity west of and between the Lakeview and Timberline areas

APPLICANT'S REQUEST: For Possible Action: To make a recommendation to the Board of Supervisors regarding a Zoning Map Amendment application to change the zoning of a total of approximately 440 acres of property from Conservation Reserve (CR) to Public Community (PC).

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

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

☒ 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: ZMA-12-111

AGENDA ITEM: G-4(B)

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

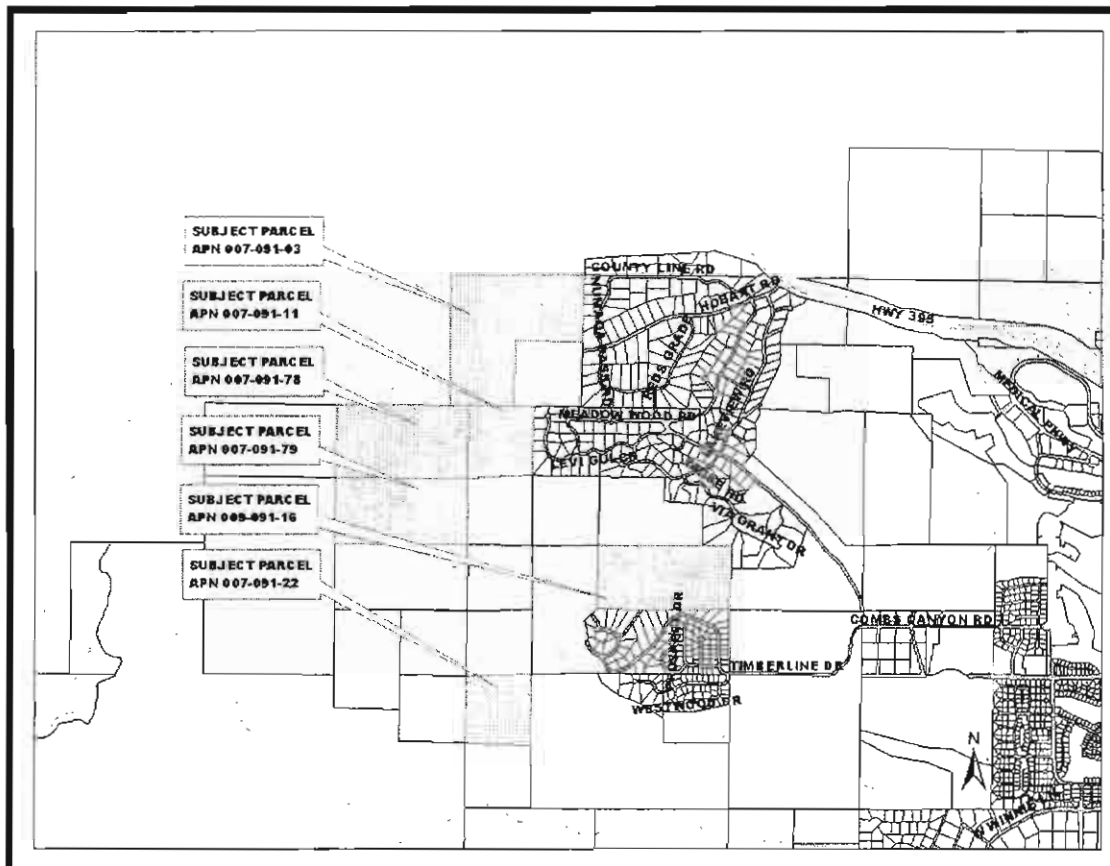
REQUEST: A Zoning Map Amendment to change the zoning of a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03, -11, -16, -22, -78, and -79, from Conservation Reserve (CR) to Public Community (PC)

APPLICANT: Carson City Planning Division

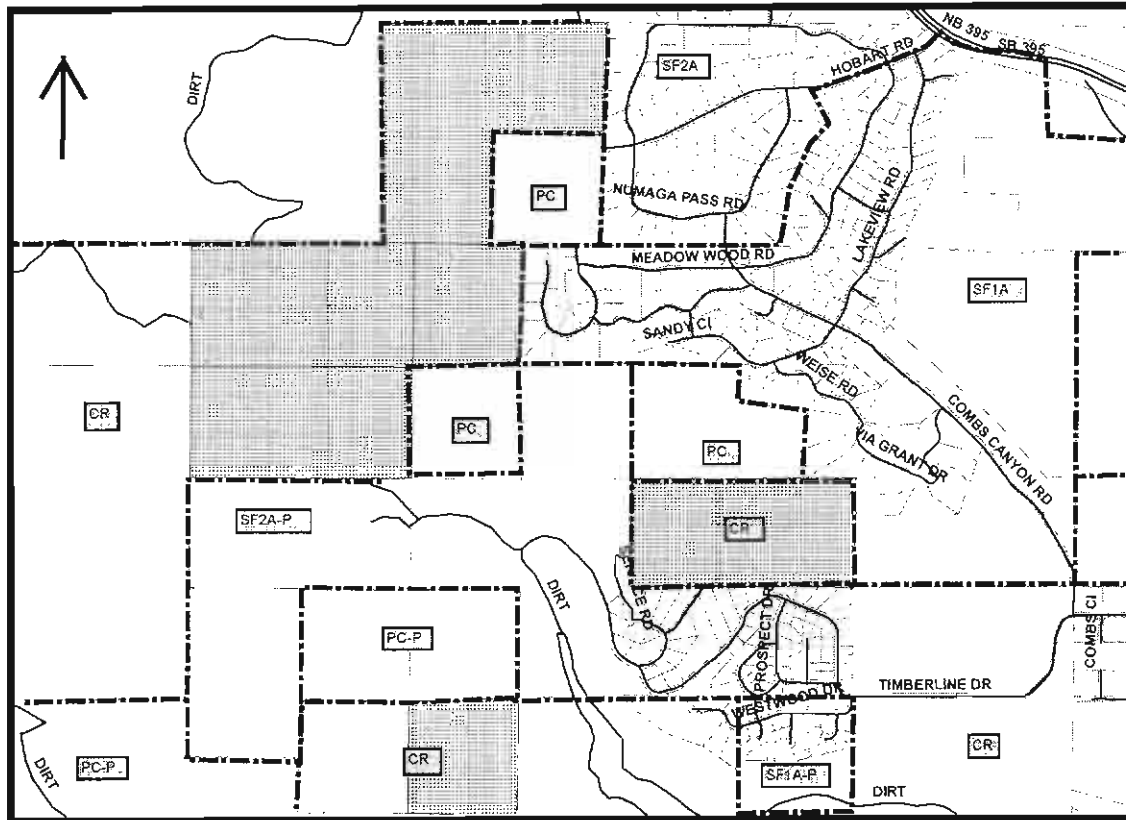
OWNER: Carson City

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

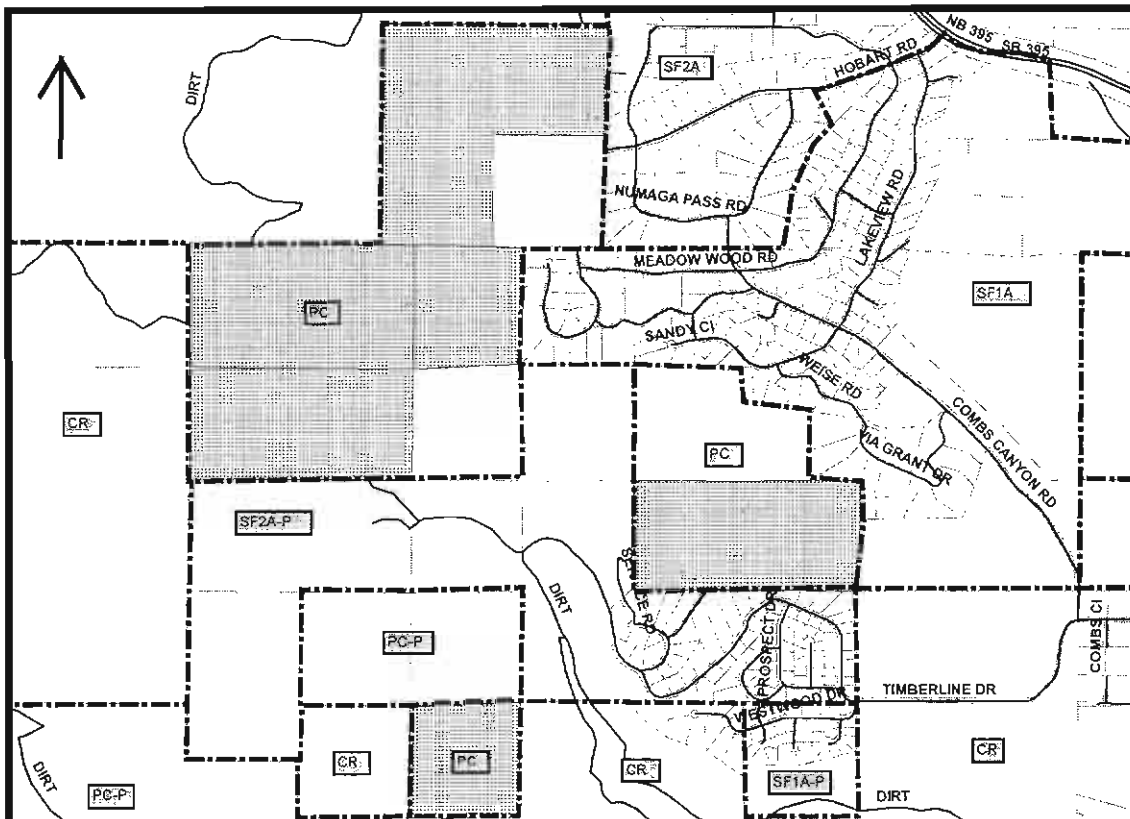
RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZMA-12-111, a Zoning Map Amendment to change the zoning of a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03, -11, -16, -22, -78, 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)

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

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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: sgiommi@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