

Item #4

**City of Carson City
Agenda Report**

Date Submitted: December 26, 2006

Agenda Date Requested: January 4 2007

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Planning Division

Subject Title: Action to adopt Bill No. 131, on second reading, Ordinance No. _____, an ordinance amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.12.055, Obtaining a Building Permit, requiring the payment of utility connection fees at either submittal of building plans or at the issuance of building permit, and other matters properly related thereto. (File ZCA-06-207.)

Staff Summary: This revision to the Growth Management section of Title 18 would allow payment of utility hookup fees and the growth management fee at either submittal of building plans or issuance of building permit.

Type of Action Requested:

☐ Resolution

☒ Ordinance - Second Reading

☐ Formal Action/Motion

☐ Other (Specify)

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Planning Commission Action: Recommended approval November 29, 2006 by a vote of 6 ayes and 0 nays. Approved by the Board of Supervisors by a vote of 5:0 at the December 21, 2006 meeting.

Recommended Board Action: I move to adopt Bill No. 131, on second reading, Ordinance No. ___, an ordinance amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.12.055, Obtaining a Building Permit, requiring the payment of utility connection fees at either submittal of building plans or at the issuance of building permit, and other matters properly related thereto.

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.

Applicable Statute, Code, Policy, Rule or Regulation: Title 18, Section 18.12

Fiscal Impact: N/A

Explanation of Impact: N/A

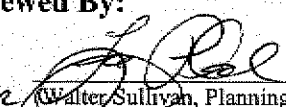
Funding Source: N/A

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

Supporting Material: Ordinance

Prepared By: Donna Fuller, Administrative Services Manager

Reviewed By:


For (Walter Sullivan, Planning Director)

Date: 12/26/06


(Larry Warner, Development Services Director/City Engineer)

Date: 12/26/06


(Linda Ritter, City Manager)

Date: 12-26-06


(Melahie Bruketta, Chief Deputy District Attorney)

Date: 12-26-06

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

ORDINANCE NO. _____

BILL NO. 131

AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.12.055, SPECIFICALLY GROWTH MANAGEMENT ORDINANCE REVISIONS, OBTAINING A BUILDING PERMIT, REQUIRING THE PAYMENT OF UTILITY CONNECTION FEES AT EITHER SUBMITTAL OF BUILDING PLANS OR AT THE ISSUANCE OF BUILDING PERMIT, AND OTHER MATTERS PROPERLY RELATED THERETO.

Fiscal effect: None

The Board of Supervisors of Carson City, do ordain:

SECTION I:

That Section 18.12.055 of the Carson City Municipal Code is hereby amended to read as follows:

18.12.055 Obtaining a Building Permit.

1. To construct a residential building subject to the provisions of this Chapter, the following time frames shall apply:
 - a. Beginning on the first city working day in January and concluding on the last city working day in March, the Director shall make available the maximum number of residential building permits for development projects and private property owners in the city. This calendar time frame shall be called "Period 1."
 - (1) For development projects, each project shall be entitled to apply for the maximum number of building permits allocated to the development project category at any time during this period.

- (2) For general property owners, any property owner may apply for the maximum number of building permits allocated to the general property owner category on a first-come first-served basis until the supply of building permits is exhausted.

- b. Beginning on the first city working day in April and concluding on the last city working day in June, any building permits remaining from Period 1 to be issued by the city shall be combined into a single category for development projects and general property owners. Any development project shall be entitled, on a first come first served basis, to purchase an additional number of building permits not exceeding 50% above the original maximum number allocated to the specific category and any general category property owner shall be entitled, on a first-come, first-served basis, to purchase an additional number of building permits not exceeding 100% above the original maximum number allocated to the general category property owner in Period 1, whether or not the property owner or development project purchased the maximum number of permits allowed in Period 1. This calendar time frame shall be called "Period 2."
- c. Beginning on the first city working day in July and concluding on the last city working day in December, any remaining building permits from Periods 1 or 2 shall be available on a first come first served basis whether or not a development project or general property owner has acquired the maximum number of building permits/entitlement certificates permitted in Periods 1 and/or 2. This calendar time frame shall be called "Period 3."

2. Requirements for reserving a building permit application:

- a. A complete set of building plans as required by the building official, shall be submitted along with the required building permit application forms, proof of property ownership if ownership is different than that shown on the assessor's rolls, and any additional materials normally required for application for a building permit.
- b. At the time that an application for a building permit is submitted, the applicant shall pay the following fees:

~~[(1) — A growth management fee; and~~

~~(2)]~~ (1) The applicable plan review fee(s) as adopted by the Building Code currently adopted by Carson City; and

(2) A growth management entitlement fee and the utility connection fee(s) may be paid at the building plan submittal date which will reserve a growth management entitlement for the parcel of land for which the building permit is being secured.

~~[(3) — The utility connection fee(s).]~~

- (c) When the building plans have been approved, the applicant must pay the building permit fee(s), a growth management entitlement fee and the utility connection fee(s) if not paid at time of submittal of building plans, and any additional applicable development fee(s), including the tap and meter fees.

(d) The payment of the growth management entitlement fee and utility connection fee(s) when the building plans are approved will secure a growth management entitlement on the date the above fees are paid to Carson City; should any entitlements remain for that calendar year.

3. Upon application for a building permit, the department shall issue an entitlement certificate for the specific development project or parcel for which the building permit is sought.

a. For development projects, the entitlements certificate may be transferred to any parcel within the development project upon written request and approval by the Director.

b. A development project may sell lots to a general property owner with the permit entitlements to be deducted against the maximum number of permits allowed to that general property owner.

c. For general property owners, the entitlement certificate shall be assigned to the specific assessor parcel.

d. An entitlement certificate shall run with the land.

- (1) In the event that a property owner does not construct the dwelling for which a building permit was sought, the entitlement certificate shall remain valid even if the building permit expires. Once the building permit application or building permit expires, a future application for a building permit shall not require a new entitlement certificate. Future building plans shall comply with the building code in effect at the time of the future submittal.

- (2) An entitlement certificate shall not be transferred except as provided in this Chapter.

4. Except as provided in this Chapter, there shall be no refunds of growth management fees, utility connection fee(s) or transfer of entitlement certificates, even if a building permit application or building permit expires. Refunds of building permit application or building permit fee(s) shall be based on the provisions of the Building Code currently adopted by Carson City.

SECTION II:

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

PROPOSED on December 21, 2006.

PROPOSED BY Supervisor Shelly Aldean

PASSED _____, 2007.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

MARV TEIXEIRA, 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 2007.