



## STAFF REPORT

**Report To:** Board of Supervisors                      **Meeting Date:** July 15, 2021

**Staff Contact:** Heather Ferris, Planning Manager

**Agenda Title:** For Possible Action: Discussion and possible action to adopt, on second reading, Bill No. 110, an ordinance changing the zoning from Single Family 1 acre (SF1A) to Single Family 1 acre Planned Unit Development (SF1A-PUD), for a Tentative Planned Unit Development (PUD-2021-0132) proposing 12 single family residential lots and a 3.75 acre common open space parcel, on property located north of Bedford Way and south of Kensington Place, APN 007-061-61. (Heather Ferris, hferris@carson.org)

Staff Summary: The Board of Supervisors ("Board") is authorized to approve a Tentative Planned Unit Development, subject to the provisions of Carson City Municipal Code ("CCMC") 17.09. The applicant is seeking to subdivide 11.95 acres into 12 single family lots ranging in size from 29,300 square feet to 34,346 square feet and a 3.75-acre open space parcel, including an improved pedestrian trail with a bridge over Ash Canyon Creek. Pursuant to NRS 278A.480, hearings for a Tentative Planned Unit Development must be held consistent with hearings for amendments to a zoning ordinance; therefore, a first and second reading of the ordinance is required. The Board introduced the ordinance, on first reading, at its meeting of June 17, 2021.

**Agenda Action:** Ordinance - Second Reading                      **Time Requested:** 5 minutes

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### **Proposed Motion**

I move to adopt Bill No. 110, on second reading, Ordinance No. \_\_\_\_\_, and to approve and authorize the Mayor to execute the minute order.

### **Board's Strategic Goal**

Quality of Life

### **Previous Action**

May 26, 2021: The Planning Commission recommended approval by a vote of 6 - 0, 1 absent.

June 17, 2021: The Board introduced the ordinance by a vote of 4-1.

### **Background/Issues & Analysis**

The Board is authorized to approve Tentative Planned Unit Developments after a recommendation from the Planning Commission.

The Board introduced Bill No. 110 at its meeting of June 17, 2021.

### **Applicable Statute, Code, Policy, Rule or Regulation**

**Financial Information**

**Is there a fiscal impact?** No

**If yes, account name/number:**

**Is it currently budgeted?** No

**Explanation of Fiscal Impact:**

**Alternatives**

Do not adopt the Ordinance and deny the request based on an inability to make the required findings, noting what finding cannot be made.

**Attachments:**

[PUD-2021-0132 \(2nd Reading 7-15-21\).doc](#)

[Minute Order PUD-2021-0132.docx](#)

**Board Action Taken:**

Motion: _____	1) _____	Aye/Nay
	2) _____	_____
		_____
		_____
		_____

\_\_\_\_\_  
(Vote Recorded By)

SUMMARY – Amends the Carson City zoning map.

BILL NO. \_\_\_\_\_  
ORDINANCE NO. 2021-\_\_

AN ORDINANCE RELATING TO ZONING; ESTABLISHING VARIOUS PROVISIONS TO CHANGE THE ZONING FROM SINGLE FAMILY 1 ACRE TO SINGLE FAMILY 1 ACRE PLANNED UNIT DEVELOPMENT ON PROPERTY LOCATED NORTH OF BEDFORD WAY AND SOUTH OF KENSINGTON PLACE, ASSESSOR'S PARCEL NUMBER 007-061-61.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a Tentative Planned Unit Development affecting Assessor's Parcel Number 007-061-61, property located north of Bedford Way and South of Kensington Place, Carson City, Nevada, was duly submitted to the Planning Division of the Carson City Community Development Department in accordance with CCMC 17.09, et seq. to revise the existing zoning designation of Assessor's Parcel Number 007-061-61 from Single Family 1 Acre to Single Family 1-acre Planned Unit Development. After proper noticing in accordance with chapter 278 of NRS and title 18 of CCMC, on May 26, 2021, the Planning Commission, during a public hearing, reviewed the staff report of the Planning Division, received public comment and voted 6 ayes, 0 nays, and 1 absent to recommend to the Board of Supervisors approval of the application for the Tentative Planned Unit Development.

SECTION II:

The zoning map of Carson City is hereby amended to change the zoning of Assessor's Parcel Number 007-061-61, approximately 11.95 acres in size, from Single Family 1 Acre to Single Family 1 Acre Planned Unit Development, as depicted in Attachment A, based on the following findings that the Planned Unit Development:

1. Is in substantial compliance with environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual sewage systems for sewage disposal.
2. Meets the applicable health standards for availability of water and water is sufficient in quantity for the reasonably foreseeable needs of the subdivision.
3. Has utilities accessible and available to serve the development.
4. Is in substantial compliance with regard to the availability and accessibility of public services such as schools, police protection, transportation, recreation and parks.
5. Is in substantial compliance with regard to providing access to public lands.
6. Conforms with the zoning ordinance and land use element of the City's Master Plan subject to the provisions of the Planned Unit Development.
7. Is in substantial conformity with the City's master plan for streets.
8. Will be providing access to the subdivision via a private street and will be required to improve sidewalks along the property's frontage.
9. Considers the physical characteristics of the land including flood plains.

10. Considers the recommendations of entities reviewing the subdivision pursuant to NRS 278.330 thru 278.348.
11. Considers the availability and accessibility of fire protection.
12. Considers recreation and trail easements
13. Is consistent with the statement of objectives of the Planned Unit Development Ordinance.
14. Does not depart from the Planned Unit Development regulations.
15. Provides adequate open space consistent with Planned Unit Development ordinance.
16. Makes adequate provisions for public services, provide adequate control over vehicular traffic, parking requirements, and furthers the amenities of light and air, recreation and visual enjoyment.
17. Does not result in an adverse relationship to the neighborhood in which it is proposed to be established.
18. As conditioned will protect the interest of the public and the residents of Planned Unit Development.

PROPOSED this 17th day of June, 2021.

PROPOSED BY Supervisor         Jones        

PASSED on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

VOTE:                      AYES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_

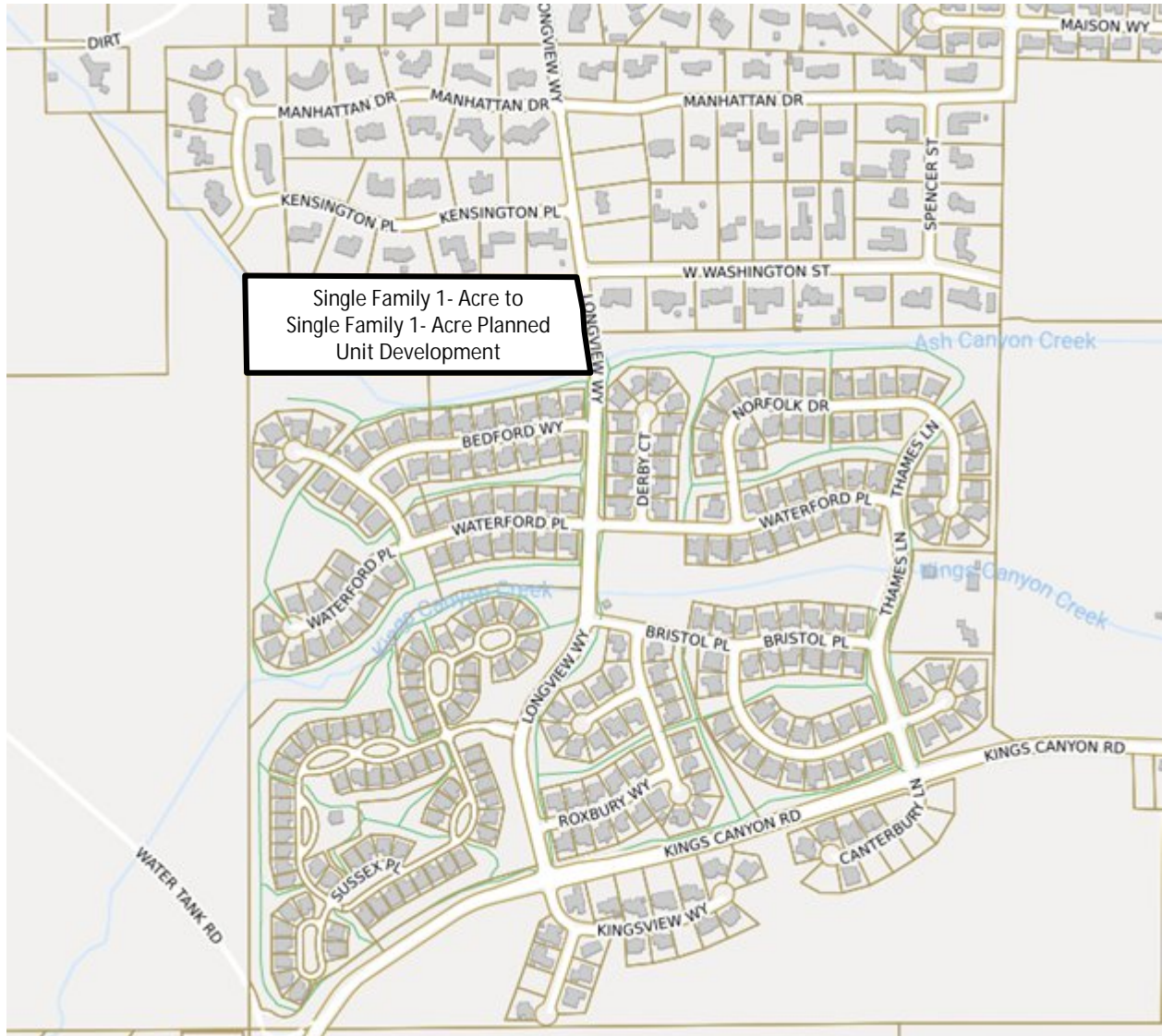
Lori Bagwell, Mayor

ATTEST:

\_\_\_\_\_  
Aubrey Rowlatt, Clerk-Recorder

This ordinance shall be in force and effect from and after the \_\_\_\_\_ of \_\_\_\_\_, 2021.

# Attachment A



MINUTE ORDER  
Adams Estates  
TENTATIVE PLANNED UNIT DEVELOPMENT  
(PUD-2021-0132)

Applicant: Adams Carson, LLC  
Meeting Date: July 15, 2021

The Board of Supervisors has granted tentative approval of the Planned Unit Development (PUD) with conditions of approval (attached) and the findings pursuant to NRS 278A.500, which are made part of Carson City Municipal Code 17.07.005 and 17.09.050, as follows:

FINDINGS PURSUANT TO 17.07.005

Section 17.07.005 (Findings):

1. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.

The development is required to comply with all applicable environmental and health laws concerning water and air pollution and disposal of solid waste.

2. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.

Water supplied to the development will meet applicable health standards. Carson City's water supply will not be exceeded by final approval of this development. The City has sufficient system capacity and water rights to meet the required allocation for the PUD.

3. The availability and accessibility of utilities.

All utilities are available in the area to serve the development.

4. The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks.

The project is located within an existing neighborhood that is served by existing schools, sheriff protection, transportation facilities and parks. The project is not expected to have a significant impact on police services. The Fire Department has provided comments on the project and their comments have been incorporated as conditions of approval as appropriate. Staff also reached out to the School District who indicated they have no comment on this project; therefore, impacts to school are assumed to be minimal.

A traffic memo was completed and submitted with the application for the Tentative PUD. The proposed project will result in 120 trips per day and 12 peak hour trips, which is below the threshold to require a traffic study. The existing public roads are capable of servicing the project. The applicant is proposing primary access from Longview Way via a new private road to serve each of the 12 residences.

The Parks Recreation and Open Space Department has reviewed the proposed Tentative Planned Unit Development. Trails are provided on-site, making connection to existing trails. Impacts to City recreational facilities are anticipated to be minimal.

5. Access to public lands. Any proposed subdivision that is adjacent to public lands shall incorporate public access to those lands or provide an acceptable alternative.

The tentative planned unit development proposes a trail connection to provide access to public trails in the area.

6. Conformity with the zoning ordinance and land use element of the City's Master Plan.

The proposed planned unit development, as conditioned, is consistent with the Master Plan as well as in compliance with the applicable sections of the Municipal Code.

7. General conformity with the City's Master plan for streets and highways.

Subject to compliance with the proposed conditions of approval, the proposed subdivision conforms to the City's master plan for streets.

8. The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision.

A traffic memo was produced as part of the application for the tentative planned unit development. It was determined the traffic generated from this development does not trigger the need for a full traffic study. The existing infrastructure is sufficient to meet the additional demands from this development. The internal road will be privately owned and maintained with parking on one side of the roadway. Sidewalks will be required along the entire property frontage extending across Ash Canyon Creek.

9. The physical characteristics of the land such as flood plains, earthquake faults, slope and soil.

The physical characteristics of the land do not preclude the development as proposed. The property is located with the Special Flood Hazard Area; however, mitigations are proposed to help direct stormwater into Ash Canyon Creek and development will be located outside of the AO flood zone.

10. The recommendations and comments of those entities reviewing the subdivision request pursuant to NRS 278.330 thru 278.348, inclusive.

The proposed tentative map has been routed to the Nevada Department of Environmental Protection and the Nevada Division of Water Resources. The Division of Water Resources has requested that a Will Serve letter from Carson City Public Works and a final mylar map of the proposed project be presented to the State Engineer for approval and signed through his office prior to development. Public Works has indicated there is sufficient water supply and sewer capacity to serve the project.

11. The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

The Carson City Fire Department will provide fire protection services to the project location. The Fire Department has reviewed the project and provided comments. The development requires fire hydrants consistent with the International Fire Code (2018) Appendix C. Additionally, the project is required to comply with the currently adopted edition of the International Fire Code amendments. The Fire Department will review for compliance with these requirements at the time construction plans are submitted.

12. Recreation and trail easements.

The development is proposing a new trail with connectivity to the City's existing Long Ranch Estates trail system to the south. The developer will be required to install an improved trail, including the connection to the existing trail system and provide a public access easement across the proposed trail. The City will not own or maintain the trail proposed within the developments open space area.

Section 17.09.050 (Approval or Denial of PUD Application):

1. In what respects the plan is or is not consistent with the statement of objectives of the Planned Unit Development ordinance.

The proposed plan is consistent with the statement of objectives of the Planned Unit Development ordinance. The proposed project has been designed to meet all requirements of the PUD ordinance, including providing open space and access to light and air. Allowing for the reduced parcel size provides the opportunity to cluster the development, leaving Ash Canyon Creek entirely on the open space parcel.

2. The extent to which the plan departs from zoning and Planned Unit Development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons such departures are or are not deemed to be in the public interest.

The proposed plan does not depart from the PUD regulations. Within the parameters of the PUD regulations, the applicant is proposing to utilize a lot size that is smaller than the underlying SF1A zoning district; however, all other provisions with regard to use, density, setbacks, building height, parking, and open space meet the requirements of the based zoning of SF1A as well as the PUD regulations.

3. The purpose, location and amount of the open space in the Planned Unit Development, the reliability of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of the amount and purpose of the open space as related to the proposed density and type of residential development.

The purpose, location and amount of open space in the PUD is appropriate for the project, and consistent with the requirements. The open space will include approximately 3.75 acres of common open space improved with a trail which will provide connectivity to existing trails in the area. Additionally, each lot will have a substantial amount of private open space in the form of their rear yards. The maintenance responsibility of the common open space will be assigned to a HOA or similar entity.

4. A physical design of the plan and in the manner in which such design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, parking requirements, and further the amenities of light and air, recreation and visual enjoyment.



As detailed in the Engineering Division comments, the physical design of the plan does make adequate provisions for public services and does provide adequate control over vehicular traffic as conditioned. Adequate on-site parking will be provided on each lot with on-street parking also being permitted along the internal street.

5. The relationship, beneficial or adverse, of the proposed Planned Unit Development to the neighborhood in which it is proposed to be established.

The tentative PUD is an infill project. The development does not propose an increase to the allowed density, and it proposes lot sizes similar to those in the surrounding neighborhoods in order to promote compatibility. The common open space parcel will provide trail connections for the existing neighborhood. Additionally, the project proposes mitigation measures to help to reduce impacts from the flood plain in the area. Mapping and modeling indicate that the development of these lots will be placed outside of the 100-year flood zones.

6. In the case of a plan which proposes a development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and the residents of the Planned Unit Development in the integrity of the plan.

The applicant has proposed development in a single phase with lots being sold for construction of individual custom homes. Per the provisions of CCMC Section 17.09.020, the construction and development of all approved amenities, including open space and support facilities shall occur no later than the construction or development of 25 percent of the dwelling units. However, because the developer will be selling individual lots and will not be constructing the homes, the amenities, including open space and landscaping within common areas, must be constructed, or bonded for prior to recording the final map.

TIME FOR FILING OF PLAN:

The recording of final maps shall be consistent with NRS 278.360.

The development is proposed in a single phase.

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LORI BAGWELL, Mayor

ATTEST:

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AUBREY ROWLATT, Clerk-Recorder

## **CONDITIONS OF APPROVAL:**

### **The following are conditions of approval required per CCMC 18.02.105.6:**

1. All final maps shall be in substantial accord with the approved tentative map.
2. Prior to submittal of any final map, the Development Engineering Department shall approve all on-site and off-site improvements. The applicant shall provide construction plans to the Development Engineering Department for all required on-site and off-site improvements, prior to any submittals for approval of a final map. The plan must adhere to the recommendations contained in the project soils and geotechnical report.
3. Lots not planned for immediate development shall be left undisturbed and mass grading and clearing of natural vegetation shall not be allowed. All grading shall comply with City standards. A grading permit from the Nevada Division of Environmental Protection shall be obtained prior to any grading. Noncompliance with this provision shall cause a cease and desist order to halt all grading work.
4. All lot areas and lot widths shall meet the zoning requirements approved as part of this planned unit development with the submittal of any final map.
5. With the submittal of any final map, the applicant shall provide evidence to the Planning and Community Development Department from the Health and Fire Departments indicating the agencies' concerns or requirements have been satisfied. Said correspondence shall be included in the submittal package for any final maps and shall include approval by the Fire Department of all hydrant locations.
6. The following note shall be placed on all final maps stating:

"These parcels are subject to Carson City's Growth Management Ordinance and all property owners shall comply with provisions of said ordinance."
7. Placement of all utilities, including AT&T Cablevision, shall be underground within the subdivision. Any existing overhead facilities shall be relocated prior to the submittal of a parcel map or preferably final maps.
8. The applicant must sign and return the Notice of Decision for conditions for approval within ten (10) days of receipt of notification after the Board of Supervisors meeting. If the Notice of Decision is not signed and returned within ten (10) days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
9. Hours of construction will be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 7:00 a.m. to 5:00 p.m. on Saturday and Sunday. If the hours of construction are not adhered to, the Carson City Building Department will issue a warning for the first violation, and upon a second violation, will have the ability to cause work at the site to cease immediately.
10. The applicant shall adhere to all City standards and requirements for water and sewer systems, grading and drainage, and street improvements.
11. The applicant shall obtain a dust control permit from the Nevada Division of Environmental

Protection. The site grading must incorporate proper dust control and erosion control measures.

12. A detailed storm drainage analysis, water system analysis, and sewer system analysis shall be submitted to the Development Engineering Department prior to approval of a final map.
13. Prior to the recordation of the final map for any phase of the project, the improvements associated with the project must either be constructed and approved by Carson City, or the specific performance of said work secured, by providing the City with a proper surety in the amount of one hundred fifty percent (150%) of the engineer's estimate. In either case, upon acceptance of the improvements by the City, the developer shall provide the City with a proper surety in the amount of ten percent (10%) of the engineer's estimate to secure the developer's obligation to repair defects in workmanship and materials which appear in the work within one (1) year of acceptance by the City. Improvements associated with the Conditional Letter of Map Revision must be constructed and may not be secured for in lieu of construction.
14. A "will serve" letter from the water and wastewater utilities shall be provided to the Nevada Health Division prior to approval of a final map.
15. The District Attorney shall approve any CC&R's prior to recordation of the first final map.
16. The applicant shall preserve as many trees as practicable within the common open space areas. Mature trees damaged by fire and others in poor health shall be removed only after approval of the planning and community development department.
17. The homeowner's association shall maintain all common open space areas including the area devoted to the guest parking.

**Specific Conditions to be included in the Design of the Improvement Plans, to be met prior to approval of construction permit:**

18. The sidewalk along the property frontage shall be extended so that it connects to the existing pedestrian sidewalk south of this development and to the north property line. A railing may be required at the crossing of Ash Canyon Creek.
19. A water sampling tap shall be installed on the new water main in a common area.
20. The Carson City Unified Pathways Master Plan calls for on-street bike lanes on Longview Way. The project must stripe bike lanes along the project frontage.
21. The streets shall be privately owned and maintained.
22. A second cut channel shall be installed for redundancy west of the proposed channel that is shown.
23. The proposed bridge foundations shall be relocated outside of the creek banks.
24. Lots abutting the creek will need to have their lot lines adjusted so that they are located 5 feet away from the top of the edge of the creek, or outside of the AO flood zone, whichever

is closer to the interior of the lots. Should this adjustment be impracticable, an exclusive easement will need to be created in its place, in which no fences can be installed. In no case shall the lots be allowed to be reduced to less than 33% of the minimum lot size or 14,374.8 square feet. If the lot lines are adjusted in this manner, the common area parcel will be increased in size and this area will be required to be owned and maintained by a homeowner's association or similar entity.

25. All lots shall be required to drain towards the new street.
26. The developer shall create a O&M Manual for the homeowner's association and must contain at a minimum
  - a. Inspection of the channels at least 1 per year
  - b. Continual monitoring and removing of noxious weeds
  - c. A duty to repair any erosion toward the lots along the creek
  - d. Inspection of the cut channels after each major storm event.
27. The depression along the berm to accommodate the trail must be removed.
28. An access and Public Utility Easement shall be created over the roadway.
29. The Storm Drainage channel along Longview Way must be piped, moved into the right-of-way, and connected into the existing 48" culvert or existing 30" culvert if there is sufficient capacity.
  - a. A manhole is required at the tie in point in the ditch and another at any angle point along the main. A manhole or approved equivalent will be required at the tie-in point into the existing storm drain.
30. Drop inlets shall have a direct connection to Storm Drain Main.
31. The project must meet Carson City Municipal Code and Development Standards including, but not limited to the following:
  - a. Half-street improvements are required along the project frontage per CCDS 11.12.081, including sidewalk, curb, gutter, striping, and paving from the existing edge of pavement to the proposed gutter. The resultant street section must match the width of the Longview Way just north of the project.
  - b. The street section must meet C-5.1.8 for urban local streets.
32. A landscape plan shall be submitted for all common area landscaping, including landscaping within the right-of-way. The landscape plan shall demonstrate compliance with applicable standards of Carson City Development Standards Division 3 and CCMC 17.09.100.3.
33. Carson City is a Bee City, USA. The developer shall use approximately 50% pollinator friendly plant material for any required landscaping on the project site. Also, any remaining landscape plant material selection needs to be consistent with the City's approved tree species list or other tree species, as approved by the City.
34. Deciduous trees must be planted a minimum of 5 feet from any city/public street, sidewalk or pathway. Evergreen trees must be planted a minimum of 10 feet from any city/public street, sidewalk or pathway. Fruit bearing, "non-fruiting" flowering or any other trees that drop debris such as seed pods will not be permitted near or placed where they will

eventually hang over city/public sidewalks or pathways.

35. The developer shall incorporate “best management practices” into their construction documents and specifications to reduce the spread of noxious weeds.
36. The developer shall install an improved trail, including the connection to the existing trail system and provide a public access easement across the proposed trail. The City will not own and maintain the trail proposed within the developments open space area. The developer must work with the City to plan a location and design that is acceptable to the City for the connection to the City’s path. All construction/pathways must meet city standards and details.
37. The open space parcel and trail shall be owned and maintained by a homeowner’s association or similar entity. The developer shall provide a plan to address maintenance including defensible space, noxious weeds, the creek corridor and specific pathway maintenance.

**Conditions to be Addressed with the Final Map**

38. All landscaping and landscape maintenance in the right of way will be the sole responsibility of the owner.
39. A homeowner’s association or similar entity shall be responsible for the maintenance of all common landscape and open space areas within the development including any landscaping, defensible space, the creek corridor, easements, trails, noxious weeds and street(s) right of ways in perpetuity.
40. The required internal setbacks shall be as follows:

Front: 30 feet from back of curb  
Rear: 30 feet  
Side: 15 feet  
Street side: 20 feet

These setbacks shall be state on the final map as well as in the CC&Rs.

41. No structure or part of a structure, except fences, shall be located within 20 feet of an adjacent property at a periphery boundary of the project. This shall be noted on the map as well as in the CC&R’s.

