



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: January 20, 2022

Staff Contact: Heather Ferris, Planning Manager

Agenda Title: For Possible Action: Discussion and possible action to introduce, on first reading, an ordinance approving a change of zoning from General Commercial (“GC”) to Limited Industrial (“LI”) for a parcel located at 900 Fairview Drive, APN 009-551-08. (Heather Ferris, hferris@carson.org)

Staff Summary: At its meeting of January 21, 2021, the Board of Supervisors identified the subject area as appropriate for mapping corrections. The proposed amendment would rezone APN 009-551-08 back to LI, what it was prior to being changed to GC for a school use. At the Planning Commission meeting of December 15, 2021, the Commission recommended approval of the zoning map amendment for APN 009-551-08. The proposed LI zoning is consistent with the current zoning of properties to the north, east and west. The Board of Supervisors has the authority to approve a zoning map amendment following recommendation from the Planning Commission.

Agenda Action: Ordinance - First Reading

Time Requested: 10 minutes

Proposed Motion

I move to introduce, on first reading, Bill No. _____.

Board's Strategic Goal

Quality of Life

Previous Action

November 17, 2020, the Planning Commission was provided with an update on the master plan implementation activities and reviewed and made recommendations to the Board of Supervisors on the Master Plan Action Plan and other master plan related matters.

On January 21, 2021, the Board of Supervisors accepted the 2020 Master Plan report from the Planning Commission and identified the subject property as appropriate for a mapping correction.

December 15, 2021, the Planning Commission recommended approval (5 - 0, 2 absent) for the change in zoning from GC to LI for the parcel addressed at 900 Fairview Drive, APN 009-551-08.

Background/Issues & Analysis

The Planning Commission considered APNs 009-551-08 and 009-551-31 at its November 17, 2021 and December 15, 2021 meetings. These parcels are adjacent to each other, with APN 009-551-31 being located just to the west of APN 009-551-08 as shown on the map attached to the ordinance. The zoning for both

parcels was LI, and was changed to GC for use as a school. Because the school is no longer using the parcels, staff identified the parcels for review and consideration for changing the zoning back to LI.

APN 009-551-08 is currently vacant. Accordingly, the Planning Commission recommended changing the zoning from GC back to LI, consistent with other parcels in the area.

The Planning Commission recommended leaving APN 009-551-31 (788 Fairview Drive) zoned GC, however, because APN 009-551-31 was the subject of a recent application for a special use permit for a congregate care facility for the residential treatment of substance abuse, a permitted use of a GC parcel with a special use permit. The special use permit was approved; therefore, the use is entitled. A congregate care facility for the residential treatment of substance abuse is not a permitted use in LI zoning. Therefore, rather than change the zoning and create a non-conforming permitted use, the Planning Commission recommended not changing the zoning of APN 009-551-31 and continuing to monitor the parcel during the annual Master Plan review to ensure that the residential treatment facility on that parcel is moving forward. In the event the facility does not begin operations and the special use permit expires, the Planning Commission may recommend map amendments in future years during the annual review of the Master Plan Action Plan.

Applicable Statute, Code, Policy, Rule or Regulation

NRS Chapter 244; Article 2 of the Carson City Charter; CCMC 18.02.075 (Zoning Map Amendments and Zoning Code Amendments).

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 introduce the ordinance, thereby denying the requested zoning change, and/or provide alternative direction.

Attachments:

[ZA-2021-0371 \(Ord\)- 1st reading.doc](#)

[ZA-2021-0371 PC staff Report.pdf](#)

Board Action Taken:

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

(Vote Recorded By)

SUMMARY – Amends the Carson City zoning map.

BILL NO. _____
ORDINANCE NO. 2022-__

AN ORDINANCE RELATING TO ZONING; ESTABLISHING VARIOUS PROVISIONS TO CHANGE THE ZONING FROM GENERAL COMMERCIAL (“GC”) TO LIMITED INDUSTRIAL (“LI”) FOR A PARCELS LOCATED AT 900 FAIRVIEW DRIVE APN 009-551-08.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a zoning map amendment affecting Assessor’s Parcel Number (“APN”) 009-551-08, property located at 900 Fairview Drive, Carson City, Nevada, was duly submitted to the Planning Division of the Carson City Community Development Department in accordance with section 18.02.075 of the Carson City Municipal Code (“CCMC”) to revise the existing zoning designation of APN 009-551-08 from General Commercial (“GC”) to Limited Industrial (“LI”). After proper noticing in accordance with chapter 278 of the Nevada Revised Statutes and CCMC Title 18, on December 15, 2021, the Planning Commission, during a public hearing, reviewed the staff report of the Planning Division, received public comment and voted 5 ayes and 0 nay (2 absent) to recommend to the Board of Supervisors approval of the application for the zoning map amendment.

SECTION II:

The zoning map of Carson City is hereby amended to change the zoning of Assessor’s Parcel Number 009-551-08, approximately 1.34 acres in size, General Commercial (“GC”) to Limited Industrial (“LI”), as depicted in Attachment A, based on the findings that the zoning map amendment:

1. Is in substantial compliance with the goals, policies and action programs of the Carson City master plan.
2. Will provide for land uses that are compatible with existing adjacent land uses.
3. Will not have a detrimental impact on other properties within the vicinity.
4. Will not negatively impact existing or planned public services or facilities.
5. Will not adversely impact the health, safety or welfare of the public.
6. Satisfies all other required findings of fact as set forth in CCMC 18.02.075(5).

PROPOSED this _____ day of _____ 2022.

PROPOSED BY Supervisor _____

PASSED on the _____ day of _____ 2022.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

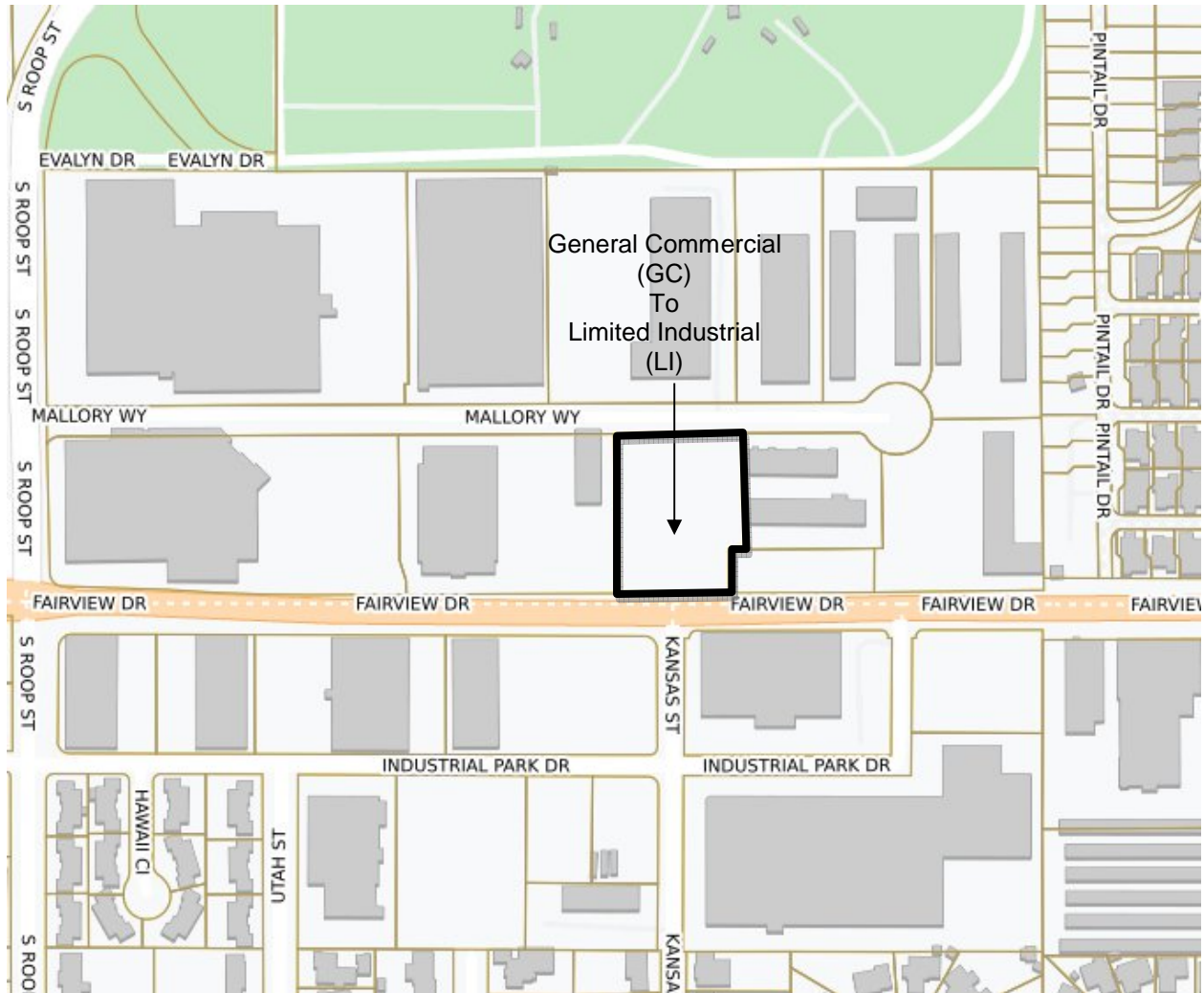
Lori Bagwell, Mayor

ATTEST:

Aubrey Rowlett, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ of _____,
2022.

Attachment A





108 E. Proctor Street
Carson City, Nevada 89701
(775) 887-2180
Hearing Impaired: 711

DATE: December 3, 2021
TO: Planning Commission
FROM: Heather Ferris, Planning Manager

SUBJECT: ZA-2021-0371 For Possible Action: Discussion and possible action regarding a zoning map amendment to change the zoning from General Commercial (“GC”) to Limited Industrial (“LI”) for parcels located at 788 and 900 Fairview Drive, Assessor’s Parcel Numbers (“APNs”) 009-551-08 and 009-551-31. (Heather Ferris, hferris@carson.org)

This matter was considered by the Planning Commission at the November 16, 2021 meeting. During the meeting, the Planning Commission expressed concern in creating a non-conforming use, should the approved residential treatment facility proceed with locating on APN 009-551-31.

At the November 16, 2021 meeting, the Commission discussed the following possibilities

1. Recommend approval of the zoning map amendment for both parcels which would result in a non-conforming use, should the residential treatment facility proceed with locating at 788 Fairview Drive.
2. Do not recommend approval of the zoning map amendment leaving the two subject parcels zoned General Commercial and surrounded by Limited Industrial zoning:
or
3. Recommend approval of the zoning map amendment for APN 009-551-08 (900 Fairview Drive) and recommend leaving APN 009-551-31 (788 Fairview Drive) zoned General Commercial. The Commission indicated if they moved forward with this option, they would like to consider keeping APN 009-551-31 on the annual Master Plan Update to monitor the progress of the residential treatment facility. Should the treatment facility not move forward in this location, the Commission would likely recommend a zoning map amendment in the future.

Please refer to the attached staff report and draft ordinance from the November 16, 2021 Planning Commission meeting for additional information and analysis. The draft ordinance will be amended, as necessary, to reflect the Planning Commission’s decision.

Attachments:
November 16, 2021 Staff Report to the Planning Commission
Draft Ordinance

STAFF REPORT FOR PLANNING COMMISSION MEETING OF November 16, 2021

FILE: ZA-2021-0371

AGENDA ITEM: 6.F

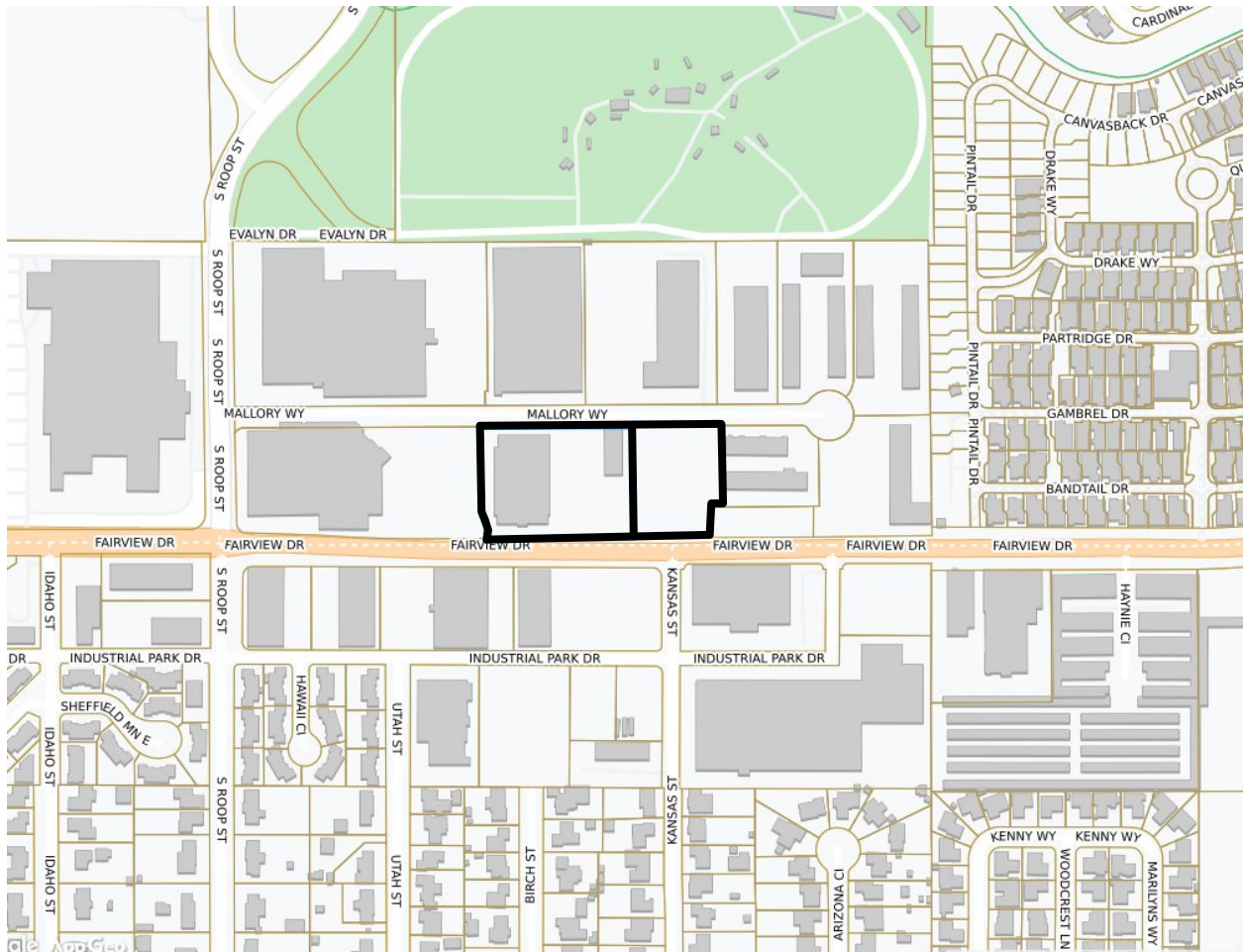
STAFF CONTACT: Heather Ferris, Planning Manager

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a zoning map amendment to change the zoning from General Commercial (“GC”) to Limited Industrial (“LI”) for parcels located at 788 and 900 Fairview Drive, Assessor’s Parcel Numbers (“APNs”) 009-551-08 and 009-551-31. (Heather Ferris, hferris@carson.org)

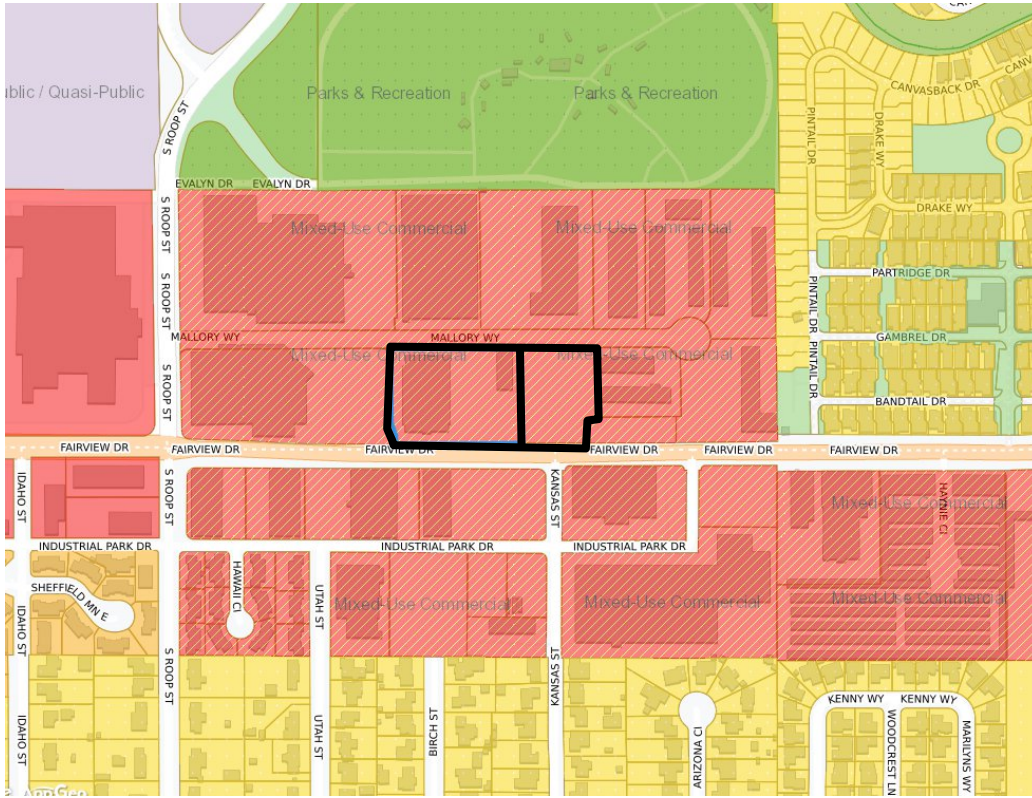
Summary: At its meeting of January 21, 2021, the Board of Supervisors identified the subject area as appropriate for a mapping correction. The proposed amendment would rezone the properties back to what it was prior to being changed to GC for a school use. The proposed LI zoning is consistent with the current zoning of surrounding properties to the north, east, and west. The Planning Commission makes a recommendation to the Board.

RECOMMENDED MOTION: “I move to recommend to the Board of Supervisors approval of the zoning map amendment ZA-2021-0371 as presented.”

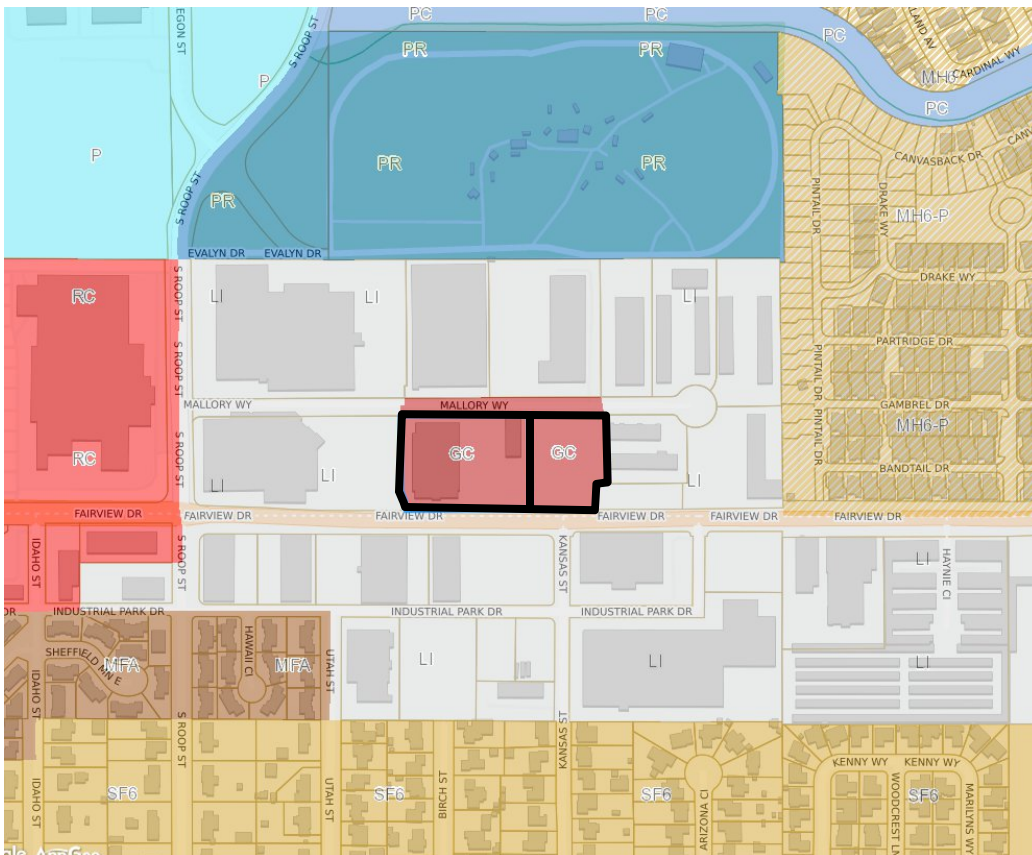
VICINITY MAP:



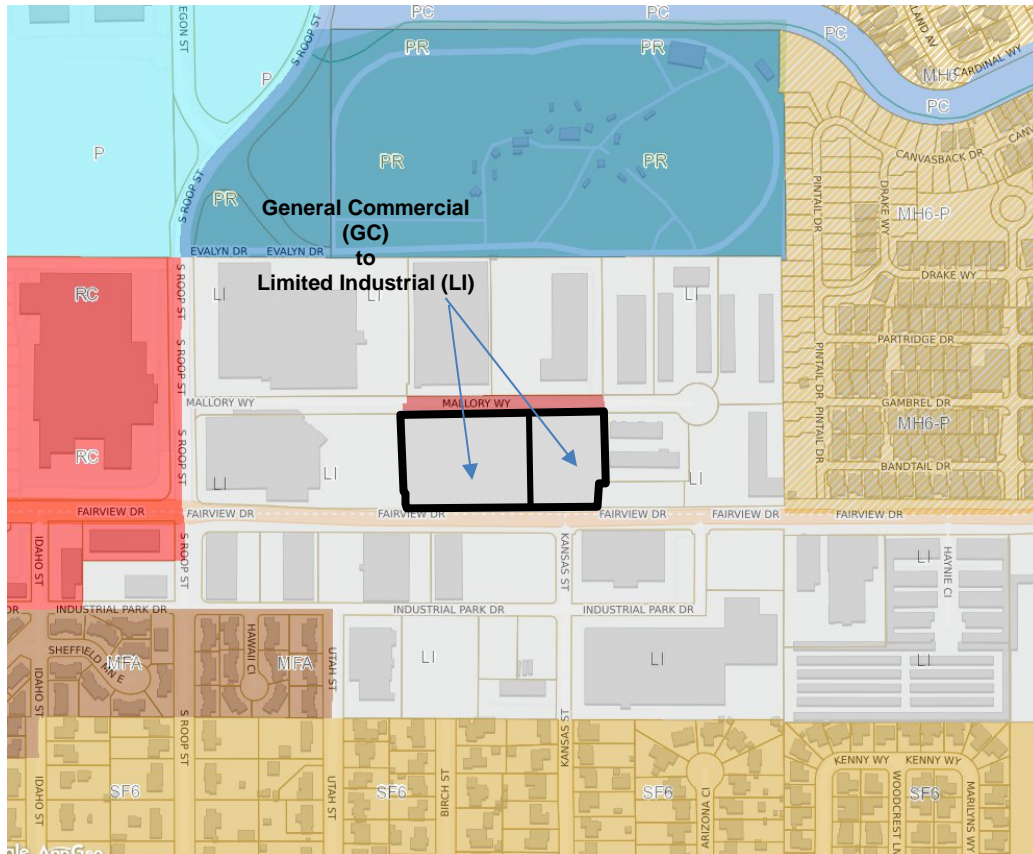
EXISTING MASTER PLAN



EXISTING ZONING



PROPOSED ZONING



LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); (Zoning Map Amendments and Zoning Code Amendments)

EXISTING MASTER PLAN DESIGNATION: Mixed-Use Commercial

EXISTING ZONING: General Commercial

PROPOSED ZONING: Limited Industrial (“LI”)

SURROUNDING ZONING AND LAND USE INFORMATION:

- NORTH:** Limited Industrial / warehouse and office uses
- SOUTH:** Limited Industrial / fitness center and office uses
- EAST:** Limited Industrial / warehouse and storage
- WEST:** Limited Industrial / office, personal service uses, storage

BACKGROUND AND DISCUSSION:

At its meeting of November 17, 2020, the Planning Commission was provided with an update on the Master Plan implementation activities and reviewed and made recommendation to the Board of Supervisors on the Master Plan Action Plan and other Master Plan related matters. At its meeting of January 21, 2021, the Board of Supervisors accepted the 2020 Master Plan report from the Planning Commission.

The report included land use mapping corrections, including the subject properties on Fairview Drive. The properties are zoned General Commercial and have an underlying Master Plan

designation of Mixed-Use Commercial. While the General Commercial zoning is consistent with the underlying master plan designation, the zoning is not consistent with the surrounding parcels which are zoned Limited Industrial. Therefore, staff is recommending changing the zoning from General Commercial to Limited Industrial. APN 009-551-31 was the subject of a recent special use permit for a congregate care facility for the residential treatment of substance abuse. The special use permit was approved; therefore, the use is entitled. Assuming the use commences prior to the special use permit expiring, the congregate care facility would be considered a non-conforming use. The proposed zoning map amendment will be consistent with the surrounding uses. The Planning Commission makes a recommendation to the Board of Supervisors.

PUBLIC COMMENTS: A courtesy notice was mailed to the effected property owners on October 5, 2021. On November 1, 2021, public hearing notices were mailed to 44 property owners within 650 feet of the subject properties in accordance with the provisions of NRS and CCMC 18.02.045. At the time of the writing of this report staff has not received any public comment. Any comments that are received after this report is completed will be provided to the Planning Commission either prior to or at the November 16, 2021 meeting depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

The requests were routed to other departments for review and comment. All indicated they had no comments or concerns with the proposed amendments.

FINDINGS: Staff recommends the following findings for approval of the Zoning Map Amendment pursuant to CCMC 18.02.075, Zoning Map Amendments and Zoning Code Amendments.

1. That the proposed amendment is in substantial compliance with and supports the goals and policies of the master plan.

The proposed amendments are consistent with the Master Plan. Chapter 3 of the Master Plan identifies the land use designations and identifies what zoning districts corresponds to the land use designation. The Mixed-Use Commercial (“MUC”) master plan designation allows for a mix of uses including commercial, retail, office, and residential uses. The intent of the MUC master plan is to allow for vertical or horizontal mix of uses. The area designated as MUC has already been developed with a horizontal mix of commercial, industrial, and residential uses.

2. That 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.

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. APN 009-551-31 was the subject of a recent special use permit for a congregate care facility for the residential treatment of substance abuse. The special use permit was approved; therefore, the use is entitled. Assuming the use commences prior to the special use permit expiring, the congregate care facility would be considered a non-conforming use. The proposed zoning map amendment will be consistent with the surrounding uses.

3. That 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.

The proposed zoning map amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety, and welfare. APN 009-551-31 is currently developed and was recently approved for a congregate care facility for the residential treatment of substance abuse. The impacts to public services and facilities were evaluated at that time. The adjacent parcel is vacant and is not anticipated that future development of the parcel will result in negative impacts to existing or planned public services or facilities; however, the impacts will be evaluated at the time of development.

Attachments:

Draft zoning map amendment ordinance

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 GENERAL COMMERCIAL (“GC”) TO LIMITED INDUSTRIAL (“LI”) FOR PARCELS LOCATED AT 788 AND 900 FAIRVIEW DRIVE APNS 009-551-31 AND 009-551-08.

The Board of Supervisors of Carson City do ordain:

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SECTION II:

The zoning map of Carson City is hereby amended to change the zoning of Assessor’s Parcel Numbers 009-551-31 and 009-551-08, approximately 2.34 and 1.34 acres in size, General Commercial (“GC”) to Limited Industrial (“LI”), as depicted in Attachment A, based on the findings that the zoning map amendment:

1. Is in substantial compliance with the goals, policies and action programs of the Carson City master plan.
2. Will provide for land uses that are compatible with existing adjacent land uses.
3. Will not have a detrimental impact on other properties within the vicinity.
4. Will not negatively impact existing or planned public services or facilities.
5. Will not adversely impact the health, safety or welfare of the public.
6. Satisfies all other required findings of fact as set forth in CCMC 18.02.075(5).

PROPOSED this _____ day of _____ 2021.

PROPOSED BY Supervisor _____

PASSED on the _____ day of _____ 2021.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

Lori Bagwell, Mayor

ATTEST:

Aubrey Rowlett, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ of _____,
2021.

Attachment A

