



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** July 21, 2022

Staff Contact: Heather Ferris, Planning Manager

Agenda Title: For Possible Action: Discussion and possible action to adopt, on second reading, Bill No. 116, an ordinance approving a zoning map amendment to change the zoning from General Industrial (“GI”) to Conservation Reserve (“CR”) for a parcel located at 5480 Morgan Mill Road, Assessor’s Parcel Number (“APN”) 008-371-31. (Heather Ferris, hferris@carson.org)

Staff Summary: As part of the 2021 Master Plan Annual Report, staff inventoried City-owned parks and recreational facilities to ensure the zoning and Master Plan designations are appropriate. The subject property is the site of the Empire Cemetery and is maintained by the City. The requested zoning map amendment was made concurrently with a request for a Master Plan map amendment (MPA-2022-0234), which the Board of Supervisors approved on June 16, 2022. To create consistency with the Master Plan designation, the property should be zoned CR. The Board of Supervisors is authorized to approve a zoning map amendment.

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

Proposed Motion

I move to adopt, on second reading, Bill No. 116, Ordinance No. _____.

Board's Strategic Goal

Quality of Life

Previous Action

May 25, 2022: The Planning Commission recommended approval by a vote of 5 - 0, 2 absent.

June 16, 2022: The Board of Supervisors introduced the ordinance on first reading by a vote of 5 - 0.

Background/Issues & Analysis

Please reference the attached May 25, 2022 staff report to the Planning Commission for additional information.

Applicable Statute, Code, Policy, Rule or Regulation

NRS Chapter 244; Article 2 of the Carson City Charter; CCMC 18.02.075

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 proposed ordinance on second reading, modify the proposed ordinance and/or provide alternative direction.

Attachments:

[ZA-2022-0233_Ord.-_2nd_reading.doc](#)

[PC_SR_ZA-2022-0233 & MPA-2022-0234 \(Empire Cemetery\).docx](#)

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

SUMMARY – Amends the Carson City zoning map.

BILL NO. 116
ORDINANCE NO. 2022-__

AN ORDINANCE RELATING TO ZONING; ESTABLISHING VARIOUS PROVISIONS TO CHANGE THE ZONING FROM GENERAL INDUSTRIAL (“GI”) TO CONSERVATION RESERVE (“CR”) FOR A PARCEL LOCATED AT 5480 MORGAN MILL ROAD, APN 008-371-31.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a zoning map amendment affecting Assessor’s Parcel Number (“APN”) 008-371-31, located at 5480 Morgan Mill Road, 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 008-371-31 from General Industrial (“GI”) to Conservation Reserve (“CR”). After proper noticing in accordance with Chapter 278 of the Nevada Revised Statutes and CCMC Title 18, on May 25, 2022, the Planning Commission, during a public hearing, reviewed the staff report of the Planning Division, received public comment and voted 5 ayes, 0 nays, and 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 APN 008-371-31 from General Industrial (“GI”) to Conservation Reserve (“CR”), 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: _____

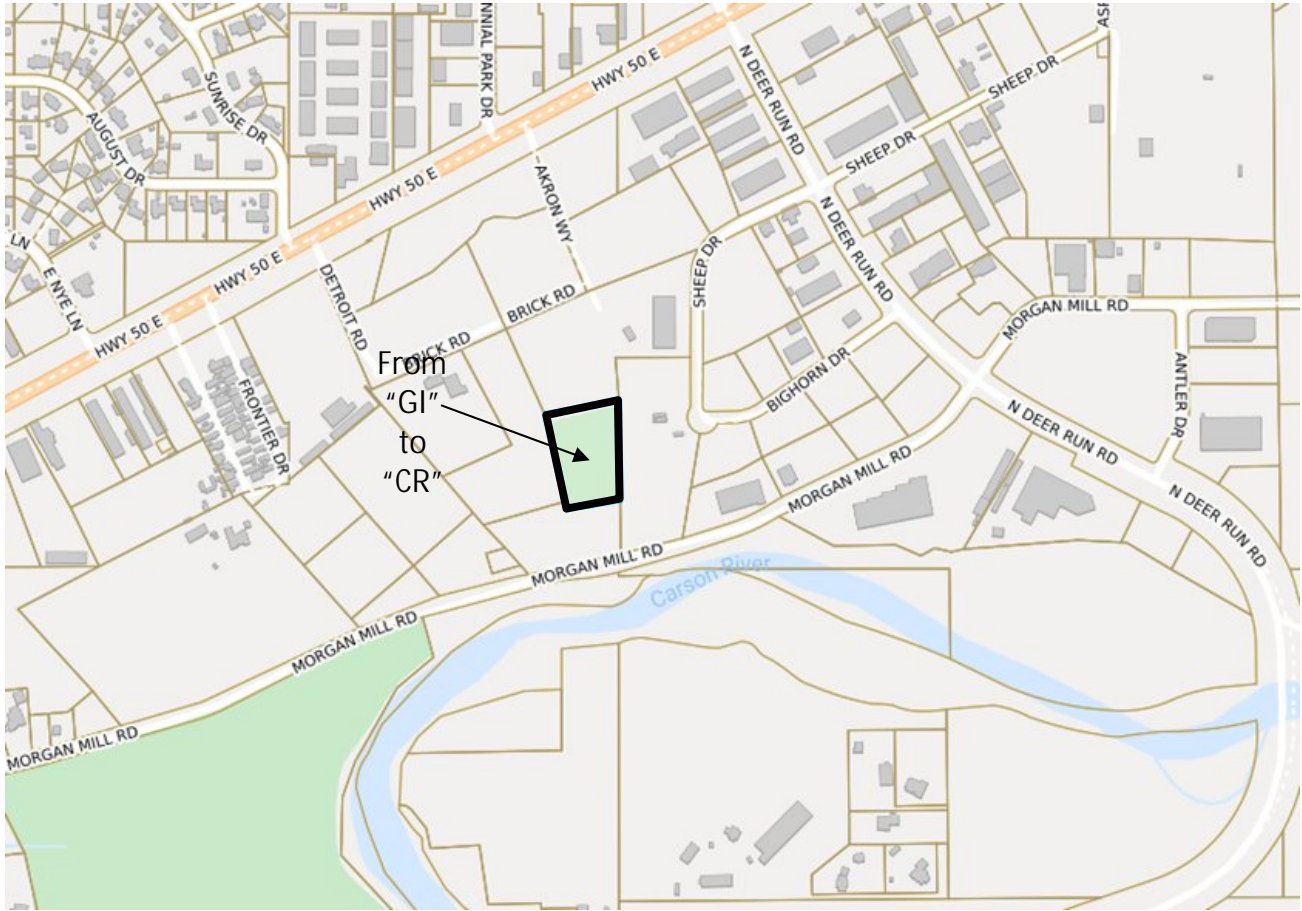
LORI BAGWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

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

Attachment A



STAFF REPORT FOR PLANNING COMMISSION MEETING OF MAY 25, 2022

FILE: MPA-2022-0234 & ZA-2022-0233

AGENDA ITEM: 6.K & 6.L

STAFF CONTACT: Heather Ferris, Planning Manager

AGENDA TITLE:

MPA-2022-0234 For Possible Action: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors regarding a master plan amendment to change the master plan designation from Community / Regional Commercial (“C/RC”) to Open Space (“OS”) for a parcel located at 5480 Morgan Mill Road, APN 008-371-31 (Heather Ferris, hferris@carson.org)

Staff Summary: As part of the 2021 Master Plan Annual Report staff inventoried City owned parks and recreational facilities to ensure the zoning and master plan designations are appropriate. The subject property is the site of the Empire Cemetery and is maintained by the City. To create consistency with the land use and ownership, the Master Plan designation should be Open Space. The requested master plan amendment is being made concurrently with a request for a zoning map amendment (ZA-2022-0233). The Planning Commission makes a recommendation to the Board of Supervisors.

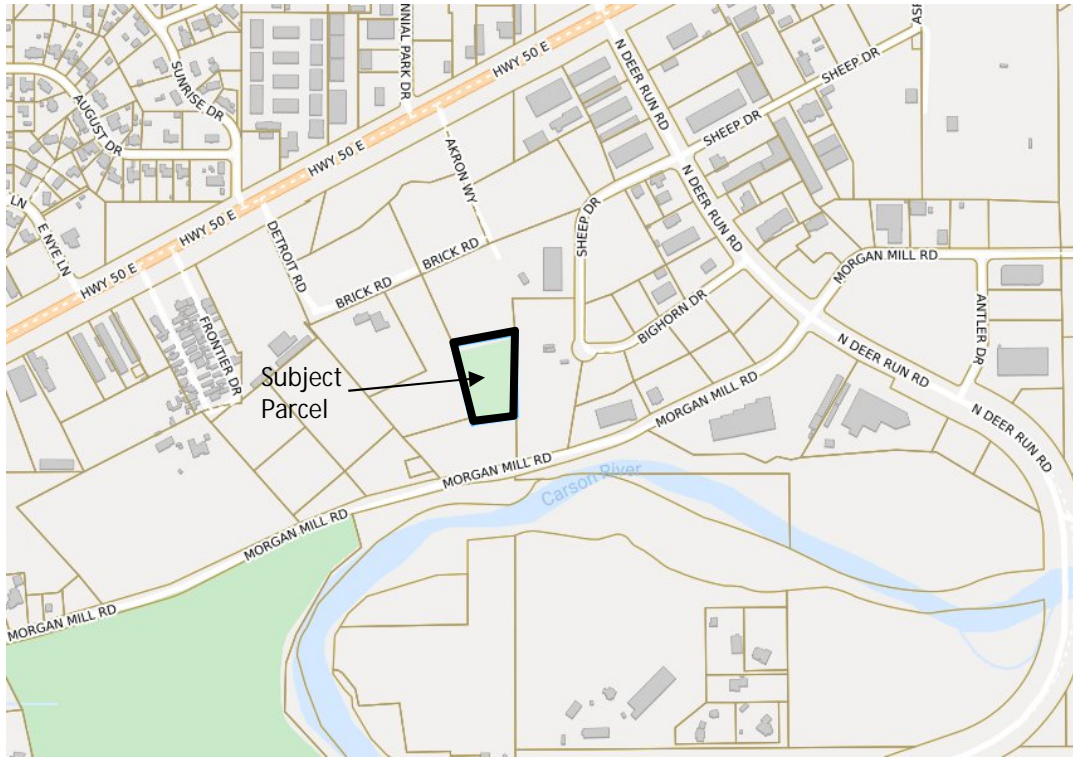
ZA-2022-0233 For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors regarding a zoning map amendment to change the zoning designation from General Industrial (“GI”) to Conservation Reserve (“CR”) for a parcel located at 5480 Morgan Mill Road, APN 008-371-31. (Heather Ferris, hferris@carson.org)

Staff Summary: As part of the 2021 Master Plan Annual Report staff inventoried City owned parks and recreational facilities to ensure the zoning and master plan designations are appropriate. The subject property is the site of the Empire Cemetery and is maintained by the City. To create consistency with the proposed master plan designation, the zoning should be Conservation Reserve. The requested zoning map amendment is being made concurrently with a request for a master plan amendment (MPA-2022-234). The Planning Commission makes a recommendation to the Board of Supervisors.

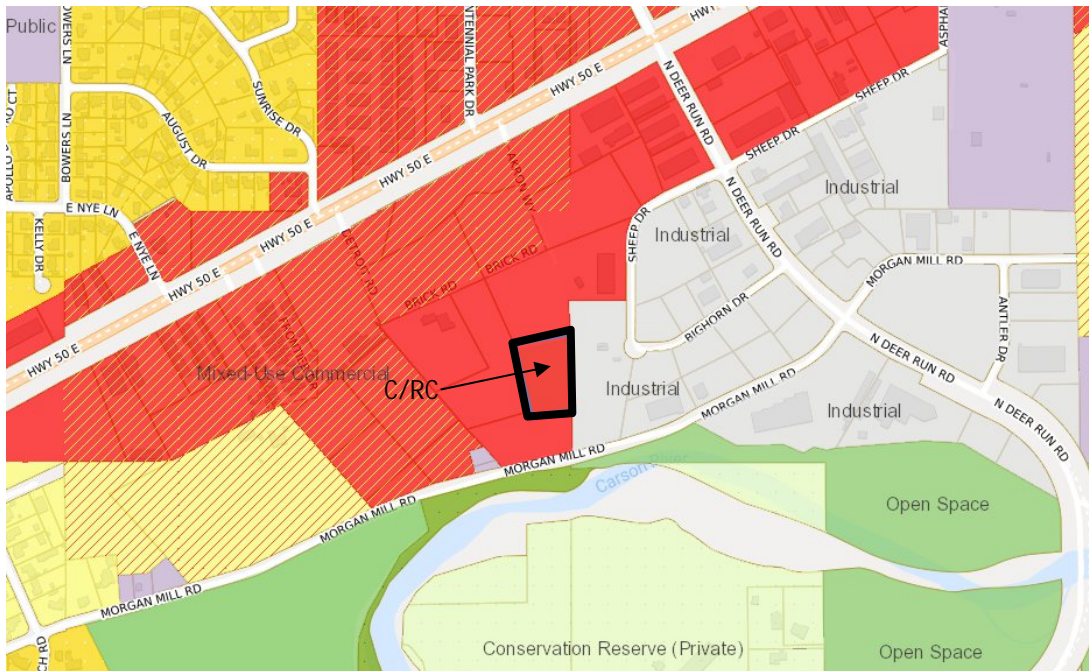
MASTER PLAN AMENDMENT RECOMMENDED MOTION: “I move to adopt resolution number 2022-PC-R-4.”

ZONING MAP AMENDMENT RECOMMENDED MOTION: “I move to recommend to the Board of Supervisors approval of the zoning map amendment ZA-2022-0233 as presented.”

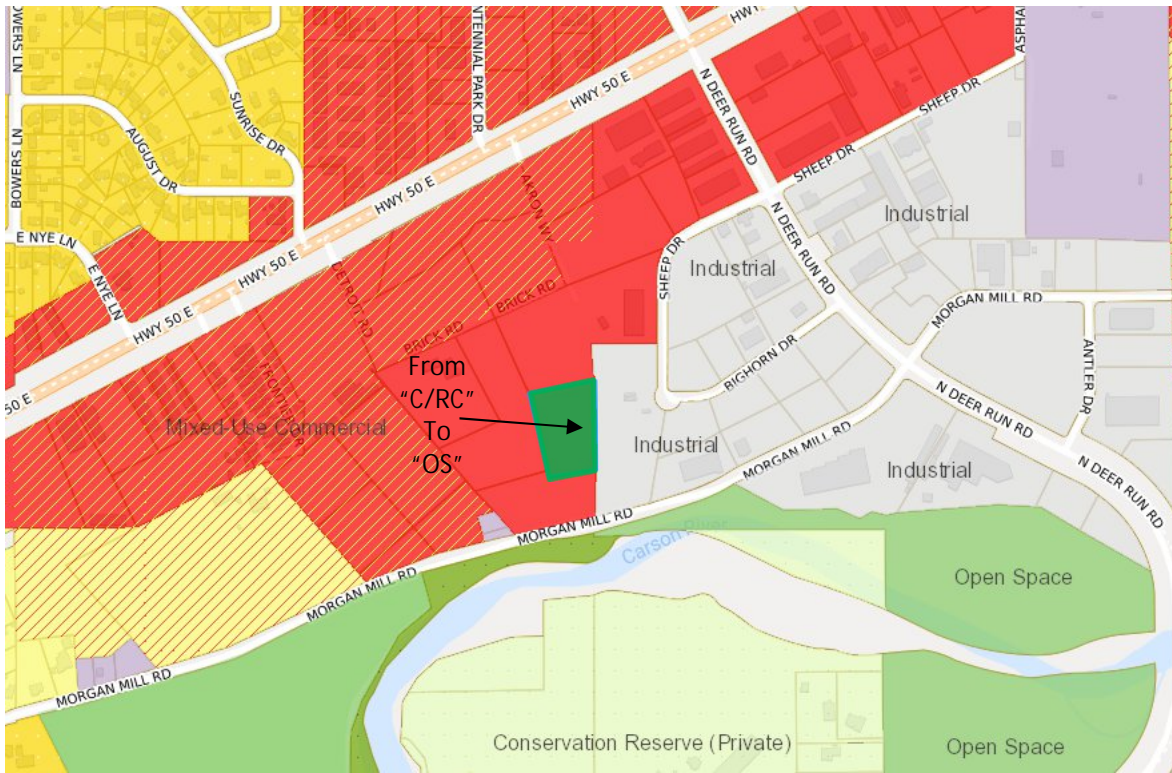
VICINITY MAP:



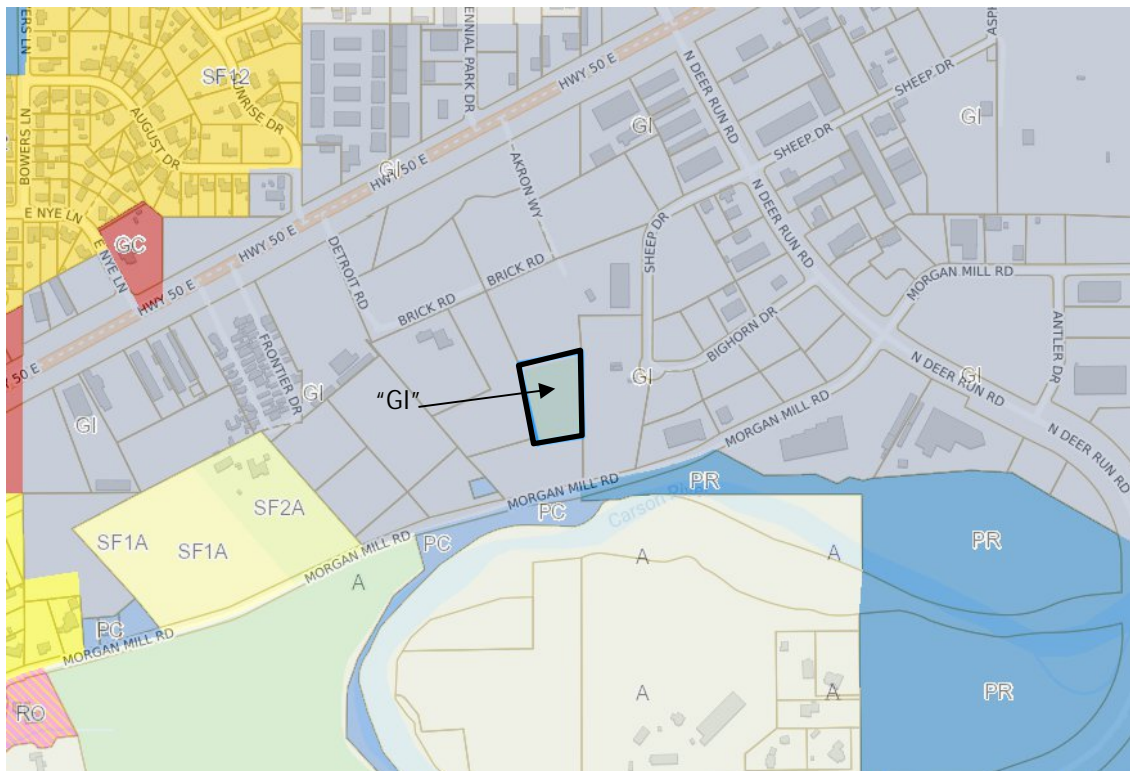
EXISTING MASTER PLAN



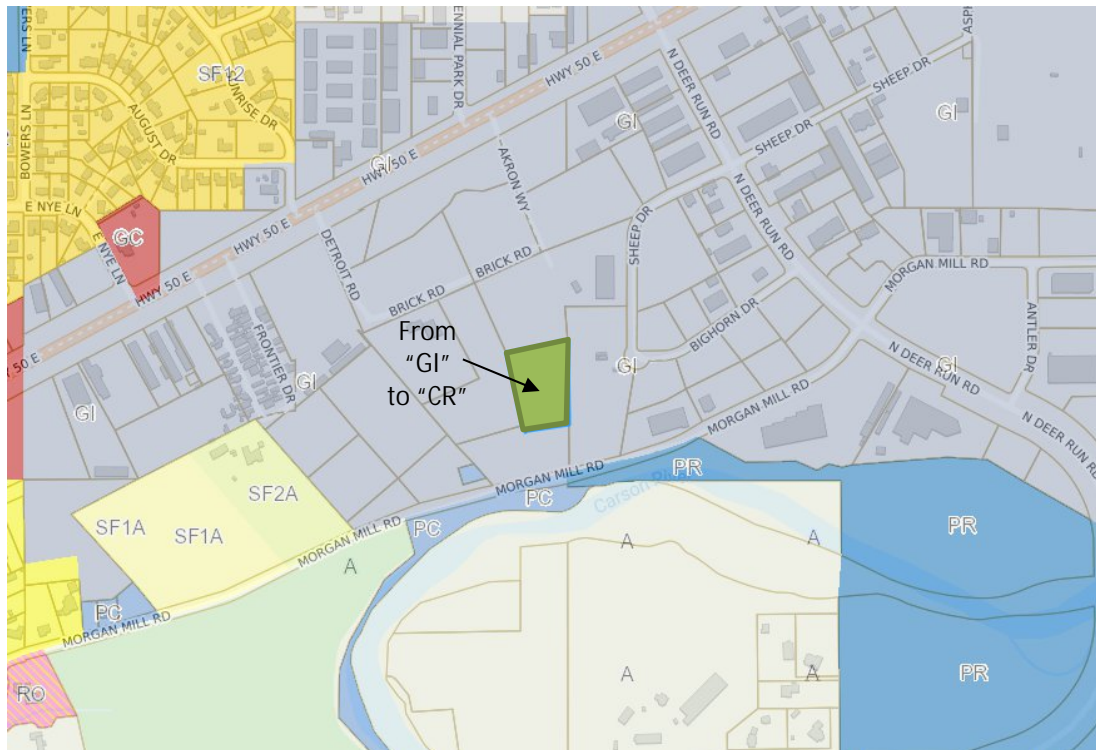
PROPOSED MASTER PLAN



EXISTING ZONING



PROPOSED ZONING



LEGAL REQUIREMENTS: Carson City Municipal Code (“CCMC”) 18.02.050 (Review); 18.02.070 (Master Plan) 18.02.075 (Zoning Map Amendments and Zoning Code Amendments)

EXISTING MASTER PLAN DESIGNATION: Community/ Regional Commercial (“C/RC”)

PROPOSED MASTER PLAN DESIGNATION: Open Space (“OS”)

EXISTING ZONING: General Industrial (“GI”)

PROPOSED ZONING: Conservation Reserve (“CR”)

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: General Industrial / sanitation company

SOUTH: General Industrial / vacant

EAST: General Industrial / concrete plant

WEST: General Industrial / vacant

BACKGROUND AND DISCUSSION:

At its meeting of December 15, 2021, the Planning Commission was provided with an update on the Master Plan implementation activities and reviewed and made a recommendation to the Board of Supervisors on the Master Plan Action Plan and other Master Plan related matters. At its meeting of January 20, 2022, the Board of Supervisors accepted the 2021 Master Plan report from the Planning Commission.

As part of the 2021 Master Plan Annual Report staff inventoried City owned parks and recreational facilities to ensure the zoning and master plan designations are appropriate for their use. The subject property is the site of the Empire Cemetery and is maintained by the City. To create

consistency with the land use and ownership, the Master Plan designation should be Open Space. Likewise, to create consistency with the proposed master plan designation, the zoning should be Conservation Reserve. The Planning Commission makes a recommendation to the Board of Supervisors. The Board of Supervisors may amend the Zoning and Master Plan Maps, following a recommendation from the Planning Commission.

PUBLIC COMMENTS: On May 11, 2022, public hearing notices were mailed to 32 property owners within 1,000 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 received on public comment email (attached). Any comments that are received after this report is completed will be provided to the Planning Commission either prior to or at the May 25, 2022 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 Master Plan Amendment and Zoning Map Amendment pursuant to the CCMC 18.02.070 and 18.02.075, Zoning Map Amendments and Zoning Code Amendments.

MASTER PLAN AMENDMENT FINDINGS: Per the provisions of CCMC 18.02.070

1. The proposed amendment is in substantial compliance with the goals, policies and action programs of the Master Plan.

The proposed amendment is in substantial compliance with the goals, policies, and action programs of the Master Plan. The property is the site of the retired Empire Cemetery. The property has a master plan designation of Community/Regional Commercial ("C/RC"). This designation is not consistent with the use of the land. Since this is a cemetery the master plan designation should be consistent with the use and provide appropriate protections, thus the proposed designation of Open Space.

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.

Properties in the area are zoned for General Industrial type uses. The cemetery use is existing. The proposed amendment will make the master plan designation consistent with the land use and provide appropriate protections for the cemetery.

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.

The proposed amendment will provide for consistency with the land use of the parcel. This is the site of the retired Empire Cemetery. The proposed amendment will make the master plan designation consistent with the land use and provide appropriate protections for the cemetery.

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.

This is the site of the retired Empire Cemetery. The proposed amendment will make the master plan designation consistent with the land use and provide appropriate protections for the cemetery.

ZONING MAP AMENDMENT FINDINGS:

- 1. That the proposed amendment is in substantial compliance with and supports the goals and policies of 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. If the Master Plan is amended to designate the parcel as Open Space, the proposed Conservation Reserve zoning district would be a corresponding zoning district that will implement the Master Plan.

- 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.**

Properties in the area are zoned for General Industrial type uses. The cemetery use is existing. The proposed amendment will make the master plan designation consistent with the land use and provide appropriate protections for the cemetery.

- 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. The proposed Conservation Reserve zoning will be consistent with the proposed master plan designation of Open Space. Both the master plan amendment and zoning map amendment will result in consistency with the existing land use of the subject parcels.

Attachments:

Resolution 2022-PC-R-4

Draft zoning map amendment ordinance

Public comment