



## STAFF REPORT

**Report To:** Board of Supervisors                      **Meeting Date:** November 17, 2022

**Staff Contact:** Hope Sullivan, AICP, Community Development Director

**Agenda Title:** For Possible Action: Discussion and possible action regarding a request from Carson City Holdings LLC (“Applicant”) to adopt, on second reading, Bill No. 122, a proposed ordinance adding a brewery with a tasting room to the list of conditional uses in the Tourist Commercial use district. (Hope Sullivan, hsullivan@carson.org)

Staff Summary: The Applicant is proposing to amend Carson City Municipal Code (“CCMC”) 18.04.140 to allow breweries with tasting rooms in the Tourist Commercial use district. Per CCMC 18.02.075, the Planning Commission conducts a public hearing and makes a recommendation to the Board of Supervisors (“Board”) regarding a request for a zoning code amendment. The Board is authorized to amend the CCMC.

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

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### **Proposed Motion**

I move to adopt, on second reading, Bill No. 122, Ordinance No. 2022 - \_\_\_\_\_.

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

Quality of Life

### **Previous Action**

October 20, 2022 (Item 16D): The Board introduced the proposed ordinance, on first reading, by a vote of 4-1.

September 28, 2022 (Item 6B): The Planning Commission conducted a public hearing and voted 7–0 to recommend approval of the ordinance to the Board provided the brewery with tasting room was a conditional use as opposed to a primary permitted use.

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

Please see the corrected staff report to the Planning Commission dated September 28, 2022 and the application.

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

NRS Chapters 237 and 244; Article 2 of the Carson City Charter; CCMC 18.02.050 and 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 ordinance on second reading, modify the ordinance and/or provide alternative direction to staff.

**Attachments:**

[Brewery\\_Ordinance\\_FINAL.docx](#)

[ZA-2022-0382 Brewery Staff Report Corrected.docx](#)

[ZA-2022-0382 Application.pdf](#)

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Summary: An ordinance adding a brewery with a tasting room to the list of conditional uses in the Tourist Commercial zoning district.

BILL NO. 122

ORDINANCE NO. 2022 - \_\_\_\_\_

AN ORDINANCE RELATING TO ZONING; ADDING A BREWERY WITH A TASTING ROOM AS A CONDITIONAL USE IN THE TOURIST COMMERCIAL ZONING DISTRICT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 18 (ZONING), Chapter 18.04 (USE DISTRICTS), Section 18.04.140 (TOURIST COMMERCIAL) is hereby amended (**bold, underlined** text is added, ~~[stricken]~~ text is deleted) as follows:

**18.04.140 - Tourist commercial (TC). (NRS 278.020)**

The TC district is intended to permit a broad range of primary and accessory tourist commercial uses to encourage tourism and to serve the visitor-related activities of Carson City. All uses within this district shall be oriented toward the promotion, accommodation and service of tourism and associated needs of the commercial tourist related activities and services.

The TC district is also established to provide for development and enhancement of the retail and personal service uses, to further serve as a convenience to the needs of the tourist traveler and the associated service providers. Accessory services, which serve to foster the tourist commercial nature of the district, are encouraged and allowed to provide balance for the community.

This district is envisioned to present a sense of arrival and/or gateway presence through the enhancement of both design and location. These TC areas shall also be designed to further ensure compatibility with the surrounding land uses through the provision of design guidelines (setbacks, screening, buffers, hours of operation, etc.) included in the development standards for Carson City.

1. The primary permitted uses in the TC district are this list plus other uses of a similar nature:

Automobile service (automobile gas, maintenance and repair service, no body repair);

Bar;

Bed and breakfast inn;

Campground/RV park (30-day maximum stay);

Commercial amusement and recreation, indoor and outdoor;

Convenience store;

Convention facility;

Gaming (unlimited);

Golf course and driving range;

Hotel;  
Hotel, residence;  
Indoor sports and recreation facility;  
Motel;  
Museum;  
Nightclub;  
Office;  
Outdoor entertainment facility;  
Outdoor recreational facility (public or private);  
Personal services;  
Private and public club;  
Rental car facility;  
Resort;  
Restaurant;  
Theater;  
Wedding chapel.

2. The accessory permitted uses incidental to the primary permitted uses in the TC district are:

Within hotel, motel or commercial complex: automated teller machine, automobile rental, pharmacy, gift store, bakers, boutique, book shop, beauty shop, restaurant, food court, and/or travel agency;

Antiques, retail;

Health and fitness club;

Retail sales;

Watchman's quarters.

3. The conditional uses in the TC district which require approval of a special use permit are:

**Brewery with a tasting room;**

Campground/RV park (180 day maximum stay);

Cemetery;

Child care facility;

Clinic;

Municipal well facility;

Outdoor display/sales/services;

Personal storage retail/office complex subject to Division 1 and 1.10 (Personal Storage) of the development standards;

Recreational vehicle and trailer repair;

Recreational vehicle and trailer sales (including rental);

Recreational vehicle storage, covered;

Retail sales;

Trade center;

Transport/transfer cargo facility;

Truck stop;

Utility substation.

SECTION II:

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

PROPOSED on \_\_\_\_\_, 2022.

PROPOSED by \_\_\_\_\_.

PASSED \_\_\_\_\_, 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 \_\_\_\_\_ day of the month  
of \_\_\_\_\_ of the year 2022.

**STAFF REPORT FOR PLANNING COMMISSION MEETING OF SEPTEMBER 28, 2022**

**FILE NO:** ZA-2022-0382

**AGENDA ITEM:** 6.B

**STAFF CONTACT:** Hope Sullivan, Community Development Director

**AGENDA TITLE:** For Possible Action: Discussion and possible action regarding a request by applicant Carson City Holdings, LLC (“Applicant”) for a recommendation to the Board of Supervisors concerning an ordinance relating to zoning; adding a brewery with a tasting room as a primary permitted use in the tourist commercial zoning district; and providing other matters properly relating thereto an ordinance relating to breweries. (Hope Sullivan, hsullivan@carson.org)

**STAFF SUMMARY:** The applicant is proposing to amend Carson City Municipal Code (“CCMC”) 18.04.140 to allow breweries with tasting rooms in the Tourist Commercial zoning district. Per CCMC 18.02.075, the Planning Commission conducts a public hearing and makes a recommendation to the Board of Supervisors regarding a request for a zoning code amendment. The Board of Supervisors is authorized to amend the code.

**PROPOSED MOTION:** “I move to recommend to the Board of Supervisors approval of ZA-2022-0382.

**LEGAL REQUIREMENTS:** NRS 278.260; CCMC 18.02.050 (Review); and CCMC 18.02.075 (Zoning map amendments and zoning code amendments)

**KEY ISSUES:** Is the requested use consistent with the findings for a zoning code amendment?

**DISCUSSION:**

The applicant is requesting to allow a brewery with a tasting room in the Tourist Commercial zoning district. The Tourist Commercial zoning district is intended to permit a broad range of primary and accessory tourist commercial uses to encourage tourist and to serve the visitor-related activities of Carson City. All uses within this district shall be oriented toward the promotion, accommodation and service of tourism and associated needs to the commercial tourist related activities and services.

Per CCMC 18.02.075, the Planning Commission conducts a public hearing and makes a recommendation to the Board of Supervisors relative to zoning code amendments based on the three required findings of fact. The Planning Commission must make each of the findings in the affirmative to recommend approval. The Board of Supervisors is authorized to amend the zoning code.

**PUBLIC COMMENTS:**

As of the writing of this staff report, no public comments were received. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Carson City Community Development Department Planning Division.

**FINDINGS:**

The Commission, in forwarding a recommendation to the Board of Supervisors for approval of a Zoning Code Amendment, shall make the findings of fact found in CCMC 18.02.075(5). The following findings are recommended by staff:

1. **That the proposed amendment is in substantial compliance with and supports the goals and policies of the Master Plan.**

The proposed addition of a brewery with a tasting room will provide an opportunity to enhance the visitor experience as well as diversify the economic base of the city. This is consistent with Master Plan Guiding Principle 5: *A Strong Diversified Economic Base* encourages the City to maintain and enhance the base of primary jobs and provide a broader range of retail services to serve residents of Carson City as well as those in surrounding counties.

**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 applicant is proposing to amend the code to allow a brewery with a tasting room in the Tourist Commercial zoning district. This will allow for an additional tourist attraction in this zoning district. This is consistent with the intent of the zoning district which is ‘to permit a broad range of primary and accessory tourist commercial uses to encourage tourism to serve the visitor-related activities of Carson City.’ By allowing a brewery with tasting room, it will complement other uses currently permitted in the Tourist Commercial zoning district. Note other uses that are currently permitted uses in the Tourist Commercial zoning district include a bar, a nightclub, outdoor entertainment facility, a private and public club, a resort, a restaurant, and a theater.

**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 amendment to allow a brewery with a tasting room will not negatively impact existing or planned public services or facilities. The Tourist Commercial zoning district exists in areas of the City currently served by public facilities and uses that establish in this zoning district will be considered infill development. Staff reached out to the Carson City Sheriff’s Office and it has no concerns with the proposed amendment.

Attachments:

- 1) Draft ordinance
- 2) Application packet

<b>Carson City Planning Division</b> 108 E. Proctor Street· Carson City NV 89701 Phone: (775) 887-2180 • E-mail: <a href="mailto:planning@carson.org">planning@carson.org</a>	For Office Use Only: <h2 style="text-align: center; margin: 0;">ZONING CODE AMENDMENT</h2>
<b>FILE #</b>	<b>FEE: \$3,250.00</b> + noticing fee <input type="checkbox"/> Application Form, Written Project Description and Supporting Documentation <input type="checkbox"/> 5 Completed Application Packets (1 Original + 4 Copies)
<b>APPLICANT</b>	<b>Application Reviewed and Received By:</b>
<b>Carson City Holding, LLC</b>	_____
<b>MAILING ADDRESS, CITY STATE, ZIP</b>	<b>Submittal deadline: Planning Commission application submittal <u>schedule</u>.</b>
1500 Old Hot Springs Road, Carson City, NV 89706	<b>Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional information may be required.</b>
<b>PHONE #</b> <span style="float: right;"><b>FAX #</b></span>	
907-229-1465	
<b>EMAIL ADDRESS</b>	
markbegich@gmail.com	
Requested Amendment to Development Standards: _____ or Title 18 <u>.04.140</u> <i>EB</i>	
We wish to have an amendment the uses in the Tourist Commercial Zoning District to include Brewery with tasting room.	
We believe this will be compatible to the current uses in TC and would be complementary.	
Required Findings: Title 18 of the Carson City Municipal Code (CCMC) requires that the applicant must present evidence justifying the revision to the Code, that the proposed addition/deletion will be consistent with the objectives of the Master Plan and will not be detrimental to the surrounding properties. A statement relative to findings from Page 2 <b>MUST</b> be included herewith, or on an attached sheet.	
Please remember that the requested code revision will affect <b>all</b> of Carson City and not only your parcel of land. Present your statement with that in mind. In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal.	
As there is limited TC zoned property in Carson City, there would be minimal impact to the community. The uses identified in TC would not be in direct conflict to the idea of expanding the uses to Breweries. Within the last few years around the country many communities have amended their zoning to accommodate these types of facilities in their tourist and retail zones. In the past these facilities were seen as industrial and just manufacturing. Now days they are seen as opportunities to highlight local craft beers, viewing the operations and tasting the beers . They are destination for tourist and the local community.	
This amendment would be in line with the Carson City Master Plan by encourage commerical mix use and redevelopment or underutilized warehouse in a changed area.	
<b>ACKNOWLEDGMENT OF APPLICANT:</b>	
I certify that the foregoing statements are true and correct to the best of my knowledge and belief.	
<i>Mark Begich</i>	08/27/2022
Applicant's signature	Date



1. The plan is to develop an existing warehouse at 1588 Old Hot Springs Road Show Brewery and tasting room for Shoe Tree Brewery. Show tree brewery is currently on our adjoining property and has developed a significant business and would like to expand and brew their beer in cans. The facility would be used as the brewery, viewing, and tasting area.

The viewing would allow visitors and local community to see the production of the beer. The tasting area would allow the visitors and community to taste the beer in the facility.

The Carson City Municipal Code (CCMC 18.02.075) sets out the required findings.

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

This amendment and development support the Master Plan. It provides a mix of commercial development for the area. This area has already experienced this mixed-use commercial development and continues that pattern.

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.

This will not have any impact on properties adjoining. The current land use next door is also TC zoned and is Restaurant, Bar, Hot Springs pool, light industrial, offices and retail.

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.

It will not adversely impact the public health, safety and welfare and the public services. We have already upgraded the property to increase the size of the water and sewer facilities on the property. The traffic will have minimal impact as the draw is from customers already coming to the adjoining property that we operate.

This area falls under the C/RC in the Master Plan. I have highlighted in blue the areas we fall under and recognized in the Master Plan. When you come to this property or the adjoining property it truly is a one stop shop for your recreational needs. You can come to the pools, go to the bar and restaurant or to the future brewery. From a visitor's perspective it becomes a one stop shop for them. For the local community it becomes a place to come after work or on the weekends. By also being located next to a large retail center it draws many people to the area for the day, shopping, recreating, and eating.

*C/RC centers provides a mix of retail services in a concentrated setting that serves the local community but may also include larger retail centers with **unique stores or characteristics that provide a regional draw**. C/RC centers are typically anchored by large format national retailers, which may provide sales of a variety of general merchandise, grocery, apparel, appliances, hardware, lumber, and other household goods, often under one roof. Complementary uses, such as restaurants, specialty markets, specialty stores (such as books, furniture, computers, audio, office supplies, or clothing stores) are also appropriate. **The concentrated, unified design of C/RC centers allows a variety of community needs to be met in a "one-stop shop" setting.***