

Item # 9c

**Carson City
Agenda Report**

Date Submitted: August 28, 2007

Agenda Date Requested: Sept. 6, 2007

Time Requested: 5 Minutes

To: Mayor and Supervisors

From: Development Services

Subject Title: Action to adopt on second reading Bill No. 129, an ordinance amending Title 17 Subdivision, Chapter 17.03 Parcel Maps, Lot Line Adjustments and Deletions, Reversion to Acreage Maps, and Merger and Resubdivision of Land, section 17.03.015 Application and Review, section 17.03.040 Application and Review, section 17.03.060 Application and Review, section 17.03.075 Reversion to Acreage Maps, and section 17.03.080 Merger and Resubdivision Maps; chapter 17.04 Land Division Maps, section 17.04.005 Application and Review; chapter 17.05 Tentative Maps, section 17.05.005 Application Process and section 17.05.025 Fees and Service Charges, chapter 17.06 Subdivision Final Maps, section 17.06.005 Map Submittal for Approval; chapter 17.09 Planned Unit Development, section 17.09.040 Application for Tentative Approval; chapter 17.11 Improvement and Procedure, section 17.11.035 Inspection Fee, by deleting any reference to fees being set by resolution of the Board of Supervisors and amending section 17.11.035 Development Filing and Checking Fees, by adding references to Title 18 Zoning and Title 18 Appendix – Development Standards for fees to be charged by the city and other matters properly related thereto.

Staff Summary: Approval of this ordinance will remove certain sections that contain fees and charges and refer to the fees and charges contained in Title 18 Zoning and Title 18 Appendix – Development Standards. This will consolidate Engineering and Planning fees into two locations of the Carson City Municipal Code. The Sections of Title 17 made reference that the fees and charges were set by Board resolution. By the Board's previous actions, the fees and charges will be set by ordinance.

Type of Action Requested: (check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move adopt on second reading Bill No. 129, an ordinance amending Title 17 Subdivision, Chapter 17.03 Parcel Maps, Lot Line Adjustments and Deletions, Reversion to Acreage Maps, and Merger and Resubdivision of Land, section 17.03.015 Application and Review, section 17.03.040 Application and Review, section 17.03.060 Application and Review, section 17.03.075 Reversion to Acreage Maps, and section 17.03.080 Merger and Resubdivision Maps; chapter 17.04 Land Division Maps, section 17.04.005 Application and Review; chapter 17.05 Tentative Maps, section 17.05.005 Application Process and section 17.05.025 Fees and Service Charges, chapter 17.06 Subdivision

Final Maps, section 17.06.005 Map Submittal for Approval; chapter 17.09 Planned Unit Development, section 17.09.040 Application for Tentative Approval; chapter 17.11 Improvement and Procedure, section 17.11.035 Inspection Fee, by deleting any reference to fees being set by resolution of the Board of Supervisors and amending section 17.11.035 Development Filing and Checking Fees, by adding references to Title 18 Zoning and Title 18 Appendix – Development Standards for fees to be charged by the city and other matters properly related thereto.

Explanation for Recommended Board Action: See Staff Summary.

Applicable Statue, Code, Policy, Rule or Regulation:

Fiscal Impact: No impact.

Explanation of Impact: There are no additional fees or modifications to fees by this action.

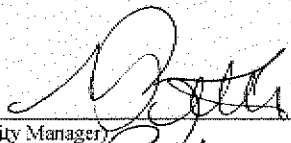
Funding Source: N/A


Alternatives:

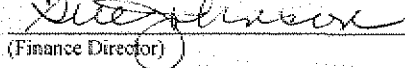
Supporting Material: Draft Ordinance

Prepared By: Lawrence A. Werner, P.E., P.L.S., Director/City Engineer

Reviewed By:



(City Manager)


(District Attorney)


(Finance Director)

Date: 8-28-07

Date: 8-28-07

Date: 8/28/7

Board Action Taken:

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

(Vote Recorded By)

ORDINANCE NO. _____

BILL NO. 129

AN ORDINANCE AMENDING TITLE 17 SUBDIVISION, CHAPTER 17.03 PARCEL MAPS, LOT LINE ADJUSTMENTS AND DELETIONS, REVERSION TO ACREAGE MAPS, AND MERGER AND RESUBDIVISION OF LAND, SECTION 17.03.015 APPLICATION AND REVIEW, SECTION 17.03.040 APPLICATION AND REVIEW, SECTION 17.03.060 APPLICATION AND REVIEW, SECTION 17.03.075 REVERSION TO ACREAGE MAPS, AND SECTION 17.03.080 MERGER AND RESUBDIVISION MAPS; CHAPTER 17.04 LAND DIVISION MAPS, SECTION 17.04.005 APPLICATION AND REVIEW; CHAPTER 17.05 TENTATIVE MAPS, SECTION 17.05.005 APPLICATION PROCESS AND SECTION 17.05.025 FEES AND SERVICE CHARGES, CHAPTER 17.06 SUBDIVISION FINAL MAPS, SECTION 17.06.005 MAP SUBMITTAL FOR APPROVAL; CHAPTER 17.09 PLANNED UNIT DEVELOPMENT, SECTION 17.09.040 APPLICATION FOR TENTATIVE APPROVAL; CHAPTER 17.11 IMPROVEMENT AND PROCEDURE, SECTION 17.11.035 INSPECTION FEE, BY DELETING ANY REFERENCE TO FEES BEING SET BY RESOLUTION OF THE BOARD OF SUPERVISORS AND AMENDING SECTION 17.11.035 DEVELOPMENT FILING AND CHECKING FEES, BY ADDING REFERENCES TO TITLE 18 ZONING AND TITLE 18 APPENDIX – DEVELOPMENT STANDARDS FOR FEES TO BE CHARGED BY THE CITY AND OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

SECTION I:

That Section 17.03.015 of the Carson City Municipal Code is hereby amended as follows:

17.03.015 Application and review.

1. All applications for parcel maps must be filed with the director on forms meeting all applicable submittal requirements. The applicant shall pay a fee including service charges as set by [~~resolution of~~] the board. The date of the payment shall be the application date.
2. The applicant shall file the appropriate parcel maps with the director and required submittal information as determined by the director. Parcel map contents should comply with CCMC 17.06 and NRS 278.466, where applicable. All maps must show

the location of existing structures, wells, septic tanks, and leach fields. If none exist, the maps shall so state.

3. The applicant shall be required to provide proof that no taxes are delinquent on the subject property by submitting a certificate from the city treasurer's office.

4. All appropriate materials must be signed and stamped by a registered land surveyor of the state of Nevada.

SECTION II:

That Section 17.03.040 of the Carson City Municipal Code is hereby amended as follows:

17.03.040 Application and review.

1. All applications for lot line adjustments or the transfer of land between two (2) adjacent property owners which do not result in the creation of any additional parcels, shall be submitted to the director for review and approval. Applications shall meet all submittal requirements. The applicant shall pay a fee as set by [~~resolution~~ ~~of~~] the board.

2. Applicants for lot line adjustments shall submit a metes and bounds description, the appropriate number of maps and a record of survey of said parcels showing lot line dimensions, adjacent streets, north arrow, and the locations of all structures, wells, septic tanks, and leach fields. A record of survey is defined in NRS 278.469 and NRS 278.5693.

3. A record of survey and additional materials must be signed and stamped by a registered land surveyor in the state of Nevada complying with NRS 278.461(3c), 278.469, 278.5693, and 278.5695.

4. The applicant shall be required to prove that no taxes are delinquent on the subject property by submitting a certificate from the city treasurer.

5. All lot line adjustments must be recorded within one hundred twenty (120) days following approval.

SECTION III:

That Section 17.03.060 of the Carson City Municipal Code is hereby amended as follows:

17.03.060 Application and review.

1. All applications for lot line deletions shall be submitted to the Carson City assessor's office. Lot line deletions which do not result in the creation of any additional parcels shall be forwarded to the director for review and approval. Applications shall meet all submittal requirements.

2. Applications for lot line deletions shall be submitted with the appropriate number of maps and signatures from the appropriate utility companies.

3. The applicant shall be required to prove that no taxes are delinquent on the subject property by submitting a certificate from the city treasurer.

4. Lot line deletions must comply with NRS 278, where applicable.
5. The applicant shall pay an appropriate fee as set by ~~[resolution of]~~ the board.

SECTION IV:

That Section 17.03.075 of the Carson City Municipal Code is hereby amended as follows:

17.03.075 Reversion to acreage maps.

Applications for reversion to acreage maps shall be subject to all applicable provisions and requirements pursuant to NRS 278.490 and 278.4955 thru 278.4965 and shall be enforced by this section.

1. All applications for a reversion to acreage map must be filed at the planning and community development department on the appropriate forms meeting all applicable submittal requirements.
2. The applicant shall file the appropriate copies of the reversion map. All maps must show, in addition to those requirements in NRS 278.4955, the location of existing structures, wells, septic tanks and leach fields. If none exists, the map shall state that.
3. A record of survey and additional materials may be required to be signed and stamped by a registered land surveyor in the state of Nevada.
4. The applicant shall pay a fee as set by ~~[resolution of]~~ the board.
5. The director, within thirty (30) days after submittal of a complete application and after review by the city engineer, may approve, conditionally approve or disapprove the application, or may refer it to the planning commission and board of supervisors for further action.

SECTION V:

That Section 17.03.080 of the Carson City Municipal Code is hereby amended as follows:

17.03.080 Merger and resubdivision of land.

1. All applications for a merger and resubdivision of land must be filed at the planning and community development department on the appropriate forms meeting all applicable submittal requirements.
2. The applicant shall pay a fee as set by ~~[resolution of]~~ the board.
3. All applications for merger and resubdivision of land must comply with NRS 278.4925, 4955, 496 and 4965.
4. All applications for merger and resubdivision of land must follow the same city approval process as the initial final map followed.
5. A Map of reversion must include:
 - a. A report from a title company which lists the names of:
 - (1) Each owner of record of land; and

(2) Each holder of record of a security interest in the land, if the security interest was created by a mortgage or a deed of trust.

b. The written consent of each holder of record of a security interest listed pursuant to subparagraph (2) of paragraph (a), to the preparation and recording of the map of reversion. A holder of record of a security interest may consent by signing:

(1) The map of reversion; or

(2) A separate document that is recorded with the map of reversion and declares his consent to the reversion, if the map contains a notation that a separate document has been recorded to this effect.

c. For the purpose of this section, the following shall be deemed not to be an interest in land:

(1) A lien for taxes or special assessments;

(2) A trust interest under a bond indenture.

SECTION VI:

That Section 17.04.005 of the Carson City Municipal Code is hereby amended as follows:

17.04.005 Application and review.

1. All applications for division of land into large parcels must be filed with the director on appropriate forms and meeting all applicable submittal requirements. The applicant shall pay a fee as set by ~~[resolution of]~~ the board. The date of the payment shall be the application date. All requirements as per NRS 278.471 to 278.4725, inclusive, shall be enforced by this section.

2. The applicant shall file the appropriate land division maps and application with the director. All maps must show, in addition to those requirements in NRS. 278.4713 and 278.472, the location of existing structures, wells, septic tanks, and leach fields. If none exist, the maps shall so state.

3. All final maps will comply with CCMC, Chapter 17.06, where applicable.

SECTION VII:

That Section 17.05.005 of the Carson City Municipal Code is hereby amended as follows:

17.05.005 Application process.

1. The initial step to be taken by the developer is to submit a conceptual plan to the director. The plan must include: maps and drawings showing proposed land uses and land use on adjacent property, location of existing buildings, proposed circulation, drainage, and topography. Also a tabulation of residential densities and proposed lot layout to determine if the proposed development conforms to the city master plan and subdivision ordinances.

Within thirty (30) days after submission of the conceptual plan, the director shall meet with the applicant and review the proposal. The director shall determine whether the proposal conforms to the master plan and if it complies with applicable codes and

laws.

2. Following consideration of the conceptual plan, an application for tentative approval of a subdivision may be filed on behalf of the land owner. The application and required submittal information must be filed with the director and accompanied by fees as set by ~~resolution of~~ the board.

The appropriate number of prints shall be submitted on durable paper approximately twenty-four by thirty-two inches (24" x 32") in size with a marginal line drawn completely around each sheet, leaving an entirely blank margin of one inch (1") at the top, bottom, and right edges, and of two inches (2") at the left edge along the twenty-four inch (24") dimension. Scale must be large enough to show all details clearly.

Each sheet must be numbered and the total number of sheets comprising the map must be stated on each of the sheets.

SECTION VIII:

That Section 17.05.025 of the Carson City Municipal Code is hereby amended as follows:

17.05.025 Fees and service charges.

1. Filing fees shall be due and payable to Carson City as a prerequisite to the filing for a tentative map prior to any official consideration thereof as set by ~~resolution of~~ the board.

2. No part of the filing fee will be refunded in the event that the tentative map is not approved or for any other cause.

SECTION IX:

That Section 17.06.005 of the Carson City Municipal Code is hereby amended as follows:

17.06.005 Map submittal for approval.

1. Not less than thirty (30) days prior to the submittal of any final map for action by the board the subdivider shall submit three (3) prints of the final map and one (1) copy of the closure calculations to the director, along with all documents required as conditions of tentative map approval and a letter from the applicant requesting placement on the board agenda. A fee as set by ~~resolution of~~ the board shall cover the administrative costs of review and processing of the application. Two (2) prints of the submittal shall be forwarded to the city engineer, who shall check the map as to accuracy of dimensions, placing of monuments, establishment of survey records, and conformance with the approved tentative map. If any errors or omissions are found on the prints of the final map submitted to the city, the map shall be returned to the subdivider or his engineer for correction and shall not be submitted for board approval until such errors and omissions are corrected. The final map shall be submitted to the director not less than seven (7) days prior to board approval in order that the director may obtain the signatures of city officials.

2. Data concerning construction plans, estimates of quantities, appropriate financial

security meeting the requirements of the city shall also be required by the city when the situation warrants.

3. In addition to other fees and charges as required by law, the subdivider shall pay a checking fee as set by ~~resolution of~~ the board. Such fee shall be due and payable at the time the final map is presented for checking to the director.

4. Upon completion and checking by the city engineer and director, the original map shall be submitted to the director. The director will then request the final map be placed on the next available board agenda for final approval. The board may approve the map by fixing an affidavit on the original map and directing it to be recorded and entered as a legal document in the records of Carson City.

5. The board shall refuse any final map approval when a report of error is made and shall continue to refuse to approve until all deficiencies are resolved.

SECTION X:

That Section 17.0.040 of the Carson City Municipal Code is hereby amended as follows:

17.09.040 Application for tentative approval.

1. An application for tentative approval of a planned unit development shall be filed by or on behalf of the landowner. The application shall be filed with the planning division on forms approved by the division and accompanied by the payment of all applicable fees. ~~[Fees are set by resolution of the board.]~~ Neither the board, commission, nor any city department shall undertake a review of the proposed development until all fees have been paid in full and the complete application package has been received.

2. The planning division, after submittal of the complete package, shall circulate for review and comment the proposed development plans. These plans will be reviewed by city, state, and federal agencies for compliance with applicable laws. The agencies shall then respond, in written form, as to the conditions to be imposed upon the proposed development. These comments and conditions will be incorporated into the staff report and relayed to the landowner prior to the public hearing before the commission.

3. The complete application package must contain the fee payment, the application form, the appropriate number of prints, and informational booklets. The term "print" shall mean a blueprint, which is reproduced exactly from the original drawing. Print size shall be 24 by 32 inches with a marginal line drawn completely around each sheet, leaving an entirely blank margin of 0.5 inch at the top, bottom, and right edges, and of 2 inches at the left edge along the 24-inch dimension for tentative maps and final improvement plans. Print size for final plat maps shall be 24 by 32 inches with a marginal line drawn completely around each sheet, leaving an entirely blank margin of 1 inch at the top, bottom, and right edges, and of 2 inches at the left edge along the 24-inch dimension. Maps shall be of scale large enough to show clearly all details. The particular number of the sheet and the total number of sheets comprising the map must be stated on each of the sheets, and its relation to each adjoining sheet must be clearly shown.

4. The prints and informational booklets shall include the following criteria:
 - a. A map showing the location and size of the project site, all public utility easements, and the lot layout and lot line dimensions. A legal description of the land described by 40 acre subdivision, section, township, and range; and the landowner's interest in the land proposed to be developed by an affidavit of ownership; a north arrow, scale, and all sheets numbered.
 - b. The density of the land to be developed and described in terms of units per acre (gross and net buildable areas); and a tabulation of the total land area and the acreage and percentages designed for the various uses.
 - c. A topographic map with contour intervals of 2.5 feet for slopes of less than 15 percent and 5 feet for slopes of 15 percent or greater, identifying areas with 15 percent or greater slope, areas with 33 percent or greater slope and areas identified as "skyline" on the adopted Carson City skyline map; the location of natural features, including trees, may be required, the proposed grading plan, a soils report including soils types, seasonal high-water table, and percolation rates; an erosion control plan including, if necessary, stream protection, road drainage erosion prevention, and prevention of untreated discharge into streams; and maps showing the 100 year flood plain as determined by FEMA Flood Insurance Rate Maps for those areas subject to flooding and possible earthquake faults passing through the proposed development.
 - d. The proposed circulation system showing all public and private streets, sidewalks, and bikeways, the widths of all streets, a proposed grading plan for all streets, the provisions for vehicular parking, all boat and RV storage, the layout of the water, sewer, and storm drainage system, and an indication as to the type of water system to be used, its source, and engineering data on fire flows. Also to be included is the method of sewage disposal and solid waste (refuse) provisions.
 - e. The use, height, size, and location of all structures, walls, and fences; character of materials, the texture of the buildings and grounds (color perspective) and elevation perspectives of structures in relation to adjacent buildings shall also be indicated.
 - f. The location and size of any common and private open space, the substance of the conditions, covenants, and restrictions imposed upon the use of the land and structures and the form of organization proposed to own and maintain the open space and other common properties, and the proposed landscaping plan.
 - g. The required modifications in Carson City's land use regulations otherwise applicable to the subject property, a master plan for potential development of the property in the area of the proposed planned unit development, and in the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for final approval of all sections of the planned unit development are intended to be filed. Other information as required by Carson City.
 - h. The ratio of residential to non-residential uses, areas of land, proposed setbacks.

SECTION XI:

That Chapter 17.11 of the Carson City Municipal Code is hereby amended as follows:

Chapter 17.11 IMPROVEMENT AND PROCEDURE

17.11.005 Improvements required.

17.11.010 Water supply system.

17.11.015 Improvement agreements and subdivider's bond.

17.11.020 Release of security.

17.11.025 Completion of improvements by city.

17.11.030 Surveyor's bond.

17.11.035 [Inspection fee.] Development filing and checking fees.

SECTION XII:

That Section 17.11.035 of the Carson City Municipal Code is hereby amended as follows:

17.11.035 [Inspection fee.] Development filing and checking fees.

~~[Before commencing any work on any subdivision or development, subdivider or developer shall deposit with the city, an inspection fee as set by resolution of the board to cover the inspection costs of all improvements required under this chapter.]~~

The fees required in this Title are defined in Title 18 ZONING for filing and reviewing maps and in TITLE 18 APPENDIX-DEVELOPMENT STANDARDS for obtaining permits for work required. The fees contained therein are in addition to any fees required by State or Federal law or regulation.

SECTION XIII:

That no other provisions of Title 17 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2007

PROPOSED by Supervisor _____

PASSED _____, 2007

VOTES: AYES: Supervisors

NAYS: Supervisors

ABSENT: Supervisors

ATTEST:

ALAN GLOVER, Clerk-Recorder

MARV TEIXEIRA, Mayor

This ordinance shall be in force and effect from and after the 1st day of the month of January of the year 2008.