

**CARSON CITY BOARD OF SUPERVISORS AND
REGIONAL PLANNING COMMISSION
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A special joint workshop meeting of the Carson City Board of Supervisors and Regional Planning Commission was held on Monday, October 24, 1994 in the Community Center Sierra Room, 851 East William Street, Carson City, NV at 6:00 p.m.

PRESENT:

BOARD OF SUPERVISORS: Mayor Pro Tem Kay Bennett
Janice Ayres
Tom Tatro

PLANNING COMMISSION: William Mally
Archie Pozzi, Jr.

STAFF: John Berkich, City Manager
Walter Sullivan, Community Dev. Director

Rob Joiner, Principal Planner
Sandra Danforth, Senior Planner
Fran Smith, Recording Secretary
(BOS/PC 10/24/94 1-0000)

NOTE - Unless otherwise indicated, each item was introduced by Mayor Pro Tem Bennett. Individuals speaking are identified following the heading of each item. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

A. CALL TO ORDER - Mayor Pro Tem Bennett called the meeting to order at 6:10 p.m. Supervisor Tom Tatro led the pledge of allegiance. A roll call of the Board of Supervisors was taken and a quorum was present although Supervisor Smith and Mayor Teixeira were absent. A roll call of the Planning Commission was taken and they did not have a quorum present.

B. PUBLIC COMMENT - None.

AGENDA ITEM

C. DISCUSSION AND STAFF BRIEFING REGARDING THE REVIEW OF TITLE 18 ORDINANCE AMENDMENTS SPECIFICALLY IN AREAS CONCERNING SPECIAL USE PERMITS, VARIANCES, CHANGE OF LAND USE, MASTER PLAN AMENDMENT, DEFINITIONS, RESIDENTIAL, COMMERCIAL, INDUSTRIAL, PUBLIC ZONES AND OTHER MATTERS RELATED THERETO - (1-0110) Mr. Sullivan said staff will review a revised Title 18 zoning ordinance and present changes to the Board and Planning Commission members in attendance. He added that two separate meetings have been set up with the regular Planning Commission to review the changes and then make recommendations to the Board of

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Supervisors. He also advised that two meetings have been set aside in December for the Board to review various changes in the ordinance and to take the Planning Commission's recommendations on these items.

(1-0130) Mr. Sullivan said Ms. Danforth had been the principal author of the revised 270 page ordinance. He added that Rob Joiner has been the chief author of the Downtown Business Ordinance. He said the problem with the downtown, as it currently stands, is that it has several zoning districts and the boundary lines gerrymander - one side of a block may have General Commercial and the other may have Residential Commercial. He also said one may allow outside display while the other doesn't. There are some uses allowed in General Commercial but not allowed in Residential Commercial and occasionally they are only a block apart of across the street from each other. He said Mr. Joiner had looked at the downtown areas and extensively reviewed the ordinance with the people in that area. He said this should remove ambiguity and present uniformity. He felt this will result in a more logical sequence in the ordinance.

(1-0183) Ms. Danforth then proceeded with her review of the changes in the Title 18 ordinance.

Page 4 - She explained that in the past staff had administered the ordinance whereas if uses were allowed in General Industrial, for instance, they could not be placed in the General Commercial Residential or the Limited Industrial. It has not been spelled out before and has caused some confusion. Mr. Sullivan explained that last year and early this year the Planning Commission had reviewed approximately 75 - 80 percent of the changes in this version. He said this had included Residential, Commercial, Industrial, Use Permits, Definitions, and Master Plan Amendments. He said the Planning Commission had also acted on these changes and recommended that the Board adopt them. He said rather than present the changes piecemeal to the Board they had held off to do it all at one time.

Page 14 - Ms. Danforth said the wording was changed to make it clear what happens to applications that are submitted but haven't been formally acted upon by the time the ordinance is adopted. For instance, if someone applies for a building permit prior to adoption of the new ordinance and their permit is going through the review process and something on that plan does not conform to the new ordinance, staff would go by the old ordinance. Mr. Sullivan explained that this applies only to those people who are caught in this circumstance.

Page 15 - This is a new section dealing with application limitations. This had been requested by some residents as well as the Board. Ms. Danforth said she had given this to the

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District Attorney for review but has not received a response as yet. Mr. Sullivan said Washoe County and other counties in the state have these same limitations.

Page 24 - Ms. Danforth said this combines sections 18.02 and 18.05 for special use permits, variances, and change of land uses. This is so that when the public and/or staff needs to reference the code they can go to just one section.

Page 23 - Mr. Sullivan said Mr. Berkich had been instrumental in going through the legislative process on the administrative abandonment of utility easements. This has resulted in reducing an eight to ten week process down to two weeks and explained the process that was used prior to this. He said this had required he and Mr. Berkich going to the legislature to get this resolved and that Ms. Danforth had worked with the legislature as well.

Page 39 - This is the section that starts the Master Plan amendments Mr. Sullivan had referred to earlier where they had been approved by the Planning Commission. These will now go to the Board within Title 18.

Page 55 - This starts the definitions section. With the new ordinance staff will be relying on the purpose statement at the beginning of each district which spells out the intent of the district and then goes to the definitions for the uses. This eliminates a lot of listing and leaves more flexibility for the applicant.

Page 67 - Ms. Danforth said staff has always felt this is more of a Building Department function and in fact this definition of building(s) is in their code. They will be in the plan review process taking care of building height. This will eliminate having to go to Community Development for that function. Mayor Pro Tem Bennett questioned this change and asked if isn't the height of a building really a planning issue. Ms. Danforth said the height will still be retained in the ordinance. She said the only thing that has happened is that the building staff are reviewing plans to make sure a building complies within the definition of how a building height is figured. She further commented that Community Development will still regulate the height in the zoning code.

Page 74 - Supervisor Tatro questioned the definition in 18.03.310 - garage - as not being necessary given the definitions which follow. This will be deleted.

Page 75 - Ms. Danforth reported that the definition "hedge" has caused some concern between the public and staff in the past as to exactly is meant by a hedge and this is to clarify the meaning. Planning Commissioner Mally did not feel the definition

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is clear. Mr. Joiner explained that in office districts a sight obscuring wall or hedge is required to separate an office from an adjoining residential and/or parking area.

Page 97 - Ms. Danforth said the parking requirements in this section have been updated. She had gone through Public Works traffic manuals to come up with these definitions.

Page 100 - Ms. Danforth said the handicapped parking section is going over to the Building Department. She explained that the Federal government had changed those guidelines and the City's guidelines have been out of compliance for about a year. The Building Department has picked up on their plan check because they get the Federal updates and review the same plans as Community Development.

Page 102 - A new section has been added which refers to businesses adjacent to major arterials. They are required to provide a minimum ten foot wide landscaped area along the public or private property line abutting the arterial and all new businesses must meet these landscape requirements. Mayor Pro Tem Bennett had a concern with the lack of landscaping at Frontier Plaza. She asked whether consideration has been given to a way, either through incentive or by City code, to bring that into compliance. Mr. Sullivan explained that a district wide program has been found to be the most successful and cited what the automobile dealers on South Carson Street have done with landscaping. Mayor Pro Tem Bennett inquired if something can be written into the code to enable the formation of that kind of an improvement district. Mr. Sullivan was not aware of such a mechanism but did say that any new business that goes in will have to comply. Mayor Pro Tem Bennett suggested as long as the code is being revisited perhaps some language can be included that will enable the formation of a business improvement district. Mr. Sullivan said he will look into this.

Page 103 - Ms. Danforth said these sections came about because of complaints. She explained that DMV calls everything up to a semi a pickup and the code allowed pickups for business purposes to be used as transportation back and forth to work to be kept on private property. She said a complaint about a truck being parked on a daily basis on property had prompted staff to put something into the code that spells out what a pickup is for private as opposed to commercial use. Mr. Sullivan also explained how large trucks are allowed to park on private property but not in a public right-of-way. Mayor Pro Tem Bennett cited an instance where several vehicles had been parked at a residence day in and day out. Mr. Sullivan said this section will give the City direction in that type of matter. Supervisor Ayres asked about vehicles obscuring a stop sign. Mr. Sullivan said in that case the Sheriff's Office should issue a ticket.

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Supervisor Ayres cited an example of this in her neighborhood and Mr. Sullivan said he will contact the Sheriff's Office about this.

Page 106 - 18.05.025 - This section refers to roof mounted equipment. Ms. Danforth said staff is making an effort to get the owners to screen these units (air conditioners, etc.) through parapet walls and equipment wells.

Page 106 - 18.05.026 - This section concerns trash storage containers and Supervisor Tatro felt that the words "Capital Sanitation Company" should be replaced by "a private company". Ms. Sanford concurred and agreed to change this.

Page 109 - This page was missing from the packet and was read by Ms. Danforth: "Areas providing underground parking shall base landscape requirements on the square footage of the top level of the underground parking facility. Businesses with paved or unpaved sales lots shall provide landscaping consisting of shrubs and ground cover trees along all street sides in a planter area at least six feet wide by the length of the street. Minimum two inch caliper trees shall be provided within the planter area equivalent to one every ten feet. Clustering of trees and shrubs is allowed." This takes care of two separate things: 1. This takes care of those who provide underground parking (parking requirements are based on an impervious surface - underground parking does not have landscaping so they are not required to provide it.) and 2. This requires businesses who have outside displays of merchandise to pave a six foot wide by the length of the street, do their landscaping, then have the display of merchandise.

Page 121 - Ms. Danforth explained that those who raise sheep felt they can slaughter them and hang the hides on the neighbor's fence which resulted in this section prohibiting that. She added that the Animal Regulations Department has agreed to handle enforcement of these animal matters for Community Development on residential properties that are less than one acre in size.

Page 138 - Ms. Danforth said this allows smaller accessory storage buildings to be placed three feet from the side or rear property line if they do not exceed 120 square feet. If they are 120+ to 400 square feet the requirement is five feet from the property line. The eaves or other projections cannot extend into the five foot requirement. Any structures more than 400 square feet must meet all setback requirements. Mr. Sullivan explained that the building code requires any structure that goes within three feet of a property line must have all sorts of fireproofing, one hour firewalls, etc.

Page 141 - Ms. Danforth said split-rail fences are not restricted

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by this section. Supervisor Ayres had a concern with parallel fences, i.e. one does not go to the property Limited Industrialne. She felt the weed problem between the two fences is a hazard and inquired as to responsibility for maintenance. Mr. Sullivan explained the onus is on the property owner who does not put his fence all the way to the property line. Ms. Danforth also confirmed for Commissioner Mally that a wire fence with slats is not considered sight obscuring and this is covered in this section. Mayor Pro Tem Bennett asked what is being done about the "devil's acre" - the piece of land between a six foot fence and the sidewalk that is occurring in new development. Mr. Sullivan explained that this will be resolved in new subdivision requirements and that he has been working with Public Works on this as well. Mr. Joiner described how one developer has just finished landscaping in a subdivision and felt this can possibly become a prototype for maintenance districts as discussed earlier this evening..

(Supervisor Tatro left the meeting at 7:00 p.m. A quorum of the Board of Supervisors was no longer present.)

Page 205 - Ms. Danforth reported that the only thing new at the beginning of the General Commercial section is the purpose statement. She said this had always been administered in this way but this was to clarify this for the public.

Page 218 - Ms. said this is the Downtown Commercial section and the purpose statement has been added for clarification. Mr. Joiner said this section is still in draft form and staff is still getting comments from the Chamber of Commerce, the Downtown Redevelopment Citizens Committee, downtown property owners, Mainstreet, etc. about the heavy uses (such as automotive) still being allowed. He added this contains the components for taking these uses out of downtown.

Page 224 - This spells out the difference between Limited Industrial and General Industrial districts. Ms. Danforth explained what uses are spelled out in Limited Industrial and those that are allowed in General Industrial.

Page 240 - Ms. Danforth said this section increases the minimum in Conservation Reserve and Agricultural from five to ten acres. Mayor Pro Tem Bennett felt that the Carson River Commission will be commenting on this and reported that their next meeting is November 2.

Mr. Sullivan noted that the only change in "Business Park" was a reference to Section 18.03 in the code which was non-existent. He said this was found to be a typographical error and had been corrected.

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Commissioner Pozzi complimented Mr. Sullivan and his staff on the fine work they have done on this project. Supervisor Ayres echoed the sentiment. Mr. Sullivan reported that the Planning Commission has gone through eight to ten workshops on the code and that a lot of these changes is their input.

As quorums of neither the Board of Supervisors or the Planning Commission were present Mayor Pro Tem Bennett adjourned the meeting at 7:15 p.m.

The Minutes of the October 24, 1994 joint workshop meeting of the Carson City Board of Supervisors and Regional Industrial Planning Commission

ARE SO APPROVED _____, 1994

Kay Bennett, Mayor Pro Tem