

City of Carson City
Agenda Report

Hem#9C

Date Submitted: October 23, 2007

Agenda Date Requested: November 1, 2007

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to adopt Bill No. 136, on second reading, Ordinance No. _____, an ordinance amending Carson City Municipal Code, Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010, Words And Terms Defined, to modify the definition of "Adult Entertainment Facility", delete "Video Rental" and add an "Adult Merchandise Retail Establishment" definitions, and amending Chapter 18.16 Development Standards, Division 1 Land Use and Site Design, adding Section 1.19 Adult Merchandise Retail Performance Standards, to establish regulations for the Adult Merchandise Retail Establishment Commercial Properties and other matters properly related thereto. (File ZCA-07-135)

Staff Summary: This ordinance would amend the Carson City Municipal Code to modify the definition of Adult Entertainment Facilities, establish a definition for Adult Merchandise Retail Establishment and it's Performance Standards and other matters related thereto.

Type of Action Requested:

- Resolution Ordinance -Second Reading
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Recommended approval September 26, 2007, by a vote of 5:0:2.

Recommended Board Action: I move adopt Bill No.136, on second reading, Ordinance No. _____, an ordinance amending Carson City Municipal Code, Title 18 Zoning, Chapter 18.03, Section 18.03.010, Chapter 18.16 Development Standards, and adding Section 1.19 Adult Merchandise Retail Performance Standards in accordance with the agenda as posted and published.

Explanation for Recommended Board Action: The Board of Supervisors, pursuant to Carson City Municipal Code, is required to take final action on all zoning code amendments.

Applicable Statute, Code, Policy, Rule or Regulation: Carson City Municipal Code, Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010.

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Refer the matter back to Planning Commission for further review.
2) Deny

Supporting Material: 1) Ordinance

Prepared By: Donna Fuller, Administrative Services Manager

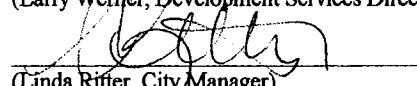
Reviewed By:


(Walter Sullivan, Planning Director)

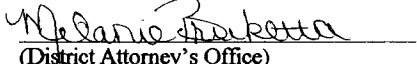
Date: 10-23-07


(Larry Werner, Development Services Director/City Engineer)

Date: 10/23/07


(Linda Riffer, City Manager)

Date: 10-23-07


(District Attorney's Office)

Date: 10-23-07

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

ORDINANCE NO. 2007-_____

BILL NO. 136

AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITION OF "ADULT ENTERTAINMENT FACILITY", DELETE "VIDEO RENTAL" AND ADD AN "ADULT MERCHANDISE RETAIL ESTABLISHMENT" DEFINITION; AND AMENDING CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, ADDING SECTION 1.19, ADULT MERCHANDISE RETAIL ESTABLISHMENT PERFORMANCE STANDARDS, TO ESTABLISH REGULATIONS FOR THE ADULT MERCHANDISE RETAIL ESTABLISHMENT COMMERCIAL PROPERTIES, AND OTHER MATTERS PROPERLY RELATED THERETO.

Fiscal effect: None

The Board of Supervisors of Carson City, do ordain:

SECTION 1:

That Chapter 18.03 (Definitions), Section 18.03.010 (Words and Terms Defined) of the Carson City Municipal Code is hereby amended, in part, to modify the definitions of "Adult Entertainment Facility", delete "Video Rental" and add a definition for "Adult Merchandise Retail Establishment" and the addition of Development Standards, Division 1, Land Use and Site Design, Section 1.19, Adult Merchandise Retail Establishment Performance Standards as follows:

18.03.005 Definitions Generally. Except where specifically defined herein, all words used in this title shall carry their customary meanings as defined in Webster's dictionary. Words used in the present tense include the future, and the plural includes the singular; the word "shall" or "must" is always mandatory; the word "may" denotes a use of discretion in making a decision.

18.03.010 Words and Terms Defined.

Abandoned means concerning a building or use, not having been developed or maintained for a stated period of time.

Abutting Commercial and Industrial Corridors to Carson City means all portions of property within 200 feet from U.S. Highway 50 East; William Street; U.S. Highway 395 or Carson Street lying between the Carson City county lines and the designated Carson City redevelopment area boundary.

Access means a clear and unobstructed usable approach of not less than 12 foot width (residential), 15 foot width (one way commercial), or 24 foot minimum width (two way) to a legally dedicated public way.

SECTION III:

That no other provisions of Title 18 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on October 18, 2007.

PROPOSED BY Supervisor Shelly Aldean

PASSED _____, 2007.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

MARV TEIXEIRA, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the _____ day of the month of _____ of the year 2007.