

CARSON CITY PLANNING COMMISSION

Minutes of the August 31, 2011 Meeting

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A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, August 31, 2011 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Mark Kimbrough
Vice Chairperson Craig Mullet
Commissioner Mark Sattler
Commissioner James Shirk
Commissioner William Vance
Commissioner George Wendell

STAFF: Lee Plemel, Planning Division Director
Jennifer Pruitt, Principal Planner
Jeff Sharp, City Engineer
Moreen Scully, Senior Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

A. CALL TO ORDER, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE (4:59:12) - Chairperson Kimbrough called the meeting to order at 4:59 p.m. Roll was called; a quorum was present. Commissioner Dhami was absent. Commissioner Wendell led the pledge of allegiance.

B. PUBLIC COMMENTS (5:00:00) - Chairperson Kimbrough entertained public comment; however, none was forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES - July 27, 2011 (5:00:55) - Commissioner Sattler moved to approve the minutes. Vice Chairperson Mullet seconded the motion. Motion carried 6-0.

D. MODIFICATION OF AGENDA - None.

E. STAFF PUBLIC SERVICE ANNOUNCEMENTS (5:01:23) - Mr. Plemel introduced Ms. Scully, and advised that she had been recently assigned to the Planning Commission.

F. DISCLOSURES (5:01:59) - None.

G. CONSENT AGENDA (5:02:03) - None.

H. PUBLIC HEARING MATTERS:

H-1. ZCA-11-051 DISCUSSION AND POSSIBLE ACTION TO DIRECT STAFF REGARDING AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, TO ALLOW ADVERTISING ON BUS STOP SHELTERS (5:03:11) - Chairperson Kimbrough introduced this item, and Mr. Plemel provided an overview of the same. He introduced Transit Coordinator Ken Smithson and Transportation Manager Patrick Pittenger, both of whom were present in the meeting room.

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Mr. Plemel provided background information on this item, and reviewed the agenda materials in conjunction with displayed slides.

Commissioner Sattler expressed concerns with regard to the signs being attractive to graffiti artists and distracting to drivers. Mr. Smithson discussed the Public Works Department's aggressive anti-graffiti program. He acknowledged the signs would likely be tempting to graffiti artists, and committed to keeping them clean and free of graffiti. He advised that the advertising signs are "rather small in comparison to other signs, only 4 x 6. So very limited as to what you can do with them in the first place and if you've traveled in other metropolitan areas where they have shelter advertising, oftentimes the theaters will sign on for those ... so they change them regularly." Mr. Smithson acknowledged that the signs will be seen from the street, "but primarily it's pedestrian oriented too. People walking down the street will easily see them." Mr. Plemel advised that signage will generally not be installed in areas where they are not visible. "So if they're kind of on Carson Street where cars are driving by, it's less likely that somebody's going to stand there and tag it than ones that are in areas where you generally don't want to have ... advertising anyway."

In response to a question, Mr. Smithson advised there are currently 15 bus shelters in Carson City. "We'd like to get about five more every year and put them in strategic places where there are large numbers of people that ... wait for the bus." Mr. Smithson discussed available funding sources and advised of a "demand that shows there's a need for a comfortable place for people to wait for the bus." In response to a further question, he advised that the bus advertising program started in March. "All the spaces are filled. There are more vendors lining up to try to advertise on the buses so we're starting to make income now and ... for the five buses that we're currently using, it's about \$1,100 a month." Mr. Smithson responded to additional questions regarding anticipated revenue from bus shelter advertising. He advised that the Nevada Appeal is managing the advertising program, and responded to corresponding questions of clarification.

In response to a further question, he advised there are currently 170 bus stops in Carson City. "There's not a need for a bus shelter at every bus stop. We have them located in convenient places but oftentimes they're not used as much as other areas. We tend to identify areas where large numbers of people on high traffic streets tend to wait for the bus. And we do that by surveying our riders and seeing where they're getting on and off." In response to a comment, Mr. Smithson explained, "We like to keep these on highly visible streets where buses are normally recognized. A shelter actually becomes a very recognizable presence for transit in a community." Mr. Smithson responded to additional concerns relative to graffiti and rider safety. He advised there have been no crimes committed in or around bus shelters in Carson City, and that none are anticipated. "These, again, are in very visible locations. They are see-through even though they are enclosed. It's perforated metal so you can look right through them. And our intention, at least initially, is to limit it to one panel. That one that is demonstrated in the diagram is about 4-foot by 6-foot ..." Mr. Smithson responded to additional questions regarding graffiti mitigation, the non-profit organization rate reduction, and advertising policies. Discussion followed regarding concerns relative to the First Amendment. Chairperson Kimbrough encouraged staff to explore every possibility, relative to developing the ordinance, to generate as much revenue as possible. Additional discussion took place regarding the possibility of revising the bus shelter design to accommodate the advertising panels and, at the same time, ensure rider safety and security. Mr. Smithson acknowledged having introduced the idea and the commissioners commended him. Mr. Smithson advised that the Regional Transportation Commission has been very supportive of advertising and utilizing transit resources to accomplish the same.

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Chairperson Kimbrough entertained additional commissioner questions or comments and, when none were forthcoming, public comments. None were forthcoming. Mr. Plemel advised that staff will consider all the comments on the record in developing a draft ordinance. Consensus of the commission was that no formal action was necessary.

H-2. ZCA-11-049 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND, CHAPTER 17.06, FINAL MAPS, SECTION 17.06.015, TIME LIMIT FOR RECORDING, AND CHAPTER 17.09, PLANNED UNIT DEVELOPMENT, SECTION 17.09.055, TIME LIMITS FOR FILING APPLICATION FOR FINAL APPROVAL, TO MODIFY THE TIME LIMITS FOR RECORDING A FINAL MAP IN ACCORDANCE WITH NRS (5:31:44) - Chairperson Kimbrough introduced this item. Ms. Pruitt provided background information and reviewed the agenda materials. Ms. Pruitt and Mr. Plemel responded to questions of clarification relative to the Code update corresponding with the State statute, and discussion followed.

Chairperson Kimbrough entertained public comment and, when none was forthcoming, a motion. **Commissioner Wendell moved to recommend to the Board of Supervisors approval of ZCA-11-049, a zoning code amendment, amending the Carson City Municipal Code, Title 17, Division of Land, Subdivision of Land, Chapter 17.06, Final Maps, Section 17.06.015, Time Limit for Recording, and Chapter 17.09, Planned Unit Development, Section 17.09.055, Time Limits for Filing Application for Final Approval, to eliminate the sunset clause adopted in 2009, based on the findings contained in the staff report. Commissioner Vance seconded the motion. Motion carried 6-0.**

H-3. ZCA-11-050 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 7, HILLSIDE DEVELOPMENT, SECTION 7.6.7, FIRE PROTECTION, TO DELETE REFERENCES TO THE PAMPHLET ENTITLED, "WILDFIRE PROTECTION FOR HOMEOWNERS AND DEVELOPERS" AND REPLACE IT WITH GUIDELINES IN COMPLIANCE WITH THE FIRE DEPARTMENT (5:42:05) - Chairperson Kimbrough introduced this item, and Mr. Plemel reviewed the agenda materials. Commissioner Vance noted a clerical correction to the draft ordinance included in the agenda materials, and a brief discussion took place with regard to the same.

Chairperson Kimbrough entertained public comment and, when none was forthcoming, a motion. **Commissioner Sattler moved to recommend to the Board of Supervisors approval of ZCA-11-050, an ordinance amending the Carson City Municipal Code, Title 18, Zoning, Chapter 18.16, Development Standards, Section 7, Hillside Development, Section 7.6, Fire Protection, to direct prospective developers of properties in the hillside areas to the Carson City Fire Department to secure the most current information regarding prevention of wildfires in hillside areas, based on the findings contained in the staff report. Commissioner Wendell seconded the motion. Motion carried 6-0.**

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I. STAFF REPORTS

I-1. DIRECTOR'S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (5:48:40) - Mr. Plemel reviewed the tentative agenda for the September commission meeting. Chairperson Kimbrough advised of an Open Meeting Law class being offered by the Attorney General's Office, on Thursday, November 3rd. Ms. Scully offered to forward Deputy Attorney General George Taylor's report to Planning Division staff.

Mr. Plemel reported that the two four-plex development project proposed for the corner of Minnesota and Ann Streets was appealed to the Board of Supervisors by Alexander Kirsch. The appeal will be agendized for the September 15th Board of Supervisors meeting. Mr. Plemel further reported that the Schulz Ranch development agreement will be agendized for second reading by the Board of Supervisors at their September 15th meeting.

I-2. COMMISSIONER REPORTS / COMMENTS (5:56:55) - In response to a question, Mr. Plemel advised that the wind turbine development proposed for the Virginia Foothills is still in the environmental assessment process.

J. PUBLIC COMMENTS (5:57:28) - Chairperson Kimbrough entertained public comment; however, none was forthcoming.

K. ACTION TO ADJOURN (5:57:58) - Commissioner Vance moved to adjourn the meeting at 5:57 p.m. Commissioner Sattler seconded the motion. Motion carried 6-0.

The Minutes of the August 31, 2011 Carson City Planning Commission meeting are so approved this 28th day of September, 2011.

MARK KIMBROUGH, Chair