

**City of Carson City
Agenda Report**

Date Submitted: December 11, 2012

Agenda Date Requested: December 20, 2012

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Public Works - Planning Division

Subject Title: For Possible Action: To introduce, on first reading, Bill No. _____, an ordinance to change the zoning of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APN's 007-031-06, -15, 007-061-03, and 007-601-03, from Public Community to Conservation Reserve. (ZMA-12-117) (Lee Plemel)

Summary: This application is a result of the transfer of lands from Carson City to the U.S. Forest Service completed on September 30, 2011, and will result in Master Plan land use designations and zoning that is consistent with land owned by the U. S. Forest Service.

Type of Action Requested

Resolution

Ordinance-First Reading

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: () Yes (X) No

Planning Commission Action: Recommended approval on November 28, 2012 with a vote of 7 ayes and 0 nays.

Recommended Board Action: I move to introduce, on first reading, Bill No. _____, an ordinance to change the zoning of APN's 007-031-06, -15, 007-061-03, and 007-601-03, approximately 2,265 acres of property located in the rural Ash Canyon vicinity, from Public Community to Conservation Reserve, based on the findings contained in the staff report.

Explanation for Recommended Board Action: The Board of Supervisors, pursuant to the Carson City Municipal Code, is required to take final action on all zoning map amendments. This is the first of two readings to amend the Title 18 City Zoning Map by ordinance. See the complete staff report to the Planning Commission for more information.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.075 (Zoning Map Amendments).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives:


- 1) Approve the Zoning Map Amendment
- 2) Deny the Zoning Map Amendment.
- 3) Refer the matter back to Planning Commission for further review.

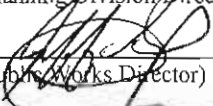
Supporting Material:

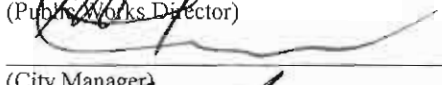
- 1) Ordinance
- 2) Planning Commission Case Record
- 3) Staff Report and Planning Commission packet


Prepared By: Janice Brod, Grants Program Coordinator

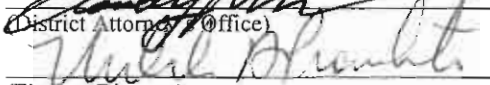
Reviewed By:



(Planning Division Director)


(Public Works Director)


(City Manager)


(District Attorney's Office)


(Finance Director)

Date: 12-11-12
Date: 12/11/12
Date: 12/11/12
Date: 12/11/12
Date: 12/11/12

Board Action Taken:

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

(Vote Recorded By)

BILL NO. _____

ORDINANCE NO. 2013- _____

AN ORDINANCE TO CHANGE THE ZONING OF APPROXIMATELY 2,265 ACRES OF PROPERTY LOCATED IN THE RURAL ASH CANYON VICINITY, APNS 007-031-06, -15, 007-061-03, AND 007-601-03, FROM PUBLIC COMMUNITY (PC) TO CONSERVATION RESERVE (CR).

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS DO ORDAIN:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Numbers 007-031-06, -15, 007-061-03, AND 007-601-03, properties owned by Carson City located in the Ash Canyon vicinity, was duly submitted by the Carson City Planning Division in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The request will result in the zoning designation to change the zoning of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APNs 007-031-06, -15, 007-061-03, and 007-601-03, from Public Community (PC) to Conservation Reserve (CR). After proper noticing pursuant to NRS 278 and CCMC Title 18, on November 28, 2012, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted 7 ayes, 0 nays to recommend to the Board of Supervisors approval of the Zoning Map Amendment.

SECTION II:

Based on the findings that the Zoning Map Amendment would be in substantial compliance with the goals, policies and action programs of the Master Plan, that the

amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity, that the Amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare, and that the request satisfied all other requirements for findings of fact enumerated in CCMC Section 18.02.075(5), the zoning map of Carson City is amended, changing the zoning designation to change the zoning of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APNs 007-031-06, -15, 007-061-03, and 007-601-03, from Public Community (PC) to Conservation Reserve (CR) as shown on "Exhibit A" attached.

PROPOSED this 17th day of January, 2013.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2013.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

ROBERT L. CROWELL, Mayor

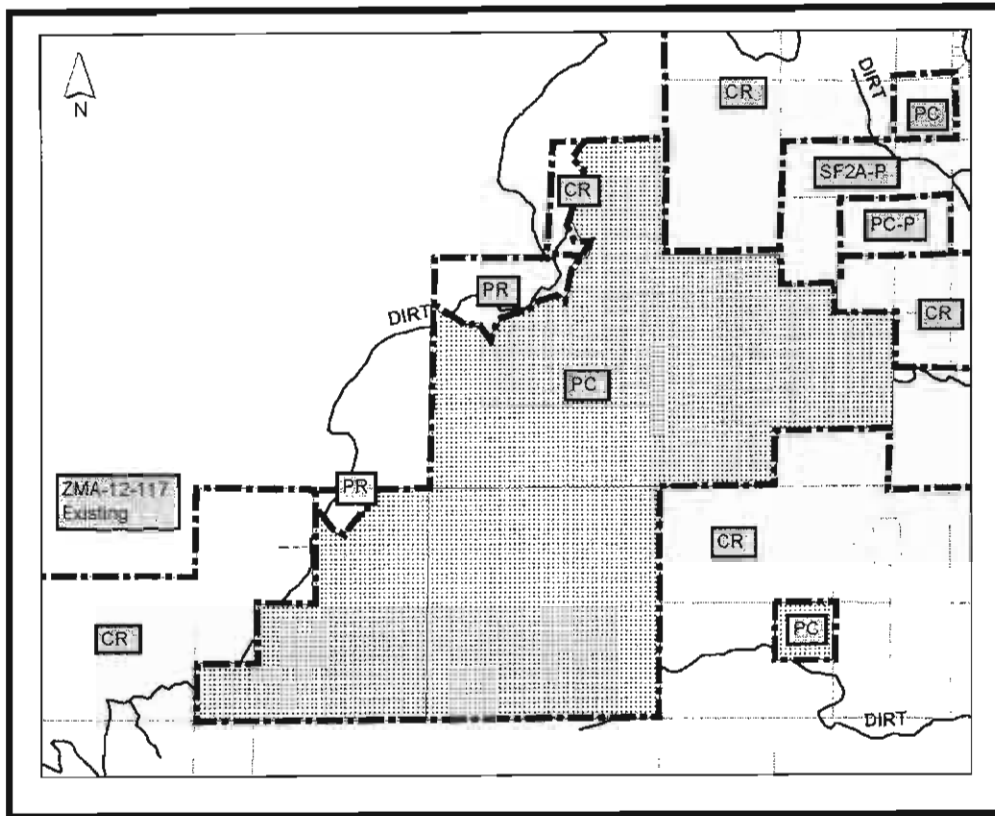
ATTEST:

ALAN GLOVER, Clerk-Recorder

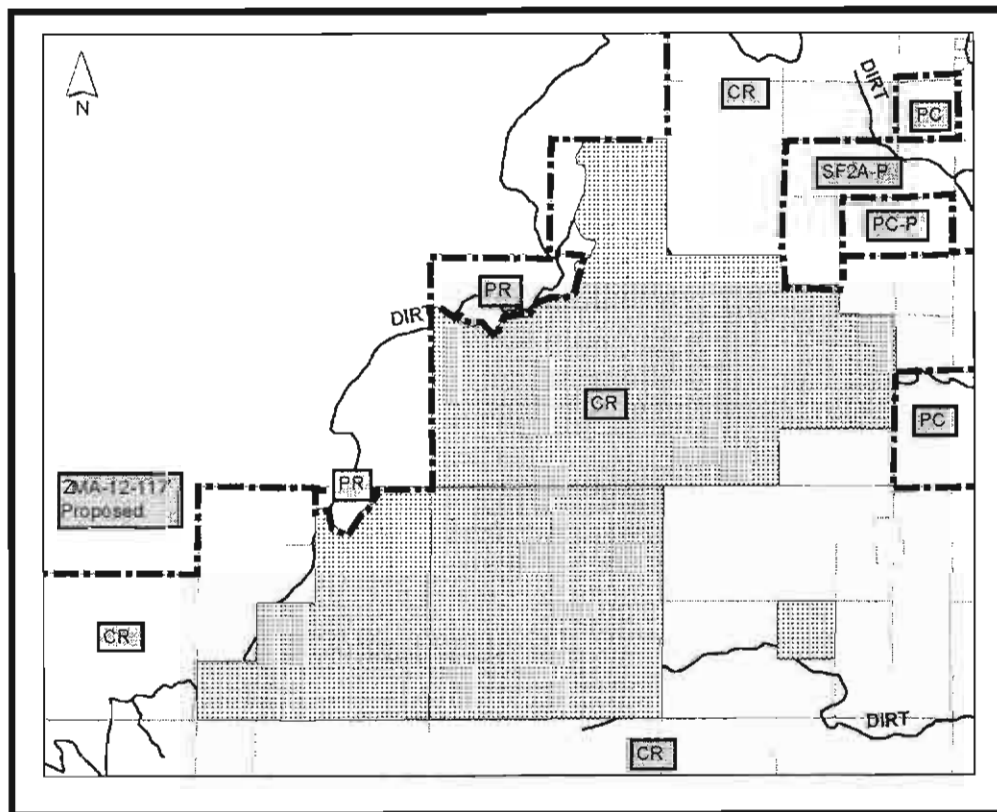
This ordinance shall be in force and effect from and after the ____ of _____, 2013.

Exhibit "A"

EXISTING ZONING MAP



PROPOSED ZONING MAP



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: November 28, 2012

AGENDA ITEM NO.: G-7(B)

APPLICANT(s) NAME: Carson City
PROPERTY OWNER(s): United States Forest Service

FILE NO. ZMA-12-117

ASSESSOR PARCEL NO(s): 007-031-06, -15, 007-061-03, and 007-601-03
ADDRESS: rural Ash Canyon vicinity

APPLICANT'S REQUEST: For Possible Action: To make a recommendation to the Board of Supervisors regarding a Zoning Map Amendment application to change the zoning of approximately 2,265 acres of property from Public Community (PC) to Conservation Reserve (CR).

COMMISSIONERS PRESENT: KIMBROUGH ESSWEIN SATTLER
 DHAMI SHIRK VANCE WENDELL

STAFF REPORT PRESENTED BY: Jennifer Pruitt REPORT ATTACHED
STAFF RECOMMENDATION: APPROVAL
APPLICANT REPRESENTED BY: Jennifer Pruitt

APPLICANT/AGENT WAS
PRESENT AND SPOKE

APPLICANT/AGENT INDICATED THAT HE/SHE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF.

No persons spoke in favor or in opposition of the proposal.

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

N/A

MOTION WAS MADE TO APPROVE WITH THE FINDINGS AS ENUMERATED ON THE STAFF REPORT

MOVED: Wendell **SECOND:** Sattler **PASSED:** 7/AYE 0/NO /ABSTAIN /ABSENT

SCHEDULED FOR THE BOARD OF SUPERVISORS **DATE:** December 20, 2012

STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 28, 2012

FILE: ZMA-12-117

AGENDA ITEM: G-7(B)

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

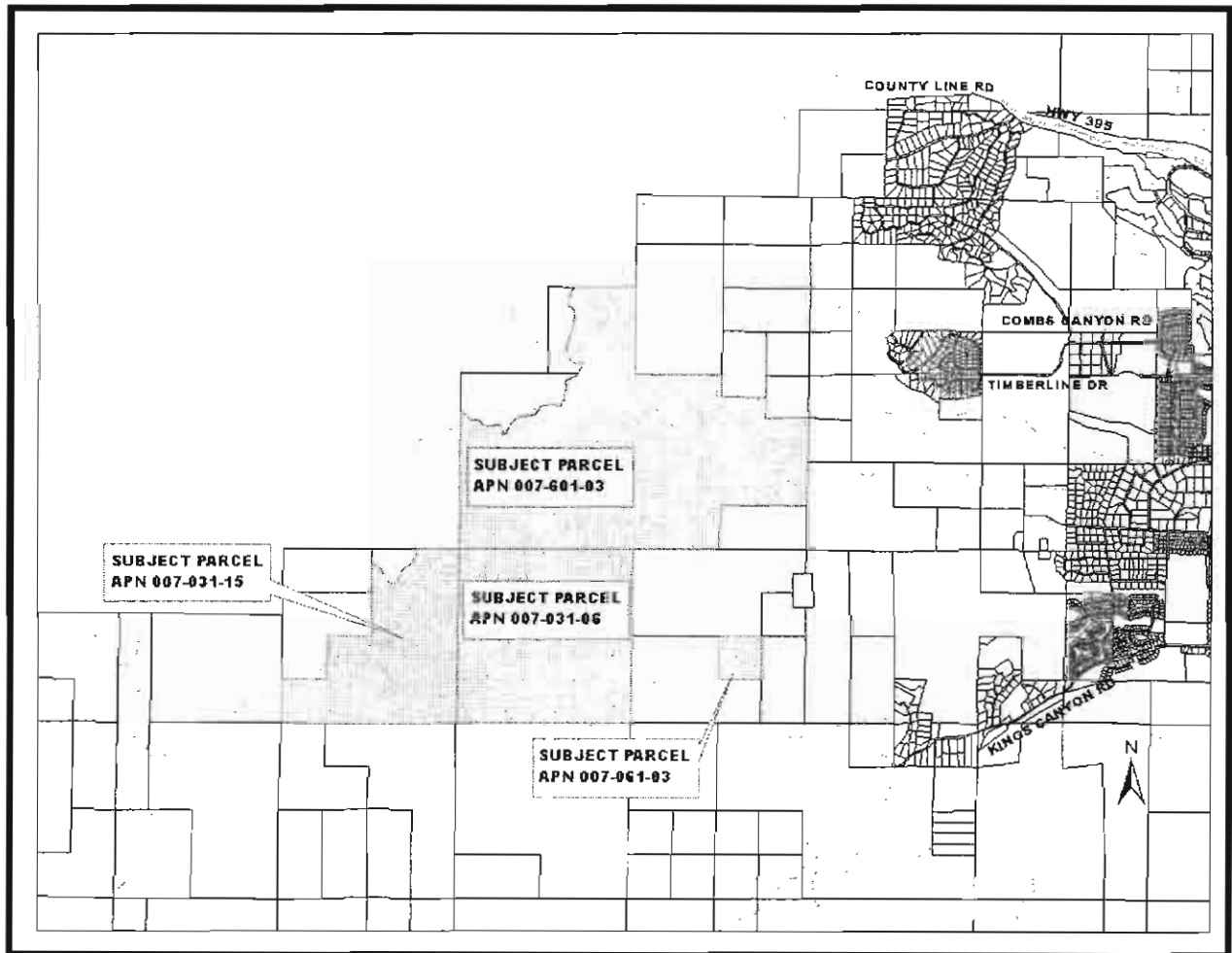
REQUEST: A Zoning Map Amendment from Carson City (property owner: United States Forest Service) to change the zoning of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APNs 007-031-06, -15, 007-061-03, and 007-601-03, from Public Community (PC) to Conservation Reserve (CR).

APPLICANT: Carson City Planning Division

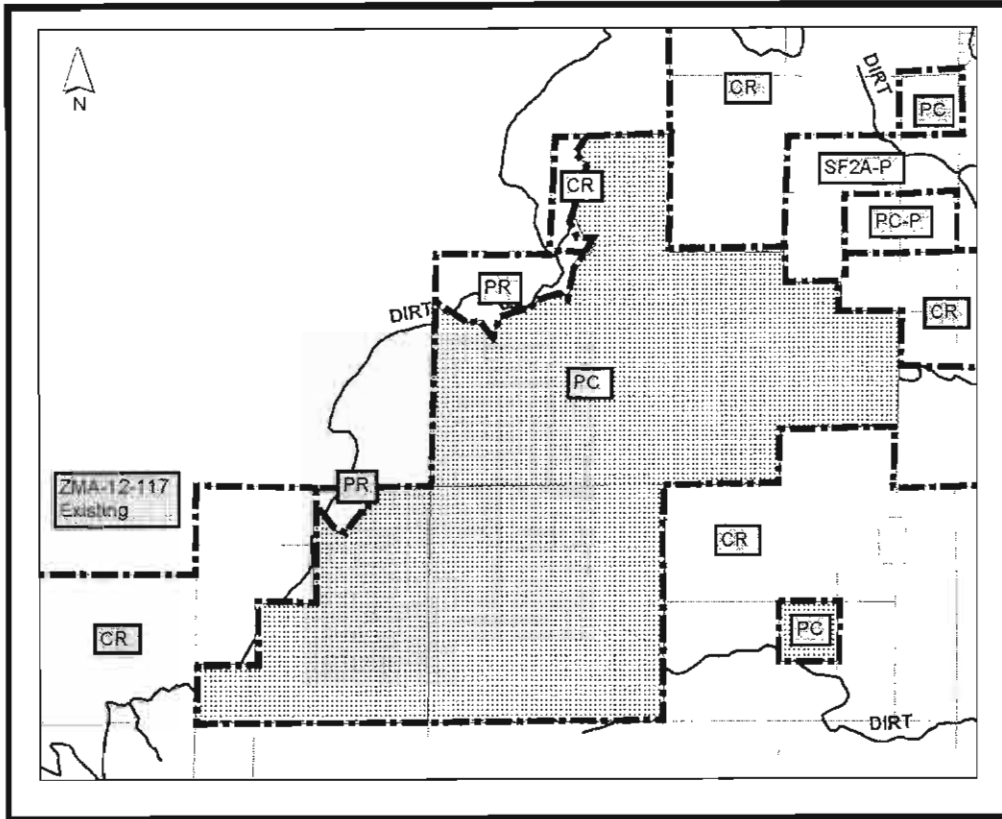
OWNER: Carson City

LOCATION: In the rural Ash Canyon vicinity. (see map below)

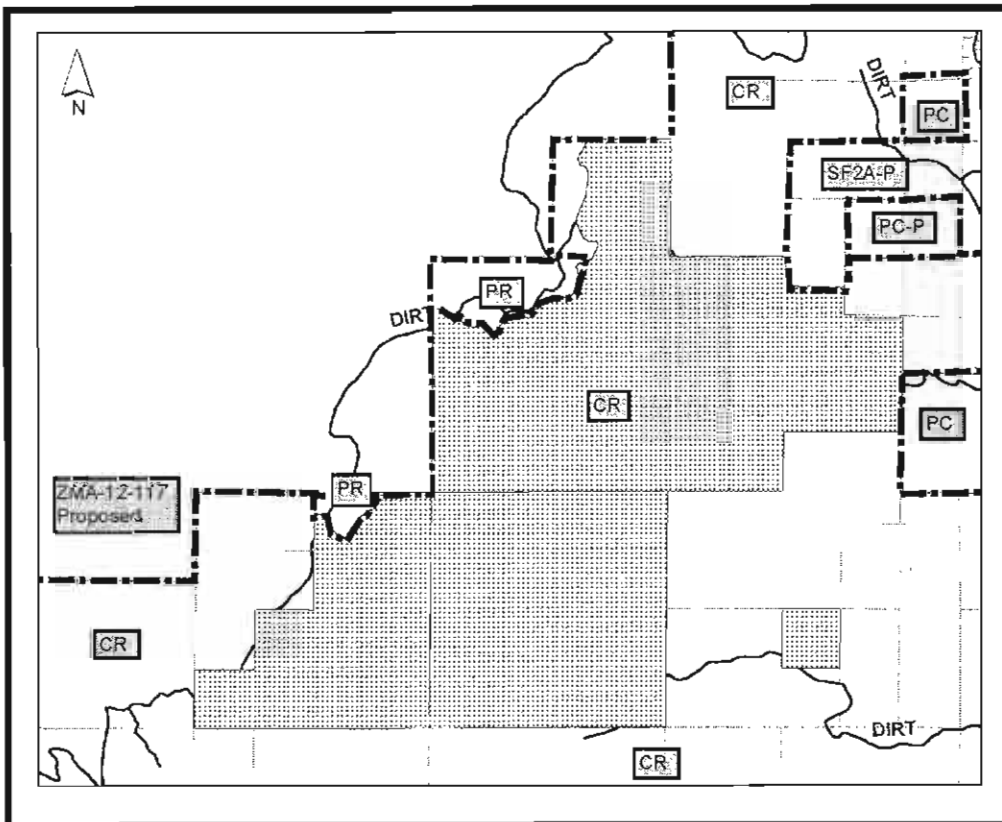
RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZMA-12-117, a Zoning Map Amendment to change the zoning of approximately 2,265 acres of property located in the rural Ash Canyon vicinity, APNs 007-031-06, -15, 007-061-03, and 007-601-03, from Public Community (PC) to Conservation Reserve (CR), based on the findings contained in the staff report."



EXISTING ZONING



PROPOSED ZONING



LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.075 (Zoning Map Amendments and Zoning Code Amendments).

DISCUSSION:

The purpose of this application and the additional Master Plan applications and Zoning Map applications is to amend the zoning and master plan of several parcels of land owned by the U.S. Forest Service acquired from Carson City to be properly reflected as such on the Land Use map and the Zoning Map of Carson City.

The subject properties are currently owned by U. S. Forest Service. The current and proposed Zoning Maps are also attached to this staff report with the draft ordinance.

These applications are a result of the transfer of lands from Carson City to the U. S. Forest Service completed on September 30, 2011, and will result in Master Plan land use designations and zoning that is consistent with the actual ownership and intended long-term use of the subject properties for open space.

In 2008, Senators Harry Reid and John Ensign introduced legislation providing for the transfer and sale of more than 6,700 acres of federal property in and around Carson City. This Federal Lands Bill is also called the "Carson City Vital Community Act of 2008," and is the result of years of local, federal, and public collaboration. The bill called for Carson City to assume ownership and management of approximately 6,200 acres of U.S. Forest Service (USFS) and Bureau of Land Management (BLM) lands for permanent open space, parks, and other public uses. Approximately 1,000 acres came from the USFS.

The purpose of Conservation Reserve zoning district is to identify the outlying lands that may be developed in the future when water supply, roads, schools, sewer and other public facilities and services are provided for potential development and lands with environmental constraints. The proposed zoning is consistent with the 10,000+ acres of U. S. Forest Service property in Carson City.

This Zoning Map Amendment is being processed concurrently with a proposed Master Plan Amendment. Further detailed discussion regarding the Master Plan Amendment is included in the staff report for MPA-12-116.

PUBLIC COMMENTS: Public notices were mailed to 33 adjacent property owners within 3,500 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of November 16, 2012, no written comments have been received either in support or opposition of this application. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

Engineering Division: No concerns with the request.

Building Division: No comments.

Fire Department: No comments.

FINDINGS: Staff recommends the following findings for approval of the Zoning Map Amendment pursuant to the Carson City Municipal Code Section 18.02.075, Zoning Map Amendments.

1. *The proposed amendment is in substantial compliance with the goals, policies and action programs of the Master Plan.*

Rationale: *The proposed amendment will be in substantial compliance with the following goals and policies of the Master Plan:*

Goal 1.3 – Promote the preservation of State and Federal lands as a community amenity.

Policy 1.3a – State and Federal Land Disposal – Continue to coordinate with the BLM to ensure that its Urban Interface Plan is consistent with the Land Use Plan.

Policy 1.3b – State and Federal Land Transfers – Monitor lands slated for potential disposal and identify opportunities for the transfer of such lands to City ownership, where lands are needed for public facilities, parks, trail access or similar functions, through the Federal Lands Bill and other programs, particularly within the urbanized area of the City.

Goal 4.3 – Expand the City's Open Space Network.

Policy 4.3a – Open Space Master Plan- Continue to review future development proposals for consistency with the City's Open Space Master Plan and continue to coordinate with the Open Space Advisory Committee and the Carson River Advisory Committee on Master Plan issues.

Policy 4.3b– Open Space Network- Continue to pursue opportunities to expand or enhance the community's open space network using a range of available tools (as specified in the Open Space Master Plan) to help implement the objectives of this Master Plan.

Rationale: *The proposed amendment will provide for consistency of the lands owned by the U. S. Forest Service. Consistently in Carson City parcels owned by U. S. Forest Service are zoned Conservation Reserve.*

2. *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.*

Rationale: *The proposed Conservation Reserve zoning designation is consistent with the existing uses that serve primarily all portions of Carson City. It is anticipated that the proposed zoning will not have a detrimental impact on the properties in the vicinity. As noted previously, this is a result of the Carson City Vital Community Act of 2008.*

3. ***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.***

Rationale: *The proposed amendment provides consistency purposes with the Carson City Land Use Map. The proposed amendment will not adversely impact the public health, safety and welfare.*

4. ***That sufficient consideration has been exercised by the applicant in adapting the project to existing improvements in the area.***

Rationale: *The proposed amendment is not associated with a specific project. The subject properties were acquired by USFS as a result of the Carson City Vital Community Act of 2008. The lands were transferred from Carson City to the U.S. Forest Service in 2011.*

Respectfully submitted,
PUBLIC WORKS, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

Attachments

- 1) Draft ZMA Ordinance with Maps
- 2) Code Section 18.04.165 (CR)

Chapter 18.04 Use Districts

Ranch and Farm Hand Living Quarters/Bunkhouses including Seasonal Housing.
Recreational Vehicle Park
Utility Substation

18.04.165 Conservation Reserve (CR). The purpose of the CR District is to identify the outlying lands that may be developed in the future when water supply, roads, schools, sewer and other public facilities and services are provided for potential development and lands with environmental constraints.

1. The Primary Permitted Uses in the CR District are:

Accessory Farm Structure
Agricultural Use
Animals and Fowl
Fire Protection Facility
Flood Control Facility
Park
Residential (limited to one dwelling per 20 acres or larger)
Water Storage Facility

2. The Accessory Permitted Uses incidental to Primary Permitted and Conditional Uses in the CR District are:

Accessory Structure
Domestic and Agricultural Well
Guest Building
Watchman's Quarters

3. The Conditional Uses in the CR District which require approval of a Special Use Permit are:

Agricultural Services
Animal Boarding Facility
Cemetery
Child Care Facility
Church
Extraction Operation
Fraternal Association
Municipal Well Facility
Oil, Gas or Geothermal Drilling Operation
Outdoor Recreational Facility (public or private)
Recreational Vehicle Park
Utility Substation

18.04.170 Public (P). The purposes of the P District is to achieve the following:

1. To accommodate the wide range of public institutional and auxiliary uses which are established in response to the health, safety, cultural and welfare needs of the citizens of the City.



Planning Commission 11-28-12

The Fire Department has no comments or concerns on the following Planning Commission Applications:

- SUP-12-102
- ZMA-12-109
- MPA-12-108
- ZMA-12-111
- MPA-12-110
- ZMA-12-113
- MPA-12-112
- ZMA-12-115
- MPA-12-114
- ZMA-12-117
- MPA-12-116
- ZMA-12-119
- MPA-12-118

Stacey Giomi
Fire Chief/Emergency Management Director
Carson City Fire Department
777 S. Stewart St.
Carson City, NV 89701

PHONE: (775) 283-7150
FAX: (775) 887-2209
E-MAIL: sgiom@carson.org

File # (Ex: MPR #07-111)	<i>SUP -12-102 AND ALL THE REST</i>
Brief Description	
Project Address or APN	
Bldg Div Plans Examiner	<i>Kevin Gattis</i>
Review Date	<i>November 28, 2012</i>
Total Spent on Review	

BUILDING DIVISION COMMENTS:

1. No comments