

**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 approve a Master Plan Amendment application to change the land use designation of a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APN's 007-091-03, -11, -16, -22, 78, and -79, from Public Conservation to Open Space. (MPA-12-110) (Lee Plemel)

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

Type of Action Requested:

- Resolution
 Formal Action/Motion

- Ordinance
 Other (Specify)

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

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

Recommended Board Action: I move to approve a Master Plan Amendment application to change the land use designation of a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APN's 007-091-03, -11, -16, -22, 78, and -79, from Public Conservation to Open Space, based on the findings contained in the staff report.

Explanation for Recommended Board Action: The Board of Supervisors is required to take final action on all Master Plan Amendments. See the attached staff report to the Planning Commission for further information.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.070 (Master Plan).

Fiscal Impact: N/A

Explanation of Impact: N/A

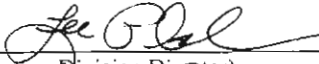
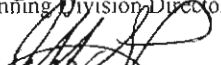
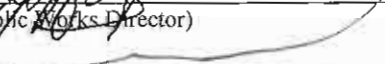

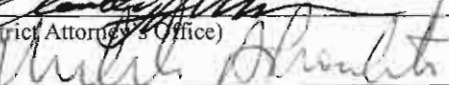
Funding Source: N/A

- Alternatives:** 1) Deny the application, or
2) Refer the matter back to Planning Commission for further review.

Supporting Material:

- 1) Resolution 2012-PC-3
- 2) Case Record
- 3) Staff report

Prepared By: Janice Brod, Grants Program Coordinator

Reviewed By: <u></u>	Date: <u>12-11-12</u>
(Planning Division Director)	
<u></u>	Date: <u>12/11/12</u>
(Public Works Director)	
<u></u>	Date: <u>12/4/12</u>
(City Manager)	
<u></u>	Date: <u>12/11/12</u>
(District Attorney's Office)	
<u></u>	Date: <u>12/11/12</u>
(Finance Director)	

Board Action Taken:

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

(Vote Recorded By)

RESOLUTION 2012-PC-3

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-12-110, A MASTER PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF A TOTAL OF APPROXIMATELY 440 ACRES OF PROPERTY LOCATED IN THE VICINITY WEST OF AND BETWEEN THE LAKEVIEW AND TIMBERLINE AREAS, APNS 007-091-03, -11, -16, -22, -78, AND -79, FROM PUBLIC CONSERVATION (PC) TO OPEN SPACE (OS).

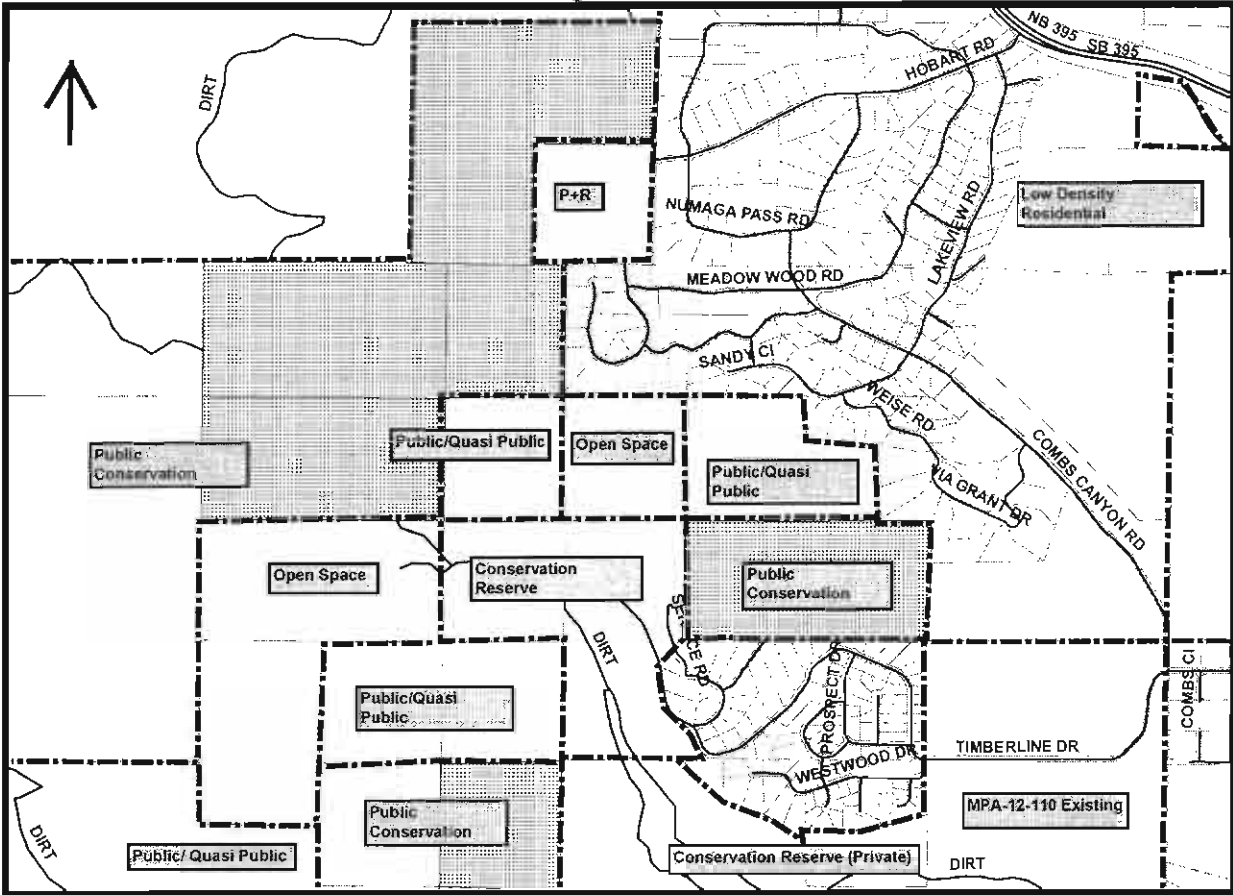
WHEREAS, NRS 278.210 requires that any adoption of a master plan amendment shall be by resolution of the Planning Commission; and

WHEREAS, the Planning Commission has given proper notice of the proposed amendment in accordance with the provisions of NRS and CCMC 18.02.070, and is in conformance with City and State legal requirements; and

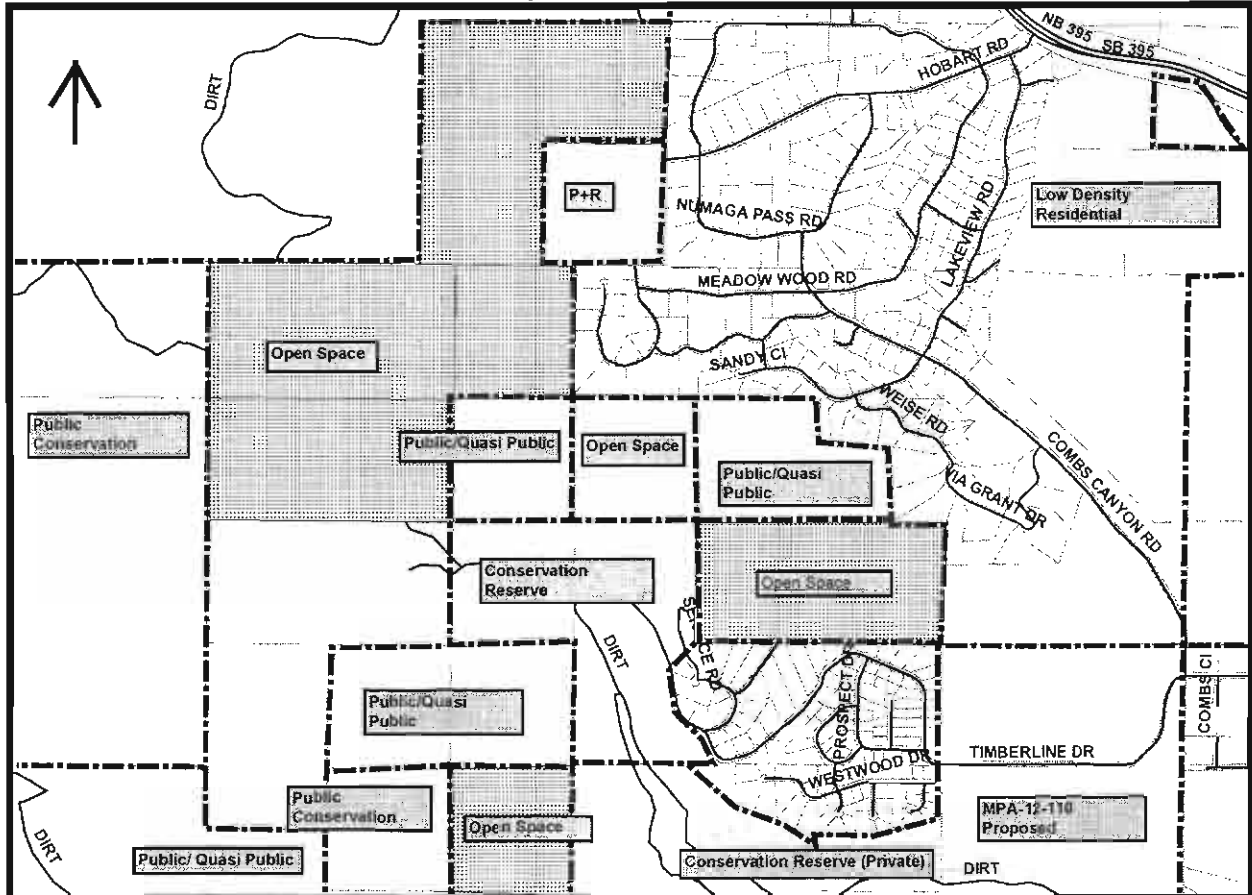
WHEREAS, on November 28, 2012, the Planning Commission obtained public testimony and duly considered recommendations and findings for the proposed master plan amendment and approved Master Plan Amendment MPA-12-110 by an affirmative vote of a two-thirds majority of the Commission, at least five members of the seven-member Commission, pursuant to NRS 278.210, based on four findings of fact; and

WHEREAS, Carson City has acquired these properties as a result of the Carson City Vital Community Act of 2008. The lands were transferred from the U.S. Forest Service to Carson City in 2011.

NOW, THEREFORE, the Carson City Planning Commission hereby recommends to the Board of Supervisors approval of the Master Plan Amendment to change the Land Use Map designation for specific properties owned by Carson City in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03 (120 acres), 007-091-11 (40 acres), 007-091-16 (80 acres), 007-091-22 (40 acres), 007-091-78 (80 acres) and 007-091-79 (80 acres) from Public Conservation to Open Space, as illustrated attached Exhibit A.



Proposed Master Plan



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: November 28, 2012

AGENDA ITEM NO.: G-4(A)

APPLICANT(s) NAME: Carson City
PROPERTY OWNER(s): Carson City

FILE NO. MPA-12-110

ASSESSOR PARCEL NO(s): 007-091-03, -11, -16, -22, 78, and -79
ADDRESS: in the vicinity west of and between the Lakeview and Timberline areas

APPLICANT'S REQUEST: For Possible Action: To adopt a Resolution making a recommendation to the Board of Supervisors regarding a Master Plan Amendment to change the Land Use designation of a total of approximately 440 acres of property from Public Conservation (PC) to Open Space (OS).

COMMISSIONERS PRESENT: KIMBROUGH ESSWEIN SATTLER
 DHAMI SHIRK VANCE WENDELL

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

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: MPA-12-110

AGENDA ITEM: G-4(A)

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

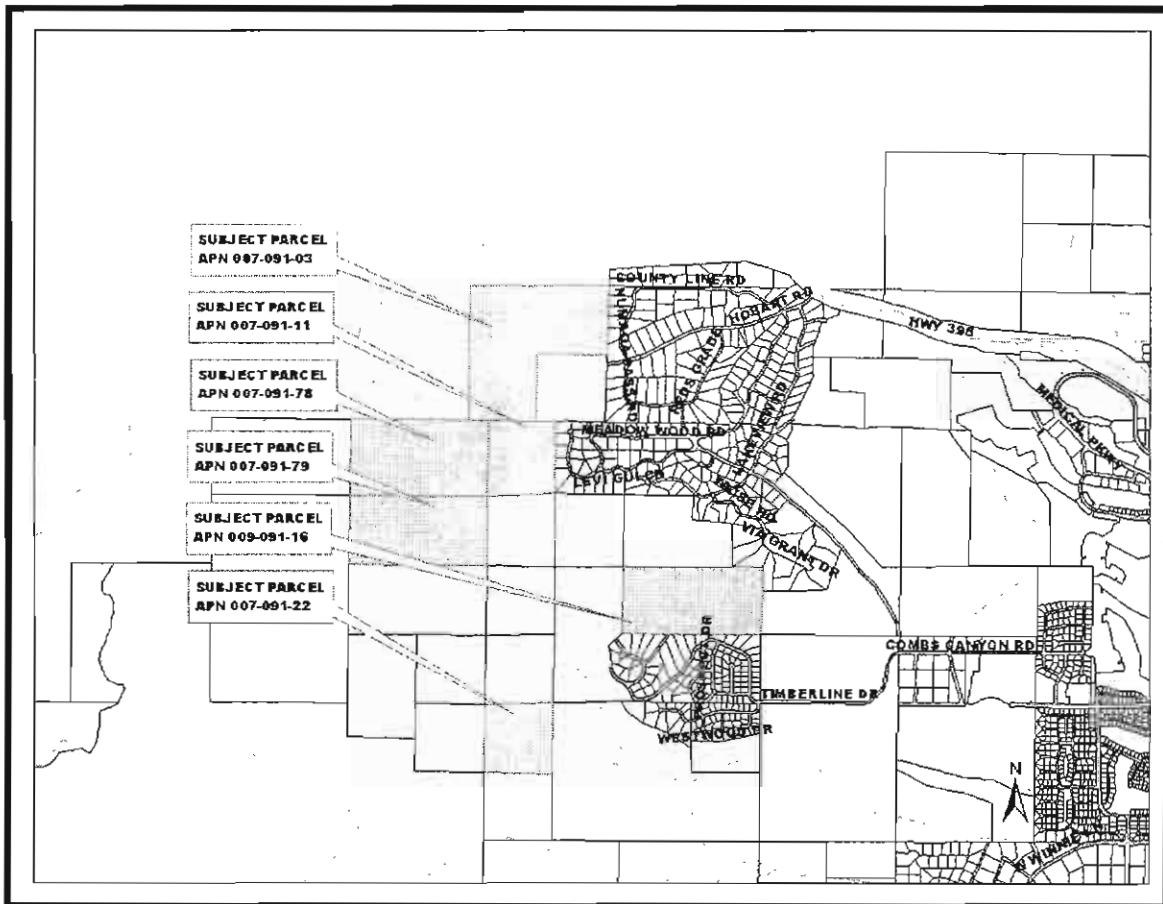
REQUEST: A Master Plan Amendment to change the Land Use Map designation for properties owned by Carson City a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03, -11, -16, -22, -78, and -79, from Public Conservation (PC) to Open Space (OS).

APPLICANT: Carson City Planning Division

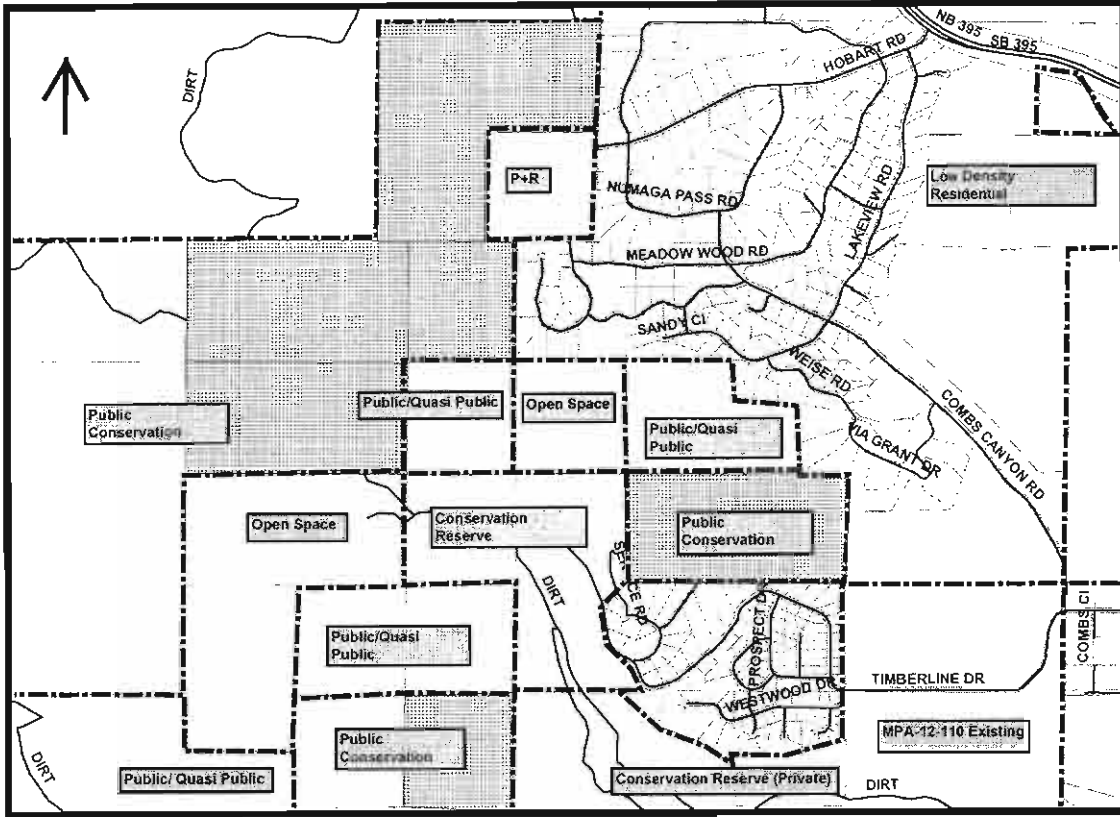
OWNER: Carson City

LOCATION: In the vicinity west of and between the Lakeview and Timberline areas (see map below)

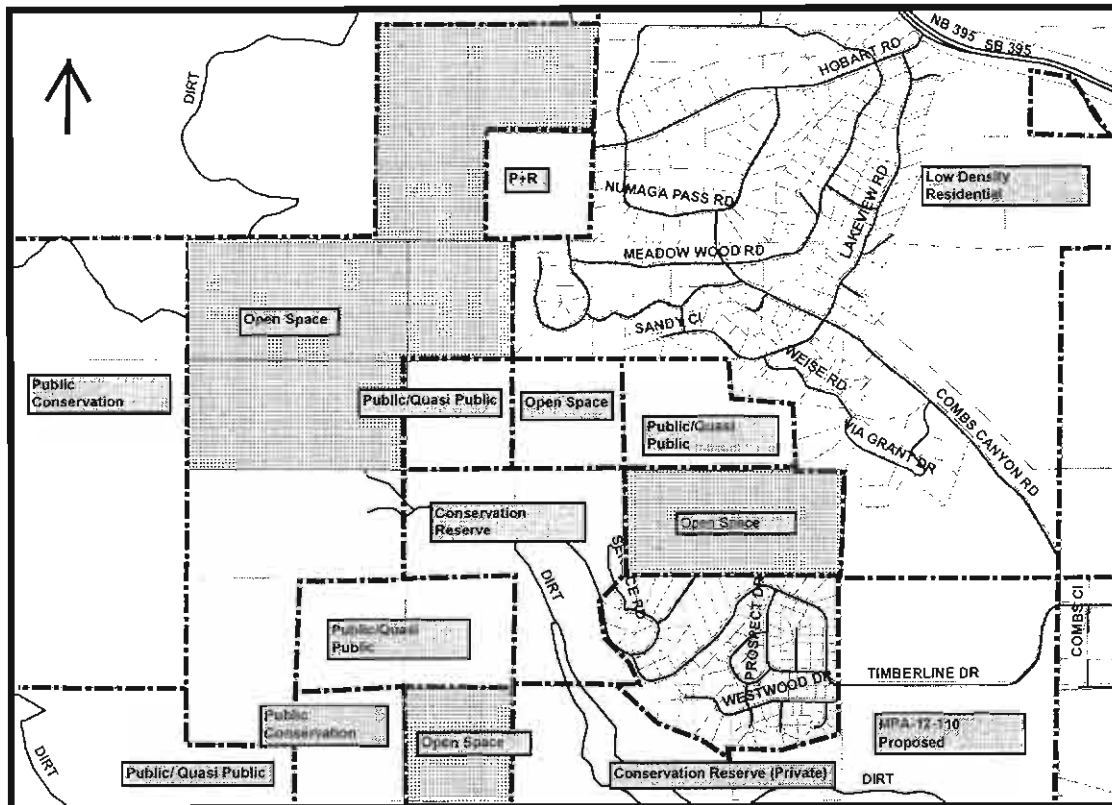
RECOMMENDED MOTION: "I move to adopt Resolution 2012-PC-3 recommending to the Board of Supervisors approval of MPA-12-110, a Master Plan Amendment to change the Land Use designation of a total of approximately 440 acres of property located in the vicinity west of and between the Lakeview and Timberline areas, APNs 007-091-03, -11, -16, -22, -78, and -79, from Public Conservation (PC) to Open Space (OS). based on the findings contained in the staff report."



EXISTING MASTER PLAN



PROPOSED MASTER PLAN



LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.070 (Master Plan).

DISCUSSION:

The subject parcels are located in the vicinity west of and between the Lakeview and Timberline areas. The parcels range in size from 40 acres to 120 acres.

The properties are currently designated "Public Conservation" on the Master Plan Land Use Map and are proposed to be designated "Open Space" for consistency purposes.

These applications are a result of the transfer of lands from the U.S. Forest Service to Carson City completed on September 30, 2011, and will result in Master Plan land use designations and zoning that is consistent with the actual public 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 Carson City Master Plan states that the primary purpose of the Open Space areas is primarily publicly-owned and accessible lands preserved by the City, other government agencies, or as part of a private development (e.g. planned unit development) for conservation, resource protection, or recreational use.

The Planning Division is proposing to concurrently rezone the subject parcels from Conservation Reserve to Public Community. Further detailed discussion regarding the rezoning is included in the staff report for ZMA-12-111.

PUBLIC COMMENTS: Public notices were mailed to 59 adjacent property owners within 300 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of November 16, 2012, written comments have been received, see attached email from Wolf J. Gerhardt. 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 Master Plan Amendment pursuant to the Carson City Municipal Code Section 18.02.070, Master Plan.

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: *Carson City has acquired these properties as a result of the Carson City Vital Community Act of 2008. The lands were transferred from the U.S. Forest Service to Carson City in 2011.*

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 Open Space designation is consistent with the public uses that are already occurring on the properties. The use of the subject parcels is limited to open space because of their ownership by the Carson City Open Space program.*

3. The proposed amendment is in response to changed conditions that have occurred since the plan was adopted and the requested amendment represents a more desirable use of land.

Rationale: *The subject properties have been acquired by Carson City in 2011. The purpose of this application is to amend the Master Plan to properly reflect these publicly owned parcels for Open Space purposes.*

4. ***The requested amendment will promote the desired pattern of orderly physical growth and guides development based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.***

Rationale: *The proposed amendment provides areas associated with Open Space uses to be properly designated and to promote the desired pattern of orderly physical growth in other areas identified in Carson City.*

Respectfully submitted,
PUBLIC WORKS, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

Attachments
Planning Commission Resolution 2012-PC-3 with Maps