

STAFF REPORT FOR PLANNING COMMISSION MEETING OF DECEMBER 20, 2017

FILE NO: ZCA-17-208

AGENDA ITEM: E.3

STAFF AUTHOR: Hope Sullivan, Planning Manager

REQUEST: To make a recommendation to the Board of Supervisors regarding an ordinance amending Title 18 Appendix of the Carson City Municipal Code to revise certain guidelines for the design of fences located within the Historic District of Carson City; and providing other matters properly relating thereto.

APPLICANT: Carson City Planning Division

RECOMMENDED MOTION: I move to recommend to the Board of Supervisors approval of ZCA-17-208, an ordinance amending Title 18, Appendix of the Carson City Municipal Code to revise certain guidelines for the design of fences located within the Historic District of Carson City; and providing other matters properly relating thereto.”

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.075 (Zoning Map Amendments and Zoning Code Amendments); NRS 278.260.

KEY ISSUES:

Is the proposed Ordinance consistent with the Master Plan, and will it provide for land use compatibility?

DISCUSSION:

At its meeting of June 16, 2016, the Board of Supervisors considered an appeal of the Historic Resources Commission's (HRC) denial of a vinyl fence in the Historic District. In upholding the decision of the HRC, the Board suggested the HRC review the Design Guidelines to determine if there is an opportunity to clarify the design guidelines to identify discouraged materials.

After working on the appropriate language for over a year, at its meeting of November 2, 2017, the HRC voted to recommend the adoption of the proposed Ordinance. The intent of the Ordinance is to better communicate acceptable fence materials in the Historic District, as well as to provide a methodology for the consideration of alternative materials.

Per the proposed Ordinance, material which is traditionally associated with fences located within the district include wood, wrought iron, decorative woven wire and, in limited circumstances, masonry. When an alternative material is proposed, the HRC will consider if the proposed fencing is:

- a. Compatible with the massing, size, scale and existing architectural and construction materials of the property and the property site.
- b. More compatible with the property and property site than if material which is traditionally associated with fences located within the historic district is used.
- c. Consistent with the historical features of the property and the property site.
- d. Is consistent with the massing, size, scale and existing architectural and construction materials used within the historic district.

PUBLIC COMMENTS:

Public notice of this proposed Zoning Code Amendment was published in the newspaper and posted on the City's website pursuant to the provisions of NRS and CCMC. As of the writing of this staff report, no public comments were received. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

FINDINGS:

The Commission, in forwarding a recommendation to the Board for approval of a Zoning Code Amendment, shall make the findings of fact found in CCMC 18.02.075(5). The following findings are recommended by staff:

1. **That the proposed amendment is in substantial compliance with and supports the goals and policies of the Master Plan.**

The proposed amendment is in substantial compliance with the Master Plan. The Master Plan states:

"Carson City will seek to preserve and enhance its historic resources by enforcing its existing preservation regulations and ordinances and updating them as needed and by encouraging historic preservation efforts through the use of finance, building, and related incentives for the restoration and rehabilitation of historic structures and facilities."

10.1b – Consistency with Standards and Guidelines

Ensure that the rehabilitation and renovation of historic structures occurs according to the City's adopted Historic District and Downtown Business District Guidelines. Continue to review rehabilitation and renovation proposals for compliance with adopted guidelines.

The proposed Ordinance codifies what has been a practice in terms of the review of fencing, and provides a clear methodology for the HRC to follow when considering alternative materials. This is consistent with preserving and enhancing historic resources.

2. **That 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.**

The intent of the Ordinance is to create compatibility within the Historic District, so as to retain the character defining materials and designs. Residents and businesses that locate in the Historic District have an expectation that the character defining materials and features of the district will be preserved through the review process of the HRC and the implementation of the design guidelines. The proposed Ordinance is intended to better describe the character defining materials with respect to fencing, and the methodology that will be utilized when alternative materials are considered. This will create compatibility, and avoid detrimental impacts to other properties in the vicinity.

3. **That 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.**

The proposed Ordinance will not have any impact on public services or facilities. The focus of the Ordinance language is fencing materials.

Attachments:

- 1) Draft ordinance

Summary: An ordinance amending certain guidelines for the design of fences located within the historic district of Carson City.

BILL NO. ____

ORDINANCE NO. 2017-____

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 18 APPENDIX OF THE CARSON CITY MUNICIPAL CODE TO REVISE CERTAIN GUIDELINES FOR THE DESIGN OF FENCES LOCATED WITHIN THE HISTORIC DISTRICT OF CARSON CITY; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 18 Appendix (Carson City Development Standards), Division 5 (Historic District), Section 5.24 (Guidelines for Historic Fences) is hereby amended (**bold, underlined** text is added, ~~[stricken]~~ text is deleted) as follows:

5.24 - Guidelines for fences.

Fences serve a variety of purposes for a property owner. They can define property lines, provide security and protection from trespass, furnish safety for children and pets, provide visual screens for privacy and serve as protection from the elements. The design of a fence is a critical element in the overall visual quality of a property and how it relates to its neighbors. It can also be important from a public safety standpoint, particularly on corner lots. Typically front yards in the district were delineated by low profile, wood picket style fences. A few metal ~~[and/or]~~ **or** masonry fences can be found as well.

A fence design ~~[needs to]~~ **must** be considered in context. Scale, rhythm, material and style are the critical design elements of a fence. The fence design ~~[needs to]~~ **must** be compatible ~~[to]~~ **with** the building as well as ~~[to]~~ **with** the surrounding property. A fence can provide a delicate design element which will greatly enhance a property.

5.24.1 Guidelines for Historic Fences. Original fences ~~[shall]~~ **must** be retained and repaired ~~[when at all]~~ **whenever** possible. When reconstruction ~~[must occur]~~ **is necessary**, the original ~~[shall]~~ **fence must** be matched in color, material, size, scale, texture and composition. New fences ~~[for historic houses]~~ should emulate historic styles and designs found in the district. (Standard Number: 2, 4, 5, 6). **In accordance with this requirement, and unless an exemption is granted under circumstances deemed appropriate at the discretion of the historic resources commission, when reconstruction of a fence occurs:**

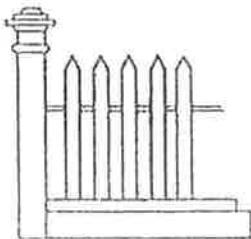
- a. The historic characteristics of the property must be preserved, including, without limitation, any distinctive feature, finish, construction technique or craftsmanship and any individual feature not originally part of the property but which, over time, has acquired historic significance.
- b. The removal of any historic feature or finish, or the modification or alteration of any such material, feature or finish that contributes to the historic character of the property, is prohibited.
- c. A deteriorated feature or finish must, whenever possible, be repaired in lieu of replacement.
- d. A historic feature or finish that has severely deteriorated or is otherwise in a state of disrepair such that replacement in lieu of repair is necessary, the replacement feature or finish must, to the greatest extent possible, match the original feature or finish in material, design, color, texture and all other visual aesthetics.

5.24.2 Guidelines for New Fences. The appropriate design for a new fence [will] must be determined by its intended function and its location. [No] A new fence [shall] must not be constructed in any manner which adversely [effects] affects the primary [view(s)] views of any building. A fence [design] should consist of a design that will enhance the overall visual presentation of a building and be made from material which is traditionally associated with fences located within the historic district, including wood, wrought iron, decorative woven wire and, in limited circumstances, masonry. A fence should also contribute to the character and defining features of any building in a positive manner. (Standard Number: 9). Unless an exemption is granted under circumstances deemed appropriate at the discretion of the historic resources commission, the use of vinyl for the construction of a new fence is prohibited. If material other than material which is traditionally associated with fences located within the historic district is proposed to be used for the construction of a new fence, the person proposing the use of such material must include in his or her application to the historic resources commission an explanation describing how the material to be used is:

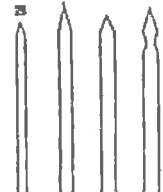
- a. Compatible with the massing, size, scale and existing architectural and construction materials of the property and the property site.
- b. More compatible with the property and the property site than if material which is traditionally associated with fences located within the historic district is used.

c. Consistent with the historical features of the property and the property site.

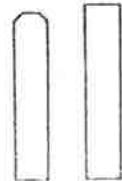
d. Is consistent with the massing, size, scale and existing architectural and construction materials used within the historic district.



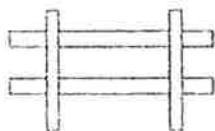
typical fence with corner and gate post



1" X 2" or 1" X 4" typical pickets



1" X 6" solid board fence



post and rail fence (Ranch)

SECTION II:

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

PROPOSED on _____, 2017.

PROPOSED BY Supervisor _____

PASSED _____, 2017.

VOTE:

AYES: _____

NAYS: _____

ABSENT: _____

ROBERT L. CROWELL, Mayor

ATTEST:

SUSAN MERRIWETHER, Clerk-Recorder

This ordinance shall be in force and effect from and after the _____ day of the month of
_____ of the year 2017.