

STAFF REPORT FOR PLANNING COMMISSION MEETING OF MAY 29, 2019

FILE: MPA-19-070 and ZMA-19-069

AGENDA ITEM: E.1 & E.2

STAFF CONTACT: Hope Sullivan, Planning Manager

AGENDA TITLE:

MPA-19-070 For Possible Action: Discussion and possible action regarding a request for an Amendment to the Master Plan to re-designate from Conservation Reserve (Private) to Open Space on a 20 acre parcel located on the north side of Highway 50 West, APN 007-051-81.

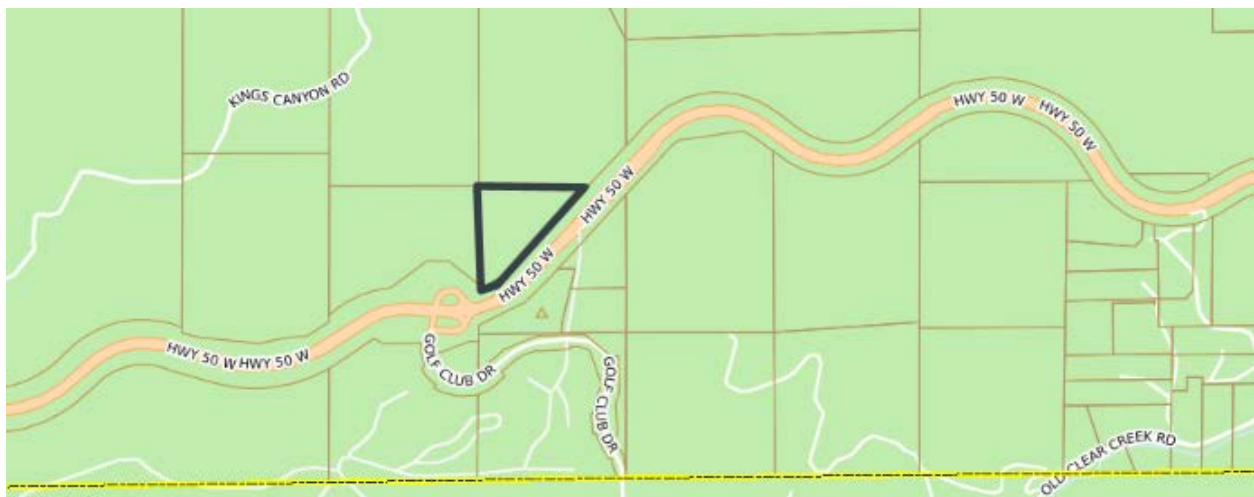
ZMA-19-069 For Possible Action: Discussion and possible action regarding a request for an Amendment to the Zoning Map to change the zoning from Conservation Reserve to Public Regional on a 20 acre parcel located on the north side of Highway 50 West, APN 007-051-81.

STAFF SUMMARY: In January, 2019, the subject property was acquired by Carson City for Open Space. The Master Plan re-designation will recognize that this land is open space, and the new zoning designation will recognize that the property is publicly owned and its main purpose is to sustain wide regional needs. The Board of Supervisors is authorized to amend the Master Plan and to amend the zoning map. The Planning Commission makes a recommendation to the Board on each of these requests.

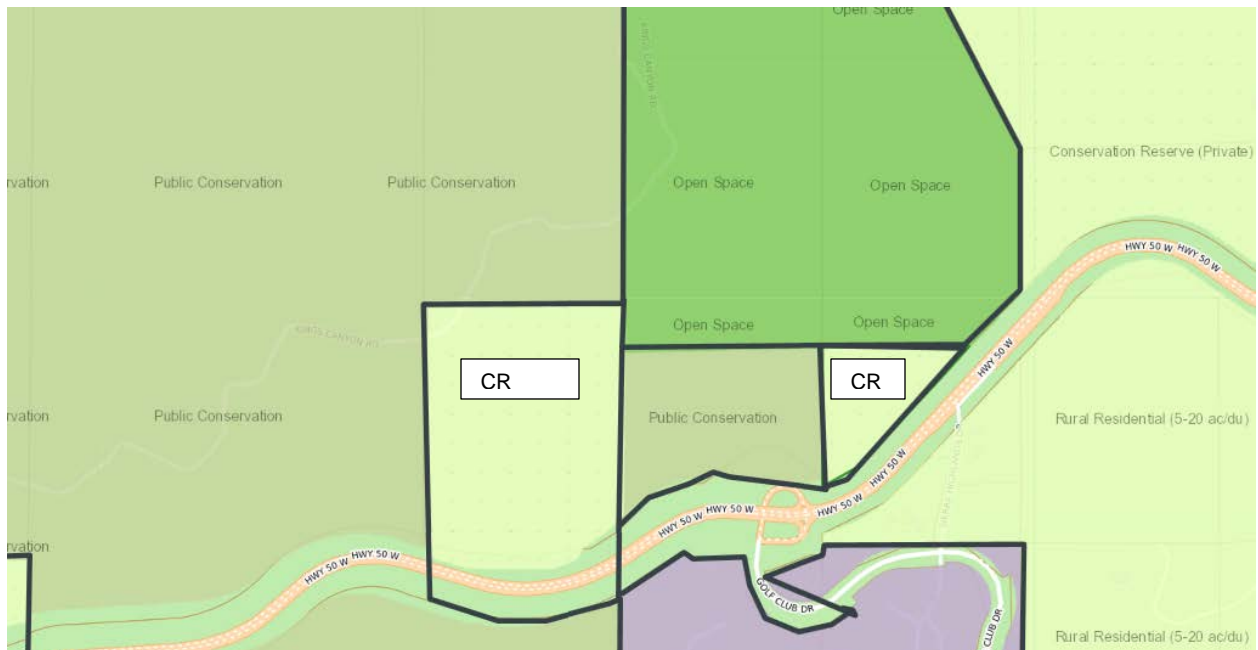
MASTER PLAN RECOMMENDED MOTION: "I move to adopt Resolution No. 2019-PC- R-1 recommending to the Board of Supervisors approval of MPA-19-070, a Master Plan Amendment to change the land use designation from Conservation Reserve (Private) to Open Space on a 20 acre parcel located on the north side of Highway 50 West, APN 007-051-81 based on the findings contained in the staff report."

ZONING MAP AMENDMENT RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZMA-19-069, a Zoning Map Amendment to change the zoning from Conservation Reserve to Public Regional on property located on the north side of Highway 50 West, APN 007-051-81 based on the findings contained in the staff report."

VICINITY MAP:



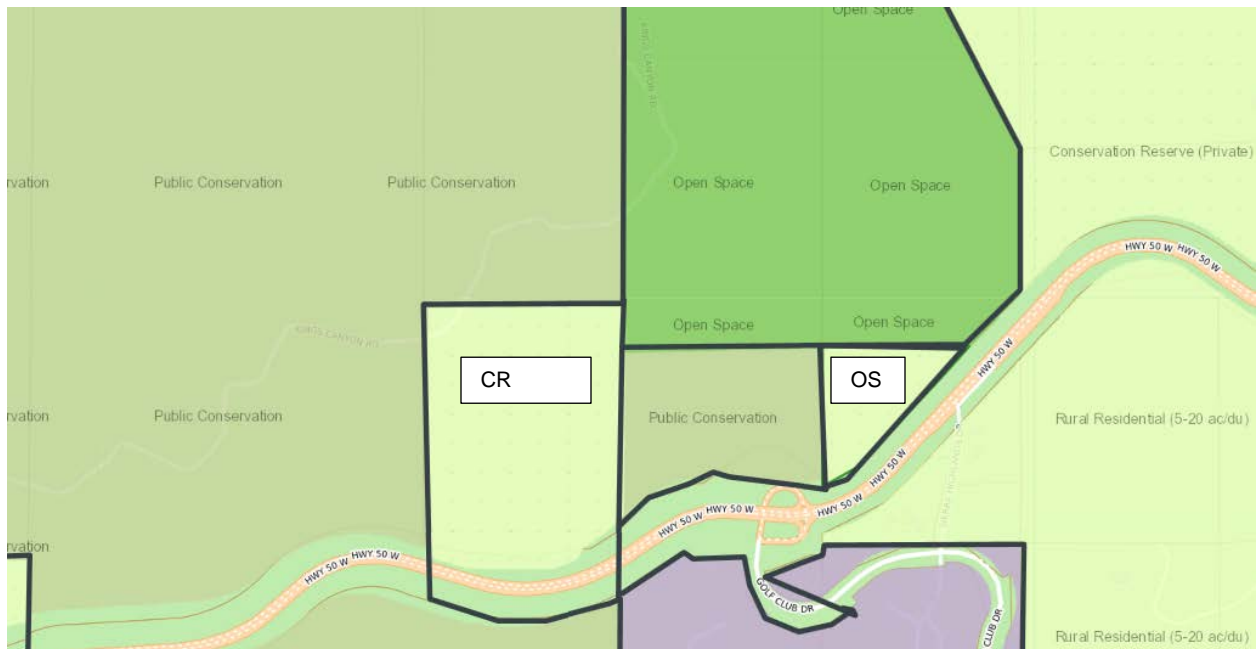
EXISTING MASTER PLAN



LEGEND:

CR: Conservation Reserve (Private)

PROPOSED MASTER PLAN

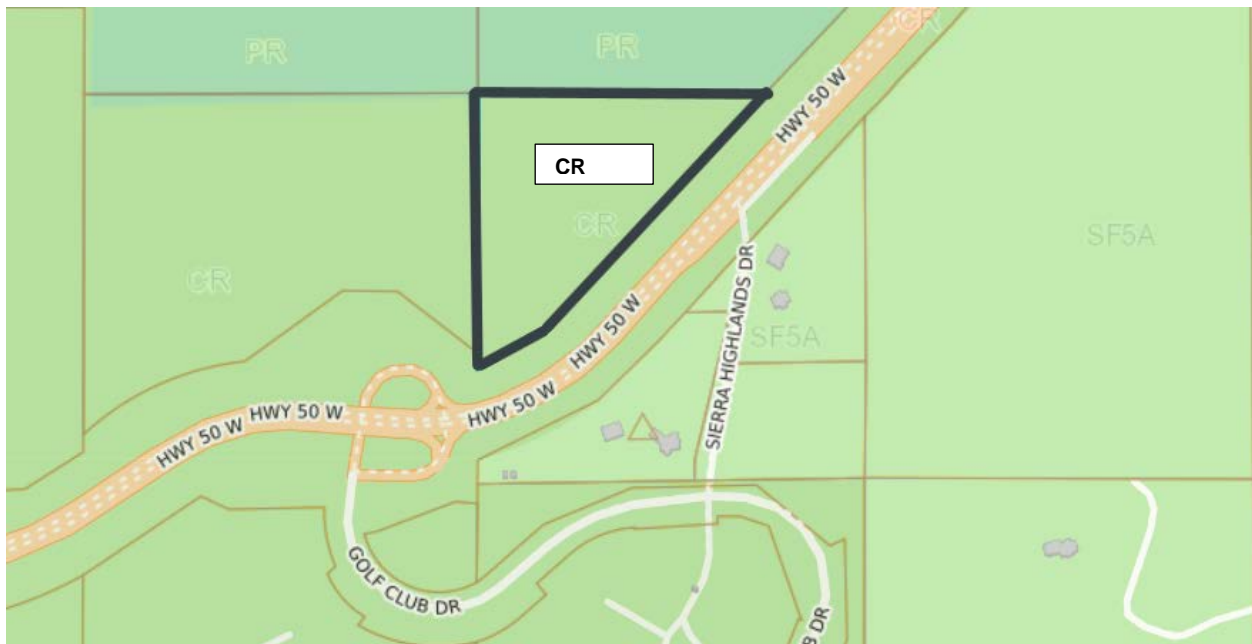


LEGEND:

CR: Conservation Reserve (Private)

OS: Open Space

EXISTING ZONING



LEGEND:

CR: Conservation Reserve (Private)

PROPOSED ZONING



LEGEND:

PR: Public Regional

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.070 (Master Plan); 18.02.075 Zoning Map Amendments and Zoning Code Amendments

DISCUSSION:

The subject 20 acre parcel is located on the northside of Highway 50 West. The property was acquired in January 2019 by the City for open space. The Board found that the property would add to the scenic entrance into Carson City from Lake Tahoe, protect wildlife habitat, and potentially connect the City's trail system from Clear Creek to King's Canyon.

The current Master Plan designation is Conservation Reserve (Private). This designation is primarily for open lands, agriculture, ranching, or single family residential. The proposed Master Plan designation is Open Space. This designation is primarily for publicly-owned and accessible lands preserved by the City, other government agencies, or as part of a private development for conservation resource protection, or recreational use.

The current zoning designation is Conservation Reserve. The purpose of this district is to identify 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 designation is Public Regional. This district is for Federal, state and city facilities and uses whose main purpose is to sustain wide regional needs.

The Board of Supervisors may amend the Master Plan and amend the Zoning Map. The Planning Commission makes a recommendation to the Board.

PUBLIC COMMENTS: Public notices were mailed to 30 property owners within 6000 feet of the subject parcels in accordance with the provisions of NRS and CCMC 18.02.045 on May 13, 2019. At the time of the writing of this report, no comments have been received in support or opposition to this request. 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.

Building Division: No concerns.

Fire Department: No concerns.

Environmental Control: No concerns.

Health Department: No concerns.

FINDINGS: Staff recommends the following findings for approval of the Master Plan Amendment and the Zoning Map Amendment pursuant to the Carson City Municipal Code Section 18.02.070, Master Plan and 18.02.075, Zoning Map Amendments and Zoning Code Amendments.

Master Plan Amendment Findings

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

The proposed amendment is in substantial compliance with the following goal of the Master Plan:

Guiding Principle 1: A compact and efficient pattern of growth.

“Carson City will have a compact pattern that makes efficient use of the limited land area and water resources it has available for urban growth, that fosters the provision of infrastructure and services in a cost-effective manner, and that balances development with conservation of the natural environment – particularly where public lands abut the urban interface...”

Public water and sewer is not available to the subject property. Therefore, it is appropriate for Open Space, and not appropriate for urban growth.

In January 2019, the City acquired the subject property for open space, utilizing the Quality of Life fund - Open Space land acquisitions. The intent of acquisition was to add to the scenic entrance into Carson City from Lake Tahoe, protect wildlife habitat, and potentially connect the City's trail system from Clear Creek to King's Canyon. The Open Space Master Plan designation is for, in part, publicly owned and accessible land preserved by the City. The new designation will result in a land use designation that describes the function of this land.

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.**

The proposed amendment will provide for land uses compatible with existing adjacent land uses. Property to the west of the subject property is owned by the State of Nevada, and land to the north is owned by Carson City for open space. Across Highway 50 are two single family homes. Staff finds that the designation of open space is consistent with all adjacent uses.

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.**

The proposed amendment is in response to the City's January 2019 acquisition of the subject property for open space. The proposed amendment will result in a designation consistent with the use of the property.

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.**

The proposed amendment will recognize the intent to protect the natural resources of the subject property. The Master Plan policies seek to direct development to areas where infrastructure is available, and to avoid urban development where infrastructure is not available. As public water and sewer is not available to this property, this property should not be developed to an urban standard. The preservation of this property as open space is consistent with the orderly physical growth of the City.

Zoning Map Amendment Findings

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

Chapter 3 of the Master Plan identifies the land use designations, and identifies what zoning district corresponds to the land use designation. If the Master Plan is amended to designate the property as Open Space, the Public Regional zoning district would be a corresponding zoning district that will implement the Master Plan.

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 proposed amendment will provide for land uses compatible with existing adjacent land uses. Property to the west of the subject property is owned by the State of Nevada, and land to the north is owned by Carson City. Across Highway 50 are two single family homes. Staff finds that the designation of open space is consistent with all adjacent uses.

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 amendment will not negatively impact existing or planned public services or facilities as public services and facilities, including public water and sewer, will not be required and are not available.

Attachments:

Planning Commission Master Plan Amendment Resolution 2018-PC-R-1
Draft Zoning Map Amendment Ordinance

RESOLUTION 2019-PC-R-1

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-19-070, A MASTER PLAN AMENDMENT TO CHANGE THE LAND USE MAP DESIGNATION FROM CONSERVATION RESERVE (PRIVATE) TO OPEN SPACE FOR PROPERTY LOCATED ON THE NORTH SIDE OF HIGHWAY 50 WEST, APN 007-051-81.

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 May 29, 2019, the Planning Commission obtained public testimony and duly considered recommendations and findings for the proposed master plan amendment and recommended approval of Master Plan Amendment MPA-19-070 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, the proposed Master Plan land use designations would be consistent with the existing and intended uses of the property;

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 from Conservation Reserve (Private) to Open Space for property located on the north side of Highway 50, APN 007-051-81.

ADOPTED this 29th day of May, 2019

VOTE: AYES:

NAYS:

ABSENT:

Mark Sattler, Chairman

ATTEST:

Lee Plemel, AICP, Community Development Director

SUMMARY – An ordinance amending the Carson City zoning map.

BILL NO. ____
ORDINANCE NO. 2019-__

AN ORDINANCE TO CHANGE THE ZONING FROM CONSERVATION RESERVE TO PUBLIC REGIONAL ON PROPERTY LOCATED ON THE NORTH SIDE OF HIGHWAY 50 WEST, APN 007-051-81.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Number 007-051-81, property located on the north side of Highway 50 West, Carson City, Nevada, 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 of the subject parcel APN 007-051-81 changing from Conservation Reserve to Public Regional. After proper noticing pursuant to NRS 278 and CCMC Title 18, on May 29, 2019, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted ___ ayes, ___ 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 of APN 007-051-81 from Conservation Reserve to Public Regional.

PROPOSED this ____ day of _____, 2019.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2019.

VOTE:

AYES: _____

NAYS: _____

ABSENT: _____

ROBERT L. CROWELL, Mayor

ATTEST:

AUBRY ROWLATT, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ of _____, 2019.