

## STAFF REPORT FOR PLANNING COMMISSION MEETING OF MAY 29, 2019

**FILE: MPA-19-065 and ZMA-19-064**

**AGENDA ITEM: E.9 & E.10**

**STAFF CONTACT:** Hope Sullivan, Planning Manager

### **AGENDA TITLE:**

**MPA-19-065** For Possible Action: Discussion and possible action regarding a request for an Amendment to the Master Plan to re-designate from Low Density Residential to Medium Density Residential on six properties located at 96 Dean Court, 94 Dean Court, 93 Dean Court, 95 Dean Court, 97 Dean Court and 4376 Northgate Lane, APN's 008-095-02, -03, -04, -10, -11 and -09.

**ZMA-19-064** For Possible Action: Discussion and possible action regarding a request for an Amendment to the Zoning Map Amendment to change the zoning from Single Family One Acre to Single Family 12,000 on six properties located at 96 Dean Court, 94 Dean Court, 93 Dean Court, 95 Dean Court, 97 Dean Court and 4376 Northgate Lane, APN's 008-095-02, -03, -04, -10, -11 and -09.

**STAFF SUMMARY:** The re-designation will recognize that this land is medium density rather than low density, and allow for a zoning designation that is consistent with existing development. The subject properties range in size from 13,740 square feet to 19,259 square feet. Based on the current zoning district, all six properties are nonconforming lots. With the proposed zoning, all properties comply with the minimum lot size. The Board of Supervisors is authorized to amend the Master Plan and the zoning map. The Planning Commission makes a recommendation to the Board on both.

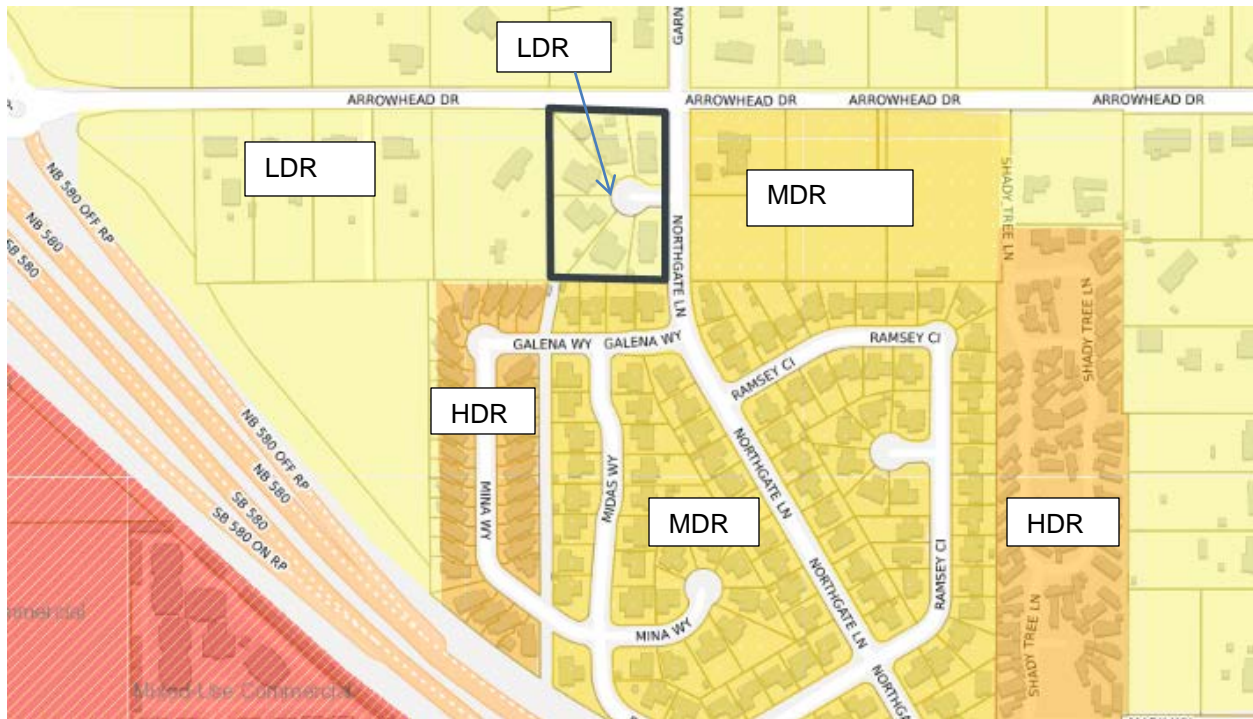
**MASTER PLAN RECOMMENDED MOTION:** "I move to adopt Resolution No. 2019-PC- R-3 recommending to the Board of Supervisors approval of MPA-19-065, a Master Plan Amendment to change the land use designation from Low Density Residential to Medium Density Residential for six properties located at 96 Dean Court, 94 Dean Court, 93 Dean Court, 95 Dean Court, 97 Dean Court and 4376 Northgate Lane 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-19-064, a Zoning Map Amendment to change the zoning from Single Family One Acre to Single Family 12,000 on six properties located at 96 Dean Court, 94 Dean Court, 93 Dean Court, 95 Dean Court, 97 Dean Court and 4376 Northgate based on the findings contained in the staff report."

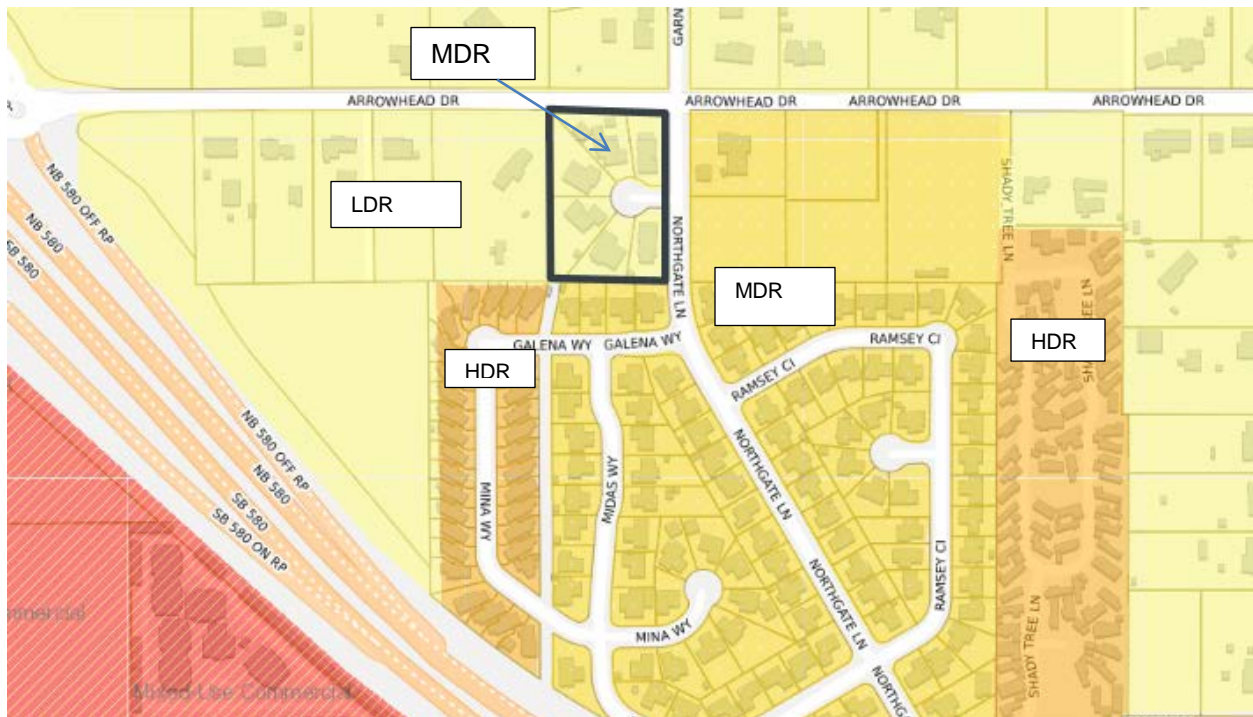
### **VICINITY MAP:**



### EXISTING MASTER PLAN

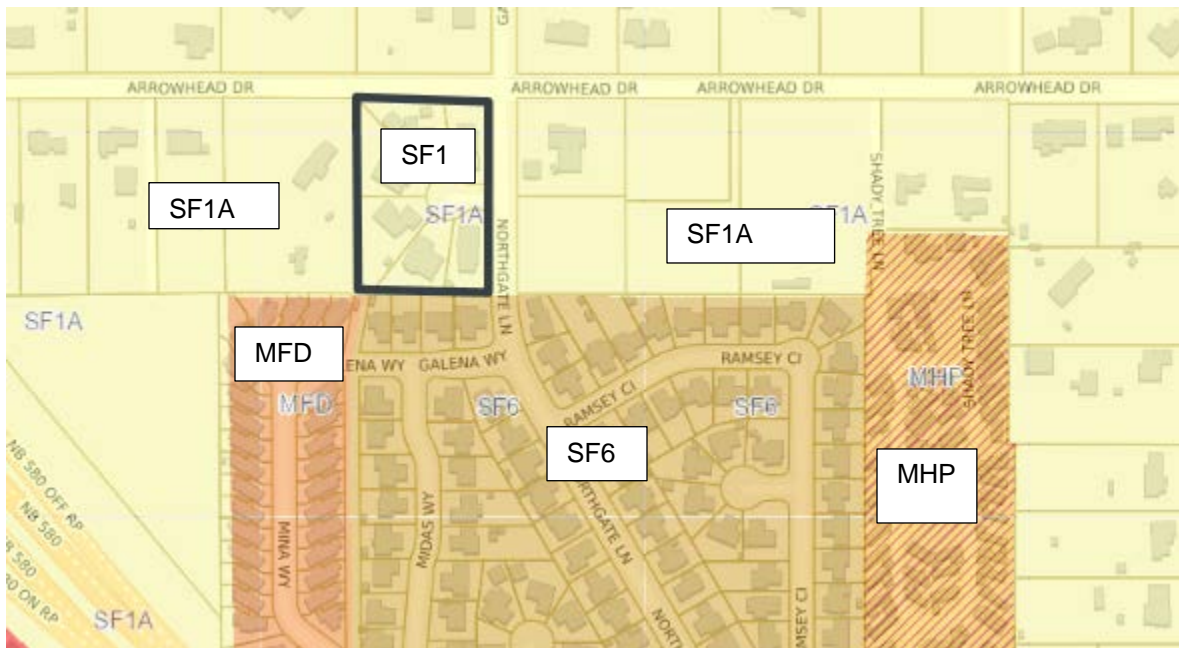


### PROPOSED MASTER PLAN

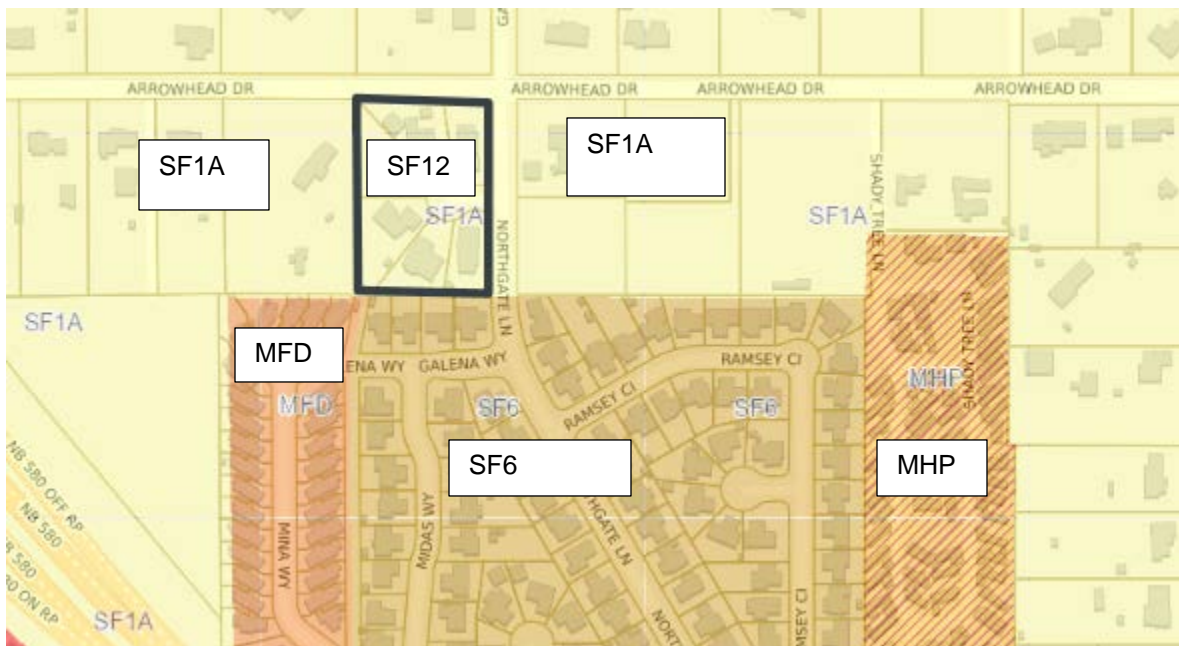


**LEGEND:**  
HDR: High Density Residential  
MDR: Medium Density Residential  
LDR: Low Density Residential

### EXISTING ZONING



### PROPOSED ZONING



#### LEGEND:

MHP: Mobile Home Park  
MFD: Multifamily Duplex Residential District  
SF1A: Single-family 1 Acre  
SF12: Single-family 12,000  
SF6: Single Family 6,000



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

**DISCUSSION:**

Four of the six lots on Dean Court were created through Parcel Map 1918, recorded in 1992. In advance of recordation, all six lots received variances from the lot size and the required setbacks. The result was lots that range in size from 13,740 square feet to 19,259 square feet, well below the one acre minimum for the zoning district. Additionally, with the variance, all lots are subject to the setback requirements of the Single Family 12,000 zoning district.

At its meeting of November 28, 2018, the Planning Commission reviewed the Annual Master Plan Report. As part of this report, the Planning Commission identified land use mapping corrections, including the subject properties. The report recognized that these properties are well below the one acre minimum, and have been improved utilizing the setback requirements of the Single Family 12,000 square feet. The report requested that staff reach out to the property owners regarding changing the land use designation from Low Density Residential to Medium Density Residential, and the zoning from Single Family 1 Acre to Single Family 12,000. The Board of Supervisors accepted the 2019 Master Plan report from the Planning Commission at its meeting of February 21 2019.

On April 25, the Planning Manager sent each of the six property owners a letter advising of the proposed Master Plan amendment and Zoning Map amendment. None of the six property owners have commented on the letter.

Both the current Master Plan designation of Low Density Residential and the proposed Master Plan designation of Medium Density Residential are intended for primarily single family residences. The difference is essentially the density.

The existing zoning of Single Family One Acre is to provide for the development of low density, large lot, single family detached residential units. This zoning district corresponds to the Low Density Residential Master Plan land use designation.

The proposed zoning of Single Family 12,000 is to provide for the development of single-family detached dwellings in a suburban setting. This zoning district corresponds to the Medium Density Residential Master Plan land use designation.

All six lots currently exist. The lot sizes are more compatible with the Medium Density Residential land use designation, and the Single Family 12,000 zoning district.

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 96 property owners within 600 feet of the subject parcels in accordance with the provisions of NRS and CCMC 18.02.045 on May 10, 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 policy of the Master Plan:

#### ***2.2a Variety of Housing Types***

*Encourage a mix of housing models and densities for projects within the urbanized areas based upon their size, location, surrounding urbanized area based upon their size, location, surrounding neighborhood context, and applicable land use policies ....*

The subject lots currently exist and are improved. The lot sizes correspond to the Medium Density Residential designation, and not to the Low Density Residential designation. In terms of the surrounding neighborhood context, the subject property has Medium Density Residential designations to the east and to the south.

- 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. The subject lots are currently developed with sizes consistent with Medium Density Residential. Also, the property to the south and east are already designated as Medium Density Residential. The proposed designation will cause the existing development to be consistent with the Master Plan.

- 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 to correct an existing inconsistency between actual medium density residential development that its Low Density Residential designation.

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 subject property is already developed, and is infill development. The proposed designation will simply create consistency between the existing development and the Master Plan.

#### **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 Medium Density Residential, the proposed Single Family 12 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. The proposed lots have existed since 1992, and are all improved with homes. The lots all have variances on them that reflect the setback requirements of the proposed zoning. The proposed zoning map amendment will cause the existing development to be in compliance with the zoning designation. The new zoning designation will not create new development opportunities.

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 as existing development is currently served by public services and facilities

#### **Attachments:**

Planning Commission Master Plan Amendment Resolution 2018-PC-R-3  
Draft Zoning Map Amendment Ordinance

**RESOLUTION 2019-PC-R-3**

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-19-065, A MASTER PLAN AMENDMENT TO CHANGE THE LAND USE MAP DESIGNATION FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR SIX PROPERTIES LOCATED AT 96 DEAN COURT, 94 DEAN COURT 93 DEAN COURT, 95 DEAN COURT, 97 DEAN COURT, AND 4376 NORTHGATE LANE, APN'S 008-095-02, -03, -04, -10, -11, AND -09.

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-19-065 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 Low Density Residential to Medium Density Residential for six properties located at 96 Dean Court, 94 Dean Court, 93 Dean Court, 95 Dean Court, 97 Dean Court, And 4376 Northgate Land, APN's 008-095-02, -03, -04, -10, -11, and -09.

ADOPTED this 29<sup>th</sup> day of May, 2019

VOTE: AYES:

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NAYS:

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ABSENT:

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Mark Sattler, Chairman

ATTEST:

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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 SINGLE FAMILY ONE ACRE TO SINGLE FAMILY 12,000 ON SIX PROPERTIES LOCATED AT 96 DEAN COURT, 94 DEAN COURT, 93 DEAN COURT, 95 DEAN COURT, 97 DEAN COURT, AND 4376 NORTHGATE LANE, APN'S 008-095-02, -03, -04, -10, -11, AND -09.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Numbers 008-095-02, -03, -04, -10, -11, AND -09, six properties located at 96 Dean Court, 94 Dean Court, 93 Dean Court, 95 Dean Court, 97 Dean Court and 4376 Northgate Lane, 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 parcels APN's 008-095-02, -03, -04, -10, -11, AND -09 changing from Single Family One Acre to Single Family 12,000. 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's 008-095-02, -03, -04, -10, -11, AND -09 from Single Family One Acre to Single Family 12,000, as shown on Attachment A.

PROPOSED this \_\_\_\_ day of \_\_\_\_\_, 2019.

PROPOSED BY Supervisor \_\_\_\_\_



PASSED on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

VOTE:

AYES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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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.

## ATTACHMENT A

