



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** June 16, 2022

Staff Contact: Heather Ferris, Planning Manager

Agenda Title: For Possible Action: Discussion and possible action to introduce, on first reading, a proposed ordinance amending Section 18.04.135 of the Carson City Municipal Code ("CCMC") to include watchman's quarters in the list of accessory uses for the General Commercial use district. (Heather Ferris, hferris@carson.org)

Staff Summary: The applicant is proposing to amend CCMC 18.04.135 to allow for watchman's quarters as an accessory use in a General Commercial use district. If approved, the watchman's quarters would be required to meet the requirements outlined in CCMC 18.05.035. Pursuant to Nevada Revised Statutes ("NRS") Chapter 237, a business impact statement is not required to be prepared with this ordinance.

Agenda Action: Ordinance - First Reading **Time Requested:** 10 minutes

Proposed Motion

I move to introduce, on first reading, Bill No. _____.

Board's Strategic Goal

Quality of Life

Previous Action

May 25, 2022 - The Planning Commission recommended approval by a vote of 5 - 0, 2 absent.

Background/Issues & Analysis

The applicant owns and operates a personal storage facility in the General Commercial ("GC") use district. Currently, watchman's quarters are not an allowed use in the GC use district, but they would like to have the option in order to provide for on-site, 24-hour security.

Watchman's quarters are allowed as an accessory use in the Tourist Commercial, Limited Industrial, General Industrial, General Industrial Airport, Air Industrial Park, Agriculture, and Conservation reserve use districts subject to compliance with CCMC 18.05.035 which outlines the parameters for which a watchman's quarters can be permitted. If approved, this amendment would allow for watchman's quarters, as an accessory use, in the GC use district, and also makes various clerical edits to the CCMC 18.04.135 consistent with the currently approved ordinance drafting style.

See attached May 25, 2022 staff report to the Planning Commission for additional background and analysis.

Applicable Statute, Code, Policy, Rule or Regulation

NRS Chapters 237 and 244; NRS 278.260; Article 2 of the Carson City Charter; CCMC 18.02.075

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Do not introduce the proposed ordinance on first reading, modify the proposed ordinance and/or provide alternative direction.

Attachments:

[ZA-2022-0179 \(Watchman's Quarters\) Final.docx](#)

[ZA-2022-0179 \(Watchman's Quarters in GC\) Staff Report PC.docx](#)

[Application.pdf](#)

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

Summary: Revises various provisions to include watchman’s quarters as an accessory use in a General Commercial use district.

BILL NO. _____

ORDINANCE NO. 2022 - _____

AN ORDINANCE RELATING TO ZONING; REVISING VARIOUS PROVISIONS ESTABLISHING ACCESSORY USES IN A GENERAL COMMERCIAL USE DISTRICT TO INCLUDE WATCHMAN’S QUARTERS; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 18 (ZONING), Chapter 18.04 (USE DISTRICTS), Section 18.04.135 (GENERAL COMMERCIAL (GC)), is hereby amended (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

18.04.135 - General commercial (“GC”). (NRS 278.250)

The purpose of the GC District is to preserve a commercial district limited primarily to retail and wholesale sales of new and used material, repair and service ~~facilities,~~ **facilities** and offices. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director pursuant to subsection 8 of CCMC 18.02.115, which establishes provisions relating to outdoor sales and activities.

1. The Primary Permitted Uses in the GC District are retail and wholesale ~~uses,~~ **uses** and other uses of a similar nature. Except for any use described in subsection 3 of CCMC 18.04.135 that is a general commercial conditional use which requires a Special Use Permit, retail commercial uses as described in CCMC 18.04.130 are allowed in addition to the following:

- Animal hospital;
- Appliance repair shop;
- Archery range;
- Assayer;
- Assembly (of product incidental to sales use and limited to ~~thirty percent (30%)~~ **30 percent** of the primary uses floor area);
- Auction sales;
- Automobile repair;
- Ballroom;
- Billiard or pool hall;
- Bookbindery;

Diaper service;
 Display designer;
 Express office;
 Facial cosmetic shading, permanent;
 Lithographer, screen printer;
 Nightclub;
 Parcel delivery service, branch (off-street loading only);
 Pawn shop;
 Personal storage within an enclosed building (no storage of paints or chemicals);
 Plumbing and heating equipment and supplies;
 Second hand business;
 Sign painting and lettering;
 Sport playing field;
 Sports arena;
 Taxidermist;
 Thrift store;
 Tire sales, repair and mounting;
 Upholstery (wholesale, retail, installation and incidental manufacturing);
 Warehouse.

2. The accessory permitted uses incidental to primary permitted uses in the GC District are:

Automobile pawn (accessory to automobile sales);
 Home occupation;
 Outside storage (subject to Division 1 and 1.12 ~~{Outside Storage}~~ **Outside Storage** of the Development ~~{Standards}~~ **Standards**);
 Temporary outdoor sales ~~{subject}~~ **(subject** to Title 18.02.115.8 (Outdoor Sales and ~~{Activities}~~ **Activities)**);
Watchman's quarters.

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

Ambulance service and garage;
 Armored car service and garage;
 Automobile body repair, painting, towing service and garage (vehicles must be stored within enclosed sight-obscured area). The following conditions shall apply to auto body repair in addition to all other requirements in this chapter.

a. Required minimum land area in the GC District for auto body repair shall be ~~{twelve thousand (12,000)}~~ 12,000 square feet.

b. All outside storage containers or other similar enclosures shall be screened to public rights-of-way by a maintained ~~{one hundred percent (100%)}~~ **100 percent** sight obscuring fence or wall permanently installed and maintained at a minimum height of six ~~{(6)}~~ feet.

Automobile pawn (not accessory to automobile sales);
 Bus line office, service and storage garage;
 Cabinet shop (manufacturing);

Cemetery, mausoleum, sarcophagus, crypt;
Child care facility;
Community/regional commercial or office center;
Congregate care housing/senior citizen home;
Crematorium;
Equipment rental (outside storage);
Farmers market;
Flea market (indoor);
Golf course and driving range;
Hospital;
Hotel, residence;
Medical Marijuana Dispensary or Marijuana Retail Store (subject to the provisions of Title 18 Appendix (Carson City Development Standards), Division 1.20 (Medical Marijuana Establishments and Marijuana ~~Establishments~~), **Establishments**), limited to those areas zoned General Commercial within Sections 29 through 32 of Township 15 N., Range 20 E., south of Moses Street (South Carson Street vicinity) and within Sections 1, 2, 9, 10, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E., east of the I-580 freeway (Highway 50 East ~~vicinity~~), **vicinity**);
Mobilehome park;
Municipal well facility;
Permanent outdoor sales subject to Title 18.02.115.8 (Outdoor Sales and Activities);
Recreational vehicle park;
Recycling collection center;
Schools, K—12, college or university;
Single-family two-family and multi-family dwelling;
Utility substation;
Welding supplies and gases (retail and wholesale sales) (no filling or repair of cylinders);
Youth recreation facility.

SECTION II:

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

SECTION III:

This ordinance shall be in force and effect from and after the first day of the month of August of the year 2022.

PROPOSED on _____, 2022.

PROPOSED by _____.

PASSED _____, 2022.

VOTE:

AYES: _____

NAYS: _____

ABSENT: _____

LORI BAGWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

STAFF REPORT FOR PLANNING COMMISSION MEETING OF MAY 25, 2022

FILE NO: ZA-2022-0179

AGENDA ITEM: 6.B

STAFF CONTACT: Heather Ferris, Planning Manager

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a recommendation to the Carson City Board of Supervisors (“Board”) to amend Title 18 (Zoning), Section 18.04.135 (General Commercial (GC)) of the Carson City Municipal Code (“CCMC”) to include watchman’s quarters in the list of accessory uses for the General Commercial zoning district. (Heather Ferris, hferris@carson.org)

Summary: The applicant is proposing to amend CCMC 18.04.135 to allow for watchman’s quarters as an accessory use in a General Commercial zoning district. If approved, the watchman’s quarters would be required to meet the requirements outlined in CCMC 18.05.035 (Watchman’s quarters).

PROPOSED MOTION: “I move to recommend to the Board of Supervisors approval of an ordinance amending CCMC 18.04.135 to include watchman’s quarters in the list of accessory uses.”

LEGAL REQUIREMENTS: NRS 278.260; CCMC 18.02.050 (Review); CCMC 18.02.075 (Zoning map amendments and zoning code amendments).

KEY ISSUES: Is allowing watchman’s quarters in the General Commercial zoning district as an accessory use appropriate?

DISCUSSION:

The applicant is requesting an amendment to the zoning code to allow watchman’s quarters as an accessory use in the General Commercial zoning district.

Per CCMC 18.03.010 a watchman’s quarters is defined as a “*habitable unit ancillary to the primary use and used solely for security purposes, not to be rented.*” Currently, watchman’s quarters are allowed as an accessory use in the Tourist Commercial, Limited Industrial, General Industrial, General Industrial Airport, Air Industrial Park, Agriculture, and Conservation Reserve zoning districts, subject to compliance with CCMC 18.05.035. CCMC 18.05.035 requires the unit to be clearly accessory to the main use of the property; prohibit payment of rent by the occupants; limit the use of the quarters to 1 family; and requires compliance review by staff every 2 years. Additionally, CCMC 18.05.035 prohibits the use of recreational vehicles for watchman’s quarters. Watchman’s quarters can be a site constructed home or a manufactured home.

Allowing watchman’s quarters as an accessory use in the General Commercial zoning district can be beneficial in providing an option for business and property owners to provide on-site security.

PUBLIC COMMENTS:

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 Carson City Planning Commission (“Commission”) meeting, depending on their submittal date to the Carson City Planning Division (“Planning”).

OTHER CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS:

The application was routed to commenting agencies. No comments were received.

FINDINGS:

The Commission, in making a recommendation to the Board for approval of a zoning code amendment, must 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 to allow for watchman's quarters as an accessory use in the General Commercial zoning district does not conflict with any goals or policies of the Master Plan. The guiding principles of the Master Plan call for encouraging infill and redevelopment within the City's existing urbanized area; maintaining a compact development footprint; and providing a citywide mix of land uses to accommodate future housing, jobs, recreation, and retail services.

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 to allow for watchman's quarters as an accessory use in the General Commercial zoning district will not change the type of land use permitted per the zoning ordinance, therefore it will not create incompatible land uses. The watchman's quarters are required to comply with CCMC 18.05.035 will only be allowed for the purposes of providing security.

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 to allow for watchman's quarters as an accessory use in the General Commercial zoning district will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety, and welfare. The construction of a watchman's quarters will require a building permit and will therefore be reviewed for compliance with all applicable requirements.

Attachments:

- 1) Draft ordinance
- 2) Application packet

Carson City Planning Division
108 E. Proctor Street- Carson City NV 89701
Phone: (775) 887-2180 • E-mail: planning@carson.org

For Office Use Only:
ZONING CODE AMENDMENT

FILE #

FEE: \$3,250.00 + noticing fee

APPLICANT
Carson Tahoe Development

- Application Form, Written Project Description and Supporting Documentation
- 5 Completed Application Packets (1 Original + 4 Copies)

MAILING ADDRESS, CITY STATE, ZIP
150 Old Clear Crk Rd, Carson City, NV

Application Reviewed and Received By:

PHONE # 775 888-9777 **FAX #**

Submittal deadline: Planning Commission application submittal [schedule](#).

EMAIL ADDRESS
CarsonTahoeSelfStorage@gmail.com

Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional information may be required.

Requested Amendment to Development Standards: _____ or Title 18. 04.135

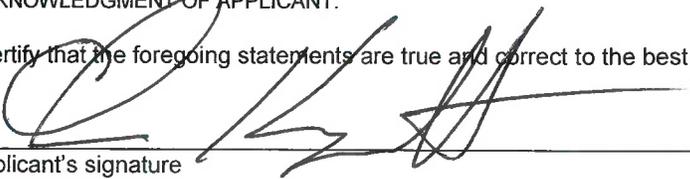
Required Findings: Title 18 of the Carson City Municipal Code (CCMC) requires that the applicant must present evidence justifying the revision to the Code, that the proposed addition/deletion will be consistent with the objectives of the Master Plan and will not be detrimental to the surrounding properties. A statement relative to findings from Page 2 **MUST** be included herewith, or on an attached sheet.

Please remember that the requested code revision will affect **all** of Carson City and not only your parcel of land. Present your statement with that in mind. In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal.

see attached

ACKNOWLEDGMENT OF APPLICANT:

certify that the foregoing statements are true and correct to the best of my knowledge and belief.


Applicant's signature

4-3-22
Date

We are requesting an amendment in regards to “watchman’s” quarters on our property located at 750 Old Clear Creek Road, Carson Tahoe Self Storage. Our plan is to add a watchman’s quarters above the already existing office building. We have had numerous break ins after hours onto the property and feel that having a 24/7 watchman on property would detour such activity. It should be noted that our neighboring storage business’, Clear Creek Storage and Cube Storage, both have existing watchman’s quarters on their property.

Adding this feature to our property would provide an added security, as we would have a 24/7 watchman on the property. We do not have any neighbors that this addition would affect, as we are situated between Clear Creek Storage and Costco.

We would greatly appreciate your consideration in approving this amendment.

APPLICATION FOR A CHANGE IN THE ZONING CODE

WHAT ARE THE "FINDINGS" THAT MUST BE SUPPORTED?

The Carson City Municipal Code (CCMC 18.02.075) sets out the required findings.

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

In order to meet the requirement that "proof of satisfying the findings come from the applicant", some background work may be required to provide the facts and evidence.

1. Review the goals and policies listed in the Master Plan and identify those recommendations that support the proposal. The applicable Master Plan goals and policies are attached to this application. A copy of the Master Plan is available on the City website (www.carson.org), or obtain a CD disk at the Planning Division.
2. Look at the proposal objectively. Try to consider what you would feel if you lived next door and someone were proposing this change of zoning code next to your business or home.
3. The more information assembled before turning the project into the Planning Division helps to ensure that there are few or no "surprises" when other departments and agencies look at the proposal.

Complete information provided with the application makes it easier for the Planning Commission and the Board to arrive at their decision.

Remember, it's your job to ensure that the Planning Commission and Board have the information to make the required findings. The Planning Division can offer some help, but cannot do the work for you. If you have any questions, please give us a call.

**PLEASE LIST EACH QUESTION ABOVE AND RESPOND IN
OUR OWN WORDS TO SUPPORT YOUR REQUEST**

Amendment proposal for 750 Old Clear Creek Road, Carson City, NV 89705

1. In regards to required findings, that the proposed amendment is in substantial compliance with and supports the goals and policies of the master plan; Currently the property resides in the commercial/regional commercial master plan and we are asking for an amendment to provide a Watchman's Quarters to said property. This would be located above the existing office on the property. Adding a Watchman's Quarters to our property would increase safety and security of not only our property, but also properties and businesses that surround us.
2. This proposed amendment of adding a Watchman's Quarters to our property, would not affect or impact other properties in the vicinity. To note, our neighboring business, Clear Creek Storage, has a two story free standing home (Watchman's Quarters) on their property. The other neighboring business, Costco, would not be affected whatsoever.
3. This amendment will not negatively impact existing or planned public services as previously mentioned. Adding Watchman's Quarters to our property would add a level of 24/7 security not only to our property, but to surrounding businesses.

In regards to proof to satisfying the findings, we feel that adding a Watchman's Quarters to our property located at 750 Old Clear Creek Road, is in line with the master plan. Our amendment would in no way affect our surrounding neighbors/businesses. It should be noted that we do not have any residence near us, besides the Watchmen's Quarters that exists at Clear Creek Storage just above us. As mentioned previously, adding a watchmen quarters above our existing office building, would greatly benefit not only our property, but surrounding businesses as well. The added level of security and protection this amendment adds by allowing us to have a 24/7 live in manager on said property, would greatly cut down on vandalism and break ins. We would greatly appreciate your approval on this amendment to 750 Old Clear Creek Road.