CARSON CITY BOARD OF SUPERVISORS CARSON CITY PLANNING COMMISSION

Minutes of the March 3, 2023 Joint Work Session

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A special Joint Work Session of the Carson City Board of Supervisors and the Carson City Planning Commission was scheduled for 8:15 a.m. on Friday, March 3, in the Nugget Hall of the Western Nevada College, 2201 West College Parkway, Carson City, Nevada.

BOARD OF SUPERVISORS PRESENT:

Mayor Lori Bagwell Supervisor Stacey Giomi, Ward 1 Supervisor Maurice White, Ward 2 Supervisor Stan Jones, Ward 3 Supervisor Lisa Schuette, Ward 4

PLANNING COMMISSION PRESENT:

Chairperson Teri Preston Vice Chair Sena Loyd Commissioner Charles Borders, Jr. Commissioner Ellen DeChristopher Commissioner Nathaniel Killgore Commissioner Vern Krahn Commissioner Richard Perry

STAFF:

Nancy Paulson, City Manager Scott Hoen, Clerk-Recorder Dan Yu, Assistant District Attorney Hope Sullivan, Community Development Director Stephanie Hicks, Deputy City Manager Tamar Warren, Senior Deputy Clerk

NOTE: A recording of these proceedings, the Board's agenda materials, and any written comments or documentation provided to the Clerk, during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours. All meeting minutes are available for review at: https://www.carson.org/minutes. An audio recording of this meeting is available on the City's website: https://carsoncity.granicus.com/player/clip/2213?view_id=2&redirect=true&h=888b409d890cd6460913370409 https://carsoncity.granicus.com/player/clip/2213?view_id=2&redirect=true&h=888b409d890cd6460913370409

1-3. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Bagwell called the meeting to order at 8:20 a.m. Mr. Hoen called roll and noted the presence of a quorum. No flag was present; therefore, the Pledge of Allegiance did not take place.

4. PUBLIC COMMENT

Mayor Bagwell explained the public comment process, noting that they would be heard at the beginning of the meeting, at the end of a meeting, and during each agenda item. She also clarified that item 5.B would be grouped into relevant sections for discussion and comments and entertained initial public comments.

Dr. Jennifer Verive read a prepared statement encouraging the Board to prohibit slaughterhouses in Carson City and remove them from Title 18 as they were incompatible with Carson City and its values. Maxine Nietz explained that she had not been notified of the Title 18 review meetings, objected to the "squished" homes being built, wished to keep the 6,000-square-foot minimum lot size in place, and handed out copies of suggested ordinance text. She also recommended that those wishing to live in apartments should move away to places like Sacramento [CA]. Midge Breeden recommended that builders make climate-friendly decisions such as putting heat pumps instead of gas furnaces, electric stoves instead of gas ones, and condominiums that share a common wall to conserve energy. Richard Nagel announced the passing of Bob Davis of the First Presbyterian Church of Carson City and sent prayers and condolences to his wife Jennifer. Greg Novak noted that development occurs on federal, State, and Tribal properties in Carson City that are not within the City's jurisdiction. He noted the impact of public versus private streets and informed everyone that upon completion, the City's freeway would have six lanes which would impact noise and traffic studies.

5. AGENDA ITEMS

5.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN OVERVIEW OF AND POSSIBLE PROPOSALS FOR FUTURE AMENDATORY REVISIONS TO THE ORDINANCE PROVISIONS CONTAINED IN TITLE 17 OF THE CARSON CITY MUNICIPAL CODE WHICH GOVERN THE DIVISION AND SUBDIVISION OF LAND IN CARSON CITY.

Mayor Bagwell introduced the item. Ms. Sullivan gave background, reviewed the Title 17 presentation which is incorporated into the record, and responded to clarifying questions. Mayor Bagwell entertained Board discussion and recommended choosing between Titles 17.09 and 17.10 and noted her preference for the open space requirements in Title 17.09. Supervisor Giomi gave background on the origins of Title 17.10 and believed in eliminating Title 17.10 and keeping Title 17.09. Supervisor White referenced a public comment email from Bob Weise, incorporated into the record, and agreed with Mr. Weise's recommendation that "[Title] 17.10 should just go away." Supervisor Horton was also in agreement that Title 17.10 should be eliminated. Supervisor Schuette reminded everyone that Titles 17.09 and 17.10 were intended to ensure the preservation and protection of open space and cultural and natural resources and wished to see that aspect continued. She acknowledged the disappointment caused by developments but also noted that both Titles provided opportunities for everyone that cannot afford homes that are zoned as Single Family 6,000 or 12,000 to live in nice places.

Commissioner DeChristopher noted that the Planning Commission relied on the Carson City Municipal Code (CCMC) for its decisions and preferred to see it "tighter." She also hoped to continue the conversation openly and as a community, not just as particular neighborhoods. Commissioner Killgore agreed with Mr. Weise's email and wished to see Title 17.10 eliminated. Commissioner Loyd agreed with Supervisor Schuette's comments that a vibrant community was based on a diverse age group, professions, and geography. She recommended taking that into consideration "in whatever we do with Titles 17.09 and 17.10." Chairperson Preston believed in having diversified housing and provided personal and anecdotal information to support it. She wished to consider "the

community as a whole and not one neighborhood." Commissioner Perry believed that detention basins should not be used as common open spaces but was in favor of having walking and bicycling paths. Commissioner Borders believed that Title 17.10 created more density but not open space. He encouraged the Commission to work on Title 17.09 to solve the problems created by Title 17.10. He recommended taking action quickly to either eliminate or put a moratorium on Title 17.10 because he anticipated at least one or two upcoming projects with Title 17.10 components. Commissioner Krahn echoed Commissioner Preston's comments and wished to see the positive components of Title 17.10 incorporated into Title 17.09 to be more flexible. Supervisor Giomi noted that all the components of Title 17.10 were present in Title 17.09 and recommended eliminating Title 17.10 and Mayor Bagwell explained that the elimination of a code would be much quicker and easier than a rewrite. She reminded both boards that at least one pending application would be affected and should be addressed. Mr. Yu advised directing the District Attorney's Office to take appropriate action for the moratorium or the elimination of Title 17.10. Ms. Sullivan believed that "there are positives with [Title] 17.09 and some issues with [Title] 17.10." She also confirmed for Mayor Bagwell that projects eligible under Title 17.10 could be carried out under Title 17.09. Mayor Bagwell entertained public comments.

Dave Saarem noted that most of his prepared comments had already been discussed and recommended a public workshop on Title 17.10. Maxine Nietz believed that common open space was actually private open space and recommended enforcing the rules that are already there. She also advocated slow and "intelligent" growth. Christine Sylvester recommended clearly defined codes and wished to have them reflect the values of the community. Ms. Sylvester was not in favor of high-density housing. Jeffrey Foltz wished to ensure that "developments do not slip under the wire under [Title] 17.10 before you initiate the moratorium...including the Anderson Ranch West Project." Mayor Bagwell clarified that this meeting's decision would not impact said project because "they legally filed while the law was in place." Paul Esswein was in favor of repealing Title 17.10; however, he suggested revising Title 17.09 to require multiple housing types within a Planned Unit Development (PUD) and dimensional design requirements for open space. On behalf of the Board, Mayor Bagwell thanked Mr. Esswein for his past years of service on the Planning Commission.

Richard Nagel was "dismayed to find out that open space is not public space." He likened it to covering museum art and was in favor of repealing Title 17.10. Another public commenter (inaudible name) believed in a disconnect between "the community and the government" regarding the definition of open space. She was disappointed to see development in her former town not reflect what the community wanted and believed that housing growth was exceeding job growth. Bepsy Strasburg thanked the Board of Supervisors and the Planning Commission for reaching a consensus regarding Title 17.10 and hoped that other changes to ordinances are discussed in a workshop format. LeAnn Saarem also expressed her appreciation to the Board and the Commission for wanting to eliminate Title 17.10 and noted the similarities between Titles 17.09 and 17.10. She recommended joint discussions with the community should Title 17.09 changes be discussed.

Paul Longshore noted that the spirit of Title 17.10 was "awesome;" however, it was not followed by developers, and was in favor of repealing it. Karen Stephens suggested having some evening/Saturday meetings to accommodate younger residents with jobs. Mariann Humphrey expressed disappointment in the rapid growth of Carson City and believed it would impact medical, police, fire, and other services. Heather Koeche was pleased to hear the Board's and the Commission's positions on eliminating Title 17.10 and recommended involving the community during Title 17.09 discussions. Ms. Koeche was also concerned about traffic and opposed traffic

studies done by developers. Carolyn Ingbar, whose written public comment is incorporated into the record, explained that "high density does not mean affordability" and noted that many people preferred "space." She also noted that the Master Plan, paid by taxpayers, was being "ignored." Sue Masiello cited the example of her former township in Pennsylvania and believed that a community did not need growth to survive.

Sandy Koch referenced the written public comments by Bob Weise that highlighted the issues with Title 17.10, noting that Mr. Weise had also pointed out issues with Title 17.09. She recommended collecting comments from neighbors regarding open space and recommended a book titled "Happy City" and believed that open space allowed interaction between community members and helped them feel safer. Annette Mankins cited the example of Silver Oak Development and noted that the Planning Commission should have required height restrictions. She also expressed concern about water availability. Robyn Orloff was pleased to hear discussion "about an item that is so important to the community." Frank Dawes was in favor of a moratorium on Title 17.10; however, he recommended incorporating "the better part of [Title] 17.10" pertaining to flexibility in future decision-making and recommended looking into infrastructure as part of the decision-making process. Mayor Bagwell entertained additional comments and when none were forthcoming, she entertained Board discussion or a motion. Supervisor Giomi offered to make a motion; however, he also wished to ensure that the Planning Commission would take up revising Title 17.09 as soon as possible. Commissioner Loyd recommended looking into conformity with the Nevada Revised Statute (NRS).

<u>MOTION:</u> Supervisor Giomi moved to direct the District Attorney's Office to work with Staff to take appropriate legal action to implement a suspension of [CCMC] Title 17.10, which should be carried out with as much expediency as possible. The motion was seconded by Supervisor White and carried 12-0-0.

Mayor Bagwell recessed the meeting.

5.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A COMPREHENSIVE FRAMEWORK OF PROPOSED AMENDATORY REVISIONS TO THE ORDINANCE PROVISIONS CONTAINED IN TITLE 18 OF THE CARSON CITY MUNICIPAL CODE WHICH GOVERN ZONING MATTERS IN CARSON CITY.

Mayor Bagwell reconvened the meeting and introduced the item. District Attorney Jason Woodbury gave background and thanked the Board of Supervisors, the Planning Commission, the current and former Community Development Directors, and the Planning Division Staff for providing direction, calling the task difficult because it entailed a major revision of CCMC Title 18. Mr. Woodbury also praised the efforts of Assistant District Attorney Yu "for his hours of labor" and "for holding himself to a higher standard."

Mr. Yu thanked Ms. Sullivan for her extensive knowledge of CCMC, and the Board and Commission for their direction. He also reviewed a PowerPoint presentation, incorporated into the record, which included the Title 18 revision objectives: policy directions from elected and appointed officials, implementation considerations from City planners (noting that he had revised every section of the Title), and next steps. Mr. Yu explained that the revisions were both substantive and stylistic and provided examples of both in his presentation. Ms. Sullivan thanked Mr. Woodbury's office for their cooperation, especially Mr. Yu who had worked diligently and had given up personal time to complete the revisions. Mayor Bagwell called the revisions "well done" and explained to

members of the public the intricacies and "all the moving parts" of the document. She also noted that the proposed Ordinance review discussion would take place in sections for a more focused discussion. The sections were broken down as follows: Pages 1-36, 37-53, 53-64, 65-76, 77-136, 137-178, 179-235. Mr. Yu and Ms. Sullivan also responded to clarifying questions.

Supervisor White noted that the Title 18 revision was a direct result of listening to the community. Discussion ensued regarding Special Use Permits. Mayor Bagwell clarified that the term "special" was used to define certain conditions and consequences of an allowed business, such as ensuring no fumes are emitted. She also clarified that any business license may be revoked for non-compliance. Mr. Yu noted that the term "conditional use permit" has been used in lieu of "special use permit." Ms. Sullivan recommended allowing non-owners of a property to become applicants (since many properties were owned by corporations or individuals who did not reside in Carson City) provided they had authorization from property owners. Mr. Yu offered to provide a comprehensive review prior to implementing the recommendation, to avoid inconsistencies. Regarding Planning Commission duties, the Commission Chair's term was discussed, and the Commission preferred to have the ability to extend the term via reelection. Mr. Yu also offered to review the meeting cancellation policy and compare it to the Nevada Revised Statute (NRS). Supervisor Giomi inquired about incorrect information on an application and Ms. Sullivan explained that Staff confronted applicants when their statements are not accurate.

Mayor Bagwell recessed the meeting for lunch. The discussion continued when she reconvened the meeting. Ms. Sullivan reviewed the fee schedule (pages 73, 74, and 75) and clarified for Supervisor Giomi that a Minor Special Use Permit would take the same amount of staff time to process; however, the fees were less because the application could be for a home-based business such as a daycare. She also informed Commissioner Borders that to comply with the NRS, fees must be included in the Ordinance. Commissioner Loyd recommended having applicants provide proof of payment of property taxes and Ms. Sullivan noted the information is requested on a form. Commissioner Loyd also suggested using electronic media for notifications instead of mailings. Supervisor Giomi noted that since the moratoriums are issued by the Board of Supervisors, there would be no need to refer them back to the Planning Commission. Commissioner Borders recommended eliminating the Tourist Commercial (TC) and Air Industrial Park (AIP) districts and Ms. Sullivan noted that the Board had also requested looking into the General Industrial Airport (GIA).

Chairperson Preston wished to see the expansion of medical use and a better delineation than Retail Commercial (RC) zoning, adding that medical use would require more parking. Supervisor White wished to see a better definition of open space and Ms. Sullivan noted that common open space would also include passive open space. Supervisor Schuette wished to explore the possibility of designating floodplain areas as open space. Supervisor Giomi recommended having windmills painted in earth tones and Commissioner Borders suggested adding a solar energy component as well. In Commercial and Industrial districts, Commissioner Perry was not in favor of ammunition manufacturing near an airport.

Mayor Bagwell entertained general discussion. Based on a formatting request, Mr. Yu noted that he was not using drafting tools; therefore, the formatting had been done manually. Discussion ensued regarding workforce housing and Supervisor Giomi believed that the only way to accomplish that would be to incentivize developers and recommended addressing the issue in Title 17.09, specifically in Development Standards. Commissioner

Loyd suggested having better electric vehicle charging stations. Mayor Bagwell thanked the participants for a productive meeting. It was recommended to have a similar meeting to discuss Title 17.

The following public comments were heard throughout the discussion. Ms. Nietz explained that Title 18 should promote the health and welfare of Carson City's citizens and the appropriate use of the land. She recommended having control over aspects such as gullies, earthquake faults, flood zone, etc., and requested preventing development and changes in those areas. Ms. Nietz believed that developers should not have priority over taxpayers. She also stated that many applicants have "lied on their applications." Ralph Thomas recommended using scientific names for products such as marijuana. An audience member commented on meeting Conditions of Approval and Mayor Bagwell stated, "We have the right to say no if they don't meet the Conditions of Approval." She also clarified that many applications do not reach the Planning Commission if they do not meet the Conditions of Approval. Mr. Esswein believed that if a parcel is in a sensitive area, development should occur outside that area. Mr. Dawes received clarification that firearm sales were allowed where federally permitted. No action was taken on this item.

6. PUBLIC COMMENT

Mayor Bagwell entertained final public comments. Ms. Strasburg recommended exploring alternative methods of public notification such as an opt-in electronic communication program or media alerts.

7. FOR POSSIBLE ACTION: TO ADJOURN AS THE JOINT WORK SESSION MEETING OF THE BOARD OF SUPERVISORS AND THE PLANNING COMMISSION.

Mayor Bagwell adjourned the meeting at 4:15 p.m.

The Board of Supervisors meeting agendized below did not take place.

- 8. CALL TO ORDER BOARD OF SUPERVISORS
- 9. ROLL CALL
- 10. PUBLIC COMMENT
- 11. AGENDA ITEMS

11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN OVERVIEW OF THE OPERATION AND STATUS OF NON-TRANSIENT LODGING AND TRANSIENT LODGING, INCLUDING HOTEL/MOTELS, LOCATED IN CARSON CITY.

This item was pulled from the agenda.

12. PUBLIC COMMENT

13. FOR POSSIBLE ACTION: TO ADJOURN AS THE BOARD OF SUPERVISORS

The Minutes of the March 3, 2023 Carson City Board of Supervisors and Carson City Planning Commission Joint Work Session are so approved on this 31^{st} day of May, 2023.

Attachments: written public comments

Public Comment 03/03/2023 Board Retreat

From: Planning Department
To: Public Comment
Cc: Rachael Evanson

Subject: FW: halt development approval until remove or rewrite CCMC 17.10

Date: Wednesday, March 1, 2023 11:49:09 AM

Attachments: <u>image001.png</u>

Good morning,

Please see the Public Comment below for the March 3rd meeting.

Thank you,

Cecilia Rice

Community Development – Office Specialist 108 E. Proctor Street 775.887.2180



From: Ingrid Gilstrap <ingrid.gilstrap@gmail.com> **Sent:** Wednesday, March 1, 2023 10:15 AM **To:** Planning Department <planning@carson.org>

Subject: halt development approval until remove or rewrite CCMC 17.10

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Mar 1, 2023

Dear Carson City Board of Supervisors and Planning Commission,

I am dissatisfied with how CCMC 17.10 is being applied. I am writing this to show my support for the **removal or rewriting of CCMC 17.10** and ask for **no more developments** to be approved using that part of the code until it has been fixed.

17.10 should be removed or revised:

- a. using Carson City residents' involvement, such as a collaborative workshop, and
- b. should only allow for as many homesites that standard building codes under Title 18 would allow, including losses for streets/drainage/utilities/etc., and
- c. should require that original zoning of a parcel and original lot sizes should be of paramount importance which developers should have to honor, keeping infill projects compatible with adjoining neighborhoods.

I hope the Board and the Planning Commission, during their joint work session this Friday, Mar 3, 2023, will move forward, halting the approval of any developments based on CCMC 17.10 until it is

either amended or removed from the code.

Sincerely,

Ingrid M. Gilstrap 682 Norfolk Dr Carson City, NV 89703 775-720-7082 From: Bob Weise

To: Public Comment

Subject: Title 17

Date: Wednesday, March 1, 2023 11:40:06 AM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Cathy & Bob Weise 1777 North Winnie Lane Carson City, NV 89703

February 28, 2023

Dear Mayor Bagwell, Supervisors and Members of the Planning Commission,

Thank you all for taking the time to host this workshop on Title 17. I will be out of State during your meeting and I have strong feelings about this issue, so please consider the following comments.

I've been a member of the Carson City community for over 65 years and currently reside on Winnie Lane near Ash Canyon Road. I am also one of those dastardly people know as a land developer and I'm responsible for Lakeview Estates, Westwood and Lightning W Ranch. I tell you this because I strongly believe that property owners have the right to develop their land within the zoning and master plan designations. Having said that, I am equally adamant that "spirit" of both the zoning and master plan must be adhered to whenever development occurs.

Carson City is a special place, so much so, that is why we have chosen to live our remaining years here. My concern is that Title 17 is being abused and the "spirit" of open space has become a farce. Historically, land developers were NEVER allowed, nor did they expect, to receive entitlement to 100% development density based on the zoning. For example, if I owned 100 acres of land zoned for one-acre parcels, it was understood that after accounting for roadways, we would be lucky to get 85 one-acre parcels. The concept of creating open space was to provide a public benefit and not to be a tool for developers to receive a full allocation of density without regard to roadways or non-buildable areas. It is pretty simple, the smaller the lot, the less money a developer has to spend to extend sewer, water, utilities and roads.

There is land that is not developable due to constraints such as slope, flood plain, fault zones, wetlands, etc. Often the master plan and zoning didn't take these issues into consideration as they were designed to create compatibility and transition between different densities and land uses. When a developer buys land, they are well aware of these constraints and they should not be rewarded for full development densities by cramming small lots into limited usable areas, especially when these small lots are not compatible with the adjacent already developed neighborhood. It is not fair to those persons living on a one-acre lot (43,560 square feet) to have adjacent lots of 15,000 square feet. After all, what is the value of a one-acre lot vs. a 1/3 acre lot? Point being, the existing home owners adjacent to the high-density development are the real losers.

The spirit "open space" is clearly stated in 17.10.005 "to preserve or provide open space, protect natural, cultural and scenic resources", it cannot be drainage ditches, sidewalk and back yards. It needs to be real open space that can be enjoyed by the community and has value to the adjacent property owners. Before Title 17 can be utilized for a project, I believe some findings need to be made. The first finding that needs to be addressed is:

What public benefit will be realized by allowing smaller lots than otherwise would be allowed under the current zoning?

The second finding should be:

How may lots can be developed on the subject parcel using traditional mapping process?

My point with these findings is that to use Title 17 a developer must demonstrate substantial public benefit in creating smaller parcels, and the density allowed should not exceed the number of lots that can be developed under traditional subdivision mapping procedures.

The best example is the truly open space is at the South end of Longview between Kings Canyon and Washington St. There are grassy expanses where people can play with their kids and dogs, walking trails and a true sense of openness. Another example is Silver Oak. These lots are significantly smaller, yet the back yards of most of the properties are overlooking the vast open space of a golf course. What these two communities have in common is that they provide recreation and quality of life experiences that can be enjoyed by everyone in Carson City.

If you take a moment and read Section 17.10.005, the purpose of open space development, please keep this in mind - if you have a steep hillside, wetland, or canyonlands, those areas will ALWAYS be protected as Open, Natural, Cultural and Scenic areas because they are unusable! The idea of "creating open space" is to take usable land and creating trails and parks or other amenities that improve the quality of life in the development. Another example: A drainage space is NOT GREENBELT OR OPEN SPACE. At best it's public utility space and it can be in somebody's back yard or in a drainage easement, but PLEASE, IT'S A DRAINAGE DITCH NOT OPEN SPACE OR GREENBELT and it has to be there to allow for any kind of development - it's not an option to create drainage, it' a requirement for public safety that will be there regardless of the development regulations.

Sticking with this thought, Section 17.10.046 is silly. Why are private back yards considered open space? This provision should be removed. Also, Section 2.b should be increased from 100 SF to more like 1,000 square feet. Think about it, a development of 50 homes would have a population of 150 to 200+ people, and the developer only has to provide 5000 square feet of common open space, or an area 70 ft by 70 ft.

Open space should NOT have a three year maintenance plan, because what happens after three years? IT SHOULD BE PERPETUAL and the homeowners of that development need to pay for it, or the developer should set up a funding method for that purpose.

I am also concerned about the minimum setbacks stated under 17.10.030 for properties under 1 acre. Fifteen feet from the street and 10 feet from side is just too minimal, especially if the existing zoning was for parcels larger than ½ acre.

Last but not least, transferring densities from parcels that are not contiguous, should NOT be allowed. If it is to be included, then extraordinary findings should be made on behalf of the public benefit, before such transfers are allowed.

Again, I apologize for not being able to attend this meeting and I thank you in advance for your consideration.

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Kind	regards,	
Bob	rise.	

From: Mark Gilstrap
To: Public Comment

Subject: New Housing Developments in Carson City **Date:** Wednesday, March 1, 2023 10:34:55 AM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

I am writing this letter to express my opposition to the way CCMC 17.10 is being used or interpreted in new Carson City housing developments. The new development between Mountain Street and Ormsby Boulevard is an example.

CCMC 17.10 should be revised with local community input to close the loopholes that allow developers to create smaller lot sizes and increase population density that is not in concert with the surrounding areas.

Only lot sizes under Title 18 should be allowed.

Original zoning of a parcel and lot sizes should be maintained and now allow exceptions to be taken by developers.

Thank you for your consideration of my concerns at the meeting this Friday, March 3, 2023.

John Mark Gilstrap 682 Norfolk Drive Carson City, NV 89703 From: <u>Ingrid Gilstrap</u>
To: <u>Public Comment</u>

Subject: halt development approval until remove or rewrite CCMC 17.10

Date: Wednesday, March 1, 2023 10:30:13 AM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Mar 1, 2023

Dear Carson City Board of Supervisors and Planning Commission,

I am dissatisfied with how CCMC 17.10 is being applied. I am writing this to show my support for the **removal or rewriting of CCMC 17.10** and ask for **no more developments** to be approved using that part of the code until it has been fixed.

17.10 should be removed or revised:

- a. using Carson City residents' involvement, such as a collaborative workshop, and
- b. should only allow for as many homesites that standard building codes under Title 18 would allow, including losses for streets/drainage/utilities/etc., and
- c. should require that original zoning of a parcel and original lot sizes should be of paramount importance which developers should have to honor, keeping infill projects compatible with adjoining neighborhoods.

I hope the Board and the Planning Commission, during their joint work session this Friday, Mar 3, 2023, will move forward, halting the approval of any developments based on CCMC 17.10 until it is either amended or removed from the code.

Sincerely,

Ingrid M. Gilstrap 682 Norfolk Dr Carson City, NV 89703 775-720-7082 From: Marcia Cuccaro
To: Public Comment
Subject: Slaughterhouse

Date: Tuesday, February 28, 2023 12:17:49 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Just to reiterate my former comments regarding the possibility of allowing a slaughterhouse in the vicinity of Carson City residences and businesses - NO!

There is plenty of land in uninhabited rural Nevada where a slaughterhouse would cause no issues (except to the animals living around it). There is no reason to put such a business near Carson City residents or businesses. Please vote NO - once and forever!

Marcia Cuccaro 1005 West Sunset Wau Carson City, NV. From: <u>bepsy strasburg</u>

To: CCEO; Public Comment; Planning Department

Subject: Public Comment - March 3rd Special Meeting at WNC

Date: Thursday, March 2, 2023 8:38:41 AM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Hello Board of Supervisors, Planning Commissioners and Planning Department,

It is not fair to the community and property owners to allow developers 100% of density entitlements (Title 17:10) or 110% of entitlements (Title 17:09) when some available land needs to be allocated to infrastructure like roads, retention ponds as a prerequisite to develop the land.

Under CCMC Chapter 18, developers MUST build lots at least to the size permitted in zoning. Long term developers resident in Carson City, value what our city looks like and have built to about 85% of their entitlement because roads, sidewalks, etc. had to be built to support the development. Let interview developers of land which are liked by residents.

Neighbors purchase their homes, their biggest investment of their lives, and expect to see similar houses around them in future developments. If the City's Board of Supervisors want home owners to know the zoning regulations and what exceptions the Planning Department may give to Developers in the future, they need to require disclosures from realtors and the Planning Department in every sale prior to escrow close. Let's talk about this requirement. Don't put the burden on non-professional potential owners.

The City has permitted many projects under Title 17:10 over the last few years. Let do a post mortem of the projects of the implementations of Title 17:10 that the Board has approved. Did the projects turn out to be what was approved in the tentative Plan. Let's look at Andersen Estates and go down the list of each project approved. What variances did the Planning Department Director approve, post Tentative Plan approval by the Board of Supervisors?

Lot size reductions should not be allowed to accommodate density entitlements by inadequate planning and zoning regulations which are incompatible to surrounding neighborhoods and detrimental to property values of existing property owners.

The community requested a workshop to have a collaborative effort with the Planning Director, Planning Commissioners, District Attorney and Board of Supervisors to improve City Ordinances. While the March 3rd meeting is not organized to facilitate an interactive workshop, we continue to ask the City Mayor and Board of Supervisors to allow a workshop type of public hearing before any ordinances are finalized.

Thank you,

Bepsy Strasburg

From: akaspuds@charter.net To: **Public Comment**

Subject: Joint Work Session 3/3/23

Thursday, March 2, 2023 7:42:15 AM

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BOS and PC,

I have been involved in two subject matters, the flat fields at Empire Ranch and the slaughterhouse. My comment in both matters concerns the same item, the Master Plan and Title 18.

- 1. Flat Fields: At this time this meeting was heard we could not meet in person, it was all callin. My comments surrounded the items in the Master Plan that offered protection for established neighborhoods. After going over these items one of the commissioners made the comment "thanks for reading us the Master Plan", end of discussion.
- 2. Slaughterhouse: One of the three people that appealed the PC decision offered up the multiple items in the Master Plan that should have mattered and been considered as to why the location for the slaughterhouse was unacceptable. There was a lot of discussion when the first two people spoke but when the third person spoke concerning the Master Plan there was little or no discussion about the items in the Master Plan.

All of the above is available on video.

I would like to see these two bodies get together and have a discussion as to the significance of the Master Plan when making decisions for special use permits. Title 18 states when making these decisions the Master Plan is to be followed. If that is the case, then how come it seems to be tossed aside when these decisions are being made? In both cases the permits were denied, and, in both cases, it was not due to the protections offered in the Master Plan.

Is the Master Plan a living document or is it just out there to make the city look good? It seems to me it is used as something that is mentioned when it suits a decision maker, but when it applies to a resident it seems to be tossed aside.

As I see the permit process in Title 18 it seems to be adequate and as I see the Master Plan concerning the protections for established neighborhoods it also seems to be adequate. What I do not see is this process being followed or these items considered. When there is opposition to a permit the Master Plan will get mentioned but as soon as the details of the Master Plan are brought up concerning the protections it offers no discussion follows.

Please consider my comments.

Glenn Conant

From: <u>Taylor Saarem</u>

To: CCEO; Public Comment; Planning Department
Subject: Carson City Code CCMC 17.10 Comments
Date: Thursday, March 2, 2023 12:18:52 AM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

To Whom It May Concern:

My name is Taylor Saarem, and I am heartbroken to watch what code CCMC 17.10 is doing to my beautiful home town. I was born and raised right here in Carson City, and three generations of my family have called this place their home. It seems like everywhere you look now, there is a new development in progress. On top of that, developers never seem to have the residents in their best interest when building, and it is only getting worse. I remember almost every day driving to school along Ash Canyon Road and N Ormsby, by the Andersen Ranch, sitting on the edge of my seat wondering what animals I'd see that day. Most days it would be cows and horses, but some days maybe a coyote or a couple deer. Even the empty grass field was a beautiful sight. I remember seeing cows being born and eagles feeding on the scraps. Now I try to avoid driving by because of the sight of crammed together development, knowing someday my children will not be having the same experience I got to have. Code CCMC 17.10 has been used by developers to cram more quantity of units in the same amount of space purely for a bigger profit, and it needs to end.

I ask that this code is removed or rewritten with the collaboration of Carson City residents, as well as not allowing ANY more developments to be approved when this code is involved. This code allows for developers to ignore the original agreed upon zoning, and forces in more units than standard Title 18 codes would approve. Developers should have to build as many homes as the standard building codes under Title 18 allow. Previously agreed upon rules and agreements like original zoning of land and original lot sizes need to be upheld in order to preserve this great town.

I hope you will consider the voices of Carson City residents who have given so much to this great community, and are worried about the rapid unjust development of our home.

Thank you,

Taylor Saarem

From:

<u>Ashley Saarem</u> <u>CCEO; Public Comment; Planning Department</u> To: Subject: CCMC 17.10 Dissatisfaction Comments Wednesday, March 1, 2023 11:20:22 PM Date:

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

To Whom It May Concern:

My name is Ashley Allen, and I am writing to express my extreme dissatisfaction with how CCMC 17.10 is being applied. My husband, Brett Allen, and I are both third generation Carson City residents, and we are deeply saddened when we drive around town and see what developers are doing to our beloved town. It seems like everywhere you look, more beautiful land is being destroyed by new developments with homes basically stacked on top of each other. This is not what we want for Carson City! We must fight to preserve our beautiful town! Carson City Code CCMC 17.10 has been taken advantage of by developers to increase density and decrease lot sizes. For example, it makes me sick watching the Andersen Ranch being built right now; I can't even bear to look at it when I drive by.

I am asking for your support in removing or rewriting CCMC 17.10 and allowing NO MORE developments to be approved using this part of the Code until it has been fixed. CCMC 17.10 is flawed because it ignores original zoning and severely reduces lot sizes, allows for more houses/units than the standard development codes (Title 18), and gives developers the upper hand with too many loopholes.

Most importantly, I'd like to stress three points:

- 1. CCMC 17.10 needs to be rewritten or updated using a collaborative workshop with Carson City residents' involvement
- 2. Developments under 17.10 should only allow for as many homesites that standard building codes under Title 18 would allow
- 3. Original zoning of a parcel and original lot sizes should mean something, and developers should be required to honor that and keep infill projects compatible with adjoining neighborhoods

I hope you will consider the opinions of the numerous long-time Carson City residents who are concerned about the development of our town and stand up for the future of our beautiful Carson City!

Thank you,

Ashley and Brett Allen

From: <u>Maddi Saarem</u>

To: CCEO; Planning Department; Public Comment

Subject: Dissatisfaction with how CCMC 17.10 is being applied

Date: Wednesday, March 1, 2023 9:30:08 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

To whom it may concern,

My name is Maddi, and I have been a citizen of Carson City my whole life. This city has always been my home and will forever be my home as I raise my own children here.

I am writing to you to express my concern as to how 17.10 of the CCMC has recently been applied/manipulated. I believe no more developments should be approved by abusing this section of the code until it has been modified. Any rewriting/modification should be accomplished with Carson City residents' involvement.

Developments under 17.10 should only allow for as many homesites as Title 18 of the standard building code would allow including losses for public utility easements and drainage.

It is unacceptable to not honor original zoning and lot sizes within our community. They were originally designed with the future of our community in mind and should be enforced accordingly. Developers are no exception, and should have to keep infill projects compatible with adjoining neighborhoods.

Thank you for taking the time to read about my dissatisfaction with how CCMC 17.10 is being applied. I hope you will take the residents' opinions to heart and take the necessary steps to stop this from happening.

-Maddi

From: The Kisers

To: <u>CCEO</u>; <u>Public Comment</u>; <u>Planning Department</u>

Subject: CCMC 17.10

Date: Wednesday, March 1, 2023 7:43:30 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

I am very concerned with the development going on in Carson City. Buildings are being built where they are practically dropped in residence's backyards. Where is the infrastructure to accommodate all these housing units?

Many of the problems stem from the loopholes in CCMC 17.10 which gives developers the upper hand. I strongly believe that 17.10 needs to be updated or rewritten using workshops with residents' help and input. Developments under 17.10 should have to honor zoning and lot sizes to keep infill projects compatible with adjoining neighbors.

The burden is on the people who don't believe they had any input before things were set in place for these developments. I'd like to see Carson City have more compassion and interest in the people who already live here and have had homes here for many years.

Sincerely,

Carrie Lynn Kiser 9 Wegotta Way Carson City, NV 89706 From: Tina leahy
To: CCEO

Subject: Halt Carson City Development Approval Until CCMC 17.10 Is Either Removed or Revised

Date: Wednesday, March 1, 2023 7:31:05 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Dear Carson City Board of Supervisors and Planning Commission,

I am dissatisfied with how CCMC 17.10 is being applied. I am writing this to show my support for the **removal or rewriting of CCMC 17.10** and ask that **no more developments** are approved using that part of the code until it has been fixed.

17.10 should be removed or revised:

a. using Carson City residents' involvement, such as a collaborative workshop, and

b. only allow for as many homesites that standard building codes under Title 18 would allow, including losses for streets/drainage/utilities/etc., and

c. should require that original zoning of a parcel and original lot sizes are of paramount importance which developers will honor, keeping infill projects compatible with adjoining neighborhoods.

I hope the Board and the Planning Commission, during their joint work session this Friday, Mar 3, 2023, move forward, halting the approval of any developments based on CCMC 17.10 until it is either amended or removed from the code.

Sincerely,

Tina F. Leahy 1660 Bluebird Ct Carson City, NV 89703

775-315-1101

March 1, 2023

Changes need to be made to CCMC Title 17 so that it cannot be manipulated by developers to maximize their profits at the expense of the quality of life of the citizens of Carson City. Carson City is growing and there is a need for reasonably priced property in this age of outrageous housing prices. However, that growth needs to be quality development.

Chapter 17.09 which governs Planned Unit Developments and Chapter 17.10 which governs Common Open Space Developments are poorly developed plans which allow for abuse of the good intentions with which they were originally intended. Appropriately developed, planned and open space developments should meet the indentions of the city's master plan and be a positive addition to a community. Unfortunately, in Carson City, the Master Plan is mostly ignored, and developers are using Chapter 17 to maximize development on property and thus reap the greatest profit to the detriment of surrounding neighbors and the city as a whole.

Carson City's Master Plan, an advisory document, was developed at considerable taxpayer expense, and with considerable taxpayer input. Yet it seems that most development that is done in Carson is done with a Special Use Permit allowing deviations from the plan.

For example, Silver Oak Apartments which have been approved for Garth Richards Ave.:

- 1. There will be 178 units which means there should be 356 parking spaces. The developer will be allowed to provide only 303 spaces. Which will potentially put 53 cars parking on the street. There is not likely to be anywhere for visitors to park visitors could include care givers and service providers who are vital to health and safety of many individuals.
- 2. Maximum height for the zone in which the apartments are located is 45 feet. The maximum height for the apartments as shown in the design renderings is 46 feet (Did no one notice this?). One foot may not seem egregious, except that this is a four story apartment complex surrounded by one and two story buildings. Indeed, there is only one other 4 story apartment complex in Carson City. It was by the same contractor who will be building this one. These apartments will be considerably taller than any building in all of north Carson City. Unfortunately, I fear this will set a precedent for more. Do we really want Carson City to start looking like South Reno?!
- Water main in the area of this apartment complex has insufficient flow to meet fire flow demands. This is in the Silver Oak Apartments documents presented to the Planning Commission on January 25, 2023. If there is a fire in this building, the hydrants will not be adequate.
- 4. Storm drain will be needed as College Parkway sewer main is at capacity. The developer will pay a portion of the cost of the drain. Taxpayers will pay the rest.
- 5. GS Richards will need a traffic signal due to increase traffic as a result of 178 living units on the street. The signal will cost \$1,495,980. The developer will contribute only 10% to

the cost of the signal. Taxpayers will pay the rest. I am tired of hearing how growth pays for itself. Perhaps it's time developers paid a larger share.

Another example of abuse of Chapter 17 by a developer is the former Anderson Ranch property west of Mountain Street:

- The developer was to provide common open space in exchange for being allowed to develop nearly twice as many homes as the surrounding zone would allow. The open space is now detention basins. The green, perimeter pathway around the development is now a 15 foot wide fenced cement corridor. Not exactly the quality open space one would hope for.
- 2. Chapter 17.09 requires 30% of a project's gross land area be set aside for open space but 25% of that can be individual yards! As a result, most of the open space in this development will be private property. Not exactly the quality open space one would hope for.
- 3. Public meeting were held for comment on this development. They were held at the Community Center in order to accommodate the hundreds of people who attended, including myself. Most of the comments were against the development, primarily because it was such a divergence from surrounding zoning. There were safety concerns about the number of homes to be crammed in to a relatively small area, concerns of increase traffic on the streets, adequate fire protection, etc. The Board, which is elected by the voting citizens of Carson City, chose to ignore public opinion and allowed the development.
- 4. This development is a travesty and never should have been accepted.

It says on the Carson City website that "The Board of Supervisors are responsible for soliciting citizen views in forming these policies and interpreting them to the public." The people of Carson City elect the Board, they are not appointed by developers. They are elected in good faith by the people who expect them to oversee the development of the City in the best interest of the citizens, which may or may not be in the best interest of developers. However, it seems the Board is more likely to allow anything a developer wants, regardless of the opinions and concerns of the citizens who elected them.

The Board of Supervisors and Planning Commission have an opportunity at the March 3 joint meeting to make modifications to the existing Title 17 so that it works to the benefit of the citizens of Carson City. Make it a document that enforces quality development as it was originally intended to do.

17.10.005 Should allow for variation in lot layout, <u>NOT variation in lot size and density</u>. And only when the geography of the property is not conducive to development under Title 18. <u>This is VERY important to address</u>, as this is where most of the abuse comes from.

17.10.015 Common open space should allow for true, common open space. Private yards should not be considered open space.

- 17.10.020 Open space should be of decent size. Should not be a detention basin or a 15 foot wide pathway between fences.
- 17.10.025 The total number of units in a development should not exceed the number allowed by the surrounding zoning. Stop allowing tiny lots which are not similar to surrounding zoning.
- 12.10.030 There needs to be a limit to how small a lot can be, and it should not be significantly different from surrounding zoning.
- 17.10.035 Site analysis should determine open space area, but <u>not lot size variations</u>. The road areas need to be subtracted from the total area of a property to be developed. Addition of roads should not allow for reductions in lot size. Roads should not be considered open space.
- 17.10.046 Private open space is a private yard. This should not be considered open space by a developer. Common open space should be useable by everyone and not be less than 50 feet in any dimension. Nor should detention basins be considered open space. If a developer is proposing a Common Open Space Development, then the open space should be significant.

Please fix Title 17 so we can have quality development that is consistent with surrounding zoning and neighborhoods.

From: Leo Mankins

To: CCEO; Planning Department

Subject: CCMC 17.10

Date: Wednesday, March 1, 2023 4:26:28 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

ATTENTION TO ALL CONCERNED:

My name is Annette Mankins, and I have lived in Carson City since 1962. I know that doesn't mean much to you, but the changes to Carson City these past years make a big difference to a lot of people. I drive around town, and it makes me tear up just seeing what is happening to our town. People are constantly complaining about the recent developments in our city. It seems like it's always after the fact when I see the buildings are going up and the precious land is being turned into a dense community. Buildings are being built where they are practically dropped in residence's backyards. Are people inundating your office with complaints after the fact? Where is the infrastructure to accommodate all these housing units?

Many of the problems stem from the loopholes in CCMC 17.10 which gives developers the upper hand. I strongly believe that 17.10 needs to be updated or rewritten using workshops with resident's help and input! Developments under 17.10 should have to HONOR zoning and lot sizes to keep infill projects compatible with adjoining neighbors. THE BURDEN IS ON THE PEOPLE WHO DON'T BELIEVE THEY HAD ANY INPUT BEFORE THINGS WERE SET IN PLACE FOR THESE DEVELOPMENTS.

PLEASE REVISE CCMC 17.10!

I'm 79 years old and weather permitting I will attend Friday's meeting! Thank you for your consideration in advance.

Sincerely,

Annette Mankins 2340 Avery Rd. Carson City, NV 89706 From: David Gruenloh
To: Public Comment
Subject: Landfill Rate Increase

Date: Wednesday, March 1, 2023 3:57:44 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Dear Carson City,

It's understandable that landfill rates eventually need to increase, although it's been understood that Waste Management will still be charged the same amount after all other citizens rates will increase, which is very unfair to all of Carson City, as well as, all the small businesses who are trying to make a living doing junk removal, landscaping, and dumpster rentals.

If you must increase the rates at all, then you should be transparent and fair. Quit trying to pad your own pockets with BS contracts and kickbacks with Waste Management and be the fair and just government the people deserve.

I will do my best to show up in person tomorrow to hear your feedback and express my opinions and ideas. If I am unable to attend, please accept my response and listen to your conscience to what integrity is.

Thank you for your time and consideration.

Cheers,
David Gruenloh

From: <u>Candace Castiglione</u>
To: <u>Public Comment</u>

Subject: CCMC 17.10 versus Title 18

Date: Wednesday, March 1, 2023 3:49:56 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Building Codes were enacted for the betterment of the City and Community, and have been used since before I was born...Without telling my age, trust me, that's a very long time ago.

My father was one of the largest home contractors in Northern California, so I am aware that all Contractors who abide by reasonable, and fair-to-all guidelines can make it. They just re-figure their profit margins into the price of the homes, without being too greedy, and in turn build quality which keeps the City(s) from becoming utility inadequate, open space lacking, property investor low rental landlords, and eventually slums.

Carson City is a very desirable city to live in (we have lived here for 22+ years), and the demand for housing here has shown that, so if bad changes are made to an already proven Code, why?

Love our city, respect our community, and continue to build responsibly for ALL. You were elected because those who voted for you were under the assumption that you have the same ideals...Be that person!

Thank you,

Candace Castiglione

Sent from my iPad

 From:
 kww@engineer.com

 To:
 Rachael Evanson

 Cc:
 Heather Ferris

Subject: Re: RE: Title 18 and Billboards feedback

Date: Thursday, March 2, 2023 11:13:49 AM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Kristoffer Wayne Wickstead, homeowner sat 2708 Gardner Lane, Carson City, NV 89706

Sent using the mobile mail app

On 3/2/23 at 10:31 AM, Rachael Evanson wrote:

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> Please submit your full name for the record.
> Thank you,
> Rachael Evanson | Office Manager
> Executive Office | Carson City, A Consolidated Municipality
> 201 N. Carson Street, Suite 2, Carson City, NV 89701
> Direct: 775-283-7125 | Office: 775-887-2100 | Fax: 775-887-2286
> http://www.carson.org
> ----Original Message-----
> From: Heather Ferris < HFerris@carson.org>
> Sent: Thursday, March 2, 2023 10:30 AM
> To: Public Comment < Public Comment@carson.org>; Rachael Evanson
<REvanson@carson.org>
> Subject: FW: Title 18 and Billboards feedback
>
>
> ----Original Message-----
> From: kww@engineer.com <kww@engineer.com>
> Sent: Thursday, March 2, 2023 9:38 AM
> To: Hope Sullivan < HSullivan@carson.org>; Heather Ferris < HFerris@carson.org>
> Subject: Title 18 and Billboards feedback
> This message originated outside of Carson City's email system. Use caution if this message
contains attachments, links, or requests for information.
> Hi Hope and Heather,
> For public comment for the title 18 reviews:
> 1.) billboards should be no closer than 1000 feet from any residences including mobile
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> 1.) billboards should be no closer than 1000 feet from any residences including mobile homes on any sort of zoning. If there's a person living on that property legally, 1000 ft away should be the standard for billboard distance (current billboard on hwy 50 at the mobile home park by CVS is a loophole allowing blight right in someone's window).

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> 2.) would like to see a sunset of billboards within less than 1000 ft of residences currently, due to blight.
> I hope my comments can make it to the planning and supervisor team.
> Thanks,
> Kris W.
> Sent using the mobile mail app
>
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From: <u>Frank Porter</u>

To: CCEO; Planning Department; Public Comment

Subject: Rewrite CCMC 17.10

Date: Thursday, March 2, 2023 11:08:14 AM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

To The Board of Supervisors, The Planning Commission, and The Building and Code Division,

My wife and I moved to Carson City in January 2021 after losing our home to the 202 California Wildfires. We love it here in Carson City. What really attracted us to the area was the open space surrounding the city while being a City having many of the amenities we were looking for. I am hopeful we can keep the feeling of these ideas while we continue to develop the surrounding areas.

What concerns me at this time are the disappointments I felt when I received a letter expressing the development of an open space for the community which turned into housing instead. I am not sure how this can happen but I have recently been informed that the culprit is the loose fitting and lenient guidelines of Carson City Municipal Code - CCMC 17.10.

I think Carson City deserves more serious consideration when developing new homesites by framing the present code with the input of Carson City residents. We should together decide how Carson City should look, while limiting the number of homes to the standard building codes that Title 18 allows and while maintaining the original zoning of lot size. This will support the look and feel of existing development and allow the continued growth of Carson City within the parameters that have already been codified in the Carson City Code.

I love the sense of open space and the idea of new development in Carson City. I look forward to seeing attractive growth which will enhance our communities and further the interest of new homeowners to the area.

Sincerely, Frank Portera