



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: September 2, 2020

REPORT TO:	Mayor & City Council	
REPORT THRU:	Daphne Hooper, City Manager	
REPORT BY:	Olivia John, Assistant Planner	
REVIEWED BY:	Brent Kolvet, Deputy City Attorney	
REVIEWED BY:	Denise Lewis, Finance Director	
FINANCIAL IMPACT: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CURRENTLY BUDGETED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	FUND/ACCOUNT:
ACTION REQUESTED:	<input type="checkbox"/> Consent <input type="checkbox"/> Presentation	<input type="checkbox"/> Motion <input type="checkbox"/> Receive/File <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
AGENDA ITEM: First Reading, Introduction Bill #287 - ZMA20003 Consideration and possible action to Introduce Bill #287 as an ordinance for a Zoning Map Amendment request from Vertex Fund 1 LLC, to change the zoning on a site comprised of nine parcels totaling approximately ±33.32 acres generally located north of Fremont Street, south of U.S. Interstate 80, west of Granada Street & Wildwood Drive, and east of Vine Street, Fernley, NV. <ul style="list-style-type: none">• To change the zoning on a ±7.08 acre parcel from SF6 (Single Family 6000 sq. ft.) to MDR14 (Medium Density Residential 14 du/ac max). (APN: 020-516-06)• To change the zoning on seven parcels totaling ±24.09 acres from SF12 (Single Family 12,000 Sq. ft.) to MDR14. (APNs: 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, and 021-092-55)• To change the zoning on a ±2.06 acre parcel from RR1 (Rural Residential 1 acre) to MDR14. (APN: 021-092-05)		
AGENDA ITEM BRIEF: The applicant is requesting to change the zoning on a total of nine parcels: One parcel from SF6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre); one parcel from RR1 (Rural Residential, 1 acre minimum lot size) to MDR14; and, on seven parcels from SF12 (Single Family Residential, 12,000 sq. ft. minimum lot size) to MDR14.		
RECOMMENDED MOTION: Read bill by title and schedule 2 nd reading, public hearing, and possible adoption of Bill #287 for the regularly scheduled meeting on September 16, 2020. "I move to introduce Bill #287 and set the public hearing for the September 16, 2020 City Council Meeting."		
Business Impact (per NRS Chapter 237): <ul style="list-style-type: none"><input type="checkbox"/> A Business Impact Statement is Attached.<input checked="" type="checkbox"/> A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B.		

See Attached Report for Background/Analysis/Alternatives.

PROJECT SUMMARY

- CASE NUMBER(S):** • ZMA20003
- REQUESTED ACTION(S):** • Zoning Map Amendment
- PROJECT DESCRIPTION:** • A Zoning Map Amendment request to change the zoning on a total of nine parcels: One parcel from SF6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre); one parcel from RR1 (Rural Residential, 1 acre minimum lot size) to MDR14; and, on seven parcels from SF12 (Single Family Residential, 12,000 sq. ft. minimum lot size) to MDR14.
- PROPERTY OWNER(s):** • Harold Smith
• C&D Development Co.
• Clarence Leroy Shields
- APPLICANT:** • Vertex Fund 1 LLC
- LOCATION:** • Generally located north of Fremont Street, south of U.S. Interstate 80, west of Granada Street & Wildwood Drive, and east of Vine Street, Fernley, NV
- SITE SIZE:** • ±33.32 acres
- EXISTING ZONING:** • SF6 (Single Family 6000 sq. ft. minimum lot size)
• SF12 (Single Family 12,000 Sq. ft. minimum lot size)
• RR1 (Rural Residential 1 acre minimum lot size)
- PROPOSED ZONING** • MDR14 (Medium Density Residential, 14 dwelling units per acre)
- EXISTING LAND USE:** • Mixed Residential (MR)
- WARD INFORMATION:** • Ward 1 – Raymond Lacy

***A PUBLIC HEARING IS REQUIRED**

POLICY REFERENCE

- Nevada Statutes:* NRS 278A
- Fernley Municipal Code:* Title 32
- Policies & Procedure Manual:* N/A
- Community Assessment:* N/A
- City of Fernley Development Code:* Chapter 32.03 & 32.06

BACKGROUND

The subject parcels surrounded by existing residential development which was previously agricultural land. Past submittals to the City included: Master Plan and Zoning Map Amendments for APNs 021-092-26 and 021-092-27 in October 2003 and February 2004; Zoning Map Amendments for APNs 021-092-23, 021-092-46, 021-092-47, 021-092-55 in April 2005; and, a Zoning Map Amendment for APN 021-092-54 in April 2006. A Tentative Subdivision Map was approved by City Council on July 20, 2016 but the approved map has since expired. This area is located within walking distance of services and amenities. The City of Fernley completed a Master Plan update in August 2018 which anticipated more intense type development (Mixed Residential) within the area which will encourage a range of housing types to supplement employment housing demand. Although this Zoning Map Amendment is not attached to a current project, future residential development of smaller lots is likely to help provide a more attainable housing product, supporting the goals of the City's Comprehensive Master Plan (Master Plan).

ANALYSIS

The subject parcels have a Master Plan designation of Mixed Residential (MR). Current zoning designations include Single Family 6,000 square foot min (SF6) (APN: 020-516-06), Single Family 12,000 square foot min (SF12) (APNs: 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, and 021-092-55), and Rural Residential 1 acre (RR1) (APN: 021-092-05).

The existing zoning is not in conformance with the Master Plan designation of "Mixed Residential." The applicant is proposing to change the zoning for all parcels to MDR14 (Medium Density Residential – 14 du/ac) which would bring the location into conformance with the Master Plan.

One of the important community principles that guided the 2018 City of Fernley Comprehensive Master Plan update was to diversify Fernley's housing types and provide more affordable options to serve a broader range of the community. Previous land patterns in Fernley have promoted larger lots, which have led to higher housing costs and inefficient use of infrastructure resulting in higher utility costs. The proposed Zoning Map Amendment will help implement the new Master Plan and increase the overall supply of housing in the region while helping to diversify Fernley's housing products.

The proposed Zoning Map Amendment encourages higher density residential development near the commercial and industrial centers of the City as outlined in the approved Master Plan. The proposed MDR14 zoning will allow additional units on an infill site which can take advantage of any surplus capacity of existing infrastructure thus allowing for the more efficient use of public infrastructure. Not only will the additional units help pay for much needed improvements including roadways, sewer, and flood mitigation, they will also help sustain the ever-growing long-term maintenance costs of the infrastructure.

One of the primary goals of the Master Plan is to provide a diverse mix of housing types. This proposed amendment would allow for development to take place within a targeted area where density is currently low and the demand is highest for the projected growth in population.

FINDINGS

Zoning Map Amendment

A. Consistent with the City's Master Plan and otherwise consistent with state and federal law.

MDR14 zoning is an allowed zoning within the MR master plan designation. The zoning will allow for medium density mixed residential development while maintaining the character of the area.

One of the important community principles that guided the 2018 City of Fernley Comprehensive Master Plan update was to diversify Fernley's housing types and provide more affordable options to serve a broader range of the community. Previous land patterns in Fernley have promoted larger lots, which have led to higher housing costs and inefficient use of infrastructure resulting in higher utility costs. The proposed Zoning Map Amendment will help implement the new Master Plan and increase the overall supply of housing in the region while helping to diversify Fernley's housing products.

Applicable Master Plan Policies

"HP.1.1 Enhance Fernley's vitality as a community by providing a variety of housing types, density and costs that accommodate the needs, desires and financial abilities of the current and future households."

Growth and new jobs are anticipated in this region and housing demand will require the construction of additional housing units. Historic land patterns in Fernley promoted larger lots, which have led to higher housing costs and inefficient use of infrastructure also leading to higher utility costs. A higher density on parcels close to infrastructure can help increase the overall supply of housing in the region and support new jobs in Fernley. Additional housing will not only provide opportunities for Fernley workers to live in Fernley but will also help stabilize housing prices and support greater housing attainability, more so than the housing type encouraged by the existing zoning.

"HP.1.2 Encourage housing that supports sustainable development patterns by promoting the efficient use of land, conservation of natural resources, easy access to services and public facilities such as parks, and resource efficient design and construction."

The subject parcels are within an area in close proximity to existing infrastructure, services, and amenities. The Zoning Map Amendment request would promote a density compatible with the Master Plan adding additional units to support workforce demand. A key component to sustainability in land use practices is reducing sprawl by using existing land in the most efficient manner possible. Changing the zoning and increasing density on the subject parcels will encourage redevelopment and add housing for the growing population in an area surrounded by existing development and infrastructure. Development of these areas will eventually decrease utility costs for current and future households.

“LU.1.1 Encourage new development in areas where adequate public services and facilities can be provided efficiently.”

Sewer, Water, and Utilities:

Utilities are in close proximity to the subject parcels. It is anticipated a future project would utilize and improve existing infrastructure in this area to serve the development, which will also provide benefits to the surrounding area. The increase in density to MDR14 will help to support community wide benefits such as flood mitigation, upgrading aging utilities, reconstructing roadways, and long-term sustainability of the City’s infrastructure. However, at this time it is unclear just how much capacity exists within the existing infrastructure. Certified, stamped studies demonstrating the impact to existing infrastructure will be required, and new development may need to construct additional capacity to serve any proposed project.

Schools:

The closest schools to the subject parcels are Fernley Elementary School and Fernley Intermediate School, both located approximately 1 mile southwest of the site. Fernley High School is located approximately 2.2 miles southwest. According to the Lyon County School District’s 2016 Facilities Plan, all of the Fernley schools are currently under capacity and are planned to be within adequate utilization through 2025, with the exception of one elementary school. The School District’s 10-year capital program identifies a new elementary school that is planned to be built in the next 4 to 6 years, which would address elementary school capacity. Any future tentative subdivision map would be sent to the school district for consideration and determination whether adequate facilities exist.

Police & Fire:

Police protection is provided by the Lyon County Sheriff’s office. Fire protection is provided by the North Lyon County Fire Protection District. The subject site is located in a developed area near existing development that is already served by these agencies.

Parks/Recreation:

The subject property is located adjacent to a community park and public open space. It should be noted the City’s Parks Master Plan calls for a new park to be located to the west of Vine Street. Depending on the type of development proposed, a developer may be required to provide recreational amenities within the project site.

“LU.1.2 Encourage new development to be in accordance with the Comprehensive Master Plan land use category.”

The existing zoning is not in conformance with the Master Plan designation of “Mixed Residential.” The appropriate zoning for this property is either Medium Density Residential – 14 units per acre (MDR14) or Planned Development (PD). This zoning amendment to MDR14 will bring the property into conformity with the Master Plan. The proposed Zoning Map Amendment would help support the goals and policies Comprehensive Master Plan.

“LU.1.4 Ensure existing and future land uses are compatible.”

To ensure compatibility with the existing land uses and proposed future development, Section 32.09.030 – Adjacency Standards, D2 - Lot Adjacency and Transition Standards – of the development code requires future developments to provide adequate buffering and transitions in lot sizes when adjacent to Single-family Residential. Although a project is not proposed at this time, the applicant will be required to satisfy these standards as they move forward with the design of any proposed project.

“LU.1.5 Promote infill development.”

The subject undeveloped parcels are surrounded by existing residences where existing infrastructure, major transportation corridors, and services are in close proximity. The proposed Zoning Map Amendment will encourage redevelopment of these underutilized infill parcels whereby intensifying land use within the existing community core.

B. Consistent with the surrounding land uses.

	<i>Surrounding properties and uses:</i>	<i>Current Zoning District:</i>	<i>Comprehensive Plan Land Use Designation:</i>
<i>North:</i>	Open space (U.S. Interstate 80)	GR20	OSP
<i>West:</i>	Residential-rural development and agricultural	RR1 & SF20	MR
<i>East:</i>	Single-family residential and open space	MF30 & SF6	OSP & MR
<i>South:</i>	Residential-rural development and agricultural	SF20 & SF12	MR

The subject parcels are located in a developed area served by existing public facilities, roads, and services. However, it is unclear whether adequate public facilities exist in the area to serve any proposed development. A future development project may be required to improve the infrastructure to serve the development providing benefits to the surrounding area.

The subject parcels are infill surrounded by existing development. The Zoning Map Amendment is consistent with the surrounding area and would allow for similar development to the adjacent properties.

Promoting denser development in areas with existing infrastructure and services conserves natural and economic resources, discouraging sprawl and inefficient land patterns that require significant public investment to sustain. Encouraging efficient use of land for residential housing on infill parcels such as the subject parcels will reduce the City’s cost for providing services in the future and help support redevelopment efforts.

This request will help to ensure an adequate housing supply to meet future population projections identified in the Master Plan. A higher density of lots on parcels close to infrastructure can help increase and diversify the overall supply of housing in the region and contribute to a stabilization of housing prices and support greater housing attainability.

C. Public notice was given, and a public hearing held per the requirements of the Development Code and Nevada Revised Statutes.

Public notice was given, a public hearing was scheduled, and The Planning Commission and City Council meetings function as public hearings for this matter as required in the City's Municipal Code and Nevada Revised Statutes.

Pursuant to Section 3 of the Declaration of Emergency Directive 006 the requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate has been suspended until further notice. Also suspended in Section 3 of Directive 006, are the requirements contained in NRS 241.020(4)(a) that public notice agendas be posted at physical locations within the State of Nevada. To view the entire Declaration of Emergency Directive 006 please visit.

ATTACHMENTS

1. Attachment 1 - Vicinity Map
2. Attachment 2 – Existing & Proposed Zoning Maps
3. Attachment 3 – Bill #287 – Ordinance for Zoning Map Amendment