

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the January 23, 2006 Meeting

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A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, January 23, 2006 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Vice Chairperson Dan Jacquet
Tricia Lincoln
Wayne Perock
Bruce Scott

STAFF: Roger Moellendorf, Parks and Recreation Department Director
Juan Guzman, Open Space Manager
Lee Plemel, Planning and Community Development Principal Planner
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings is available, in the Clerk-Recorder's Office, for review during regular business hours.

CALL TO ORDER AND ROLL CALL (6:10:27) - Vice Chairperson Jacquet called the meeting to order at 6:10 p.m. Chairperson Hartman and Members Fischer and Riedl were absent.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (6:10:49) - None.

1. ACTION ON APPROVAL OF MINUTES - November 21, 2005 (6:11:01) - Member Scott moved to accept the minutes, as presented. Member Perock seconded the motion. Motion carried 4-0.

2. CHANGES TO THE AGENDA (6:11:42) - At Mr. Guzman's request, Vice Chairperson Jacquet deferred item 3-A to the next meeting.

3. AGENDA ITEMS:

3-A. ADOPTION OF A RESOLUTION EXPRESSING GRATITUDE TO LAURA BIRD FOR HER YEARS OF SERVICE AS A MEMBER OF THE OPEN SPACE ADVISORY COMMITTEE - Deferred.

3-B. ACTION TO RECOMMEND TO THE PLANNING COMMISSION AND BOARD OF SUPERVISORS ON THE VICEE CANYON SPECIFIC PLAN AREA, SECTION 2 - CONSERVATION; SECTION 4 - PARKS, TRAILS, AND OPEN SPACE; SECTION 5 - CIRCULATION AND ACCESS; AND OTHER POLICIES RELATED TO THE OPEN SPACE MASTER PLAN (6:12:09) - Mr. Guzman introduced Senior Land Use Planner Clint Wertz and Administrator Pam Wilcox of the Division of State Lands. Mr. Plemel provided background information on this item as related to the comprehensive master plan process, explained the purpose of a specific plan area, and reviewed general information on development of the Vicee Canyon specific plan area ("SPA"). He referred to the "Issue Summary Questions and Answers" which had been distributed to the committee members and staff prior to the start of the meeting. Mr. Guzman reviewed the staff report, and advised of staff's recommendation of approval. He discussed the importance of the committee considering whether the City should serve as custodians of future open space associated with development.

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(6:20:30) Ms. Wilcox reviewed historic information on school trust lands, and described the location and characteristics of the subject 267-acre parcel. She provided background information on development of a master plan for the parcel, in cooperation with City staff over the past ten years. She commended Mr. Wertz and Mr. Plemel on their efforts in revising the plan to ensure protection of the land and to allow for quality residential development.

Member Scott expressed appreciation for the sense of resources and for the consideration given to opportunities as well as constraints associated with the property. He expressed the opinion the property represents an area where development makes sense given the constraints to work through. He expressed support for the planned unit development approach. He requested Ms. Wilcox to outline the State's process for transferring ownership of the land. Ms. Wilcox explained that the Division of State Lands would normally submit such a parcel to an auction process and leave to a developer the responsibility of approaching the local government with a plan. State representatives were "reluctant to do that in this case" as the parcel is considered to be "unusual." The plan was developed to recognize both the constraints and opportunities associated with the parcel. Ms. Wilcox discussed the importance of retaining open space and clustering residential development to preserve open space. The SPA is the best mechanism to accomplish this so that, at the time the parcel is offered for sale, bidders will know the City's expectations and the SPA policies. Ms. Wilcox advised that State representatives believe the open space would be most appropriately managed by the City; however, if the City decides it does not wish to manage the open space, it would be the responsibility of a future developer. Division of State Lands representatives sought to ensure the open space would be protected, and left to the community to determine how to implement management.

Member Scott expressed the hope that the City would be willing to manage the open space and not leave it to a future homeowners association. He referred to the neighborhood parks referenced in the SPA document, and suggested they should be small and localized, very much associated with the residential neighborhood. He suggested that open space linkages, wildlife corridors, drainages, etc. will provide opportunities other than a formal park setting. He expressed the hope that intensive, expensive parks in this area could be avoided in favor of other recreational opportunities. Clearly identifying guidelines and expectations will result in a "good, clean market" to minimize uncertainties and ensure that any development is an example of what a planned unit development can be and how identified resources can be protected. Member Scott expressed support for the process, and appreciation for the approach.

Member Perock expressed support for the concept, and inquired as to the mechanism by which open space would be offered to the City. Ms. Wilcox explained that the entire parcel would be sold. The intent of the SPA is to provide general policies and development constraints for the protection of open space. The SPA policies would apply at the time the developer presents plans to the City. Mr. Guzman acknowledged the developer would dedicate back to the City the open space and parks land. In response to a further question, Ms. Wilcox advised she had heard from developers who are supportive of the process.

In response to a question, Mr. Guzman advised that the master plan identifies the parcel as one component of the open spaces on the west side of Carson City and also describes it as a threatened space with regard to development. He acknowledged the parcel represents an open space acquisition opportunity like any other hillside land on the west side of town. He explained the reasons the subject parcel was never included in the Open Space Opportunities map. At Mr. Plemel's request, Ms. Wilcox explained that, while the parcel has sections with great open space potential, it also has a large portion that lies very well in terms of residential potential. She advised that locking the entire parcel up as open space, when the City is in

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desperate need of suitable residential land, would not be a good choice. She reviewed constraints associated with the sale of school trust land, including that direct sale to local governments is prohibited. School trust land can only be offered at auction. Ms. Wilcox advised that the City could submit bids during the auction, but noted this would not be a good way to protect open space because of the possibility of being outbid by a developer. She expressed the opinion that the SPA document is a much better approach to ensure revenue is generated for the school trust, to provide housing opportunities for Carson City, and to protect the open space. Ms. Wilcox acknowledged that State land is subject to local planning and zoning. Mr. Guzman acknowledged the City could bid on the entire parcel. He further acknowledged the SPA document would not preclude the City from entering into the auction process, but expressed the opinion the approach would be impractical. Member Scott noted there is open space to be gained by the City in any of the scenarios discussed; the question would be how much and whether or not development would be a factor.

Vice Chairperson Jacquet referred to the map on page 8 of the SPA document, and inquired as to the relationship between the original conservation reserve, one unit per twenty acres, and the proposed 160 units. Mr. Plemel explained that density is based on a master plan request from the property owner. The plan is developed, based on a review of land capability, constraints, character of surrounding neighborhoods, and densities, and ultimately reviewed and approved by the Planning Commission and Board of Supervisors. Mr. Plemel advised that the SPA proposes low density residential which is commensurate with service levels. In response to a further question, he advised there is not much land left in Carson City. Where there is land available for development, the proposed nine units per twenty acres is fairly typical. He read from the Carson City Municipal Code ("CCMC") regarding the conservation reserve zoning district. He acknowledged that density can be added with the subject process. Mr. Guzman advised that the practice of encouraging a planned unit development provides for a large premium. Clustering technically saves on the cost of roads, lot sizes, utility layouts, development of grading patterns, etc. The ordinance provides for bonuses. Mr. Guzman referred to the Silver Oak and Long Ranch developments as examples.

Member Lincoln inquired as to restrictions of the SPA document, and noted that density can increase up to ten percent. Mr. Guzman advised that the SPA document would have to be amended and, therefore, subject to an additional review process by at least the Planning Commission and the Board of Supervisors. Based on past experience, he advised "it's tough to get one of these things amended overall." A SPA document is not "cast in concrete" once approved, but it would be difficult to amend. Member Scott agreed that, based on the effort invested in developing the document and approval of the various advisory committees, the Planning Commission, and the Board of Supervisors, it would be difficult to amend the document.

In reference to the map on page 8, Vice Chairperson Jacquet inquired as to whether any consideration had been given to providing a buffer between the Timberline subdivision and the proposed development. Mr. Wertz advised that the document provides for 100-foot buffer areas between proposed development areas adjacent to existing development. In addition, the document includes language to buffer or transition lot sizes. The concept development provides for lot sizes larger than the adjacent. He pointed out wildlife corridors on the map, and referred to other maps at pages 10 and 25 of the document. In response to a question, Ms. Wilcox advised of one public hearing before the Planning Commission which quite a few

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neighbors attended. In response to a further question, she advised that most of the neighbors have expressed a preference to leave the property undeveloped. Mr. Plemel advised that the "Issue Summary Questions and Answers" was generated from the public hearing.

In response to a question, Mr. Guzman advised the Board of Supervisors would be interested in the committee's opinion regarding whether the lands offered for open space should be managed by the City. Member Scott suggested there will be a need for some sort of homeowners association. He noted discussion in the SPA document regarding fences, screening, "the sorts of things that will require some maintenance." He discussed the possibility that a portion of the open space management could be funded through the homeowners association. Vice Chairperson Jacquet noted that open space set aside as part of a planned unit development is usually owned by individual property owners. Mr. Guzman advised that both Long Ranch Estates and Silver Oak planned unit developments have private and public open space areas. He discussed the methods by which the open space areas are managed. Mr. Plemel advised of "a new commitment" to public open spaces and trails in terms of the master plan and identifying the Lompa Ranch Specific Plan Area and corridors which are important for access and linkage as part of the Parks, Recreation, and Trails plan.

In response to a question, Mr. Guzman advised that the SPA document proposes 103 acres to be dedicated to open space which the committee should be interested in managing. There will be other, private open space dedicated to the subdivision itself. Mr. Guzman referred to the Long Ranch subdivision as a good example. He advised that State law prohibits counties from requiring that private open space associated with planned unit developments become public space. Developers are permitted to offer a space within the subdivision to be used by the public. Ms. Wilcox referred to page 24, policy 4.2, of the SPA document, and discussed the intent to require open space protection and to establish constraints, but to leave management details to be developed in the future. She read policy 4.2 into the record, and advised the language will bind the developer to discuss what the City will accept in dedication and what the City will be required to maintain in other ways. In response to a question, she suggested the Board of Supervisors would most likely be interested in the committee's recommendation regarding management of open space. Member Scott expressed the opinion the committee should express the preference that, by far, the greatest amount of the open space would be public. He acknowledged details would have to be worked out, and expressed the understanding those are regional if not city-wide types of open space. He suggested the direction of the SPA document is that the bulk of the open space will be public, which translates to some responsibility on the part of the City. He noted the importance of clarity in that there are open spaces which used to exist in both the Westwood and Timberline developments that are now in private ownership.

In response to a question, Mr. Guzman reviewed the method by which dedication of open space is accomplished. Member Perock discussed benefits to a developer of dedicating open space to the City. Mr. Guzman discussed the importance of the policies being very clear and concise. Member Scott suggested a revision to language at page 24, policy 4.4, Dedication of Open Space / Vicee Creek. Mr. Guzman related an example which occurred in Douglas County regarding a developer's subsequent request for an increase in density and development rights. Ms. Wilcox acknowledged abuses and noted the importance of the detail contained in the SPA document.

Vice Chairperson Jacquet noted that the City's open space ordinance mandates acquisition and management of open space under the Open Space Master Plan element. He further noted that the subject parcel was identified as valuable open space. Notwithstanding private property rights, he expressed the opinion the

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subject parcel represents valuable open space to serve as a “buffer ... between some prominent neighborhoods.” He commented the plan is excellent in that it offers open space opportunities, but noted “it’s not the ultimate in an open space alternative either.” He suggested the Planning Commission may consider a different view of development, and that the committee’s decision is constrained, in part, by the fact there is presently no willing seller. He noted the City is not prohibited from participating as a bidder once the parcel is offered for auction. He suggested that the committee’s endorsement of the SPA document should not be construed as “fulfilling exactly the will of the Open Space element. It’s not, but that’s okay.” Mr. Guzman noted the importance of considering a “tool chest” of opportunities for preserving open space. Direct purchase is one such tool, but he further noted the importance of considering whether the Open Space Program can “afford to buy all we want.” Member Scott agreed with the dilemma, but expressed support for consideration of resources in development. “Because we can’t buy everything and ... our mandate is not to buy everything,” consideration should be given to resource constraints and capabilities as the basis for making a decision. Member Scott noted there are “some very nice commitments, in perpetuity, to open space” and the trade off is some development. In response to a question, Ms. Wilcox advised there are no water rights associated with the property.

Vice Chairperson Jacquet thanked Ms. Wilcox and Mr. Wertz for their presentation. Ms. Wilcox thanked the committee and commented that Carson City “has a fantastic open space planning program.” In support of the Open Space Program, she advised that over \$3 million in Question #1 funding has been allocated to the City. She thanked the committee members for their service to the community. Vice Chairperson Jacquet called for public comment and, when none was forthcoming, entertained a motion. **Member Perock moved to recommend to the Planning Commission and Board of Supervisors the adoption of the Vice Canyon specific plan area with the revision requested by Member Scott to page 24, policy 4.4. Member Scott seconded the motion. Motion carried 4-0.**

3-C. ACTION TO ADOPT AND RECOMMEND TO THE BOARD OF SUPERVISORS A WORK PROGRAM CONTAINING PROJECTS AND OPEN SPACE ACQUISITION PRIORITIES FOR CALENDAR YEAR 2006-07 (7:12:54) - Mr. Guzman provided background information on this item. He advised that discussions with the Jarrard and Andersen families had been initiated last Friday, January 20th regarding purchase of their land. “This changes everything.” He provided an overview of the agenda materials, and requested input of the committee members.

Member Scott expressed the opinion that hillside development standards should be a higher priority than the Mexican Ditch Bridge. Having development standards in place would help to reduce visual impacts and impacts associated with storm water drainage. He expressed support for retaining a consultant to assist in drafting the hillside development standards. Mr. Guzman acknowledged that the main function of the Open Space Program is to acquire property. Member Perock expressed the opinion that developing and implementing management plans into the future should have a high priority. Vice Chairperson Jacquet expressed support for Mr. Guzman’s recommendations, and understanding that priorities change as opportunities present. In response to a question, Member Scott reiterated his suggestion to designate the hillside development standards as a higher priority than the Mexican Ditch Bridge. He commented that the hillside development standards could come into play with every development proposal. He reiterated the suggestion to hire a consultant familiar with the community, such as Jeff Winston & Associates, to develop a framework. He acknowledged the suggestion to designate the hillside development standards as a number one priority.

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Mr. Guzman acknowledged he will retain consultants to develop management plans. He discussed the baseline analysis associated with development of management plans. Other considerations include fire, noxious weeds, recreation and access issues, etc. Member Perock suggested that an overall management plan could be developed to apply to most open space lands. Mr. Guzman acknowledged that an “umbrella plan” had been developed and that specific information for each property needs to be added. He advised of having discussed the hillside development standards with Planning and Community Development Director Walter Sullivan over a year ago. Mr. Sullivan was supportive of the committee’s input. Mr. Guzman offered to initiate discussions with Planning and Community Development Department staff once the master planning process is complete. Member Scott suggested the committee’s interest would be to minimize the visual impact of development, particularly on the hillsides. He suggested considering development standards and criteria which may, for example, “preclude a white stucco ... home with a red steel roof in the middle of the forest.” He discussed the importance of minimizing the visual impact of development by guiding and providing standards for it.

Vice Chairperson Jacquet called for public comment; however, none was provided. Member Scott acknowledged that Mr. Guzman would discuss the hillside development standards with Planning staff once the master planning process is complete. Vice Chairperson Jacquet entertained a motion. **Member Scott moved that the committee accept the work plan, as submitted, with discussion as the guideline for the 2006 calendar year. Member Perock seconded the motion. Motion carried 4-0.**

3-D. ACTION ON ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON FOR 2006 (7:27:29) - Member Scott moved to re-elect the current officers. Member Perock seconded the motion. Motion carried 4-0.

4. NON-ACTION ITEMS:

STATUS REPORTS AND COMMENTS FROM COMMITTEE MEMBERS (7:29:18) - None.

STATUS REPORTS AND COMMENTS FROM STAFF (7:29:13) - Previously covered.

FUTURE AGENDA ITEMS FROM COMMITTEE MEMBERS (7:29:22) - None.

5. ACTION ON ADJOURNMENT (7:29:43) - Member Scott moved to adjourn the meeting at 7:29 p.m. Member Perock seconded the motion. Motion carried 4-0.

The Minutes of the January 23, 2006 Carson City Open Space Advisory Committee meeting are so approved this 27th day of February, 2006.

STEPHEN D. HARTMAN, Chair