



STAFF REPORT

Agenda Item 6

Report To: Parks and Recreation Commission
and Open Space Advisory Committee

Meeting Date: December 7, 2021

Staff Contact: John Costello, Sr. Park Ranger

Agenda Title: For Discussion Only: Discussion and overview of existing Carson City Municipal Code (“CCMC”), Title 13 and future revisions needed.

Staff Summary: This item will provide a brief overview of the CCMC provisions pertaining to the Parks, Recreation and Open Space Department and begin an introductory discussion of future updates to the code.

Agenda Action: Other/Presentation

Time Requested: 20 minutes

Proposed Motion

N/A

Board’s Strategic Goal

Quality of Life

Previous Action

N/A

Background/Issues & Analysis

The Carson City District Attorney’s Office is spearheading a robust effort to review and update the entire CCMC. The CCMC is being updated in phases and it is anticipated that Parks, Recreation and Open Space’s update may be initiated in the next year or so. This item is intended to provide a brief introduction and overview of the existing codes pertaining to the Department and enable the advisory boards the opportunity to familiarize themselves with the code. Staff anticipates conducting research on best management practices and incorporate public feedback as part of the update to the CCMC. Feedback on the future process is welcome and appreciated.

Attachments

- Attachment A: Carson City Municipal Code Title 13: Parks and Recreation

Title 13 - PARKS AND RECREATION

Chapters:

Chapter 13.02 - PARKS

Sections:

13.02.010 - Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Amplified sound" means speech or music projected or transmitted by electronic equipment including amplifiers, loudspeakers, microphones, bull horns or similar devices or combinations of devices which are intended to increase the volume, range, distance or intensity of speech or music and are powered by electricity or combustible fuel;
2. "Department" means that department of Carson City having authority and control of the Carson City parks;
3. "Director" means the director of the department;
4. "Park" includes any area designated by the board of supervisors as a public park, playground or recreational facility;
5. "Parks and recreation commission" refers to the Carson City parks and recreation commission;
6. "Persons" means all persons, associations, partnerships, firms, corporations or public entities.

(Ord. 1981-25 § 1 (part), 1981).

13.02.020 - Purpose.

The purpose of this chapter is to regulate the use of city parks and to protect the right of all Carson City residents to enjoy the park system.

(Ord. 1981-25 § 1 (part), 1981).

13.02.030 - Scope.

Unless otherwise designated, the provisions of this chapter shall apply to all parks, govern the use of all parks and the observance of such provisions shall be a condition under which the public may use the parks.

(Ord. 1981-25 § 1 (part), 1981).

13.02.040 - Powers and duties of department.

1. The department shall administer, protect and develop the park system for the use and enjoyment of the public.

2. The department may recommend rules and regulations to the board of supervisors which are not inconsistent with law for the government and administration of the park system.

(Ord. 1981-25 § 1 (part), 1981).

13.02.050 - Compliance required.

1. No person shall enter, be or remain in any park of the city unless he complies with this chapter and the regulations promulgated hereunder.
2. The director and any of his delegates are hereby authorized to eject and expel from a park, any person who violates the provisions of this chapter or any other law, ordinance or rule that may be in effect at the time of such violation.
3. No person who has been ejected or expelled under the provisions of this section shall refuse to leave any park as ordered nor shall the person return to the park within 24 hours of such ejection or expulsion without the permission of the director or his delegate.
4. Any person who violates the provisions contained in this chapter is guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00, by imprisonment in the Carson City jail for not more than 6 months, or by both such fine and imprisonment. Each day on which a violation occurs constitutes a separate offense.

(Ord. 1981-25 § 1 (part), 1981).

13.02.060 - Exclusion of public.

In the event of an emergency or the determination by the sheriff or park director that the public interest, health, welfare and safety requires that any park or portion thereof must be closed to the public, all persons may be excluded therefrom until such emergency or the basis for the sheriff's or park director's determination has ceased.

(Ord. 1981-25 § 1 (part), 1981).

13.02.070 - Rules and regulations.

The Carson City board of supervisors shall have the power to promulgate rules and regulations, consistent with this chapter, governing the use and enjoyment by the public and by individual members of the public of any park, recreation area, recreation or community center, or any portion thereof, or governing the use and enjoyment of any building, structure, facility, equipment, apparatus or appliances thereon, or governing any portion of the foregoing. A copy of such rules and regulations, or a synopsis thereof shall be posted in some conspicuous place at or near the premises where such rules and regulations are to be effective, or in lieu thereof, signs or notices may be posted at or near said premises in order to give public notice of said rules and regulations.

(Ord. 1981-25 § 1 (part), 1981).

13.02.080 - Amplified sound.

Amplified sound exceeding 25 watts total output from all channels of equipment used therefor is prohibited, unless permission for greater amplified sound is authorized in writing by the director in advance.

(Ord. 1981-25 § 1 (part), 1981).

13.02.090 - Dogs in park.

1. No person who owns, harbors or keeps, or who has possession, charge, care, custody or control of any dog, except dogs used to aid handicapped persons with their master, shall cause, permit, suffer, or allow such dog to enter or remain in any park or portion thereof; provided, that this prohibition shall not apply to any person participating in a dog training class being conducted under the sponsorship of, or pursuant to the express written permission of the director.
2. The board of supervisors may by regulation exempt certain parks, or limited areas within parks from the provisions of this section.

(Ord. 1981-25 § 1 (part), 1981).

13.02.100 - Vehicles.

No person shall operate or park any vehicle, as defined in the Nevada Revised Statutes, within a park except in areas designated for such use.

(Ord, 1981-25 § 1 (part), 1981).

13.02.110 - Bicycles and animals.

No person shall operate, drive, or ride upon any bicycle, cycle, horse or any other animal in any park except in areas designated for such use.

(Ord. 1981-25 § 1 (part), 1981).

13.02.120 - Animals.

No person shall hitch, fasten, lead, drive or let loose any animal or fowl of any kind in any park except in areas designated for such use.

(Ord. 1981-25 § 1 (part), 1981).

13.02.130 - Litter.

No person shall deposit or leave any garbage, trash, cans, bottles, papers or other refuse of any nature in any park except in the receptacles provided therefor.

(Ord. 1981-25 § 1 (part), 1981).

13.02.140 - Flora and fauna.

1. No person shall dig, remove, destroy, injure, mutilate or cut any tree, plant, shrub, bloom or flower, or any portion thereof, growing in any park.
2. No person shall take, seize, molest, injure, catch or hunt any bird, reptile, fish or animal in any park.
3. This section shall not apply to persons having received prior written permission from the director, or in areas designated for such use.

(Ord. 1981-25 § 1 (part), 1981).

13.02.150 - Removal of turf or soil.

No person other than a duly authorized city employee in the performance of his duty shall remove any wood, turf, grass, soil, rock, sand or gravel from any park.

(Ord. 1981-25 § 1 (part), 1981).

13.02.160 - Fires—Designated areas—Regulation.

1. No person may build, light, use or maintain a fire within any park except in a camp stove, pit or fireplace provided, maintained or designated for such purposes.
2. No person may leave a park before extinguishing any fire which he has built, lighted or maintained in such a park, nor may any person leave a fire unattended within any park. Children under the age of 10 years are not qualified to tend a fire.
3. Upon existence of extreme fire danger, the director may prohibit smoking or fires in designated areas within any park, or may close such areas to the public.

(Ord. 1981-25 § 1 (part), 1981).

13.02.170 - Fireworks.

No person within any park shall carry or discharge any firecracker, rocket, torpedo or any other fireworks; provided, that this section shall not prohibit organized displays having prior written approval from the director.

(Ord. 1981-25 § 1 (part), 1981).

13.02.180 - Swimming.

No person may swim, bathe, wade in, or pollute the water of any fountain, pond, lake or stream in any park except places designated for such purposes.

(Ord. 1981-25 § 1 (part), 1981).

13.02.190 - Camping.

No person shall camp, lodge or otherwise remain overnight in any park except at a place designated for such purpose, or with prior written approval of the director.

(Ord. 1981-25 § 1 (part), 1981).

13.02.200 - Wastewater.

No person shall wash any article or dispose of any wastewater or other waste liquid in any park other than in facilities provided for such purposes.

(Ord. 1981-25 § 1 (part), 1981).

13.02.210 - Glass.

No person shall possess any glass container in any park, excepting those containers holding food stuffs or substances used in the preparation of a meal to be consumed on the park site.

(Ord. 1981-25 § 1 (part) 1981).

13.02.220 - Activities limited.

No person within any park shall engage in model airplane flying, golf, archery, baseball, softball, football, soccer, volleyball or any similar games of a possible hazardous nature except at places designated for such purposes.

(Ord. 1981-25 § 1 (part), 1981).

13.02.230 - Handbills.

No person within any park shall distribute any handbill or circular or post, place or erect any bill, notice, paper or advertising device or other matter of any kind without the prior written approval from the director.

(Ord. 1981-25 § 1 (part), 1981).

13.02.240 - Children.

No parent, guardian, or other person having the care, custody or control of any child under the age of 8 years shall cause, permit or allow such child to be in any public park or recreation area having a lake or pond within the boundaries of such park or recreation area unless such child is accompanied by a person not less than 16 years of age.

(Ord. 1981-25 § 1 (part), 1981).

13.02.250 - Park closing hours.

1. The director may establish closing hours for city parks. Park closing time shall be posted in a conspicuous place at each city park.
2. No person may enter or be present in any city park after closing hours or in areas designated as closed, except city employees or peace officers on official business.

(Ord. 1981-25 § 1 (part), 1981).

13.02.260 - Alcoholic beverages.

Unless prior written permission is obtained from the director, possession of alcoholic beverages is prohibited at all scheduled youth activities and in any park or specified area within a park which has been posted with a notice prohibiting alcoholic beverages.

(Ord. 1981-25 § 1 (part), 1981).

13.02.270 - Mobile business operations in parks.

1. No person shall operate a business within any park except as part of an approved special event or by permit from the parks and recreation department.
2. Permits shall be provided by the parks and recreation department under rules and regulations recommended by the parks and recreation commission and approved by the board of supervisors.
3. Location designated for mobile business operations shall be approved by the parks and recreation department.
4. The parks and recreation commission may recommend to the board of supervisors a fee to be charged to mobile businesses for the privilege of operating in a park during an approved special event or for operating in a park pursuant to a permit from the parks and recreation department.

(Ord. 2007-39 § 1, 2007).

Chapter 13.04 - TREES

Sections:

13.04.010 - Findings.

Whereas the board of supervisors created the Carson City shade tree council on January 16, 1992 to advise the board on matters pertaining to the community forest, the council has developed certain findings which the board adopts as a preamble to this chapter:

1. That trees in public places provide benefits to the residents of Carson City, including natural beauty in developed neighborhoods, outdoor shelter from sun and wind, conservation of soil and energy, desirable habitat for wildlife and natural cleaning of the air.
2. That costs of maintaining tree cover are exceeded by these benefits to the community and that new developments must come into being by adapting and conforming to the presence of existing trees on development sites.
3. That present policies on roadway development within Carson City contain no provisions for the planting and maintenance of street trees and that the citizens of this community desire to have trees in parkway plantings and bordering streets.
4. That the adoption of certain landscape design, planting and maintenance standards will assure the

long-term viability of the community forest.

(Ord. 1994-28 §§ 1 (part), 2, 1994).

13.04.020 - Purpose.

This chapter establishes policies, regulations and standards necessary to ensure Carson City will realize the benefits provided by its community forest. The provisions of this chapter are enacted to:

1. Establish and maintain tree cover on public lands and encourage the same on private lands in Carson City;
2. Maintain public trees in a safe and healthy condition through sound arboricultural practices;
3. Establish and maintain appropriate diversity in tree species and age classes to provide a stable and sustainable community forest;
4. Promote the conservation of healthy trees and encourage the recycling of tree debris;
5. Select, situate and maintain public trees to minimize hazard, nuisance, pavement damage, water use and maintenance costs;
6. Promote efficient and cost effective management of the community forest;
7. Foster community support for the Carson City community forest program and encourage good tree management on private property;
8. Resolve tree related conflicts between city, citizen and other entities.

(Ord. 1994-28 §§ 1 (part), 3, 1994).

13.04.030 - Definitions.

The following words and phrases shall apply:

"Certified arborist" means any person holding a valid and current arborist certification as issued by the International Society of Arboriculture (I.S.A.).

"Landmark trees" means trees on public property having special status due to their age, size, shape, species, location, historical association, visual quality or other contribution to the city's character.

"Native vegetation" means any species of plant considered to be indigenous.

"Park" means all public parks.

"Parkway" means the portion of public right-of-way situated between the curblines of any street and the property line abutting and adjoining the street. In the absence of a curb, the curblines of a street shall be deemed to be the edge of that portion of public right-of-way maintained and open to the use of the public for purposes of vehicular traffic.

"Pruning standard" means the standard(s) established by the I.S.A. for use in the pruning of plant material located on public property.

"Public place" means all land or property owned or held or under the control of the city.

"Street or highway" means all lands lying between the property lines on either side of all highways, public streets, roads and alleys including sidewalks.

"Topping" means the severe cutting back of limbs to stubs within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. This is also known as "head back" pruning.

"Tree list" means a list which includes all species of trees desired by the city for planting in public places.

"Value of trees" means the value set forth in the most current edition of the I.S.A. "Guide for Establishing Values of Trees and Other Plants."

(Ord. 1994-28 §§ 1 (part), 4, 1994).

13.04.040 - Enforcement.

Each city department shall be responsible for enforcing this chapter on lands for which it is otherwise responsible. The city manager or his designee will ensure that the applicable department will administrate this chapter in its assigned area of responsibility.

(Ord. 1994-28 §§ 1 (part), 5, 1994).

13.04.050 - Licensing.

It is unlawful for any person to engage in the business of planting, cutting, trimming, pruning, removing, spraying or otherwise treating trees on Carson City public property without first procuring a business license. An applicant for such a license must show proof that at least one (1) employee of said business is certified by the I.S.A. as an arborist.

(Ord. 1994-28 §§ 1 (part), 6, 1994).

13.04.060 - Control and supervision of public places.

The responsible city departments shall have control and responsibility for maintenance of the trees on public streets, highways, parks and places of the city. They may, at the request of an adjoining property owner, supply and plant a tree(s) on public property at the cost to the city.

(Ord. 1994-28 §§ 1 (part), 7, 1994).

13.04.070 - Designation of landmark trees.

The shade tree council shall recommend that the board of supervisors designate qualifying trees as landmark trees. The council will maintain an accurate list of the trees so designated by the board.

(Ord. 1994-28 §§ 1 (part), 8, 1994).

13.04.080 - Damage of public trees.

1. No person shall intentionally damage, cut, carve, transplant or remove any tree or tree roots on land owned or maintained by the city.

2. No person may attach rope, wire, nails, advertising posters or other contrivance to any tree on land owned or maintained by the city.
3. No person shall intentionally permit harmful gaseous, liquid, or solid substance to come in contact with any tree or its roots on land owned or maintained by the City.
4. No person shall allow fire or heat to come in contact with any tree on land owned or maintained by the city.

(Ord. 1994-28 §§ 1 (part), 9, 1994).

13.04.090 - Pruning.

1. No trees on land owned or maintained by the city shall be pruned in a manner that impairs the health of the tree.
2. All pruning performed on trees located on land owned or maintained by the city shall be in accordance with pruning standards published by the International Society of Arboriculture, Western Chapter.
3. All pruned tree material shall be removed and controlled to prevent damage to the surrounding plant material and property.
4. Except as provided by subsection 5 of this section, tree topping of any tree on land owned or maintained by the city shall be unlawful.
5. Trees severely damaged by storms or other causes or trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this section at the discretion of the city department responsible for maintaining the trees, after consultation with the shade tree council.

(Ord. 1994-28 §§ 1 (part), 10, 1994).

13.04.100 - Tree selection.

1. The shade tree council shall develop and maintain and may from time to time amend a list of desirable trees for planting along streets in three (3) size classes: small, medium and large. The purpose of the list is to promote a diverse planting of tree species in order to minimize the impact of tree diseases.
2. The shade tree council shall develop and maintain and may amend from time to time a list of undesirable trees.
3. Copies of the lists of desirable and undesirable trees shall be maintained at the department of community development and shall be made available to the public.

(Ord. 1994-28 §§ 1 (part), 11, 1994).

13.04.110 - Certain trees to constitute a public nuisance.

Any tree which is dead or not maintained and trimmed and is endangering the security or usefulness of any street, utility line above or underground, sewer or public place may be declared a public nuisance by the city upon the recommendation of a certified arborist.

(Ord. 1994-28 §§ 1 (part), 12, 1994).

13.04.120 - Private trees, diseases and infestations constituting a public nuisance.

Any tree located anywhere within the city which is determined by a certified arborist to be afflicted with any dangerous or infectious insect infestation or plant disease may be declared a public nuisance.

(Ord. 1994-28 §§ 1 (part), 13, 1994).

13.04.130 - Infected or decaying trees constituting a public nuisance.

Any trees or parts thereof in a dead or dying condition located anywhere in the city may be declared a public nuisance upon the recommendation of a certified arborist.

(Ord. 1994-28 §§ 1 (part), 14, 1994).

13.04.140 - Authority.

The applicable city departments are authorized to:

1. Plant, prune, spray, preserve and remove trees in public places to ensure safety or preserve the symmetry and beauty of such places;
2. Order the pruning, preservation or removal of trees upon private property when necessary for public safety or to prevent the spread of disease or insects to public and private trees and places;
3. Supervise all work to be performed under a license issued by the city;
4. Enter upon private premises with the consent of the property owner or resident at all reasonable hours to inspect the premises upon which there is probable cause to believe a violation of this chapter has occurred or is occurring; and
5. Give notice and issue citations to owners or possessors of private property where such violations have occurred or are occurring.

(Ord. 1994-28 §§ 1 (part), 15, 1994).

13.04.150 - Obtaining specimens.

1. The city may, after notice to the property owner or resident of record and with consent of the property owner or resident, enter upon private property at all reasonable hours for the purpose of removing such specimens as are required for purposes of analysis to determine whether plants are infected.
2. It is unlawful to interfere with the city in the lawful performance of this chapter.

(Ord. 1994-28 §§ 1 (part), 16, 1994).

13.04.160 - Notice of compliance.

If trees on private property located anywhere within the city are found to be a public nuisance, the city shall follow the procedure set forth at Section 8.08.160 to 8.08.210 of this code to abate said nuisance.

(Ord. 1994-28 §§ 1 (part), 17, 1994).

13.04.170 - Emergency condition.

In the event an emergency condition is determined by the city to exist, the city shall proceed in such manner as is required under the circumstances with due regard for public health and safety, endangerment to other trees and to the extent possible, notice and cooperation with affected property owners.

(Ord. 1994-28 §§ 1 (part), 18, 1994).

13.04.180 - Appeals and hearings.

1. In the event of any suspension, revocation or denial of a business license by the city pursuant to Section 13.04.050, the aggrieved party shall have the right to appeal such suspension or revocation to the board of supervisors. Any such appeal must be submitted in writing to the board within thirty (30) days after the date of suspension or revocation of the license and include:
 - a. A statement outlining the interest of each aggrieved party;
 - b. A statement of the action(s) being appealed together with any material facts in support of his or her position; and
 - c. The signatures of all parties and date.
2. The aggrieved party may request that the shade tree council review the decision of the city and make its recommendation to the board of supervisors. If so requested, a hearing by the shade tree council shall be held at its next regular meeting or a special meeting within fifteen (15) days from the date the appeal is filed with the city. The shade tree council shall recommend to either accept, overrule or otherwise modify any order of the city suspending or revoking the license.
3. For the purposes of considering such a request, the shade tree council may, by a majority vote, on its own motion, or shall, if so requested by the licensee, augment its membership by not more than two (2) certified arborists or graduate foresters who shall have voting privileges at the hearing.
4. The shade tree council shall expeditiously notify the city in writing of its recommendation, which shall include:
 - a. Findings of facts;
 - b. Recommendations to the board; and
 - c. The signature of the chairperson and date.

(Ord. 1994-28 §§ 1 (part), 19, 1994).

13.04.190 - Penalty for violation.

It is unlawful, prohibited and a misdemeanor for any person to violate the provisions in this chapter, including failure to comply with any notice and decision of the board of supervisors following appeal. The city must be compensated for damage to or the loss of any tree as determined in accordance with this chapter.

(Ord. 1994-28 §§ 1 (part), 20, 1994).

Chapter 13.06 - OPEN SPACE

Sections:

13.06.010 - Purpose.

In the broadest sense, the objective of the open space program is to promote quality of life for citizens of Carson City through the preservation and protection of the quality of the natural environment which has given Carson City much of its character. This natural environment includes many spectacular views of the mountains, Carson River, and Eagle Valley. The natural streams, wetlands and open lands, with their water and related plant and animal life complement the scenic vistas and remind us of the area's early history. These natural areas, water bodies, vistas and panoramas, natural landmarks, and native flora and fauna are intended to be preserved and protected for the enjoyment of this and future generations by the judicious use of funding for open space.

As Carson City continues to grow, open spaces should be provided and woven into the fabric of the city. These open spaces may define developed areas within the community, and in certain areas may define the boundary of the city. They are intended to obtain a balance and harmony between physical development and open space for the benefit of Carson City citizens. Preservation of open space in all parts of the city will foster appreciation of the natural environment, provide increased opportunities for passive recreation, preserve agricultural uses, allow connecting open space corridors, and improve the quality of life.

Carson City encourages residents of this community and other concerned persons or parties to donate certain lands or funds for use in the open space program. The board of supervisors may by resolution accept properties not acquired with open space funds into the open space program after a recommendation from the open space advisory committee.

The open space advisory committee shall provide the oversight over the administration and expenditure of funds from the open space division of the quality of life special revenue fund established by Carson City Municipal Code 21.07. The funding for open space including interest and other income, may be used for the acquisition, restoration of natural resources, development and construction which afford for public access, health and safety, equipping, improvement, maintenance, conservation planning and management of real property for open spaces acquired through the fund; and administrative costs approved by the committee.

(Ord. 1997-30 § 1 (part), 2, 1997).

13.06.020 - Creation of an open space advisory committee.

There is hereby created an open space advisory committee, hereinafter referred to as the committee, consisting of seven (7) members appointed by the board of supervisors.

(Ord. 1997-30 § 1 (part), 3, 1997).

13.06.030 - Committee membership.

1. The members of the committee shall be residents of Carson City, and qualified electors. The members shall be selected on the basis of expertise in the areas of natural resources, real estate, community planning, community development, outdoor recreation/education or knowledge of the community.

(Ord. 1997-30 § 1 (part), 4, 1997).

13.06.040 - Term of office and vacancies.

Members of the committee shall serve for varying term lengths not to exceed four (4) years, provided that the first seven (7) members appointed to the committee shall be appointed two (2) for a two (2) year term, two (2) for a three (3) year term and three (3) for a four (4) year term so that thereafter members shall serve for staggered terms of like duration. (Vacancies shall be filled by board of supervisors from appointed alternates. If an alternate is not available, the vacancy shall be filled for the remainder of the term in the same manner that original appointments are made).

(Ord. 2001-1 § 1, 2001: Ord. 1997-30 § 1 (part), 5, 1997).

13.06.050 - Removal from committee.

1. The board of supervisors may remove a committee member for cause.

(Ord. 1997-30 § 1 (part), 6, 1997).

13.06.060 - Powers and duties of open space advisory committee.

1. The committee shall develop an open space element to the Carson City master plan for adoption by the regional planning commission. The committee shall identify and prioritize for the city potential open space acquisitions and make appropriate recommendations. The committee shall obtain and consider public input before making recommendations to the board of supervisors on prospective open space acquisitions, disposal, and management. The committee shall review and provide input and comment to the city manager's proposed budget as it relates to open space matters. The committee shall solicit comments of other affected advisory committees and commissions of Carson City. The committee shall also perform other duties as may be specifically assigned to it by the board of supervisors.
2. The committee in developing the open space element to the Carson City master plan, and in selecting open space lands for possible acquisition and preservation, shall be consistent with the intent of the 1996 ballot explanation, which was: The committee will work to sustain natural and scenic resources and the long-term quality of life in Carson City. And, acquisition of open space land will help preserve mountains,

hills and scenic resources, conserve wildlife habitat, protect our drinking water sources and allow outdoor enjoyment of natural areas. Open space, which is defined as undeveloped land with valued natural resources, will be acquired from willing sellers, or by other mutually agreeable methods.

3. Open space will be acquired and maintained as conservancy areas to be used for the following purposes:
 - a. To provide off-street bicycle, hiking and equestrian trails, and trailhead facilities that connect parks, schools and the valley with the mountains.
 - b. To safeguard water resources: watershed areas, water-well sites and designated groundwater recharge areas.
 - c. To safeguard waterway corridors, floodplains, wetlands, streams and the Carson River.
 - d. To develop regional detention areas and protect floodplains.
 - e. To safeguard scenic vistas and enhance the gateways to our city.
 - f. Utilization of land for shaping the development of the city and defining growth by establishing an urban boundary.
 - g. Strategic acquisitions of land to allow for outdoor relaxation, education and future park settings.
 - h. Preservation or enhancement of significant natural areas, wildlife and culturally important lands.
 - i. Connecting open space corridors.

(Ord. 1997-30 § 1 (part), 7, 1997).

13.06.070 - Organization and procedure of the open space advisory committee.

1. The committee shall elect a chair and a vice-chair. The committee shall keep minutes and records of its meetings and transactions.
2. The committee shall have regular meetings not less than once a month, unless otherwise determined by the committee.
3. Four (4) members of the committee shall constitute a quorum. An affirmative vote of a majority of the members present shall be necessary to authorize any action by the committee, except as otherwise expressly provided herein.

(Ord. 1997-30 § 1 (part), 8, 1997).

13.06.080 - Prohibited interest/confidentiality.

Any member appointed to the committee shall, upon the acceptance of such appointment, be deemed as having agreed to not disclose any data, the contents of any report or appraisal, or any information of whatsoever nature concerning any specific, prospective open space acquisition, to any person or entity except to other committee members, to members of the board of supervisors, to city staff members whose specific duties include the administration of the city's open space program, or as such disclosure may be required pursuant to court order. Any member who violates the conduct of confidentiality requirements shall be subject to being summarily suspended from the committee and such a violation may be deemed cause for removal.

(Ord. 1997-30 § 1 (part), 9, 1997).

13.06.090 - Annual report.

The committee shall provide an annual report of its activities to the board of supervisors.

(Ord. 1997-30 § 1 (part), 10, 1997).

13.06.100 - Preservation of land.

Generally, lands acquired with open space funds shall be preserved and managed in a near natural condition. Such lands might include scenic vistas, wetlands, streams, floodplains, trail corridors, agricultural lands, highly visible natural areas along major streets and open space buffers. Open space land will generally be open for passive recreation improvements developed where appropriate and environmentally compatible. Examples of compatible passive recreation include hiking, bicycling, equestrian trail uses, nature study, interpretive facilities, wildlife habitat, fishing and photography, or similar compatible uses. Development of traditional, active recreational facilities, such as athletic fields, swimming pools, and tennis courts are precluded. Shared participation in multi-use lands is possible. The open space element of the Carson City master plan, public hearing process and criteria developed by this committee shall provide direction for the acquisition of open space.

(Ord. 1997-30 § 1 (part), 11, 1997).

13.06.110 - Leasing open space lands.

Certain open space properties may be leased for continued open space agricultural uses such as farming or grazing. This approach can provide a link to Carson City's past, protect the land from development and can shift some maintenance costs to the leasee. Generally, the leased properties will continue to afford access for passive enjoyment, to the extent feasible.

(Ord. 1997-30 § 1 (part), 12, 1997).

13.06.120 - Disposal of open space lands and grants of exclusive licenses/permits.

In certain cases, it may be necessary to acquire a larger property in order to preserve a portion of the property as open space. In such cases, the city may dispose of the remainder. No open space lands may be sold, leased (does not include agricultural lease), traded, or otherwise conveyed, nor may any exclusive license or permit on such open space land be given until approval of such disposal or license or permit by the board of supervisors. The committee must hold a public hearing on a proposed disposal or license or permit. The city may not dispose of such lands or give any exclusive license or permit without a recommendation from the committee. The quality of life open space division shall be reimbursed the current market value of the disposed land at the time of its sale, or the cost of that land at the time of its original acquisition, whichever is higher.

(Ord. 1997-30 § 1 (part), 13, 1997).

13.06.130 - Statement of deed.

Any deed conveying to the city open space property that was purchased using open space funds shall contain the notation "This land was purchased with Quality Of Life Sales And Use Tax Funds, and is subject to provisions of the Carson City Municipal Code 13.06."

(Ord. 1997-30 § 1 (part), 14, 1997).

13.06.140 - Maintenance and management.

Except as otherwise provided in this chapter, open space land may not be improved after acquisition unless such improvements are necessary to protect or maintain the land or provide for passive recreation uses such as hiking, bicycling, equestrian and trailhead facilities, nature study, interpretative facilities, wildlife habitat, fishing and photography or similar compatible uses. It may be necessary to close an open space property temporarily, or seasonally, to protect a natural resource, or to make the property safe for public enjoyment. Maintenance and operation funds for open space acquired lands may be made available from the quality of life special revenue fund. The open space element of the Carson City master plan shall provide direction for the maintenance and management of open space lands pursuant to this chapter.

(Ord. 1997-30 § 1 (part), 15, 1997).

13.06.150 - Other public lands.

Funding for open space may be used for passive recreation improvements on other public lands, including federal, state and city-owned lands, maintained in a predominately undeveloped state within Carson City. Examples of compatible passive recreation improvements include trails, bicycling, equestrian and trailhead facilities, nature study, interpretative facilities, wildlife habitat, fishing and photography, or similar compatible uses.

(Ord. 1997-30 § 1 (part), 16, 1997).

Chapter 13.08 - DEVELOPMENT STANDARDS

Sections:

13.08.010 - Development standards.

The board has adopted "development standards" which provide for minimum design specifications for the development of such items as, but not limited to, subdivisions, streets, drainage, utilities, erosion control, fire protection, lighting, landscaping, parking etc. These development standards must be utilized in the design improvements, and the city engineer and the director shall insure that the applicant or developer is in compliance with the development standards. The development standards are parallel in authority to this title and Title 18, Zoning Ordinance.

(Ord. 2001-29 § 2, 2001)