

CARSON CITY REGIONAL PLANNING COMMISSION
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A special joint meeting of the Carson City Regional Planning Commission and the Carson River Advisory Committee was held on Wednesday, January 17, 1996, at the Northgate Administrative Complex Conference Room, 2621 Northgate Lane, Suite 59, Carson City, Nevada 89706, beginning at 6 p.m.

COMMISSIONERS PRESENT: Chairperson Alan Rogers, Vice Chairperson Vern Horton, and Commissioners Allan Christianson, William Mally, Maxine Nietz, Archie Pozzi, and Deborah Uhart

COMMITTEE MEMBERS PRESENT: Chairperson Charlene Foerschler and Members William Desormier, Mike Drews, Jack Foerschler, Neal Goudswaard, Carl Hasty, Mark Kimbrough, and Robert Piccolo

STAFF AND OTHERS PRESENT: Supervisor Kay Bennett, Parks and Recreation Commission Chairperson Jay Meierdierck, Community Development Director Walter Sullivan, Parks and Recreation Director Steve Kastens, Principal Planner Rob Joiner, and Recording Secretary Katherine McLaughlin
(P.C. 1/17/96 Tape 1-0001.5)

A. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF A QUORUM - Vice Chairperson Horton convened the meeting at 6:03 p.m. Roll call was taken. A quorum of the Commission was present although Chairperson Rogers and Commissioner Mally had not yet arrived. Chairperson Foerschler convened the Carson River Advisory Committee. Roll call was taken. A quorum of the Committee was present although Members Desormier and Kimbrough had not yet arrive and Vice Chairperson Quilici was absent.

PUBLIC COMMENTS (1-0018.5) - Ray Conners questioned the Commission and Committee about their knowledge of the contaminates in the Carson River specifically in view of the Lake Tahoe's effluent dumping into the River in Douglas and Alpine Counties. Member Foerschler explained that the Committee had addressed only the River section found within the Carson City boundaries. (Commissioner Mally and Members Desormier and Kimbrough arrived during this discussion, 6:05 p.m., 6:08 p.m. and 6:10 p.m. respectfully. Quorums were present as previously indicated.) Discussion indicated the effluent had been process through a second stage tertiary plant. Mr. Hasty indicated that the Counties are working with EPA on the water quality issues. No other public comments were made.

PUBLIC HEARING - DISCUSSION AND PRESENTATION OF THE CARSON RIVER MASTER PLAN BY THE CARSON RIVER ADVISORY COMMITTEE (1-0068.5) - Commission Vice Chairperson Horton introduced the topic. Committee Chairperson Foerschler and Mr. Sullivan explained the procedure for the presentation. Supervisor Bennett expressed her pride in the Committee's dedication and efforts. She thanked the audience and Commission for its attendance. She noted the difference between the 1983 Master Plan and the elements being discussed. She felt the proposed plan would be the beginning of the City's vision plan. It is a unique concept for Carson City and the State as it had been perceived by a group of lay people who have a large interest in the River and its future. (Chairperson Rogers arrived during her comments--6:12 p.m. A quorum was present as indicated.) The importance of the River to the community was stressed. She emphasized that the document was neither an EIS nor a \$200,000 document which a hired consultant could have provided. It was a community plan.

Member Kimbrough briefly described the differences between the wall maps and those included in the packets many of which had been created by the coloring and scale. Member Kimbrough then described the maps, their purposes, and reasoning behind their designations. He stressed that although the maps may indicate a trail, park, etc., studies have not been performed to meet Federal requirements for same and development may or may not occur as a result of that process. A majority of these sites had been prepared with the cooperation of the property

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owner or were utilizing facilities presently on the site. Discussion between Commissioner Nietz and the Committee explored the reasons for the OHV (Off Highway Vehicles) trailhead on Sedge Road and public input. Concerns had been expressed to the Commission previously about the traffic volume on Sedge. BLM has an easement from Sedge into the Pinion Hills. This discussion had included paving the residential area. Another trailhead is being considered adjacent to Deer Run which may reduce the traffic volume on Sedge. Any licensed vehicles may traverse the trails and roads along the River or into the Pinion Hills and Douglas County. Unlicensed vehicles cannot traverse improved roads. Member Foerschler explained that VII-9 regarding Carson Road and Deer Run Road means that they are destination roads and not for through or truck traffic. Mr. Sullivan's contact with Regional Transportation Engineer Harvey Brotzman had indicated that the residents did not wish Deer Run Road to become a truck route for through traffic. Truck traffic currently is hauling sand from the BLM pit off of Sedge Road. This traffic is to go north on Deer Run Road to Highway 50. Discussion also indicated that the last paragraph on Page VII-9 deals with services roads and needed to be clarified. On Page VII-10, the term "established roadways" needed to be defined even though BLM has defined it. Signs will be posted on roads which have been designated closed or "non-roads". Discussion questioned the rim which had been referenced for closure to the OHVs and indicated it would be changed to the first ridge line. Clarification indicated that the trail and trailhead patrols could be anyone wishing to undertake the duties although it may be more appropriate to assign it to law enforcement patrols or the Park Ranger. The trails may be quantified at some future date. Clarification indicated two trailheads had been left off of the map. Commissioner Nietz also recommended identifying the various sites such as Lloyd's Bridge, various canyons and creeks on a map.

(1-0488.5) Members Kimbrough and Hasty continued the map review process. Parks and Recreation Chairperson Meierdierck explained the plans for a park at the Deer Run Bridge. He suggested that the Committee's land use map be corrected to reflect this intent as it presently reflects a conflict in uses. Mr. Sullivan explained his conversations with BLM indicated this area should be designated as proposed for public use and not identified as a parcel which could be traded. Chairperson Meierdierck also requested the area surrounding the Rifle Range and Dump be designated public and not be disposed of by BLM. The map indicated it was available for trade. Discussion noted that this in the vicinity of the proposed V&T Railroad right-of-way and a proposed OHV park. BLM could not trade the property to a private party due to the mercury contamination, however, the City could acquire it for public purposes.

(1-0625.5) Member Kimbrough continued his review of the maps with the 100 Year Floodplain. Chairperson Meierdierck suggested a 1970 Council of Government's study on the 25 floods which had occurred in the last 100 years. It also contains the 25, 50, and 100 year flood flows. Commissioner Nietz questioned the river flow figures found in Section II-3 and V-2. (Commissioner Christianson left the meeting at 6:46 p.m. A quorum of the Commission was still present.) (1-0722.5) Member Foerschler indicated one figure was for the discharge rates between 1940 and 1944 and the other figure was for 1994. (1-0630.5) Commissioner Nietz also questioned the statements in Chapter IV concerning compatible and incompatible equestrian usage as well as the lack of comments on illegal picnic sites and the lack of emphasis on sites where picnicking is allowed. Chairperson Foerschler felt that these issues were addressed in the section on trespassing and that the private property owners were being encouraged to develop sites for this use. (1-0732.5) Clarification also indicated that the Committee had not proposed any developed campsites. Chairperson Meierdierck explained his Commission's discussions on developing campsites at Camp Carson and its decision to not encourage such development as it would encourage long-term usage rather than day activities and trail use. His Commission also felt that the public property was not an appropriate location for such use and that private camping sites should be encouraged. Commissioner Nietz encouraged the Committee to establish and designate sites for camping and shooting. Parks and Recreation Director Kastens felt that the signage would prohibit overnight and unauthorized camping. Private property owners were encouraged to provide these services through the appropriate channels. The language "unauthorized" would allow him to consider any requests for camping at Camp Carson. Chairperson Foerschler supported this language and indicated that the Master Plan would not reflect sites for such usage. Commissioner Nietz encouraged the Committee to allow private property owners to provide camping if desired at some future time. Member Goudswaard suggested that Camp Carson's name be modified as it infers camping may be allowed there. He also pointed out the need for RV camping if the V&T Railroad project is developed. Member Hasty explained the Committee's discussions on the need for RV camping and decision to allow the private property owner abutting Deer Run Bridge to develop a site if desired. Reasons the Committee had not included camping sites on public property had been due to the public's value of wildlife. The Coordinated Resource Management plan would

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consider these issues. Commissioner Nietz continued to expounded on her reasons for recommending inclusion in the Master Plan. Member Foerschler also noted that the Committee's Master Plan element had considered only the area between the Deer Run Bridge and McTarnahan Bridge. Hunting is allowed north of the Deer Run Bridge.

(1-0889.5) Chairperson Rogers recommended including designated areas/trails for equestrian use and clarification on the trails which would be used for multi-purpose activities. Purportedly, only the OHV use was stipulated. He also suggested additional security be included in the Master Plan in view of the "homesteading" activities now going on in the area. If camping is allowed, this would also increase the demand for additional security. He recommended removing camping from the list of incompatible uses and a statement indicating that it be allowed only in those areas that are authorized. This may create a need for another category entitled authorized uses. Clarification indicated that "pet patrols" are included in the elements. Chairperson Rogers explained his commitment to another meeting and apologized for having to leave. Supervisor Bennett explained that the Board of Supervisors had adopted an ordinance prohibiting shooting between McTarnahan Bridge and Deer Run Bridge. The Sheriff's Mounted Posse had been patrolling the area. Community support would help increase the Sheriff's patrols in this area. Chairperson Rogers encouraged the Committee to include both leashing and cleanup under the pet section.

(1-0980.5) Discussion ensued among Commissioner Mally, Member Kimbrough, and Deputy District Attorney Mark Forsberg on the City's liability if an individual is hurt hiking on one of the trails.

(1-1025.5) Discussion ensued on the Committee's position concerning the proposal to transfer density from the River to other areas. The Committee was attempting to preserve the agricultural and open space uses along the River by allowing cloistering. Commissioner Nietz indicated that the Silver Saddle Ranch had been designated as a special plan area/site specific area and had not been assigned a density factor. Supervisor Bennett indicated that this process would require an EIS which was beyond the Committee's scope. Chairperson Rogers felt that the property should not be maximized to its fullest potential as it is a special area and open space should be retained. Discussion indicated the density transfer would allow the private property owner to realize his property rights while maintaining the open space and beauty of the area. The density transfer could also be applied to any other area in the City. Mr. Joiner explained for George Szabo that clustering would be allowed under the PUD process, however, the Commission would have to deal with density transfer for other development procedures. Mr. Szabo felt that the Master Plan would allow consideration of different procedures in order to maintain the half-acre development along the River. Chairperson Rogers indicated that the Commission and staff would consider any development plan if it is attractive to the City.

(1-1224.5) Commissioner Nietz questioned the intent of the last paragraph on Page VII-6 and whether it would create problems when negotiating with developers. Supervisor Bennett reminded her that the Master Plan is only a guideline and not the law. Mr. Forsberg felt that neither the Board of Supervisors nor the District Attorney's office would allow codification of any matter which would diminish the City's constitutional authority. He felt that this would mean that any law prohibiting the City from controlling the property within its boundary would not be acceptable. Chairperson Foerschler explained the intent was to maintain a 300 foot buffer as long as the developer does not lose developable lots. If it does create the loss, then the 300 foot buffer should be reconsidered. Commissioner Nietz suggested it be modified to recommend a 300 foot buffer in cases of parcel maps, subdivisions, or planned unit developments and let the Commission and Board determine the project's specifics. Member Foerschler explained his support for the statement as indicated as it would not diminish the private property owner's rights without compensation. Mr. Forsberg explained court rulings which support the City's ability to control its land usage within certain limits including the ability to diminish the value and land uses under certain circumstances. Commissioner Nietz recommended, and Commissioner Horton supported, shortening the sentence from "A 300 foot buffer if recommended as long as the city insures that the develop has no loss of developable lots for that proposed development." to "A 300 foot buffer is recommended." Mr. Forsberg indicated that the Master Plan element could not be used to diminish the zoning pattern. Member Kimbrough explained the sentence had been a compromise reached after much discussion. Member Hasty then suggested the paragraph read: "A 300 foot buffer is recommended and it is recommended that the City work with the developer to minimize any dimension of properties that may be caused by the creation of such a buffer." (1-1438.5) Discussion indicated that the Master Plan elements were the Committee's recommendation to the Board of Supervisors and as such is not the Code/law. Chairperson Foerschler requested Member Hasty give this statement to Member

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Kimbrough for inclusion in the plan.

(1-1453.5) Mr. Szabo felt that the recommendation would, at some future date, become the law. He was concerned as he did not feel that the Silver Saddle Ranch should be forced to provide a 300 foot buffer on both sides of the River. He could support a setback of some type, however, questioned the wisdom of a 300 foot buffer. He also questioned the starting/termination point for the buffer as being from a building, high water mark, etc. Commissioner Nietz felt that the statement was a goal and indicated no buildings/structures/roadway would be allowed in the buffer which would commence 300 feet from the high water mark. Mr. Szabo indicated his acceptance of the statement as a goal. Member Hasty explained the environmental and wildlife concerns created when construction destroys the natural vegetation along a stream, river, etc. He felt that the statement/goal was an attempt to protect the riparian zone and encouraged the Committee to maintain the 300 foot buffer.

(1-1530.5) Chairperson Meierdierck noted Page VII-8 which prohibited development in sensitive areas. He supported setbacks, however, opposed having an established distance for them. Member Kimbrough responded by explaining the reasons 300 feet had been established as the setback. The section found on Page VII-8 would allow trails in a sensitive area. Discussion explained that the setback requirement would be varied according to the topography, river area, wetlands, etc. Commissioner Nietz indicated support for the buffer if the designated starting point is clarified, which Member Kimbrough agreed to do.

(1-1600.5) Chairperson Meierdierck questioned the reasons for indicating illegal shooting and camping were incompatible uses only on the BIA property as found on Page IV-8. These uses occur on other property. Discussion indicated this had been included as BIA had requested it. As it was felt that this singled out BIA property, it was agreed to remove the section. Comments clearly indicated the same incompatible uses were occurring all along the River and should be discouraged as much as possible. (During this discussion Chairperson Rogers and Commissioners Pozzi and Mally left the meeting--7:39, 7:40, and 7:41 p.m. respectfully. A quorum of the Planning Commission was no longer present.)

Discussion continued among the Carson River Advisory Committee Members, Planning Commission Vice Chairperson Horton, and Members Nietz and Uhart, Parks and Recreation Commission Chairperson Meierdierck, staff and the audience on the Master Plan elements. (For details of this discussion, see the the Minutes of the Carson River Advisory Committee meeting for this date.)

2. REGIONAL PLANNING COMMISSION ADJOURNMENT - The Commission meeting was adjourned by mutual consent due to the loss of a quorum at 7:41 p.m.

The Minutes of the Special January 17, 1996, Carson City Regional Planning Commission meeting with the Carson River Advisory Committee

ARE SO APPROVED ON _____, 1996.

Alan Rogers, Chairperson