

**OPEN SPACE ADVISORY COMMITTEE
STAFF REPORT**

MEETING DATE: October 17, 2016

AGENDA ITEM NUMBER: 3E

STAFF: Ann Bollinger, Open Space Administrator

REQUEST: **For Possible Action:** Discussion and possible recommendation to the Board of Supervisors to prohibit dispersed camping on properties managed by the Open Space Division except as allowed per the terms of the BLM-Carson City Conservation Easement and to recommend including dispersed camping in the upcoming revisions to Carson City Municipal Code 13.06.

GENERAL DISCUSSION:

Carson City has acquired open space properties through purchase or donation from private parties and conveyance from the federal agencies. In the past, dispersed camping occurred without the knowledge of land ownership by the camping participants and/or without the knowledge/ approval of the land owner. Under the new ownership of Carson City, visitors should be informed of the allowable uses for each area. The Open Space Division is increasingly faced with more responsibility to manage recreational uses and educating visitors. Yet, one of the items not yet expressly addressed by the committee is whether camping should be allowed on open space properties; and if allowed, how should camping be managed.

The discussion should begin by identifying where camping occurs, whether there are deed restrictions on the property, and whether camping is compliant with the purpose of open space as written in Carson City Municipal Code 13.06.010 (see attached). If necessary, the granting agencies need to be consulted. Additionally, the Community Development Department may need to be consulted, including zoning and land use codes. The Carson City Master Plan does not discuss camping, and there is very limited reference to camping throughout the Carson City Municipal Code. Attached are some definitions and descriptions of the land use districts relevant to the properties managed by the Open Space Division.

Carson City Ownership / Property Name	Camping / Campfires – Past or Present Occurrence	Restrictions	Comments
Ambrose Carson River Natural Area	X	Conservation Easement	Common issue. Camping occurs in the parking lot and in the river corridor. The Conservation Easement prohibits camping except as part of an event. However, it is not anticipated that large events or overnight activity will be permitted.
Carson River Canyon Open Space	X	State of Nevada Conservation & Resource Protection Grant	Common issue. Camping occurs in the floodplain and Carson River Mercury Superfund Site.
Freeway Multi-Use Path - Arraiz acquisition			Not an issue – not yet accessible to the public; and not a potential use – the land will be used for the Freeway Multi-Use Path.
Fulstone wetlands			Not an issue nor potential use – the neighborhood location, size and wetland characteristics are not compatible with camping uses.
Golden Eagle Open Space		State of Nevada - Conservation & Resource Protection Grant	Not an issue but limited potential use – the topography is not very accommodating for camping uses.
Horsecreek acquisition		State of Nevada - Conservation & Resource Protection Grant	Not an issue nor potential use – the topography is not very accommodating for camping uses.
Horsecreek conservation easement		State of Nevada - Conservation & Resource Protection Grant	Not an issue nor potential use – the property is not accessible to the public.
Hutchinson acquisition	X	State of Nevada - Conservation & Resource Protection Grant	2-3 “campsites” are located in the forest and occasionally used.
Joost acquisition			Not an issue nor potential use – the neighborhood location is not accommodating for camping uses.
Lompa wetlands			Not an issue nor potential use – the neighborhood location and wetland characteristics are not compatible with camping uses.

Carson City Ownership / Property Name	Camping / Campfires – Past or Present Occurrence	Restrictions	Comments
Mexican Dam Open Space	X	State of Nevada - Conservation & Resource Protection Grant	When there was vehicle access via Golden Eagle Lane, limited camping occurred in the river corridor. It is likely the neighbors will be opposed to camping.
Moffat Open Space			Not an issue nor potential use – the neighborhood location is not compatible with camping uses.
Morgan Mill Preserve Open Space		State of Nevada - Conservation & Resource Protection Grant	When there was vehicle access, limited camping occurred in the floodplain. Currently, camping is not an issue nor potential use – the property is located in the floodplain and Carson River Mercury Superfund Site.
Old Buzzy's Ranch		State of Nevada - Conservation & Resource Protection Grant	Not an issue nor potential use – the property is located in the floodplain and agricultural and ranching commitments supersede camping uses.
PH Casey Preserve			Not an issue but limited potential use – the property is not accessible by vehicle.
Potter acquisition			Not an issue nor potential use – the neighborhood location is not compatible with camping uses.
Prison Hill Recreation Area (non-motorized area)		Conservation Easement	Not an issue nor potential use – the Conservation Easement prohibits camping except as part of an event. The non-motorized area does not offer sufficient accommodations.
Prison Hill Recreation Area (motorized area)	X	Conservation Easement	Occasional issue. The Conservation Easement prohibits camping except as part of an event. To date, events have not been permitted in the motorized area.
Silver Saddle Ranch		Conservation Easement	Not an issue but potential use – the Conservation Easement prohibits camping except as part of an event.
Silver Saddle Ranch (East)	X	Conservation Easement	Common issue. Camping occurs in the parking lot and in the river corridor. The Conservation Easement prohibits camping except as part of an event.

Carson City Ownership / Property Name	Camping / Campfires – Past or Present Occurrence	Restrictions	Comments
Vidler / Hells Bells acquisition			Not an issue but nor potential use – the property is not accessible by vehicle and the neighborhood location is not compatible with camping uses.
West Side Interface – C-Hill Area			Not an issue but limited potential use – the topography and neighborhood location is not very accommodating for camping uses and the property is not accessible by vehicle.
West Side Interface – Lakeview / Timberline Area			Not an issue but limited potential use – the topography is not very accommodating for camping uses and the property is not accessible by vehicle.
West Side Interface – Voltaire Canyon Area	X		Not an issue but limited potential use – the topography is not very accommodating for camping uses and the property is only accessible by 4WD vehicles.
West Side Interface – Waterfall area	X		Not an issue but limited potential use – the property is not accessible by vehicle.
Wilson acquisition		Forest Legacy Program	Not an issue but limited potential use – the property is only accessible by 4WD vehicles.

Some properties which may seem the most suitable for camping may be deed-restricted per the terms of funding agreements for acquisition. For example, the Nonrevocable Agreement with the State of Nevada Conservation and Resource Protection Grant Program for 373 acres of the Carson River Canyon Open Space states,

“This Agreement is given to insure that the Property is maintained and used in a manner consistent with the regulations (NAC Section 32 1) adopted by the State for the Conservation and Resource Protection Grant Program, ...”

and

“Authorized Uses. Pursuant to this Nonrevocable Agreement to Restrict Property, Grantee agrees that the Property will be used only for open space purposes that are consistent with the objectives for which the Property is acquired and the local jurisdictions' adopted open space plan. The Grantee further agrees that the property will be used for ranching and purposes that are consistent with the protection or enhancement of wildlife habitat, protection of sensitive or unique vegetation, protection of historic or cultural resources, protection of riparian corridors, floodplains, or wetlands, and/or to protect or preserve the benefits of the Property or natural resources within the State for the public.”

Similar language was used in all of the agreements with the State of Nevada. With the conveyance of BLM lands for open space, the BLM-Carson City Conservation Easement (2009) strictly prohibits camping on certain lands (Ambrose Carson River Natural Area, Prison Hill Recreation Area and Silver Saddle Ranch) unless approved as part of an event (see attached).

Camping was not addressed in the Open Space Plan (2000) and it is not currently addressed in Carson City Municipal Code 13.06 – Open Space. The Management Plan for the Carson River Area (2016) recognized that camping has not been addressed on properties managed by the Open Space Division and, in general, recommended 1) Develop a municipal code specific to open space properties, providing public awareness and enforcement capability and 2) Review opportunities for a designated camping area. The Management Plan also provided the statement that “Low impact camping is often considered a passive recreation activity; however, there are several considerations including compatibility with other uses and impacts...” (see attached).

In addition to the potential restrictions, other considerations should be considered such as the impacts to the natural resources, recreational uses and staffing. Examples include:

- Compatibility and visibility with other recreational uses such as equestrians, hiking and mountain biking
- Emergency or fire response may be challenging due to access
- Increased threats of catastrophic fire even in developed camping areas
- Lack of sanitation facilities results in dispersed trash and waste and potential health hazards for visitors and staff
- Soil and water impacts from compaction or loss of vegetation
- Vegetation impacts through vehicle access, parking encroachment, campsite development/use, and collection of firewood
- Visual impacts may detract from the natural beauty of the area
- Wildlife habitat even in the rock outcrops
- Increased staff responsibility to clean fire pits and remove trash

The discussion should also recognize that many properties managed by the Open Space Division are surrounded by state and federal lands. Nevada State Parks allows camping only in developed campsites at Hobart Reservoir. The Bureau of Land Management and U.S. Forest Service allow dispersed camping up to 14 days in any one location. Throughout the immediate region (Dayton and Washoe Valley), there are several developed campgrounds.

RECOMMENDED ACTION: I move to recommend to the Board of Supervisors to prohibit dispersed camping on properties managed by the Open Space Division except as allowed per the terms of the BLM-Carson City Conservation Easement and to recommend including dispersed camping in the upcoming revisions to Carson City Municipal Code 13.06.

Title 13 - PARKS AND RECREATION

Chapter 13.06 - OPEN SPACE

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.

Title 18 - ZONING

Chapter 18.03 – DEFINITIONS

"Campground" means a plot of ground upon which 2 or more campsites are located, established or maintained for occupancy by camping units as temporary living quarters for recreation, education or vacation purposes. See also "recreational vehicle park".

"Recreational vehicle" means the following:

1. Camping Trailer. A folding temporary dwelling structure, mounted on wheels and designed for travel, recreational and vacation use and shall include its towing vehicle;
2. Motorhome. A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self propelled vehicle;
3. Pickup Coach/Camper. A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation;
4. Travel Trailer. A vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreation and vacation use. It shall have a body width not exceeding 8.5 feet, and a body length not exceeding 60 feet, including its towing vehicle;
5. Park Model;
6. A recreational vehicle is not allowed as a guest building in any zoning district.

"Recreational vehicle park" or "campground" means a parcel or tract of land containing 1 gross acre minimum land area, having as its principal use the transient rental of 2 or more spaces for recreational vehicles or camp spaces including accessory buildings and structures and uses. There will not be more than 30 spaces per acre. The term shall be synonymous with the term "campground." Use of land where unoccupied recreational vehicles are offered for sale or lease, or are stored, is not allowed in a recreational vehicle park.

Title 18 Appendix - CARSON CITY DEVELOPMENT STANDARDS

Division 2 - PARKING AND LOADING

2.3 - General parking requirements.

5. Parking areas shall be used solely for automobile parking with no permanent sales, storage of inoperable, unlicensed vehicles, repair work, dismantling or servicing of any kind. Parking areas shall not be used for overnight sleeping or camping.

Title 18 - ZONING

Chapter 18.04 - USE DISTRICTS

18.04.160 - Agriculture (A).

The purpose of the A district is to identify those lands that are used for cattle raising or agricultural purposes.

1. The primary permitted uses in the A district are:
 - Accessory farm structure;
 - Agricultural use;
 - Barn or stable;
 - Animals and fowl;
 - Crop production (commercial);
 - Flood control facility;
 - Livestock raising;
 - Park;
 - Residential (limited to 1 dwelling per 20 acres or larger);
 - Winery.
2. The accessory permitted uses incidental to primary permitted and conditional uses in the A district are:
 - Accessory structure;
 - Domestic and agricultural well;
 - Guest building;
 - Watchman's quarters.
3. The conditional uses in the A district which require approval of a special use permit are:
 - Agricultural services;
 - Animal boarding facility;
 - Child care facility;
 - Church;
 - Municipal well facility;
 - Oil, gas or geothermal drilling operation;
 - Outdoor recreational facility (public or private);
 - Ranch and farm hand living quarters/bunkhouses including seasonal housing;
 - Recreational vehicle park
 - Utility substation.

(Ord. 2006-4 § 10 (part), 2006: Ord. 2001-23 § 2 (part), 2001).

18.04.165 - Conservation reserve (CR).

The purpose of the CR district is to identify the outlying lands that may be developed in the future when water supply, roads, schools, sewer and other public facilities and services are provided for potential development and lands with environmental constraints.

1. The primary permitted uses in the CR district are:
 - Accessory farm structure;
 - Agricultural use;
 - Animals and fowl;
 - Fire protection facility;

Flood control facility;
Park;
Residential (limited to 1 dwelling per 20 acres or larger);
Water storage facility.

2. The accessory permitted uses incidental to primary permitted and conditional uses in the CR District are:
 - Accessory structure;
 - Domestic and agricultural well;
 - Guest building;
 - Watchman's quarters.
3. The conditional uses in the CR district which require approval of a special use permit are:
 - Agricultural services;
 - Animal boarding facility;
 - Cemetery;
 - Child care facility;
 - Church;
 - Extraction operation;
 - Fraternal association;
 - Municipal well facility;
 - Oil, gas or geothermal driving operation;
 - Outdoor recreational facility (public or private);
 - Recreational vehicle park;
 - Utility substation.

(Ord. 2006-4 § 10 (part), 2006: Ord. 2001-23 § 2 (part), 2001).

18.04.180 - Public community (PC).

Public community (PC) means facilities and uses that serve primarily a large portion of Carson City. The purpose of the public community (PC) district is to achieve the following:

1. To accommodate the wide range of public institutional and auxiliary uses which are established in response to the health, safety, cultural and welfare needs of the citizens of the city.
2. To organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible, and attractively planned administrative centers in conformance with the master plan and to establish special use permit approval for all uses thereby ensuring compatibility with adjacent more restrictive districts. All public community (PC) district development standards relative to lot area, setbacks, building height, landscaping, off-street parking and signs shall be based on requirements and conditions of the special use permit.
3. To establish site plan approval for many uses thereby ensuring compatibility with adjacent more restrictive districts and to organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible and attractively planned uses in conformance with the master plan.

The conditional uses permitted in the public community (PC) district which require approval of a special use permit are:

Buildings and facilities owned, leased, or operated by the city of Carson City, Carson city school district or any other district, state of Nevada or the government of the United States;

Cemetery;

Child care facility;

Civic auditorium and theater;

Fire station;

Historical site;

Hospital;

Library;

Municipal well facility;

Museum;

Public administrative office;

Public parks;

Public parking lots;

Resource management use/groundwater recharge use;

Schools (elementary, middle, high school, and college/university);

Senior center;

Sheriff's office and jail;

Storage;

Storage containers (permanent) as an accessory to a primary permitted use, subject to Division 1 and 1.10 (Personal Storage) of the development standards;

Storm drainage and floodplain devices;

Swimming pool;

Utility easement;

Utility facilities;

Utility substation;

Development standards. All public community (PC) district development standards relative to lot area, setbacks, building height, landscaping, off-street parking, and signs shall be based on requirements and conditions of the special use permit.

(Ord. 2006-4 § 10 (part), 2006: Ord. 2002-22 § 2 (part), 2002).

18.04.185 - Public regional (PR).

PR means Federal, state and city facilities and uses whose main purpose is to sustain wide regional needs. The Conditional Uses permitted in the PR District which require approval of a Special Use Permit are:

Airports/heliports;

Animal shelter;

Archaeological heritage/cultural resource;

Buildings and facilities owned, leased, or operated by the City of Carson City, Carson City School District or any other district, State of Nevada or the government of the United States;

Bus terminal/station;

Cemetery;

Child care facility;

Civic auditorium and theater;

Clinic;

Community institution (non-profit);
Communication antenna/tower;
Congregate care housing/senior citizen home
Conservation and wildlife sanctuary;
Convention facility;
Corporate yard;
Crisis care facility/residency/center
Equestrian center;
Fairground/theme park;
Farm;
Farmer's market;
Flood/storm drain protection devices;
Forest area;
Fuel storage tank facility;
Golf course/driving range/club house;
Historical site;
Hospital;
Impound yard;
Institutional use;
Library;
Maintenance garage;
Military facility;
Municipal well facility;
Municipal garage;
Municipal training facility;
Museum;
Noise attenuation barrier;
Open space;
Outside storage;
Pavilion/stadium;
Prison;
Public administrative office;
Public nursery;
Public park/playground;
Public parking lots;
Public performing arts center;
Public utility building;
Public water supply;
Quarry/extraction site;
Radio station/TV station tower;
Regional park;
Resource management use/groundwater recharge use;
Schools (elementary, middle, high school, and college/university);
Sewage works facility;
Social services center/facility offices;
Special complementary uses;

Sport playing field;
Storage;
Storage containers (permanent) subject to Division 1 and 1.10 Personal Storage of the
Development Standards;
Storage facility;
Storm drainage and floodplain devices;
Summer camp;
Tennis court complex;
Transfer station/sanitary landfill;
Utility easement;
Utility facilities;
Utility substation;
Warehouse;
Waste disposal area/site facility;
Wastewater treatment facility;
Watchman's quarters;
Water facility;
Water, oil, gas or geothermal drilling operation sites;
Water tank;
Water works facility;
Wilderness area;
Wildlife park/preserves/habitat area;
Wind energy conversion facility;
Zoo.

(Ord. 2006-4 § 10 (part), 2006: Ord. 2002-22 § 2 (part), 2002).
([Ord. No. 2008-33, § IX, 9-4-2008](#))

**United States Department of Interior
Bureau of Land Management
Carson City District
Conservation Easement**

6. Prohibited Uses. Carson City is prohibited from uses or development of the property that would conflict, impair, or interfere with the conservation purpose and values of this Easement.

The following activities and uses, though not an exhaustive recital of inconsistent uses and practices, are inconsistent with the conservation purpose and values of this Easement, and are expressly prohibited upon or within the Property.

- (a) The legal or *de facto* subdivision of the Property for any purpose, except as may be required by law for the uses permitted in Section 5 or for a voluntary conveyance to a government or nonprofit entity for public access expressly permitted in Section 5.
- (b) Residential, non-agricultural commercial, industrial, mining, power production, municipal water development or other incompatible development or improvements of the Property, excepting production of power from wind, geothermal or solar facilities for exclusive use on the Property.
- (c) The sale, transfer or conveyance of the Property, or a portion of the Property, in accordance with OPLMA and subject to a reversionary interest held by the United States.
- (d) Organized sports requiring dedicated, constructed fields or courts.
- (e) OHV use except in designated areas.
- (f) Golf courses
- (g) Hunting, **over-night camping unless approved as part of an event**, disc golf, paint ball games and hot air balloons
- (h) Events – motorized events (other than OHV events at South Prison Hill), fairs & carnivals, cars shows and rodeos.
- (i) Disposal or unlawful storage of hazardous substances as defined by the Comprehensive Environmental Response, Compensation and Liability Act, (CERCLA), 42 USC 9601 *et seq.*

5.3.3 Camping



Photo 39. Unauthorized dispersed camping in Carson River Canyon.

Currently, there are no designated camping areas within the Management Area. Unauthorized, dispersed camping remains a common activity in the Carson River Canyon despite a new entrance sign informing visitors of prohibited activities. Unmanaged camping has the potential to impact natural resources, and it is a concern due to related campfires, littering, sanitation, and personal safety. Additionally, the Carson River Canyon is located in the U.S. EPA Superfund Carson River Mercury Site and most areas have not been tested for contamination and risk to people during recreational use.

Camping was identified in the Charrette as a possible recreation use in the Management Area, including the potential for RV sites. Due to its size, the Carson River Canyon Open Space may provide one of the few opportunities to provide camping in the Management Area. Low impact camping is often considered a passive recreation activity; however, there are several considerations including compatibility with other uses and impacts to the scenic view from the future V&T Railway. Another option could allow managed camping until the V&T Railway is constructed. If considered, the existing disturbed areas should be evaluated for continued or discontinued use.

Permitted and Restricted Uses

- *Conservation Easement properties:* Per the terms of the easement, camping is expressly prohibited unless approved as part of an event.
- *Open Space properties:* At the present time, camping on open space properties is uncertain. It is anticipated that natural resources could be negatively impacted from camping activities, and the semi-permanent nature of improvements and facilities may exceed expectations of passive recreation. Grant-funding agreements and respective agencies that facilitated the purchase of open space may need to be consulted.
- *Parks properties:* CCMC 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.

RECOMMENDED ACTION(S) _____

The following actions are recommended regarding camping:

- ✓ Develop a municipal code specific to open space properties, providing public awareness and enforcement capability.
- ✓ Review opportunities for a designated camping area.