

Chapter 6: Open Space

Introduction and Setting

Open space can serve a variety of purposes. It can be used as the focal point of a community in the form of local and regional parks or as a means of preserving significant features in the area. In order to use open space in community design, it must first be recognized. Once recognized, it should be incorporated into programs for the preservation of natural resources, managed for the production of resources, used for outdoor recreation, and set aside, where appropriate, for public health and safety.

Areas to be preserved for the preservation of natural resources should include lands for the preservation of plant and animal life including habitat for fish and wildlife species. Protective corridors are recommended along all major streams in the planning area as a means to eliminate the encroachment of development in these environmentally sensitive areas. These corridors will also help to preserve the water quality of major waterways.

Open space for managed resource production includes agricultural lands and mineral resources. Agricultural resources in the planning area are abundant. From one-half acre plots of specialized vegetables to cow/calf operations and timber stands on hundreds of acres, Nevada County supports all types of agricultural pursuits. Agriculture in the county is a mosaic of residential neighborhoods with intermingled farmland. This land provides marketable products, open space, wildlife habitat, watershed and an aesthetic environment. Farms and farmland have the unique ability to provide all these amenities at the same time and still remain a viable economic alternative to the owners or tenants.

Mineral resources, particularly gold, have played a major role in the history of Nevada County. Since 1848, when gold was first discovered in the area, to the years preceding World War II, most of the County's population was economically supported, directly or indirectly, by the local gold mining industry. Other metals produced in the County since 1880 include silver, copper, lead, zinc, chromite, and small amounts of tungsten and manganese. Industrial minerals include barite, quartz for silicon production, and small amounts of limestone, asbestos, clay, and mineral paint. Also, significant deposits of sand, gravel, and rock types suitable for construction aggregate are exposed throughout the County.

Chapter 6: Open Space Element

Nevada County is blessed with a wide variety of landscapes and scenic resources which provide passive recreational opportunities for residents and visitors alike. Open space to be used for outdoor recreation includes scenic routes, park and recreation districts, bikeway/pedestrian/equestrian trails, and public lands.

Open space to be set aside, where appropriate, for public health and safety includes areas prone to fire hazard, avalanche hazard, and landslide hazard. Nevada County has a high potential for wildland fires of devastating intensity. Based on a "Fire Hazard Severity Zone" map developed by the California Department of Forestry (CDF), almost all of Nevada County has been placed in the "very high" category of severity. Where adequate fire protection services are not available, maintenance of a low density rural land use pattern provides a means of providing open space for reduction of fire hazard to persons and property.

Avalanche hazard areas are generally located on high, mountainous slopes and terrain at elevations above 7,000 feet. The location of avalanche hazard areas depends upon the location of snow accumulation areas - those areas where snow tends to drift during peak winter storms. In 1982, Snow Consultant Services prepared a study that identified avalanche hazard areas within Nevada County. The areas include portions of the Donner Lake, Tahoe-Donner, and Soda Springs areas. These hazard areas are currently populated, subdivided, or where domestic or commercial uses are planned (ski areas are not included). The mapping does not include areas where people would likely travel by foot, snowshoes, skis, or snowmobile (i.e. back country or roadless areas).

The geologic properties of slope forming materials are a primary factor determining the stability of a slope. Although slope movements can occur in any type of rock material, certain bedrock formations exhibit a high susceptibility to such movement. Cenozoic Volcanic, which is found in the central portion of the County, is a form of this bedrock type. However, most of the County's soils are underlain with dense bedrock formations and lack the characteristics contributing to landslide susceptibility. There are however, other factors such as steep topography, past hydraulic mining, and large amounts of precipitation (as in 1982 and 1983) that create the potential for landslide activity.

There are many hydraulic mining sites within Nevada County. East of Nevada City, an area of over 20,000 acres contains the majority of these sites. In 1982, Nevada County experienced 100 inches of precipitation and in the following year, received 90 inches. According to the Soil Conservation Service, every landslide that occurred during those periods was adjacent to a hydraulic mine site.

The County has extensive rural and forest areas which, although not formally designated as open space, provide and protect open space values. Such areas are major contributors to the scenic quality of the County and also encompass the majority of the County's mineral, timber and agricultural resources.

Further discussion of open space in Nevada County is contained in Section 4: Open Space/Conservation Inventory, in Volume 2 of the General Plan; and discussion of open space

resources may be found in Sections 3, 4, 5, and 8 of the Nevada County Master Environmental Inventory, which is part of Volume 3 of the Nevada County General Plan. Fire and Avalanche Hazard Zones within the County are identified and discussed in Section 4 of the Nevada County Master Environmental Inventory.

Goals, Objectives, and Policies

The scenic, forest, timber, agricultural, mining, and water resources of the county are extensive and unique to Sierra Range counties. The management and preservation of these resources is both an economic and quality-of-life issue for Nevada County.

Additional goals, policies and objectives generally related to open space are located in Chapter 1: Land Use; Chapter 5: Recreation; Chapter 10: Safety; Chapter 11: Water; Chapter 13: Wildlife and Vegetation; Chapter 15: Forest; Chapter 16: Agriculture and Chapter 18: Aesthetics.

Goal 6.1

Encourage that land use patterns and site development reflect open space values.

Objective 6.1

Integrate open space consideration in the establishment of land use patterns.

Directive Policies

Policy 6.1

The General Plan recognizes the importance of open space serving one or more of the following purposes:

- a. Preservation of natural resource areas;
- b. Conservation of open spaces for the managed production of resources;
- c. Maintenance of areas with importance for outdoor recreation;
- d. Delineation of open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions; and
- e. Provision of open spaces to create a buffer which may be landscaped to minimize the adverse impact of one land use on another.

The General Plan includes an Open Space land use designation, which is intended to provide for lands, serving one or more of the above purposes, which is either in public ownership, or permanently preserved as open space through easements or other restrictive mechanisms. The uses of land under the Open Space designation and implementing zoning are limited to those which have minimal impact on the natural character and environmental features of the land.

In addition, the Rural, Forest and Recreation designations of the General Plan also provide visual and functional open space, including open space for production of resources and provision of recreation opportunities.

*Also see: Chapter 5: Recreation
Policy 5.14*

Policy 6.2 The County may utilize clustering of development, as provided in the Land Use policies, to preserve open space within the *Rural Regions* and to encourage creation of open space which will enhance visual, habitat and other open space values. Such open space may be permanently secured and preserved as open space through permanent easements, dedication to a public agency, permanent trust or other irrevocable means.

*Also see: Chapter 1: Land Use
Policy 1.18*

Policy 6.3 Maintain the density of development allowed in the Rural and Forest land use designations as shown on the General Plan Land Use Maps in order to provide for low density development in *Rural Regions* which preserves an open, rural character and complements the permanent public and private open space.

Policy 6.4 Protect areas supporting renewable natural resources from incompatible or disruptive development or land uses through very low density General Plan designation. High site and public timber resources shall be designated for forest uses at the 160 acre minimum parcel size or greater, except for areas of fragmented parcelization. Identified lakes and reservoirs shall be designated as water areas in the General Plan.

Policy 6.5 Within all Village and *Rural Centers*, as well as multi-family, commercial, business park and industrial development, the County

shall require that appropriate areas be provided for urban open space in accordance with applicable zoning regulations and the Comprehensive Site Development Standards. Recreational use of urban open space shall be designed to minimize impact on sensitive environmental and/or biological values.

Policy 6.6 Provide for, where feasible, continued access to open space and public resources by ensuring that all discretionary projects are consistent with development of the Nevada County Non-Motorized Trails Master Plan.

Policy 6.7 Nevada County encourages the location and development of motorized off-road facilities on lands where such use can be accommodated. The location and development of such facilities shall include consultation with the State Department of Fish and Game as well as other responsible agencies.

Policy 6.8 Encourage the local recreation and park districts and/or an appropriate private entity to obtain open spaces (on environmentally constrained lots or land, lots with relatively low construction potential) and neighborhood parks within existing residential subdivisions and areas.

Objective 6.2

Implement development standards that incorporate open space values.

Action Policies

Policy 6.9 Development standards for project design, grading, construction and use, established through the Comprehensive Site Development Standards, shall be used in project review of all discretionary project permits to determine open space requirements for each project.

These standards shall provide for consideration of non-disturbance of, and open space setbacks from identified sensitive environmental, biological, or cultural resources, e.g. 100-year floodplains, wetlands, slopes in excess of 30% (excepting access across slopes up to 30%), lakes, ponds, significant historic or archaeological sites/resources, critical wildlife areas, minimization of land disturbance, consistency with the landforms and aesthetic context of the site, temporary and permanent erosion and sedimentation controls, and vegetation retention, replacement and enhancement.

Policy 6.10

The County shall support the activities of the Nevada County Land Trust and Truckee-Donner Land Trust to acquire and manage open space lands. These non-profit Trusts shall be encouraged to acquire open space through dedication or voluntary purchase from willing sellers of property of easements.

The Trusts shall be encouraged to acquire land or other real property interests which could focus on lands which contain unique, valuable or sensitive resources reflecting environmental or biological sensitivity; scenic landscape units; community separators; historic, cultural, and archaeological content; and low intensity recreational potential.

Policy 6.11

The County shall consider forming an Open Space District to acquire and manage open space lands.

Also see: Chapter 1: Land Use

Policy 1.17

Chapter 5: Recreation

Policy after 5.14

Chapter 13: Wildlife and Vegetation

Policy 13.1