

CHAPTER 9:

LAND USES

9.0 Introduction

This chapter concerns the existing land uses in the four major districts of Storey County as well as current water considerations. The interior of the county, its ownership and uses are also discussed. Public lands and concerns for public lands are defined.

9.1 Existing Land Uses and Community Design

9.1.1 Virginia City/Gold Hill/American Flat

This section deals with Virginia City, Gold Hill and American Flat. Although these three areas lie within the same population district, each has its own land use needs and will be addressed separately within this section.

Virginia City

Virginia City was originally designed in a square platted grid pattern with little recognition of the topography of the mountain slopes on which it was built. With some modifications, the town has retained this pattern. Residential construction was primarily built by individual owners with little planned unit development. Although there are several apartment units dispersed throughout the town, there is a recognizable need for zoning and construction of additional multi-residential units.

The main thoroughfare in Virginia City is "C" Street, which also forms part of State Route 341. Land uses along "C" Street are mixed (residential, commercial and public buildings) and there are a number of vacant lots suitable for future development. Above "C" Street is "B" Street which is mostly residential, single and multi-family units. "B" Street does include several commercial establishments as well as the Storey County Courthouse. "A" Street, and the area above it, is exclusively single family residential and retains much of the flavor of the 19th Century upscale district. "D" Street, below "C" Street, and the remaining area downhill, reflect a mix of residential, public and industrial development with some commercial and religious establishments.

Virginia City does have some small hotels and motels but the number of rooms all total is only sixty-three.

The zoning challenge offered by existing land use patterns is to direct future growth in these mixed use areas without unduly imposing upon the property rights of existing land owners.

Gold Hill

The 1863 Official Plat of Gold Hill shows a town and lot layout based upon the steep contours of upper Gold Hill Canyon and the boundaries of mining properties. The town's namesake was reportedly a reddish-yellow hill north of the Virginia & Truckee Railroad depot where the "Houston" pit was dug. In general Gold Hill's fragmented townsite lots appear to have been haphazardly located according to the squatters' code of first come first serve. The 1863 Plat was drawn four years after Gold Hill became populated. Historic photographs show Gold Hill used to be a densely built area with mixed land uses. However, today there are a number of vacant lots and relatively few buildings with development limited to the upper Gold Hill area. With a few exceptions, commercial activity exists on State Route 342 below the recently rebuilt Virginia & Truckee Railroad crossing. The only expected industrial establishment is the Crown Point Mill. This 1930's era gold and silver ore processing facility has recently been renovated at considerable expense and, depending upon a number of factors, could be put back into operation.

Residences are scattered throughout the community and include upscale homes, apartment houses and small shacks. Gold Hill has one hotel and one lodge with a total number of rooms being twenty-seven. Future development of Gold Hill is constrained by topography, access, water and sewage facilities and numerous conflicts regarding property ownership rights. Based upon current land use, future zoning districts will also reflect historical patterns.

Virginia City/Gold Hill Water Considerations

Up until about 1964, Gold Hill included American Flat lying the west of Gold Canyon at the base of Mt. McClellan. Actions taken by the Board of County Commissioners excluded American Flat from the Townsite of Gold Hill. This act effectively limited the area to be served by the Storey County Water System to that area of the townsite adjacent to State Route 342 in Gold Canyon. Due to the limited financial resources of the system, this may have been considered necessary at the time. However, in current water supply negotiations with the State of Nevada, it appears to be detrimental to the future interests of the Virginia City/Gold Hill area.

The water received by Virginia City and Gold Hill is supplied and sold by the state owned Marlette Water System to the Storey County Water System. This water originates in the Sierra Nevada mountains between Lake Tahoe and Washoe Valley and is transported to and stored in various facilities in the Franktown Creek drainage area. It is then transported to Five Mile Reservoir, above American Flat, through an inverted syphon originally constructed in the early 1870's. The Comstock communities are completely dependent upon this water supply as there are no ground water additions (wells) to the system. According to the adjudicated Franktown Water Decree, which is a statement of law regarding its distribution, the water can be used within the cities of Virginia City, Gold Hill, Silver City, and Carson City. Carson City is currently the only community not served by the Storey County Water System.

One of the factors taken into consideration in negotiating water contracts and rates is the potential of an area for future development. By excising American Flat from the Townsite of Gold Hill the Board of County Commissioners in their 1964 action precluded the use of water purchased from the state for development at American Flat. There are almost 900 acres of developable land in American Flat. At maximum density and excluding support infrastructure, this represents a potential buildout of 6,700 single family residences.

Analysis of the potential buildout of the Storey County Water Company service area and resulting water requirements was the subject of a memo written in December 1990 (see Appendix). The following data is included in that memo:

Parcel Count:

Virginia City	796 parcels
<u>Gold Hill</u>	<u>327 parcels</u>
Total	1123 parcels

Potential Buildout Water Requirement:

Low estimate:	
Virginia City	972 acre feet/year
<u>Gold Hill</u>	<u>93 acre feet/year</u>
Total	1065 acre feet/year
High Estimate:	
Virginia City	1128 acre feet/year
<u>Gold Hill</u>	<u>229 acre feet/year</u>
Total	1457 acre feet/year

While there is some concern for improving the economy in the Virginia City area, there would be little support for change that would adversely affect the historical integrity of the community. Most people appear to like what they have and want to retain the flavor of this unusual area. Thus, most growth and development would be encouraged in other parts of the county. Virginia City can be expected to continue to develop only when the development enhances the theme of the Comstock Historical District. An expanding list of activities and events that support the over 1 million tourists that visit Virginia City yearly will be encouraged.

American Flat

American Flat has considerable land use potential which should be closely analyzed because of its inclusion in the Comstock Historic District and proximity to Virginia City. It is to be expected that the old mill buildings in the area will be removed in the future and land reclamation activities will be undertaken. This will result in an extremely desirable area for land development and such proposals will probably be forthcoming during the next decade. Two major constraints to future development are land ownership problems and, as discussed above,

water availability. A large portion of the land is in public ownership and being managed by the Bureau of Land Management. Much of this portion was previously located under the mining law for mineral development. There are also several patented mining claims and several fee simple private parcels. Since Storey County excised American Flat from the Townsite of Gold Hill, sufficient quantities of water for development may be difficult to obtain. At present most of the water available in the area has been appropriated by a private company which pipes it to Mound House in Lyon County for industrial and residential use. By rescinding the action which removed American Flat from Gold Hill, the Board of County Commissioners would effectively enable development in American Flat. At present, approximately 1/2 of the water used by the Storey County Water System in meeting its commitments under the Franktown Water Decree. The excess water could be used to develop American Flat.

Future development will include the extension of the Virginia & Truckee Railroad along its historic right of way through American Flat to Highway 50 in Mound House. At present, the most viable land use zoning classification for American Flat is "recreational". Should land ownership conflicts be resolved and water become available, either residential or an industrial park development is foreseeable.

9.1.2 Virginia Highlands

The Virginia Highlands area is a rural residential subdivision three miles to the north of Virginia City. There are 1,169 one acre parcels, 506 ten acre parcels and 441 forty acre parcels in the subdivision. Deed reservations on all properties and proposed construction must be cleared through a community Architectural Review Committee before building permits are approved by the county. Mobile Homes and modular homes are not allowed in this area. Minimum requirement for new wells is eight gallons per minute for all parcels.

As of June 1991, the only non-residential developments in the area are a single four-bay fire department building and a six acre park. Recently the community rejected a proposal for a small commercial development at the junction of the main access road and State Route 341. It should be anticipated that with continued growth in the Highlands additional proposals will be presented to the planning commission.

The potential buildout of this area is significant and the ramifications require a study which explores the impact. Less than 10 percent of the lots in the subdivisions have been built upon. Utility service has been provided on 131 lots, therefore the county can expect the construction of a minimum 131 new residences in the immediate future. Water availability is a crucial factor in the growth of the area. When and if potential buildout is achieved, there will be an additional 1920 homes in the Highlands area. At the existing ratio of 2.7 persons per household, this represents a population increase of 5,184 persons.

9.1.3 Mark Twain

The Mark Twain area is located about six miles due east of Virginia City at the base of Six Mile Canyon Road. Development is almost exclusively limited to the Mark Twain Estates subdivision which accounts for approximately one-third of the developable area. (Additional area that is not yet developed is a 365 acre parcel on the boundary of Lyon County.) There are 347 individual parcels of land in the subdivision. 218 parcels have been developed; 32 have site built residences and 160 have mobile homes; 129 parcels are vacant. There is no commercial development in the community and the closest stores are in Dayton, 4 miles to the southwest. There is a volunteer fire department and a reserve deputy sheriff.

9.1.4 The River District

The River District is the most complex of the four districts within the county. Stretching over 25 miles along the south bank of the Truckee River, existing land uses include agricultural, recreational, residential, industrial and commercial development. Because the width of the riparian zone varies, some locations are not suitable for development. Although most development has occurred in the riparian zone, major projects have been constructed several miles from the river.

The development potential of this district is enhanced by its proximity to the Truckee River, Reno/Sparks metropolitan area, Interstate 80 and a major transcontinental railroad line. To further enhance development potential strong consideration must be given to upgrading water supplies and road systems. A sub-area land use plan should be undertaken to thoroughly identify and analyze the resources and limitations of each developable area within the River District. For example, over 100,000 acres east and south of Eagle-Picher are under developmental planning by owners at this time for industrial development.

Residential development is generally located in the Lockwood-Mustang area and to a lesser extent, the Patrick area and in some agricultural areas. Zoning in the Lockwood area should conform to the existing agricultural and residential land uses. In addition, an area for limited commercial development providing basic goods and services should be considered. A new elementary school has been constructed adjacent to the new county park, and the need for a middle and high school is anticipated. Directly east of the park is an abandoned quarry which requires reclamation both for its negative visual impact and the safety hazard it presents to both adults and children. Within a mile of this hazard is a waste incineration site which has, in the recent past, experienced problems with its incineration processing facility.

At various locations on both banks of the river are sand and gravel pits which have been supplying construction projects in the expanding Reno/Sparks metropolitan area. The area east of Chalk Bluff is a level riparian area where the McCarran Ranch and the Tracy Power Plant are located. The Tracy Power Plant occupies a prime location in which further industrial development can be expected to occur. There is low density residential on the McCarran Ranch and cooling ponds adjacent to the power plant. This area represents a challenge because it is

presently zoned industrial, primarily used as agricultural, with the Painted Rock area wishing to remain residential.

At the Tracy Power Station, Sierra Pacific Power Company is planning to expand their facility. A generating plant capable of using several different fuels, in order to minimize the negative financial impacts of fluctuating fuel prices, is on the drawing board. Environmental, economic, technological and other impacts of this project, requiring critical analysis, will have to be reviewed by Storey County.

East of Tracy is a diatomaceous earth industrial processing plant at the Clark railroad siding. The extracting pits for this operation are located about five miles to the east of the plant. Although located on a rather narrow strip of land next to the river, there is sufficient area for further industrial development. Two miles beyond Clark is Derby Dam where water is diverted from the Truckee River to Lake Lahontan via the Truckee Canal. Heading east, the canal hugs the northern edge of the Virginia Range and parallels the river for seven miles to just west of Fernley in Lyon County where the canal turns to the south and the river turns to the north and Pyramid Lake. There is minimal scattered land development in this area. A small portion of the Pyramid Lake Indian Reservation, adjacent to the river, is located in the northeast extremity of the county; this portion of the county is not included in the present land use plan.

9.1.5 The Great Interior

The Largomarsino Canyon area directly south of Lockwood is the location for mineral extraction operations and leads to a defense industrial zone. Long Valley Creek running through Largomarsino Canyon is severely polluted as it approaches Lockwood and is in need of restoration. Utilizing the resources of appropriate state and/or federal agencies, the county should determine the cause and source of the pollution and initiate whatever action is necessary for cleaned up.

To the southwest of Lockwood (between Lockwood and Hidden Valley on the east side of Truckee Meadows) is an area of rolling hills which could be residentially developed in the future. Access from Largomarsino Canyon would need to be provided and any planned projects would probably require the importation of water. While development in this area is probably beyond the time frame of the present plan, county officials should be aware of the area's development potential.

Approximately two miles southeast of Lockwood is a waste disposal site which was recently approved to accept imported solid wastes. Local criticism regarding truck access to this site through the Lockwood community has prompted officials to investigate alternative routes. The Mustang I-80 interchange, an old bridge crossing at Hafed, and a relatively smooth incline approaching the facility appear to offer the most practical resolution of this access problem.

A short distance beyond the disposal site is the turnoff to the Aerojet of Nevada facility, which is at the end of a winding two lane road. This hi-tech explosives manufacturing and testing facility is intentionally located in an area four miles from any other development. As such it provides an unusual planning and land use opportunity. With the existing two-plus mile buffer around it, consideration should be given to classifying the area a "high risk industrial" zone. The "high risk industrial" classification could be defined to include similar facilities. Property tax rates for this classification would reflect costs related to providing additional services. It is likely that many firms involved in the same or similar types of manufacturing and/or testing would be interested in relocating to an area which already had the necessary regulatory framework in place.

East from Tracy and south from Clark, adjacent to the road to the Gooseberry Mine, are several expansive areas of gently sloping hills which offer numerous sites for industrial development. The major constraint for such development of these areas is an apparent lack of water. However, the ground water resources in the region have not been adequately defined and it is quite possible that sufficient quantities for low water use industry is available. At the southern extreme of the maintained dirt road giving access to this area is the Gooseberry Mine, a steady gold producer.

9.2 Public Lands

9.2.0 Introduction

In 1983, the Nevada Division of State Lands prepared the Nevada Statewide Policy Plan for Public Lands. This report gives a county by county description of existing land uses, concerns regarding federal land management and related policy statements developed by citizens and local government officials regarding the use of public lands. This report should be referred to when deciding the future use of public lands.

9.2.1 Land Ownership

During the discovery period of the Comstock mines, all of the land containing mines was owned by the Federal Government. After the establishment of the 1866 and 1872 mining laws, title to a large amount of this mining land passed to the mining companies. Almost all significant mining properties in the county are located in a relatively small area surrounding Virginia City and Gold Hill. An exception is the Gooseberry Mine located in the northeast corner of the county. Patented and unpatented mining properties are to be found throughout the Comstock Lode and along the Brunswick Lode which lies to the east of the Comstock.

The Federal Government administers 8% of the land in Storey County compared to 85% statewide. Although the percentage of federally administered land in Storey County is less than any other county in Nevada (see Table 9.2) county planning officials should review the concerns expressed and the policies established at the public workshop hearings. The individual county plans form a comprehensive set of policies and measures designed to increase the role residents

have in determining the management of public lands owned by the Federal Government. In addition, federal land management agencies need to be in a better position to know and respond to the concerns and needs of Storey County residents.

9.2.2 Recreation

Recreational activities play an important roll in the lifestyles and economy of Storey County. In planning the use of public lands, the impact on recreation should be strongly considered. As per table 9.3, recreational activity in Storey County is higher than the Nevada average.

9.2.3 Mining

Land ownership and the property rights attached to any specific parcel of land in a mining area can be extremely complicated. Mineral rights and surface rights have been separated in many parcels within the communities of Virginia City and Gold Hill. Adding to the general title confusion and conflicts resulting from the separation of the mineral and surface rights are tunnel patents, townsite grants, state school grant lands, old highway and utility rights-of-way, railroad grants, inconsistent and erroneous land surveys, etc. Finally, the rights conferred by, and language contained in federal deeds to local properties vary according to the date or period when the deed was written.

To further complicate land use issues, recently mining firms have shown increased interest in the remaining Comstock ore reserves and a number of mining operations have been developed which have had a considerable impact on communities in Storey County.

The existence of precious mineral deposits in the areas that are popular to tourists has created numerous land use conflicts which are expected to continue. Mining and tourism are not necessarily incompatible. Specific elements can be included in a mining development plan which will result in an increased appreciation of the Comstock's past and present mining activity on the part of tourist and visitors. A major goal for county planning officials should be to consider developing guidelines that address this conflict in mining plans that are presented to them.

9.2.4 Concerns Regarding Public Lands

The following are on-going concerns expressed at public land workshops:

1. Land currently managed by federal agencies should be retained in public ownership. Specifically, Mt. Davidson peak is recognized as an area which should not be transferred to private ownership.
2. A county owned parcel containing native American petroglyphs should be transferred to federal or state ownership for better protection.

3. County residents, particularly those in the Virginia Highlands area, express a desire to retain and protect wild horse herds.

4. Land ownership boundaries, specifically regarding mining and townsite properties, should be redefined by a federally sponsored resurvey of township and range baselines and federally patented lands where conflicts have developed.

5. Dangerous conditions resulting from previous mining activity should be remedied.

6. County officials should receive prior notification of future planned land use activity and policies on the part of federal agencies.

9.2.5 Public Land Policies

1. Federal land management agencies should manage and utilize public lands on the basis of multiple use and sustained yield concepts in a manner that will conserve natural resources; protect, preserve and enhance the quality of the environment and ecological, scenic, historical and archeological values; protect and preserve wildlife habitat and certain lands in their natural condition; and provide for long term benefits for the present and future residents of Storey County.

2. Except as otherwise provided in law and to resolve land ownership conflicts, federally managed lands in Storey County should not be disposed of but be retained in public ownership.

3. Federal land management agencies should at least once per year supply the county commission with an update of their policies and give prior notice of any significant matters affecting the land under their jurisdiction within the county.

4. Federal land management agencies should provide assistance to protect important resources within the county. Specific attention should be given to the Largomarsino petroglyph site.

5. Wild horses on public lands within the county should be managed at reasonable levels to be determined with public involvement. A viable wild horse population should be maintained where now in existence.

6. The Wild Horse and Burro Act should allow flexibility in adoption, management and disposal of wild horses on public lands.

7. Federal land parcels should be managed so as to assure preservation of native species.

8. Predator control programs should be managed so as to assure preservation of native species.

9. New agency regulations regarding land resources should not be adopted before being presented to county commissioners and the public for their advice and/or criticism.

VIRGINIA HIGHLAND AREA DEVELOPMENT

March 1993

Table 9.1

Lot Size	Total Number	# Developed	# of Residences
One Acre	1,169	273	188
Ten Acre	506	60	40
Forty Acre	441	6	4
TOTAL	2,116	327	232

STOREY COUNTY LAND OWNERSHIP

Table 9.2

Ownership	Percent of County	Acres
Federal Government (BLM)	12,528	7.5%
Federal Government (other)	1,302	0.8%
County Government	753	0.4%
Total Tax Exempt	14,583	8.7%
Commercial, Residential and Agricultural	152,410	90.9%
Railroad	687	0.4%
Total on Tax Roll	153,097	91.3%
County Total	167,680	91.3%

Source: Nevada State Land Use Planning Agency.

DISPERSED OUTDOOR RECREATION ACTIVITIES
Western Nevada Region
Table 9.3

Recreation Activity	% in Region	Participation Rate	
		Region	State
Hiking, Backpacking	44.2	8.60	4.41
Exploring	43.7	—	—
Sightseeing	40.3	—	—
Photography	36.0	—	—
Motorboating	35.7	1.62	1.44
Shooting (non-hunting)	35.6	—	—
Fishing	31.1	5.13	2.99
Primitive Camping	30.8	0.81	0.83
Off-Highway Vehicle Use	27.8	0.09	0.14
Horseback Riding	27.4	1.07	1.06
Rock Hounding	26.8	—	—
Hunting	15.5	1.25	1.06