


City of Nevada City

To: Nevada City Planning Commission

From: Cindy Siegfried, City Planner 

Date: February 8, 2010

Project: Public Workshop Review of Hirschman's Pond Vision and Planning Study

PROPERTY: 115 Cement Hill Road, APNs 05-010-56, 29, 49 and Open Space Parcel A Of Indian Trails Subdivision

CEQA Env Action: Categorical Exemption Section 15306 (Information Collection) And Statutory Exemption 15262 (Feasibility and Planning Studies)

PROJECT DESCRIPTION:

The Planning Commission will hold a public workshop for the purpose of obtaining public input for the purpose of gathering public comment on the proposed Hirschman's Pond Vision and Planning Study. The Hirschman's Pond property consists of several parcels owned and managed by the City of Nevada City, and is located just off Cement Hill Road, off Highway 49. The property is approximately 83 acres and contains a residence, a large pond and a proposed two mile trail plan which will traverse the property.

The City's Recreation Committee has drafted a Vision and Planning Study for Hirschman's Property. The document includes a vision statement, proposed development standards, and suggested management practices for caring and preserving the property.

Dawn Zydonis, the City's Park and Recreation Supervisor, will present the Vision and Planning Study to the Commission at their meeting.

Attached are a copy of the draft plan and a copy of the map of the property.

CS/attachments

HIRSCHMAN'S POND VISION & PLANNING STUDY

DRAFT 02-04-10

Public Use Vision

Although the Hirschman's Pond property was significantly modified by the process of hydraulic mining during the gold rush days, the property has rejuvenated to a beautiful, restful, scenic, natural appearing environment. Wildlife is abundant and plants and trees have filled every area of the property. Considering the natural appearance of this property, the City intends to utilize it as an opportunity for people of all ages to observe and experience natural processes, just minutes away from downtown Nevada City. Improvements to the site will be limited to those that facilitate education, observation of natural processes, and outdoor recreation activities that utilize an undeveloped environment such as fishing, bird watching and hiking.

The property will remain primarily in its unmanaged state with little development or disruption to the wildlife living there. The property should be viewed as an area for passive recreation, where visitors primarily pass through for a hike or bike ride, but do not remain for long periods of time. Due to the rough terrain of the property, many active recreational activities would not be suitable for this location and could be disruptive to those wishing to enjoy the serene quiet that it provides. Therefore active recreational opportunities; other than bicycles on the trails, are not recommended for this property. The City also does not intend to establish picnic areas, trash receptacles or large changes to the landscape, except for at the trailhead as described below.

Planning Study

Background Information

The Hirschman's Pond property discussed herein consists of several parcels that the City of Nevada City owns and manages. Throughout this document the term "Hirschman's Pond property" or "property" shall include the following parcels, unless otherwise designated:

1. The house at 115 Cement Hill Rd. (APN: 05-010-29)
2. The property purchased from the Elks (APN: 05-010-49)
3. The property containing Hirschman's Pond (APN: 05-010-56)
4. The parcels surrounding the Indian Trails subdivision. (Parcels A, B, D & E on APN: 04-140-62 & 04-140-70)

The various parcels mentioned were purchased or gifted to the City at various times between the years 2004-2007.

The General Plan for Nevada City; adopted March 24, 1986 included Hirschman's Pond as a desirable property to acquire because it would give the "sense of a distinct city surrounded by green, wooded hills."

In 2004, the City acquired funds through the California Clean Water, Clean Air, Safe Neighborhoods, and Coastal Protection Act of 2002 (Proposition 40) to purchase the property containing Hirschman's Pond (APN: 05-010-56).

In 2005, the City purchased an additional piece of property from the Trustees of Benevolent and Protective Order of Elks, Nevada City Lodge #518 (APN: 05-010-49) This property is adjacent to the property containing Hirschman's Pond and accessible by Cement Hill Rd. This expanded the possibilities for access and use of the Hirschman's Pond property. This property was purchased by the City with general fund dollars and a private donation.

In 2007, the City was gifted the open space parcels (Parcels A, B, D & on APN: 04-140-62 & 04-140-70) surrounding the Indian Trails Subdivision, by the developer; Erickson Realty, LTD. In addition, the City received \$50,000 from Erickson Realty, LTD to be designated for maintenance of the open space parcels.

Also in 2007, the City purchased the house that is located in the middle of the property purchased from the Elks (APN: 05-010-29). The City saw it as beneficial to purchase this house, so that there would not be a private residence in the middle of a City park.

The house was purchased with funds from several sources:

- The City received funds from a previous lot line adjustment. Those funds were only to be used for recreational purposes.
- Unallocated City AB1600 funds
- A donation by the Wilson Bequest
- City General Fund

Purpose of this plan

This document is to serve as a draft plan for the amenities, programs, management practices that will be located on the Hirschman's Pond property. The intent is to have a document that will serve the City throughout the next 20 years as a guide for management and development. No specific timeline is being suggested as projects and development would need sufficient funding, and the completion of detailed environmental and impact studies.

Property uses, development and programs

The City is in the process of constructing a trail from the Cement Hill entrance to the pond, through the pond property and through the parcels in the Indian Trails subdivision. This would be the primary way to traverse through this property. This trail is funded by a Recreational Trail Program Grant (RTP). This grant is a federal grant that is being administered by the California State Parks Department. Bill Haire, the Trails Coordinator for the Nevada County Land Trust wrote the grant on behalf of the City and is managing the project. Additional trails may be constructed in the future as ways to provide loops and access to areas for educational purposes or to enhance opportunities for hiking, biking and other dispersed recreation activities. The City does not intend to construct any trails around the entire pond, as much of the area is difficult to access and a trail could be intrusive to the wildlife living there.

The only proposed area of intense development on the Hirschman's Pond property would be near the entrance from Cement Hill Rd. At the parking area and trailhead, the desire is to have bathroom facilities, bicycle racks, signs about use of the property, and a meeting space for groups no larger than 30 that will be hiking the trail together. It is believed that the meeting space would not need to be any larger than a 10' x 10' space and no major construction would need to be done.

The house located at 115 Cement Hill Rd., would be included in this development area only due to the need for having potable water at the house. This project is in process and once completed, the house will be rented. The renter will not serve as a caretaker, but will provide a revenue stream.

At the pond, the City desires to construct a barrier free viewing deck/fishing platform that would allow all visitors easy access to the pond. A barrier free deck gives disabled visitors the same easy access. Before moving forward with this project, not only does the City need to secure funding, but the Risk Manager would need to determine the liability that the City would take on with such a project and as mentioned early, the proper environmental and impact studies would need to be completed.

The road entrance to the property from Hwy 49 will remain and will be improved to provide emergency access and property maintenance. It is not the intent of the City to allow public use to the property through this entrance.

Included with the construction of the trail will be natural and historical interpretive signs. With this added feature the trail will be well suited for interpretive hikes. As part of the trail project that is already in place and funded through the RTP, it has been suggested that an Advisory Committee be created to focus on this aspect of the trail to determine what type of signs should be installed, what information should be included and create a Request for Proposal (RFP). The City should encourage the Land Trust, local school groups and other outdoor enthusiasts to lead and participate in hikes at the property.

Rules and Regulations

Resolution 2004-23, which was adopted in August 2004, outlines current rules and regulations for the Hirschman's Pond property. (Attachment A)
Ordinance 2010-10 bans smoking on city properties. This would apply to the Hirschman's Pond property.

The City Attorney will assist with any additional rules that may want to be included at the property; including, but not limited to banning horseback riding and dogs must be on a leash.

Management Practices

The City's desires to create a Management Plan for Hirschman's Pond as well as other Open Space parcels owned by the City. By managing the property to maintain forest healthy trees, those trees in stress or at risk can be removed before they die thereby keeping the property safe from potential falling trees. This may result in an economic benefit to the City as apposed to costly clean up at a later date. This process must also provide for regeneration of young trees to insure that the forest cover is maintained in perpetuity.

The property will have some clearing completed during trail construction; however the property currently is infested by non-native plants, primarily Scotch Broom and Himalayan Blackberries. These non-native plants greatly increase the fire danger and their presence is contrary to the objectives of the City for management of the property. Clearing for fire safety and the removal of invasive, non-native plants will continue as resources allow, with the goal of complete removal of non-native plants from the site. Any plantings on the property will be with plants native to this locale.

The benefits to the city for doing this kind of clearing is,

1. Reduction of wildfire risk
2. Opening up the landscape to better views
3. Invasive, non-native plants prevent native plants from being established on the site.
4. Native plants provide food and cover for native wildlife; non-native plants may exclude plants that provide valuable food and cover.
5. Invasive, non-native plants are costly to maintain as they aggressively invade public use areas (trails, parking areas, gathering areas, etc.)
6. Removal of non-native plants by community groups can be accomplished at little cost to the City and could result in a "Friends of Hirschman" type of organization.

In addition if the City has an adopted Management Plan, the likelihood of being awarded clean-up grants increases.

RESOLUTION 2004-23

A RESOLUTION ESTABLISHING REGULATIONS FOR HIRSCHMAN'S POND AND DIGGIN'S PUBLIC PROPERTY

WHEREAS, the City of Nevada City has recently completed the purchase of the property commonly known as "Hirschman's Pond and Diggin's", located at 15475 Highway 49, Nevada City, California for park and recreation purposes; and

WHEREAS, the City Council of the City of Nevada City, recognizing the rural, undeveloped nature of this historic site desires the citizens of Nevada City, Nevada County and beyond to enjoy it in a safe manner; and

WHEREAS, the City Council of the City of Nevada City realizes that, in order to maintain a safe environment for the public, regulations must be established,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEVADA CITY HEREBY RESOLVES AS FOLLOWS:

Rules and Regulations for the use of the Hirschman's Pond and Diggin's site shall be as follows:

1. It shall be illegal for any person to consume or have possession of any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed on the Hirschman's Pond and Diggin's Property.
2. Glass containers are prohibited.
3. Smoking, camping or open fires are prohibited.
4. The discharge of firearms or any other projectile object is prohibited.
5. All motorized vehicles are prohibited.
6. The property shall be closed from dusk to dawn and no person shall be permitted to enter the property during those hours.
7. All refuse shall be removed from site.
8. Dumping of household trash is prohibited.
9. Swimming/wading is prohibited.

PASSED AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Nevada City on the 27th day of August, 2004.

AYES: McKay, Arnett, Harris, Weaver

NOES: Cottrell

ABSENT: None

ABSTAIN: None



Conley S. Weaver, Mayor

ATTEST:



Cathy Wilcox-Barnes, City Clerk