

DOUGLAS COUNTY PLANNING COMMISSION

PRELIMINARY PLAN

For the

DOUGLAS COUNTY REDEVELOPMENT AGENCY

November 10, 2015

Prepared by the

**DOUGLAS COUNTY REDEVELOPMENT AGENCY
&
DOUGLAS COUNTY PLANNING COMMISSION**

In cooperation with the

DOUGLAS COUNTY COMMISSION



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Introduction

This Preliminary Plan has been prepared to fulfill the requirements of Nevada Redevelopment Law as set forth in Nevada Revised Statutes (NRS) Sections 279.524 and 279.526 concerning the selection and amendment of a redevelopment area and the formulation of a Preliminary Plan. This Preliminary Plan consists of text and a map.

Description of the Boundaries of the Redevelopment Area

The boundaries of Redevelopment Area Number 2 (referred to herein as the “Lake Redevelopment Area”) are as shown on the Redevelopment Area Map which is attached as Exhibit A to this Preliminary Plan.

General Statement of Proposed Land Uses

On March 1, 2012 Douglas County adopted the Douglas County 2011 Master Plan Update. This Master Plan included a Land Use Element, Washoe Tribal Lands Element, Housing Element, Transportation Element, Agriculture Element, Environmental Resources and Conservation Element, Economic Development Element, Historic Preservation Element, Parks and Recreation Element, Public Services and Facilities Element, and Implementation. The Master Plan further refers to and incorporates the Tahoe Regional Planning Agency (“TRPA”) Regional Plan updated in December 2012 as applicable to areas within the Lake Redevelopment Area. On September 25, 2013 the Tahoe Regional Planning Agency (“TRPA”) adopted the South Shore Area Plan (“SSAP”), governing land use within the Lake Redevelopment Area. In October 2014, Douglas County proposed a Draft Tahoe Douglas Area Plan (TDAP) applicable to the Lake Redevelopment Area. This Preliminary Plan is in thorough conformance with the Master Plan, the TRPA Regional Plan, the SSAP, and the TDAP.

More specifically, the following general statements regarding land uses, layout of principal streets, population densities, and building intensities and standards are proposed as the basis for the Lake Redevelopment Plan.

It is proposed that, in general, the land uses for the properties in the Lake Redevelopment Area (see exhibit A - map) shall be as described and defined in detail consistent with 2011 Master Plan Update, the TRPA Regional Plan, the SSAP, and the TDAP. It is anticipated that the Redevelopment Plan will abide by this detailed map and applicable land use provisions as they currently exist and as they may be amended from time to time.

General Statement of Proposed Layout of Principal Streets

It is proposed that, in general, the layout of the principal streets for the Lake Redevelopment Area be as shown on the Redevelopment Area Map (see exhibit A - map). The major streets within or serving as the boundaries to the Redevelopment Area are:

- US Highway 50 (terminating at the California state line)

- Kahle Drive
- Lake Parkway
- Stateline Avenue

In accord with the Douglas County 2011 Master Plan Update, the TRPA Regional Plan, the SSAP, the TDAP, and local codes and ordinances, existing streets within the Lake Redevelopment Area may be closed, vacated, widened, realigned or otherwise modified, and additional streets may be created as necessary for proper pedestrian and vehicular circulation, or other transportation needs as may be determined from time to time. However, no major changes or alterations to the existing street network are anticipated due to the proposed Lake Redevelopment Plan.

General Statement of Proposed Population Densities

This Redevelopment Area will include commercial and residential and properties. It is proposed that, in general, the population density for any residential uses permitted within the Redevelopment Area, shall be as established and defined in the Douglas County 2011 Master Plan Update, the TRPA Regional Plan, the SSAP, and the TDAP as they may be amended, or as otherwise provided in local codes and ordinances.

General Statement of Proposed Building Intensities and Standards

It is proposed that, in general, building intensities and standards within the Lake Redevelopment Area be controlled by procedures and criteria established in the Douglas County 2011 Master Plan Update, the TRPA Regional Plan, the SSAP, the TDAP, and local codes and ordinances. Such criteria may include limits on:

- A. The percentage of ground area covered by buildings (land coverage).
- B. The ratio of total floor area for all stories of the buildings to areas of the building sites (floor area ratio).
- C. The size and location of buildable areas on building sites.
- D. The height of the buildings
- E. The number of required parking spaces.

Land coverage, sizes and locations of buildable areas should be limited, as necessary and feasible, to provide adequate open space, parking access and other amenities.

It is proposed that building standards should generally conform to the building standards requirements of applicable Douglas County codes and ordinances and State statutes.

Attainment of the Purposes of the Nevada Community Redevelopment Law

Certain goals and objectives have been identified in connection with the Lake Redevelopment Area, the accomplishment of which will attain the purposes of the Nevada Redevelopment Law. In general, the goals and objectives of a redevelopment program for the new Lake Redevelopment Area are as follows:

- A. The elimination and prevention of the spread of blight and deterioration, and the conservation, rehabilitation and redevelopment of the Redevelopment Area in accord with the Douglas County 2011 Master Plan Update, the TRPA Regional Plan, the SSAP, the TDAP, the Lake Redevelopment Area Plan, and local codes and ordinances.
- B. Elimination of blighted areas which consist of social or economic liabilities, or both requiring redevelopment in the interest of health, safety and general welfare of the people of Douglas County.
- C. Reduction of the conditions of blight which lend themselves to further obsolescence and deterioration due to the lack of incentive of an individual landowner and the inability to improve, modernize or rehabilitate a property while the condition of neighboring properties remains unchanged.
- D. Arresting the process of deterioration of a blighted area by redeveloping the entire area or a portion of it.
- E. The achievement of an environment reflecting a high level of concern for architectural, landscape, urban design, land use, and environmental improvement principles appropriate for the attainment of the objectives of the Lake Redevelopment Area Plan.
- F. The control of unplanned growth by guiding revitalization activities and new development in such a fashion as to meet the needs of the Lake Redevelopment Area, and Douglas County and its citizens.
- G. The retention of existing business by means of redevelopment and revitalization activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies, in the revitalization of the Lake Redevelopment Area.
- H. The encouragement of investment by the private sector in the development and redevelopment of the Lake Redevelopment Area by eliminating impediments to such development and redevelopment.
- I. Replanning, redesigning and developing areas which are stagnant or improperly used.
- J. Insuring adequate utility capacity for new development.
- K. Redevelopment of dilapidated or deteriorating residential properties.

Redevelopment of the Lake Redevelopment Area pursuant to this Preliminary Plan and the above goals and objectives will attain the redevelopment purposes as specified in Nevada Revised Statutes by:

- A. The elimination of blighting influences and the correction of environmental deficiencies including, among others, buildings and/or residential structures in which it is unsafe for persons to live or work, incompatible and uneconomic land uses, and small and irregular lots.
- B. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation.
- C. The replanning, redesign, and redevelopment of areas which are stagnant or improperly used.
- D. The provision of opportunities for participation by owners and tenants in the revitalization of their properties and businesses.
- E. The strengthening of retail, tourist, gaming, residential and other commercial functions.
- F. The strengthening of the economic base by stimulating new investment.
- G. The expansion of employment opportunities.
- H. The provision of an environment for social and economic growth.
- I. The expansion and improvement of housing for low and moderate income persons.
- J. The installation of new, or replacement of existing, public improvements, facilities, and utilities in areas which are currently inadequately served in regard to such improvements, facilities, and utilities.

Conformance to Douglas County's Master Plan

Redevelopment of the Lake Redevelopment Area will follow the guidelines outlined in the 2011 Master Plan Update. For example, the Preliminary Plan will adhere to the Land Use Classifications described on pages 1-176 of Chapter 2, and more specifically pages 90-100 of Chapter 2 of the 2011 Master Plan Update. See Exhibit B (Pages 1-176 of Chapter 2 of the 2011 Master Plan Update)

Further, the Preliminary Plan focuses on the Lake Redevelopment Area which is in need of revitalization and is located near Lake Tahoe. The reasons for and purposes of redevelopment in this area is captured in the 2011 Master Plan Update with statements such as: "The casino resort industry located in the Stateline area, which is the largest employer in the County and provides tax revenues to support many important County services, has been in decline due to the increase in gaming on tribal lands in California. It has also been impacted, as well as other businesses in the area, as a result of the strict growth control measures and complex land use regulations imposed by the TRPA, declining permanent population, a housing market dominated by second homes, high unemployment rates."

Further, "Due to the decline of the Lake Tahoe economy and a housing market dominated by second homes, the population in the Lake Tahoe Regional Plan declined from 6,739 people in 2000 to 5,227 in 2010 (U.S. Census), with the loss of some 10,000 permanent residents basin wide since 2000. This decline in population also resulted in declining school population and the closure of Kingsbury Middle school in 2011."

Also, "Douglas County recognizes that the Lake Tahoe economy is suffering from complex land use regulations, an aging built environment, the absence of a comprehensive multi-modal transportation system, high unemployment rates, a declining permanent population, declining school enrollment, overall economic decline and the lack of investment in community revitalization."

Finally "in order to revitalize the Lake Tahoe economy, Douglas County has been focusing on Tahoe Revitalization as part of the Economic Vitality and Strategy Action Plan. The goal is to transform the South Shore area from its dependence on gaming to an outdoor recreation based economy."

Formation of the Lake Redevelopment Area and formulation of the Lake Redevelopment Area Plan will maintain consistency with the principles articulated in the 2011 Master Plan Update, and redevelopment projects will be considered with these factors in mind.

General Impact of the Project Upon the Residents Thereof and Upon Surrounding Neighborhoods

It is proposed that the principal purpose of the Lake Redevelopment Area Plan be the elimination and prevention of blight through the assistance and encouragement of public and private rehabilitation and redevelopment efforts, through selective land acquisition, clearance and disposition for private redevelopment, and through the provision of new or replacement of existing public improvements, facilities, and utilities within, and serving, the Lake Redevelopment Area. Direct redevelopment activity should occur only when sufficient financial resources are available and such action will produce effective and immediate redevelopment results.

The impact of the Lake Redevelopment Plan upon occupants of that area, and surrounding neighborhoods may, in general, be in the areas of relocation, traffic circulation, public facilities and services, environmental quality, employment opportunity and economic development. Redevelopment Agency activity in the proposed Lake Redevelopment Area may include property acquisition, relocation of occupants or businesses, demolition of structures, construction of public improvements, public/private partnerships and land disposition for private development.

Report and Recommendations of the Planning Commission

NRS Section 279.528 requires that the Planning Commission submit the Preliminary Plan for the Lake Redevelopment Area to the Redevelopment Agency for review and analysis. NRS 279.528 requires the Redevelopment Agency to provide an analysis of the Preliminary Plan as part of its Report to the County Commission. NRS 279.570 then requires that a report and recommendation of the Planning Commission be developed and submitted to the Redevelopment Agency prior to the Plan's adoption. NRS 279.570 also states that the Planning Commission must make a finding that the Redevelopment Plan conforms to the Master Plan of the community.

- It is anticipated that Douglas County's Planning Commission will receive the Lake Redevelopment Area Plan from the Douglas County Redevelopment Agency on November 20, 2015, and provide its report and recommendations with findings that the proposed Redevelopment Plan conforms to Douglas County's 2011 Master Plan Update at its December 8, 2015 meeting.
- The Planning Commission's report and recommendation will be submitted either as a supplement to the Report to the County Commission, or as part of the record of the joint public hearing on the proposed Redevelopment Plan.

Exhibit A – Land Use Map

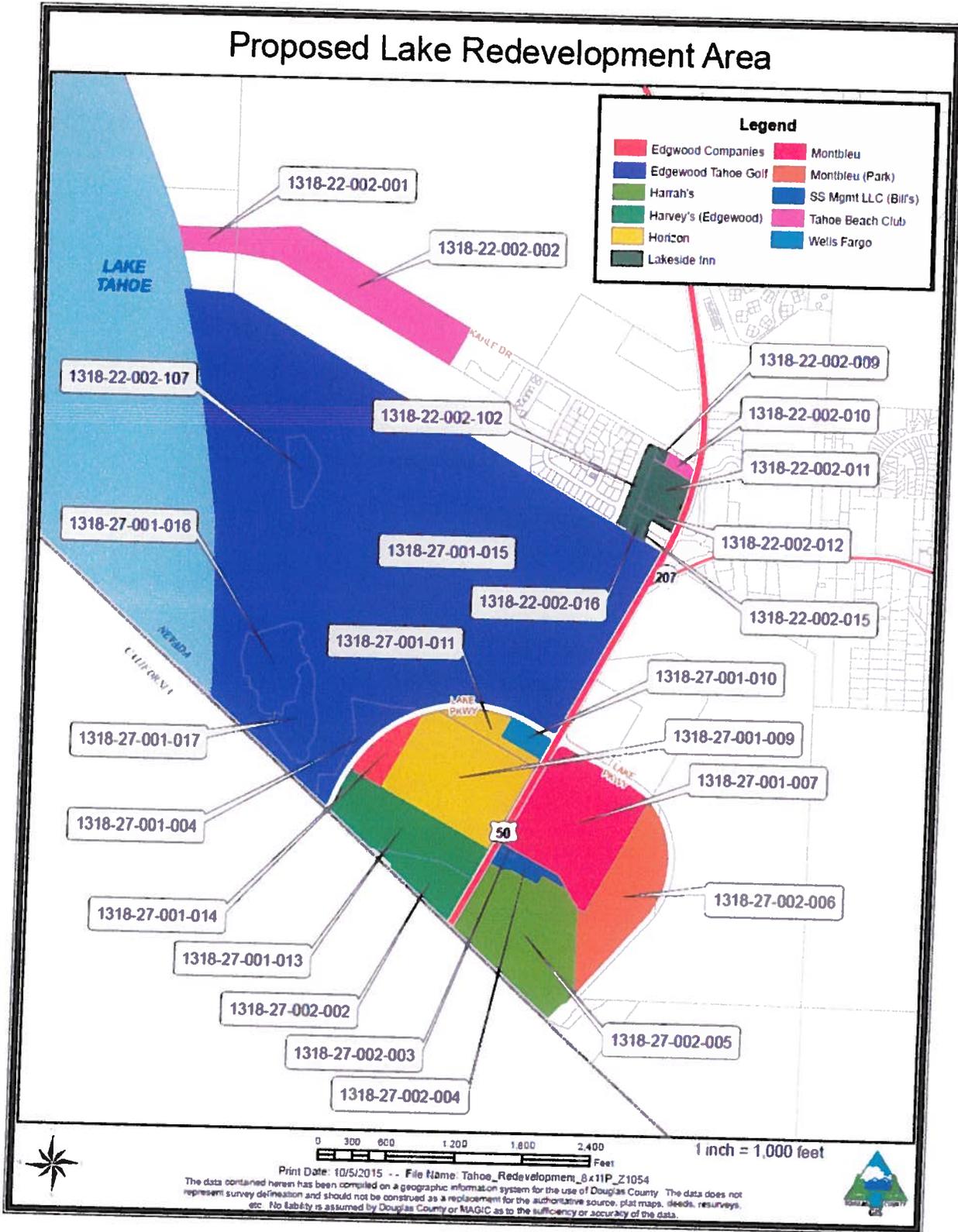
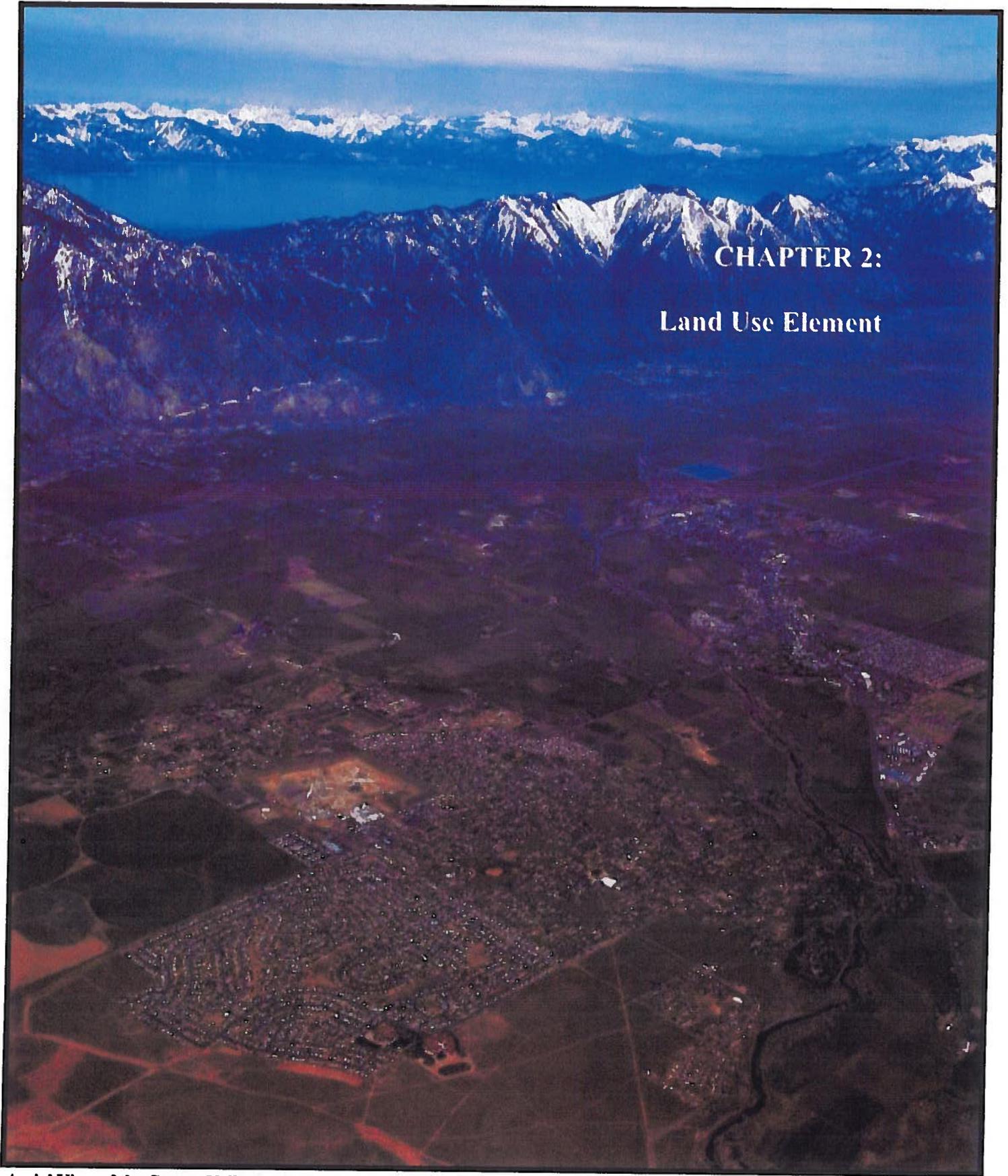


Exhibit B – Pages 1-176 of Chapter 2 of the 2011 Master Plan Update



CHAPTER 2:

Land Use Element

Aerial View of the Carson Valley

Introduction

The Land Use Element of the Master Plan is the principal Element in the Douglas County Master Plan. This Element will help to protect the public health, safety, and welfare of residents and property owners by providing sufficient land for residential, commercial, mixed-use, industrial, and public uses and by locating these uses in appropriate locations. The Land Use Element preserves and protects important natural and historic resources and will enable the County to provide adequate public services to serve existing and future development. The Land Use Element is comprised of the following components:

1. General Land Use Goals, Policies, and Actions.
2. Regional Plans for Carson Valley, Pinenut, Sierra, Tahoe, and Topaz, which include Goals, Policies, and Actions and associated future land use maps.
3. Community Plans for 13 separate communities in Douglas County which include Goals, Policies, and Actions and associated future land use maps for each community. There are 11 community plans for the Carson Valley Region and two community plans for the Topaz Region.

Future Land Use

The Douglas County Master Plan contains 12 future land use designations which are grouped into the following three categories: 1) Resource Uses; 2) Residential Uses; and 3) Non-Residential Uses. The future land uses are designed to reflect existing land uses in the County as well as the most appropriate future land uses for the Regional and Community Plans. The future land use designations insure adequate opportunities for residential, mixed-used, and non-residential development and insure that urban densities occur within existing towns or urban service areas. More specific information on the future land use designations is provided below.

Resource Uses

Forest and Range Lands

This designation comprises the vast majority of the land within Douglas County. It includes lands under private ownership, lands held by the U.S. Forest Service and Bureau of Land Management (BLM), as well as Bureau of Indian Affairs (BIA) trust land. The majority of the forest and range land is situated in the Pinenut, Sierra, and Topaz regions.

The intent of this designation is to maintain the resource and open space use and value of the lands. Federally owned or controlled lands currently have a 40 acre minimal parcel size. Private lands have a 19-acre minimum parcel size. Lands held by the Bureau of Indian Affairs (BIA) as trustee (allotments) will have a 19-acre minimum parcel size to the extent they are subject to the jurisdiction of Douglas County.

Irrigated Agriculture Lands

There are several types of irrigated agricultural land within Douglas County. Much of the agricultural land is currently being irrigated with surface water from the Carson River, under the provisions of the Alpine Decree. This category represents the majority of the irrigated agricultural lands in Douglas County. The second type of agricultural land is irrigated from surface water sources other than the Alpine Decree or water from groundwater wells. Additionally, there is also some irrigation with effluent from wastewater treatment plants in the Carson Valley and Lake Tahoe, but such water is generally supplemental to other primary irrigation sources. In addition to these general categories, the Natural Resource and Conservation Service has established two distinct categories of farmland, which are either prime farmland or farmlands of statewide and local importance.

The intent of the agriculture land use designation is to recognize areas of irrigated agricultural land use which are anticipated and encouraged to remain in this use in the future. In general, this designation merely identifies existing irrigated agricultural land. The minimum parcel size is 19 net acres.

Washoe Tribal Trust Lands

Washoe Tribal Trust Lands are depicted on all future land use maps. The Trust Lands include the Dresslerville Community as well as the Silverado, Stewart Ranch, and Lower Clear Creek Parcels. Since Douglas County has no development authority over the Tribal Trust Lands, information on existing and proposed land uses is contained in Chapter 3, Washoe Tribal Lands Element, of the Douglas County Master Plan.

Residential Uses

There are four residential land use designations. Two of these designations reflect urban residential development. Urban residential development means that lots are smaller than one-half acre in size and that urban services (i.e., paved roads, community water and sewer, etc.) must be provided to serve the development. Urban residential uses are planned only within identified Urban Service Areas, not in areas planned for rural development.

There are also two rural residential land use designations. Areas shown for rural development will have lots of one-half to five acres or more; services will be designed at rural standards and rural design standards will be used to maintain the rural character of these areas. These rural and urban land use designations reflect and are based on lot sizes and development standards, and do not necessarily always parallel the facility or service standards on which urban or rural service areas are based.

Single-Family Residential

This designation is for single-family development with densities ranging from no less than one to a maximum of six dwelling units per acre. Typical residential uses in these areas are single-family homes on lots ranging from 8,000 to 12,000 square feet. Townhomes, duplexes, some mobile home parks, and subdivisions may be developed with this designation. Single-Family Residential is found only in the Urban Service Areas of Minden, Gardnerville, Gardnerville Ranchos, and Indian Hills.

Single-family traditional development is also compatible with the Single-Family Residential land use. Single-family development at traditional, local urban densities, can range from five to 15 dwelling units per acre. It is intended to promote infill development and development on underutilized parcels. It also allows development to take place with urban setbacks and scale. It provides opportunities to develop single family uses such as detached homes, semi-detached homes, and row houses. It is intended to promote traditional development styles and historic architecture within the Towns and other designated Urban Service Areas.

Multi-Family Residential

This designation supports the highest density planned in Douglas County. Development ranges from no less than six to a maximum of 16 dwelling units per acre. Multi-Family Residential provides opportunities for mixed-use projects that can encourage downtown revitalization and realize efficiencies in the utilization of public services and facilities. The Multi-Family Residential land use is located in the Urban Service Areas of Minden, Gardnerville, Gardnerville Ranchos, and Indian Hills.

Single-Family Estates

Single-Family Estates is one of the two residential land use designations used in rural areas and, to a small extent, in the periphery of urban areas. The residential density for these areas is one to two acres per dwelling unit with the majority of homes on one and two acre lots. Most of the Johnson Lane and Ruhestroth communities are typical of this residential land use. Rural services are planned for these areas and the County's policies support a continuing rural character. Many Single-Family Estates areas may be required to be provided with centralized water and/or sewer facilities because of groundwater quality concerns or proximity to sewer systems or other health and safety factors.

Rural Residential

Rural Residential land use is also rural in character, but it is intended to provide for larger lot sizes than found in Single-Family Estates with residential densities from 1 unit per 5 acres up to 1 unit per 10 acres. The rural character of these areas should be maintained, with adequate area for residents to keep and raise farm animals and horses. Development will be served by septic systems and wells, and other services are planned at rural levels.

Fish Springs, East Valley, the Chambers Field section of the Gardnerville Ranchos community, and Topaz Ranch Estates are typical of this land use designation.

Future Development and Receiving Areas

There are Future Development and Receiving Areas in several Community Plans, including Agricultural, Airport, Gardnerville Ranchos, Genoa, Indian Hills/Jacks Valley, Johnson Lane, Minden/Gardnerville, and Topaz Ranch Estates/Holbrook Junction. The Receiving Areas provide opportunities for expansion of each Community Plan area at urban densities. It is anticipated that the density permitted by current zoning will be increased through the acquisition and transfer of development rights from Resource Lands to these areas in order to allow and to provide for the increased density. Therefore, existing zoning densities will remain and development may occur consistent with the zoning designation. Additionally, each Receiving Area will be defined further by specific detailed planning in order to accommodate the proposed increases in density. Specific densities and uses, including commercial or industrial land uses, will be established through specific planning processes. Residential densities are anticipated to be urban in nature, ranging from 2.01 to 16 units per acre.

Within each Community Plan, the future development and Receiving Areas are described in more detail and the general intent for land use density is provided along with policy direction for establishment of the uses. The establishment of additional Receiving Areas may be designated through the Master Plan Amendment process.

Non-Residential Uses

These land use designations identify areas planned for mixed-use, commercial, industrial, and public use. The uses and intensities shown here are intended to describe the general character of development.

Commercial

This land use designation includes a wide range of commercial activities as well as mixed-used development to accommodate both residential and non-residential development. Retail, office, or service uses are included in this designation. Commercial uses include both neighborhood and general commercial uses and are planned within both Urban Service Areas and Rural Areas. Within each community plan, additional definitions of uses intended for each community area is described. A mixed-use commercial and residential zone has been established in the Development Code for use in Urban Service Areas to assist in retention of historic structures and downtown areas, as well as to provide flexibility for large, planned commercial developments.

Industrial

This land use designation is intended to provide locations for existing and future industrial uses, including office, warehousing, manufacturing, and assembly uses.

Community Facilities

Public and quasi-public uses are included in this designation. Schools, the County Courthouse, parks, and fire stations are examples of the public uses in this designation. Churches and cemeteries are quasi-public uses, as are utility uses.

Recreation

This land use designation is to provide locations for private recreation uses and recreation oriented facilities, such as golf courses, bowling alleys, racquetball clubs, tennis clubs, fitness centers, and golf driving ranges, all privately owned. It is anticipated such facilities will require urban services.

Figure 2.1 depicts future land use categories used in the Douglas County Master Plan as well as the zoning districts that are equivalent with each future land use designation.

**Figure 2.1
Future Land Use Designations and Equivalent Zoning Districts
(Excluding Tahoe Regional Plan)**

| Future Land Use Designation | Equivalent Base Zoning District (Does not include Overlay Zoning Districts) |
|------------------------------------|---|
| Forest & Range | FR-40 (Forest and Range – 40 acre minimum parcel size) FR-19 (Forest and Range – 19 acre minimum parcel size) |
| Irrigated Agriculture | A-19 (Agriculture – 19 acre minimum parcel size) |
| Washoe Tribe | Not Applicable |
| Rural Residential | RA-5 (Rural Agriculture - 5 acre minimum net parcel size) RA-10 (Rural Agriculture – 10 acre minimum net parcel size) |
| Single-Family Estates | SFR-1 (Single Family Residential – 1 acre minimum parcel size) SFR-2 (Single Family Residential – 2 acre minimum parcel size) |
| Single-Family Residential | SFR-1/2 (Maximum density of one du per .5 acres) SFR-12,000 (Maximum density of 3.63 du/acre) SFR-8,000 (Maximum density of 5.45 du/acre) SFR-T 8,000 (Maximum density of 5.45 du/acre) SFR-T 6,000 (Maximum density of 7.26 du/acre) SFR-T 4,000 (Maximum density of 10.89 du/acre) SFR-T 3,000 (Maximum density of 14.52 du/acre) |
| Multi-Family Residential | MFR (Multi-Family Residential) Maximum density of 16 du/acre |
| Receiving Areas | Base Zoning District |
| Recreation | PR (Private Recreation) |
| Commercial | NC (Neighborhood Commercial) OC (Office Commercial) GC (General Commercial) MUC (Mixed Use Commercial) TC (Tourist Commercial) |
| Industrial | LI (Light Industrial) SI (Service Industrial) GI (General Industrial) |
| Community Facility | AP (Airport) PF (Public Facility)* |

*Public Facility Zoning District is permitted with any Future Land Use

General Land Use (LU) Goals, Policies, and Actions

Community Balance

- LU Goal 1** **To maintain a land use plan that manages growth at a sustainable rate to maintain the treasured qualities of the county.**
- LU Policy 1.1 Douglas County shall work with the State Demographer to determine the growth projections on a regular basis. This shall be used as a basis for updates to the land use plan and build out analysis.
- LU Policy 1.2 Douglas County shall update land use plans and build out analysis when new projections are available.
- LU Goal 2** **To retain the beauty, the natural setting and resources, and the rural/agricultural character of the county while providing opportunities for managed growth and development.**
- LU Policy 2.1 Douglas County shall establish and maintain its land use plans to provide areas for different types of future land use and intensity and shall plan public services and facilities appropriate to the planned land uses.
- LU Policy 2.2 Douglas County shall plan for areas identified as rural communities, urban communities, agricultural areas, and other non-urban areas. The policies in this Land Use Element and in the Community Plans shall pertain to these distinct areas of the county.
- LU Policy 2.3 In planning for growth of its rural and urban communities, Douglas County shall give first priority to development of vacant or under-utilized land within the communities (“infill” and “redevelopment”) and second priority to development that expands the community. The County’s policies regarding public service provision shall support these priorities.
- LU Policy 2.4 Douglas County shall use its planning and development regulations to protect residential neighborhoods from encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.
- LU Policy 2.5 Proposed non-residential development adjacent to residential neighborhoods shall be designed and sited to protect the privacy of residences.

- LU Policy 2.6 Douglas County shall require the undergrounding of new utility lines and shall work with utility providers to encourage the undergrounding of existing above ground utility lines.
- LU Policy 2.7 In reviewing development proposals, Douglas County shall consider issues of community character, environmental impact, resident security and safety, aesthetics, and efficient service provision.
- LU Policy 2.8 The County should include provisions within the Development Code for acquisition, construction, and maintenance of trails and trailhead facilities during project review. Such provisions may include allowing developers to utilize a density transfer for land set aside for public access or waiver of Parks and Recreation fees in lieu of dedication of such lands to the County.
- LU Policy 2.9 Douglas County shall include within its Development Code provisions for review and approval of exterior lighting to reduce negative impacts to the community while preserving the night skies of the county.
- Land Use Map*
- LU Goal 3 To use the Master Plan Future Land Use Map to graphically depict the County's desired community land use pattern and character.**
- LU Policy 3.1 Douglas County shall maintain current land use and zoning maps and make them available to the public.
- LU Policy 3.2 The Douglas County Master Plan Future Land Use Map shall be defined as the set of maps depicting future land use in each region or designated community and in other areas of the county. This set of maps shall establish the general pattern of land use and intensity appropriate to achieve the County's goals.
- LU Policy 3.3 Douglas County shall revise its zoning districts and other development regulations as appropriate and on a continuing basis to allow development compatible with the Master Plan land use designations.
- LU Policy 3.4 Douglas County shall only approve requests for rezoning, special use permits, the division of land, or other new development proposals or public projects that are consistent with the Future Land Use Map, the policies contained in this Land Use Element, and the other Elements of this Master Plan.
- LU Policy 3.5 Douglas County shall allow higher densities than shown in the land use plan in Receiving Areas provided there are significant densities

being transferred from the Sending Areas and the development character is consistent with the overall residential area where the project is proposed.

LU Policy 3.6 Clustering of units at densities above the range shown on the Land Use Map may be approved on properties which include floodplains, steep slopes, or other environmentally sensitive areas, if the cluster results in the use of development potential outside these sensitive areas and includes easements (or other mechanisms) to permanently retain sensitive areas as open space. In no event shall clustering result in a higher density for the overall project than the density shown on the Land Use Map for the property, except as approved through density bonus provisions.

LU Policy 3.7 Within all land use designations, the following factors, as further defined in the Development Code, shall be considered in reviewing and approving individual development proposals: a) outstanding project design including sustainable planning practices; b) retention of the site's natural topography and vegetation; c) design supportive of conservation of energy use; d) inclusion of amenities or designs that enhance the community's desired character; e) protection of moderate or steep slopes, floodplains, or active fault zone areas; f) location in a high fire hazard area; g) appropriate setbacks, access and traffic circulation according to established standards; h) the County's ability to achieve other Master Plan goals and policies; i) ability to meet established levels of service and follow facility design requirements; and j) provision of affordable housing units or employment opportunity for low and moderate income residents.

LU Policy 3.8 The Master Plan's Future Land Use Map shall not be interpreted to affect the status of existing uses, densities, or intensities that are not consistent with the land use designation shown on the Land Use Map for the site. Such uses shall be considered legal non-conforming uses and the Development Code shall set forth specific provisions to implement this policy.

Community Plans

LU Goal 4 To recognize the distinct character of individual communities and encourage land uses consistent with this character.

LU Policy 4.1 Douglas County shall adopt Community and Regional Plans to establish the special goals and policies necessary to reflect and enhance each community's desired character. These plans shall be part of the Douglas County Master Plan.

LU Policy 4.2 The Future Land Use Map contained in each Regional and Community Plan shall be interpreted according to the policies set forth in this Land Use Element.

Urban Communities

LU Goal 5 To identify particular areas within Douglas County for development as distinct urban communities.

LU Policy 5.1 In identified urban communities, the goals and policies of adopted Community Plans shall apply as well as the policies contained in other sections of the Master Plan.

LU Policy 5.2 Douglas County shall designate “Urban Service Areas” within identified urban communities. Urban Service Areas are those areas where development of an urban character exists or is developing. New development in these areas may be approved by Douglas County if it is consistent with the land use designations shown on the Land Use Map, if services are available at the appropriate urban levels, if applicable policies of the Community Plan and Master Plan have been met, and developed in accordance with the provisions of the Development Code.

LU Policy 5.3 Douglas County shall plan urban communities to provide a balance of land uses, including sufficient commercial area to meet the needs of community residents.

LU Policy 5.4 Within Urban Service Areas, Douglas County shall plan locations for Multi-Family Residential uses along collector or arterial streets, adjacent to non-residential uses, and adjacent to other residential areas where the site configuration and project design can provide compatibility between residential uses. Designated areas shall be limited in size and location to not overly concentrate the multi-family use.

LU Policy 5.5 Douglas County shall review the design of all multi-family residential projects to provide future residents with a safe and functional living environment, while maximizing project compatibility with surrounding uses, existing and planned. The design review process shall address issues including, but not limited to, site design, circulation and access (including access for people with disabilities), landscaping, recreational amenities, energy conservation, grading, drainage, and lighting.

LU Policy 5.6 Douglas County shall provide for the use of flexible community design techniques within Urban Service Areas to establish or revitalize

neighborhoods. Mixed-Use Commercial projects, high-density traditional design, and Planned Developments are examples of these techniques, which should be considered when site design or neighborhood compatibility concerns can best be addressed by a project with a mix of uses or densities.

LU Policy 5.7 Douglas County and/or other entities shall plan and provide for services to urban communities at established urban service levels.

LU Policy 5.8 Residential office uses shall be consistent with both the Single-Family Residential designation and Commercial designation provided by and established in accordance with the Douglas County Development Code.

Rural Areas and Communities

LU Goal 6 To identify particular areas within Douglas County where the residents desire to preserve or develop distinct rural communities.

LU Policy 6.1 In identified rural communities, the goals and policies of adopted Community Plans shall apply in addition to the policies contained in other sections of the Master Plan.

LU Policy 6.2 Rural areas and communities are those areas where development of rural character exists or is developing. New development in these areas may be approved by Douglas County if it is consistent with the land use designations shown on the Future Land Use Map, if services are available at the appropriate rural levels, if other policies of the Community Plan and Master Plan have been met, and developed in accordance with the provisions of the Development Code.

LU Policy 6.3 Rural development, for the purposes of this Master Plan, shall include the residential land use designations of “Single-Family Estates” and “Rural Residential.” Rural development may include local-serving commercial, limited industrial, public, recreational, or agricultural uses as are appropriate to the particular rural community.

LU Policy 6.4 Douglas County and/or other entities shall plan and provide for services to rural communities at established rural service levels.

Commercial and Industrial Land Uses

LU Goal 7 To identify particular areas in Douglas County for commercial and industrial development, consistent with the County’s Economic Development Element.

- LU Policy 7.1 Douglas County shall encourage the design of new commercial developments as integrated centers, or compatible infill within developed communities, rather than as small individual strip development projects.
- LU Policy 7.2 Douglas County shall establish design standards and guidelines to ensure that commercial development in the historic centers of Minden, Gardnerville, and Genoa is compatible with the traditional development styles in these areas and creates or enhances distinct identities for these areas.
- LU Policy 7.3 Douglas County shall protect industrially-designated areas from encroachment by incompatible uses and from the effects of incompatible uses in adjacent areas.
- LU Policy 7.4 Douglas County shall provide continued commercial and industrial development within designated employment centers through a combination of activities including public-private partnerships provided that the development uses clean energy, mitigates impacts on the environment, uses water conservation practices, adds value to existing products or services in the county, pays high wages, attracts professional service, and supports the quality of life in the county.
- LU Policy 7.5 Douglas County shall establish design standards and guidelines for development in areas planned for commercial and industrial uses to ensure that these areas develop with high-quality, compatible design. Standards and guidelines shall address elements including, but not limited to, minimum lot sizes, building scale, setbacks, lighting, loading areas, landscaping, screening and fencing, accessibility to people with physical disabilities, signage, internal circulation, and building materials.

Phasing

- LU Goal 8 To provide flexibility in project phasing to meet changing market conditions while ensuring improvements are provided concurrent with the demand for infrastructure and services.**
- LU Policy 8.1 Phasing of development projects shall be designed to function effectively and independently for each phase.
- LU Policy 8.2 Phasing of large development projects may utilize the Specific Plan process. The Specific Plan shall include, but not be limited to, provisions for land use, circulation, parcelization, infrastructure, open space, and phasing or timeline for overall development. The timeframe for completion of improvements shall be established

through the resolution adopting the Specific Plan or a Development Agreement.

LU Policy 8.3 Upon approval of a specific plan, the development of tentative and final maps consistent with the specific plan may be submitted, reviewed, approved, and recorded in accordance with NRS and Douglas County Code.

LU Policy 8.4 Development project approval shall contain terms that plan for potential abandonment or termination of the development prior to completion.

Regional and Community Plans

Introduction

Regional and Community Plans contain the detailed information about each region or community within the county. The purpose of each plan is to ensure that the distinctive character of each area is established, maintained, and enhanced. Douglas County is divided into five Regional Plans: Carson Valley, Pinenut, Sierra, Tahoe, and Topaz. The Carson Valley and Topaz Regional Plans also contain smaller community plans. The Pinenut Regional Plan area contains 48.8% of the total area in Douglas County with 222,246 acres. The Sierra Regional Plan area is the smallest with 4.3% of the total area, or 19,363 acres.

Figure 2.2 shows the total acreage for each Regional Plan Area in Douglas County.

Figure 2.2
Douglas County Regional Plans, by Acreage and Percentage

| Regional Plan | Acreage | Percentage |
|----------------------|----------------|-------------------|
| Carson Valley | 111,968 | 24.5% |
| Pinenut | 222,253 | 48.8% |
| Sierra | 19,363 | 4.3% |
| Tahoe | 23,456 | 5.2% |
| Topaz | 78,251 | 17.2% |
| Total | 455,291 | 100.0% |

To address issues that are unique to a region or community, policies are established in the Regional or Community Plan that apply strictly to the defined area and deal with issues that are special concerns to that community. These may include policies that contain more detailed requirements for land use, development, or public improvements than are identified in those Master Plan elements that apply county-wide. The Regional or Community Plan also contains detailed implementation measures. These action measures can address issues such as design standards and special use provisions. The goals and policies contained in the Master Plan's other elements also apply to the areas covered by a Regional or Community Plan.

Each Regional or Community Plan begins with a statement describing the community or area covered. Next, planning issues for the community are listed. These issues were identified through public input at community workshops and meetings, surveys and questionnaires, and by previous planning documents prepared in the course of preparation of the Master Plan. Following the statement of issues, the Regional or Community Plan's goals, policies, and actions are listed.

The goals, policies, and actions are the most important part of the Plan, since they establish the direction for the County to follow in carrying out this Plan.

Each section of the Regional or Community Plan contains a Future Land Use Map, which shows the future land uses planned for a region or community. The designated land uses, and the other policies set forth in the text, determine what type and intensity of future development will be supported by the County.

For some communities, the Land Use Map includes areas identified as “Future Development and Receiving Areas.” The land use mapped within these areas anticipates the transfer of development rights from resource lands. The process for such transfers is described in the Master Plan’s Growth Management Element. These areas are to be planned in detail for varying densities of urban uses based upon further community review and through a planning process in cooperation with the Towns, General Improvement Districts, landowners, and Douglas County.

Carson Valley Regional Plan

The Carson Valley is bounded by the Sierra Nevada Mountains on the west and the Pinenut Mountains on the east. The north boundary is the Douglas County line, and the south boundary is the California/Nevada state line. The valley averages 12 miles wide, east to west, and 18 miles long. Ranching and farming are the heritage of the Carson Valley. Although much of the ownership and boundaries have changed, the majority of the significant farmland is still in operation.

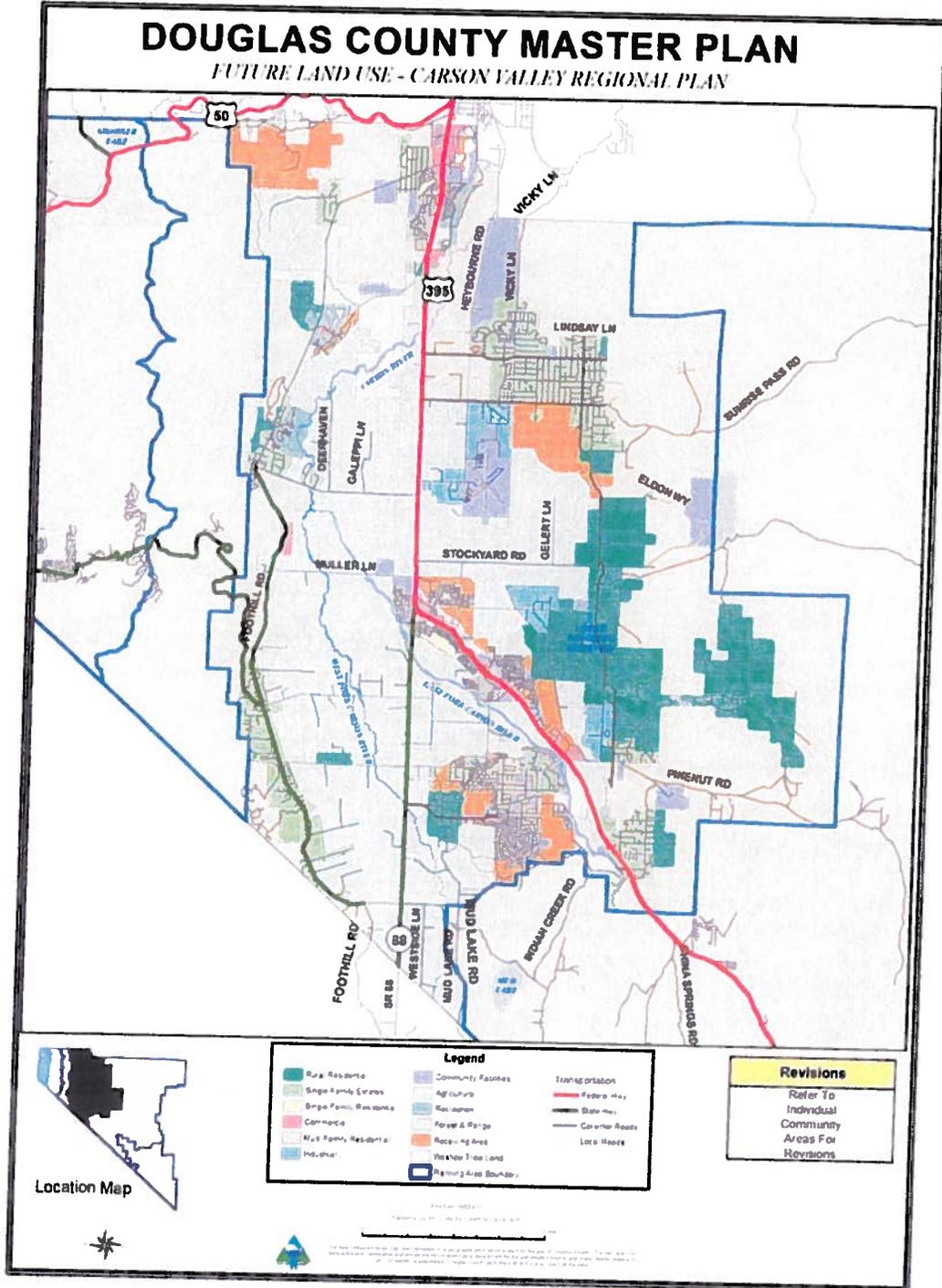
The Carson Valley Regional Plan totals 111,968 acres, or 24.6 percent of the total acreage in Douglas County. The Carson Valley has a very high percentage of low to medium density residential development, constituting almost 98 percent of all residential land use. High-density and very high-density residential uses occupy about 2 percent of all residential land in Carson Valley. Agricultural lands account for 38,330 acres in the Carson Valley. Carson Valley is also the location for most of the industrial and a majority of the commercial land use in the county.

Within the Carson Valley Regional Plan there are 11 Community Plans. Each of the communities has distinctive land use identities. The Carson Valley Community Plans are listed in Figure 2.3, along with the corresponding acreage. The future land uses for the Carson Valley Regional Plan are depicted on Map 2.1

Figure 2.3
Community Plans in Carson Valley Region, by Acreage

| Community Plan | Acreage | Percentage |
|---|----------------|---------------|
| Agriculture (North, South, and Central) | 33,272 | 29.7% |
| Airport | 4,678 | 4.2% |
| East Valley | 9,922 | 8.9% |
| Fish Springs | 12,197 | 10.9% |
| Foothill | 6,679 | 6.0% |
| Gardnerville Ranchos | 6,673 | 6.0% |
| Genoa | 6,363 | 5.7% |
| Indian Hills/Jacks Valley | 5,056 | 4.5% |
| Johnson Lane | 17,984 | 16.1% |
| Minden/Gardnerville | 4,052 | 3.6% |
| Ruhenstroth | 5,092 | 4.5% |
| Total | 111,968 | 100.1% |

Map 2.1
Carson Valley Regional Plan Future Land Use Map



North, Central, and South Agriculture Community Plan

Location and General Description

The Agriculture Community Plan includes smaller areas in the north, central, and southern portions of Carson Valley. These three areas contain the majority of the farms and ranch lands in Douglas County. The total acreage in the Community Plan is 33,272 acres. With the exception of the foothills in the northwest portion, there are no slopes that exceed 15 percent slope. The majority of the community slopes gently to the northwest.

Location and General Description

The community is comprised of agricultural open spaces with large distances between residences. The housing pattern consists of larger single-family residential lots as well as many ranches, including housing and outbuildings scattered throughout the community. These ranch houses are placed among irrigated and non-irrigated fields.

The northern agricultural community was identified in the Douglas County Open Space and Agricultural Lands Preservation Implementation Plan adopted in September 2000, and updated in 2007, as being under significant development pressure and having a high priority for preservation. Future development in this area should consider ways to set aside large tracts of open space and vistas through the clustering or planned development provisions identified in County Code. The north area contains Receiving Area, the future Clear Creek Planned Development.

The 2010 population is 733 people. Map 2.2 depicts the future land uses for the Agriculture Community Plan.

Key Issues

Refer to the Chapter 7, Agriculture Element, for current issues and specific provisions relating to agriculture for this community.

Levels of Service

Rural service standards should be used to provide sufficient service to the community while respecting the community's character.

North, Central, and South Agriculture (NCSA) Community Plan Goals, Policies, and Actions

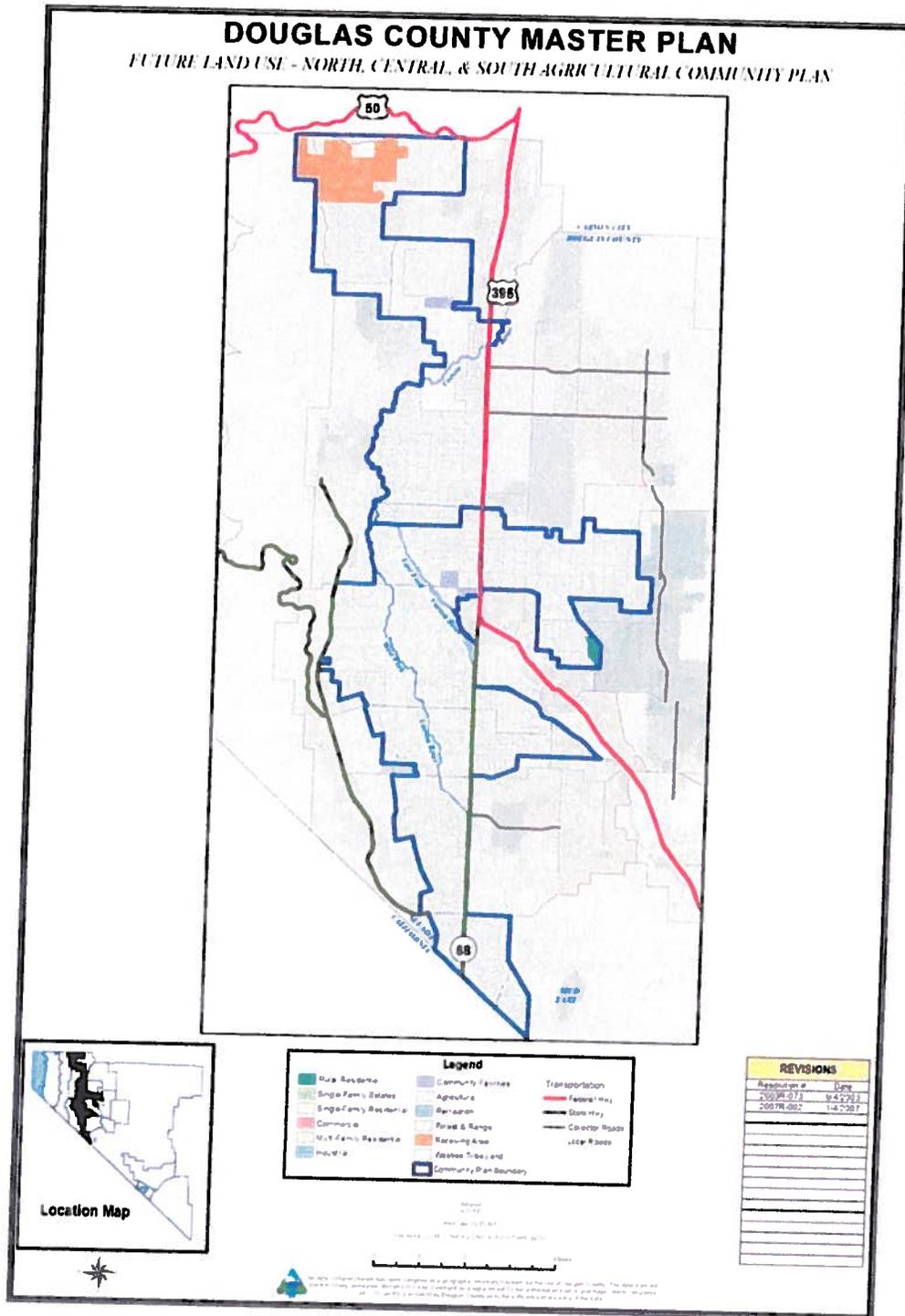
NCSA Goal 1 **To preserve and enhance the existing scenic and resource character of the north, central and south agricultural communities.**

NCSA Policy 1.1 **The County shall use its Master Plan and development regulations to maintain or enhance the existing rural and scenic character of the community.**

NCSA Policy 1.2 **When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.**

NCSA Policy 1.3 **The County shall work with the agriculture community to implement the goals and policies in Chapter 7, Agriculture Element.**

Map 2.2
North, Central, and South Agriculture Community Plan Future Land Use Map



Airport Community Plan

Location and General Description

The Airport Community Plan is centrally located within the Carson Valley and includes the area surrounding the Minden-Tahoe Airport and the identified Carson Valley Ranch Receiving Area, Carson Valley Business Park, Meridian Business Park, and Agriculture lands.

While the Airport Community Plan has primarily focused on development and airport related issues, the designation of a substantial amount of receiving area provides additional opportunity for use of Transfer of Development Rights (TDRs), flood protection, and airport buffering. The Minden-Tahoe Airport serves the county as an air transportation center and includes access for personal business and corporate aircraft.

Agricultural and vacant lands comprise more than 50 percent of the community. The wetland/floodplain in the southeast portion of the community provides an area for groundwater recharge and area set aside for aviation safety within the Airport property. The other half of the acreage is dedicated to community facilities, office, industrial uses, and residential use. Agricultural lands exist along U.S. 395 providing a rural atmosphere along the highway corridor.

There are 4,678 total acres of land, 3,766 of which are privately owned and 911 acres are in public ownership. With the exception of about an acre of U.S. Forest Service lands, all of the public land is owned by Douglas County.

The 2010 population is 85 people.

Existing and Future Land Use

The community facilities, located on the western portion of the airport property, include aviation businesses, private aircraft hangars, and the Douglas County Public Works Department. The Meridian Business Park and Carson Valley Business Park are located in the community. There are approximately 1,000 acres of industrial land use planned for future development in the community. Office industrial uses are encouraged along Johnson Lane to buffer the residential uses to the north.

Map 2.3 depicts the future land uses for the Airport Community Plan.

Refer to Chapter 5, Transportation Element, and the Minden-Tahoe Airport Master Plan for more information on the Minden-Tahoe Airport.

Key Issues

Appropriate Industrial Development

With growing industrial development, access, aesthetics, and compatibility with airport operations are primary concerns.

Receiving Area Issues

The Receiving Area designation on approximately 1,400 acres is designated to allow for development at a more rural density with lot sizes generally in the one-acre range utilizing Single-Family Estates land use provisions. Services will include urban services for water and sewer service from existing community systems and the balance of the services will be rural in nature to be compatible with the surrounding community.

Levels of Service

Urban service standards should be utilized within the industrial, receiving area, and public facility areas of this community. Rural service standards should be utilized in the agricultural areas.

Airport (AP) Community Plan Goals, Policies, and Actions

- AP Goal 1** **To promote the growth of the Airport community as an employment center and transportation hub for County wide economic development that is compatible with the built and natural environments in the vicinity and consistent with the Airport Master Plan.**
- AP Policy 1.1 Douglas County shall use its zoning, project review process, and design guidelines to promote development that will enhance property values and the aesthetics of the Airport community while still maintaining a buffer around the Airport perimeter for safety and noise abatement.
- AP Policy 1.2 Office industrial uses are encouraged to be developed along the south side of Johnson Lane and shall be designed to be compatible with planned residential development in the vicinity, minimizing aesthetic and other impacts.
- AP Policy 1.3 Douglas County shall regulate direct access on Airport Road, Heybourne Road, and East Valley Road to maintain the function and safety of these collector streets.
- AP Policy 1.4 Douglas County shall require the paving of all public roads in the Airport community. Driveways, parking areas, loading areas, and other high activity areas in non-residential developments shall be paved.
- AP Policy 1.5 A specific plan for the receiving area shall be prepared by the property owner for review by Douglas County. Issues to be addressed, but not limited to, include on- and off-site flooding and drainage controls, infrastructure, including connection to community sewer and water systems, traffic and roadways, land use compatibility, and overall community design.
- AP Goal 2** **To promote planned development in the Airport community that reduces risks related to airport activities.**
- AP Policy 2.1 The County shall preclude the development of high occupancy structures and noise sensitive land uses in areas within the flight path of the Minden-Tahoe Airport.
- AP Policy 2.2 The County shall preclude land uses in the flight path that pose unacceptable hazards to airport operations or development near the Airport. These can include, but should not be limited to, uses that attract flocks of birds, uses that attract wildlife, uses storing significant

- quantities of toxic or explosive substances, and uses that result in reduced visibility and/or electronic disturbances.
- AP Policy 2.3 The specific plan developed for the Receiving Area shall ensure compatibility with the airport and be consistent with the Airport Master Plan.
- AP Goal 3 To ensure the timely provision of community facilities, services, and infrastructure at levels adequate for the Airport community.**
- AP Policy 3.1 Douglas County shall plan and provide public facilities and services to the Airport community at established urban levels of service, except for agricultural and rural residential properties.
- AP Policy 3.2 Douglas County should plan parks in the Airport community consistent with the County's park standards established in the Parks and Recreation Element.
- AP Policy 3.3 Douglas County shall promote the timely and orderly provision of water and wastewater systems to serve urban development in the Airport community. Priority shall be given to expansion of services required to meet the needs of proposed industrial uses and the receiving area.
- AP Policy 3.4 The water system for the Airport community shall be designed to provide adequate fire flow for non-residential developments.

East Valley Community Plan

Location and General Description

The East Valley Community Plan is located on the east side of the Carson Valley south of the Johnson Lane community. The community enjoys views across the Carson Valley agricultural lands and open spaces with the scenic vistas of the Sierra Nevada Mountains and Pinenut Mountains.

The community of East Valley consists of approximately 9,922 acres and is primarily composed of low density residential lots, agricultural lands, and public lands. There are two significant non-residential areas generating an employment base within the community. The majority of this employment is attributed to the Bently Science Park and the Aervoe-Pacific Corporation. Future industrial development expansion would be most appropriately located in the Bently Science Park and the Aervoe Industrial Park areas. Each of these industrial areas are planned to have the full array of urban services.

The primary design feature of the existing community of East Valley is the large lot residential development often on scattered irregular-shaped parcels.

There are some areas of moderate (between 10 percent and 30 percent) to steep (greater than 30 percent) slopes at the higher elevations in the eastern portions of the community. Agricultural lands adjacent to Orchard Road south of Buckeye Road to the southern limits of the community plan are considered prime farmland.

The 2010 population of East Valley is 1,524 people.

Existing and Future Land Use

Land Uses in the East Valley Community include irrigated agriculture, private range land, and rural residential. There are 5,015 acres of existing residential developments. Of the 5,015 acres of residential development, 4,779 acres or 95 percent are developed with lots greater than one acre.

There are approximately 5,172 acres of non-residential land in East Valley. The non-residential uses include 871 acres of industrial; 20 acres are designated for utility uses and 64 acres for the Eastside Memorial Cemetery. The majority of undeveloped, non-residential land is private, undeveloped land, consisting of 2,038 acres.

Key Issues

Maintain Rural Atmosphere

Community residents supported quality growth which maintains the low density residential development pattern that currently exists with minimum lot sizes of generally 2 to 5 acres.

Open Space Preservations

Clustering development and separating land uses with areas of large lot residential development can help preserve the rural atmosphere.

Airport Compatibility

Land use and future development of the community should be compatible with airport operations and land use.

Provision of Appropriate Levels of Service

Rural service standards should be provided in the rural communities while respecting the character of the community. Adequate urban services need to be provided in advance of any urban development.

East Valley (EV) Community Plan Goals, Policies, and Actions

- EV Goal 1** **To preserve and enhance the character of the existing rural development in the East Valley community while establishing urban development that is compatible with the built and natural environments.**
- EV Policy 1.2 Douglas County shall designate East Valley as a community with rural and potential urban service areas. The two industrial areas, Bently Science Park and Sawmill Road, shall be developed with urban services as they become available.
- EV Policy 1.3 Douglas County should plan for a buffer or transition area separating urban land uses from existing rural residential use.
- EV Policy 1.4 Douglas County shall designate areas for industrial development and provide for industrial expansion to accommodate existing industry, to provide employment opportunities, and to support County-wide economic development policies.

- EV Policy 1.5 Douglas County shall work with the BLM to identify areas to be included as permanent publicly accessible open space along the eastern side of the East Valley community.
- EV Policy 1.6 The Orchard Road corridor will be maintained at a ten (10) acre minimum lot size.
- EV Policy 1.7 All single-family estate designations within the community shall be maintained at a two (2) acre minimum parcel size.
- EV Goal 2 To ensure the timely provision of community facilities and infrastructure at levels adequate for the rural and urban areas of the East Valley community.**
- EV Policy 2.1 Douglas County shall cooperate with other providers to plan and provide public facilities and services to the urban development area of the East Valley community at established urban levels of service.
- EV Policy 2.2 Douglas County shall cooperate with other providers to plan and provide public facilities and services to the rural development areas of the East Valley community at established rural levels of service. The County shall work to upgrade facilities in existing rural areas over time and with available resources.
- EV Policy 2.3 Douglas County shall allow the use of individual sewage disposal systems and domestic wells for service in rural residential areas of East Valley, unless community water and sewer systems are available or continuing water quality studies identify the need for community systems.
- EV Policy 2.4 Douglas County shall require community water and sewer systems for new development in urban areas of East Valley.
- EV Policy 2.5 Douglas County shall require the provision of urban services to all industrial and commercial development in the East Valley area in accordance with service areas consistent with this plan.
- EV Policy 2.6 Douglas County shall plan, construct, and operate parks in the East Valley community consistent with the County's park standards established in the Parks and Recreation Element.
- EV Goal 3 To provide appropriate public safety service to the East Valley community.**
- EV Policy 3.1 Douglas County shall cooperate with the East Fork Fire & Paramedic District to provide adequate fire response times and fire suppression facilities for the East Valley community. The establishment of a
-

volunteer fire department in the East Valley community may be necessary to implement this policy.

EV Policy 3.2 Douglas County shall work with the East Fork Fire & Paramedic District and water providers to make available sufficient fire flow to meet the needs of the East Valley community. The development of fire fill stations or other water storage may be necessary to implement this policy.

EV Goal 4 To preserve and provide recreational opportunities and open space areas appropriate to this rural community.

EV Policy 4.1 Douglas County should cooperate and strongly encourage the BLM to plan, design, and maintain trails and public access points to the Federal lands. Hiking, bicycling, and equestrian trails should be planned with appropriately designed trailheads.

EV Policy 4.2 When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.

Fish Springs Community Plan

Location and General Description

The Fish Springs community is located in the Carson Valley Regional Plan and is separated from the Carson Valley by the first range of hills of the Pinenut Range. The community is mostly surrounded by hills. Fish Springs received its name from Fritz Elges who constructed a covered dug-out reservoir in which carp (goldfish) were grown. Thus, an early effort of aquaculture gave the area its name.

The community of Fish Springs enjoys the scenic sage-covered hills to the west, which overlook this small valley. The piñon pine-covered Pinenut Mountains to the east, contrasting with the open public lands and irrigated agricultural lands of the valley, provide an amenity of special value to local residents.

The primary feature of Fish Springs is the large lot, generally scattered development reflective of a rural settlement. Residences are single family, detached dwellings on lots generally greater than one acre in size, located through the central portion of the community along the gentle topography adjacent to Pinenut Creek. Steep slopes of over 30 percent are primarily concentrated in the extreme southeast and eastern areas of the community. To the north, east, and south are the foothills, which nearly surround the community.

This community is currently an area of individually built homes, and it is assumed this pattern of development will continue. Fish Springs includes 12,197 acres of land area. The 2010 population of Fish Springs is 685 people.

Existing and Future Land Use

The predominant land uses in the Fish Springs community are rural residential uses and public open space. There are approximately 518 acres of land currently developed with residential uses. Of the land developed as residential, about 20 percent is developed with lots between ten and twenty acres in size; 80 percent of the residential development is characterized by lots between one and ten acres. In general, the lot sizes north of Fish Springs Road tend to be approximately five acres, while lots south of Fish Springs Road are smaller, approximately two acres in size.

There is no commercial or industrial development in the Fish Springs community today. There is only one public/institutional use, the Fish Springs Volunteer Fire Department.

Approximately 8,146 acres are currently undeveloped or in open space use. Almost 72 percent of this land is in public ownership. Slightly less than 17 percent is in private ownership and used for rangeland.

Map 2.5 depicts land use for the Fish Springs community.

Key Issues

Protection of the Community's Rural Character

Fish Springs' residents oppose high-density development, commercial development, and any uses that would alter the rural, residential character of the community.

Open Space Buffer

Community residents wish to retain BLM lands as a permanent open space buffer around the community.

Levels of Service

Residents favor rural service standards.

Fish Springs (FS) Community Plan Goals, Policies, and Actions

- FS Goal 1** **To preserve the existing rural residential character of the Fish Springs community.**
- FS Policy 1.1 Douglas County shall designate Fish Springs as a rural community. Urban land uses shall not be included in this community.
- FS Policy 1.2 The Fish Springs Future Land Use Map does not include land planned for future commercial use. Commercial development to serve a neighborhood market shall not be considered consistent with the desired character of the Fish Springs community.
- FS Policy 1.3 Douglas County shall not plan to expand the Rural Residential areas in Fish Springs until areas presently planned for this use are largely developed.
- FS Policy 1.4 Douglas County shall work with the Bureau of Land Management (BLM) to establish a buffer of permanent, publicly accessible open space around the Fish Springs community.
- FS Goal 2** **To ensure the timely provision of community facilities and infrastructure at levels adequate for the rural Fish Springs community.**
- FS Policy 2.1 Douglas County shall plan and provide public facilities and services to the Fish Springs community at established rural levels of service.

- FS Policy 2.2 Douglas County shall require paving of collector roads within the Fish Springs community. For roads within this rural community with lower traffic volumes, Douglas County shall require road surfacing and maintenance standards that retain the rural community character while controlling dust and reducing maintenance costs.
- FS Policy 2.3 Douglas County shall allow the use of individual sewage disposal systems and domestic wells for service in this rural community, unless continuing water quality studies identify the need for community systems.
- FS Policy 2.4 Douglas County shall not support the installation of street lights within the Fish Springs community.
- FS Goal 3 To provide appropriate public safety service to this rural community.**
- FS Policy 3.1 Douglas County shall cooperate with the Fish Springs Volunteer Fire Department and the East Fork Fire & Paramedic District to provide adequate rural fire response times and fire suppression facilities for this community.
- FS Policy 3.2 Douglas County shall work with the Fish Springs Volunteer Fire Department, the East Fork Fire & Paramedic District, and water providers to make available sufficient fire flow, at rural standards, to meet the needs of the Fish Springs community. The development of fire fill stations or other water storage may be necessary to implement this policy.
- FS Policy 3.3 Douglas County should determine the appropriate route and plan for a secondary emergency access for the Fish Springs community.
- FS Goal 4 To preserve and provide recreational opportunities and open space areas appropriate to this rural community.**
- FS Policy 4.1 Douglas County should cooperate and strongly encourage the BLM to plan, design, and maintain trails and public access points to the Federal lands. Hiking, bicycling, and equestrian trails should be planned with appropriately designed trailheads.
- FS Policy 4.2 Douglas County should plan parks in the Fish Springs community consistent with the County's park standards established in the Parks and Recreation Element.

FS Policy 4.3 When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.

Foothill Community Plan

Location and General Description

In the mid 1800's, the two settlements established within the Foothill community were Mottsville and Sheridan. Both of these names are used today to identify these settlement areas. The scenic quality of the Foothill community is the picturesque setting overlooking agricultural fields nestled at the foot of the pine-covered Carson Range of the Sierra Nevada Mountains. This community is comprised of approximately 6,679 acres. The community enjoys a rural environment with a low population.

The northwestern edge of the Foothill community has steep slopes in excess of 30 percent. Otherwise, the community gently slopes to the east. Surrounding the community are agricultural fields to the north, east, and south. This community contains a clustering of homes along Foothill Road which serves as a central access spine for the community. The majority of the streets in this community are two-lane paved roads with open drainage ditches.

The 2010 population of Foothill is 1,337 people.

Existing and Future Land Use

Land uses in the Foothill community include irrigated agriculture, private range, and rural residences. Approximately 1,857 acres have been developed for rural residential uses with lot sizes between 1 and 10 acres. There is some residential development on smaller lots (Sheridan Acres) with lot sizes of approximately one-half acre. This community is currently an area of exclusive custom-built homes; and it is assumed this pattern of development will continue.

Foothill has no commercial or industrial uses. The Sheridan Volunteer Fire Department and the Mottsville Cemetery are the only public facilities located in the Foothill community.

Most land in the Foothill community area has been developed at rural levels. 2,216 acres of the land is in agricultural use, located primarily on the eastern half of the community.

Map 2.6 depicts land use for the Foothill Community.

Key Issues

Retain Rural Residential Character

Foothill residents expressed a desire to maintain the low density rural character and prohibit any commercial development within the community.

Natural Hazards

The natural features of the Foothill slopes create potential hazards for development. These slopes have a high wildland fire hazard. There are also hazards due to steep slopes, seismic activity along the Genoa Fault, natural drainage course and floodplain areas.

Protect Public Open Space

County cooperation with the U.S. Forest Service in planning and management for open space will help achieve this objective. Public access to these lands should be established for use by hikers and equestrian enthusiasts.

Develop a Local Park

Foothill residents indicated an interest in the creation of a local park located next to the Volunteer Fire Department Station.

Levels of Service

Rural levels of service are proposed for this community with the addition of water system supply for areas of higher concentration of development. Limitations on use of septic systems may impact development in the community.

Foothill (FH) Community Plan Goals, Policies, and Actions

- | | |
|------------------|---|
| FH Goal 1 | To preserve the existing rural residential character of the Foothill community. |
| FH Policy 1.1 | Douglas County shall designate Foothill as a rural community area. |
| FH Policy 1.2 | Commercial development shall not be considered consistent with the desired character of the Foothill community. |
| FH Goal 2 | To ensure the timely provision of community facilities and infrastructure at levels adequate for the rural Foothill community. |
| FH Policy 2.1 | Douglas County shall plan and provide public facilities and services to the Foothill community at established rural levels of service. |
| FH Policy 2.2 | Douglas County shall require paved roads within the Foothill community in light of the planned residential densities and the proximity to paved major roadways. |

- FH Policy 2.3 Douglas County shall allow the use of individual sewage disposal systems in this rural community, unless continuing water quality studies identify the need for a community system.
- FH Policy 2.4 Douglas County shall plan for a consolidated water system for the central area of the Foothill community.
- FH Policy 2.5 Douglas County shall allow the use of domestic wells for service in other parts of this rural community, unless continuing water studies identify the need for a community system.
- FH Policy 2.6 Douglas County shall not support the installation of street lights, curbs, gutters, or sidewalks within the Foothill community.
- FH Goal 3 To provide appropriate public safety service to this rural community.**
- FH Policy 3.1 Douglas County shall cooperate with the Nevada Division of Forestry, Sheridan Volunteer Fire Department, and the East Fork Fire & Paramedic District to provide adequate rural fire response times and fire suppression facilities for this community.
- FH Policy 3.2 Douglas County shall work with the Nevada Division of Forestry, Sheridan Volunteer Fire Department, and the East Fork Fire & Paramedic District and water providers to make available sufficient fire flow, at rural standards, to meet the needs of the Foothill community. The development of fire fill stations or other water storage may be necessary to implement this policy.
- FH Policy 3.3 Douglas County shall require development in designated high fire hazard areas to provide appropriate emergency access.
- FH Policy 3.4 Douglas County shall require development of lands within areas of identified active fault zones to conform to seismic development policies.
- FH Goal 4 To preserve and provide recreational opportunities and open space areas appropriate to this rural community.**
- FH Policy 4.1 Douglas County shall work with the USFS to establish areas of permanent, public accessible open space along the western boundary of the Foothill community.
- FH Policy 4.2 Douglas County should cooperate and strongly encourage the USFS to plan, design, and maintain trails and public access points to the adjoining Federal lands. Hiking, bicycling, and equestrian trails should be planned with appropriately designed trailheads.
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- FH Policy 4.3 Douglas County should plan parks in the Foothill Community Plan consistent with the County's park standards established in the Parks and Recreation Element.
- FH Policy 4.4 When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.

Gardnerville Ranchos Community Plan

Location and General Description

The Gardnerville Ranchos Community Plan lies in the south central portion of the Carson Valley. The community, which was historically used as ranching land, now maintains both urban and rural areas. The residents of the Gardnerville Ranchos community enjoy the picturesque agricultural fields and the panoramic views of the pine-covered Carson Range of the Sierra Nevada Mountains to the west.

Gardnerville Ranchos is primarily a residential community supplying over one-third of the housing for the Carson Valley. The area has one of the most diverse housing markets, ranging from apartment complexes, to one-third acre single-family lots, to 5-acre single-family lots with custom built homes. The East Fork of the Carson River traverses the northeast area of the community.

The Gardnerville Ranchos consists of 6,680 acres, or about 10 square miles, of which agricultural lands make up 2,856 acres; and current and future residential, commercial, and industrial lands make up a large majority of the balance of the area. Urban uses total about 1,525 acres, or 26 percent of the Ranchos area.

The 2010 population of the Gardnerville Ranchos is 11,065 people. The Gardnerville Ranchos is the largest community in the county and will remain one of the largest in the future.

Existing and Future Land Use

Land uses in the Gardnerville Ranchos Community Plan are primarily residential in the northern and eastern portions and agricultural in the southwestern and extreme west and north portions. There is a range of residential densities in the Gardnerville Ranchos. About 550 acres are developed with lot sizes between 1 and 10 acres. About 460 acres of land have densities of 1 to 3.5 dwelling units per acre, approximately 219 acres of residential development with 3.5 to 8 dwelling units per acre presently exist in this community, and 38 acres have been developed at densities over 8 units per acre.

Commercial and office land use in the Gardnerville Ranchos is currently about 14 acres but planned commercial allows for 81 acres. A neighborhood commercial area is centered at the intersection of Kimmerling Road and Tillman Lane with smaller commercial uses provided at entries to the community at Riverview and Dresslerville Road. The major industrial use in this community is the Bing Materials facility. Smaller industrial uses include a mini-storage facility. A number of public facilities are located in the Gardnerville Ranchos to serve area residents.

Three areas are designated for future development and Receiving Areas. The area surrounding the Bing Pit is designated as a Receiving Area, and it is anticipated that as

the pit operation nears the end of its current use, urban uses would be compatible with the area. A comprehensive specific plan which specifies densities and uses and mitigates planning and environmental issues must be prepared and adopted prior to establishing this area for actual development and rights must be required to support the planned densities. The second area, which is commonly referred to as Ranchos 8 and 9 or the undeveloped areas adjacent to the existing residential development on the east and south of the community, is anticipated to be developed with a variety of densities compatible with the existing neighborhoods and Washoe Tribe lands. Finally, the Receiving Area east of Rubio is designated to allow for development at a more rural density with lot sizes generally in the one-acre range utilizing Single-Family Estates land use provisions.

Map 2.5 depicts land use for the Gardnerville Ranchos community.

Key Issues

Retention of the Community's Rural Character

With areas of the community planned and already developed for more urban uses, it will be important to use techniques that separate the rural and urban uses effectively.

Adequate and Timely Provision of Community Services

Establishing distinct guidelines for the urban areas and the rural areas will aid the community in enhancing its image and defining the boundaries.

Roads, Access, and Circulation Patterns

Collector roads should be identified and improved. Additional capacity, as well as more efficient circulation patterns, are needed on several roads to serve the growing transportation needs of the community.

Edna-Wilsef Ditch

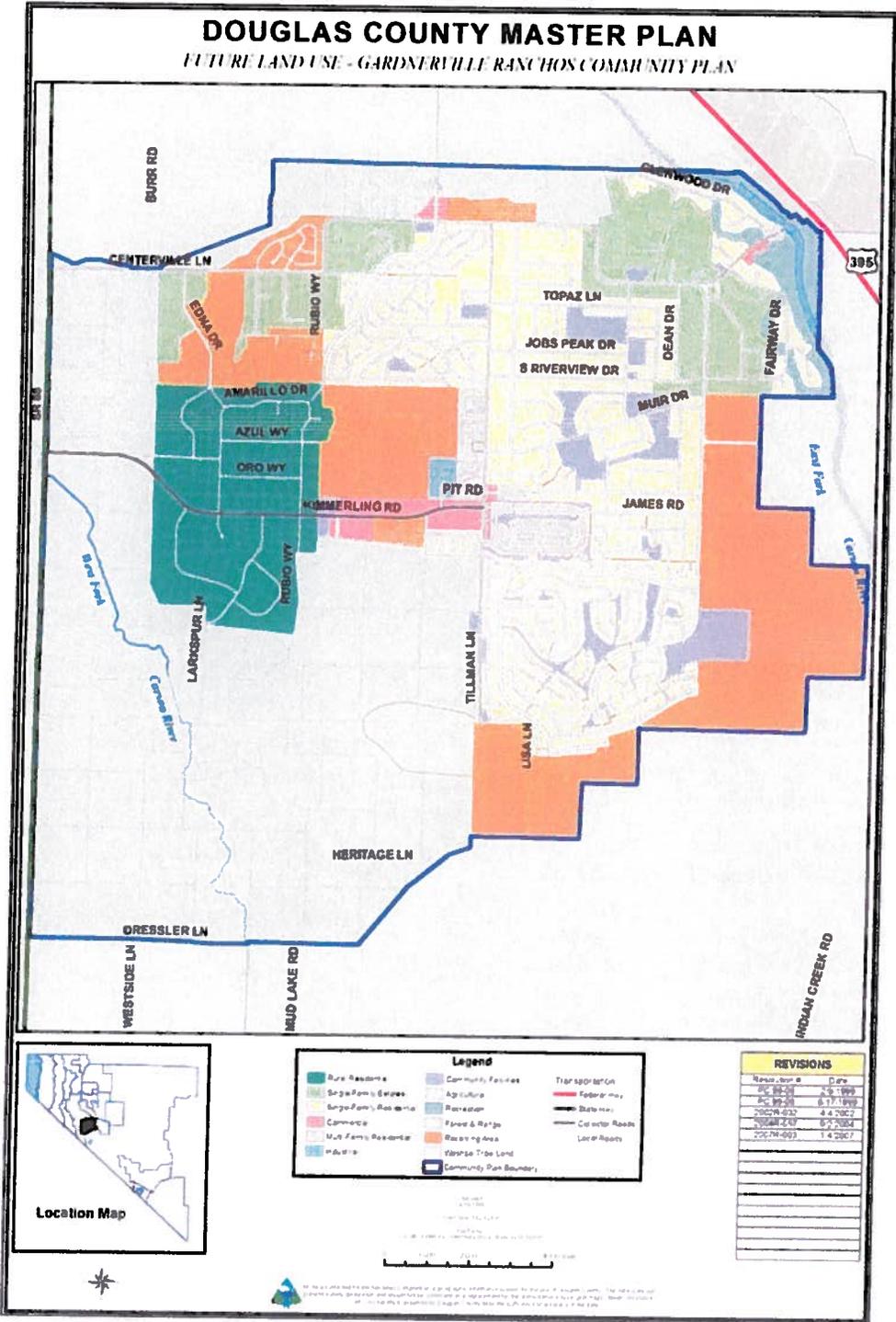
Identify ways of protecting the Edna-Wilsef Ditch from the impacts of urban development that borders the Ditch.

Gardnerville Ranchos (GR) Community Plan Goals, Policies, and Actions

- GR Goal 1** **To preserve and enhance the existing character of the Gardnerville Ranchos community.**
- GR Policy 1.1 Douglas County shall designate Gardnerville Ranchos as a community with defined urban and rural areas. These areas shall be distinct and different standards shall be applied to each area. Urban land uses shall be located within the urban boundary and rural shall be outside the urban boundary.
- GR Policy 1.2 The County shall encourage development of neighborhood commercial uses to adequately serve the Gardnerville Ranchos community.
- GR Goal 2** **To provide adequate community facilities and services for Gardnerville Ranchos.**
- GR Policy 2.1 Douglas County shall plan and provide public facilities and services to the rural areas of Gardnerville Ranchos community at established rural levels of service.
- GR Policy 2.2 Douglas County shall cooperate with other providers to plan and provide public facilities and services to the urban areas of the Gardnerville Ranchos community at established urban levels of service.
- GR Policy 2.3 The County shall ensure adequate provision of park sites to meet the needs of the growing urban community at standards established in the Parks and Recreation Element.
- GR Policy 2.4 Douglas County shall plan, construct and operate parks in the Gardnerville Ranchos community consistent with the County's park standards established in the Parks and Recreation Element.
- GR Policy 2.5 The County shall work closely with the Douglas County School District in the development, maintenance, and joint operation of school park sites in the Ranchos.
- GR Policy 2.6 The County shall allow the use of individual sewage disposal systems and domestic wells for service in rural residential areas of the Gardnerville Ranchos, unless community water and sewer systems are available or continuing water quality studies identify the need for community systems.
- GR Policy 2.7 Douglas County shall require community water and sewer systems for new development in urban areas of Gardnerville Ranchos.
-

- GR Policy 2.8 Douglas County shall require the provision of urban services to all industrial and commercial development in the Gardnerville Ranchos community.
- GR Goal 3 To provide appropriate public safety service to the Gardnerville Ranchos community.**
- GR Policy 3.1 Douglas County shall cooperate with the Gardnerville Ranchos Volunteer Fire Department to provide adequate fire response times and fire suppression facilities for the Gardnerville Ranchos community.
- GR Policy 3.2 Douglas County shall work with the Gardnerville Ranchos Volunteer Fire Department and the East Fork Fire & Paramedic District and water providers to make available sufficient fire flow to meet the needs of the Gardnerville Ranchos community.
- GR Goal 4 To provide safe and convenient transportation routes within the community.**
- GR Policy 4.1 Douglas County shall provide for an adequate system of arterial and collector streets to create an efficient traffic circulation pattern.
- GR Policy 4.2 Douglas County shall require that all arterial and collector streets in new urban and rural development areas be paved.
- GR Policy 4.3 Douglas County shall require the paving of local streets in new urban and rural developments. Streets in urban areas shall be paved to urban standards; streets in rural areas shall be paved to rural standards.
- GR Policy 4.4 Douglas County should establish design standards for the creation of gateways into Gardnerville Ranchos, in order to further delineate and enhance the image of the community.
- GR Goal 5 To preserve open space and a buffer between the Gardnerville Ranchos and Minden-Gardnerville communities.**
- GR Policy 5.1 Douglas County shall place a high priority on maintaining floodplain areas as open space that are recognized for their agricultural, drainage, wetland, parkway, and greenbelt value.
- GR Policy 5.2 When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.

**Map 2.7
 Gardnerville Ranchos Community Plan Future Land Use Map**



Genoa Community Plan

Location and General Description

The Genoa community area lies on the western edge of Carson Valley. The community area boundaries include the Town of Genoa and a larger area surrounding the Town. Much of the western boundary is formed by U.S. Forest Service property.

Part of Genoa's charm is its attractive location nestled at the toe of the Carson Range of the Sierra Nevada Mountains. Genoa is the oldest town within Nevada, settled in 1851. Bordering lands to the north, east, and south are predominantly irrigated agriculture fields. The community area is comprised of approximately 6,374 acres.

The Town of Genoa is a small rural community, located where the valley meets the mountains. The homes are single and detached, they tend to be 1 to 1 ½ stories high and are small in size and simple in form. Lot sizes vary greatly, ranging from 0.04 acres to 19 acres in area. The setbacks of the houses vary with the older homes closer to the street than current County zoning would permit. The commercial buildings along Main Street observe nearly a uniform setback. Newer developments surrounding the older area of town are larger lots, 1/3 - 1 acre. The Genoa Lakes project, located one mile north of town is a planned neighborhood of 220 homes on lots from 1/3 to 1/2 acre in size with a championship 18-hole golf course.

The 2010 population of Genoa is 935 residents. Most of this population lives in and around the Town of Genoa.

Existing and Future Land Use

The Genoa community consists of the Town of Genoa and the outlying rural area. Much of the Town of Genoa is included within a National Register Historic District and/or the Genoa Historic District, which is a local district with boundaries based on the 1874 map of the Town. The Town is the commercial and residential hub of the community. Residential subdivisions are located to the east and in the Genoa Lakes subdivision to the northeast of the Town. An approved development of approximately 300 homes and a golf course is located on the Little Mondeaux Ranch, three miles north of the town. The remainder of the outlying community is primarily agricultural.

There are about 387 acres of residential land in the community. About 87 percent of the residential land is devoted to lots ranging from 1 to 10 acres. The balance of the residential land is developed at densities ranging from 1 to 3.5 units per acre. Most of the land within this latter category is located in the Town of Genoa.

The Town's four acres of commercial development is located within the central portion of Genoa and within an area that is on the National Register of Historic Districts. This development includes both office and general commercial uses. Walley's Hot Springs is

located one mile south of Genoa and contains hot spring pools, restaurant, and timeshare units.

The Genoa community possesses several restrictions to development. Retention of agricultural lands limit development throughout most of the community. Also, steep slopes on the western edge of Genoa and the Historic District preclude or severely restrict most development in Genoa. Additionally, new development when permitted in the downtown historic Genoa area, must comply with strict architectural standards.

Douglas County Redevelopment Area No. 1 was adopted in 1998, which includes properties within the Town of Genoa and surrounding areas. Refer to Chapter 9, Economic Development Element, for more information on Redevelopment Areas.

Map 2.8 depicts the future land use for the Genoa Community Plan.

Key Issues

Retention of the Community's Character

Preserving existing historic structures and ensuring that new development is compatible with the character of existing development are two means of maintaining the Town's and community's distinctive character.

Retention of Genoa's Historic Commercial Core

An active commercial center, with services provided for the Town's visitor, will promote both local and tourist needs.

Minimizing the Risks from Natural Hazards

The County should establish regulatory limits to development by natural hazards to protect its citizens' physical and economic welfare.

Provision of Appropriate Facilities

The Genoa area plan should balance the needs, desires, and resources of the community's residents by providing for levels of service that are appropriate to the demands for these facilities.

Minimizing the Impacts of Traffic

Any future design modifications required to improve traffic flow should also maintain the safety of pedestrians and the historic ambiance of the community.

Genoa (GE) Community Plan Area Goals, Policies, and Actions

- GE Goal 1** **To preserve and enhance the existing character of the Town of Genoa and Genoa community.**
- GE Policy 1.1 The County shall use its Master Plan and development regulations to maintain or enhance the existing rural and historic character of the community.
- GE Policy 1.2 The County shall support the expansion of commercial development within the Town of Genoa in a manner that is compatible with the Town's existing historic character. The retention of and expansion of mixed commercial and residential uses in the designated commercial area is encouraged.
- GE Policy 1.3 The County's development regulations should support growth in the bed and breakfast industry in Genoa to preserve existing historic homes and to promote tourism of Genoa's historic resources.
- GE Policy 1.4 The County shall continue to use design review to ensure that new commercial development is compatible with the historic character of the Town of Genoa. This process shall address the amount, scale, design, location and intensity of new non-residential development.
- GE Policy 1.5 The County should periodically review the advisability of expanding the historic district.
- GE Policy 1.6 The County shall encourage commercial development within the Town of Genoa, along the Main Street commercial corridor, rather than outside of the Town of Genoa.
- GE Policy 1.7 The County should encourage the displacement of overhead power and communication transmission lines to underground facilities along State Route 206 within the Town of Genoa.
- GE Goal 2** **To minimize the risks to the residents of the Genoa community from natural hazards.**
- GE Goal 3** **To ensure the timely provision of community facilities, services and infrastructure at levels adequate for the Genoa community.**
- GE Policy 3.1 Douglas County shall plan and provide public facilities and services to the Genoa community at established appropriate levels of service. Appropriate levels of service means rural, urban, or a combination of these service levels based on consideration of the nature of the use, the

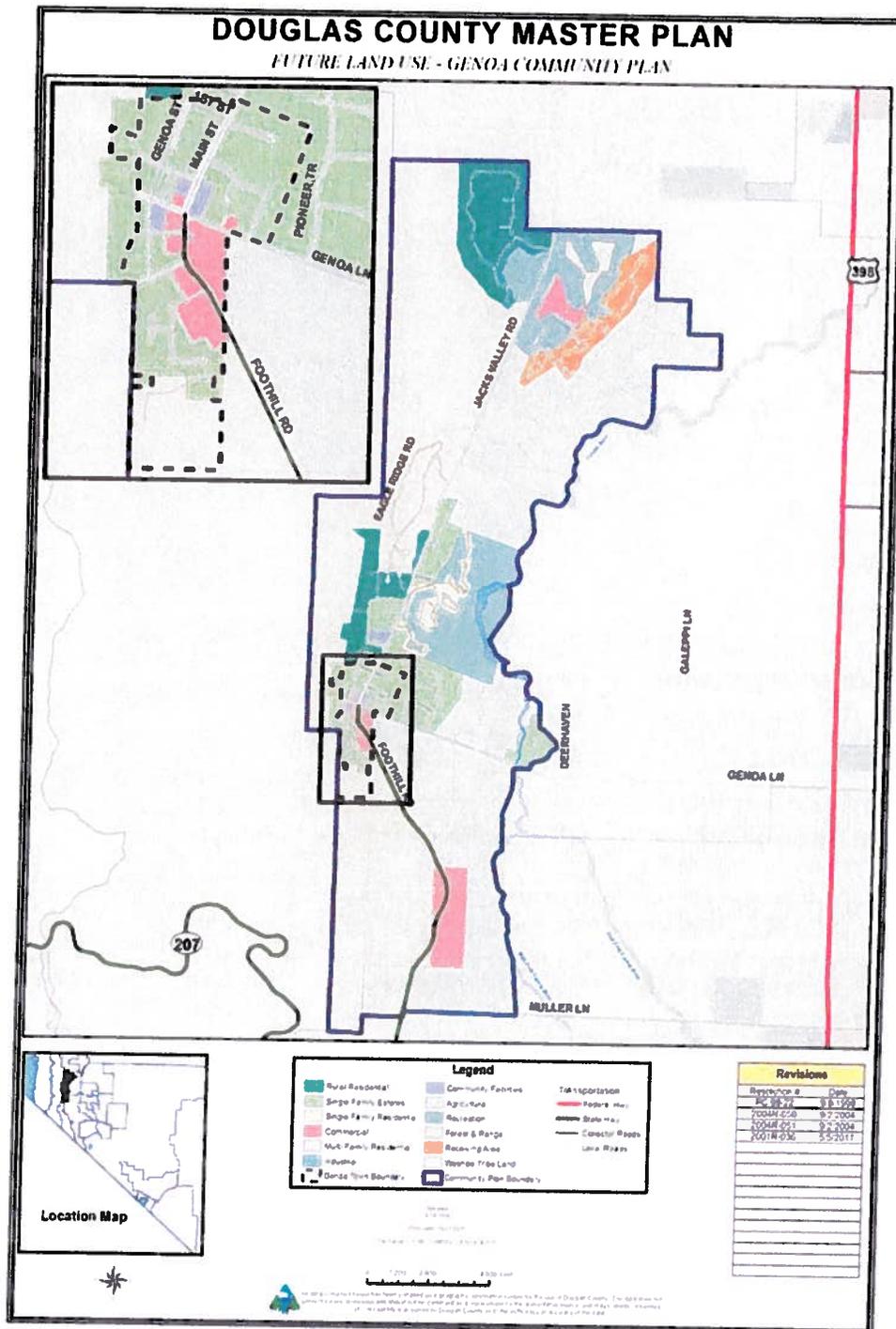
- adequate facilities standards of this plan, and the community's character.
- GE Policy 3.2 Local roads within the Town of Genoa shall continue to support the rural character while controlling dust.
- GE Policy 3.3 Community water and sewer systems shall be extended to service the developed areas of the Town and community.
- GE Policy 3.4 Douglas County shall support the Town's efforts in conducting analysis and improving drainage facilities within the Town of Genoa.
- GE Policy 3.5 Douglas County should plan parks in the Genoa Community Plan consistent with the County's park standards established in the Parks and Recreation Element.
- GE Policy 3.6 Douglas County shall encourage and work with the Nevada Department of Transportation to extend the bicycle and pedestrian system from Jacks Valley Road along State Route 206, through the Town of Genoa, south to Walley's Hot Springs Resort, and up to Kingsbury Grade.
- GE Goal 4 To provide appropriate public safety service to this rural community.**
- GE Policy 4.1 Douglas County shall cooperate with the Nevada Division of Forestry, Genoa Volunteer Fire Department, and the East Fork Fire & Paramedic District to provide adequate rural fire response times and fire suppression facilities for this community.
- GE Policy 4.2 Douglas County shall work with the Nevada Division of Forestry, Genoa Volunteer Fire Department, and the East Fork Fire & Paramedic District and water providers to make available sufficient fire flow to meet the needs of the Genoa community.
- GE Policy 4.3 Douglas County shall require development in designated high fire hazard areas to provide appropriate emergency access and to conform to the design guidelines.
- GE Policy 4.4 Douglas County shall require development of lands within areas of identified active fault zones to conform to the seismic guidelines.
- GE Policy 4.5 Douglas County shall work with the Nevada Fire Safe Council, UNR Cooperative Extension, East Fork Fire & Paramedic District, and Genoa Volunteer Fire Department to encourage and assist in reducing hazardous fuels on private property.

GE Goal 5 **To preserve and provide recreational opportunities and open space areas appropriate to this rural community.**

GE Policy 5.1 Douglas County should cooperate with and strongly encourage the U.S. Forest Service to plan, design, and maintain trails and public access points to the Federal lands. Hiking, bicycling, and equestrian trails should be planned with appropriately designed trailheads.

GE Policy 5.2 When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.

Map 2.8 Genoa Community Plan Future Land Use Map



Indian Hills/Jacks Valley Community Plan

Location and General Description

The Indian Hills/Jacks Valley community, located at the north end of the Carson Valley, is the northern gateway of Douglas County. The mountains of the Toiyabe National Forest to the west, outside of the community boundaries, augment the other natural open spaces and contribute to the natural scenery that is such an important part of this community's character.

The community, which has been labeled a bedroom community of Carson City, is primarily residential, however, some commercial and industrial uses exist. Though Indian Hills/Jacks Valley is one community, it is composed of three distinct neighborhoods, Indian Hills, Jacks Valley, and Alpine View Estates. The Silverado and Lower Clear Creek parcels and northern portion of the Stewart Ranch of the Washoe Tribe are also located within this area.

Indian Hills/Jacks Valley totals 5,056 acres. The community is bisected by the Jacks Valley Wildlife Management area. The Indian Hills/Jacks Valley community varies in terrain. This area lies between steep slopes of the Sierras to the northwest, to the broad floodplain of the Carson River to the southeast. The majority of the community is on rolling hills with slopes not exceeding 15 percent.

The 2010 population of Indian Hills/Jacks Valley is 5,406.

Existing and Future Land Use

Indian Hills consists of a mixture of detached single-family homes, manufactured housing, and apartments in a suburban residential development setting. A neighborhood commercial center is located on Mica Drive at the entry to the community and a large regional commercial shopping center is located on the north end of the community along Highway 395.

The Jacks Valley area consists primarily of detached single-family homes on an average lot size of one acre. The homes are custom-built homes with the styles and sizes varying greatly. Jacks Valley's community character is rural and is typified by medium to large lot suburban residential with unpaved streets.

Alpine View Estates is nestled on the foothills of Jacks Valley with spectacular views of the mountains and agricultural fields. Alpine View Estates has detached single-family homes on an average lot size of two acres. These homes are custom-built homes, which are generally large and upscale. The residents wish to maintain the rural character of the community. Alpine View Estates' character is typified by large lot rural residential areas and natural open space with paved streets.

Vacant land and public open space dominate undeveloped parts of this community.

In 1998, portions of the Community Plan were included within Redevelopment Project Area No. 1, with the hope of acquiring funding for needed infrastructure within the community. Refer to Chapter 9, Economic Development Element, for more information on Redevelopment Areas.

In September 2000, the North Douglas County Specific Plan, which set forth the land use and zoning of the area, was adopted for the properties located on the east side of U.S. Highway 395, generally north of the Sunridge residential development. The area also included existing commercially zoned lands located on the west side of U. S. Highway 395, north of Jacks Valley Road. The majority of the area to the east of U.S. Highway 395 is held by the BLM.

Map 2.9 depicts land use within the Indian Hills/Jacks Valley community.

Key Issues

Retention of Community's Existing Character

Future development should accommodate urban growth within the urban service area while retaining the community's rural character in the balance of the community.

Provision of Appropriate Facilities and Services

The urban areas shall require urban services. Urban services, such as water service, may be utilized for portions of the rural areas. Facility and service standards should distinguish between urban and rural service levels for other services.

Appropriate Resource Management

Residents want to preserve the community's natural resources for their continued enjoyment, particularly the Jacks Valley Wildlife Management Area. Providing careful access to public lands can help the public take advantage of these resources while protecting wildlife habitat.

Indian Hills/Jacks Valley (IH/JV) Community Plan Area Goals, Policies, and Actions

IH/JV Goal 1 To preserve the existing character of the community while permitting rural and urban growth that is compatible with the built and natural environments.

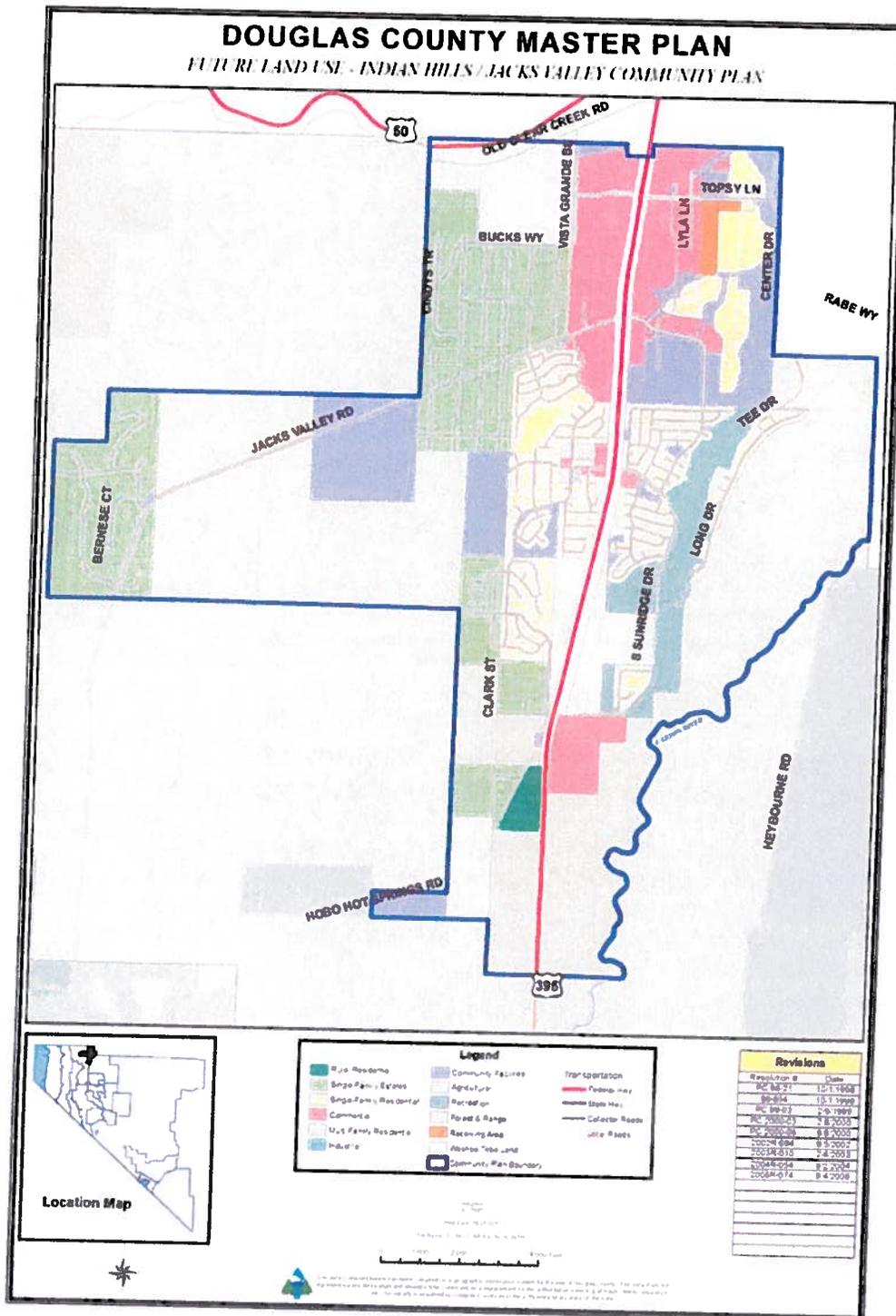
IH/JV Policy 1.1 Commercial designations within the center of the Indian Hills area shall be limited to neighborhood commercial uses that serve the needs of the community's residents.

- IH/JV Policy 1.2 Commercial designation located at the intersection of Jacks Valley Road and Highway 395 should provide for mixed residential and commercial uses.
- IH/JV Policy 1.3 Commercial designations associated with the resort/casino area in the south portion of the plan area should be oriented toward tourism.
- IH/JV Policy 1.4 Commercial designations at the gateway to Douglas County/Carson City should provide for regional commercial activities. The designation of commercial on Forest Service lands anticipate land trades to private ownership, but should only be permitted in exchange for open space lands in Douglas County.
- IH/JV Policy 1.5 Douglas County shall use its zoning, project review process, and design guidelines to ensure that multi-family and non-residential developments are compatible with nearby development.
- IH/JV Policy 1.6 Douglas County shall minimize the number of points of access to U.S. Highway 395 and Jacks Valley Road. The County shall establish minimum spacing standards between public street intersections. Direct access from private property should be limited.
- IH/JV Policy 1.7 The single-family designation located east of Hobo Hot Springs Road shall be retained with a minimum parcel size to two (2) acres.
- IH/JV Goal 2 To ensure the timely provision of community facilities, services, and infrastructure at levels that are appropriate to the Indian Hills/Jacks Valley community.**
- IH/JV Policy 2.1 Douglas County shall plan and provide for public facilities and services at established urban levels of service in urban areas of Indian Hills.
- IH/JV Policy 2.2 Douglas County shall plan and provide public facilities and services at established rural levels of service in the rural areas of the community.
- IH/JV Policy 2.3 Douglas County shall encourage the timely and orderly expansion of water and wastewater systems in urban areas to meet the service and fire protection needs of the community's businesses and residents.
- IH/JV Policy 2.4 Douglas County shall encourage the consolidation of water systems to provide a safe, reliable source of water for service and fire protection needs of the community.
- IH/JV Policy 2.5 The County shall require community water service for all new urban development. The County shall work with the Indian Hills GID to upgrade non-urban water systems in existing development.
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- IH/JV Policy 2.6 Douglas County shall require connection to a centralized sewage treatment and disposal system for all new development in areas designated for urban development. Septic systems may be approved by the County for development at lower densities, unless continuing water quality studies identify the need for community systems in these areas.
- IH/JV Policy 2.7 Douglas County shall cooperate with the Jacks Valley Volunteer Fire Department (VFD), Nevada Division of Forestry (NDF) and East Fork Fire & Paramedic District to provide adequate rural fire response times and fire suppression facilities for the rural portion of the community and urban fire response times and suppression facilities for the urban part of the community.
- IH/JV Policy 2.8 Douglas County shall work with the Jacks Valley VFD, NDF, and EFFPD, and water providers to make available sufficient fire flow, at rural standards, to meet the needs of the rural part of the Indian Hills/Jacks Valley community. The development of fire fill stations or other water storage may be necessary to implement this policy.
- IH/JV Policy 2.9 Douglas County shall require that all arterial and collector streets in new urban and rural development areas be paved.
- IH/JV Policy 2.10 Douglas County shall require the paving of local streets in new urban and rural developments. Streets in urban areas shall be paved to urban standards; streets in rural areas shall be paved to rural standards (without curbs, gutters, or sidewalks).
- IH/JV Policy 2.11 Douglas County should plan parks in the Indian Hills/Jacks Valley Community Plan consistent with the County's park standards established in the Parks and Recreation Element.
- IH/JV Policy 2.12 Douglas County shall cooperate with the U.S. Forest Service and BLM in planning public access and use of Federal lands in the Indian Hills/Jacks Valley area.
- IH/JV Goal 3 To preserve and provide recreational opportunities and open space areas appropriate to this rural community.**
- IH/JV Policy 3.1 Douglas County should cooperate and strongly encourage the U.S. Forest Service to plan, design, and maintain trails and public access points to the adjoining Federal lands. Hiking, bicycling, and equestrian trails should be planned with appropriately designed trailheads.

IH/JV Policy 3.2 When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.

Map 2.9
Indian Hills/Jacks Valley Community Plan Future Land Use Map



Johnson Lane Community Plan

Location and General Description

The Johnson Lane Community Plan is located in the northeast corner of the Carson Valley. The area has characteristics of a rural residential community and enjoys the contrast of the open public lands with the scenic vistas of the tree-covered Sierra Nevada and Pinenut Mountains which overlook the valley.

This community is primarily an area of individual custom-built homes, and it is assumed this pattern of development will continue. Several areas along the north side of Johnson Lane and adjacent to U.S. Highway 395 are considered Prime Farmland. The west areas of the community are relatively flat with the steep slopes to the northeast and east. The area around Hot Springs Mountain includes slopes over 30 percent with a peak elevation of 5,900 feet. The community of Johnson Lane totals approximately 17,984 acres in land area.

Since the existing community of Johnson Lane is primarily composed of low density residential lots, public lands, and minimal commercial development, the existing employment base is low. The 2010 population of Johnson Lane is 6,496.

Existing and Future Land Use

The predominant existing land uses in the Johnson Lane community are rural residential, private range, and public open space. About 3,432 acres of land are devoted to residential use, with 3,166 acres (92 percent) of this land characterized by lots between one-half to one acre in size. A portion of the remaining residential developments range from 1 to 10 acres per lot.

The only commercial development in the Johnson Lane community today is a small neighborhood commercial use on the northwest corner of Johnson Lane and Clapham Lane. There are three public facilities in the Johnson Lane community area. The Johnson Lane Volunteer Fire Department and existing Johnson Lane Park are located on Stephanie Way. The Douglas County North Valley Wastewater Treatment Plant is located within the community area, on Heybourne Road, northwest of the developed rural community.

Currently, 12,852 acres of non-residential land in the Johnson Lane community are currently vacant, in range use, or are public open space. Over half (8,450 acres) of this land is open space owned by the BLM. Approximately 29 percent (3,750 acres) of the non-residential land is privately owned range or vacant land. These lands separate Johnson Lane from other Carson Valley communities and enhance residents' sense of a rural community.

An area (approximately 1,400 acres) south of Johnson Lane within the Airport Urban Service Area is designated as a Receiving Area for expansion of the community at compatible densities with existing residential areas. Approximately 1,000 dwelling units are anticipated for this Receiving Area. The area will be the subject of a specific development plan, which must be prepared to utilize the area. The plan should address flood and drainage issues both on- and off-site as well as other infrastructure issues such as water and sewer service.

Map 2.10 depicts the future land uses for the Johnson Lane community.

Johnson Lane (JL) Community Plan Goals, Policies, and Actions

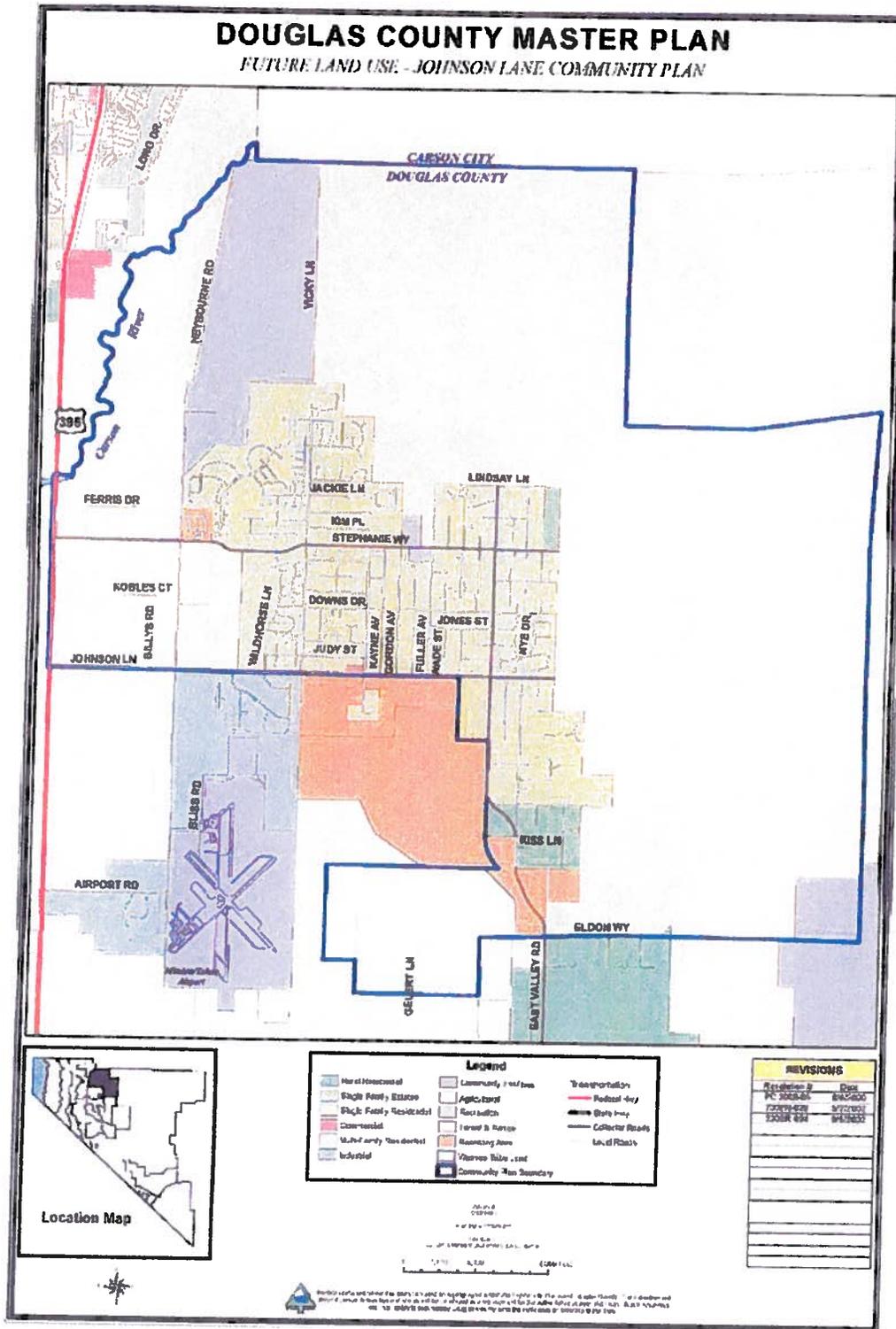
- JL Goal 1** **To preserve the rural character of the existing Johnson Lane community and to provide for compact development that is compatible with and distinct from the existing rural community.**
- JL Policy 1.1 Douglas County shall designate the Johnson Lane community as a rural community.
- JL Policy 1.2 Commercial development in the Johnson Lane community shall be limited to neighborhood commercial development which serves the needs of the community's residents.
- JL Policy 1.3 The scale and design of commercial development shall blend with the community's predominantly residential character.
- JL Policy 1.4 Douglas County shall work with BLM to identify those BLM properties essential to creating a permanent open space buffer to the north and east of the Johnson Lane community and to retain properties as public open space.
- JL Goal 2** **To promote development in Johnson Lane that reduces residents' risks from identified hazards and protects natural resources within the community.**
- JL Policy 2.1 The County shall continue to work with USGS to monitor the quality and quantity of groundwater in the Johnson Lane community and to identify and mitigate negative impacts of human activities on groundwater quality and quantity.
- JL Policy 2.2 Douglas County shall evaluate the need for additional policies regarding floodplain and floodway areas in the Johnson Lane community.

- JL Policy 2.3 The County shall preclude the development of high occupancy structures and noise-sensitive land uses in areas within the flight path of the Douglas County Airport.
- JL Goal 3 To ensure the timely provision of community facilities, services, and infrastructure at levels adequate for the Johnson Lane community.**
- JL Policy 3.1 Douglas County shall plan and provide public facilities and services to the Johnson Lane community at established rural levels of service.
- JL Policy 3.2 Douglas County shall require that all collector streets in new urban and rural development areas be paved.
- JL Policy 3.3 Douglas County shall require the paving of all local streets in new rural developments.
- JL Policy 3.4 The County shall require centralized water service standards for all new development. The County shall work with residents of existing subdivisions to extend water systems to these areas.
- JL Policy 3.5 Douglas County shall require connection to a centralized sewage treatment and disposal system for all new development in areas designated for Rural Estates or more intense land uses. Septic systems may be approved by the County for development at lower densities, unless continuing water quality studies identify the need for community systems in these areas.
- JL Policy 3.6 Douglas County shall not support the installation of street lights, curbs, gutters, or sidewalks within the rural Johnson Lane community.
- JL Policy 3.7 Douglas County shall cooperate with the Johnson Lane Volunteer Fire Department and the East Fork Fire & Paramedic District to provide adequate rural fire response times and fire suppression facilities for the rural portion of the community and urban fire response times and suppression facilities for the urban part of this community.
- JL Policy 3.8 Douglas County shall work with the Johnson Lane Volunteer Fire Department and the East Fork Fire & Paramedic District and water providers to make available sufficient fire flow, at rural standards, to meet the needs of the rural part of the Johnson Lane community.
- JL Policy 3.9 Douglas County shall plan, construct, and operate local parks in the rural portion of the Johnson Lane community consistent with the County's rural park standards established in the Parks and Recreation Element.

JL Goal 4 **To preserve and provide recreational opportunities and open space areas appropriate to this rural community.**

JL Policy 4.1 Douglas County should cooperate and strongly encourage the BLM to plan, design, and maintain trails and public access points to the adjoining Federal lands. Hiking, bicycling, and equestrian trails should be planned with appropriately designed trailheads.

Map 2.10
Johnson Lane Community Plan Future Land Use Map



Minden/Gardnerville Community Plan

Location and General Description

Minden-Gardnerville is the most urbanized community in the Carson Valley and is generally characterized as the heart of the valley. This community lies in the center of the Carson Valley and includes the Towns of Minden and Gardnerville.

The Town of Minden is the County seat for Douglas County. Both Minden and Gardnerville are rich in history and contain many structures and sites of historic value. Gardnerville was founded in 1879 and Minden in 1905. The community enjoys the scenic vista of the Carson Range of the Sierra Nevada Mountains and the Pinenut Mountains. The community is surrounded by irrigated agricultural lands which provide an amenity to local residents and visitors alike.

The Minden-Gardnerville Community Plan totals 4,052 acres, only 4 percent of the Carson Valley. However, it is the most urban community. The community is fairly flat with 1-2 percent slopes throughout.

The Minden-Gardnerville area contains potential wetlands both north and south of the community in the areas of the Martin and Cottonwood Sloughs. The community is located adjacent to the Carson River floodplains. According to FEMA, there are two principal areas of the community subject to flooding. The southern area along the Carson River is subject to spillage from the river in a 100-year event. This also has the effect of spilling north, into the Martin Slough according to FEMA.

The 2010 population of Minden-Gardnerville is 8,619 people.

Existing and Future Land Use

There are a wide variety of land uses in the Minden-Gardnerville community. Of the land developed as residential, 63 percent is developed with lots between 5,400 square feet and 12,000 square feet; and 14 percent of the residential land is developed at a higher density, 8 to 15 dwelling units per acre. On average, this community provides a residential density of 5 units per acre.

Lodging and recreational uses total approximately 67 acres. About 40 acres of this is local park land. There is one major casino resort operation in the community, the Carson Valley Inn in Minden. There is another smaller casino, Sharkey's, in Gardnerville. Community support and institutional uses include the School District Administrative Center, Douglas County Library, Douglas County offices, Town offices, and the Judicial and Law Enforcement Center, which are all located in Minden. Located in Gardnerville are the Carson Valley Museum and Cultural Center, Town offices, State offices, Park and Recreation Department Administrative offices, and Extension Service. Office and

commercial uses in Minden-Gardnerville total about 85 acres of land and are located primarily in the historic “core areas” of the two towns and along Highway 395.

Industrial uses include utilities and both light and medium industrial uses. These land uses total approximately 83 acres. Undeveloped land in the Minden-Gardnerville community consists mostly of lands which are irrigated agricultural lands designated as receiving areas and parcels available for infill projects. Agricultural lands in the community account for 26 percent of the total land area.

Several areas are designated as Receiving Areas in the Community Plan. The areas are located generally north and southwest of Minden and north and east of Gardnerville. The development of these areas will be dependent upon the preparation and adoption of comprehensive specific plans for the areas which specify densities and uses and mitigates planning and environmental issues. The specific plan must be adopted prior to establishing these areas for actual development and rights must be acquired to support the planned densities.

The areas should be developed as distinct neighborhoods compatible and complimentary to surrounding neighborhoods. A variety of residential densities should be utilized with the predominant land use being single family. Multi-family uses, except Mixed-use Commercial districts, where appropriate, should be limited to small enclaves spread throughout the community rather than concentrating this use. Housing for seniors and affordable housing should be included within the overall housing mix.

Community support uses should be provided such as parks and church sites. Natural drainage features should be incorporated into the neighborhood designs to enhance open space elements which create linear parks and pathways to connect elements of the existing Towns. Buffering of agricultural lands should be included in future development plans.

Map 2.11 depicts the future land uses for the Minden/Gardnerville community.

Key Issues

Minden-Gardnerville as Focal Point of Douglas County

Care should be given to preserve the distinctive historic and architectural characteristics of the towns as well as their “small town atmosphere.” Strict adherence to design review standards will be important for any new development or redevelopment, especially in the downtown areas.

Major Commercial Development in the Downtowns of Minden and Gardnerville

Compact commercial development and revitalization of downtown areas can be aided by intensifying commercial development in the downtown areas and limiting strip development in the expanding areas. Mixed commercial and residential uses,

incorporating higher residential densities, are encouraged in the downtowns to add vitality to the areas and reduce automobile congestion and emissions.

Gardnerville Main Street Program

Douglas County should support the Gardnerville Main Street Program, which has been established to revitalize downtown Gardnerville utilizing design, organization, promotion and economic restructuring to develop the unique identity and preserve the historic nature of the community.

Open Space

Because the Minden/Gardnerville area is predominately urban and built out, open space is particularly important for this community. The Martin Slough and the Cottonwood Slough should be considered key areas that could provide open space or a greenbelt for the urbanized community.

Transportation Network and Roadways

The combination of intense land uses and the fact that U.S. Highway 395 bisects the community contribute to traffic congestion. Residents have expressed an interest in an alternative road that could relieve traffic problems in the heart of the community. The Muller Parkway is planned to provide alternative service for U.S. Highway 395. In addition, the extension of Waterloo Lane connecting to the Muller Lane Parkway is provided.

Housing

Residents have expressed a desire for a variety of housing types in their community, including without limitation smaller lot sizes, including single-family traditional development, and mixed-use commercial, both of which promote density and vitality in the historic district.

Urban Level of Service

Urban service levels are appropriate and urban standards should be maintained throughout the community. Streets should be constructed and maintained to urban standards. Community water and wastewater systems are required.

Minden/Gardnerville (MG) Community Plan Goals, Policies, and Actions

- MG Goal 1** **To preserve and enhance the existing character of the Minden-Gardnerville community.**
- MG Policy 1.1 The County shall use its Master Plan and development regulations to maintain and enhance the existing character of the community.
- MG Policy 1.2 The County shall support the expansion of commercial development, and plan for a wide variety of housing types and densities, including single-family traditional and mixed-use commercial, in a manner that is compatible with the Towns' existing character.
- MG Policy 1.3 The County shall work with the Towns of Minden and Gardnerville to review and refine architectural and urban design standards for new development and revitalization projects.
- MG Policy 1.4 The County shall work with the Towns to promote the revitalization of the downtown areas of Minden and Gardnerville, to preserve historic resources, and enhance their cultural and economic value to this community.
- MG Policy 1.5 The County shall encourage all new development to complement and enhance the distinctive historic character of the Towns.
- MG Policy 1.6 Douglas County shall use design guidelines and standards, and the Plan for Prosperity and Design Guidelines for each respective Town, to ensure that all new development is compatible with the traditional development style and existing "small town" atmosphere of the Minden-Gardnerville community.
- MG Policy 1.7 Douglas County shall, in conjunction with the Towns, establish design standards for creation of gateways into Minden-Gardnerville, in order to further define and enhance the image of these urban villages.
- MG Policy 1.8 Douglas County shall plan for a wide variety of housing types and densities, including without limitation, Mixed-use Commercial zoning districts, in the Minden-Gardnerville community.
- MG Policy 1.9 Douglas County shall, in conjunction with the Towns, evaluate the possibility of designating areas in the Minden-Gardnerville as community historic districts and, following such evaluation, by ordinance designate such districts, where appropriate.
- MG Policy 1.10 Growth areas shall be planned with distinct neighborhoods in mind. Neighborhoods shall contain a mix of residential homes and, where appropriate Mixed-use Commercial zoning.
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- MG Policy 1.11 Multi-family residential projects proposed within or adjacent to existing single-family residential neighborhoods shall be designed in a manner which creates a compatible living environment in terms of building height, bulk, and site design. An over-concentration of multi-family projects within existing neighborhoods shall be discouraged.
- MG Policy 1.12 Multi-family residential projects shall be located within the urban service and receiving areas of Minden and Gardnerville. Multi-family residential projects shall be located within a reasonable proximity to major roadways, commercial centers, emergency services, schools, pedestrian trails, and other urban services.
- MG Policy 1.13 The County shall encourage the intermixing of multi-family residential projects within existing single-family residential neighborhoods. Whenever possible, multi-family projects, including without limitation Mixed-use Commercial zoning, where appropriate, shall be sited and designed to act as a buffer between commercial and higher density single-family residential land uses.
- MG Policy 1.14 Douglas County should work with the Towns to develop code provisions that addresses the location, size, and design of “big box” retail stores.
- MG Goal 2 To pursue land uses consistent with the Plans for Prosperity that support the character of traditional Gardnerville and Minden and the community’s quality of life objectives.**
- MG Policy 2.1 Downtown Minden should become the principal specialty-shopping destination in the Carson Valley.
- MG Policy 2.2 A new grocery-anchored community shopping center, including Mixed-use Commercial zoning, should be developed at the intersection of U.S. Highway 395 and State Route 88.
- MG Policy 2.3 The Town of Minden and Douglas County shall incubate and attract light industrial/ tech employers.
- MG Policy 2.4 The Town of Minden shall provide additional residential development at comparable densities to the traditional historic neighborhoods and some modest amounts of higher density housing, including without limitation Mixed-use Commercial zoning.
- MG Policy 2.5 The Town of Minden, the School District, and the County shall develop community facilities that enhance the quality of life and support existing and future residents.

- MG Policy 2.6 The areas identified within the Historic Minden Town Plat, between First and 10th Streets, inclusive, and County Road and US Highway 395, exclusive, are allowed to create residential lots with reduced setbacks and lot widths in keeping with the historic development patterns established for Minden.
- MG Policy 2.7 Consistent with the Gardnerville Plan for Prosperity, the County and the Town shall pursue land uses that support the character of traditional Gardnerville and the community's quality of life objectives.
- MG Policy 2.8 Create a mixed-use and connected community by continuing to plan for mixed-use projects that create and connect to walkable neighborhoods and existing pedestrian trails.
- MG Policy 2.9 Ensure plans for mixed-use developments are realistic. Initial projects would benefit from a horizontal mix of uses that are connected through carefully coordinated site planning, where uses come together around streets and open spaces.
- MG Policy 2.10 Improve U.S. Highway 395's image. Old Town and the 'S' curve continue to be a priority investment district. Other important sites identified include the South Gateway and Waterloo/U.S. 395. All new investment should improve the image of the Town.
- MG Goal 3 To focus compatible, high quality commercial and industrial development within the Towns of Minden and Gardnerville.**
- MG Policy 3.1 Douglas County shall support the location of county-wide commercial uses in the Towns of Minden and Gardnerville, in areas planned for commercial use.
- MG Policy 3.2 Douglas County shall use its zoning, project review process, and design guidelines for the County and each respective Town to promote development, including Mixed-use Commercial zoning, where appropriate, that will enhance property values and the aesthetics of the Towns and community.
- MG Policy 3.3 Except where Mixed-use Commercial zoning is otherwise encouraged by this Master Plan, the County shall limit, subject to the recommendation of the Towns, the conversion of residences to commercial uses outside areas planned for commercial development in order to preserve the integrity of the neighborhoods and focus commercial development in downtowns Minden and Gardnerville.
- MG Policy 3.4 The Eddy Street/Ezell Street neighborhood shall not be zoned commercial until adequate infrastructure and access, including the

completion of angle parking, curb, gutter, sidewalk, and streetscape on the east side of Ezell Street to Gilman is constructed.

- MG Policy 3.5 The commercial zoning classification of the parcels located at 1349 and 1355 Centerville Lane, Gardnerville, (also identified as APN 1220-04-201-001 & 1220-04-101-004) shall be restricted to the Office Commercial zoning district.
- MG Policy 3.6 The Minden ‘Plan for Prosperity’ shall identify “opportunity sites” within the U.S. Highway 395 corridor, and elsewhere, for future Mixed-use Commercial zoning overlay districts in keeping with the recognized goals and policies in the Minden/Gardnerville Community Plan. As necessary or desired, the Town of Minden will update the Minden ‘Plan for Prosperity’ by submitting amendments to the Board of Commissioners for consideration and approval.
- MG Goal 4 To promote appropriate, high quality commercial and industrial development in the Towns of Minden and Gardnerville.**
- MG Policy 4.1 The County shall promote the development and growth of industries in Minden and Gardnerville that are compatible with existing and proposed land uses and in a compact land use form, including without limitation Mixed-use Commercial zoning districts. The County shall work with the Towns to limit and define big box structures within the design code.
- MG Goal 5 To strengthen Minden’s role as a government administrative center for Douglas County.**
- MG Policy 5.1 The Town of Minden shall continue its role as the central location for County government’s services. The County shall plan to provide sufficient, centrally located office and meeting space for government operations.
- MG Policy 5.2 By encouraging Mixed-use Commercial zoning districts, where appropriate, the County will promote the development of residential housing nearer to the County seat, thereby enabling its growing workforce to live closer to work.
- MG Goal 6 To ensure the timely provision of community facilities, services, and infrastructure at appropriate levels for the Minden-Gardnerville Community.**
- MG Policy 6.1 Douglas County shall plan and provide public facilities and services to the urban areas of the Minden-Gardnerville community at established urban levels of service.

- MG Policy 6.2 Douglas County shall require that all streets in new development be constructed to urban standards.
- MG Policy 6.3 The County shall work with the Towns to ensure adequate provision of park sites to meet the needs of the growing urban community.
- MG Policy 6.4 The County shall work closely with school authorities in the development, maintenance, and joint operation of Minden-Gardnerville school park sites.
- MG Policy 6.5 The County should plan parks in the Minden-Gardnerville Community Plan consistent with the County's park standards established in the Parks and Recreation Element.
- MG Policy 6.6 Douglas County shall require the timely and orderly provision of water and wastewater systems to serve new urban development in the Minden-Gardnerville community.
- MG Policy 6.7 Douglas County shall pursue the development of the Ironwood Extension and analyze the need for the Muller Parkway with limited access in the 20-year time frame of the Plan based on the traffic model. If not required, Muller Parkway shall be placed on the Thoroughfare Plan.
- MG Policy 6.8 Douglas County shall coordinate with the State to ensure that any modifications to U.S. Highway 395 through Minden and Gardnerville are compatible with the existing character of the towns and to not decrease the safety or desirability of walking in the towns' commercial centers. The State Department of Transportation's U.S. Hwy 395 Landscape and Aesthetics Master Plan shall be used as an implementation tool.
- MG Policy 6.9 Douglas County shall work with the Towns to plan and develop off-street parking and parking districts.
- MG Policy 6.10 Douglas County shall require the paving of all driveways, parking areas, loading areas, and other high activity areas in new or remodeled non-residential developments in this Community.

MG Goal 7 **To minimize the risks to the residents of the Minden-Gardnerville community from natural hazards.**

MG Policy 7.1 The County shall continue to work with the Town of Minden and Gardnerville Town Water Company to monitor the quality and quantity of groundwater in the Minden-Gardnerville community and to identify and mitigate negative impacts of human activities on groundwater quality and quantity.

MG Policy 7.2 Douglas County will work with the Gardnerville Town Water Company and the Town of Minden Utility to expand water systems to serve the needs of the community and the entire Carson Valley region.

MG Policy 7.3 Douglas County shall evaluate the need for additional policies regarding flood plain and floodway areas in the Minden-Gardnerville community following completion of FEMA investigations.

Land Use Planning Concepts

MG Concept 7.1 Revitalize Downtown Minden as a regional specialty-shopping destination at and focal point for civic activities.

MG Concept 7.2 Increase local employment opportunities.

MG Concept 7.3 Increase and improve commercial services.

MG Concept 7.4 Develop additional community facilities.

Image and Identity

MG Goal 8 **To preserve Minden's traditional scale and rural setting as a reference and context for new development.**

MG Policy 8.1 Minden's open space and wetlands buffer shall be preserved.

MG Policy 8.2 The views of the mountains shall be protected.

MG Policy 8.3 Development shall reflect the walkable scale and pace of Minden's traditional neighborhoods and downtown.

MG Policy 8.4 New residential, commercial and community facility development shall be integrated into the patterns of block and lots sizes traditional of Minden.

MG Policy 8.5 Streetscape shall be developed to underscore the civic role and settings along streets and roads.

MG Policy 8.6 A combination of streetscape, site planning, and land use planning shall be employed to frame Minden's gateways and focal points.

MG Policy 8.7 Architecture shall reflect the traditional form, scale, and character as found in Minden's historic neighborhoods.

Community Design (Image and Identity) Concepts

MG Concept 9.1 Enhance and expand Minden's natural and civic open space system as a setting for the community.

MG Concept 9.2 Preserve the scale and pedestrian friendliness of Downtown Minden as a shopping environment.

MG Concept 9.3 Expand existing neighborhoods rather than building walled and isolated residential subdivision enclaves.

MG Concept 9.4 Create and enhance the community design framework for Minden by using streetscape to define the hierarchy of civic streets and places.

Community Circulation and Connections

MG Goal 10 To provide a comprehensive circulation system for existing and future Minden neighborhoods with an emphasis on pedestrian facilities and connections.

MG Policy 10.1 The highways will be planned and managed to provide for growing regional traffic.

MG Policy 10.2 Local roads will be used for town-scale economic activities and access.

MG Policy 10.3 Residential streets are to be slow and safe vehicular and pedestrian routes for Townsfolk.

MG Policy 10.4 A Town-wide and community-wide trail system for pedestrian and bicycles will be developed, which includes the existing trail system which provides pedestrian and bicycle access to Minden's open space.

MG Policy 10.5 Public parking lots will be developed to support Downtown's revitalization efforts.

MG Policy 10.6 Any future highway bypass should be a limited access facility and not transfer economic opportunities away from downtown Minden.

Community Circulation and Connections Concepts

MG Concept 11.1 There is a hierarchy of streets that serve both regional and local access needs.

MG Concept 11.2 There is an overall access and parking strategy for Downtown.

Implementation Strategies for the Minden Plan for Prosperity

Downtown

- MG Strategy 12 The Town and the County shall follow the Downtown Administrative Actions, the Downtown Regulatory Actions, the Downtown Financing Actions, and the Downtown Capital projects identified in the Minden Plan for Prosperity Action Plan.
- MG Strategy 13 The Town and the County shall follow the Regional Streets Administrative Actions, the Regional Streets Regulatory Actions, the Regional Streets Financing Actions, and the regional Streets Capital projects identified in the Minden Plan for Prosperity Action Plan.
- MG Strategy 14 The Town and the County shall follow the Traditional Neighborhoods Administrative Actions, the Traditional Neighborhoods Regulatory Actions, the Traditional Neighborhoods financing Actions, and the Traditional Neighborhoods capital Projects identified in the Minden Plan for Prosperity Action Plan.
- MG Strategy 15 The Town and the County shall follow the New Neighborhoods Administrative Actions, the New Neighborhoods Regulatory Actions, the New Neighborhoods Financing Actions, and the New Neighborhoods Capital projects identified in the Minden Plan for Prosperity Action Plan.
- MG Strategy 16 The Town and the County shall follow the Open Space System Administration Actions, the Open Space System Regulatory Actions, the Open Space System Financing Actions, and the Open Space system Capital Projects identified in the Minden Plan for Prosperity Action Plan.

Gardnerville Goals, Policies and Implementation Strategies

- MG Strategy 17 Revitalize Old Town Gardnerville as a mixed-use community center connecting and serving residents and visitors
- MG Policy 17.1 Old Town should include a variety of civic, commercial, and residential uses that support the creation of a lively Carson Valley destination and a central place for Gardnerville.
- MG Policy 17.2 Public and private investment in Old Town should enhance pedestrian access, calm and slow traffic, and provide convenient parking.
- MG Policy 17.3 New development should reflect the pedestrian scale, orientation and character of Gardnerville's traditional commercial, residential, and mixed-use buildings

MG Goal 18 Create a new ‘S’ Curve

MG Policy 18.1 Redevelop the ‘S’ Curve as a mixed-use extension and entry for Old Town with visitor, commercial, and residential uses.

MG Policy 18.2 New investment should resolve the roadway safety of the curve and enhance pedestrian connections to adjacent neighborhoods and Old Town.

MG Policy 18.3 New development should incorporate historic buildings, hide parking, and make an esthetic thematic connection to Old Town.

MG Goal 19 Improve Relationship to Minden-Millerville area

MG Policy 19.1 Gardnerville’s northern entry should include commercial and institutional uses that take advantage of U.S. Highway 395 visibility.

MG Policy 19.2 New investment should reduce the number of pedestrian and auto conflicts.

MG Policy 19.3 Site planning and building design should reflect the traditional character of Gardnerville’s adjacent commercial and residential areas.

MG Goal 20 Enhance Community-Serving Commercial Center-‘Commercial Quad’

MG Policy 20.1 New commercial uses located in the Commercial Quad area should enhance its role as a sub-regional and community-serving address.

MG Policy 20.2 The development of projects in the Commercial Quad area should have easy access for automobiles and safe pedestrian connection between parcels and adjacent areas.

MG Policy 20.3 New development in the Commercial Quad area should contribute to the overall character of the district as a convenient and comfortable shopping experience.

MG Goal 21 Provide Commercial Services for Residential Uses-‘South-Central Gardnerville’

MG Policy 21.1 New development on U.S. Highway 395 frontage should include commercial and residential uses that complement and serve adjacent subdivisions.

MG Policy 21.2 New development should be accessed from Stodick Parkway and a future roadway from U.S. Highway 395 into the Virginia Ranch

development, and provide safe and comfortable pedestrian connections to adjacent neighborhoods.

MG Policy 21.3 New development should be designed to orient towards the street, hide parking, provide connected walking edges and respond to visibility created by the bend in U.S. Highway 395.

MG Goal 22 Create Southern Gateway to Gardnerville

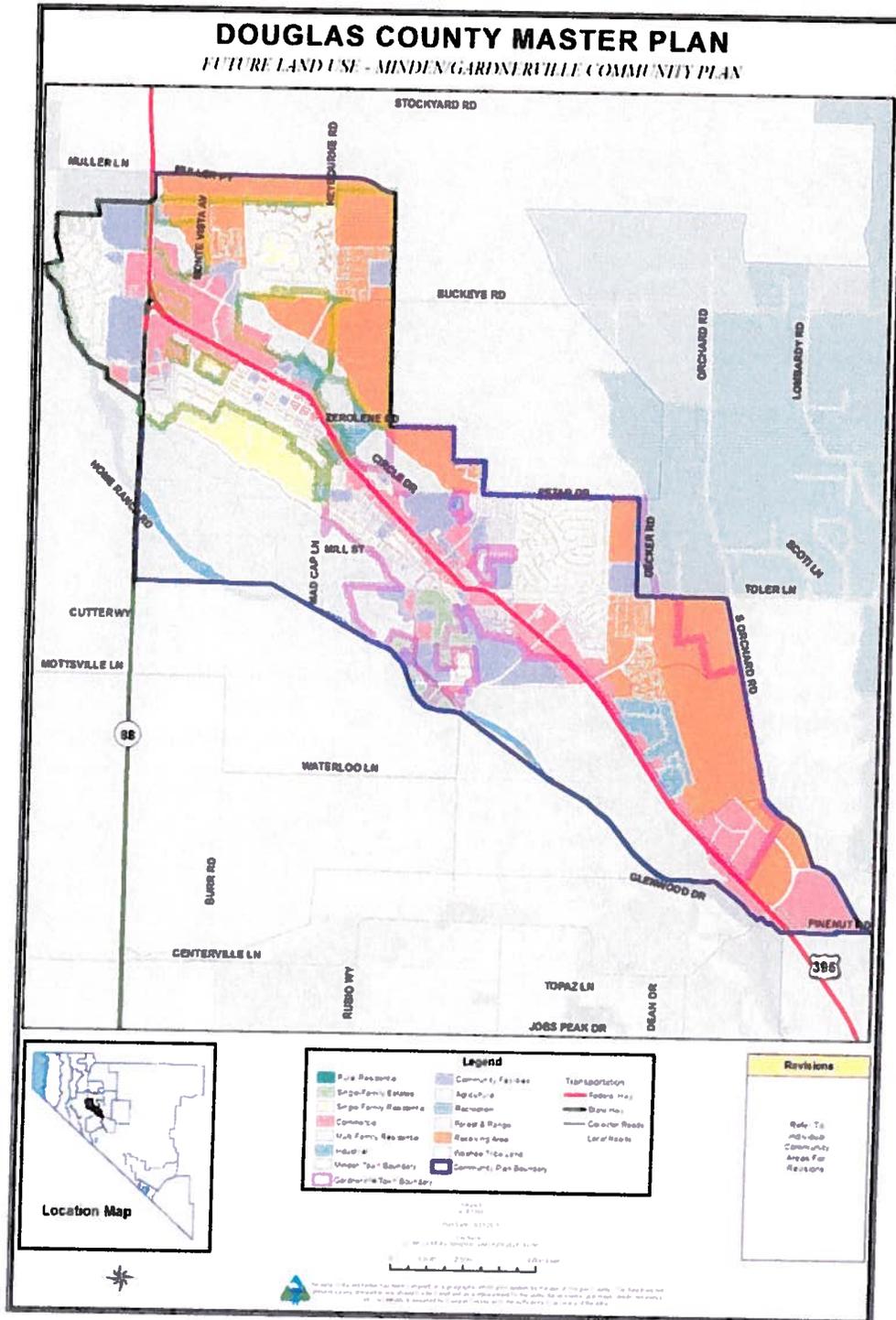
MG Policy 22.1 The development of the South Entry area should be master planned as a mixed address of commercial, healthcare, institutional and residential uses.

MG Policy 22.2 Access to uses in the South Entry area should happen from side roads and provide a pedestrian-scaled internal street and walkway system.

MG Policy 22.3 New investment should create a gateway cluster of buildings and open spaces along US 395 and have an internal system of open spaces framed by commercial and residential buildings.

MG Strategy 22.4 The Town of Gardnerville and the County shall follow the Administrative Actions, Regulatory Actions, and Financing Actions identified in the Gardnerville Plan for Prosperity Action Plan.

Map 2.11
Minden/Gardnerville Community Plan Future Land Use Map



Ruhenstroth Community Plan

Location and General Description

The Ruhenstroth community is located in the southeastern part of the Carson Valley Regional Plan. Historically, the community has been an agricultural area with rural development patterns beginning in the 1970's. Ruhenstroth enjoys the scenic vistas of the Carson Range of the Sierra Nevada Mountains and the rugged terrain of the Pinenut Range contrasting the public lands and the irrigated agricultural lands of the valley. The Washoe Tribe's Dresslerville Community is located within the Ruhenstroth Community Plan.

The primary design feature of Ruhenstroth is the large lot scattered development reflective of a rural settlement. The lack of sidewalks, street lights, and curb and gutter add to the rural atmosphere. The developed community is located in a "bowl" shape in the center of the community study area. The Lahontan National Fish Hatchery is located to the southwest on the Carson River. Steeper slopes (greater than 30 percent) are located at the higher elevations to the east, while minimum slopes of 2 percent relate to the irrigated agricultural land adjacent to the East Fork of the Carson River. In the central area of the community where the majority of the housing is located, the slopes are approximately 1 percent. Smelter Creek flows through the community and poses flooding problems.

The Ruhenstroth community area includes approximately 5,092 acres of land area. Agricultural lands located to the west and northwest of the community comprise 485 acres or 10 percent of the total land. Open space and vacant lands comprise over 48 percent of the land. These perimeter lands and their land uses surround the housing area of Ruhenstroth, providing an open space buffer for the community.

The 2010 population is 1,650 people.

Existing and Future Land Use

The predominant lot size is one acre in the residential area. The Douglas County Fairgrounds, located in the Ruhenstroth Community Plan, provides the largest public facility in the county for special events. Other public land uses establishing a special character for this small rural community are the Ruhenstroth Volunteer Fire Department facility, the Nevada Department of Transportation maintenance facility, the animal control facility, the solid waste transfer facility and closed landfill, and a Sierra Pacific Power substation. Washoe Tribe lands make up 15 percent of the land with 762 acres. A gravel pit is located adjacent to the residential area. It is currently not operating. The community is surrounded by BLM land.

Map 2.12 depicts future land uses for the Ruhenstroth community.

Key Issues

Retention of the Community's Rural Character

Community residents wish to continue large lot residential development with no new commercial development.

Open Space Buffer

Residents have expressed a desire to retain the major open space areas around their community.

Reuse of the Gravel Pit

Criteria for appropriate reuse of the gravel pit that is consistent with Ruhestroth character should be developed.

Rural Levels of Service

The County should continue to pave roads for dust control.

Second Emergency Access

Ruhestroth needs another route for emergency access that is designed and constructed to meet all weather emergency needs. The extension of Mustang Road to Pinenut Road may be most appropriate for this use.

Groundwater and Drainage Concerns

Residents expressed the need to continually monitor and maintain the quality of their groundwater. Flooding and floodplain development are also concerns of community residents.

Ruhestroth (RU) Community Plan Area Goals, Policies, and Actions

- RU Goal 1** **To preserve the existing rural residential character of the Ruhestroth community.**
- RU Policy 1.1 Douglas County shall designate Ruhestroth as a rural community.
- RU Policy 1.2 Commercial development shall not be considered consistent with the desired character of the Ruhestroth community.

- RU Policy 1.3 Rehabilitation or reuse of the gravel pit shall be completed according to site plans approved by Douglas County that result in development compatible with the surrounding Ruhestroth community and that use regrading, revegetation, and other techniques to minimize the visual and environmental impacts of the site.
- RU Policy 1.4 Douglas County shall seek to create a permanent buffer of open space around the developed part of the Ruhestroth community.
- RU Policy 1.5 Douglas County shall work with the BLM to establish a buffer of permanent, publicly accessible open space around the Ruhestroth community.
- RU Goal 2 To ensure the timely provision of community facilities and infrastructure, at levels adequate for the rural Ruhestroth community.**
- RU Policy 2.1 Douglas County shall plan and provide public facilities and services to the Ruhestroth community at established rural levels of service.
- RU Policy 2.2 Douglas County shall require paving of roads within the Ruhestroth community.
- RU Policy 2.3 Douglas County shall allow the use of individual sewage disposal systems and domestic wells for service in this rural community, unless continuing water quality studies identify the need for community systems. Long-range plans are to provide community water and sewer services to the area.
- RU Policy 2.4 Douglas County shall not support the installation of street lights, curbs, gutters, or sidewalks within the Ruhestroth community.
- RU Policy 2.5 In order to provide a second access out of the Ruhestroth community during an emergency, a road to connect the Ruhestroth community to Pinenut Road should be constructed.
- RU Goal 3 To provide appropriate public safety service to this rural community.**
- RU Policy 3.1 Douglas County shall cooperate with the Ruhestroth Volunteer Fire Department and the East Fork Fire & Paramedic District to provide adequate rural fire response times and fire suppression facilities for this community.

- RU Policy 3.2 Douglas County shall work with the Ruhestroth Volunteer Fire Department, the East Fork Fire & Paramedic District, and water providers to make available sufficient fire flow at rural standards to meet the needs of the Ruhestroth community.
- RU Goal 4 To preserve and provide recreational opportunities and open space areas appropriate to this rural community.**
- RU Policy 4.1 Douglas County should plan parks in the Ruhestroth community consistent with the County's park standards established in the Parks and Recreation Element.
- RU Policy 4.2 Douglas County should cooperate and strongly encourage the U.S. Forest Service and BLM to plan, design, and maintain trails and public access points to the adjoining Federal lands. Hiking, bicycling, and equestrian trails should be planned with appropriately designed trailheads.

Pinenut Regional Plan

Location and General Description

The Pinenut area is located in the eastern portion of Douglas County. The area includes portions of the Pinenut Range, including the lower lying foothills to the Carson Valley. Due to topography and rural setting, it is unlikely the area will develop any significant employment base. The scenic quality of the Pinenut area is the picturesque forested lands overlooking the Carson Valley and the lower open range lands. The elements include piñon/juniper covered mountains of the Pinenut Range and the lower sagebrush terraces.

The Pinenut Regional Plan is the largest of the five regional plan areas, comprising 222,253 acres or about 49 percent of the county. However, this is also one of the least developed areas in the county. This area has the largest acreage of publicly-owned land, 194,810 acres, in the county. The Pinenut Allotment of the Washoe Tribe comprise 23 percent of the land in the Pinenut Regional Plan. Allotment lands south of the Ruhensroth community along U.S. Highway 395 South have seen increased residential development in the form of manufactured homes with little or no infrastructure provided. Of the urbanized land, residential and industrial/transportation categories make up the greatest share. Residential development in Pinenut is solely comprised of Rural Residential uses designations, totaling 650 acres.

The area is characterized by moderate to steep slopes predominately covered with piñon pine and juniper trees. Much of the eastern portion of the area contains slopes greater than 30 percent, gradually decreasing to the western edge of the community plan. The Pinenut Range provides some seasonal tributary water flows to the lower elevations of the community plan. Several year-round creeks flow from natural springs in the Pinenut Range to the valley below. The areas of potential wetlands are in the Mud Lake area in the far west edge of the plan area.

The 2010 population of Pinenut is 987 people.

Existing and Future Land Use

The existing land use is public and private forest and range lands with minimal residential development. Existing development is concentrated along Pinenut Creek and the U.S. Highway 395 corridor. Much of the lands in the Pinenut Regional Plan are allotted to individual members of the Washoe Tribe. These allotted lands are public domain lands administered by the Bureau of Indian Affairs.

Map 2.13 depicts the future land uses for the Pinenut Regional Plan.

Key Issues

Fire Protection

Concern was raised by area residents about the adequacy of fire protection for the community.

Pinenut (PN) Regional Plan Goals and Policies

- PN Goal 1** **To preserve the existing character of the Pinenut area.**
- PN Policy 1.1 Encourage preservation of public and private forested lands.
- PN Policy 1.2 When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.
- PN Policy 1.3 Protect the Scenic Corridor along U.S. Highway 395.
- PN Policy 1.4 Establish rural standards and appropriate design guidelines for residential development to ensure the integrity of the area's natural beauty.

Sierra Regional Plan

Location and General Description

The Sierra Regional Plan lies between the Carson Valley Regional Plan to the east and the Tahoe Regional Plan to the west. The area is very sparsely populated. About 75 percent of the lands in the area are in public ownership. Due to topography, little development will occur. The only major arterial road in the area is Kingsbury Grade, which traverses the Regional Plan. The Sierra Regional Plan is known for its natural beauty and recreational amenities, including Heavenly Ski Resort. The Heavenly ski area encompasses a large area, including private and Forest Service lands in both Nevada and California.

The Sierra Regional Plan is comprised of steep, forested slopes. About 84 percent of the county's privately-owned forest land lies in the community. The size of the Sierra Regional Plan is approximately 19,363 acres. This area will continue to act as a buffer between the Tahoe and the Carson Valley Regional Plans. With the exception of the Tahoe Village and the Summit Village neighborhoods, there is very little development in the area.

The Tahoe Village and Summit Village neighborhoods contain approximately 850 dwelling units outside the Tahoe Basin, which are primarily comprised of timeshare condominiums. Therefore, the community contains only a limited permanent residential population. The two neighborhoods are serviced by the Kingsbury General Improvement District, which is located within the Tahoe Basin.

The estimated 2010 population of the Sierra Regional Plan is approximately 169 people. The Tahoe Village and Summit Village neighborhood populations are included in the Tahoe Basin population numbers.

Existing and Future Land Use

The existing land uses are U. S. Forest Service lands, private forest lands, and some rural residences located on old Kingsbury Grade. The Tahoe Village and Summit Village areas are designated as Multi-Family Residential, reflecting the existing density and development characteristics of the area. A small convenience commercial area is included for servicing the commercial needs of the community.

Map 2.14 depicts the future land use for the Sierra Regional Plan.

Key Issues

Because of the steep, forested slopes, development potential is limited; and in accordance with the Forest and Range goals and policies, acquisition of private lands is recommended for protection of these sensitive lands.

The Tahoe and Summit Village areas are developed on steep slopes and at high densities, which require substantial erosion control protection for cut slopes for roadways, parking, and building pads. Continued renovation of older units and consolidation of units to reduce land disturbance should be encouraged.

Levels of Services

Standards are generally rural for this area. Some urban standards apply to the Tahoe and Summit Village neighborhoods.

Sierra (S) Regional Plan Goals, Policies, and Actions

- S Goal 1** **To preserve and enhance the existing scenic and resource character of the Sierra area.**
- S Policy 1.1 Encourage preservation of public and private forested lands.
- S Policy 1.2 Encourage private land/public land exchange to increase public land holdings within the Sierra area consistent with the Master Plan.
- S Policy 1.3 Encourage access to public lands for recreational use.
- S Policy 1.4 Douglas County shall require that any redevelopment which occurs in the Sierra area will enhance the existing community character.
- S Policy 1.5 Douglas County shall cooperate with the Tahoe-Douglas Fire District, U.S. Forest Service and Nevada Division of Forestry to provide adequate fire response times and fire suppression facilities for the Sierra community.
- S Policy 1.6 Douglas County shall require development in areas of moderate to steep slopes (slopes greater than 10 percent) to conform to the hillside development policies.
- S Policy 1.7 Douglas County should establish design guidelines for new and redeveloped areas that ensure compatibility with the natural beauty and consistent with the limitations of the Sierra Regional Plan.
- S Policy 1.8 Douglas County shall support efforts to implement the Heavenly Ski Resort Master Plan.

- S Policy 1.9 Douglas County should plan parks in the Sierra Regional Plan consistent with the County's park standards established in the Parks and Recreation Element.
- S Policy 1.10 Encourage new development to be in-fill within the KGID service area.

Tahoe Planning Area

Introduction

The Tahoe Planning Area serves as the Land Use Element of the South Shore Area Plan and future Area Plan for the rest of Douglas County under the jurisdiction of the Tahoe Regional Planning Agency (TRPA). It has been developed to conform to the Tahoe Regional Planning Compact, Thresholds, and 2012 TRPA Regional Plan. Once an Area Plan is adopted by the TRPA Governing Board, it is considered to be a component of the TRPA Regional Plan.



Location and General Description

The Tahoe Planning Area, previously referred to as the Tahoe Regional Plan, is located on the western edge of Douglas County, Nevada. The area totals 23,461 acres, or approximately 5 percent of the County. Approximately 84 percent of land is in public ownership, and the remaining 16 percent is in private ownership. The area borders Lake Tahoe, the 10th deepest lake in the world, known for the clarity of its waters and scenic beauty.

Background

The Lake Tahoe Region is under the jurisdiction of the TRPA, established in 1969 under the Bi-State Tahoe Regional Planning Compact (Public Law 91-148), in order to control growth and development and protect Lake Tahoe's clarity and environment.

In the 1980s, the Bi-State Tahoe Regional Planning Compact was amended (Public Law 96-551, 94 Stat. 3233) to further control growth; the Environmental Threshold Carrying Capacities, or "thresholds", which are environmental standards that address matters such as air quality, water quality, and noise, were adopted (August 1982); and the 1987 Regional Plan was adopted, which put in place residential growth caps called "allocations" and established caps on all other forms of development.

The TRPA developed Community Plans and Plan Area Statements to implement the 1987 Regional Plan. Douglas County adopted three Community Plans for Stateline, Kingsbury, and Round Hill and 30 Plan Area Statements. The Community Plans and Plan Area Statements address the policies, regulations, and programs for specific areas in order to attain and maintain the environmental thresholds and implement the goals and policies of the 1987 Regional Plan.

2012 TRPA Regional Plan

In December 2012, the TRPA Governing Board adopted an updated Regional Plan. The TRPA Regional Plan Goals and Policies serve as a guide for all future land use decisions

within the Lake Tahoe Region, and are adopted by reference into the Douglas County, Nevada, Master Plan. The priorities of the updated Regional Plan include:

1. Accelerating water quality restoration and other ecological benefits by supporting environmental redevelopment opportunities and Environmental Improvement Program (EIP) investments.
2. Transitioning to more permitting by local governments to create one-stop-shopping for homeowner improvements in order to return TRPA to the more regional role the Compact originally intended.
3. Creating walkable communities and increasing alternative transportation options.

Important policies addressed in the Regional Plan include:

- Retaining the established regional growth control system. Under this system, rampant overdevelopment was stopped and open spaces preserved. Most of the policies from the 1987 Regional Plan stayed in place.
- Creating a more efficient planning system that integrates TRPA requirements into the plans and permits of other government agencies.
- Encouraging property owners to transfer development rights from sensitive or outlying areas to town centers with the goal of restoring these lands.
- Eliminating regulatory barriers to the environmental redevelopment of rundown buildings.
- Simplifying burdensome regulations for homeowners while achieving threshold gain.
- Integrating with the Regional Transportation Plan to support sidewalk and bike trail projects that reduce automobile dependency and increase walkability and safety.
- Continuing to deliver restoration projects under the EIP that achieve erosion control on roadways and restore forests and wetlands.

Area Plans

The 2012 TRPA Regional Plan and TRPA Code of Ordinances, Chapter 13, *Area Plans*, include new provisions that allow for local, state, and federal agencies, in coordination with TRPA staff, to prepare coordinated Area Plans for the implementation of land use goals, policies, and ordinances. The Area Plans, which must include implementing ordinances and zoning, are required to be consistent with the Regional Plan. Once an Area Plan has been found in conformance with the Regional Plan, local, state, or federal agencies may assume development review authority by entering into a Memorandum of Understanding (MOU) with TRPA. For Douglas County planning purposes, the objective is to replace the existing Community Plans and Plan Area Statements with one Area Plan for the entire County and assume additional development review authority by entering into an MOU with TRPA.

Current Conditions

In order to move forward with the implementation of the 2012 TRPA Regional Plan and development of an Area Plan for Douglas County, it is important to understand current conditions.

Environment

For a number of years, Douglas County has been participating in programs developed by the TRPA, and partnering agencies, to restore the environment and maintain the clarity of Lake Tahoe. The programs include:

Best Management Practices

Thousands of properties around the Lake Tahoe Region have installed Best Management Practices (BMPs), measures to reduce storm water runoff, minimize soil erosion and capture polluted water before it enters Lake Tahoe. The TRPA requires the installation of BMPs with new development. The Nevada Tahoe Conservation District (NTCD) assists with the design and installation of BMPs on existing developed residential parcels. Figure 2.4 shows Douglas County’s estimated BMP compliance rate.

**Figure 2.4
Douglas County BMP Compliance**

| | Total Estimated Developable Parcels | BMP Certificates | BMP Compliance Percentage |
|----------------------------------|--|-------------------------|----------------------------------|
| Single-Family Residential | 2,598 | 946 | 36% |
| Multi-Family Residential | 1,739 | 751 | 43% |
| Commercial | 139 | 71 | 51% |

Source: TRPA

Note: These numbers are estimates as of 8/31/2012. Percentages and data change daily as additional certificates are added and parcels are retired from development, created, combined, and split. Certificate numbers include BMP and Source Control.

Overall, the percentage of developed parcels with BMP Certificates is much higher in Douglas County than in the rest of the Lake Tahoe Region, as shown in Figure 2.5.

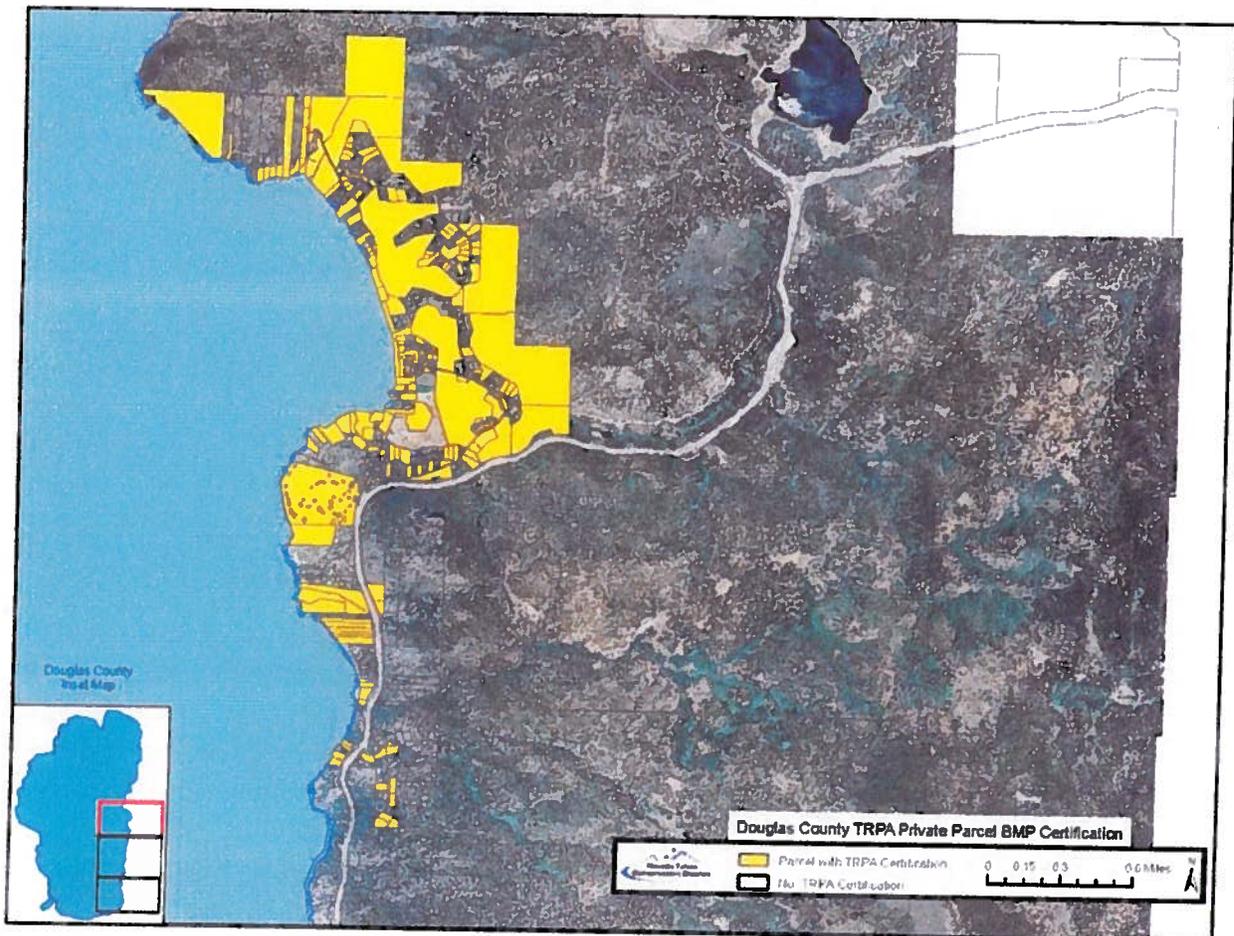
Figure 2.5
Percentage of Developed Parcels with BMP Compliance

| | Lake Tahoe Region | Douglas County | California | Nevada |
|----------------------------------|-------------------|----------------|------------|--------|
| Single-Family Residential | 26% | 36% | 21% | 44% |
| Multi-Family Residential | 62% | 43% | 50% | 68% |
| Commercial | 28% | 51% | 16% | 56% |

Source: TRPA 2012, NTC D Presentation to Douglas County Board of Commissions on Preliminary Cost Estimate to Meet Lake Tahoe TMDL Load Reductions on October 18, 2012

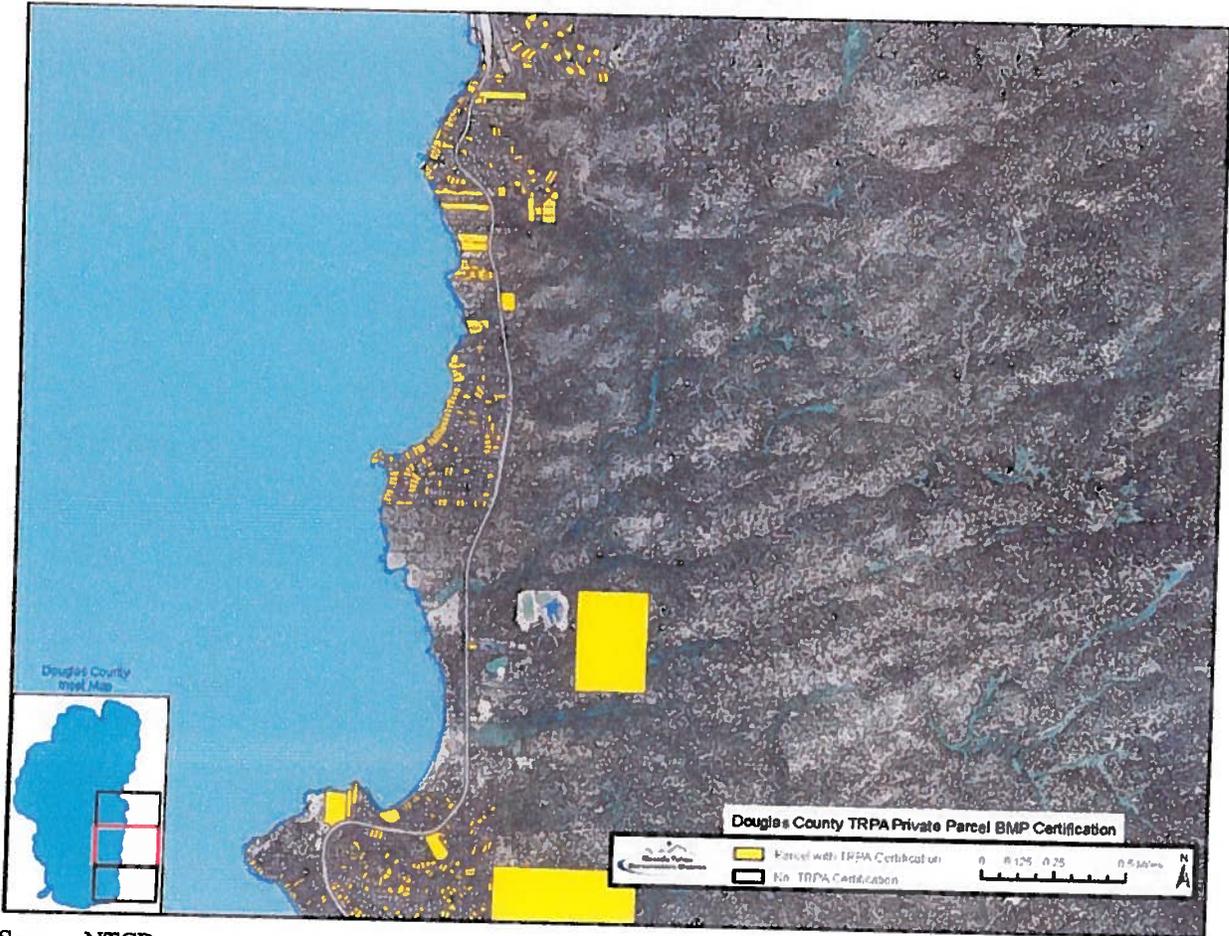
Maps 2.16a, b, and c show the location of private parcels with BMP certificates.

Map 2.16a
Private Parcel BMP Certificates



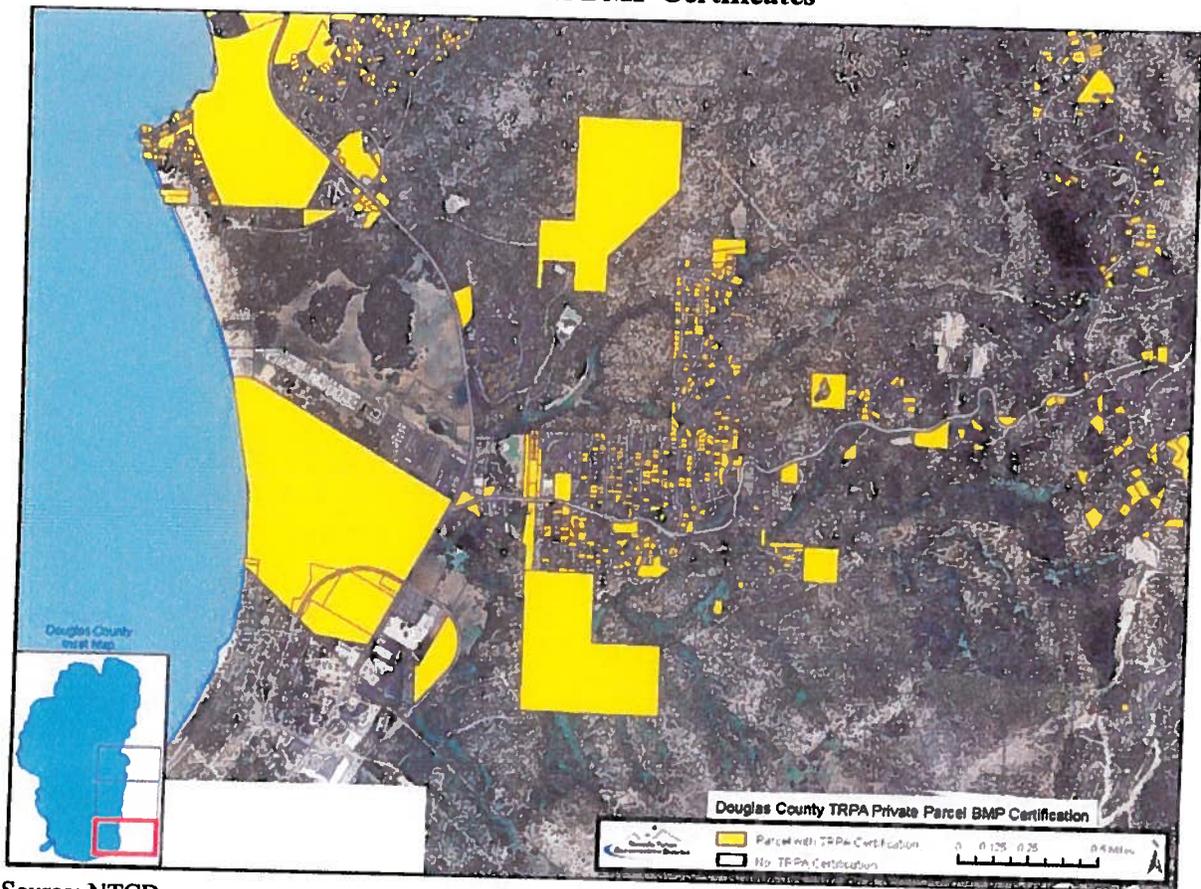
Source: NTC D

Map 2.16b
Private Parcel BMP Certificates



Source: NTCD

Map 2.16c
Private Parcel BMP Certificates



Source: NTCD

The TRPA, Douglas County, and NTCD continue to work to increase BMP compliance on individual parcels, as well as through the development of area-wide water quality improvement projects.

Environmental Improvement Program (EIP)

The TRPA is responsible for coordinating the EIP, a program that identifies projects and programs needed to improve the environment at Lake Tahoe. The cost of implementing the EIP has been apportioned between the Federal Government, the States of Nevada and California, local governments, and private property owners. In Douglas County, approximately 31 water quality and erosion control EIP projects have been completed by various agencies, including the State of Nevada, County, GIDs, NTCD, NDOT, and private entities (refer to Figure 2.6). Additional EIP projects have also been completed by the U.S. Forest Service.

Figure 2.6
Water Quality or Erosion Control EIP Projects

| Water Quality or Erosion Control Projects Completed Pre-2004 (TMDL Baseline Conditions) | | | | |
|--|----------------|---|-------------|--|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 186 | CR02 | Cave Rock Estates; EIP #10078 | 1990 | Retaining walls, slope stabilization, conveyances to dry basins (3000 cf, 6630 cf); |
| | | | | Streets affected include: US50, Cave Rock Dr., Winding Way, Gull Ct, Wren, Lark, Chukkar, Gull, Pheasant Lane, Robin Circle. |
| 188 | EWCF | Kingsbury Highlands ECP | 1990 | Retaining walls, conveyances to infiltration trench (450 cf); |
| | | | | Project area is off SR207 on Highlands Rd, Laurel Lane, and Laurel Circle |
| 187 | ZK01 | Zephyr Knolls ECP | 1991 | Conveyances; |
| | | | | Lakeview Dr, US 50 |
| 176 | BCB | Lower Kingsbury ECP (Phase 0) / Burke Creek ECP | 1992 | Retaining walls, revegetation (71,800 sf), slope stabilization (56268 sf), conveyances, rock lined channel, vegetated swale (456 lf); |
| | | | | Project area is Lower Kingsbury (Charles Ave, Crest View, Cypress, Daggett, Delissa, Desni, Edgewood, Granite Springs, Hall, Hawthorne, Juniper, Meadow, Palisades, Panorama, Pine, Pony Express, Reinken, Robert, Sequoia, William, Woodland) & Burke Crk (Chimney Rock, Mackay, Reynolds, Ridge, Sherwood Ct, Sherwood Dr, Summit, Terrace View) |
| 204 | EWCE | Kingsbury Hubbard Drive ECP | 1992 | Retaining walls, slope stabilization, conveyances; |
| | | | | Project area Hubbard Drive |
| 205 | EWCG | Summit Village/Kingsbury Estates ECP | 1992 | Retaining walls, conveyances, percolation trench |
| 168 | SK02 | Skyland WQIP Phase 1; EIP #10055 | 1997 | Conveyances to and dry basins on 50/Myron (1000 cf, 690 CF), Lynn (360 cf), Myron/Skyland (1400 cf), Skyland/Tahoe (1250 cf) |

| Water Quality or Erosion Control Projects Completed Pre-2004 (TMDL Baseline Conditions) – Continued | | | | |
|--|----------------|---|-------------|--|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 23 | MB01 | Marla Bay ECP; EIP #10069 | 2000 | Revegetation, conveyance piping to sediment traps |
| 146 | RH04 | Round Hill GID Water Quality Project Phase 0; EIP #10155 | 2001 | Conveyance piping; |
| | | | | Project area in Navajo Court which drains to the end of the cul-de-sac |
| 22 | BCC, EWCH | Upper Kingsbury North; EIP #240 | 2002 | Conveyances to and dry basins on Benjamin/Aspen (2400 cf), Donna/Scott (4200 cf), Kingsbury/Benjamin (3600 cf); |
| | | | | Upper Kingsbury North ECP (Kingsbury Village)/Tahoe Estates |
| 105 | ZC01 | Zephyr Cove GID WQIP; EIP #10079 | 2002 | Conveyances to and 2 infiltration galleries; Armortech rock lined channel. |
| 12 | EWCG | Upper Kingsbury South ECP Phases I & II (Tahoe Village); EIP#242 | 2002 | Conveyances to and dry basins on Buchanan (4800 cf), Jack Cir (3600 cf), Jack Dr (3600 cf); |
| | | | | Upper Kingsbury, Tahoe Village, Tahoe Estates; SR 207 Kingsbury Grade from US 50 to Dagget Pass |
| 20 | CR02 | Cave Rock Estates Slope Protection Project (CR ECP Ph 2B); EIP #10078 | 2003 | Retaining walls, 78,000 sf revegetation/bare soil cover |
| 14 | BCB, EWCD | Lower Kingsbury Phase I & II; EIP #239 | 2003 | Conveyances to and dry basins (2000 cf, 1000 cf), TVs (6 CDS, 1 Jenson); SEZ restoration, vegetated swale 3000 LF; |
| | | | | Lower Kingsbury Phase I & II; SR 207 Kingsbury Grade from US 50 Junction to Daggett Pass |
| 13 | SK01 | Skyland WQIP Phase II; EIP #10055 | 2003 | Conveyances to and 3 Baysaver treatment vaults; |
| | | | | Skyland location- Tahoe Dr, Skyland Dr, Skyland Ct & Alpine Dr |

| Water Quality or Erosion Control Projects Completed Pre-2004 (TMDL Baseline Conditions) – Continued | | | | |
|--|----------------|--|-------------|--|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 19 | RH02,03,04 | Round Hill Phase I and Navajo Court: & Phase III-SEZ; EIP #10155 | 2003 | Retaining walls, slope stabilization, conveyances to treatment vaults: 2 Vortechnic, 1 Jenson, 1 CDS ; |
| | | | | The smaller project was designed to finish one street that didn't get completed in Phase 0. |
| | SSWA | SSWA; EIP #01.01.01.11 | 2004 | Project numbers 115, 160, 178, 207, 209 (NTCD codes) |

| Water Quality or Erosion Control Projects Completed 2004-2012 (TMDL Existing Conditions) | | | | |
|---|----------------|--|-------------|--|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 106 | | Round Hill GID Water Quality Projct Phase II; EIP #10155 | 4-Oct | Slope stabilization, revegetation (56550 sf); |
| | | | | This project consisted of an SEZ restoration and included installation of 7 manholes to access the new sewer line and some revegetation. |
| 46 | KUC | Kahle Drive WQIP; EIP #10054 | 2006 | Conveyances to and 1 treatment vault (Vortechnic) and 1 wetland/retention basin (64,700 cf); |
| | | | | Water Quality improvement project for Oliver Park GID and Kahle Drive, runoff from Michelle Dr, Faris Ct, Aynes Ct, Irwin Dr, Laura Dr & Kahle Drive funnel into wetlands located downhill, water is treated and discharges across Kahle Drive into Rabe Meadow. |
| 99 | LR01 | Lakeridge GID WQIP, Lakeridge- Phase I & Hidden Woods Phase II; EIP #678 | 2006 | Retaining walls, slope stabilization, conveyances to and 1 treatment vault (Vortechnic), 1 wetland basin (9100 cf); |
| | | | | Collect water from Cedar Ridge, Sugar Pine Cir, Lincoln Cir & Canyon Cir and treat (catch basin) & convey the water to the infiltration basins located just below Hwy 50, the water then flows into a treatment vault & discharges to Lake Tahoe. Water from Tamarack Dr & Pine Point Dr (located below Hwy 50) also conveys into the treatment vault. |

| Water Quality or Erosion Control Projects Completed 2004-2012 (TMDL Existing Conditions) – Continued | | | | |
|---|----------------|---|-------------|---|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 47 | LV01 | Lake Village Homeowners Assn WQIP Phase IA; EIP #679 | 2006 | Slope stabilization, conveyances to 1 treatment vault (Vortechinics), dry basin (3000 cf); |
| | | | | Most of Lake Village Homeowners Association except for the south west corner of the HOA, including the west section of Cascade Ct, the south section of Manzanita Ct, and Lake Village Drive. |
| 113 | LP01 | Lincoln Park WQIP; EIP #677 | 2006 | Conveyances to and treatment vault (Vortechinics 7000); |
| | | | | Located within Lincoln Park along Hwy 50, including Alley 'A' and Lincoln Way |
| 17 | LC01 | Logan Creek ECP; EIP #676 | 2007 | Retaining walls, slope stabilization, conveyances to and 1 treatment vault (Vortechinics), 3 dry basins (1928 cf); |
| | | | | Logan Creek Estates-Logan Crk Dr, Michael Lane |
| 165 | RH03, RH04 | Round Hill GID Ph III; Round Hill Phase I and Navajo Court: & Phase III-SEZ; EIP #10155 | 2007 | Conveyances to and dry basin (350 cf), rock lined channel, revegetation; |
| | | | | Round Hill-Cheyenne Cir towards McFaul Way, it was a drainage project along these streets |
| 16 | HW01 | Hidden Woods Homeowners Assn WQIP; EIP #678 | 2007 | Conveyances to and treatment vault (Vortechinics 3000), infiltration gallery (2@ 960 sf); |
| | | | | Project parts of 2 phase effort (1-WQ Improvement, 2-Improve road entrance to Hidden Woods) Project extends from US Hwy 50 entrance along Hidden Woods Drive to first section of Hidden Woods Circle. |

| Water Quality or Erosion Control Projects Completed 2004-2012 (TMDL Existing Conditions) – Continued | | | | |
|---|----------------|---|-------------|--|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 109 | LV01 | Lake Village (Lake Village Drive Impr.) WQIP Phase IB, EIP #679 | 2007 | Slope stabilization, revegetation (8000 sf), conveyances to dry basin (900 sf); |
| | | | | Includes the southwest corner of the HOA along Lake Village Drive and the west section of Cascade Ct and south section of Manzanita Ct |
| 236 | LV02 | Lake Village Phase II WQIP EIP #679/01.01.01.13 | 2012 | Numerous dry basins, armortec lined conveyances; |
| | | | | This project area includes Lake Village Drive/Echo Drive from US Highway 50 to the Kingsbury Middle School. This project will strive to reduce source control issues associated with compacted parking areas, eroding cut slopes and unstable road shoulders. In addition, measures such as catch basins, pretreatment vaults, retention/detention facilities and infiltration basins may be included for the collection and treatment of stormwater runoff and to minimize peak flows and runoff volumes where feasible and appropriate. Stormwater runoff to be treated is generated on impervious surface within the Douglas County right of way. |
| 240 | WW01 | Warrior Way WQIP; EIP #10173 | 2012 | Conveyance and basins for treatment of Warrior Way road runoff flows |
| | GB01 | Glenbrook Creek Restoration; 01.02.03.03 | 2013 | Enhance Glenbrook Creek and surrounding meadow with targeted restoration actions and vegetation management. |

| Water Quality or Erosion Control – Funded Projects (2013 – 2016) | | | | |
|---|----------------|--|-------------|---|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Description |
| | CR02 | Cave Rock GID WQIP Retrofit; 01.01.01.16 | 2014 | Existing sand bed filter is piping and not capturing FSP. Filter bed reconfiguration may be necessary and engineered media will be necessary; |
| | | | | New project is maintenance and upgrade of bcd filter installed in 1990's |
| | ZC01 | Zephyr Cove GID WQIP; 01.01.01.15 | 2014 | Expected installation of infiltration basins to treatment NDOT and ZCGID (DC) flows consist of creating infiltration basins on USFS property; |
| | | | | The current treatment facilities at ZCGID are not designed to capture FSP. They consist of medium sized, deep concrete tanks with grates. These devices will capture coarse-scdiments, but cannot capture fine sediments of concern. Additionally, they appear to be undersized and the current is sufficient to lift the grates off-of them causing safety concerns. Hwy 50 conveys stormwater runoff through this area. |
| | DCA | Burke Creek Crossing, Master Plan; 01.02.03.01 | 2015 | Replace culvert on Burke Creek at Hwy 50 with large box culvert. Realign channel downstream of Hwy 50. |
| | EDGE | Edgewood; 04.02.02.11 | 2015 | Edgewood Lodge Improvements and pond excavation; shoreline |

| Water Quality or Erosion Control – Future Potential Projects (2016 – 2021) | | | | |
|---|----------------|--|-------------|--|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Description |
| | MB01 | Marla Bay WQIP; EIP #242, 01.01.01.14 | | The current treatment facilities at MBGID are not designed to capture FSP. They consist of deep concrete tanks with grates. These devices will capture coarse-sediments, but cannot capture fine sediments of concern. Resizing the vaults and installing filters may be necessary. Potential to convey and treat runoff in adjacent parcels. Hwy 50 conveys stormwater runoff through area. |
| | PT01 | Pittman Terrace WQIP; EIP #01.01.01.17 | | Un-treated or under-treated stormwater is being directly discharged to the Lake. Solution may consist of installing appropriate stormwater sufficient to lift the grates off of them causing safety concerns also. Resizing the vaults and installing filters may be necessary. Hwy 50 conveys stormwater runoff through this area. |

| NDOT Water Quality or Erosion Control Projects Completed Pre-2004 (TMDL Baseline Conditions) | | | | |
|---|----------------|---------------------------------|-------------|---|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 115 | SSWA | US50 to Stateline | 2000 | The project provides water quality improvements for the casino corridor along Highway 50 including Lake Parkway East and West. |
| | | | | Improvements include curb and gutter, conveyance pipes, drainage inlets, sediment traps and treatment vaults (4), along with riprap slope stabilization and revegetation |
| 218 | | Kahle Drive (Pre EIP) | 1992 | Burke Creek/Kahle Ditch Restoration Project |
| | | | | #218-Burke Creek / Kahle Ditch Restoration Project (1992)- runoff from Douglas County Community Center, Douglas County Administration area and NDOT routed down Kahle Drive to treatment vault to dry basin which discharges to Rabe Meadow/Burke Creek |

| NDOT Water Quality or Erosion Control Projects Completed Pre-2004 (TMDL Baseline Conditions) – Continued | | | | |
|---|----------------|---------------------------------------|-------------|---|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 46 | | Kahle Drive WQIP | 2003 | #46- Kahle Drive WQIP (2006)- Oliver Park runoff routed down Kahle Drive via drainage inlets and conveyance pipes to treatment vaults (2) to a wetland which discharges to Rabe Meadow/Burke Creek, the project also included paving, riprap slope stabilization and revegetation |
| 119 | 760 | SR760 - from Ellks Point Rd; EIP #688 | 2002 | State Route 760 water quality, erosion control and drainage improvements from Highway 50 junction to Nevada Beach entrance |
| | | | | Improvements include curb and gutter, conveyance pipes, drainage inlets and a settling basin, along with riprap slope stabilization, revegetation and a paved bike trail to Lake Tahoe |

| NDOT Water Quality or Erosion Control Projects Completed 2004-2012 (TMDL Existing Conditions) | | | | |
|--|---|---|-------------|---|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 118 | 5013, 5002, 5012, 5011, 5016 | US50 - from Bourne Meadow to south of Tahoe Drive; EIP #687 | 2004 | Highway 50 water quality, erosion control and drainage improvements from Bourne Meadow to just south of Tahoe Drive |
| | | | | Improvements include curb and gutter, conveyance pipes, drainage inlets, and treatment vaults (2), along with retaining walls (Binwalls 2-3), riprap slope stabilization and revegetation |
| 171 | 2862, 2863, 2864, 2804, 2814, 2815, 2816, 2818, | SR28 in Incline from Lakeshore Blvd to SR431 (Part of Phase II); EIP #10156 | 2005 | The project provides water quality improvements for the entire length of Highway 28 from the Highway 431 junction to the east Lakeshore Blvd entrance in Incline Village. |
| | 2808, 2805, 2809, 2850A, 2850B, 2851, 2813, 2820 | | | Improvements include curb and gutter, conveyance pipes, drainage inlets, conveyance ditches, 2 treatment vaults, riprap slope stabilization, revegetation and paving |
| 185 | 5015, 5006, 5009, 5008 | US50 in Douglas County from Kahle Dr to Elks Point Rd (Part of Phase II) | 2005 | The project provides water quality improvements from Kahle Drive to Elks Point Rd |
| | | | | Improvements along the NDOT right of way consist of curb and gutter, retaining walls, riprap slope stabilization, conveyance piping, drainage inlets and sediment traps |
| | 5014, 5001, 5018, 5019 | Highway 50, Skyland to Cave Rock | 2005/2006 | |

| NDOT Water Quality or Erosion Control Projects Completed 2004-2012 (TMDL Existing Conditions) – Continued | | | | |
|--|--|--|-------------|--|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| 137 | 506, 505, 504, 503, 502, 501, 5017 | Highway 50, Cave Rock to Glenbrook; #954 | 2006 | Highway 50 water quality improvements from approximately 0.5 miles north of Cave Rock to Glenbrook entrance (Mile Point 7.6-9.6) |
| | | | | Improvements include curb and gutter, conveyance pipes, trench drains, a treatment vault, riprap slope stabilization and revegetation |
| | | NDOT Hwy 50- Bin Wall 1 Elks Point N | 2006/2007 | |
| 230 | 20701- 20712 | NDOT 207; EIP #01.01.02.16 | 2011 | The project design provides water quality improvements for the entire length of Kingsbury Grade (a.k.a. State Route 207) in Douglas County, NV. |
| | | | | The project includes a significant amount of source control for cut and fill slopes (revegetation, rock rip-rap and retaining walls), pavement of road shoulders, new storm drain, lining of existing roadside channels with articulated block, vegetative buffers, improvement of discharge points to stream environment zones (SEZ), infiltration basins, construction of new articulated block lined channels and asphalt concrete swales and the installation of sediment treatment cans and sumped drop inlets. |

| NDOT Water Quality or Erosion Control Projects Completed 2004-2012 (TMDL Existing Conditions) – Continued | | | | |
|--|----------------|---|-------------|---|
| NTCD ID | SLRP ID | Project Name; EIP Number | Year | Improvements, Project Area |
| NA | | NDOT Hwy 50 - Water Quality Improvement Project Phase A EIP 01.01.02.14 | 2012 | The project area is comprised of three discontinuous segments from Cave Rock to the US Highway 50/State Route 28 intersection. Significant cut slopes exist throughout the project area and contribute a significant amount of sediment to stormwater. Slope stabilization options such as revegetation and soil/rock nailing and refacing will be evaluated through the alternative design process. In addition, facilities for the conveyance and treatment of stormwater will be evaluated and designed. Erosion control (primarily cut and fill slope stabilization) and water quality features will be implemented to reduce the discharge of sediments and pollutants into Lake Tahoe as part of a two phase project. |
| NA | | NDOT Hwy 50 - Water Quality Improvement Project Phase B EIP 01.01.02.15 | 2014 | Second phase of EIP 01.01.02.14 |

Source: NTCD

There are five projects exclusive to Douglas County on the EIP 5-year Priority Project List (January 1, 2012 through December 31, 2016) that have yet to be completed. These are Burke Creek (EIP #01.02.03.01), Zephyr Cove Water Quality Improvement Project (WQIP) (EIP #01.01.01.15), Cave Rock WQIP Retrofit (EIP #01.01.01.16), Marla Bay WQIP (EIP #01.01.01.14), and Pittman Terrace WQIP (EIP #01.01.01.17). The Burke Creek project requires the replacement of the culvert at Burke Creek and Highway 50 and realigning the channel downstream to improve fish passage and sediment transport as well as enhance the stream environment zone. The NTCD has organized the Burke Creek Working Group and planning for this project is underway. The Zephyr Cove and Cave Rock projects have received funding and are in the beginning stages of design. The remaining two projects may be funded at a later date.

The County plans to add projects that will contribute to pollutant load reductions that will be identified in the future Stormwater Load Reduction Plan (SLRP), refer to discussion

on Total Maximum Daily Load (TMDL) below, to the EIP list and process an Area Plan amendment to include them into this Plan in the future. The projects will be added to the EIP list in order for the County to secure funding and receive credit for the projects as part of the annual Performance Evaluation, which is an evaluation of each local jurisdiction's progress in meeting certain environmental goals and is linked to the distribution of residential allocations.

Additional implementation of the EIP will occur through development and redevelopment along the TRPA designated Scenic Travel Routes (i.e. Highway 50 and State Route 208). Since all projects must meet scenic quality standards along the travel routes, an incremental improvement to Scenic Quality Thresholds are expected through implementation of the Area Plan.

Total Maximum Daily Load (TMDL)

Douglas County participated with a number of local, state, and federal agencies in the development of the Lake Tahoe TMDL Program, adopted at the Tahoe Summit on August 16, 2011. The program is a requirement of the federal Clean Water Act. The program is designed to protect Lake Tahoe, an Outstanding National Resource Water, from certain pollutants of concern, including fine sediment particles, nitrogen, and phosphorus, with fine sediment from urban stormwater runoff contributing most to Lake clarity decline.

According to the Lake Tahoe TMDL Technical Report (LRWQCB and NDEP 2010), it is estimated that Nevada jurisdictions contribute 25 percent of the entire Basin fine sediment particle load to the Lake. Douglas County borders approximately 18 percent of the Lake Tahoe shoreline, yet is estimated to have the least amount of runoff contributing to the decrease in Lake clarity at three (3) percent of the Basin-wide fine sediment particle load.

To meet the requirements of the Lake Tahoe TMDL Program, the pollutant load prior to 2005 (October 2004) must be reduced by the amounts shown in Figure 2.7.

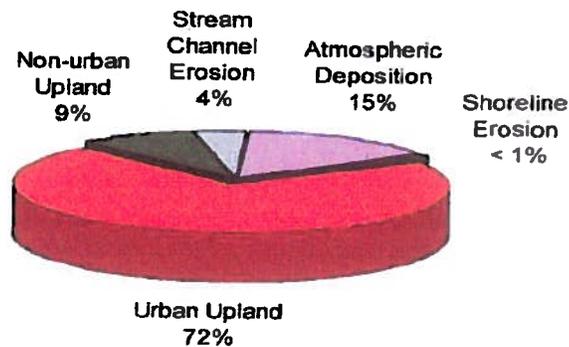
Figure 2.7
Load Reduction Targets for the Lake Tahoe TMDL

| Pollutant | 5-Year Milestone 2016 | 10-Year Milestone 2021 | 15-Year Milestone 2026 | Transparency Standard (65- Year) |
|------------------------------------|--------------------------------------|---------------------------------------|---------------------------------------|---|
| Fine Sediment Particles | 10% | 21% | 34% | 71% |
| Total Phosphorus | 7% | 14% | 21% | 50% |
| Total Nitrogen | 8% | 14% | 19% | 46% |

Source: Final Lake Tahoe Total Maximum Daily Load (August 2011)

Since the TMDL Report found that stormwater run-off from urban upland developed areas (roads and town centers) produces the greatest amount of fine sediment particles (72 percent) entering the Lake (refer to Figure 2.8), the 2012 TRPA Regional Plan is encouraging the redevelopment of the existing built environment and implementation of associated water quality improvement projects to improve Lake clarity.

Figure 2.8
Sources of Fine Sediment Particles in the Lake Tahoe Basin



Source: Final Lake Tahoe Total Maximum Daily Load (August 2011)

Douglas County's Stormwater Load Reduction Plan (SLRP), the Plan to implement the Lake Tahoe TMDL Program, is currently being developed by the Nevada Division of Environmental Protection (NDEP) and NTCD. This plan is essential for laying out how Douglas County will meet its TMDL load reduction obligations under a Memorandum of Agreement with NDEP. The SLRP is expected to be finalized by 2014. It is being developed in two phases:

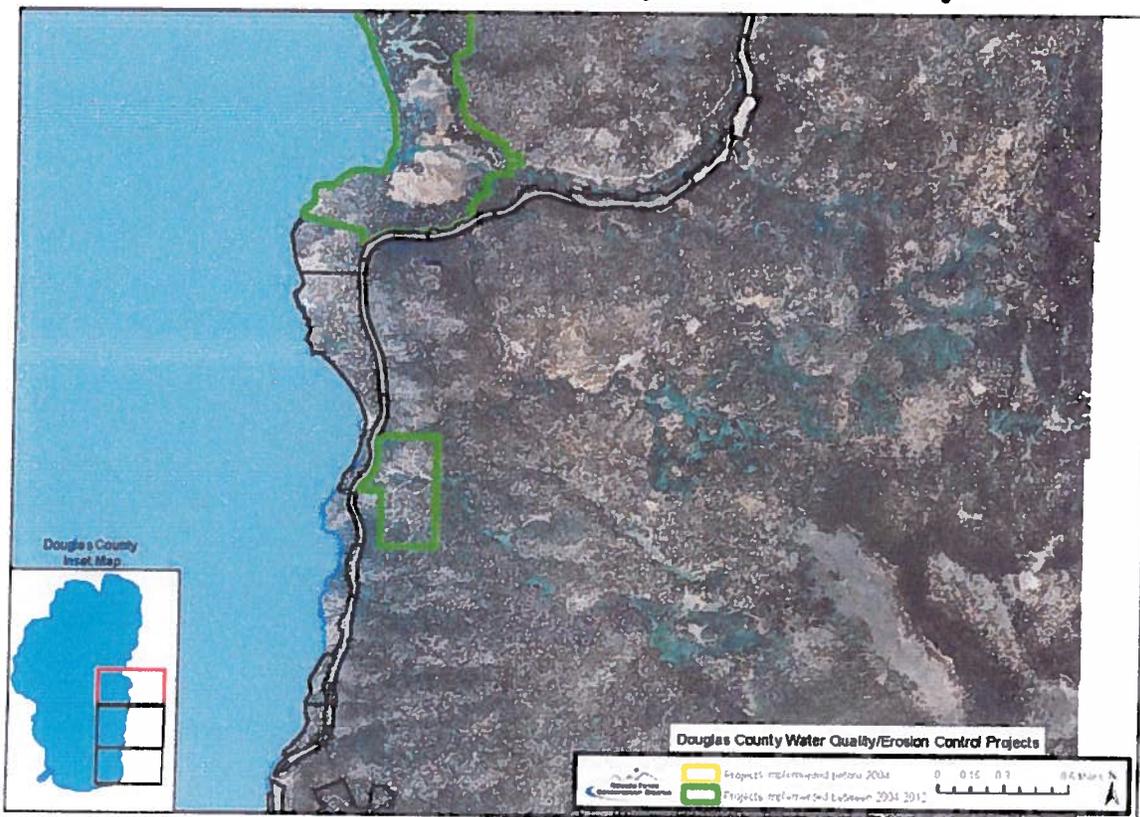
Phase I: The NTCD is developing baseline and existing conditions pollutant loads for the Nevada jurisdictions of Douglas County, Washoe County, and NDOT. These estimated loads will be available by mid-2013. Loads are determined on a 'catchment' basis within each jurisdiction, leading to an overall jurisdictional baseline (2004) and existing (2012) pollutant load estimate. Because of the geographic layout of urbanized areas within Douglas County, these catchments may cover multiple jurisdictions including the County, General Improvement Districts (GIDs) and Homeowner Associations (HOAs). The difference between the existing conditions pollutant load and the baseline pollutant load is the load reduction achieved thus far, and will go toward meeting the first TMDL implementation milestone. In addition to developing jurisdictional baseline pollutant load estimates, this phase will identify, evaluate, rate and rank catchments based on pollutant risk potential.

Phase II: SLRPs for each jurisdiction will describe cost-effective strategies and on-the-ground actions that will provide a 34 percent load reduction from the jurisdiction's October 2004 baseline stormwater loads. The results of the load reduction modeling using the Pollutant Load Reduction Model (PLRM) and SLRP protocols will become

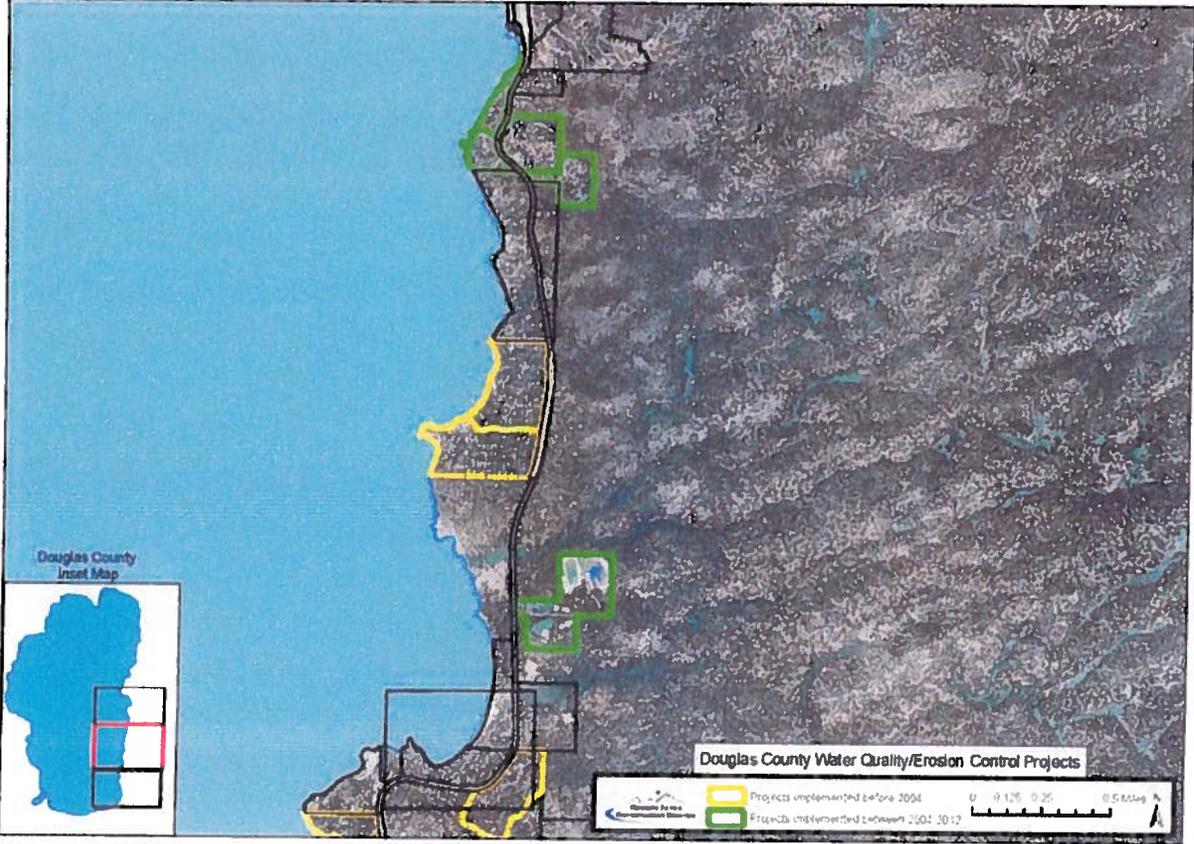
the basis of developing implementation alternatives for the agencies and will include a timeline and preliminary cost estimates. The study will identify particular catchments within each jurisdiction that will be prioritized for specific implementation actions. Identifying areas with the greatest sediment yields will facilitate jurisdictions to focus their load reduction activities in those locations and on those actions and strategies that will result in the greatest load reductions.

Maps 2.17a, b, and c show baseline and existing water quality and erosion control project areas and Maps 2.18a, b, and c show funded and future water quality and erosion control project areas identified by the NTCDD to be incorporated into the SLRP.

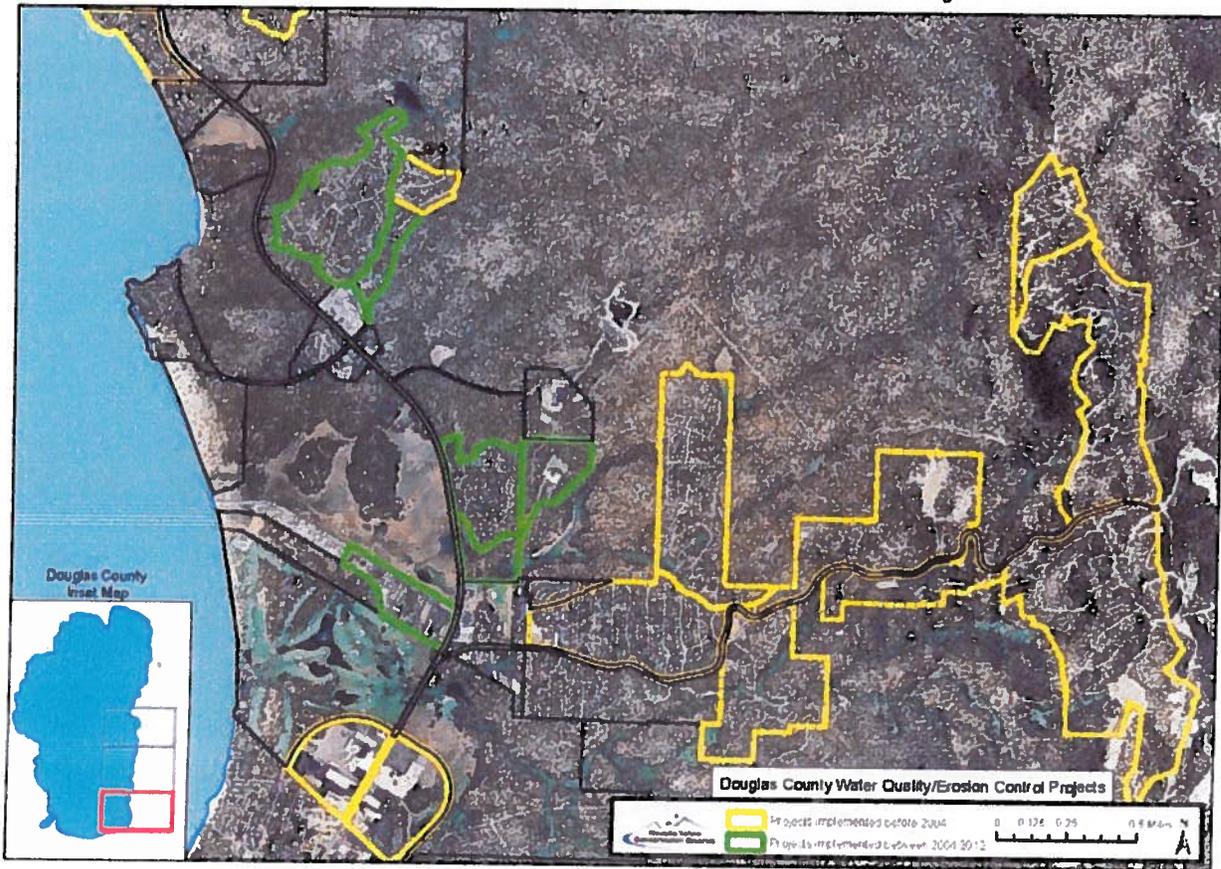
Map 2.17a
Baseline and Existing Water Quality/Erosion Control Projects



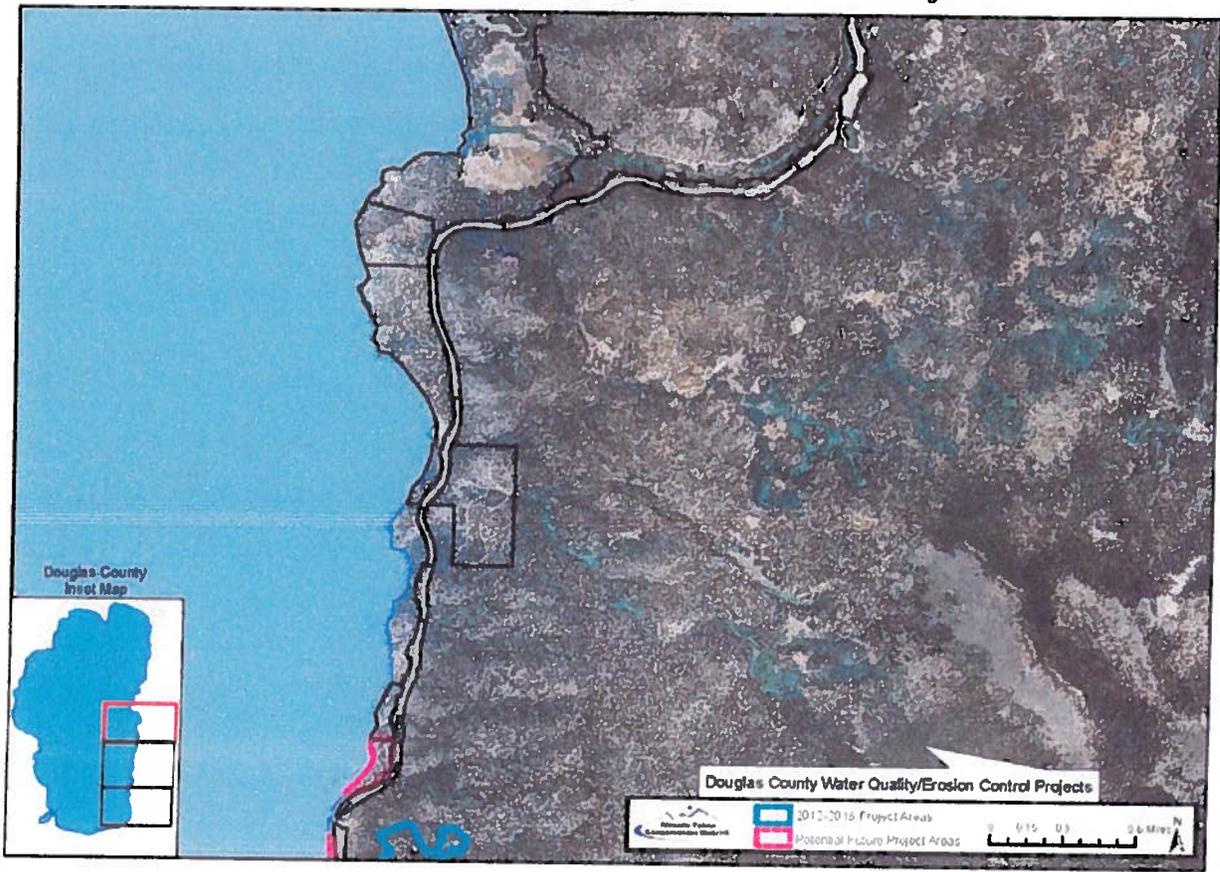
Map 2.17b
Baseline and Existing Water Quality/Erosion Control Projects



Map 2.17c
Baseline and Existing Water Quality/Erosion Control Projects

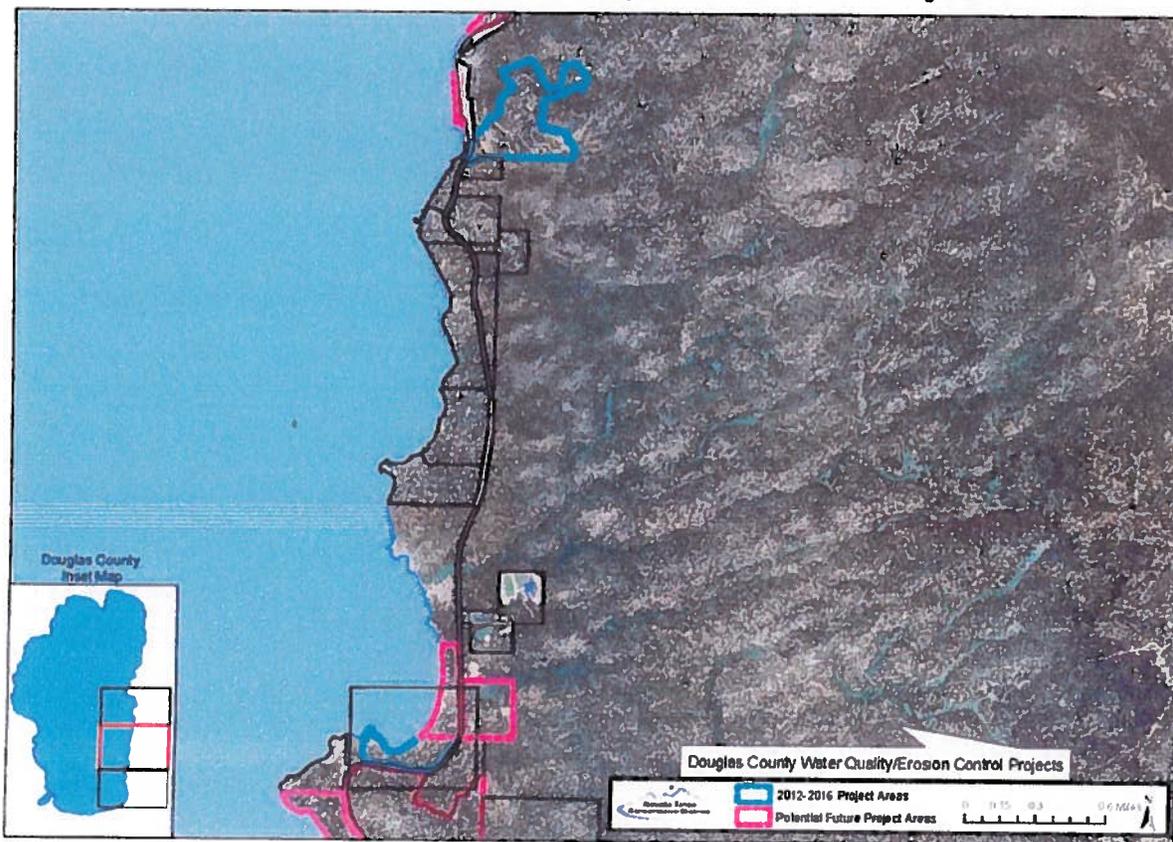


Map 2.18a
Funded and Future Water Quality/Erosion Control Projects



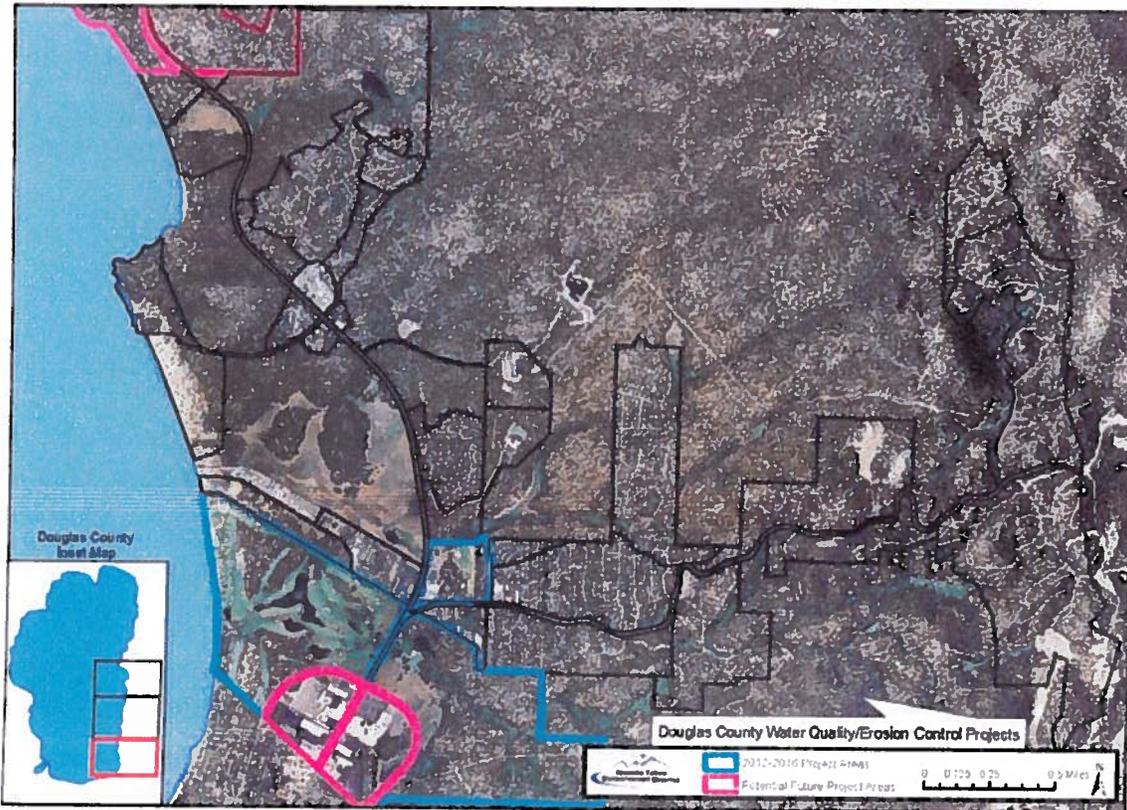
Source: NTCD

Map 2.18b
Funded and Future Water Quality/Erosion Control Projects



Source: NTCD

Map 2.18c
Funded and Future Water Quality/Erosion Control Projects



Source: NTCD

Preliminary estimates conducted by the NTCD suggest Douglas County's baseline fine sediment load is 100,000 lbs/year. It must be noted that these estimates are preliminary and the final Douglas County baseline load will be released in the SLRP. Using these preliminary estimates, Douglas County will need to implement water quality improvement actions, including: 1) capital improvement projects; 2) implementation of BMPs; and 3) advanced road operations that cumulatively result in 10,000 lbs/year to achieve the 10 percent reduction requirement by 2016 (Five-Year Milestone).

Preliminary modeling results show that a great level of load reduction has already been achieved over baseline conditions. These load reductions are primarily through the implementation of large scale water quality improvement projects, such as Lake Village, Cave Rock, and Lakeridge, and private parcel BMP implementation. Projects that include water quality improvements, such as the Tahoe Beach Club and Edgewood Lodge and Golf Course Improvement Project, will also help the County meet its fine sediment particle load reduction goals. If it is determined that additional fine sediment particle load reduction is necessary to achieve the Five-Year Milestone, the next and most cost-effective step may be to implement advanced road operations.

It needs to be noted that Douglas County maintains less than six miles of roads within the Tahoe Planning Area. NDOT, GIDs, and HOAs maintain the remaining roads in Douglas County. In most cases, the GIDs and HOAs do not have the expertise, resources, or financial capability of implementing advanced road operations independently. As a result, the NTCD and County are exploring the option of forming a TMDL Cooperative to share in the responsibility of advanced road operations. The SLRP analysis will identify other potential cost-effective means to implement load reduction strategies specific to Douglas County.

TMDL Monitoring

The Implementers' Monitoring Program (IMP) is a partnership between the Tahoe Resource Conservation District, El Dorado County, Placer County, the City of South Lake Tahoe, Douglas County, Washoe County, NTCD, NDOT, and Caltrans. Funding in the amount of \$750,000 from Round 12 of the Southern Nevada Public Lands Management Act (SNPLMA) issued through the USDA Forest Service will provide these jurisdictions the ability to implement coordinated monitoring requirements necessary for meeting urban jurisdiction permit needs. Utilizing these funds, the Lake Tahoe Basin's first collaborative monitoring plan for implementing the TMDL Program, through the California National Pollutant Discharge Elimination System (NPDES) permit and a Nevada Memorandum of Agreement (MOA) has been developed, known as the "Implementers Monitoring Plan" (Plan). The data collected as part of this monitoring will support the TMDL Management System and the modeling and assessment tools associated with the Lake Clarity Crediting Program. Five catchments have been chosen to be registered and monitored for crediting purposes. These catchments are defined as the area that drains to an outfall monitoring site and can be modeled as a PLRM catchment. In some instances, PLRM catchments are subsets of larger Urban Planning Catchments. Monitoring will include flow measurements and water quality sampling at eleven monitoring stations: the outfalls of the five selected catchments, and the inflows to and outflows from the selected BMPs located within three of those catchments. Participation in the Plan by Douglas County will allow it to meet the monitoring requirements set forth in the MOA. Growing funding constraints prohibit monitoring to be conducted at more frequent intervals and at more locations around the Lake Tahoe Region, therefore this coordinated effort allows for detailed monitoring to be conducted at specific locations, the results of which will be applicable to similar sites in all jurisdictions. Jurisdictional representatives sought for a "One Lake, One Plan" approach to use the available funding in the most efficient manner.

Wastewater

All septic systems have been removed from the Tahoe Planning Area. All development is connected to public and private wastewater systems and all wastewater is pumped out of the Tahoe Planning Area to the Carson Valley in order to protect the clarity of Lake Tahoe. For more information on the management of wastewater, refer to Chapter 12, *Public Services and Facilities Element*.

Thresholds

Douglas County's commitment to implementing environmental programs and projects continues to help the TRPA in maintaining and attaining environmental thresholds. The 2011 Threshold Evaluation Executive Summary Findings for the Lake Tahoe Region are provided in Figure 2.9.

Figure 2.9
2011 Threshold Evaluation Report Findings

| Threshold | 2011 Threshold Evaluation Executive Summary Findings |
|--------------------------|---|
| Water Quality | The rate of Lake Tahoe annual clarity decline has slowed over the last decade. The winter clarity threshold indicator met the interim target of 78.7 feet (2011 measured 84.9 feet) and is trending toward attainment of 109.5 feet. Trends in stream water quality indicated that conditions have not declined over time. However, summer lake clarity and nearshore conditions are highlighted as major areas of concern. |
| Air Quality | The Tahoe Basin made air quality gains over the last five years. The majority of air quality indicators in the Lake Tahoe Basin were at or better than attainment with adopted standards. The Report shows that indicators for carbon monoxide and vehicle-miles-traveled moved from non-attainment into attainment. Federal and state tailpipe and industrial emission standards have likely contributed to this achievement along with local projects which delivered walkable, transit-friendly improvements such as the Heavenly Gondola in South Lake Tahoe. |
| Soil Conservation | An analysis of impervious cover (land coverage) showed that seven of the nine land capability classes were in attainment with threshold targets, however, sensitive wetlands and very steep lands are “over-covered” which can negatively affect water quality and other resources. Stream zone restoration efforts implemented by TRPA partner agencies are making progress in achieving restoration goals with more needing to be done. |
| Scenic Resources | The Tahoe Basin made gains in scenic quality over the last five years. Overall, compliance with scenic quality standards is at 93 percent with an improving trend in scenic quality for the built environment. Developed areas along roadways and Lake Tahoe’s shoreline continue to be the locations where scenic improvements are needed. |
| Vegetation | The Regional Plan and partner agencies have successfully protected sensitive plant species, keeping those standards in attainment. However, a couple of uncommon plant communities fell short of attainment because of non-native species; beaver, aquatic invasive species and noxious weeds were identified as potential threats to the integrity of uncommon plant communities. Progress is being made on fuels reduction and forest ecosystem restoration. |
| Recreation | Both Recreation Threshold Standards have been implemented and are in attainment. TRPA partners have made substantial progress in upgrading recreational facilities through the EIP. |
| Fisheries | TRPA and partner agencies have implemented a robust aquatic invasive species control and prevention program; however, aquatic invasive species continue to be a major area of concern because their threat to fisheries and other aquatic biota. |
| Wildlife | Indicators for special interest wildlife species show stable or improving conditions. TRPA’s development regulations have protected riparian wildlife habitats and partner agencies are making progress restoring these valuable habitats. |
| Noise | TRPA and the peer review panel recommended that noise standards and evaluation approaches be re-evaluated. The majority of standards were determined to be out of attainment as a result of a ‘no exceedance’ interpretation of the standard and that TRPA has little enforcement authority to address many noise issues – in particular, single event noise. |

Source: 2011 Threshold Evaluation

Socioeconomic Conditions

While environmental conditions have stabilized in many instances, socioeconomic conditions in the Tahoe Planning Area have deteriorated significantly as a result of land use regulations in the 1987 TRPA Regional Plan that dis-incentivized redevelopment, the introduction of tribal gaming in California, and the economic recession. Troubling socioeconomic trends in the Tahoe Planning Area include:

- Gaming revenues decreased significantly from a high of \$338 million in 2004 to \$209 million in 2011, a decrease of 38 percent (South Shore Vision Destination Economic Impact Analysis/Nevada Gaming Commission).
- Employment within South Shore casinos declined from 7,074 in 2001 to 3,423 in 2011, a reduction of 52 percent (South Shore Vision Destination Economic Impact Analysis).
- The population in the Tahoe Planning Area declined from 6,739 people in 2000 to 5,227 people in 2010, a reduction of 22 percent (Douglas County Master Plan/U.S. Census).
- School enrollment declined in Tahoe schools from a total of 822 students in 1990/1991 to 431 students in 2010/2011, a reduction of 48 percent (Douglas County School District).
- Approximately 49 percent of Douglas County homes in the Tahoe Planning Area are owned by second home owners (Lake Tahoe Basin Prosperity Plan/2003 TRPA Data).
- The unemployment rate in Douglas County (countywide) increased from a high of 6 percent in 1990 to a high of 14.8 percent in 2012 (U.S. Department of Labor: Bureau of Labor Statistics).
- In 2010, the median sales price for a single-family home in the Tahoe Planning Area was \$600,000, as compared to \$210,000 in Minden and Gardnerville (Douglas County Assessor's Office/Douglas County Master Plan, Chapter 4, *Housing Element*).
- There are only four affordable housing projects, consisting of 133 affordable housing units, located in the Tahoe Planning Area (Douglas County Master Plan, Chapter 4, *Housing Element*).

For information on how Douglas County is addressing the above socioeconomic trends, refer to Chapter 9, *Economic Development Element*, which provides an overview of the programs and projects the County is working on to implement the Economic Vitality Strategy and Action Plan (Tahoe Revitalization) and Lake Tahoe Basin Prosperity Plan,

and Chapter 4, *Housing Element*, which contains specific recommendations for addressing housing issues in the Tahoe Planning Area.

Public Services and Facilities

Chapter 12, *Public Services and Facilities Element*, provides information on how public services and facilities, including public safety, libraries, schools, solid waste, and water and wastewater and descriptions of public service and facility providers within the Tahoe Planning Area, as well as maps showing the location of public facilities and service areas.

Inventory of Existing Land Use Conditions

The following is an inventory of existing land use conditions:

Ownership

The Tahoe Planning Area includes 4,844 parcels. Figure 2.10 shows the property ownership, number of parcels, and acreage. The majority of the 23,461 acres, or 84 percent, is owned by federal, state, or local government entities. Thus, only 16 percent is under private ownership.

Figure 2.10
Tahoe Planning Area Ownership, Parcels, and Acreage

| Property Ownership | Parcels | Acreage |
|---------------------------|----------------|----------------|
| Private | 4,058 | 3,763 |
| Federal | 527 | 18,041 |
| State | 168 | 1,274 |
| Local | 91 | 383 |
| Total | 4,844 | 23,461 |

Source: Douglas County GIS Department and Assessor's Database (2013)

Population and School Enrollment Decline

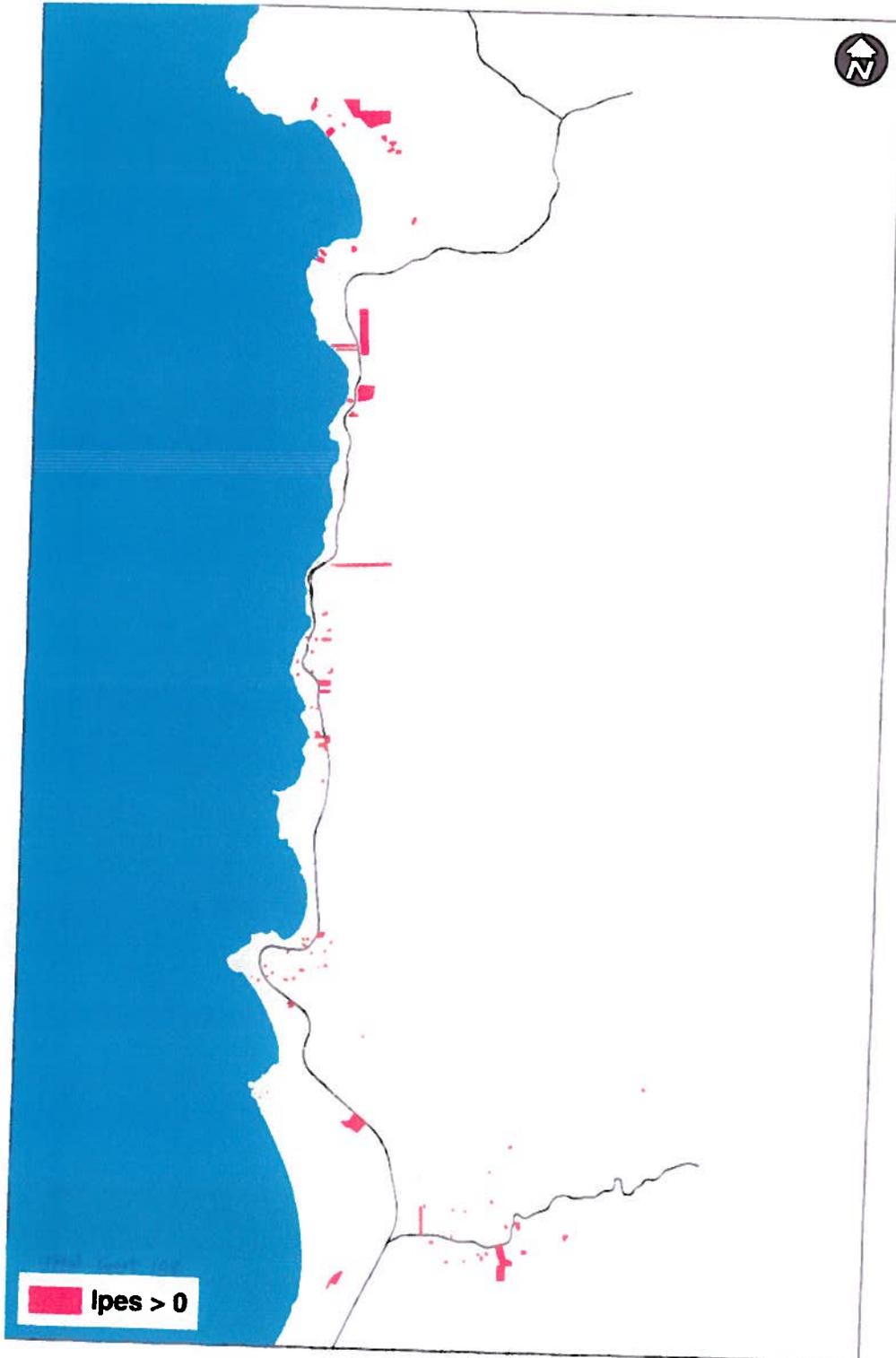
The population in the Tahoe Planning Area declined from 6,739 people in 2000 to 5,227 in 2010 (U.S. Census). This decline in population also led to declining school enrollments and the closure of Kingsbury Middle School in 2008. Zephyr Cove Elementary (grades K-6) and Whittell High School (grades 7-12) are still operating and located in the area. The Douglas County School District Facilities Master Plan (2010) provides a variety of options for addressing declining school enrollment in the Tahoe Planning Area, from maintaining the status quo, establishing a K-12 school on the Whittell High School site, or closing one or both schools and busing students to the Carson Valley or South Lake Tahoe.

Residential Build-Out Scenario

Following the adoption of the 1987 Regional Plan, the TRPA developed the Individual Parcel Evaluation System (IPES) and assigned a numerical score to vacant parcels according to their relative suitability for development. IPES scores were not applied to residential parcels that were already developed or to parcels ineligible for residential use. As of 2012, there were a total of 102 vacant residential parcels in the Tahoe Planning Area with an IPES score above zero. Douglas County is going to receive six residential allocations in 2013. If Douglas County continues to receive six residential allocations per year and they are used to develop the 102 vacant parcels with an IPES score above zero, residential parcels in the Tahoe Planning Area could be completely built-out within less than 17 years.

Map 2.19 shows the location of existing vacant parcels with an IPES score of zero or above.

Map 2.19
Existing Vacant Parcels with an IPES Score



Source: TRPA GIS Department

Douglas County has distributed all of the residential allocations that were allocated to the County before the Regional Plan Update in 2012. As of November 2012, 53 people remained on a waiting list for a residential allocation in Douglas County.

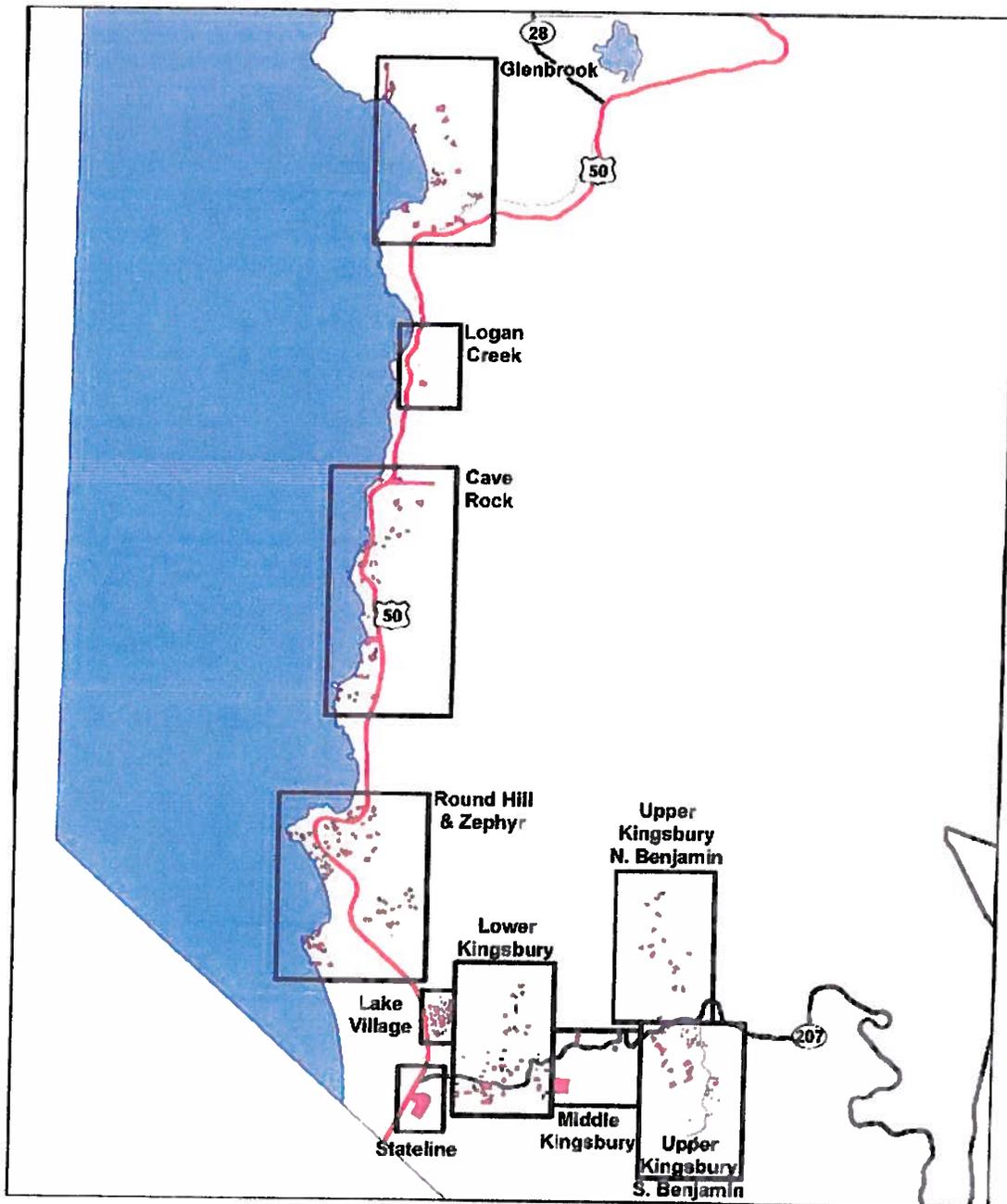
Second Homes

As of November 2012, there were approximately 3,948 housing units (single-family and multi-family) in the Tahoe Planning Area (Douglas County Assessor). The Lake Tahoe Basin Prosperity Plan found that approximately 49 percent of Douglas County homes are owned by second home owners (2003 TRPA data). The impact of second homeownership on Tahoe communities should be examined as part of an ongoing TRPA regional housing needs assessment.

Vacation Home Rental Permits

Douglas County, pursuant to Douglas County Code, Chapter 5.40, *Vacation Rentals in the Tahoe Township*, requires a vacation home rental permit for all properties used as a vacation home rental for more than 28 consecutive days in the Tahoe Township. As of October 2012, Douglas County had 397 active vacation home rental permits, which is approximately 10 percent of total housing units in the Tahoe Planning Area. Map 2.20 shows the location of the permits.

**Map 2.20
Vacation Home Rental Permits**



Vacation Rental Home Permits

- Map Index -

- Map Elements**
- Federal Hwys
 - State Hwys
 - Local Roads
 - Active Permits & Unique APNs
 - Current Parcels



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Source: Douglas County GIS Department

Planned Unit Developments

The following is a list of existing and tentatively approved planned unit developments within the Tahoe Planning Area. The planned unit developments will continue to be subject to development regulations and standards imposed on the projects with the original approvals, or as amended, as well as applicable TRPA and Douglas County Code requirements.

Castle Rock Park
Cave Rock Villas
Kingsbury Pines
Lake Village
Manzanita Heights
Ponderosa Park
Stanford Square
Summit Village
Uppaway
Villagers Townhouses
Peterson (tentatively approved)
Phat Pads/Cave Rock Junction (tentatively approved)
Tahoe Beach Club (tentatively approved by TRPA)

Commercial and Tourist Lands

The majority of commercial and tourist developments are concentrated within Community Plans. The Stateline and Kingsbury Community Plans will be replaced with the South Shore Area Plan. Commercial lands outside of the South Shore Area Plan, including the Round Hill Community Plan, will be evaluated as part of a future Area Plan amendment.

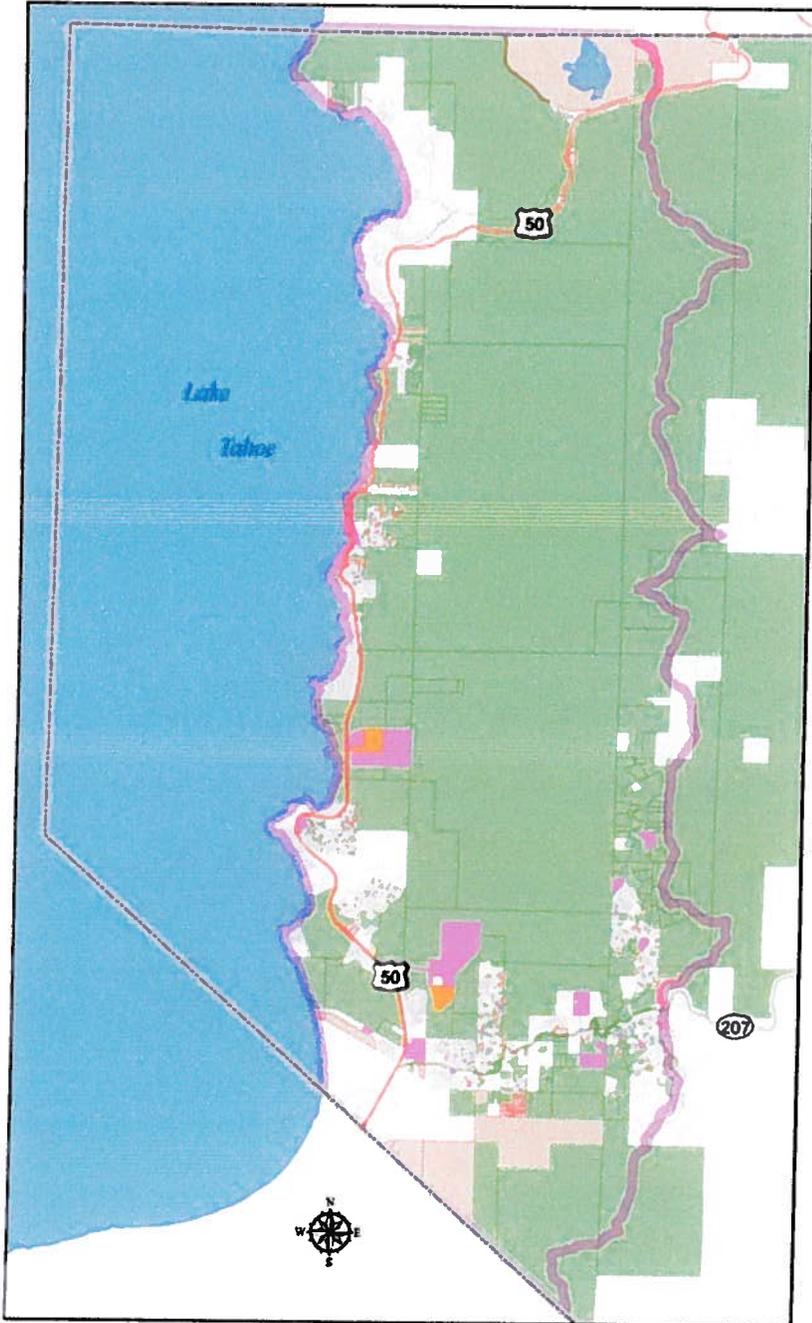
Public Lands

The majority of the 23,461 acres, or 84 percent of land, within the Tahoe Planning Area is owned by federal, state, or local government entities. Map 2.21 shows the location of public lands by owner and Map 2.22 shows the location of public land acquisitions through programs developed to protect Lake Tahoe, such as Burton-Santini, Tahoe Buyout, and Southern Nevada Public Land Management Act (SNPLMA).

**Map 2.21
 Public Lands by Owner in the Tahoe Planning Area**

Property Categories

- Douglas Co School Dist
- Douglas County
- US Forest Service
- GID or Utility
- State of NV
- Private Parcels



- Base Map Elements**
- Federal Hwys
 - State Hwys
 - Local Roads
 - Tahoe Region Boundary
 - Water Features

Public Land Ownership
 - Douglas Co Portion of the Tahoe Region -







The data contained herein has been compiled on a geographic information system (GIS) for the use of Douglas County. The data does not represent survey delineation and should not be considered as a replacement for the authoritative source of the map's deeds, returns, etc. No liability is assumed by Douglas County or as to the sufficiency or accuracy of the data.

T:\11\11\2011\11\11\Tahoe\PublicLandOwnership.mxd

Source: Douglas County GIS Department 2013

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Forest Service

In the Tahoe Planning Area, approximately 77 percent of land is part of the National Forest System, which includes 527 parcels, or approximately 18,041 acres. The U.S. Forest Service, Lake Tahoe Basin Management Unit (LTBMU), manages National Forest System lands in the Lake Tahoe Region pursuant to the Land and Resource Management Plan (Forest Plan) and a MOU with TRPA. The LTBMU is currently in the process of updating the 1988 Forest Plan. The Forest Plan, and as amended, is adopted by reference into the Master Plan and will guide how National Forest System lands are managed in the Tahoe Planning Area.

State of Nevada

In 2012, the State of Nevada, Department of Conservation and Natural Resources, Division of State Lands, owned 157 parcels (includes State Parks), totaling approximately 1,389 acres, in the Tahoe Planning Area. A number of these lands are protected and not available for development or disposal. They are managed by Nevada Tahoe Resource Team (NTRT), coordinated by the Nevada Division of State Lands, to protect Lake Tahoe and its watershed. Management goals include clean water, healthy forests, the reduction of excess fire fuels and hazardous forest conditions, good wildlife habitat, and reasonable public access. The Nevada Division of State Lands also administers a land bank, coordinates Nevada's share of the EIP, as well as implements other Tahoe programs, and administers the Nevada Tahoe Regional Planning Agency (NTRPA), which reviews the provisions of the Tahoe Compact related to gaming.

The Department of Conservation and Natural Resources, Nevada Division of State Parks, manages the Spooner Lake, Van Sickle, and Cave Rock State Parks in Douglas County. The Nevada Division of State Parks is in the process of updating the Lake Tahoe Nevada State Park's General Management Plan. The General Management Plan, and as amended, is adopted by reference into the Master Plan and will guide how State Parks are managed in the Tahoe Planning Area.



NDOT owns five parcels, totaling approximately 16 acres, and the University of Nevada owns two parcels totaling approximately 33 acres in the Tahoe Planning Area.

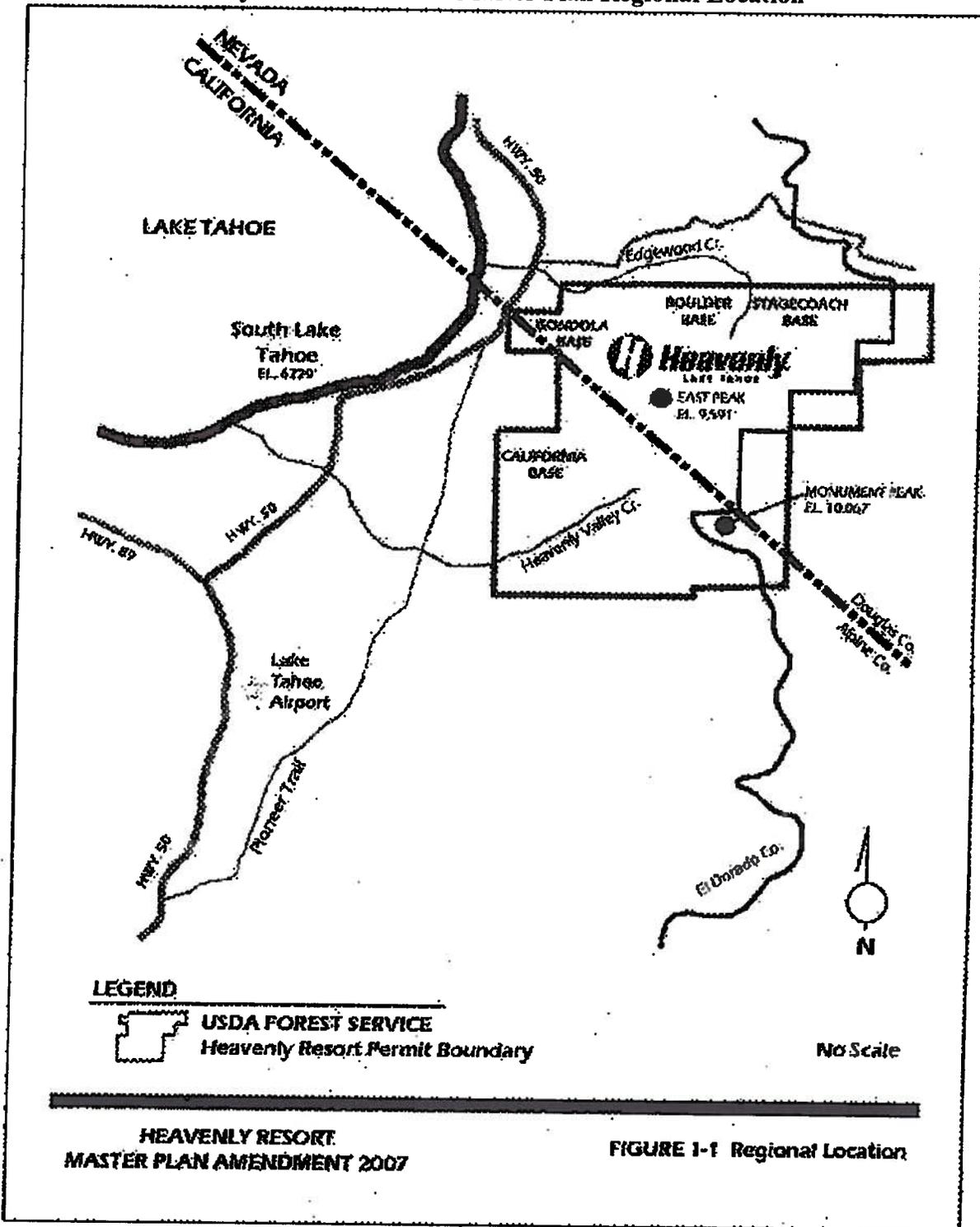
Local Governments

As of 2012, Douglas County owned 52 parcels, totaling approximately 209 acres, in the Tahoe Planning Area. There are other public lands under the ownership of the Douglas County School District, GIDs and fire departments.

Heavenly Mountain Resort Master Plan

Heavenly Ski Resort is located in the States of Nevada and California, with the majority located on U.S. Forest Service land. Approximately 6,210 acres of land in the eastern portion of the resort, including the Stagecoach Base and Boulder Base areas, lie within Douglas County. The Heavenly Mountain Resort Master Plan, which is a twenty year plan for the improvement, expansion, and management of the resort, was updated in 2007 (TRPA Adopting Ord. # 2007-04). The Heavenly Mountain Resort Master Plan, and as amended, will continue to guide future land use decisions for the Resort. Map 2.23 depicts the limits of the Master Plan area.

Map 2.23
Heavenly Mountain Resort Master Plan Regional Location



Source: Heavenly Mountain Resort Master Plan Amendment 2007

Transportation

All future planning projects in the Tahoe Planning Area must comply with the provisions of Mobility 2035: Lake Tahoe Regional Transportation Plan (2012) and Lake Tahoe Region Bicycle and Pedestrian Plan (2010), and as amended. For more information on transportation, refer to Chapter 5, *Transportation Element*.

2012 TRPA Regional Plan Land Use Classifications and Special Planning Districts

The 2012 TRPA Regional Plan includes eight new land use districts and four new special planning districts, which are defined as follows:

Land Use Districts:

Wilderness: Not applicable in Douglas County.

Backcountry: Backcountry Districts are designated and defined by the U.S. Forest Service as part of their Resource Management Plans. These lands are roadless areas including Dardanelles/Meiss, Freel Peak and Lincoln Creek. On these lands, natural ecological processes are primarily free from human influences. Backcountry areas offer a recreation experience similar to Wilderness, with places for people seeking natural scenery and solitude. Primitive and semi-primitive recreation opportunities include hiking, camping, wildlife viewing, and cross-country skiing, in addition to more developed or mechanized activities not allowed in Wilderness areas (e.g., mountain biking, snowmobiling). Management activities that support administrative and dispersed recreation activities are minimal, but may have a limited influence. Limited roads may be present in some backcountry areas; road reconstruction may be permitted on backcountry lands where additional restrictions do not apply. Backcountry areas contribute to ecosystem and species diversity and sustainability, serve as habitat for fauna and flora, and offer wildlife corridors. These areas provide a diversity of terrestrial and aquatic habitats, and support species dependent on large, undisturbed areas of land. Backcountry areas are managed to preserve and restore healthy watersheds with clean water and air, and healthy soils. Watershed processes operate in harmony with their setting, providing high quality aquatic habitats.

Conservation: Conservation areas are non-urban areas with value as primitive or natural areas, with strong environmental limitations on use, and with a potential for dispersed recreation or low intensity resource management. Conservation areas include (1) public lands already set aside for this purpose, (2) high-hazard lands, stream environment zones, and other fragile areas, without substantial existing improvements, (3) isolated areas which do not contain the necessary infrastructure for development, (4) areas capable of sustaining only passive recreation or non-intensive agriculture, and (5) areas suitable for low-to-moderate resource management.

Recreation: Recreation areas are non-urban areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Lands which this plan identifies

as recreation areas include (1) areas of existing private and public recreation use, (2) designated local, state, and federal recreation areas, (3) areas without overriding environmental constraints on resource management or recreational purposes, and (4) areas with unique recreational resources which may service public needs, such as beaches and ski areas.

Resort Recreation: Resort Recreation areas are the specific Edgewood Mountain and Heavenly parcels depicted on Map 1 of the Regional Plan.

Residential: Residential areas are urban areas having potential to provide housing for the residents of the Region. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include: (1) areas now developed for residential purposes; (2) areas of moderate-to-good land capability; (3) areas within urban boundaries and serviced by utilities; and (4) areas of centralized location in close proximity to commercial services and public facilities.

Mixed-Use: Mixed-use areas are urban areas that have been designated to provide a mix of commercial, public services, light industrial, office, and residential uses to the Region or have the potential to provide future commercial, public service, light industrial, office, and residential uses. The purpose of this classification is to concentrate higher intensity land uses for public convenience, and enhanced sustainability.

Tourist: Tourist areas are urban areas that have the potential to provide intensive tourist accommodations and services or intensive recreation. This land use classification also includes areas recognized by the Bi-State Compact as suitable for gaming. These lands include areas that are:

- 1) already developed with high concentrations of visitor services, visitor accommodations, and related uses;
- 2) of good to moderate land capability (land capability districts 4-7);
- 3) with existing excess land coverage; and
- 4) located near commercial services, employment centers, public services and facilities, transit facilities, pedestrian paths, and bicycle connections.

Special Planning Districts:

High Density Tourist District: The High Density Tourist District contains a concentration of hotel/casino towers and is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities for local residents. The High Density Tourist District is the appropriate location for the Region's highest intensity development.

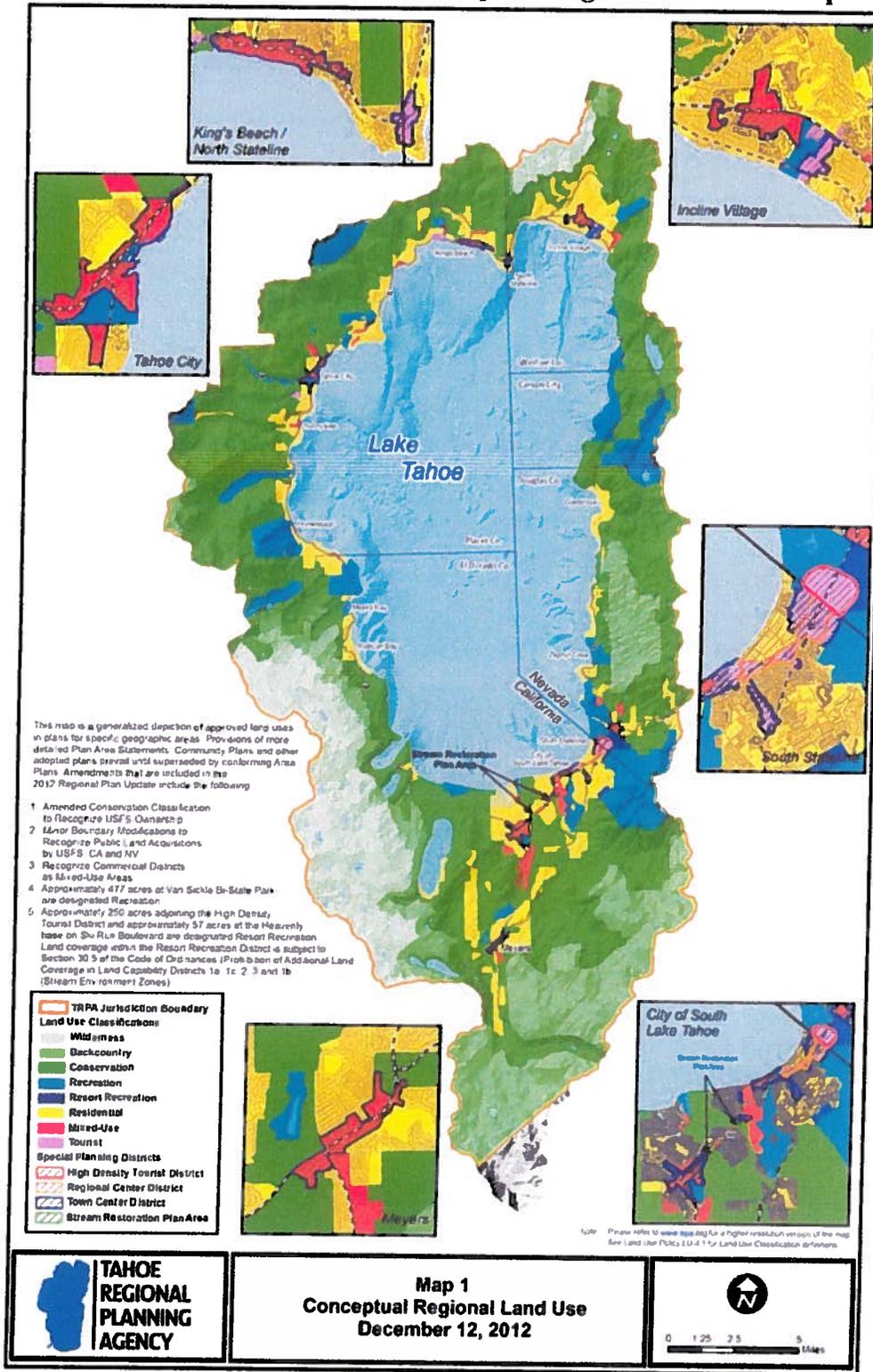
Regional Center District: Not applicable in Douglas County.

Town Center District: Town centers contain most of the Region's non-residential services and have been identified as a significant source of sediments and other contaminants that continue to enter Lake Tahoe. Town centers are targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the Region.

Stream Restoration Plan Area: Not applicable in Douglas County.

The 2012 TRPA Regional Plan Conceptual Regional Land Use Map shows the planned locations of each of these uses and is provided as Map 2.24.

Map 2.24
2012 TRPA Regional Plan Conceptual Regional Land Use Map



Source: 2012 TRPA Regional Plan

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Land Use Compatibility

Based on the inventory of existing conditions and the Conceptual Regional Land Use Map, Douglas County has developed new future land use and zoning districts for the Tahoe Planning Area. Wherever feasible and although standards often differ, the new future land use and zoning districts have been developed to be compatible with the future land use and zoning districts in effect for the rest of the County. The purpose of this is to replace the existing Community Plan and Plan Area Statement Map with a future land use and zoning map that will tie into the land use and zoning map in effect for the remainder of the County outside the Tahoe Planning Area. The Special Planning Districts, including the High Density Tourist District and Town Center District shown on the Conceptual Regional Land Use Map, will be reflected as overlay zoning districts on the Official Douglas County Zoning Map. New zoning districts are defined in Douglas County Code (Title 20), Chapter 20.703, *Tahoe Area Plan Regulations*. The future land use districts are defined below. The Tahoe Planning Area Future Land Use Map has been updated to reflect new future land use districts within the South Shore Area Plan (refer to Map 2.32).

Future Land Use Districts for the Tahoe Planning Area are defined below:

Backcountry: Backcountry areas are designated and defined by the U.S. Forest Service as part of their Resource Management Plans. These lands are roadless areas, including Lincoln Creek. On these lands, natural ecological processes are primarily free from human influences. Backcountry areas offer a recreation experience similar to Wilderness, with places for people seeking natural scenery and solitude. Primitive and semi-primitive recreation opportunities include hiking, camping, wildlife viewing, and cross-country skiing, in addition to more developed or mechanized activities not allowed in Wilderness areas (e.g., mountain biking, snowmobiling). Management activities that support administrative and dispersed recreation activities are minimal, but may have a limited influence. Limited roads may be present in some backcountry areas; road reconstruction may be permitted on backcountry lands where additional restrictions do not apply. Backcountry areas contribute to ecosystem and species diversity and sustainability, serve as habitat for fauna and flora, and offer wildlife corridors. These areas provide a diversity of terrestrial and aquatic habitats, and support species dependent on large, undisturbed areas of land. Backcountry areas are managed to preserve and restore healthy watersheds with clean water and air, and healthy soils. Watershed processes operate in harmony with their setting, providing high quality aquatic habitats.

Commercial: Commercial areas are existing commercial or tourist areas that provide or have the potential to provide a mix of uses, including commercial, tourist, recreation, public service, light industrial, office, and residential uses. The purpose of this classification is to concentrate higher intensity land uses for public convenience, and enhanced sustainability. Commercial areas also include areas recognized by the Bi-State Compact as suitable for gaming. These lands include areas that are:

1. Already developed with high concentrations of visitor services, visitor accommodations, and related uses;
2. Of good to moderate land capability (land capability districts 4-7);
3. Have existing excess land coverage; and
4. Located near commercial services, employment centers, public services and facilities, transit facilities, pedestrian paths, and bicycle connections.

Conservation: Conservation areas are non-urban areas with value as primitive or natural areas, with strong environmental limitations on use, and with a potential for dispersed recreation or low intensity resource management. Conservation areas include (1) public lands already set aside for this purpose, (2) high-hazard lands, stream environment zones, and other fragile areas, without substantial existing improvements, (3) isolated areas which do not contain the necessary infrastructure for development, (4) areas capable of sustaining only passive recreation or non-intensive agriculture, and (5) areas suitable for low-to-moderate resource management.

Receiving Area: Receiving Areas are areas that are eligible to receive the transfer of existing residential development and residential development rights, tourist accommodation units, and commercial floor area and are located near commercial services, employment centers, public services and facilities, transit facilities, pedestrian paths, and bicycle connections.

Recreation: Recreation areas are non-urban areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Lands which this plan identifies as recreation areas include (1) areas of existing private and public recreation use, (2) designated local, state, and federal recreation areas, (3) areas without overriding environmental constraints on resource management or recreational purposes, and (4) areas with unique recreational resources which may service public needs, such as beaches and ski areas. The T-RR (Tahoe-Resort Recreation) zoning district, which is compatible with the Recreation land use district, may only be applied to the specific Edgewood Mountain parcel depicted on Map 1 of the 2012 TRPA Regional Plan. This area allows for tourist, commercial and residential uses provided in conjunction with a recreation use. New development must be the result of development transfers that result in the retirement of existing development.

Residential: Residential areas are urban areas having potential to provide housing for the residents. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include: (1) areas now developed for residential purposes; (2) areas of moderate-to-good land capability; (3) areas within urban boundaries and serviced by utilities; and (4) areas of centralized location in close proximity to commercial services and public facilities.

Figure 2.11 has been developed to illustrate the relationship between future land use and zoning for the Tahoe Planning Area.

**Figure 2.11
TRPA Conceptual Land Use Districts, Douglas County Future Land Use Districts,
and Equivalent Douglas County Zoning Districts**

| TRPA Conceptual Land Use Districts | Douglas County Future Land Use Districts | Equivalent Douglas County Zoning Districts |
|---|---|---|
| Backcountry | Backcountry | T-F (Tahoe-Forest) |
| Conservation | Conservation | T-F (Tahoe-Forest) |
| Recreation | Recreation** | T-R (Tahoe – Recreation) |
| Resort Recreation | | T-RR (Tahoe – Resort Recreation) |
| Residential | Residential** | T-SFR-8,000 (Tahoe-Single-Family Residential, 8,000 square foot minimum parcel size) T-MFR (Tahoe-Multi-Family Residential, maximum density of 15 du/acre) |
| Mixed-Use | Commercial** | T-MU (Tahoe – Mixed-Use) |
| Tourist | | T-T (Tahoe-Tourist Commercial) HDT (High Density Tourist) Overlay TC (Town Center) Overlay |
| All Districts | All Districts | T-PF (Tahoe-Public Facility)* PD (Planned Development) Overlay |

*The T-PF (Tahoe-Public Facility) zoning district is compatible with all Douglas County future land use designations and will be applied to public facilities in existence as of December 12, 2012.

** Receiving Areas may be designated on the Future Land Use Map within a Recreation, Residential, or Commercial Land Use District if located near commercial services, employment centers, public services and facilities, transit facilities, pedestrian paths, and bicycle connections.

TRPA Review

Pursuant to TRPA Regional Plan Land Use Policy – LU 4.12, TRPA will continue to review projects within the High Density Tourist, Conservation, and Resort Recreation Land Use Districts on the Conceptual Regional Land Use Map and the Shorezone of Lake Tahoe, as well as all development that is equal to or greater than:

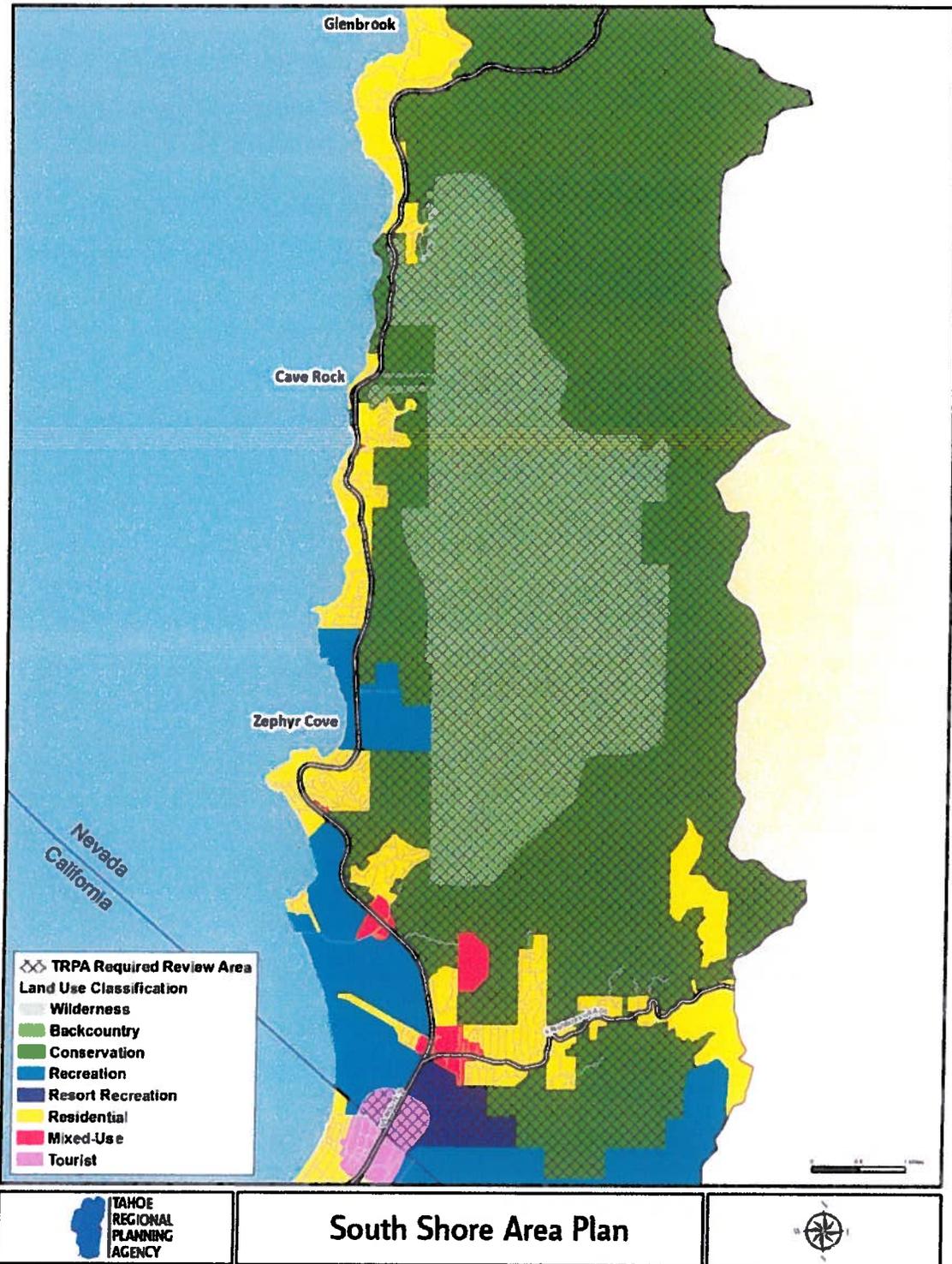
Figure 2.12
TRPA Review Required

| | Regional Center | Town Center | Not in Center |
|------------------------|------------------------|--------------------|----------------------|
| Residential | 100,000 square feet | 50,000 square feet | 25,000 square feet |
| Non-Residential | 80,000 square feet | 40,000 square feet | 12,500 square feet |

Note: All measurements are new building floor area.

Map 2.25 shows the location of parcels within the High Density Tourist, Conservation, and Resort Recreation Land Use Districts on the Conceptual Regional Land Use Map subject to TRPA review. Projects within the Backcountry Land Use District will also require a TRPA review.

**Map 2.25
TRPA Review Required**



Source: TRPA

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PHASE I: SOUTH SHORE AREA PLAN

In order to encourage the environmental redevelopment of the existing built environment, promote economic vitality, and work towards the attainment of TRPA's environmental threshold standards, the County is moving forward with the South Shore Area Plan (Phase I), for the properties generally along Highway 50 from the California-Nevada Stateline to the lower Kingsbury area. The South Shore Area Plan replaces the Stateline Community Plan, Kingsbury Community Plan, and a portion of Plan Area Statements 070A (Edgewood), including Special Area #1 (C-070A SA1), and a portion of Plan Area Statement 080 (Kingsbury Drainage), including Special Area #2 (R-080 SA2). The existing Community Plan (Round Hill) and Plan Area Statements not included within the South Shore Area Plan will continue to be subject to the provisions of the applicable Community Plan or Plan Area Statement, until such time as an Area Plan is developed for the entire Tahoe Planning Area.

Background

In 2011, Douglas County participated with the South Tahoe Alliance of Resorts (S.T.A.R.), City of South Lake Tahoe, TRPA, and community members on the development of the South Shore Vision Plan, a planning document that focuses on the redevelopment of the built environment along the Highway 50 Corridor, from Ski Run Boulevard in the City of South Lake Tahoe, California, to Kahle Drive in Douglas County, Nevada.

The South Shore Vision Plan addressed the following key issues:

- Reinventing the area to address the older and obsolete built environment.
- Improving the market and economic conditions that currently exist.
- Assessing transportation needs, including the proposed U.S. Highway 50/South Shore Community Revitalization Project (Loop Road) and "Main Street" narrowing.
- Defining and understanding travel and tourism barriers.
- Finding solutions to other impediments to redevelopment.
- Assessing the limits to the potential for redevelopment.
- Analyzing current summer and winter programs.
- Identifying new attraction/uses and improving the bed base.
- Initiating environmental enhancements.
- Coordinating with the Lake Tahoe Basin Prosperity Plan to find solutions for revitalizing the Basin economy.

The purpose of the South Shore Vision Plan was to create a vision for the most significant tourist destination in the Lake Tahoe Region, and to utilize the "Vision" to inform the TRPA Regional Plan Update and attract new capital investment to upgrade the natural and built environment and implement environmental improvements.

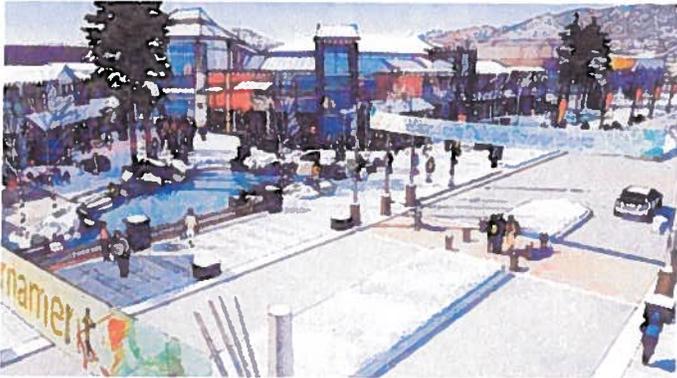
The South Shore Vision Plan also demonstrated how the existing out-dated built environment could be transformed into a world class tourist destination. The following photos depict existing conditions and the illustrations depict the “Vision” for the South Shore:

Existing Conditions



Source: South Shore Vision Plan

South Shore Vision Plan Illustrations



Source: South Shore Vision Plan

The South Shore Vision Plan also demonstrated that the redevelopment of the South Shore could include many positive environmental benefits, such as:

- Reduction in coverage
- Increased open space
- Restored stream environment zones
- Water quality improvement projects
- Pedestrian friendly streets
- Public transportation
- Energy efficient buildings
- Access to recreational opportunities

Ultimately, the South Shore Vision Plan was successful in providing a framework for promoting positive changes to the Regional Plan for Douglas County and the City of South Lake Tahoe.

South Shore Area Plan

The South Shore Area Plan has been developed to build upon the concepts in the South Shore Vision Plan, as well as be consistent with the goals and policies in the 2012 TRPA Regional Plan. The boundaries of the South Shore Area Plan include those properties evaluated in the South Shore Vision Plan within Douglas County, as well as the properties within the Kingsbury Community Plan. The boundary of the South Shore Area Plan is depicted in Map 2.26.

Map 2.26
South Shore Area Plan Boundary



- Base Map Elements**
-  South Shore Area Plan
 -  Federal Hwys
 -  State Hwys
 -  Local Roads

South Shore Area Plan
- Stateline, NV -



The data contained herein has been compiled on a geographic information system (GIS) for the use of Douglas County. The data does not represent survey delineations and should not be construed as a replacement for the authoritative source (plat maps, deeds, surveys, etc.). Liability is assumed by Douglas County as to the sufficiency or accuracy of the data.

T:\11\11A_2A_NewSouthShorePlanArea.mxd

Source: Douglas County GIS Department

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The four primary areas within the South Shore Area Plan are described below:

High Density Tourist District

The Casino Core area, the previous Stateline Community Plan, was designated a High Density Tourist District on the TRPA Conceptual Regional Plan Land Use Map. This is the primary area, along with the lower Kingsbury area, targeted for redevelopment. The area is currently dominated by casino/hotel uses, including the Horizon Hotel/Casino, MontBleu Hotel/Casino, Harrah's Hotel/Casino, Harvey's Hotel/Casino, and CVS Pharmacy (previously Bills Casino). Existing conditions include:

- 2,266 hotel rooms.
- Five existing hotel towers that range in height from 85 to 197 feet.
- Four parking garages and a substantial amount of surface parking.

The objective is to transform the area into a world class recreational tourist destination, which will include:

- Replacing the existing towers with energy efficient buildings that are architecturally compatible with the natural scenic beauty of the Region and move the area towards Scenic Threshold attainment.
- Reducing coverage and surface parking.
- Restoring stream environment zones, improving water quality, and creating open space.
- Creating a pedestrian friendly environment.

The other main objective is to provide a variety of recreational opportunities within walking distance from the bed base, such as:

- Skiing:** The existing Gondola provides direct access to Heavenly Mountain Ski Resort.
- Golfing:** The existing Edgewood-Tahoe Golf Course is within walking distance.
- Biking:** The Nevada Stateline-to-Stateline Bikeway provides access to the Lake within biking and walking distance.
- Hiking:** The Van Sickle Bi-State Park is within walking distance and provides access to hiking, picnicking, mountain biking, and horseback riding.
- Beach:** The Edgewood Lodge and Golf Course Improvement Project includes an easement to access a new public beach within walking distance (previously there was no public beach within walking distance).
- Lake:** The Tahoe Transportation District has been exploring the feasibility of providing waterborne transit from this area to give visitors and residents an opportunity to spend time on the Lake, as well as provide access to Tahoe City on the northshore.
- Shopping:** The creation of a pedestrian friendly retail environment.
- Dining:** The inclusion of a wide variety of dining options.

Entertainment: The development of outdoor and indoor entertainment amenities.

Overall, the objective is to revitalize the economy, contribute to the attainment of TRPA environmental threshold standards, including water quality and scenic, and create a sustainable tourist destination that provides access to recreational opportunities within walking and biking distance of the bed base, which is intended to contribute to a reduction in vehicle miles traveled and improved air quality. All redevelopment projects in the High density Tourist District will be evaluated to ensure consistency with these overall objectives.

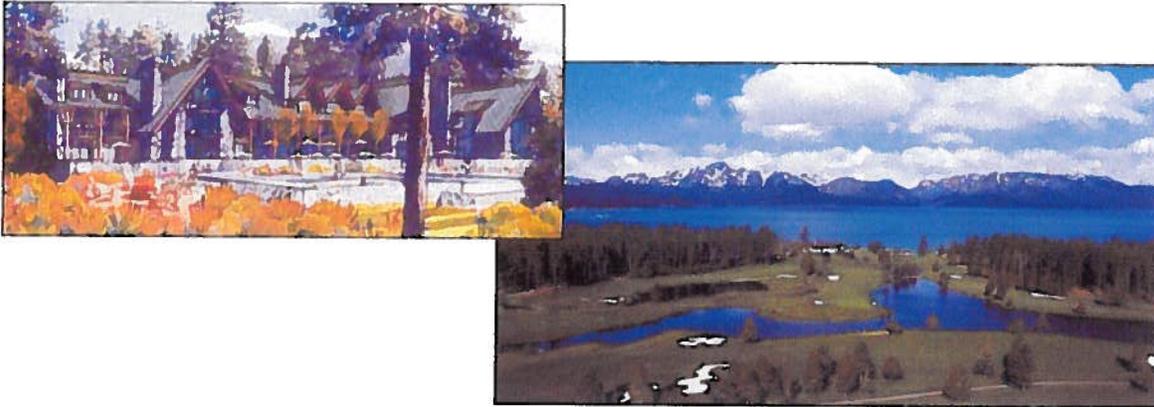
Edgewood Lodge and Golf Course

This site contains the existing Edgewood-Tahoe Golf Course, and was placed within the Recreation Land Use District on the TRPA Conceptual Regional Land Use Map. In 2012, the TRPA approved the Edgewood Lodge and Golf Course Improvement Project on the site. The project consists of a tourist accommodation complex with a total of 194 new tourist accommodation units (TAUs) transferred from retired hotel sites in the City of South Lake Tahoe; improvements in water and energy efficiency; and the a new public beach. The project also includes environmental enhancement projects intended to contribute to attainment of TRPA environmental threshold carrying capacities. The goals of these threshold improvement projects, among others, are to:

- 1) Meet and exceed existing TRPA stormwater infiltration and treatment requirements;
- 2) Reduce the overall pollutant load of sediment, fine sediment, phosphorus and nitrogen;
- 3) Improve the function of the Golf Course Creek and Edgewood Creek stream environment zones (approximately 200,000 square feet of stream environment zones and 1.5 acres of coverage within the shorezone will be restored); and
- 4) Dredge and remove accumulated material in site ponds to reestablish pollutant capture capacity.

The project demonstrates how new projects can bring environmental gain to the Lake Tahoe Region. It is anticipated that the project will begin to be implemented in 2013.

Edgewood Lodge Project



Source: Edgewood Lodge Golf Course Improvement Project Presentation to TRPA Advisory Planning Commission on May 9, 2012

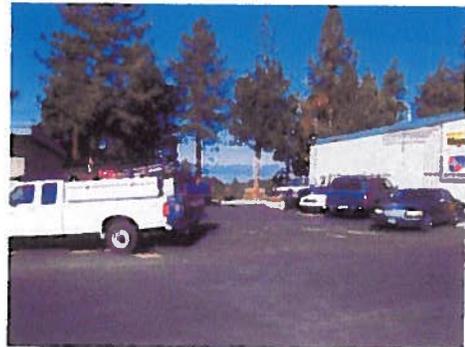
This site was in Plan Area Statement 070A (Edgewood), including Special Area #1 (Tourist Area), which allowed for up to 250 tourist accommodation units to be transferred to the site. This site will continue to be allowed a maximum of 250 tourist accommodation units with the South Shore Area Plan.

Edgewood Mountain

The Edgewood Mountain area is approximately 256 acres and has historically been a conservation area, although numerous recreation, public service, and some residential uses were historically allowed in the area. The site contains the historic Friday Station (an original Pony Express stop). With the 2012 TRPA Regional Plan Update, the parcel was placed in the Resort Recreation District on the Conceptual Regional Land Use Map. The purpose of designating it Resort Recreation was to allow for additional recreational opportunities, such as a cross country ski area, to be located near the bed base and to reduce vehicle miles traveled thus improving air quality. The 2012 TRPA Regional Plan also allows for tourist accommodations and commercial structures that are accessory to a recreation use to be located on the site, as long as development is transferred in from outside of the designated area and the transfer results in the retirement of development. Tourist accommodation units or commercial development may be subdivided into air space condos (no lot or block subdivisions are allowed). The parcel has been identified as a future site for a bike/pedestrian path to connect Market Street to the Van Sickle Bi-State Park, consistent with the Lake Tahoe Regional Transportation Plan and the Lake Tahoe Region Bicycle and Pedestrian Plan (refer to T Action 4.3).

Lower Kingsbury

The lower Kingsbury area contains more than 100 different commercial, industrial, and public uses. The most notable uses include the Lakeside Inn Hotel/Casino, Douglas County Government Offices/Tahoe Transportation and Visitors Center, Edgewood Village, Kahle Community Center/Park, Kingsbury Station, Red Hut Center, Shady Lane Commercial (Industrial) Center, Kingsbury Square, and Kingsbury Center. With the 2012 TRPA Regional Plan Update, the parcels were designated Mixed-Use/Town Center on the Conceptual Regional Land Use Map.



In 2008, all of the parcels within the lower Kingsbury area were evaluated in the Lower Kingsbury Visioning and Land Use Alternatives Report. The Summary Report was developed with input from local property owners, identified opportunities and constraints for revitalization and environmental improvements and resulted in a number of recommendations, including:

1. Transforming the area into a pedestrian friendly and mixed-use environment.
2. Creating more diverse housing options.
3. Developing an area wide water quality improvement project.
4. Creating more bike connections, including connections to the Kahle Community Center and a bike/pedestrian path from Market Street to the South Shore through the Edgewood Mountain Parcel.

Financial or regulatory incentives and/or County sponsored redevelopment programs were identified as potential catalysts for redevelopment in the area.

The South Shore Vision Plan evaluated the properties that contain the Lakeside Inn and Douglas County Government Center/Tahoe Transportation and Visitors Center. It identified this area as the Gateway Area into the South Shore and recommended redeveloping this area into a mixed-use environment and, beginning at Kahle Drive, creating a streetscape along the entire street corridor that includes pedestrian amenities, landscaping, and an interesting environment to support retail.

The lower Kingsbury area is the only area designated as a Mixed-Use/Town Center on the Conceptual Regional Land Use Map within the County. This area is intended to provide a mix of commercial, public services, light industrial, office, and residential uses and is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities.

Douglas County is adopting new land use and zoning provisions in this area to encourage property owners to develop mixed-use projects, including more diverse housing options,

as well as take advantage of additional density and height provisions, which will also result in environmental benefits as development commodities are transferred from more environmentally sensitive areas. The Tahoe Planning Area now includes new actions (refer to T Actions T 2.3 and T 4.3) to address outstanding issues, such as moving forward with an area wide water quality improvement project and a pedestrian/bike connection between Market Street and Van Sickle Bi-State Park. The County recognizes that including the lower Kingsbury area in the South Shore Area Plan is the first step in fostering the redevelopment and revitalization of the area.

Economic Analysis

In 2012, the Lake Tahoe Visitors Authority (LTVA), S.T.A.R., City of South Lake Tahoe, and Douglas County funded the South Shore Vision Destination Economic Impact Analysis, which explores the economic impacts of maintaining current operations and infrastructure (status quo) as opposed to implementing changes (transformation) proposed in the South Shore Vision Plan.

Status Quo: The Analysis found that over the past decade the South Shore has experienced a significant decline in economic activity, within the following areas:

- Gaming revenue
- Rooms rented
- Occupancy
- Retail sales
- Employment

For Douglas County, the greatest area of concern has been the significant decline in gaming revenue from a high of \$338 million in 2004 to \$209 million in 2011, a decrease of 38 percent. This decline is attributed to the opening of tribal casinos in California, the lack of investment in infrastructure as a result of the regulatory nature of the Lake Tahoe Region, and the economic recession. Overall, the Analysis found that the status quo does not provide a level of revenue that is sustainable for the South Shore.

Transformation: The Analysis found that in order to transform the economy and generate long term revenue, the types of changes proposed in the South Shore Vision Plan are necessary. These changes include:

- Diversifying into a more recreation based economy;
- Leveraging Lake Tahoe's history with entertainment in a unique setting; and
- Upgrading the visitor experience by providing walkable areas that feature upgraded visitor and community based experiences.

The Analysis also found that policy makers are at a unique juncture in that they can maintain the status quo or transform the visitor experience to foster economic vitality in the South Shore.

Existing Conditions and Conservation

The TRPA LiDAR Impervious Coverage Calculations from 2012 for the Kingsbury Commercial area and Nevada South Stateline area are provided in Figure 2.13.

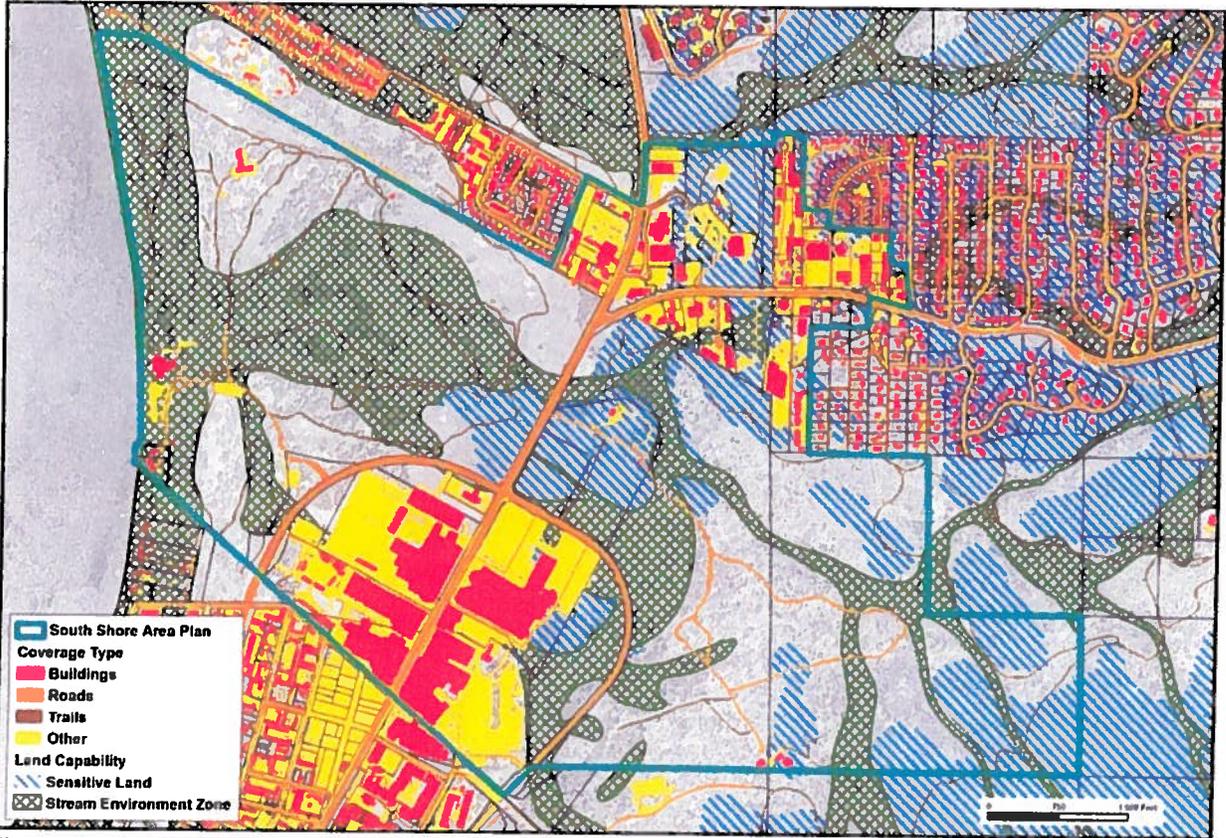
Figure 2.13
LiDAR Impervious Coverage Calculations, 2012

| Town Center | Acres Impervious | Total Area | Percent Impervious |
|-------------------------------|-------------------------|-------------------|---------------------------|
| Kingsbury Commercial | 51.55 | 88.25 | 58.42 |
| Nevada South Stateline | 81.41 | 115.44 | 70.52 |

Source: TRPA

Maps 2.27 and 2.28 show existing coverage and land capability for the South Shore Area Plan, respectively.

Map 2.27
South Shore Area Plan Coverage (Existing Conditions)



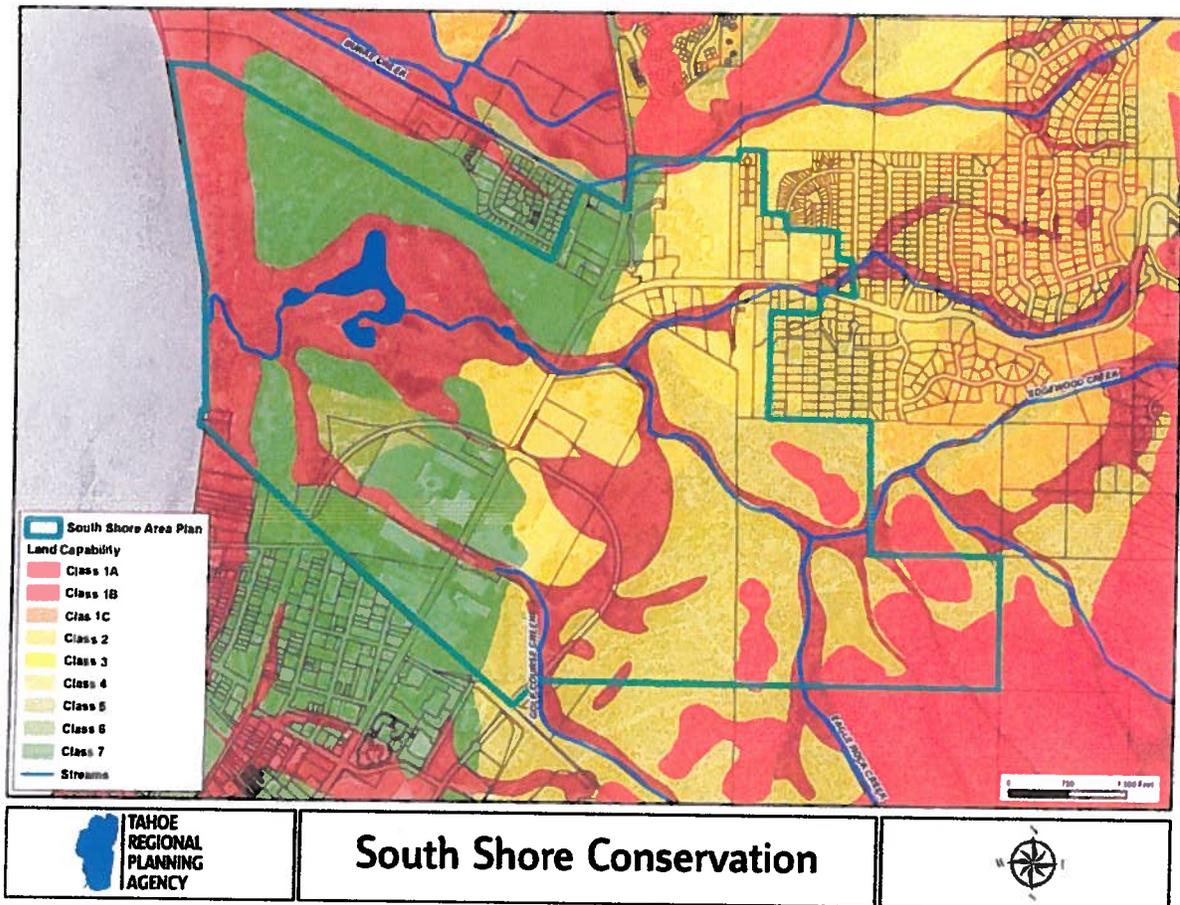
TAHOE
REGIONAL
PLANNING
AGENCY

South Shore Existing Conditions



Source: TRPA

Map 2.28
South Shore Area Plan Land Capability (Conservation) Map



Source: TRPA

The South Shore Area Plan retains the strict environmental protections required under the TRPA Regional Plan and includes several strategies to further accelerate environmental improvements and restoration including the following:

- **Environmental Redevelopment:** Promoting the redevelopment of existing developed areas to include increased bicycle, pedestrian, and transit amenities; coverage reduction; and compliance with water quality and other environmental regulations.
- **Transfers of Development Rights/Existing Development:** The High Density Tourist District and Lower Kingsbury Area, or “Centers”, have been designated as Receiving Areas for transfers of development on the Future Land Use Map (refer to Map 2.32). As shown on Map 2.27, the Centers are already extensively developed and meet or exceed coverage limitations. As Receiving Areas, future development will be directed to these areas instead of occurring in outlying and/or environmentally sensitive areas. Although not reflected as Receiving Areas on the Future Land Use Map, the Edgewood-Tahoe Golf Course site (limited to Special Area #1) is a receiving area in that up to 250 TAUs may be transferred to the site and the Edgewood Mountain site is a receiving area in that development is only allowed if it is transferred in and the transfer results in the retirement of development.
- **Compact Mixed-Use Land Use Pattern:** The Area Plan has new zoning districts to encourage a greater mixing of uses, which can result in fewer and shorter vehicle trips and associated improvements in air quality and traffic. In addition, the High Density Tourist District represents the largest tourist bed base in the Region, and the plan promotes recreational and non-auto transportation options in and around the district to further reduce vehicle trips.
- **TMDL Implementation:** Requires water quality improvements that will help the County meet TMDL milestones.
- **Comprehensive Coverage Reduction:** The Area Plan includes a policy that requires the County to consider opportunities for coverage reduction in all public and private redevelopment projects within Centers.
- **Area-Wide Water Quality Improvements:** Area-wide stormwater management systems, including the existing Stateline Stormwater System, are recognized and called for to ensure compliance with TRPA BMP and SLRP requirements.
- **Stream Environment Zone Protection:** An Area Plan policy requires Douglas County to consider opportunity for SEZ restoration in all public and private projects that contain disturbed SEZ.

Commercial Floor Area

The 35,000 square feet of remaining Commercial Floor Area (CFA) for the Stateline Community Plan and 1,250 square feet of remaining CFA for the Kingsbury Community Plan, for a total of 36,250 square feet of CFA, that has yet to be allocated to a project is

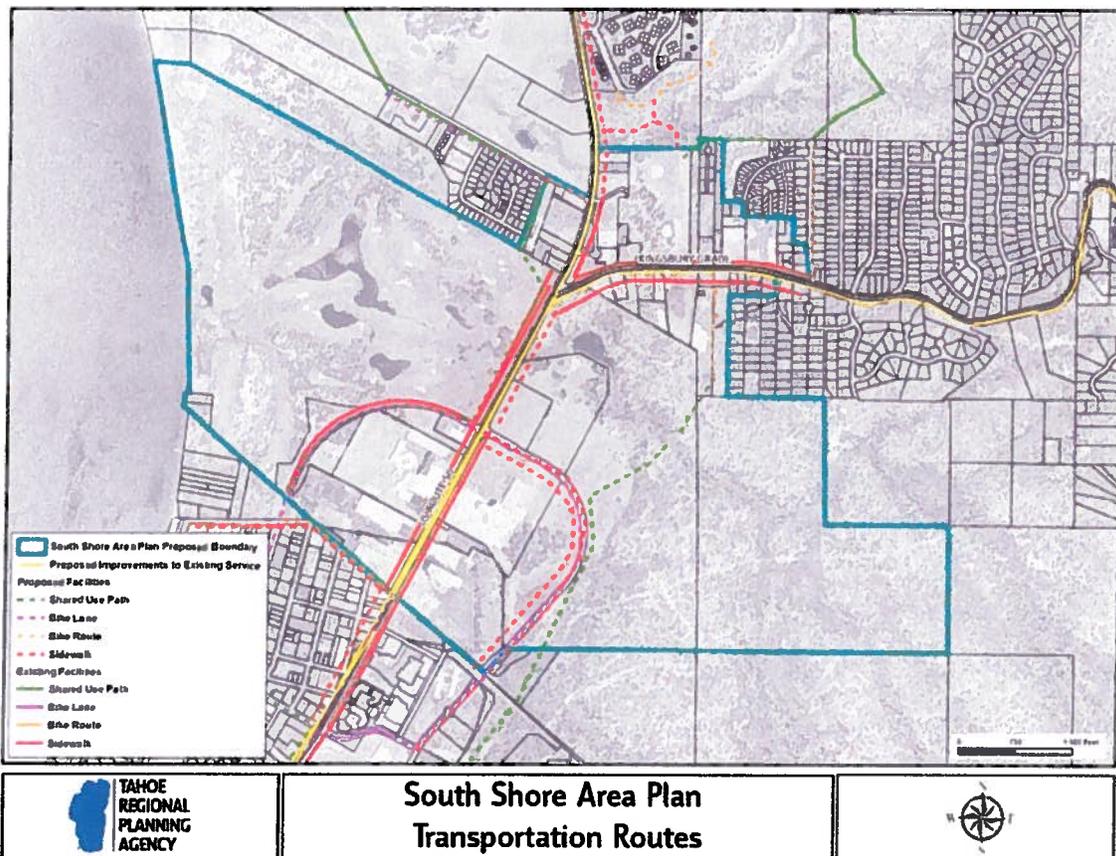
now available throughout the South Shore Area Plan. Under the 2012 TRPA Regional Plan, no new CFA will be allocated by TRPA until all of the existing CFA is used.

Transportation

The South Shore Area Plan was developed around the future U.S. 50 South Shore Community Revitalization Project (Loop Road), which is a project that would allow for traffic to flow around the High Density Tourist District and for the existing Highway 50 to be turned into a pedestrian friendly Main Street. The Tahoe Transportation District is currently conducting public workshops to evaluate alternative routing options for the project.

Map 2.29 includes the bike and pedestrian plan for the South Shore Area Plan (reflects bicycle and pedestrian facilities shown on Map 5, Conceptual Bicycle & Pedestrian Facilities, of the 2012 TRPA Regional Plan).

Map 2.29
South Shore Area Plan Bike and Pedestrian Plan



Source: TRPA

Transit services are currently provided throughout the South Shore Area Plan. Transit services are provided at the casinos and bus shelters have been placed along Highway 50

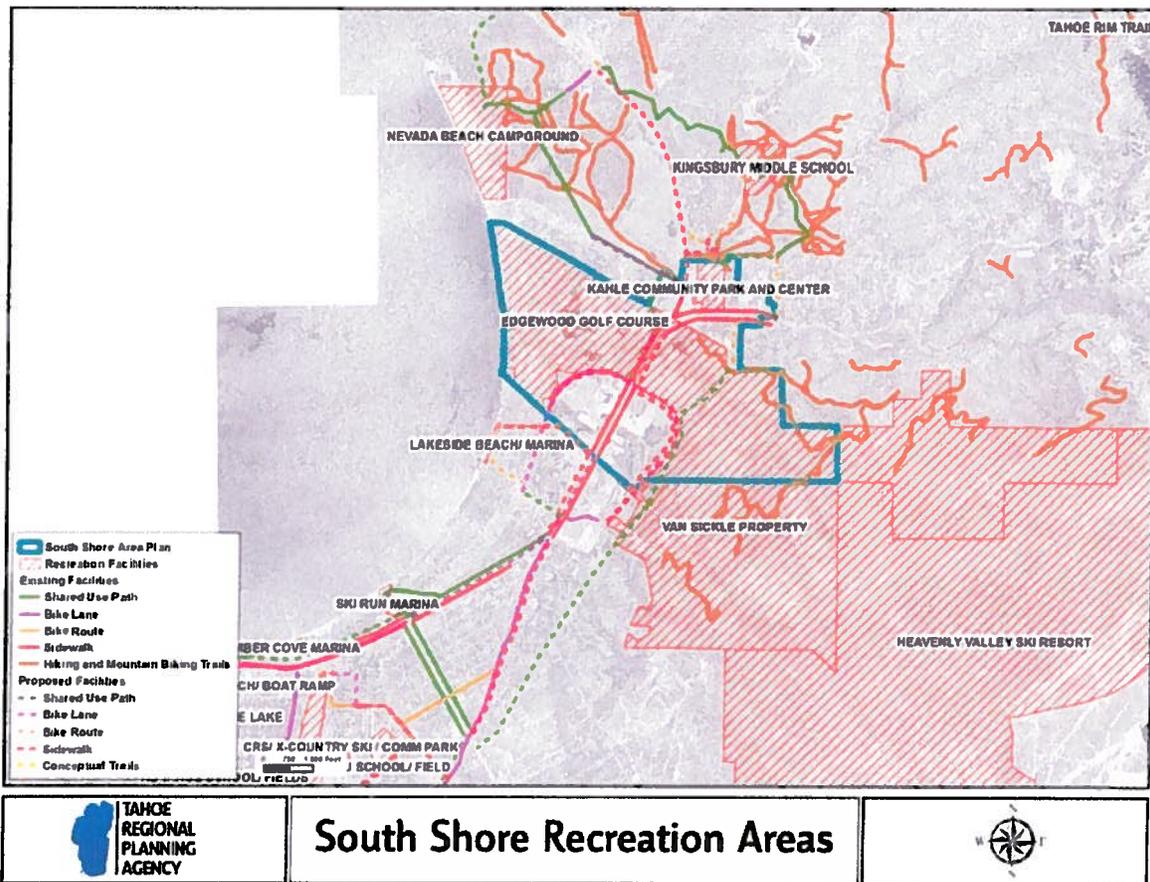
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and the Kingsbury Grade (State Route 207). The Kingsbury Transit Center, along Highway 50, is located at the base of the Kingsbury Grade. There are also transit services provided to connect the South Shore to the Carson Valley and free ski shuttles are offered. Future transit projects will be provided as planned for in the Regional Transportation Plan.

Recreation

Map 2.30 shows existing and future recreation opportunities within biking and walking distance of the South Shore Area Plan. The Nevada Stateline-to-Stateline Bikeway provides access to Lake Tahoe and the Van Sickle Bi-State Park includes trails that provide direct access to the Rim Trail.

Map 2.30
South Shore Area Plan Recreation Areas

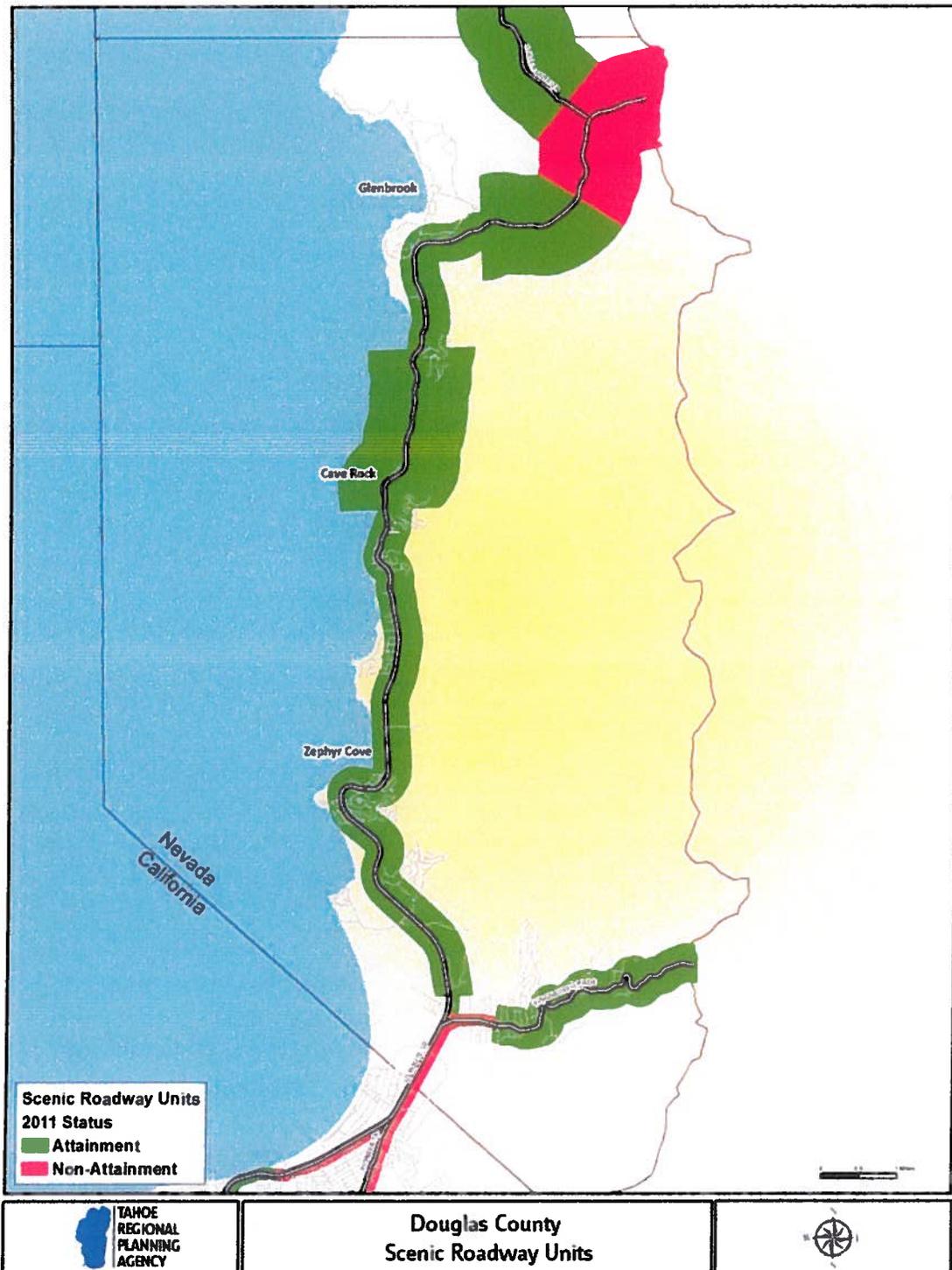


Design Standards and Guidelines

The 2011 Threshold Evaluation Report shows that the portions of Highway 50 that run through the South Shore Area Plan are currently not in attainment of the Scenic Threshold Standards (see Map 2.31). The South Shore Design Standards and Guidelines,

which include architectural, lighting, landscaping, and signage standards, have been developed to ensure that future development is brought into attainment, reflects the desired mountain character of the area, builds upon the concepts developed in the South Shore Vision Plan, and ties into existing and future redevelopment projects, such as the Heavenly Village Project, within the City of South Lake Tahoe.

Map 2.31
Scenic Threshold Status for Roadways in Lake Tahoe Region



Source: TRPA

Wayfinding Signage

A wayfinding signage program needs to be developed for the South Shore Area Plan to encourage visitors to walk, bike, or use transit (refer to T Action 4.4). It should be noted that the City of South Lake Tahoe and Tahoe Chamber of Commerce installed wayfinding street signs along Highway 50 in the City and the Tahoe Chamber of Commerce is working on a wayfinding signage program for Douglas County.



Area Wide Water Quality Control

The Stateline Regional Stormwater Treatment Disposal System Agreement (1997), established the Stateline Stormwater Association, created for the purpose of constructing, operating, and maintaining stormwater control, treatment, and disposal facilities to serve the casino core area of Stateline and achieve water quality targets. Association members consist of Mont Bleu, Harrah's, Harvey's, Horizon, Park Cattle Company (Edgewood Companies), Wells Fargo Bank, Douglas County (Lake Parkway), and the NDOT (Highway 50). This was the first public-private partnership developed to address stormwater on an area-wide level. Improvements constructed by the association tie together previously existing individual drainage systems and deliver an estimated 83 percent of the design storm volume to the treatment facility, with subsequent discharge to the irrigation storage reservoir on the Edgewood-Tahoe Golf Course. The Edgewood Lodge and Golf Course Improvement Project includes upgrades to this system, which will significantly reduce the amount of fine sediment particles entering Lake Tahoe. This area wide water quality control system also satisfies the TRPA requirement for onsite stormwater infiltration for drainage treatment and retention. It is anticipated that future redevelopment will also tie into this system. An area-wide water quality control system should be developed for the lower Kingsbury area to accelerate BMP installation.

PHASE II: DOUGLAS COUNTY AREA PLAN

Douglas County plans to get the South Shore Area Plan in place by mid-2013 and then come forward with an amendment to the South Shore Area Plan to create one Area Plan, which will be called the Douglas-Tahoe Area Plan, for all properties within the Tahoe Planning Area.

Key Issues

Nevada Senate Bill (SB) 271

Nevada Senate Bill (SB) 271 requires Nevada to withdraw from the Bi-State Compact if certain changes are not made, including amendments to the Governing Board's voting rules, consideration of changing economic conditions in the Regional Plan, and placing the legal burden of proof that an action violates the Compact on the challenger. The bill sets October 1, 2015, as a date for changes to be implemented with a possible extension to 2017 if the Governor proclaims that progress is being made.

The States of Nevada and California were able to come to a Bi-State Agreement which resulted in the final adoption of the 2012 TRPA Regional Plan, a significant step in meeting the provisions of SB 271. It is unclear at this time how the other issues raised in SB 271, including changes to the voting rules, will ultimately be resolved.

TRPA Regional Plan List of Priority Projects

There were a number of issues raised during the TRPA Regional Plan Update that have yet to be addressed (refer to 2012 TRPA Regional Plan, Attachment 5, *Preliminary List of Priority Projects*). These include: the need to prioritize an evaluation of affordable housing policies, evaluate floodplain management regulations, and evaluate the TRPA Code of Ordinances to make it more understandable and effective. Douglas County plans to continue to work with TRPA and other interested parties to address these issues.

Funding for Environmental Improvement Projects/TMDL

It is anticipated that funding available for EIP projects and the implementation of the TMDL Program/SLRP will be scarce as a result of the current economic climate and budget problems at federal, state, and local levels. Therefore, it is extremely important to develop regulations that encourage environmentally beneficial redevelopment and the associated implementation of water quality improvements, as well as evaluate the feasibility of developing a local funding source.

TMDL Coordination

One of the primary components of TMDL/SLRP implementation includes advanced road operations (or street sweeping) to reduce the amount of fine sediment from entering the Lake. In addition to Douglas County and NDOT, there are 11 GIDs and four HOAs responsible for maintaining streets in Douglas County. In most cases, these smaller entities do not have the resources or financial capability of implementing advanced road operations independently. Thus, the NTCD and County are currently discussing the idea of creating a TMDL Cooperative to implement advanced road operations.

Housing

Douglas County needs to utilize the information in Chapter 4, *Housing Element*, which includes recommendations to address housing needs in the Tahoe Planning Area, to encourage the TRPA to develop policies and programs that support the development of affordable housing and mixed-use town centers with a variety of housing options. TRPA is undertaking a regional housing needs assessment with the objective of revising regional policies to better address an unmet need for affordable and moderate income housing. Douglas County will work with TRPA through this process to ensure changes to regional policies are coordinated with Chapter 4, *Housing Element*.

Economy

Douglas County needs to continue to work to address issues raised in the Economic Vitality Strategy and Action Plan (Tahoe Revitalization) and Lake Tahoe Basin Prosperity Plan, as discussed in Chapter 9, *Economic Development Element*.

Transportation

The South Shore Area Plan was developed around the South Shore Community Revitalization Project (Loop Road). Although it is discussed in the Compact and has been in the planning process for over 20 years, this project has yet to move forward as a result of lack of funding and support from residents and business owners impacted by the project in the City of South Lake Tahoe. In order to encourage the redevelopment of the built environment and walking and biking in the South Shore Area Plan, Douglas County plans to continue to work with the TMPO/TDD, NDOT, and City of South Lake Tahoe to explore alternative designs, secure funding, and implement the project.

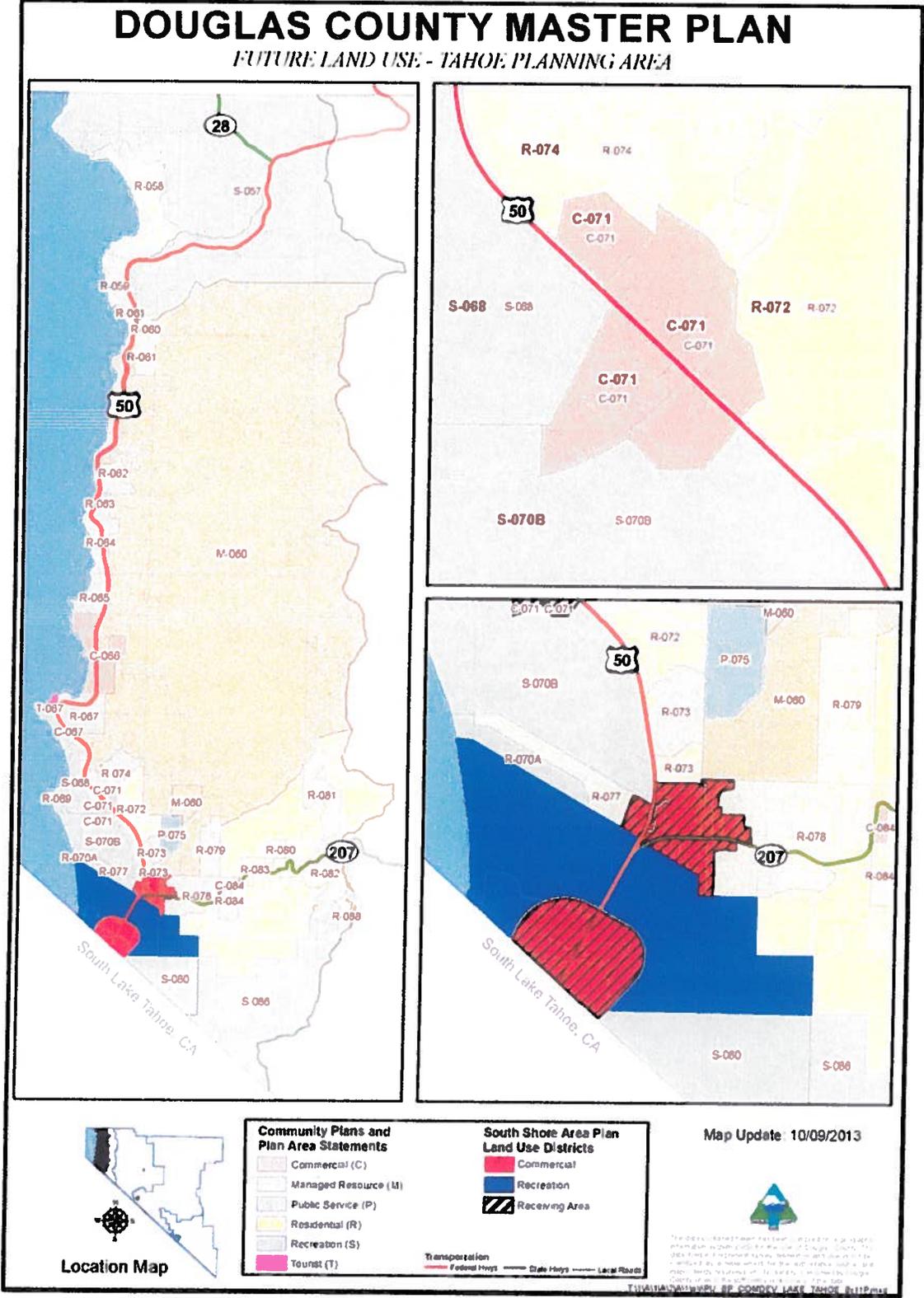
Tahoe Planning Area Future Land Use Map

Figure 2.14 lists the Douglas County Community Plan (Round Hill) and Plan Area Statements still in effect. Plan Area Statements 070A (Edgewood) and 080 (Kingsbury Drainage) have not been deleted because portions of the Plan Area Statements are still in effect. Map 2.32 is the future land use map for the Tahoe Planning Area and includes the new land use districts for the South Shore Area Plan.

**Figure 2.14
Tahoe Planning Area Community Plan and Plan Area Statements**

| CP/PAS# | Community Plan/ Plan Area Statement | Land Use |
|---------|--|-------------------|
| 57 | Spooner Lake | Recreation |
| 58 | Glenbrook | Residential |
| 59 | Shakespeare Point | Residential |
| 60 | Genoa Peak | Conservation |
| 61 | Logan Creek | Residential |
| 62 | Cave Rock | Residential |
| 63 | Lincoln | Residential |
| 64 | Lakeridge | Residential |
| 65 | Skyland | Residential |
| 66 | Zephyr Cove | Recreation |
| 67 | Marla Bay/Zephyr Heights | Residential |
| 68 | Round Mound | Recreation |
| 69 | Elk Point | Residential |
| 070A | Edgewood | Recreation |
| 070B | Rabe | Recreation |
| 71 | Round Hill CP | Commercial/Public |
| 72 | Round Hill/Tahoe Dempsey | Residential |
| 73 | Lake Village | Residential |
| 74 | Round Hill/ Residential | Residential |
| 75 | Douglas County SID | Service |
| 77 | Oliver Park | Residential |
| 78 | Middle Kingsbury | Residential |
| 79 | Chimney Rock | Residential |
| 80 | Kingsbury Drainage | Conservation |
| 81 | Kingsbury Village | Residential |
| 82 | Upper Kingsbury | Residential |
| 83 | Kingsbury Heights | Residential |
| 84 | Palisades | Residential |
| 86 | Heavenly Valley (NV) | Recreation |
| 88 | Tahoe Village | Residential |

Map 2.32
 Tahoe Planning Area Future Land Use Map



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Tahoe (T) Planning Area Goals, Policies, and Actions

The following goals, policies, and actions serve as a guide for moving forward with addressing issues and implementing identified projects and programs:

- T Goal 1** **To coordinate with the TRPA in achieving mutual objectives and simplify the development review process.**
- T Action 1.1 Douglas County, in coordination with TRPA, shall develop an Area Plan that covers the entire Tahoe Planning Area.
- T Action 1.2 Douglas County shall enter into a Memorandum of Understanding (MOU) with TRPA to take over additional permitting responsibilities in the Tahoe Planning Area.
- T Action 1.3 Douglas County shall encourage TRPA to develop a technical working group to improve the predictability and effectiveness of the TRPA Code of Ordinances.
- T Action 1.4 Douglas County shall coordinate with TRPA to develop a regional housing needs assessment and implementing policies and programs.
- T Goal 2** **To continue to participate in efforts to improve the clarity of Lake Tahoe and surrounding environment.**
- T Policy 2.1 Douglas County shall continue to implement projects identified in the Environmental Improvement Program (EIP).
- T Policy 2.2 Douglas County shall consider opportunities for SEZ restoration in all public and private redevelopment projects that contain disturbed SEZ.
- T Policy 2.3 Douglas County shall consider opportunities for coverage reduction in all public and private redevelopment projects within Centers.
- T Policy 2.4 Douglas County shall support efforts by the NTCD to secure funding For BMP technical assistance and education.
- T Policy 2.5 Douglas County shall work with the NTCD to focus BMP enforcement and compliance efforts in high loading areas with connectivity to Lake Tahoe identified in the SLRP.
- T Action 2.1 Douglas County shall continue to work with NDEP, NTCD, GIDs, and other stakeholders on the development and implementation of the Stormwater Load Reduction Plan, the Plan to implement the Lake Tahoe Total Maximum Daily Load (August 2011).

- T Action 2.2 Douglas County shall participate with the NTCD, NDOT, GIDs, and HOAs to develop a stormwater management collaborative to implement projects and programs identified in the SLRP.
- T Action 2.3 Douglas County shall work with the NTCD and property owners in the lower Kingsbury area to develop an area wide water quality improvement project.
- T Action 2.4 Douglas County shall move forward with an Area Plan amendment to incorporate the SLRP within six months of the adoption of the SLRP by NDEP.
- T Action 2.5 Douglas County shall participate in the TRPA BMP Compliance Subcommittee and consider moving forward with actions identified by the Sub-Committee to increase BMP compliance.
- T Action 2.6 Douglas County shall work with the NTCD to develop a strategy to address BMP enforcement, compliance, and maintenance.
- T Goal 3 To develop public-private partnerships in order to promote environmental redevelopment, expand recreational opportunities, and achieve Tahoe Revitalization.**
- T Policy 3.1 Douglas County shall encourage TRPA to adopt goals, policies, and regulations that encourage the environmental redevelopment of the built environment.
- T Policy 3.2 Douglas County shall continue to participate in programs and projects identified in the Economic Vitality Strategy and Action Plan (Tahoe Revitalization) and Lake Tahoe Basin Prosperity Plan.
- T Action 3.1 Douglas County shall explore the feasibility of developing a Tax Increment Financing (TIF) or Tax Increment Area (TIA) to fund public improvements within the South Shore Area Plan and surrounding area.
- T Goal 4 To encourage alternative modes of transportation in order to reduce vehicle miles traveled (VMT) and improve the Lake Tahoe experience.**
- T Policy 4.1 Sidewalks and landscaping shall be required for all new and expanded uses.
- T Policy 4.2 Pedestrian linkages between parking lots shall be provided to reduce VMT.

- T Action 4.1 Douglas County shall continue to participate in efforts to complete the Nevada Stateline-to-Stateline Bikeway (Tahoe Lakeview Trail) Project.
- T Action 4.2 Douglas County shall participate with the TMPO, Tahoe Transportation District, Federal Highway Administration, NDOT, City of South Lake Tahoe, Caltrans, and Nevada State Parks in the planning and implementation of the South Shore Community Revitalization Project (Loop Road).
- T Action 4.3 Douglas County shall explore the feasibility of acquiring an easement and constructing a pedestrian/bike path through the Edgewood Mountain parcel, from Market Street to the Van Sickle Bi-State Park, to encourage the use of alternative modes of transportation and reduce VMT.
- T Action 4.4 Douglas County shall develop a wayfinding signage program to encourage walking, biking, and transit use.
- T Goal 5 Enhance the aesthetic character if the built environment to preserve and compliment the natural environment.**
- T Policy 5.1 The area adjoining Highway 50 should be maintained as a scenic view corridor.
- T Policy 5.2 The Edgewood Mountain open space parcel (Parcel 1) recorded in the Official Records of Douglas County as Document No. 26156 shall continue to be maintained as a scenic view corridor and as a historic site.
- T Policy 5.3 Utilities shall be placed underground along scenic corridors and throughout the Tahoe Planning Area.
- T Policy 5.4 Maximize views of the Lake and surrounding mountain ridgelines from Highway 50 and public gathering places through appropriate site and building design.
- T Action 5.1 Douglas County shall work with TRPA and business owners to improve the appearance of signage.
- T Goal 6 To retain special policies from the Community Plans and Plan Area Statements in the Area Plan.**
- T Policy 6.1** Public recreation uses and health and wellness uses shall be the primary uses on the Kahle Community Center site.
- T Policy 6.2 The area east of Shady Lane shall remain an industrial area.
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T Policy 6.3 The 250 TAUs allowed on the Edgewood Golf Course site shall be limited to Special Area (SA) #1 as shown on the Record of Survey Map for Park Cattle Co. recorded in the Official Records of Douglas County as Document No. 34529.

Topaz Regional Plan

Location and General Description

The Topaz Regional Plan is located in the southern portion of Douglas County along U.S. Highway 395. The area totals approximately 78,251 acres, 17 percent of the county. Approximately 2,065 acres are devoted to urban uses, with 80 percent of the urban land allocated to residential uses. There are five distinct areas within the Regional Plan: Topaz Ranch Estates (TRE)/Holbrook, Topaz Lake, Walker River Valley, Spring Valley, and Antelope Valley.

The Holbrook area to the west of U.S. Highway 395 is very low density, 2- to 10-acre lots, with single-family homes, in a rolling wooded setting. It contains a central core of commercial uses around U.S. Highway 395. The TRE subdivision consists of 1- to 2-acre lots with internal open space. The primary dwelling unit in TRE is the mobile home. TRE/Holbrook area is located within a Community Plan, which also includes Spring Valley, a level, low-lying area, which is currently sparsely developed with large lot parcels, which is located approximately five miles north of Holbrook Junction.

The Topaz Lake area is also located within a Community Plan. The Topaz Lake community is a triangular-shaped region in the southern portion of Douglas County bounded by Topaz Lake, U.S. Highway 395 on the west, Wild Oat Mountain to the north, and the California State line to the west. The existing casinos and commercial land use designations flank U.S. Highway 395, which forms the westerly boundary of the residential area. The residential area is subdivided into lots as small as 1/2 acre, although the majority of lots have not been built upon.

The more rural areas, Antelope Valley and Walker River Valley, are not within Community Plans and are addressed as part of the overall Topaz Regional Plan. The Antelope Valley is located on the southern-most portion of Douglas County. Antelope Valley comprises approximately 47,346 acres; 33,356 are public lands, all of which are controlled by the U.S. Forest Service. Except for the East Valley Road, no access other than dirt trails exists for this area. With a 2010 population of only 15 people, Antelope Valley is the most sparsely populated community in the county.

Walker River Valley is located on the eastern portion of the Regional Plan. Along the Walker River there are agricultural lands and riparian vegetation. The Walker River separates Antelope Valley from the rest of the Topaz area. The topography is characterized with steep slopes, sparsely wooded piñon pines, hillsides, and a scattering of agricultural lands.

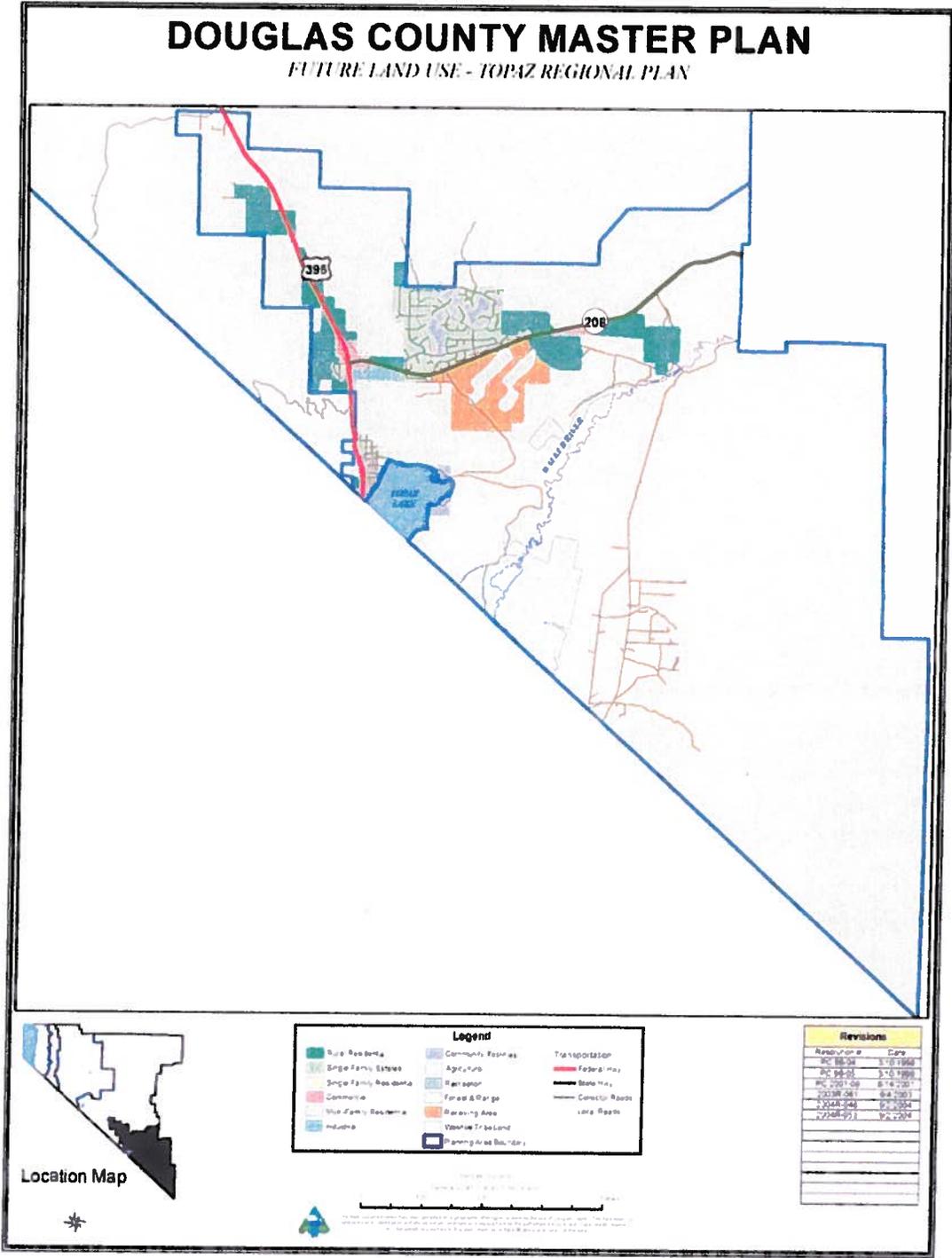
Topaz communities have natural features that have an impact on development in the area. The Topaz slopes map depicts the general locations of moderate (15 percent to 30 percent) and steep (over 30 percent) slopes; it also shows the general location of a major range-front fault. The Topaz floodplain map depicts areas that are within the 100-year floodplain. Areas outside of the 100-year floodplain that have locally significant flood

potential are not shown on this map. However, one such area exists in TRE due to the drainage of Minnehaha Canyon. These features raise concerns about slope stability, seismic hazard, fire, and flood hazards and will affect the type, location and design of future development.

The 2010 population of the Topaz Regional Plan is 2,071 people.

Map 2.16 depicts the Topaz Regional Plan future land uses.

Map 2.16
Topaz Regional Plan Future Land Use Map



Topaz Ranch Estates/Holbrook Community Plan

The Topaz Ranch Estates (TRE)/Holbrook Community Plan is located in the southern portion of Douglas County along U.S. Highway 395, to the north of Topaz Lake. The area includes Spring Valley, which is located approximately five miles north of Holbrook Junction. Topaz Ranch/Holbrook is located to the north and west of State Route 208, and is separated from Topaz Lake by Wild Oat Mountain and is characterized by moderate to steep slopes, sparsely wooded with piñon pine. This community is comprised of approximately 26,813 acres.

The estimated 2010 population is 1,902 people.

Existing and Future Land Use

Land uses in the Topaz Ranch/Holbrook community includes limited irrigated agriculture, range lands, forested lands, rural residential, and a limited amount of commercial. The existing rural residential areas are on lots ranging in size from 1 to 10 acres. The majority of the existing homes are on lots in the 2-acre range. The irrigated agricultural lands lie in the southeast portion of this community. Range lands are located on the western side of this community. A small industrial area is located just southeast of the intersection of U.S. Highway 395 and Highway 208 to serve the region's industrial needs.

The predominant land uses in the TRE/Holbrook community are residential and public open space. The majority of developed lots are 2 - 2.5 acres in TRE. Holbrook lots generally range from 2 to 10 acres. About 62 percent of the residents live in mobile homes. Holbrook contains three small mobile home parks.

Map 2.17 depicts the land use for this area.

Future Development and Receiving Area

An area south of TRE is designated as Receiving Area. A specific plan which specifies densities and uses and mitigates planning and environmental issues must be prepared and adopted prior to establishing this area for actual development and rights acquired to support the densities. Overall, the new development area is anticipated to be designed for compatible uses with the existing community. The concept of developing a small, reasonably self-contained neighborhood is proposed, which would contain several housing types, including limited multi-family housing and densities, and be supported with community and commercial facilities. A community of 1,000-2,000 units would be anticipated, which would require water and sewer systems.

Topaz Lake Community Plan

The Topaz Lake community is a triangular-shaped region in the southern portion of Douglas County bounded by Topaz Lake, U.S. Highway 395 on the west, Wild Oat Mountain to the north, and the California State line to the west. The existing casinos and commercial land use designations flank U.S. Highway 395, which forms the westerly boundary of the residential area. The marina area has limited seasonal commercial use.

The community is characterized by moderate to steep slopes, sparsely wooded with piñon pine. The community is comprised of approximately 4,089 acres, of which 2,269 acres are public land.

The 2010 population for Topaz Lake is 154 people.

The Topaz Lake community consists of commercial land uses along U.S. Highway 395 and relatively high density residential uses. To the east along the north shore of Lake Topaz, the land use designation is farm, forestry, and open reserve. Lot sizes in the original subdivision vary from 5,000 square feet to just under ½ acre. Lot sizes that have developed on the hillside to the north vary from 1 to 5 acres. There are no industrial or multi-family land uses currently within the Community Plan.

Map 2.18 depicts future land use for this area.

Key Issues

The below key issues are for the Topaz Regional Plan, including the TRE/Holbrook Junction and Topaz Lake Community Plans.

Natural Hazards

Natural hazards created by steep slopes, which contribute to wildland fires, seismic activity, and slope instability and sliding, are concerns of residents of the area. Flash flooding is also a concern for area residents. Development in the TRE/Holbrook and Topaz Lake should be designed and maintained to minimize hazards to future residents, and public safety services must be provided to respond to emergencies.

Economic Development

The Topaz Lake community includes opportunities for expanding resort/gaming operations, as well as other forms of tourism. The area is also ideal for commercial development to serve travelers using U.S. Highway 395, as well as meeting commercial needs of residents in nearby Lyon and Mono Counties.

Senior Service Facilities

As the number of seniors increase, there will be an increased need for services to meet the special needs of this segment of the population.

Adequate Levels of Services and Facilities

Residents have indicated they wish to maintain the current rural service standards in their residential areas with no provision for sidewalks or street lights. Paving of roads where medium to high traffic volumes occur could improve air quality, reduce road maintenance costs, and improve road durability.

Septic Systems

There is a high concentration of septic systems located around Topaz Lake.

Topaz (TPZ) Regional Plan (including TRE/Holbrook and Topaz Lake Community Plans) Goals, Policies and Actions

- TPZ Goal 1** **To maintain the existing rural character of the residential areas of TRE/Holbrook and Topaz Lake.**
- TPZ Policy 1.1 Douglas County shall designate the Topaz region as a rural community.
- TPZ Policy 1.2 Those areas designated as single-family estates shall be maintained at a minimum two (2) acre parcel size.
- TPZ Goal 2** **To maintain compact development patterns in each of the communities.**
- TPZ Policy 2.1 Douglas County shall designate areas for compact commercial development in the Topaz area where commercial centers are established and can be expanded. Douglas County shall discourage strip commercial development.
- TPZ Goal 3** **To provide adequate community services and facilities to meet the needs of Topaz area residents.**
- TPZ Policy 3.1 Douglas County shall cooperate with other providers, where applicable, to plan and provide public facilities and services to the rural development areas of the Topaz communities at established rural levels of service. The County should work to upgrade facilities in existing rural areas over time and with available resources.

- TPZ Policy 3.2 The Douglas County School District should continue to monitor the need for development of potential school sites in the Topaz area.
- TPZ Policy 3.3 Douglas County shall require that all arterial and collector streets in new urban and rural development areas be paved.
- TPZ Policy 3.4 Douglas County shall require the paving of local streets in new urban and rural developments.
- TPZ Policy 3.5 Douglas County should encourage the Topaz Ranch Estates GID to use the same roadway paving standards established for County roads, and should encourage the GID to pave existing collector roadways.
- TPZ Policy 3.6 Douglas County shall allow the use of individual sewage disposal systems and domestic wells for service in rural residential areas of Topaz, unless continuing water quality studies identify the need for community systems.
- TPZ Policy 3.7 Douglas County shall encourage consolidation and expansion of water systems to serve the Topaz Lake area.
- TPZ Policy 3.8 Douglas County shall require that the future development and Receiving aArea be served by community water and sewer systems.
- TPZ Policy 3.9 Douglas County shall encourage expansion and consolidation of water service systems.
- TPZ Goal 4 To provide appropriate public safety service to the Topaz area communities.**
- TPZ Policy 4.1 Douglas County shall cooperate with the TRE and the Topaz Lake Volunteer Fire Departments to provide adequate fire response times and fire suppression facilities for these communities.
- TPZ Policy 4.2 Douglas County shall work with the TRE and Topaz Lake Volunteer Fire Departments, East Fork Fire & Paramedic District, and water providers to make available sufficient fire flow to meet the needs of the Topaz communities. The development of fire fill stations or other water storage may be necessary to implement this policy.
- TPZ Policy 4.3 Douglas County shall require development in designated fire hazard areas to provide appropriate emergency access.
- TPZ Policy 4.4 Douglas County shall require development in areas of moderate to steep slopes (slopes greater than 10 percent) to conform to the hillside development policies.
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- TPZ Policy 4.5 Douglas County shall require development of lands within areas of identified active fault zones to conform to the seismic policies.
- TPZ Policy 4.6 Douglas County shall evaluate the need for additional policies regarding floodplain and floodway areas in the Topaz communities.
- TPZ Policy 4.7 Douglas County shall continue to cooperate with the TREGID in assessing flash flooding hazards in this community and in evaluating potential facility needs and funding sources for related drainage improvements.
- TPZ Goal 5 To provide recreational opportunities for both residents of the Topaz area communities and residents of other county communities.**
- TPZ Policy 5.1 Douglas County should plan parks in the Topaz community consistent with the County's park standards established in the Parks and Recreation Element.
- TPZ Policy 5.2 Douglas County shall evaluate the special recreational needs of senior citizens in the Topaz communities and include these in its recreational facility planning.
- TPZ Policy 5.3 Douglas County shall continue to provide County-wide park services and facilities at Topaz Lake Park as long as the leasehold is maintained.
- TPZ Policy 5.4 Douglas County shall cooperate with BLM in planning public access and use of BLM lands in the Topaz area, particularly where BLM lands are adjacent to Topaz Park or other County recreational facilities.
- TPZ Policy 5.5 When adjacent to Federal lands, development as part of a Land Division Application shall provide access to Federal lands as determined by the Board of Commissioners.

Map 2.18
Topaz Lake Future Land Use Map

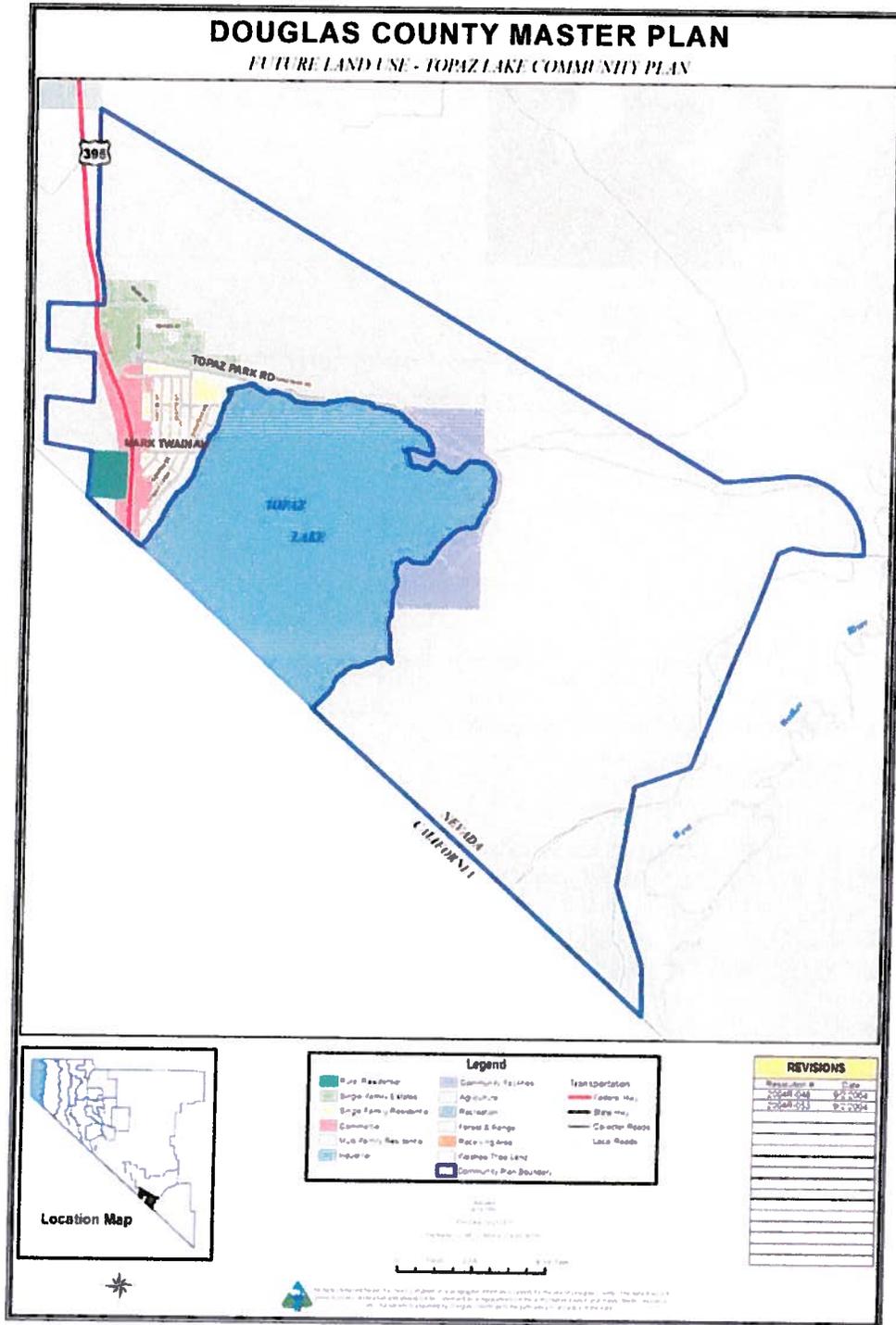


Exhibit C – Nevada Revised Statute Chapter 279 – Redevelopment of Communities

CHAPTER 279 - REDEVELOPMENT OF COMMUNITIES

GENERAL PROVISIONS

| | |
|-------------------------------------|--|
| <u>NRS 279.382</u> | Short title. |
| <u>NRS 279.384</u> | Definitions. |
| <u>NRS 279.386</u> | “Agency” defined. |
| <u>NRS 279.388</u> | “Blighted area” defined. |
| <u>NRS 279.390</u> | “Bonds” defined. |
| <u>NRS 279.392</u> | “Community” defined. |
| <u>NRS 279.3925</u> | “Developer” defined. |
| <u>NRS 279.393</u> | “Eligible railroad” defined. |
| <u>NRS 279.394</u> | “Federal Government” defined. |
| <u>NRS 279.396</u> | “Legislative body” defined. |
| <u>NRS 279.397</u> | “Low-income household” defined. |
| <u>NRS 279.398</u> | “Obligee” defined. |
| <u>NRS 279.400</u> | “Planning commission” defined. |
| <u>NRS 279.404</u> | “Public body” defined. |
| <u>NRS 279.406</u> | “Real property” defined. |
| <u>NRS 279.408</u> | “Redevelopment” defined. |
| <u>NRS 279.410</u> | “Redevelopment area” defined. |
| <u>NRS 279.412</u> | “Redevelopment project” defined. |
| <u>NRS 279.413</u> | “Southern Nevada Enterprise Community” defined. |
| <u>NRS 279.414</u> | “State” defined. |
| <u>NRS 279.416</u> | Declaration of state policy: Necessity of redevelopment of blighted areas. |
| <u>NRS 279.418</u> | Declaration of state policy: Growing menace of blighted areas to public health, safety and welfare; benefits to inhabitants resulting from remedying conditions. |
| <u>NRS 279.420</u> | Declaration of state policy: Inability of individual landowners to rehabilitate property; remedy by public acquisition. |
| <u>NRS 279.422</u> | Declaration of state policy: Temporary government-owned wartime housing projects as blighted areas. |
| <u>NRS 279.424</u> | Declaration of state policy: Redevelopment of blighted areas by eminent domain; public use; necessity. |
| <u>NRS 279.425</u> | Declaration of state policy: Adequate supply of decent, safe and sanitary low-income housing necessary to accomplish purposes of Community Redevelopment Law. |

AGENCIES

| | |
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| <u>NRS 279.426</u> | Agency for redevelopment: Creation. |
| <u>NRS 279.428</u> | Resolution of legislative body as prerequisite to functioning of agency. |
| <u>NRS 279.430</u> | Authority of agency conclusively presumed from resolution. |
| <u>NRS 279.432</u> | Powers of public bodies in aid of local redevelopment. |
| <u>NRS 279.434</u> | Exemption of agency and property from execution, process or lien; exceptions. |
| <u>NRS 279.436</u> | Suspension of agency’s authority. |
| <u>NRS 279.438</u> | Termination of redevelopment plan adopted before January 1, 1991, and amendments to plan; extension of plan in city whose population is 500,000 or more. |
| <u>NRS 279.439</u> | Termination of redevelopment plan adopted on or after January 1, 1991, and amendments to plan. |
| <u>NRS 279.440</u> | Appointment of members; exceptions. |
| <u>NRS 279.442</u> | Restriction on appointment of members. |
| <u>NRS 279.443</u> | Alternative method of appointment of members; staggering of terms of resident electors; successors; vacancies. |
| <u>NRS 279.444</u> | Action of legislative body as alternative to appointment of members; city’s exercise of powers; delegation of powers and functions. |
| <u>NRS 279.446</u> | Terms of office of members; vacancies. |
| <u>NRS 279.448</u> | Chair: Designation; election; term of office. |
| <u>NRS 279.450</u> | Compensation and expenses of members. |

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| <u>NRS 279.452</u> | Removal of member: Grounds; procedure. |
| <u>NRS 279.454</u> | Interest in property included in redevelopment area forbidden; disclosure of interest; exception. |
| <u>NRS 279.456</u> | Acquisition of property by agency from member or officer by eminent domain. |
| <u>NRS 279.458</u> | Agency's power vested in members. |
| <u>NRS 279.460</u> | Agency's governmental functions; powers. |
| <u>NRS 279.462</u> | Powers of agency. |
| <u>NRS 279.464</u> | Services and facilities available to agency. |
| <u>NRS 279.466</u> | Personnel: Selection; employment; compensation; limitations. |
| <u>NRS 279.468</u> | Preparation of plans for blighted areas; dissemination of redevelopment information; acceptance and expenditure of money; creation of residential plan; budget. |
| <u>NRS 279.470</u> | Acquisition, management, disposal and encumbrance of interests in real and personal property; insurance. |
| <u>NRS 279.471</u> | Requirements for agency to exercise power of eminent domain; resolutions; limited judicial review. |
| <u>NRS 279.4712</u> | Prerequisites to agency exercising power of eminent domain; requirements for written offer; appraisal performed on behalf of owner of property. |
| <u>NRS 279.4714</u> | Prerequisite to request that agency exercise power of eminent domain. |
| <u>NRS 279.472</u> | Leases or sales: Public hearing. |
| <u>NRS 279.474</u> | Development of building sites. |
| <u>NRS 279.476</u> | Rehousing bureau. |
| <u>NRS 279.478</u> | Assistance for relocation. |
| <u>NRS 279.480</u> | Investments. |
| <u>NRS 279.482</u> | Imposition of conditions on lessees and purchasers; employment plan required in proposal for redevelopment project; contents of plan. |
| <u>NRS 279.484</u> | Breach of covenants running with the land. |
| <u>NRS 279.486</u> | Purchase and construction of certain buildings, facilities and improvements; certain agencies to prepare report related to purchase and construction; contribution by and reimbursement of community or other governmental entity. |
| <u>NRS 279.488</u> | Continuation of existing buildings on land; justification for acquisition by agency. |
| <u>NRS 279.490</u> | Financial assistance from governmental and private sources. |
| <u>NRS 279.492</u> | Eminent domain: Existing public use; consent of public body. |
| <u>NRS 279.494</u> | Territorial jurisdiction: Counties; cities. |
| <u>NRS 279.496</u> | Property owned in redevelopment project: Payment of money in lieu of taxes. |
| <u>NRS 279.498</u> | Work exceeding \$10,000 requires competitive bidding. |
| <u>NRS 279.500</u> | Applicability of provisions governing payment of prevailing wage for public works projects. |
| <u>NRS 279.508</u> | Joint exercise of powers by two or more agencies: Authority; action at joint hearings and meetings or by designated agency. |
| <u>NRS 279.510</u> | Joint exercise of powers by two or more agencies: Designated agency to obtain report and recommendation of planning commissions concerning conformity of redevelopment plan to community's master or general plan. |
| <u>NRS 279.512</u> | Joint exercise of powers by two or more agencies: Designated agency's cooperation with planning commissions in formulating redevelopment plans. |
| <u>NRS 279.514</u> | Redevelopment of area within another community's territory. |

PLANS

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| <u>NRS 279.516</u> | Prerequisites of community for redevelopment: Planning commission; master plan. |
| <u>NRS 279.518</u> | Designation of areas for evaluation as redevelopment areas. |
| <u>NRS 279.519</u> | Areas acceptable for designation as redevelopment areas; percentage of redevelopment area required to be improved land; limitation on inclusion of taxable property in area in subsequently created redevelopment area. |
| <u>NRS 279.520</u> | Contents of resolution designating area for evaluation. |
| <u>NRS 279.522</u> | Requests for evaluation of particular area. |
| <u>NRS 279.524</u> | Selection of redevelopment area; preliminary plan. |
| <u>NRS 279.526</u> | Preliminary plan: Sufficiency. |
| <u>NRS 279.528</u> | Submission of preliminary plan to agency; analysis. |
| <u>NRS 279.530</u> | Cooperation of agency and planning commission. |
| <u>NRS 279.564</u> | Preparation or adoption of redevelopment plan by agency; hearings and negotiations. |
| <u>NRS 279.566</u> | Property owners' participation and assistance in redevelopment; agency's rules; provisions if nonparticipation. |
| <u>NRS 279.568</u> | Conformance to master or general plan for community. |
| <u>NRS 279.570</u> | Report by planning commission; vote of legislative body. |

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| <u>NRS 279.572</u> | Contents of redevelopment plan: General requirements. |
| <u>NRS 279.574</u> | Contents of redevelopment plan: Leases and sales of real property by agency. |
| <u>NRS 279.576</u> | Contents of redevelopment plan: Acquisition of property; bonds. |
| <u>NRS 279.578</u> | Submission of redevelopment plan to legislative body; report required. |
| <u>NRS 279.580</u> | Matters to be considered by legislative body; public hearing; notice. |
| <u>NRS 279.583</u> | Proposals by legislative body to exclude certain land from proposed redevelopment area. |
| <u>NRS 279.586</u> | Adoption of redevelopment plan by ordinance: Determinations; contents of ordinance. |
| <u>NRS 279.589</u> | Effect of decision of legislative body. |
| <u>NRS 279.598</u> | Safeguards required that redevelopment will be carried out; controls. |
| <u>NRS 279.602</u> | Copy of ordinance transmitted to agency. |
| <u>NRS 279.6025</u> | Submission of initial and annual reports for each redevelopment area in redevelopment plan. |
| <u>NRS 279.603</u> | Recording of statement regarding redevelopment; transmission of certain information if taxes are to be divided. |
| <u>NRS 279.6035</u> | Applicants for building permits must be advised of redevelopment area. |
| <u>NRS 279.604</u> | Approval of contracts by legislative body. |
| <u>NRS 279.608</u> | Material deviation from or amendment of redevelopment plan: Recommendation to legislative body; hearing; notice; report and recommendations by planning commission; action by legislative body. |
| <u>NRS 279.609</u> | Limitations on actions to question validity of redevelopment plan or amendment. |

PROJECTS IN CITIES WHOSE POPULATION IS 500,000 OR MORE

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| <u>NRS 279.6092</u> | Applicability. |
| <u>NRS 279.6094</u> | Employment plan required for redevelopment project built as public work. |
| <u>NRS 279.6096</u> | Partial withholding of incentive by agency. |
| <u>NRS 279.6098</u> | Report by developer of information relating to redevelopment project; penalty for failure to submit report. |
| <u>NRS 279.6099</u> | Appeal of refusal to pay amount of incentive withheld by agency. |

FINANCIAL PROVISIONS

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|------------------------------------|---|
| <u>NRS 279.610</u> | Appropriations. |
| <u>NRS 279.612</u> | Annual budget. |
| <u>NRS 279.614</u> | Agency's administrative fund. |
| <u>NRS 279.616</u> | Money appropriated to defray administrative expenses; agency not department of community; status of agency's employees. |
| <u>NRS 279.618</u> | Agency's reports to legislative body. |
| <u>NRS 279.619</u> | Limitation on issuing securities or incurring indebtedness. |
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| <u>NRS 279.625</u> | Special election may be held only if emergency exists. |
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| <u>NRS 279.640</u> | Authorization of bonds; sale. |
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| NRS 279.656 | Issuance of bonds: Abrogation or amendment of contracts with bondholders. |
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| NRS 279.670 | Bonds, interest and income exempted from taxes; exceptions. |
| NRS 279.672 | Bonds of agency as legal investments. |
| NRS 279.674 | "Taxes" defined. |
| NRS 279.676 | Allocation, division and disposition of money from taxes; limitation on revenue; repayment of bond or other indebtedness; recalculation of total assessed value of taxable property in redevelopment area in county whose population is 700,000 or more; set aside of revenue to improve and preserve public educational facilities. |
| NRS 279.678 | Assessment and taxation of leased redeveloped property; provision in lease for lessee to pay taxes. |
| NRS 279.680 | Pledging portion of taxes for payment of principal and interest on loans, advances or indebtedness. |
| NRS 279.683 | Faith of State pledged not to impair securities. |
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LOANS TO SMALL BUSINESSES

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| NRS 279.700 | "Small business" defined. |
| NRS 279.710 | Revolving loan account: Creation; investment; credit of interest and income; deposit of money; payment of claims; acceptance of gifts and grants. |
| NRS 279.720 | Revolving loan account: Authorized uses of money in account; limitation. |
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| NRS 279.740 | Report of loans made from revolving loan account. [Effective through December 31, 2017.] |

GENERAL PROVISIONS

NRS 279.382 Short title. The provisions contained in this chapter may be cited as the Community Redevelopment Law.

(Added to NRS by 1959, 648; A [1987, 1683](#); [1999, 3612](#); [2005, 2214](#); [2011, 3747](#); [2013, 798](#))

NRS 279.384 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 279.386](#) to [279.414](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1959, 648; A [1985, 2068](#); [1993, 1329](#); [1999, 1090](#); [2003, 1286](#); [2005, 2214](#); [2011, 3747](#); [2013, 798, 1573](#))

NRS 279.386 "Agency" defined. "Agency" means a redevelopment agency created pursuant to this chapter or a legislative body which has elected to exercise the powers granted to an agency pursuant to this chapter.

(Added to NRS by 1959, 648; A [2013, 798](#))

NRS 279.388 "Blighted area" defined.

1. Except as otherwise provided in subsection 2, "blighted area" means an area which is characterized by at least four of the following factors:

(a) The existence of buildings and structures, used or intended to be used for residential, commercial, industrial or other purposes, or any combination thereof, which are unfit or unsafe for those purposes and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime because of one or more of the following factors:

- (1) Defective design and character of physical construction.
- (2) Faulty arrangement of the interior and spacing of buildings.

- (3) Inadequate provision for ventilation, light, sanitation, open spaces and recreational facilities.
- (4) Age, obsolescence, deterioration, dilapidation, mixed character or shifting of uses.
- (b) An economic dislocation, deterioration or disuse.
- (c) The subdividing and sale of lots of irregular form and shape and inadequate size for proper usefulness and development.
- (d) The laying out of lots in disregard of the contours and other physical characteristics of the ground and surrounding conditions.
- (e) The existence of inadequate streets, open spaces and utilities.
- (f) The existence of lots or other areas which may be submerged.
- (g) Prevalence of depreciated values, impaired investments and social and economic maladjustment to such an extent that the capacity to pay taxes is substantially reduced and tax receipts are inadequate for the cost of public services rendered.
- (h) A growing or total lack of proper utilization of some parts of the area, resulting in a stagnant and unproductive condition of land which is potentially useful and valuable for contributing to the public health, safety and welfare.
- (i) A loss of population and a reduction of proper use of some parts of the area, resulting in its further deterioration and added costs to the taxpayer for the creation of new public facilities and services elsewhere.
- (j) The environmental contamination of buildings or property.
- (k) The existence of an abandoned mine.

2. If the subject of the redevelopment is an eligible railroad or facilities related to an eligible railroad, "blighted area" means an area which is characterized by at least four of the factors set forth in subsection 1 or characterized by one or more of the following factors:

- (a) The existence of railroad facilities, used or intended to be used, for commercial, industrial or other purposes, or any combination thereof, which are unfit or unsafe for those purposes because of age, obsolescence, deterioration or dilapidation.
- (b) A growing or total lack of proper utilization of the railroad facilities resulting in a stagnant and unproductive condition of land which is potentially useful and valuable for contributing to the public health, safety and welfare.
- (c) The lack of adequate rail facilities that has resulted or will result in an economic hardship to the community.
(Added to NRS by 1959, 648; A [1985, 2068](#); [2005, 2214](#))

NRS 279.390 "Bonds" defined. "Bonds" means any bonds, notes, interim certificates, debentures or other obligations issued by an agency pursuant to this chapter.
(Added to NRS by 1959, 649)

NRS 279.392 "Community" defined. "Community" means a city or county.
(Added to NRS by 1959, 649)

NRS 279.3925 "Developer" defined. "Developer" means a person or entity that proposes to construct a redevelopment project which will receive financial assistance from an agency.
(Added to NRS by [2013, 1572](#))

NRS 279.393 "Eligible railroad" defined. "Eligible railroad" means a railroad in existence on or before July 1, 2005:

- 1. That is located in a county whose population is less than 100,000; and
- 2. Of which no less than one-half of the ownership interest in the railroad is held by a governmental entity or nonprofit organization, or both.
(Added to NRS by [2005, 2213](#))

NRS 279.394 "Federal Government" defined. "Federal Government" means the United States or any of its agencies or instrumentalities.
(Added to NRS by 1959, 649)

NRS 279.396 "Legislative body" defined. "Legislative body" means the city council, board of county commissioners or other legislative body of a community.
(Added to NRS by 1959, 649)

NRS 279.397 “Low-income household” defined. “Low-income household” means a household, which may include one or more persons, whose total gross income is less than 80 percent of the median gross income for households of the same size within the same geographic region.

(Added to NRS by [1993, 1328](#))

NRS 279.398 “Obligee” defined. “Obligee” includes any bondholder, his or her trustee, any lessor demising to the agency property used in connection with a redevelopment area or any assignee of all or part of his or her interest, and the Federal Government if it is a party to any contract with the agency.

(Added to NRS by 1959, 649; A [1985, 2069](#))

NRS 279.400 “Planning commission” defined. “Planning commission” means a planning commission established pursuant to law or charter.

(Added to NRS by 1959, 649)

NRS 279.404 “Public body” defined. “Public body” means the State, or any city, county, district or any other political subdivision of the State.

(Added to NRS by 1959, 649)

NRS 279.406 “Real property” defined. “Real property” means:

1. Land, including land under water and waterfront property.
2. Buildings, structures, fixtures and improvements on land.
3. Any property appurtenant to or used in connection with land.
4. Every estate, interest, privilege, easement, franchise and right in land, including rights-of-way, terms for years and liens, charges or encumbrances by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(Added to NRS by 1959, 649)

NRS 279.408 “Redevelopment” defined.

1. “Redevelopment” means the planning, development, replanning, redesign, clearance, reconstruction or rehabilitation, or any combination of these, of all or part of a redevelopment area, and the provision of such residential, commercial, industrial, public or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including:

- (a) Recreational and other facilities appurtenant thereto.
- (b) Eligible railroads or facilities related to eligible railroads.
- (c) The alteration, improvement, modernization, reconstruction or rehabilitation, or any combination thereof, of existing structures in a redevelopment area.
- (d) Provision for uses involving open space, such as:
 - (1) Streets and other public grounds;
 - (2) Space around buildings, structures and improvements;
 - (3) Improvements of recreational areas; and
 - (4) Improvement of other public grounds.
- (e) The replanning, redesign or original development of undeveloped areas where:
 - (1) The areas are stagnant or used improperly because of defective or inadequate layouts of streets, faulty layouts of lots in relation to size, shape, accessibility or usefulness, or for other causes; or
 - (2) The areas require replanning and assembly of land for reclamation or development in the interest of the general welfare because of widely scattered ownership, tax delinquency or other reasons.

2. “Redevelopment” does not exclude the continuance of existing buildings or uses whose demolition and rebuilding or change of use are not deemed essential to the redevelopment and rehabilitation of the area.

(Added to NRS by 1959, 649; A [1985, 2069](#); [2005, 2215](#))

NRS 279.410 “Redevelopment area” defined. “Redevelopment area” means an area of a community whose redevelopment is necessary to effectuate the public purposes declared in this chapter.

(Added to NRS by 1959, 650; A [1985, 2070](#); [2013, 798](#))

NRS 279.412 “Redevelopment project” defined. “Redevelopment project” means any undertaking of an agency pursuant to this chapter.

(Added to NRS by 1959, 650)

NRS 279.413 “Southern Nevada Enterprise Community” defined. “Southern Nevada Enterprise Community” means the area designated as the Southern Nevada Enterprise Community in section 5 of chapter 407, Statutes of Nevada 2007.

(Added to NRS by [2013, 1572](#))

NRS 279.414 “State” defined. “State” includes any state agency or instrumentality.

(Added to NRS by 1959, 650)

NRS 279.416 Declaration of state policy: Necessity of redevelopment of blighted areas. It is found and declared that there exist in many communities blighted areas which constitute either social or economic liabilities, or both, requiring redevelopment in the interest of the health, safety and general welfare of the people of those communities and of the State.

(Added to NRS by 1959, 650; A [1985, 2070](#))

NRS 279.418 Declaration of state policy: Growing menace of blighted areas to public health, safety and welfare; benefits to inhabitants resulting from remedying conditions. It is further found and declared that:

1. The existence of blighted areas constitutes a serious and growing menace which is condemned as injurious and inimical to the public health, safety and welfare of the people of the communities in which they exist and of the people of the State.

2. Such blighted areas present difficulties and handicaps which are beyond remedy and control solely by regulatory processes in the exercise of the police power.

3. They contribute substantially and increasingly to the problems of, and necessitate excessive and disproportionate expenditures for, crime prevention, correction, prosecution and punishment, the treatment of juvenile delinquency, the preservation of the public health and safety, and the maintaining of adequate police, fire and accident protection and other public services and facilities.

4. This menace is becoming increasingly direct and substantial in its significance and effect.

5. The benefits which will result from the remedying of such conditions and the redevelopment of blighted areas will accrue to all the inhabitants and property owners of the communities in which they exist.

(Added to NRS by 1959, 650)

NRS 279.420 Declaration of state policy: Inability of individual landowners to rehabilitate property; remedy by public acquisition. It is further found and declared that:

1. Conditions of blight tend to further obsolescence, deterioration and disuse because of the lack of incentive to the individual landowner and his or her inability to improve, modernize or rehabilitate his or her property while the condition of the neighboring properties remains unchanged.

2. As a consequence the process of deterioration of a blighted area frequently cannot be halted or corrected except by redeveloping the entire area, or substantial portions of it.

3. Such conditions of blight are chiefly found in areas subdivided into small parcels, held in divided and widely scattered ownerships, frequently under defective titles, and in many such instances the private assembly of the land in blighted areas for redevelopment is so difficult and costly that it is uneconomic and as a practical matter impossible for owners to undertake because of lack of legal power and excessive costs.

4. The remedying of such conditions may require the public acquisition at fair prices of adequate areas, the clearance of the areas through demolition of existing obsolete, inadequate, unsafe and insanitary buildings, and the redevelopment of the areas suffering from such conditions under proper supervision, with appropriate planning, and continuing land use and construction policies.

(Added to NRS by 1959, 651)

NRS 279.422 Declaration of state policy: Temporary government-owned wartime housing projects as blighted areas. It is further found and declared that blighted areas may include housing areas constructed as temporary government-owned wartime housing projects, and that such areas may be characterized by one or more of the conditions enumerated in [NRS 279.388](#).

(Added to NRS by 1959, 651)

NRS 279.424 Declaration of state policy: Redevelopment of blighted areas by eminent domain; public use; necessity. It is declared to be the policy of the State:

1. To protect and promote the sound development and redevelopment of blighted areas and the general welfare of the inhabitants of the communities in which they exist by remedying such injurious conditions through the employment of all appropriate means.

2. That whenever the redevelopment of blighted areas cannot be accomplished by private enterprise alone, without public participation and assistance in the acquisition of land, in planning and in the financing of land assembly, in the work of clearance, and in the making of improvements necessary therefor, it is in the public interest to employ the power of eminent domain, to advance or expend public funds for these purposes, and to provide a means by which blighted areas may be redeveloped or rehabilitated.

3. That the redevelopment of blighted areas and the provision for appropriate continuing land use and construction policies in them constitute public uses and purposes for which public money may be advanced or expended and private property acquired, and are governmental functions of state concern in the interests of health, safety and welfare of the people of the State and of the communities in which the areas exist.

4. That the necessity in the public interest for the provisions of this chapter is declared to be a matter of legislative determination.

(Added to NRS by 1959, 651)

NRS 279.425 Declaration of state policy: Adequate supply of decent, safe and sanitary low-income housing necessary to accomplish purposes of Community Redevelopment Law. It is further found and declared that:

1. The provision of housing is a fundamental purpose of the Community Redevelopment Law and that a generally inadequate supply of decent, safe and sanitary housing available to low-income households threatens the accomplishment of the primary purposes of the Community Redevelopment Law, including, without limitation, creating new employment opportunities, attracting new private investments of money in the area and creating physical, economic, social and environmental conditions to remove and prevent the recurrence of blight.

2. The provision and improvement of housing which can be rented or sold to families with low incomes and which is inside or outside the boundaries of the redevelopment area can be of direct benefit to the redevelopment area in assisting the accomplishment of project objectives whether or not the redevelopment plan provides for housing within the project area.

3. The provision of affordable housing by redevelopment agencies and the use of taxes allocated to the agency pursuant thereto is of statewide benefit and assistance to all local governmental agencies in the areas where housing is provided.

(Added to NRS by 1993, 1328)

AGENCIES

NRS 279.426 Agency for redevelopment: Creation. There is in each community a public body, corporate and politic known as the redevelopment agency of the community.

(Added to NRS by 1959, 652)

NRS 279.428 Resolution of legislative body as prerequisite to functioning of agency. An agency shall not transact any business or exercise any powers pursuant to this chapter unless, by resolution, the legislative body declares that there is need for an agency to function in the community.

(Added to NRS by 1959, 652; A 2013, 798)

NRS 279.430 Authority of agency conclusively presumed from resolution. In any proceeding involving the validity or enforcement of, or relating to, any contract by an agency, the agency is conclusively deemed to have been established and authorized to transact business and exercise its powers upon proof of the adoption of such a resolution.

(Added to NRS by 1959, 652)

NRS 279.432 Powers of public bodies in aid of local redevelopment. For the purpose of aiding and cooperating in the planning, undertaking, construction or operation of redevelopment projects located within the area in which it is authorized to act, any public body, upon the terms and with or without consideration as it determines, may:

1. Dedicate, sell, convey or lease any of its property to a redevelopment agency.

2. Cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with redevelopment projects.

3. Furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake.

4. Plan or replan, zone or rezone any part of such area and make any legal exceptions from building regulations and ordinances.

5. Enter into agreements with the Federal Government respecting action to be taken by such public body pursuant to any of the powers granted by this chapter. Such agreements may extend over any period, notwithstanding any law to the contrary.

6. Purchase or legally invest in any of the bonds of an agency and exercise all of the rights of any holder of such bonds.

(Added to NRS by 1959, 652)

NRS 279.434 Exemption of agency and property from execution, process or lien; exceptions. Execution or other judicial process shall not issue against the real property of an agency nor shall any judgment against an agency be a charge or lien upon its real property. This section does not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage, deed of trust or other encumbrance of an agency or the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by an agency on its rents, fees or revenues.

(Added to NRS by 1959, 652)

NRS 279.436 Suspension of agency's authority. If an agency has not redeveloped or acquired land for, or commenced the redevelopment of a project, or entered into contracts for redevelopment within 2 years after the adoption of a resolution, as provided in [NRS 279.428](#), the legislative body may by resolution declare that there is no further need for the agency. Upon the adoption of the resolution the offices of the agency members are vacated and the capacity of the agency to transact business or exercise any powers is suspended until the legislative body adopts a resolution declaring the need for the agency to function.

(Added to NRS by 1959, 652)

NRS 279.438 Termination of redevelopment plan adopted before January 1, 1991, and amendments to plan; extension of plan in city whose population is 500,000 or more.

1. A redevelopment plan adopted before January 1, 1991, and any amendments to the plan must terminate at the end of the fiscal year in which the principal and interest of the last maturing of the securities issued before that date concerning the redevelopment area are fully paid or:

(a) With respect to a redevelopment plan adopted by the agency of a city whose population is 500,000 or more, if the requirements set forth in subsection 2 are met, 60 years after the date on which the original redevelopment plan was adopted, whichever is later.

(b) With respect to any other redevelopment plan, including a redevelopment plan adopted by an agency of a city whose population is 500,000 or more, if the requirements set forth in subsection 2 are not met, 45 years after the date on which the original redevelopment plan was adopted, whichever is later.

2. A redevelopment plan adopted by an agency of a city whose population is 500,000 or more may terminate on the date prescribed by paragraph (a) of subsection 1 only if the legislative body adopts an extension of the redevelopment plan by ordinance and, on the date on which the extension is adopted:

(a) The assessed value of each redevelopment project in the redevelopment area is not less than the assessed value of the redevelopment project in the year in which the redevelopment plan was adopted;

(b) The assessed value of the redevelopment area is not less than 75 percent of the assessed value of the redevelopment area in the year in which the redevelopment plan was adopted; and

(c) The agency has \$100 million or more in total outstanding indebtedness represented by bonds and other securities.

(Added to NRS by 1959, 653; A [1987, 1683](#); [1997, 2557](#); [1999, 3613](#); [2007, 2484](#); [2013, 2273](#))

NRS 279.439 Termination of redevelopment plan adopted on or after January 1, 1991, and amendments to plan. A redevelopment plan adopted on or after January 1, 1991, and any amendments to the plan must terminate not later than 30 years after the date on which the original redevelopment plan is adopted.

(Added to NRS by [1987, 1683](#); A [1997, 2557](#); [2007, 2484](#))

NRS 279.440 Appointment of members; exceptions. Except as otherwise provided in [NRS 279.443](#) and [279.444](#), when the legislative body adopts a resolution declaring the need for an agency, the mayor or other executive officer of a city or chair of the board of county commissioners, with the approval of the legislative body, shall appoint five resident electors of the community as members of the agency.

(Added to NRS by 1959, 653; A [2003, 1286](#))

NRS 279.442 Restriction on appointment of members. A member may not be an employee of the community, but notwithstanding any other law, he or she may be a member or employee of any other agency or authority of, or created for, the community.

(Added to NRS by 1959, 653; A [2003, 1286](#))

NRS 279.443 Alternative method of appointment of members; staggering of terms of resident electors; successors; vacancies.

1. As an alternative to the appointment of five members of the agency pursuant to [NRS 279.440](#) and as an alternative to the procedures set forth in [NRS 279.444](#):

(a) At the time of the adoption of a resolution pursuant to [NRS 279.428](#), the legislative body may appoint not more than 11 of the following persons as members of the agency:

- (1) Resident electors of the community;
- (2) Members of the legislative body; or
- (3) A combination of resident electors of the community and members of the legislative body; or

(b) At any time after the adoption of a resolution pursuant to [NRS 279.428](#), the legislative body may direct the mayor or other executive officer of the city or chair of the board of county commissioners to appoint not more than 11 of the following persons as members of the agency:

- (1) Resident electors of the community;
- (2) Members of the legislative body; or
- (3) A combination of resident electors of the community and members of the legislative body.

2. The terms of any resident electors of the community first appointed as members of the agency pursuant to paragraph (a) or (b) of subsection 1 must be staggered in substantially the same proportion as the terms of members are staggered pursuant to [NRS 279.446](#). The successors of the members first appointed must be appointed for 4-year terms. Vacancies occurring during a term must be filled for the unexpired term. A member shall hold office until his or her successor is appointed and qualified.

(Added to NRS by [2003, 1285](#))

NRS 279.444 Action of legislative body as alternative to appointment of members; city's exercise of powers; delegation of powers and functions.

1. As an alternative to the appointment of five members of the agency pursuant to [NRS 279.440](#) and as an alternative to the procedures set forth in [NRS 279.443](#), the legislative body may, at the time of the adoption of a resolution pursuant to [NRS 279.428](#), or at any time thereafter, declare itself to be the agency, in which case, all the rights, powers, duties, privileges and immunities vested by this chapter in an agency are vested in the legislative body of the community. If the legislative body of a city declares itself to be the agency pursuant to this subsection, it may include the mayor of the city as part of the agency regardless of whether the mayor is a member of the legislative body.

2. A city may enact its own procedural ordinance and exercise the powers granted by this chapter.

3. An agency may delegate to a community any of the powers or functions of the agency with respect to the planning or undertaking of a redevelopment project in the area in which that community is authorized to act, and that community may carry out or perform those powers or functions for the agency.

(Added to NRS by 1959, 653; A [1985, 2070](#); [1993, 334](#); [2003, 1286](#); [2013, 798](#))

NRS 279.446 Terms of office of members; vacancies. If five resident electors of the community are appointed as members of the agency pursuant to [NRS 279.440](#), three of the members first appointed must be designated to serve for terms of 1, 2 and 3 years, respectively, after the date of their appointments and two must be designated to serve for terms of 4 years after the date of their appointments. Their successors must be appointed for 4-year terms. Vacancies occurring during a term must be filled for the unexpired term. A member shall hold office until his or her successor is appointed and qualified.

(Added to NRS by 1959, 653; A [2003, 1287](#))

NRS 279.448 Chair: Designation; election; term of office. The appointing officer shall designate the first chair from among the members. When there is a vacancy in such office, the agency shall elect a chair from among its members. Unless otherwise prescribed by the legislative body, the term of office as chair is for the calendar year, or for that portion remaining after he or she is designated or elected.

(Added to NRS by 1959, 653)

NRS 279.450 Compensation and expenses of members. Members shall receive their actual and necessary expenses, including traveling expenses incurred in the discharge of their duties. They may receive such other compensation as the legislative body prescribes.

(Added to NRS by 1959, 653)

NRS 279.452 Removal of member: Grounds; procedure. For inefficiency, neglect of duty or misconduct in office, a member may be removed by the appointing officer, but only after he or she has been given a copy of the charges at least 10 days prior to a public hearing on such charges and has had an opportunity to be heard in person or by counsel. If a member is removed, a record of the proceedings and the charges and findings shall be filed in the office of the clerk of the community.

(Added to NRS by 1959, 653)

NRS 279.454 Interest in property included in redevelopment area forbidden; disclosure of interest; exception.

1. Except as provided in subsection 2, no officer or employee of an agency or community who in the course of his or her duties is required to participate in the formulation of or to approve plans or policies for the redevelopment of a redevelopment area may acquire any interest in any property included within a redevelopment area within the community. If any officer or employee owns, purchases or has or acquires any direct or indirect financial interest in such property, he or she shall immediately make a written disclosure of it to the agency and the legislative body which must be entered on their minutes. Failure to disclose constitutes misconduct in office.

2. Such an officer or employee may purchase or acquire property in the redevelopment area if the officer or employee uses it for his or her residence.

(Added to NRS by 1959, 654; A 1985, 976, 2071)

NRS 279.456 Acquisition of property by agency from member or officer by eminent domain. An agency shall not acquire from any of its members or officers any property or interest in property except through eminent domain proceedings.

(Added to NRS by 1959, 654)

NRS 279.458 Agency's power vested in members. The powers of each agency are vested in the members in office.

(Added to NRS by 1959, 654)

NRS 279.460 Agency's governmental functions; powers. Each redevelopment agency exercises governmental functions and has the powers prescribed in this chapter.

(Added to NRS by 1959, 654)

NRS 279.462 Powers of agency. An agency may:

1. Sue and be sued.
2. Have a seal.
3. Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.
4. Make, amend and repeal bylaws and regulations not inconsistent with, and to carry into effect, the powers and purposes of this chapter.
5. Obtain, hire, purchase or rent office space, equipment, supplies, insurance and services.
6. Authorize and pay the travel expenses of agency members, officers, agents, counsel and employees on agency business.

(Added to NRS by 1959, 654; A 2013, 798)

NRS 279.464 Services and facilities available to agency. For the purposes of the agency, it shall have access to the services and facilities of the planning commission, the city engineer and other departments and offices of the community.

(Added to NRS by 1959, 654)

NRS 279.466 Personnel: Selection; employment; compensation; limitations. An agency may select, appoint and employ such permanent and temporary officers, agents, counsel and employees as it requires, and determine their qualifications, duties, benefits and compensation, subject only to the conditions and restrictions imposed by the legislative body on the expenditure or encumbrance of the funds appropriated to the community redevelopment agency administrative fund.

(Added to NRS by 1959, 654)

NRS 279.468 Preparation of plans for blighted areas; dissemination of redevelopment information; acceptance and expenditure of money; creation of residential plan; budget. An agency may:

1. From time to time prepare plans for the improvement, rehabilitation and redevelopment of blighted areas.
2. Disseminate redevelopment information.
3. Accept financial or other assistance from any public or private source, for the agency's activities, powers and duties, and expend any funds so received for any of the purposes of this chapter.
4. For each neighborhood within the redevelopment area, create a residential plan for the neighborhood or appoint an advisory council for redevelopment and delegate the authority to create the residential plan to the advisory council. A residential plan created by an advisory council must be approved by the agency, and each residential plan created pursuant to this subsection must include a financing plan.
5. Include in its budget all money received from any source, including, without limitation, money received from a local government for use by an advisory council in carrying out a residential plan approved by the agency.

(Added to NRS by 1959, 654; A [1999, 3613](#))

NRS 279.470 Acquisition, management, disposal and encumbrance of interests in real and personal property; insurance. Within the redevelopment area or for purposes of redevelopment, an agency may:

1. Purchase, lease, obtain option upon or acquire by gift, grant, bequest, devise or otherwise, any real or personal property, any interest in property and any improvements thereon.
2. Except as otherwise provided in [NRS 279.471](#) and [279.4712](#), acquire real property by eminent domain.
3. Clear buildings, structures or other improvements from any real property acquired.
4. Sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage, deed of trust or otherwise, or otherwise dispose of any real or personal property or any interest in property.
5. Insure or provide for the insurance of any real or personal property or operations of the agency against risks or hazards.
6. Rent, maintain, manage, operate, repair and clear such real property.

(Added to NRS by 1959, 654; A [1999, 3613](#); [2005, 2216](#))

NRS 279.471 Requirements for agency to exercise power of eminent domain; resolutions; limited judicial review.

1. Except as otherwise provided in this subsection, an agency may exercise the power of eminent domain to acquire property for a redevelopment project only if the agency adopts a resolution that includes a written finding by the agency that a condition of blight exists for each individual parcel of property to be acquired by eminent domain. An agency may exercise the power of eminent domain to acquire a parcel of property that is not blighted for a redevelopment project if the agency adopts a resolution that includes a written finding by the agency that a condition of blight exists for at least two-thirds of the property within the redevelopment area at the time the redevelopment area was created.
2. In addition to the requirement set forth in subsection 1, an agency may exercise the power of eminent domain to acquire property for a redevelopment project only if:
 - (a) The property sought to be acquired is necessary to carry out the redevelopment plan;
 - (b) The agency has adopted a resolution of necessity that complies with the requirements set forth in subsection 3; and
 - (c) The agency has complied with the provisions of [NRS 279.4712](#).
3. A resolution of necessity required pursuant to paragraph (b) of subsection 2 must set forth:
 - (a) A statement that the property will be acquired for purposes of redevelopment as authorized pursuant to paragraph (c) of subsection 1 of [NRS 37.010](#) and subsection 2 of [NRS 279.470](#);
 - (b) A reasonably detailed description of the property to be acquired;
 - (c) A finding by the agency that the public interest and necessity require the acquisition of the property;

(d) A finding by the agency that acquisition of the property will be the option for redevelopment that is most compatible with the greatest public good and the least private injury; and

(c) A finding by the agency that acquisition of the property is necessary for purposes of redevelopment.

4. After an agency adopts a resolution pursuant to subsection 1 or 2, the resolution so adopted and the findings set forth in the resolution are final and conclusive and are not subject to judicial review unless credible evidence is adduced to suggest that the resolution or the findings set forth therein were procured through bribery or fraud.

(Added to NRS by [1999, 3612](#); A [2005, 1790, 2216](#); [2007, 338](#); [2011, 60](#))

NRS 279.4712 Prerequisites to agency exercising power of eminent domain; requirements for written offer; appraisal performed on behalf of owner of property.

1. Before an agency may exercise the power of eminent domain to acquire property for a redevelopment project, the agency must:

(a) Negotiate in good faith with the owner of the property and attempt to reach an agreement regarding the amount of compensation to be paid for the property;

(b) Provide the owner with a written offer of compensation in the manner set forth in subsection 2 and allow the owner at least 30 days after the date he or she receives the offer to respond to the offer, unless the offer is returned as undeliverable; and

(c) Provide the owner with a copy of the appraisal report upon which the offer of compensation is based at the time the offer is made.

2. A written offer of compensation required pursuant to subsection 1:

(a) Must include written notice to the owner of the property informing the owner of the following:

(1) That all or a portion of his or her property is necessary to carry out the redevelopment plan;

(2) The nature of the intended redevelopment, at the time of the written offer, for which the property is considered necessary;

(3) The parcel number or other reasonably detailed description of the property sought to be acquired;

(4) That the agency has provided a copy of the appraisal report upon which the offer of compensation is based;

(5) That the agency will provide copies, to the extent prepared, of any preliminary plans or redevelopment plans within 15 days upon request; and

(6) The rights and responsibilities of the owner pursuant to this section.

(b) Must include the value of the property sought to be acquired plus damages, if any, as appraised by the agency.

(c) Must be sent by certified mail, return receipt requested, to the last known address of the owner of the property as shown in the records of the county assessor or by personal delivery. If there is more than one owner of the property, notice must be sent to all owners of the property. If the written offer of compensation is returned as undeliverable, no additional notice is required. The agency is not required to provide an additional written offer of compensation to a person who acquires title to the property after the written offer of compensation has been provided in the manner required pursuant to this paragraph.

3. If the owner of the property has an appraisal performed on his or her own behalf, the owner must provide the agency with a copy of the appraisal report.

(Added to NRS by [2005, 2213](#))

NRS 279.4714 Prerequisite to request that agency exercise power of eminent domain. Before a person who seeks to purchase, lease or otherwise acquire or increase an interest in any property within a redevelopment area may request an agency to exercise the power of eminent domain to acquire the property, the person requesting the redevelopment must negotiate in good faith with the owner of the property to reach an agreement to purchase the property from the owner of the property.

(Added to NRS by [2005, 2214](#))

NRS 279.472 Leases or sales: Public hearing. Any lease or sale made pursuant to [NRS 279.470](#) may be made without public bidding but only after a public hearing, notice of which shall be given by publication for not less than once a week for 2 weeks in a newspaper of general circulation published in the county in which the land lies.

(Added to NRS by 1959, 655)

NRS 279.474 Development of building sites. An agency may develop as a building site any real property owned or acquired by it. In connection with such development it may cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks and curbs, and public utilities to be constructed and installed.

(Added to NRS by 1959, 655)

NRS 279.476 Rehousing bureau. An agency may operate a rehousing bureau to assist site occupants in obtaining adequate temporary or permanent housing. It may incur any necessary expenses for this purpose.

(Added to NRS by 1959, 655)

NRS 279.478 Assistance for relocation.

1. An agency shall provide assistance for relocation and shall make all the payments required by [chapter 342](#) of NRS and the regulations adopted by the Director of the Department of Transportation pursuant thereto for programs or projects for which federal financial assistance is received to pay all or any part of the cost of that program or project.

2. This section does not limit any other authority which an agency may have to make other payments for assistance for relocation or to make any payment for that assistance which exceeds the amount authorized in regulations adopted by the Director of the Department of Transportation pursuant to [chapter 342](#) of NRS.

(Added to NRS by 1959, 655; A 1973, 153; [1985, 2071](#); [1989, 636](#); [1999, 3613](#))

NRS 279.480 Investments. An agency may:

1. Invest any money held in reserves or sinking funds, or any money not required for immediate disbursement, in:

(a) Obligations issued by the United States Postal Service or the Federal National Mortgage Association, whether or not the payment of principal and interest thereon is guaranteed by the Federal Government.

(b) Bonds or other obligations issued by a redevelopment agency created pursuant to this chapter or a legislative body that has elected to exercise the powers granted to an agency pursuant to the provisions of this chapter.

(c) Bonds or other securities issued pursuant to the provisions of [NRS 349.150](#) to [349.364](#), inclusive, [350.500](#) to [350.720](#), inclusive, or [396.809](#) to [396.885](#), inclusive.

(d) Money market mutual funds that:

(1) Are registered with the Securities and Exchange Commission;

(2) Are rated by a nationally recognized rating service as "AAA" or its equivalent; and

(3) Invest only in securities issued or guaranteed as to payment of principal and interest by the Federal Government, or its agencies or instrumentalities, or in repurchase agreements that are fully collateralized by such securities.

(e) Any other investment in which a city may invest pursuant to [NRS 355.170](#).

2. Purchase its bonds at a price not more than their principal amount and accrued interest. All bonds so purchased must be cancelled.

(Added to NRS by 1959, 655; A [1997, 2875](#); [1999, 576, 621](#))

NRS 279.482 Imposition of conditions on lessees and purchasers; employment plan required in proposal for redevelopment project; contents of plan.

1. An agency may obligate lessees or purchasers of property acquired in a redevelopment project to:

(a) Use the property for the purpose designated in the redevelopment plans.

(b) Begin the redevelopment of the area within a period of time which the agency fixes as reasonable.

(c) Comply with other conditions which the agency deems necessary to carry out the purposes of this chapter, including, without limitation, the provisions of an employment plan or a contract approved for a redevelopment project.

2. Except as otherwise provided in [NRS 279.6094](#), as appropriate for the particular project, each proposal for a redevelopment project must also include an employment plan. The employment plan must include:

(a) A description of the existing opportunities for employment within the area;

(b) A projection of the effect that the redevelopment project will have on opportunities for employment within the area;

(c) A description of the manner in which an employer relocating a business into the area plans to employ persons living within the area of operation who:

(1) Are economically disadvantaged;

- (2) Have a physical disability;
- (3) Are members of racial minorities;
- (4) Are veterans; or
- (5) Are women; and

(d) For a redevelopment project undertaken in a redevelopment area of a city whose population is 500,000 or more, a description of the manner in which:

(1) The developer will, in hiring for construction jobs for the project, use its best efforts to hire veterans and other persons of both sexes and diverse ethnicities living within the redevelopment area, an area in the city for which the legislative body has adopted a specific plan for neighborhood revitalization or which is eligible for a community development block grant pursuant to 24 C.F.R. Part 570, or the Southern Nevada Enterprise Community; and

(2) Each employer relocating a business into the area will use its best efforts to hire veterans and other persons of both sexes and diverse ethnicities living within any of the areas described in subparagraph (1).

3. A description provided pursuant to paragraph (d) of subsection 2 must include an agreement by the developer or employer to offer and conduct training for the residents described in that paragraph or make a good faith effort to provide such training through a program of training that is offered by a governmental agency and reasonably available to the developer or employer.

(Added to NRS by 1959, 655; A [1985, 2071](#); [1997, 2558](#); [1999, 3614](#); [2013, 1573](#))

NRS 279.484 Breach of covenants running with the land. The agency may provide in the contract that any of the obligations of the purchaser are covenants or conditions running with the land, the breach of which shall cause the fee to revert to the agency.

(Added to NRS by 1959, 655)

NRS 279.486 Purchase and construction of certain buildings, facilities and improvements; certain agencies to prepare report related to purchase and construction; contribution by and reimbursement of community or other governmental entity.

1. An agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the construction of any building, facility, structure or other improvement and the installation of any improvement which is publicly or privately owned and located within or without the redevelopment area.

2. Within 14 days before a meeting at which the legislative body of a city whose population is 500,000 or more is scheduled to consider an action proposed by the agency of the city pursuant to subsection 1, the agency shall make available to the public a detailed report which includes, without limitation:

(a) A copy of any contract, memorandum of understanding or other agreement between the agency or the legislative body and any other person relating to the redevelopment project.

(b) A summary of the redevelopment project which includes, without limitation:

(1) A full and complete description of:

(I) The costs of the redevelopment project, including, without limitation, the costs of acquiring any real property, clearance costs, relocation costs, the costs of any improvements which will be paid by the agency and the amount of the anticipated interest on any bonds issued or sold to finance the project.

(II) The estimated current value of the real property interest to be conveyed or leased, determined at its highest and best use permitted under the redevelopment plan.

(III) The estimated value of the real property interest to be conveyed or leased, determined at the use and with the conditions, covenants and restrictions, and development costs required by the sale or lease, and the current purchase price or present value of the lease payments which the lessee is required to make during the term of the lease. If the sale price or present value of the total rental amount to be paid to the agency or legislative body is less than the fair market value of the real property interest to be conveyed or leased, determined at the highest and best use permitted under the redevelopment plan, the agency shall provide an explanation of the reason for the difference.

(2) An explanation of how the project will assist in the elimination of blight, including, without limitation, reference to all supporting facts and materials relied on in reaching the conclusions presented in the explanation.

3. Before the legislative body may give its consent to an action proposed by the agency pursuant to subsection 1, it must determine that:

(a) The buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located; and

(b) No other reasonable means of financing those buildings, facilities, structures or other improvements are available.

↳ Those determinations by the agency and the legislative body are final and conclusive.

4. In reaching its determination that the buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located, the legislative body shall consider:

(a) Whether the buildings, facilities, structures or other improvements are likely to:

- (1) Encourage the creation of new business or other appropriate development;
- (2) Create jobs or other business opportunities for nearby residents;
- (3) Increase local revenues from desirable sources;
- (4) Increase levels of human activity in the redevelopment area or the immediate neighborhood in which the

redevelopment area is located;

(5) Possess attributes that are unique, either as to type of use or level of quality and design;

(6) Require for their construction, installation or operation the use of qualified and trained labor; and

(7) Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the agency.

(b) The opinions of persons who reside in the redevelopment area or the immediate neighborhood in which the redevelopment area is located.

(c) Comparisons between the level of spending proposed by the agency and projections, made on a pro forma basis by the agency, of future revenues attributable to the buildings, facilities, structures or other improvements.

5. If the value of that land or the cost of the construction of that building, facility, structure or other improvement, or the installation of any improvement has been, or will be, paid or provided for initially by the community or other governmental entity, the agency may enter into a contract with that community or governmental entity under which it agrees to reimburse the community or governmental entity for all or part of the value of that land or of the cost of the building, facility, structure or other improvement, or both, by periodic payments over a period of years. The obligation of the agency under that contract constitutes an indebtedness of the agency which may be payable out of taxes levied and allocated to the agency under paragraph (b) of subsection 1 of [NRS 279.676](#), or out of any other available money.

(Added to NRS by 1959, 655; A [1981, 763](#); [1985, 2072](#); [1993, 1329](#); [2003, 644](#); [2013, 2273](#))

NRS 279.488 Continuation of existing buildings on land; justification for acquisition by agency. Without the consent of an owner, an agency may not acquire any real property on which an existing building is to be continued on its present site and in its present form and use unless such building requires structural alteration, improvement, modernization or rehabilitation, or the site or lot on which the building is situated requires modification in size, shape or use or it is necessary to impose upon such property any of the standards, restrictions and controls of the plan and the owner fails or refuses to agree to participate in the redevelopment plan.

(Added to NRS by 1959, 656)

NRS 279.490 Financial assistance from governmental and private sources. An agency may borrow money or accept financial or other assistance from the State, the Federal Government or private sources for any redevelopment project within its area of operation, and may comply with any conditions of that loan or grant.

(Added to NRS by 1959, 656; A [1985, 2072](#))

NRS 279.492 Eminent domain: Existing public use; consent of public body. Property already devoted to a public use may be acquired by the agency through eminent domain, but property of a public body shall not be acquired without its consent.

(Added to NRS by 1959, 656)

NRS 279.494 Territorial jurisdiction: Counties; cities. The territorial jurisdiction of the agency of a county is the unincorporated territory in the county, and that of a city is the territory within its limits.

(Added to NRS by 1959, 656)

NRS 279.496 Property owned in redevelopment project: Payment of money in lieu of taxes. The agency may in any year during which it owns property in a redevelopment project pay to any city, county, district or other public corporation which would have levied a tax upon such property, had it not been exempt, an amount of money in lieu of taxes.

(Added to NRS by 1959, 656)

NRS 279.498 Work exceeding \$10,000 requires competitive bidding. Any work of grading, clearing, demolition or construction in excess of \$10,000 undertaken by the agency must be done by contract after competitive bids.

(Added to NRS by 1959, 656; A [1985, 2072](#))

NRS 279.500 Applicability of provisions governing payment of prevailing wage for public works projects.

1. The provisions of [NRS 338.010 to 338.090](#), inclusive, apply to any contract for new construction, repair or reconstruction which is awarded on or after October 1, 1991, by an agency for work to be done in a project.

2. If an agency:

(a) Provides property for development at less than the fair market value of the property;

(b) Provides a loan to a small business pursuant to [NRS 279.700 to 279.740](#), inclusive; or

(c) Provides financial incentives to a developer with a value of more than \$100,000,

↪ regardless of whether the project is publicly or privately owned, the agency must provide in the loan agreement with the small business or the agreement with the developer, as applicable, that the development project is subject to the provisions of [NRS 338.010 to 338.090](#), inclusive, to the same extent as if the agency had awarded the contract for the project. This subsection applies only to the project covered by the loan agreement between the agency and the small business or the agreement between the agency and the developer, as applicable. This subsection does not apply to future development of the property unless an additional loan, or additional financial incentives with a value of more than \$100,000, are provided to the small business or developer, as applicable.

(Added to NRS by 1959, 656; A [1991, 2345; 2013, 799](#))

NRS 279.508 Joint exercise of powers by two or more agencies: Authority; action at joint hearings and meetings or by designated agency. Two or more agencies within two or more communities may jointly exercise the powers granted under this chapter. In such case the agencies, the planning commissions and the legislative bodies may hold joint hearings and meetings, or the legislative bodies of the communities acting separately may each designate the agency of one of the communities to act as the agency for all of the interested communities.

(Added to NRS by 1959, 657)

NRS 279.510 Joint exercise of powers by two or more agencies: Designated agency to obtain report and recommendation of planning commissions concerning conformity of redevelopment plan to community's master or general plan. If one agency is designated, it shall obtain the report and recommendation of the planning commission of each community on the redevelopment plan and its conformity to the master or general plan of each community before presenting the tentative redevelopment plan or the redevelopment plan to the respective legislative bodies for adoption.

(Added to NRS by 1959, 657)

NRS 279.512 Joint exercise of powers by two or more agencies: Designated agency's cooperation with planning commissions in formulating redevelopment plans. The designated agency and each planning commission shall cooperate in formulating redevelopment plans.

(Added to NRS by 1959, 657)

NRS 279.514 Redevelopment of area within another community's territory. By ordinance the legislative body of a community may authorize the redevelopment of an area within its territorial limits by another community if such area is contiguous to such other community. The ordinance shall designate the community to undertake such redevelopment. The community so authorized may undertake the redevelopment of such area in all respects as if the area was within its territorial limits and its legislative body, agency and planning commission shall have all the rights, powers and privileges with respect to such area as if it was within the territorial limits of the community so authorized. Neither the legislative body, agency nor planning commission of the community so authorizing shall be required to comply with any requirements of this chapter, except as set forth in this section. Any redevelopment plan for such area shall be approved by ordinance enacted by the legislative body of the community so authorizing.

(Added to NRS by 1959, 657)

PLANS

NRS 279.516 Prerequisites of community for redevelopment: Planning commission; master plan. Before any area is designated for redevelopment, the community authorized to undertake such development shall:

1. Have a planning commission.
2. Have a master or general plan for the community adopted by the planning commission or the legislative body. The plan must include all of the following:

(a) The general location and extent of existing and proposed major thoroughfares, transportation routes, terminals and other major public utilities and facilities.

(b) A land-use plan which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, recreation, education, public buildings and grounds and other categories of public and private uses of land.

(c) A statement of the standards of population density and building intensity recommended for the various districts and other territorial units, and estimates of future growth in population, in the territory covered by the plan, all correlated with the land-use plan.

(d) Maps, plans, charts or other descriptive matter showing the areas in which conditions are found indicating the existence of blighted areas.

(Added to NRS by 1959, 657; A [1987, 711](#))

NRS 279.518 Designation of areas for evaluation as redevelopment areas. Areas for evaluation may be designated by resolution of the legislative body, or the legislative body may by resolution authorize the designation of those areas by resolution of the planning commission or by resolution of the members of the agency.

(Added to NRS by 1959, 658; A [1985, 2073](#))

NRS 279.519 Areas acceptable for designation as redevelopment areas; percentage of redevelopment area required to be improved land; limitation on inclusion of taxable property in area in subsequently created redevelopment area.

1. A redevelopment area need not be restricted to buildings, improvements or lands which are detrimental or inimical to the public health, safety or welfare, but may consist of an area in which such conditions predominate and injuriously affect the entire area. A redevelopment area may include, in addition to blighted areas, lands, buildings or improvements which are not detrimental to the public health, safety or welfare, but whose inclusion is found necessary for the effective redevelopment of the area of which they are a part.

2. At least 75 percent of the area included within a redevelopment area must be improved land and may include, without limitation:

(a) Public land upon which public buildings have been erected or improvements have been constructed.

(b) Land on which an abandoned mine, landfill or other similar use is located and which is surrounded by or directly abuts the improved land.

3. The area included within a redevelopment area may be contiguous or noncontiguous.

4. If the subject of the redevelopment is an eligible railroad or facilities related to an eligible railroad, the area included within a redevelopment area may consist of contiguous or noncontiguous vacant land that:

(a) Is located near the eligible railroad; and

(b) May accommodate commercial or industrial facilities that may use the eligible railroad.

5. The taxable property in a redevelopment area must not be included in any subsequently created redevelopment area until at least 50 years after the effective date of creation of the first redevelopment area in which the property was included.

6. As used in this section, "improved land" means:

(a) Land that contains structures which:

(1) Are used for residential, commercial, industrial or governmental purposes; and

(2) Have been connected to water facilities, sewer facilities or roads, or any combination thereof;

(b) Any areas related to the structures described in paragraph (a), including, without limitation, landscaping areas, parking areas, parks and streets; and

(c) If the subject of the redevelopment is an eligible railroad or facilities related to an eligible railroad:

(1) Land on which the eligible railroad is located; and

(2) Any areas related to the eligible railroad, including, without limitation, land on which is located railroad tracks, a railroad right-of-way or a facility related to the eligible railroad.

(Added to NRS by [1985, 2067](#); A [1987, 1683](#); [1999, 1090](#); [2005, 2216](#))

NRS 279.520 Contents of resolution designating area for evaluation. The resolution designating an area for evaluation must contain the following:

1. A finding that the area requires study to determine if a redevelopment project within that area is feasible.
2. A description of the boundaries of the area designated.

(Added to NRS by 1959, 658; A [1985, 2073](#))

NRS 279.522 Requests for evaluation of particular area. Any person may, in writing, request the legislative body, or the planning commission or the agency if authorized by the legislative body to designate areas for evaluation, to designate such an area for study, and may submit with their request plans showing the proposed redevelopment of that area or any part thereof.

(Added to NRS by 1959, 658; A [1985, 2073](#))

NRS 279.524 Selection of redevelopment area; preliminary plan. The planning commission may, on its own motion or at the request of the agency, or shall, at the direction of the legislative body or upon the written petition of the owners in fee of a majority of any redevelopment area, excluding publicly owned areas or areas dedicated to a public use, select one or more redevelopment areas comprising all or part of the area for evaluation, and formulate a preliminary plan for the redevelopment of each redevelopment area.

(Added to NRS by 1959, 658; A [1985, 2073](#))

NRS 279.526 Preliminary plan: Sufficiency. A preliminary plan is sufficient if it:

1. Describes the boundaries of the redevelopment area.
2. Contains a general statement of the uses of the land, layout of principal streets, densities of population and intensities and standards of building proposed for the redevelopment of the area.
3. Shows how the purposes of this chapter would be attained by such redevelopment.
4. Shows that the proposed redevelopment conforms to the master or general plan for the community.

(Added to NRS by 1959, 658; A [1985, 2073](#))

NRS 279.528 Submission of preliminary plan to agency; analysis. The planning commission shall submit the preliminary plan for each redevelopment area to the agency. The agency shall make an analysis of the preliminary plan and include the analysis in its report to the legislative body.

(Added to NRS by 1959, 658; A [1985, 2074](#))

NRS 279.530 Cooperation of agency and planning commission. The agency and planning commission shall cooperate in the selection of redevelopment areas and in the preparation of the preliminary plans.

(Added to NRS by 1959, 658; A [1985, 2074](#))

NRS 279.564 Preparation or adoption of redevelopment plan by agency; hearings and negotiations. Each agency shall prepare or cause to be prepared, or adopt, a redevelopment plan for each redevelopment area and for that purpose may hold hearings and conduct examinations, investigations and other negotiations.

(Added to NRS by 1959, 661; A [1985, 2074](#))

NRS 279.566 Property owners' participation and assistance in redevelopment; agency's rules; provisions if nonparticipation.

1. Every redevelopment plan must provide for the participation and assistance in the redevelopment of property in the redevelopment area by the owners of all or part of that property if the owners agree to participate in conformity with the redevelopment plan adopted by the legislative body for the area.

2. With respect to each redevelopment area, each agency shall, before the adoption of the redevelopment plan, adopt and make available for public inspection rules to implement the operation of this section in connection with that plan.

3. Every redevelopment plan must contain provisions for redevelopment of the property if the owners fail to participate in the redevelopment.

(Added to NRS by 1959, 661; A [1985, 2074](#); [1999, 3614](#))

NRS 279.568 Conformance to master or general plan for community. A redevelopment plan must conform to the master or general plan for the community as it applies to the redevelopment area. The agency shall consult with the planning commission of the community in formulating redevelopment plans.

(Added to NRS by 1959, 661; A [1985, 2074](#))

NRS 279.570 Report by planning commission; vote of legislative body.

1. Before the redevelopment plan is submitted to the legislative body, it must be submitted to the planning commission for its report and recommendation and for its conformity to the master or general plan for the community. Within 30 days after a redevelopment plan is submitted to it for consideration, the planning commission shall make and file its report and recommendation with the agency.

2. If the planning commission recommends against the approval of the redevelopment plan, the legislative body may adopt that plan by a two-thirds vote of its entire membership. If the planning commission recommends approval or fails to make any recommendation within the time allowed, the legislative body may adopt the redevelopment plan by a majority vote of the entire membership.

(Added to NRS by 1959, 661; A [1985, 2074](#))

NRS 279.572 Contents of redevelopment plan: General requirements. Every redevelopment plan must show:

1. The amount of open space to be provided and the layout of streets;
2. Limitations on type, size, height, number and proposed use of buildings;
3. The approximate number of dwelling units;
4. The property to be devoted to public purposes and the nature of those purposes;
5. Other covenants, conditions and restrictions which the legislative body prescribes; and
6. The proposed method of financing the redevelopment plan in sufficient detail so that the legislative body may determine the economic feasibility of the plan.

(Added to NRS by 1959, 662; A [1985, 2075](#); [1991, 2064](#); [1997, 2558](#))

NRS 279.574 Contents of redevelopment plan: Leases and sales of real property by agency. Except as otherwise provided in [NRS 279.486](#), every redevelopment plan must provide for the agency to lease or sell all real property acquired by it in any redevelopment area, except property conveyed by it to the community. Any such lease or sale must be conditioned on the redevelopment and use of the property in conformity with the redevelopment plan.

(Added to NRS by 1959, 662; A [1985, 2075](#))

NRS 279.576 Contents of redevelopment plan: Acquisition of property; bonds. A redevelopment plan may provide for the agency to:

1. Acquire by gift, purchase, lease or condemnation all or part of the real property in the redevelopment area, and any personal property acquired in connection with that real property.
2. Issue bonds and expend the proceeds from their sale in carrying out the redevelopment plan.

(Added to NRS by 1959, 662; A [1985, 2075](#))

NRS 279.578 Submission of redevelopment plan to legislative body; report required.

1. After the formation of a redevelopment plan and its submission to the planning commission of the community, the agency shall submit it to the legislative body.

2. Every redevelopment plan submitted to the legislative body must be accompanied by a report containing:

- (a) The reasons for the selection of the redevelopment area;
- (b) A description of the physical, social and economic conditions existing in the area;
- (c) A description of the proposed method of financing the redevelopment plan in sufficient detail so that the legislative body may determine the economic feasibility of the plan;
- (d) A method or plan for the relocation of persons and families temporarily or permanently displaced from housing facilities in the redevelopment area;
- (e) An analysis of the preliminary plan; and
- (f) The report and recommendations of the planning commission, if any.

(Added to NRS by 1959, 662; A [1985, 2075](#))

NRS 279.580 Matters to be considered by legislative body; public hearing; notice.

1. The legislative body shall consider the redevelopment plan submitted by the agency and all evidence and testimony for or against the adoption of the plan at a public hearing, notice of which must be given by publication for not less than once a week for 4 successive weeks in a newspaper of general circulation published in the county in which the redevelopment area is located.

2. The notice of hearing must include:

- (a) A legal description of the boundaries of the area designated in the redevelopment plan;

- (b) A general statement of the scope and objectives of the plan; and
 - (c) A statement of the day, hour and place where any person:
 - (1) Having an objection to the proposed redevelopment plan; or
 - (2) Who denies the existence of blight in the proposed redevelopment area or the regularity of any of the proceedings,
- ↳ may appear before the legislative body and show cause why the proposed plan should not be adopted.
3. Copies of the notice must be mailed to the last known owner of each parcel of land in the area designated in the redevelopment plan, at his or her last known address as shown by the records of the assessor for the community.
(Added to NRS by 1959, 662; A [1985, 2076](#))

NRS 279.583 Proposals by legislative body to exclude certain land from proposed redevelopment area.
After publication of notice of the public hearing pursuant to [NRS 279.580](#) and before approval of the redevelopment plan by the legislative body, the legislative body may submit to the planning commission a proposal to exclude land from a proposed redevelopment area. Within 30 days after that change is submitted to it for consideration, the planning commission shall submit its report and recommendation to the legislative body. If the planning commission does not report upon the change within 30 days after its submission by the legislative body, the legislative body may proceed to exclude the land from the proposed redevelopment area without that report and recommendation.
(Added to NRS by [1985, 2067](#))

- NRS 279.586 Adoption of redevelopment plan by ordinance: Determinations; contents of ordinance.**
1. If the legislative body determines that:
- (a) The redevelopment area includes a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this chapter;
 - (b) The redevelopment plan would redevelop the area in conformity with this chapter and is in the interests of the peace, health, safety and welfare of the community;
 - (c) The redevelopment plan conforms to the general plan of the community;
 - (d) The condemnation of real property, if provided for in the redevelopment plan, is necessary to the execution of the redevelopment plan and adequate provisions have been made for payment for property to be acquired as provided by law;
 - (e) Adequate permanent housing is or will be made available in the community for displaced occupants of the redevelopment area at rents comparable to those in the community at the time of displacement, if the redevelopment plan may result in the temporary or permanent displacement of any occupants of housing in the redevelopment area;
 - (f) All noncontiguous areas of a redevelopment area:
 - (1) Are blighted or necessary for effective redevelopment; or
 - (2) Satisfy the requirements set forth in subsection 4 of [NRS 279.519](#);
 - (g) Inclusion of any lands, buildings or improvements which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the area of which they are a part; and
 - (h) Adequate provisions have been made for the payment of the principal of and interest on any bonds which may be issued by the agency, if provided for in the redevelopment plan,
- ↳ the legislative body may adopt, by ordinance, the plan as the official redevelopment plan for the redevelopment area.
2. The ordinance must:
- (a) Contain a legal description of the boundaries of the redevelopment area covered by the redevelopment plan;
 - (b) Set forth the purposes and intent of the legislative body with respect to the redevelopment area;
 - (c) Designate the approved plan as the official redevelopment plan of the redevelopment area and incorporate it by reference; and
 - (d) Contain the determinations of the legislative body as set forth in subsection 1.
- (Added to NRS by 1959, 663; A [1985, 2076](#); [2005, 2217](#))

NRS 279.589 Effect of decision of legislative body.

1. The decision of the legislative body concerning a redevelopment area is final and conclusive, and it is thereafter conclusively presumed that the redevelopment area is a blighted area and that all prior proceedings have been properly and regularly taken.

2. This section does not apply in any action questioning the validity of any redevelopment plan, the adoption or approval of that plan, or any of the findings or determinations of the agency or the legislative body in connection with that plan brought pursuant to [NRS 279.609](#).

(Added to NRS by [1985, 2067](#))

NRS 279.598 Safeguards required that redevelopment will be carried out; controls. No plan may be approved unless it contains adequate safeguards that the work of redevelopment will be carried out pursuant to the plan and provides for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the legislative body deems necessary to effectuate the purposes of this chapter. The establishment of such controls is a public purpose under the provisions of this chapter.

(Added to NRS by 1959, 663)

NRS 279.602 Copy of ordinance transmitted to agency. Upon the filing of the ordinance with the clerk or other appropriate officer of the legislative body, a copy of the ordinance shall be sent to the agency, and the agency is vested with the responsibility for carrying out the plan.

(Added to NRS by 1959, 664)

NRS 279.6025 Submission of initial and annual reports for each redevelopment area in redevelopment plan.

1. In addition to the report required pursuant to the provisions of subsection 2, for each redevelopment area for which a redevelopment plan is adopted pursuant to the provisions of [NRS 279.586](#) on or after July 1, 2011, the agency shall, on or before the January 1 next after the adoption of the plan, submit to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature, and to the legislative body a report on a form prescribed by the Committee on Local Government Finance that includes, without limitation, the following information for the redevelopment area:

- (a) A legal description of the boundaries of the redevelopment area;
- (b) The date on which the redevelopment plan for the redevelopment area was adopted;
- (c) The scheduled termination date of the redevelopment plan;
- (d) The total sum of the assessed value of the taxable property in the redevelopment area for:
 - (1) The fiscal year immediately preceding the adoption of the redevelopment plan; and
 - (2) The fiscal year during which the redevelopment plan was adopted, if such fiscal year ends before the reporting deadline;
- (e) The combined overlapping tax rate of the redevelopment area;
- (f) The property tax rate of the redevelopment area;
- (g) The property tax revenue expected to be received from any tax increment area, as defined in [NRS 278C.130](#), within the redevelopment area during the first fiscal year that the agency will receive an allocation pursuant to the provisions of [NRS 279.676](#);
- (h) Copies of any memoranda of understanding into which the agency enters during the fiscal year in which the redevelopment plan was adopted; and
- (i) The amortization schedule for any debt incurred for the redevelopment area and the reasons for incurring the debt.

2. On or before January 1 of each year, for each redevelopment area for which a redevelopment plan has been adopted pursuant to the provisions of [NRS 279.586](#), the agency shall submit to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature, and to the legislative body a report on a form prescribed by the Committee on Local Government Finance that includes, without limitation, the following information for the redevelopment area for the previous fiscal year:

- (a) The property tax revenue received from any tax increment area, as defined in [NRS 278C.130](#), within the redevelopment area;
- (b) The combined overlapping tax rate of the redevelopment area;
- (c) The property tax rate of the redevelopment area;
- (d) The total sum of the assessed value of the taxable property in the redevelopment area;
- (e) If the amount reported pursuant to the provisions of paragraph (d) is less than the total sum of the assessed value of the taxable property in the redevelopment area for any other previous fiscal year, an explanation of the reason for the difference;
- (f) Copies of any memoranda of understanding into which the agency enters;
- (g) The amortization schedule for any debt incurred for the redevelopment area and the reasons for incurring the debt; and
- (h) Any change to the boundary of the redevelopment area and an explanation of the reason for the change.

3. In addition to the information required pursuant to the provisions of subsection 2, an agency of a city whose population is 500,000 or more shall include in the report submitted pursuant to subsection 2 the following information for the redevelopment area for the previous fiscal year:

(a) A statement of all revenues and expenditures of the agency.

(b) A statement of efforts by the agency to promote the goals of the regional development authority, as defined in [NRS 231.009](#), including, without limitation, an explanation of the extent to which the activities of the agency have promoted private investment, the formation of businesses and the creation of jobs.

4. Any report for a redevelopment area submitted pursuant to the provisions of subsection 1 must be submitted with the report for the redevelopment area submitted pursuant to the provisions of subsection 2.

(Added to NRS by [2011, 3746](#); A [2013, 2275](#))

NRS 279.603 Recording of statement regarding redevelopment; transmission of certain information if taxes are to be divided.

1. The legislative body shall record with the county recorder of the county in which the redevelopment area is situated a description of the land within the redevelopment area and a statement that proceedings for the redevelopment of that area have been instituted.

2. Within 30 days after the adoption by the legislative body of a redevelopment plan which contains a provision for the division of taxes pursuant to [NRS 279.676](#), the clerk of the community shall transmit a copy of the description and statement recorded pursuant to subsection 1, a copy of the ordinance adopting the plan and a map or plat indicating the boundaries of the redevelopment area to:

(a) The auditor and tax assessor of the county in which the redevelopment area is located;

(b) The officer who performs the functions of auditor or assessor for any taxing agency which, in levying or collecting its taxes, does not use the county assessment roll or collect its taxes through the county; and

(c) The governing body of each of the taxing agencies which levies taxes upon any property in the redevelopment area.

(Added to NRS by [1985, 2067](#); A [2001, 1760](#))

NRS 279.6035 Applicants for building permits must be advised of redevelopment area. After the adoption of a redevelopment plan, all applicants for building permits in the redevelopment area must be advised by the building department of the community that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment area.

(Added to NRS by [1985, 2068](#))

NRS 279.604 Approval of contracts by legislative body. The legislative body may require the agency to submit any contracts to the legislative body and obtain its approval before entering into such contracts.

(Added to NRS by 1959, 664)

NRS 279.608 Material deviation from or amendment of redevelopment plan: Recommendation to legislative body; hearing; notice; report and recommendations by planning commission; action by legislative body.

1. If, at any time after the adoption of a redevelopment plan by the legislative body, the agency desires to take an action that will constitute a material deviation from the plan or otherwise determines that it would be necessary or desirable to amend the plan, the agency must recommend the amendment of the plan to the legislative body. An amendment may include the addition of one or more areas to any redevelopment area.

2. Before recommending amendment of the plan, the agency shall hold a public hearing on the proposed amendment. Notice of that hearing must be published at least 10 days before the date of hearing in a newspaper of general circulation, printed and published in the community, or, if there is none, in a newspaper selected by the agency. The notice of hearing must include a legal description of the boundaries of the area designated in the plan to be amended and a general statement of the purpose of the amendment.

3. In addition to the notice published pursuant to subsection 2, the agency shall cause a notice of hearing on a proposed amendment to the plan to be sent by mail at least 10 days before the date of the hearing to each owner of real property, as listed in the records of the county assessor, whom the agency determines is likely to be directly affected by the proposed amendment. The notice must:

(a) Set forth the date, time, place and purpose of the hearing and a physical description of, or a map detailing, the proposed amendment; and

(b) Contain a brief summary of the intent of the proposed amendment.

4. If after the public hearing, the agency recommends substantial changes in the plan which affect the master or community plan adopted by the planning commission or the legislative body, those changes must be submitted by the agency to the planning commission for its report and recommendation. The planning commission shall give its report and recommendations to the legislative body within 30 days after the agency submitted the changes to the planning commission.

5. After receiving the recommendation of the agency concerning the changes in the plan, the legislative body shall hold a public hearing on the proposed amendment, notice of which must be published in a newspaper in the manner designated for notice of hearing by the agency. If after that hearing the legislative body determines that the amendments in the plan, proposed by the agency, are necessary or desirable, the legislative body shall adopt an ordinance amending the ordinance adopting the plan.

6. As used in this section, "material deviation" means an action that, if taken, would alter significantly one or more of the aspects of a redevelopment plan that are required to be shown in the redevelopment plan pursuant to [NRS 279.572](#). The term includes, without limitation, the vacation of a street that is depicted in the streets and highways plan of the master plan described in [NRS 278.160](#) which has been adopted for the community and the relocation of a public park. The term does not include the vacation of a street that is not depicted in the streets and highways plan of the master plan described in [NRS 278.160](#) which has been adopted for the community.

(Added to NRS by 1959, 664; A [1983, 492](#); [1985, 2077](#); [2003, 2344](#); [2009, 2769](#); [2013, 1510](#))

NRS 279.609 Limitations on actions to question validity of redevelopment plan or amendment. Any action questioning the validity of:

1. Any redevelopment plan or amendment to a redevelopment plan;
 2. The adoption or approval of that plan or amendment; or
 3. Any of the findings or determinations of the agency or the legislative body in connection with that plan,
- ↪ may only be brought after the adoption of the plan or amendment or within 90 days after the date of adoption of the ordinance adopting or amending the plan.

(Added to NRS by [1985, 2068](#))

PROJECTS IN CITIES WHOSE POPULATION IS 500,000 OR MORE

NRS 279.6092 Applicability. The provisions of [NRS 279.6092](#) to [279.6099](#), inclusive, apply only to a redevelopment project undertaken in a redevelopment area of a city whose population is 500,000 or more.

(Added to NRS by [2013, 1572](#))

NRS 279.6094 Employment plan required for redevelopment project built as public work. A public agency that uses redevelopment funds for the design or construction of a redevelopment project being built as a public work pursuant to [chapter 338](#) of NRS shall submit an employment plan pursuant to [NRS 279.482](#).

(Added to NRS by [2013, 1572](#))

NRS 279.6096 Partial withholding of incentive by agency.

1. Except as otherwise provided in subsection 2, if an agency proposes to provide an incentive to a developer for a redevelopment project, an amount equal to 10 percent of the amount of the proposed incentive must be withheld by the agency and must not be paid to the developer until:

(a) At least 15 percent of all employees of contractors, subcontractors, vendors and suppliers of the developer are bona fide residents of a redevelopment area described in [NRS 279.6092](#), an area in the city for which the legislative body has adopted a specific plan for neighborhood revitalization or which is eligible for a community development block grant pursuant to 24 C.F.R. Part 570, or the Southern Nevada Enterprise Community;

(b) At least 15 percent of all jobs created by employers who relocate to the redevelopment area are filled by bona fide residents of any of the areas described in paragraph (a); and

(c) The developer satisfies all reporting requirements as described in [NRS 279.6098](#).

2. If an agency provides incentives in a form other than cash to a developer for a redevelopment project, the developer shall deposit an amount of money with the agency equal to 10 percent of the value of such incentives as agreed upon between the agency and the developer. If the developer satisfies the requirements of subsection 1, the agency shall return the deposit required by this subsection to the developer.

(Added to NRS by [2013, 1572](#))

NRS 279.6098 Report by developer of information relating to redevelopment project; penalty for failure to submit report.

1. Except as otherwise provided in subsection 2, a developer that receives incentives from an agency for a redevelopment project shall, upon completion of the project and upon request of the agency, report, in a form prescribed by the agency, information relating to:

(a) Outreach efforts that the developer has utilized, including, without limitation, information relating to job fairs, advertisements in publications that reach residents of the areas described in [NRS 279.6096](#) and utilization of employment referral agencies;

(b) Training conducted for persons hired by the developer and contractors, subcontractors, vendors and suppliers of the developer and the employers within the redevelopment project; and

(c) The execution of the redevelopment project, including, without limitation, plans and the scope of services.

2. If a developer receives incentives from an agency for a redevelopment project with a value of \$100,000 or less, the developer shall use its best efforts to satisfy the reporting requirements described in subsection 1.

3. If the developer fails to comply with the requirements of this section:

(a) The agency may refuse to pay all or any portion of an incentive; and

(b) The agency may require the developer to repay any incentive already paid to the developer.

(Added to NRS by [2013, 1572](#))

NRS 279.6099 Appeal of refusal to pay amount of incentive withheld by agency.

1. A developer may appeal the refusal by an agency to pay the amount provided for in [NRS 279.6096](#) to the legislative body of the community.

2. In an appeal, the developer has the burden of demonstrating that:

(a) Specific actions were taken to substantially fulfill the requirements of [NRS 279.6096](#);

(b) An insufficient number of significant opportunities for appropriate contractors, subcontractors, vendors or suppliers to perform a commercially useful function in the project existed; and

(c) Use of appropriate contractors, subcontractors, vendors or suppliers as required by [NRS 279.6096](#) would have significantly and adversely affected the overall cost of the project.

3. If the legislative body finds that the developer's appeal has satisfied the requirements of subsection 2, the agency shall pay the developer the amount provided for in [NRS 279.6096](#).

(Added to NRS by [2013, 1573](#))

FINANCIAL PROVISIONS

NRS 279.610 Appropriations.

1. At any time after the agency created for any community becomes authorized to transact business and exercise its powers, the legislative body of the community may appropriate to the agency such amounts as the legislative body deems necessary for the administrative expenses and overhead of the agency. The money appropriated may be paid to the agency as a grant to defray the expenses and overhead, or as a loan to be repaid upon such terms and conditions as the legislative body may provide.

2. In addition to the common understanding and usual interpretation of the term, "administrative expense" includes, but is not limited to, expenses of redevelopment planning and dissemination of redeveloped information.

(Added to NRS by 1959, 665)

NRS 279.612 Annual budget.

1. Each agency transacting business and exercising powers under this chapter shall annually submit to the legislative body of the community a proposed budget of its administrative expenses.

2. The legislative body may adopt an annual budget for the administrative expenses of the agency in such amounts as it deems necessary and may provide such conditions and restrictions upon the expenditure or encumbrance of the money appropriated pursuant to the budget as it deems advisable.

(Added to NRS by 1959, 665)

NRS 279.614 Agency's administrative fund. The money appropriated for administrative expenses shall be kept in the treasury of the community in a special fund to be known as the community redevelopment agency administrative fund, and money shall be drawn from the fund to meet the administrative expenses of the agency in substantially the same manner as money is drawn by other agencies and departments of the community.

(Added to NRS by 1959, 665)

NRS 279.616 Money appropriated to defray administrative expenses; agency not department of community; status of agency's employees. The money appropriated by the legislative body to the community

redevelopment agency administrative fund is money granted by the community to defray the administrative expenses of the agency which is performing a public function of the community and the grant of money in this manner is not to be construed as making the agency a department of the community or as placing the officers, agents, counsel and employees under civil service of the community.

(Added to NRS by 1959, 665)

NRS 279.618 Agency's reports to legislative body. Each agency shall file with the legislative body a detailed report of all of its transactions, including a statement of all revenues and expenditures, at monthly, quarterly or annual intervals as the legislative body may prescribe.

(Added to NRS by 1959, 665)

NRS 279.619 Limitation on issuing securities or incurring indebtedness.

1. Securities must not be issued and no indebtedness may be incurred in any other manner, by or on behalf of an agency to finance, in whole or in part, a redevelopment plan beyond 20 years after the date on which the redevelopment plan is adopted, except that an agency may enter into leases or incur indebtedness at any time before the termination of the redevelopment plan if the leases are terminated and the indebtedness is fully repaid no later than the termination of the redevelopment plan. The maturity date of any securities which are refunded must not extend beyond the date of termination of the redevelopment plan.

2. Any securities issued by or on behalf of an agency to finance, in whole or in part, redevelopment pursuant to [NRS 279.620](#) to [279.626](#), inclusive, and [279.634](#) to [279.672](#), inclusive, must mature and be fully paid, including any interest thereon, before the termination of the redevelopment plan.

(Added to NRS by [1987, 1683](#); [A 1997, 2559](#))

NRS 279.620 Revolving fund: Establishment; sources.

1. At any time after it has adopted a resolution declaring that there is need for an agency to function in the community, the legislative body may establish a redevelopment revolving fund to be kept in the treasury of the community.

2. For the purpose of raising money to be deposited in such fund, the legislative body may appropriate money or the community may issue and sell general obligation bonds.

(Added to NRS by 1959, 666)

NRS 279.622 Issuance and sale of general obligation bonds: Purposes; amount authorized.

1. The community may also issue and sell its general obligation bonds for the purpose of providing funds with which to redeem before maturity, retire at maturity, or purchase agency bonds issued under [NRS 279.634](#) to [279.672](#), inclusive. General obligation bonds issued pursuant to this section may be authorized and issued in a principal amount sufficient to provide funds for the payment of any or all of the following:

(a) The principal amount of agency bonds proposed to be so redeemed, retired or purchased.

(b) The estimated amount of any premiums required to be paid in connection with the redemption or purchase of such agency bonds.

(c) The estimated amount of any due and unpaid interest or accrued interest on such agency bonds which must be paid at the time the same are redeemed, retired or purchased.

(d) The estimated amount of all expenses incidental to or connected with the redemption, retirement or purchase of such agency bonds and the authorization, issuance and sale of such general obligation bonds.

2. All agency bonds redeemed, retired or purchased with the proceeds of such general obligation bonds shall be cancelled and may not be reissued.

(Added to NRS by 1959, 666)

NRS 279.624 Agreement with respect to amount of general obligation bonds where plan contains provision authorized by [NRS 279.676](#). If the redevelopment plan contains the provision authorized by [NRS 279.676](#), the agency and the legislative body of the community may, either before or after the authorization of general obligation bonds for the purposes permitted by [NRS 279.622](#), enter into an agreement that the principal amount of any such general obligation bonds sold for such purposes, together with all interest which the community may pay thereon, shall constitute a loan by the community to the agency for the purpose of refinancing the redevelopment project, and that, subject to any prior pledge of or claim upon the moneys in the special fund provided for in [NRS 279.676](#), the moneys accruing to such special fund are irrevocably pledged to the repayment of such loan until there has been repaid to the community from time to time from such special fund the principal amount of such general obligation bonds plus all interest which the community may pay thereon, less such part, if

any, of the proceeds of such general obligation bonds which were not used for such purposes, and less any premiums and accrued interest received by the community upon the sale of such general obligation bonds.
(Added to NRS by 1959, 666)

NRS 279.625 Special election may be held only if emergency exists.

1. For the purposes of [NRS 279.626](#) and [279.636](#), a special election may be held only if the legislative body of the community determines, by a unanimous vote, that an emergency exists.

2. The determination made by the legislative body is conclusive unless it is shown that the legislative body acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the legislative body must be commenced within 15 days after the legislative body's determination is final.

3. As used in this section, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the legislative body to prevent or mitigate a substantial financial loss to the community or to enable the legislative body to provide an essential service to the residents of the community.

(Added to NRS by [1993, 1048](#))

NRS 279.626 Issuance of general obligation bonds: Manner; limitations; exceeding limitation. Except as otherwise provided in this chapter, any general obligation bonds issued by any community pursuant to [NRS 279.620](#) to [279.632](#), inclusive, must be authorized and issued in the manner and within the limitations prescribed by law or the charter of the community for the issuance and authorization of the bonds for public purposes generally. Irrespective of any limitation as to the amount of general obligation bonds which may be issued, a community may issue the bonds for the purposes prescribed in [NRS 279.620](#) to [279.632](#), inclusive, in excess of the limitation, in such amount as may be authorized by the voters of the community at any special, primary or general election if the community is a county, and at any special election or primary or general municipal election or primary or general state election, if the community is a city.

(Added to NRS by 1959, 666; A [1993, 1051](#))

NRS 279.628 Expenditures from revolving fund.

1. By resolution of the legislative body adopted by a majority vote any money in the redevelopment revolving fund may be expended from time to time for:

(a) The acquisition of real property in any redevelopment area.

(b) The clearance, aiding in relocation of occupants of the site and preparation of any redevelopment area for redevelopment.

2. By resolution of the legislative body adopted by a two-thirds vote, any money in the redevelopment revolving fund may be paid to the agency, upon such terms and conditions as the legislative body may prescribe for any of the following purposes:

(a) Deposit in a trust fund to be expended for the acquisition of real property in any redevelopment area.

(b) The clearance of any redevelopment area for redevelopment.

(c) Any expenses necessary or incidental to the carrying out of a redevelopment plan which has been adopted by the legislative body.

(d) For the provision of grants to pay the costs related to the improvement of educational facilities in the community, except for the cost of any regular expenses of such an educational facility.

(Added to NRS by 1959, 667; A [1985, 2078](#); [2011, 3747](#))

NRS 279.630 Sale or lease of property acquired from revolving fund: Minimum amount; redeposit of proceeds; approval of sale or lease.

1. No real or personal property, or any interest therein, acquired or constructed in whole or in part with money from the redevelopment revolving fund may be sold or leased for an amount less than its fair market value in accordance with any covenants and conditions governing that sale or lease, unless the agency finds that a sale or lease for a lesser consideration is necessary to effectuate the purposes of the redevelopment plan.

2. All money received by the agency from the sale, lease or encumbering of property acquired with money from the redevelopment revolving fund in excess of the money required to repay the loans and interest thereon authorized by this chapter must be redeposited in the fund.

3. If any property acquired in whole or in part from the redevelopment revolving fund is to be sold or leased by the agency, the sale or lease must be first approved by the legislative body by resolution adopted after public hearing. Notice of the time and place of the hearing must be published once in a newspaper of the community at

least 1 week before the hearing. The resolution must be adopted by a majority vote unless the legislative body has provided by ordinance for a two-thirds vote for such purpose.

(Added to NRS by 1959, 667; A [1981, 763](#); [1985, 2078](#))

NRS 279.632 Abolition of revolving fund; transfer of money. The legislative body of any community may abolish the redevelopment revolving fund whenever it finds that the purposes for which it was established have been accomplished. At the time of abolishing the fund, the legislative body shall transfer all money in it to the general obligation bond redemption fund and provide that all money thereafter to be deposited or redeposited in the redevelopment revolving fund shall be deposited in the general obligation bond redemption fund. Any surplus existing in the general obligation bond redemption fund after payment of principal and interest shall be transferred to the general fund of the community.

(Added to NRS by 1959, 667)

NRS 279.634 Bonds: Issuance for corporate or refunding purposes. From time to time an agency may issue bonds for any of its corporate purposes. An agency may also issue refunding bonds for the purpose of paying or retiring bonds previously issued by it.

(Added to NRS by 1959, 667)

NRS 279.636 Types of bonds which agency may issue; additional security for bonds.

1. An agency may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable:

(a) Exclusively from the income and revenues of the redevelopment projects financed with the proceeds of the bonds, or with those proceeds together with financial assistance from the State or Federal Government in aid of the projects.

(b) Exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of the bonds.

(c) In whole or in part from taxes allocated to, and paid into a special fund of, the agency pursuant to the provisions of [NRS 279.674](#) to [279.687](#), inclusive.

(d) From its revenues generally.

(e) From any contributions or other financial assistance from the State or Federal Government.

(f) From the proceeds of the surcharge imposed pursuant to [NRS 244A.830](#).

(g) By any combination of these methods.

2. Any of the bonds may be additionally secured by a pledge of any revenue or by an encumbrance by mortgage, deed of trust or otherwise of any redevelopment project or other property of the agency or by a pledge of the taxes referred to in subsection 1.

3. Amounts payable in any manner permitted by this section may be additionally secured by a pledge of the full faith and credit of the community whose legislative body has declared the need for the agency to function. Such additional security may only be provided upon the approval of the majority of the voters voting on the question at a primary or general election or a special election called for that purpose. In its proposal to its voters the governing body shall define the area to be redeveloped, the primary source or sources of revenue first to be employed to retire the bonds and the maximum sum for which the city may pledge its full faith and credit in connection with the bonds to be issued for the project.

(Added to NRS by 1959, 668; A [1981, 314](#); [1993, 1052](#); [2011, 3341](#))

NRS 279.638 Liability on bonds; limitation of indebtedness.

1. Neither the members of an agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

2. Unless the full faith and credit of a community is pledged, the bonds and other obligations of any agency are not a debt of the community, the State or any of its political subdivisions and neither the community, the State nor any of its political subdivisions is liable on them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the agency; and such bonds and other obligations shall so state on their face. Unless the full faith and credit of a community is pledged, the bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

(Added to NRS by 1959, 668; A [1981, 315](#))

NRS 279.640 Authorization of bonds; sale.

1. The agency may authorize bonds by resolution. The resolution, trust indenture or mortgage must provide for:

- (a) The issuance of the bonds in one or more series.
- (b) The date the bonds will bear.
- (c) The maturity dates of the bonds.
- (d) The interest rate.
- (e) The denomination of the bonds.
- (f) Their form, either coupon or registered.
- (g) The conversion or registration privileges carried by the bonds.
- (h) The rank or priority of the bonds.
- (i) The manner of their execution.
- (j) The medium of payment.
- (k) The place of payment.
- (l) The terms of redemption with or without premium to which the bonds are subject.

2. The bonds may be sold at par, above par or below par in accordance with the provisions of [NRS 350.2012](#) at a:

(a) Public sale held after notice is published at least once at least 5 days before the sale in a newspaper of general circulation published in the community, or, if there is none, in a newspaper of general circulation published in the county; or

(b) Private sale without any advertisement or public notice.

(Added to NRS by 1959, 668; A [1993, 260](#); [1995, 155](#))

NRS 279.642 Validity of bonds: Termination of office. If any agency member or officer whose signature appears on bonds or coupons ceases to be such member or officer before delivery of the bonds, the signature of the member or officer is as effective as if the member or officer had remained in office.

(Added to NRS by 1959, 669)

NRS 279.644 Negotiability of bonds. Bonds issued pursuant to this chapter are fully negotiable.

(Added to NRS by 1959, 669)

NRS 279.646 Validity of bonds: Presumptions. In any action or proceeding involving the validity or enforceability of any bonds or their security, any such bond reciting in substance that it has been issued by the agency to aid in financing a redevelopment project is conclusively deemed to have been issued for a redevelopment project and the project is conclusively deemed to have been planned, located and constructed pursuant to this chapter.

(Added to NRS by 1959, 669)

NRS 279.648 Issuance of bonds: Pledge of revenues; encumbrances of property. An agency may:

1. Pledge all or any part of its gross or net rents, fees or revenues to which its right then exists or may thereafter come into existence.

2. Encumber by mortgage, deed of trust or otherwise all or any part of its real or personal property, then owned or thereafter acquired.

(Added to NRS by 1959, 669)

NRS 279.650 Issuance of bonds: Limitations on further indebtedness and transactions. An agency may covenant:

1. Against pledging all or any part of its rents, fees and revenues.
2. Against encumbering all or any part of its real or personal property, to which its right or title then exists or may thereafter come into existence.

3. Against permitting any lien on such revenues or property.

4. With respect to limitations on its right to sell, lease or otherwise dispose of all or part of any redevelopment project.

5. As to what other, or additional debts or obligations it may incur.

(Added to NRS by 1959, 669)

NRS 279.652 Issuance of bonds: Use of proceeds; lost or destroyed bonds; extension of time for payment; redemption. An agency may:

1. Covenant as to the bonds to be issued, as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the bond proceeds.
 2. Provide for the replacement of lost, destroyed or mutilated bonds.
 3. Covenant against extending the time for the payment of its bonds or interest.
 4. Redeem the bonds, covenant for their redemption, and provide the redemption terms and conditions.
- (Added to NRS by 1959, 669)

NRS 279.654 Issuance of bonds: Rentals and revenues; special funds. An agency may:

1. Covenant as to the consideration or rents and fees to be charged in the sale or lease of a redevelopment project, the amount to be raised each year or other period of time by rents, fees and other revenues, and as to their use and disposition.
 2. Create or authorize the creation of special funds for money held for redevelopment or other costs, debt service, reserves or other purposes, and covenant as to the use and disposition of such money.
- (Added to NRS by 1959, 669)

NRS 279.656 Issuance of bonds: Abrogation or amendment of contracts with bondholders. An agency may prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated; the amount of bonds whose holders are required to consent thereto, and the manner in which such consent may be given.

(Added to NRS by 1959, 669)

NRS 279.658 Issuance of bonds: Use and maintenance of property; insurance. An agency may covenant:

1. As to the use of any or all of its real or personal property.
 2. As to the maintenance of its real and personal property, its replacement, the insurance to be carried on it, and the use and disposition of insurance money.
- (Added to NRS by 1959, 669)

NRS 279.660 Issuance of bonds: Effects of breach of covenants; events of default; waiver. An agency may:

1. Covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition or obligation.
2. Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.

(Added to NRS by 1959, 670)

NRS 279.662 Power of agency to provide for powers and duties of bondholders' trustee or bondholders. An agency may:

1. Vest in a trustee or the holders of bonds or any proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds.
2. Vest in a trustee the right, in the event of a default by the agency, to take possession of all or part of any redevelopment project, to collect the rents and revenues arising from it and to dispose of such money pursuant to the agreement of the agency with the trustee.
3. Provide for the powers and duties of a trustee and limit his or her liabilities.
4. Provide the terms and conditions upon which the trustee or the holders of bonds or any proportion of them may enforce any covenant or rights securing or relating to the bonds.

(Added to NRS by 1959, 670)

NRS 279.664 Power of agency to make additional covenants; additional powers. An agency may:

1. Make covenants other than and in addition to the covenants expressly authorized of like or different character.
2. Make such covenants and do any and all such acts and things as may be necessary, convenient or desirable to secure its bonds, or, except as otherwise provided in this chapter, as will tend to make the bonds more marketable notwithstanding that such covenants, acts or things may not be enumerated in this chapter.

(Added to NRS by 1959, 670)

NRS 279.666 Rights of agency's obligee. An obligee, in addition to all other rights which may be conferred on the obligee, and subject only to any contractual restrictions binding upon the obligee may:

1. By mandamus, suit, action or proceeding, compel the agency and its members, officers, agents or employees to perform each and every term, provision and covenant contained in any contract of the agency with or for the benefit of the obligee, and require the carrying out of any or all such covenants and agreements of the agency and the fulfillment of all duties imposed upon it by this chapter.

2. By suit, action or proceeding in equity, enjoin any acts or things which may be unlawful, or the violation of any of the rights of the obligee.

(Added to NRS by 1959, 670)

NRS 279.668 Rights of agency's obligee upon default. By its resolution, trust indenture, mortgage, lease or other contract, an agency may confer upon any obligee holding or representing a specified amount in bonds, the following rights upon the happening of an event or default prescribed in such resolution or instrument, to be exercised by suit, action or proceeding in any court of competent jurisdiction:

1. To cause possession of all or part of any redevelopment project to be surrendered to any such obligee.

2. To obtain the appointment of a receiver of all or part of any redevelopment project of the agency and of the rents and profits from it. If a receiver is appointed, he or she may enter and take possession of the redevelopment project or any part of it, operate and maintain it, collect and receive all fees, rents, revenues or other charges thereafter arising from it, and shall keep such money in separate accounts and apply it pursuant to the obligations of the agency as the court shall direct.

3. To require the agency and its members and employees to account as if it and they were the trustees of an express trust.

(Added to NRS by 1959, 670)

NRS 279.670 Bonds, interest and income exempted from taxes; exceptions.

1. Except as otherwise provided in subsection 2, bonds issued pursuant to the provisions of this chapter are issued for an essential public and governmental purpose, and together with interest on them and income from them are exempt from all taxes.

2. The provisions of subsection 1 do not apply to the tax on estates imposed pursuant to the provisions of [chapter 375A](#) of NRS or the tax on generation-skipping transfers imposed pursuant to the provisions of [chapter 375B](#) of NRS.

(Added to NRS by 1959, 671; A [1989, 2107](#); [1991, 1712](#))

NRS 279.672 Bonds of agency as legal investments.

1. Notwithstanding any restrictions on investments contained in any laws, the State and all public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries may legally invest any sinking funds, money or other funds belonging to them or within their control in any bonds or other obligations issued by an agency. Such bonds and other obligations are authorized security for all public deposits.

2. It is one of the purposes of this chapter to authorize any persons, firms, corporations, associations, political subdivisions, districts or other public agencies and officers, public or private, to use any funds owned or controlled by them, including, but not limited to, sinking, insurance, investment, retirement, compensation, pension and trust funds, and funds held on deposit, for the purchase of any such bonds or other obligations. This chapter does not relieve any person, firm or corporation from any duty of exercising reasonable care in selecting securities.

(Added to NRS by 1959, 671; A [1983, 129](#))

NRS 279.674 "Taxes" defined. As used in [NRS 279.674](#) to [279.687](#), inclusive, the word "taxes" shall include, but without limitation, all levies on an ad valorem basis upon land or real property.

(Added to NRS by 1959, 671)

NRS 279.676 Allocation, division and disposition of money from taxes; limitation on revenue; repayment of bond or other indebtedness; recalculation of total assessed value of taxable property in redevelopment area in county whose population is 700,000 or more; set aside of revenue to improve and preserve public educational facilities.

1. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in the redevelopment area each year by or for the benefit of the State, any city, county, district or other public corporation, after the effective date of the ordinance approving the redevelopment plan, must be divided as follows:

(a) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment area as shown upon the assessment roll used in connection with the taxation of the property by the taxing agency, last equalized before the effective date of the ordinance, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for such taxing agencies on all other property are paid. To allocate taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment area on the effective date of the ordinance but to which the territory has been annexed or otherwise included after the effective date, the assessment roll of the county last equalized on the effective date of the ordinance must be used in determining the assessed valuation of the taxable property in the redevelopment area on the effective date. If property which was shown on the assessment roll used to determine the amount of taxes allocated to the taxing agencies is transferred to the State and becomes exempt from taxation, the assessed valuation of the exempt property as shown on the assessment roll last equalized before the date on which the property was transferred to the State must be subtracted from the assessed valuation used to determine the amount of revenue allocated to the taxing agencies.

(b) Except as otherwise provided in paragraphs (c) and (d) and [NRS 540A.265](#), that portion of the levied taxes each year in excess of the amount set forth in paragraph (a) must be allocated to and when collected must be paid into a special fund of the redevelopment agency to pay the costs of redevelopment and to pay the principal of and interest on loans, money advanced to, or indebtedness, whether funded, refunded, assumed, or otherwise, incurred by the redevelopment agency to finance or refinance, in whole or in part, redevelopment. Unless the total assessed valuation of the taxable property in a redevelopment area exceeds the total assessed value of the taxable property in the redevelopment area as shown by:

(1) The assessment roll last equalized before the effective date of the ordinance approving the redevelopment plan; or

(2) The assessment roll last equalized before the effective date of an ordinance adopted pursuant to subsection 5,

↳ whichever occurs later, less the assessed valuation of any exempt property subtracted pursuant to paragraph (a), all of the taxes levied and collected upon the taxable property in the redevelopment area must be paid into the funds of the respective taxing agencies. When the redevelopment plan is terminated pursuant to the provisions of [NRS 279.438](#) and [279.439](#) and all loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the redevelopment area must be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

(c) That portion of the taxes in excess of the amount set forth in paragraph (a) that is attributable to a tax rate levied by a taxing agency to produce revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness that was approved by the voters of the taxing agency on or after November 5, 1996, must be allocated to and when collected must be paid into the debt service fund of that taxing agency.

(d) That portion of the taxes in excess of the amount set forth in paragraph (a) that is attributable to a new or increased tax rate levied by a taxing agency and was approved by the voters of the taxing agency on or after November 5, 1996, must be allocated to and when collected must be paid into the appropriate fund of the taxing agency.

2. Except as otherwise provided in subsection 3, in any fiscal year, the total revenue paid to a redevelopment agency must not exceed:

(a) In a county whose population is 100,000 or more or a city whose population is 150,000 or more, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 10 percent of the total assessed valuation of the municipality.

(b) In a county whose population is 30,000 or more but less than 100,000 or a city whose population is 25,000 or more but less than 150,000, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 15 percent of the total assessed valuation of the municipality.

(c) In a county whose population is less than 30,000 or a city whose population is less than 25,000, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 20 percent of the total assessed valuation of the municipality.

↳ If the revenue paid to a redevelopment agency must be limited pursuant to paragraph (a), (b) or (c) and the redevelopment agency has more than one redevelopment area, the redevelopment agency shall determine the

allocation to each area. Any revenue which would be allocated to a redevelopment agency but for the provisions of this section must be paid into the funds of the respective taxing agencies.

3. The taxing agencies shall continue to pay to a redevelopment agency any amount which was being paid before July 1, 1987, and in anticipation of which the agency became obligated before July 1, 1987, to repay any bond, loan, money advanced or any other indebtedness, whether funded, refunded, assumed or otherwise incurred.

4. For the purposes of this section, the assessment roll last equalized before the effective date of the ordinance approving the redevelopment plan is the assessment roll in existence on March 15 immediately preceding the effective date of the ordinance.

5. If in any year the assessed value of the taxable property in a redevelopment area located in a city in a county whose population is 700,000 or more as shown by the assessment roll most recently equalized has decreased by 10 percent or more from the assessed value of the taxable property in the redevelopment area as shown by the assessment roll last equalized before the effective date of the ordinance approving the redevelopment plan, the redevelopment agency may adopt an ordinance which provides that the total assessed value of the taxable property in the redevelopment area for the purposes of paragraph (b) of subsection 1 is the total assessed value of the taxable property in the redevelopment area as shown by the assessment roll last equalized before the effective date of the ordinance adopted pursuant to this subsection. A redevelopment agency may adopt an ordinance pursuant to this subsection only once, and the election to adopt such an ordinance is irrevocable.

6. An agency which adopts an ordinance pursuant to subsection 5 and which receives revenue from taxes pursuant to paragraph (b) of subsection 1 shall set aside not less than 18 percent of that revenue received on and after the effective date of the ordinance to improve and preserve existing public educational facilities which are located within the redevelopment area or which serve pupils who reside within the redevelopment area. For each fiscal year, the agency shall prepare a written report concerning the amount of money expended for the purposes set forth in this subsection and shall, on or before November 30 of each year, submit a copy of the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year.

7. The obligation of an agency pursuant to subsection 6 to set aside not less than 18 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by an agency before the effective date of an ordinance adopted by the agency pursuant to subsection 5, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency on or after the effective date of an ordinance adopted by the agency pursuant to subsection 5 shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

(Added to NRS by 1959, 671; A [1981, 315, 763, 764](#); [1983, 493](#); [1987, 1684](#); [1989, 1105, 1747](#); [1991, 1044](#); [1993, 258](#); [1995, 1460](#); [1997, 1339, 2559, 2571](#); [2003, 528](#); [2003, 20th Special Session, 288](#); [2011, 1204](#); [2013, 799](#))

NRS 279.678 Assessment and taxation of leased redeveloped property; provision in lease for lessee to pay taxes. Whenever property in any redevelopment project has been redeveloped and thereafter is leased by the redevelopment agency to any person or persons or whenever the agency leases real property in any redevelopment project to any person or persons for redevelopment, the property shall be assessed and taxed in the same manner as privately owned property, and the lease or contract shall provide that the lessee shall pay taxes upon the assessed value of the entire property and not merely upon the assessed value of the lessee's leasehold interest.

(Added to NRS by 1959, 672)

NRS 279.680 Pledging portion of taxes for payment of principal and interest on loans, advances or indebtedness. Except as otherwise provided in [NRS 279.685](#), in any redevelopment plan, or in the proceedings for the advance of money, or the making of loans, or the incurring of any indebtedness, whether funded, refunded, assumed or otherwise, by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph (b) of subsection 1 of [NRS 279.676](#) may be irrevocably pledged for the payment of the principal of and interest on those loans, advances or indebtedness.

(Added to NRS by 1959, 672; A [1981, 765](#); [1999, 3614](#))

NRS 279.683 Faith of State pledged not to impair securities. The faith of the State is hereby pledged that this chapter, any law supplemental or otherwise pertaining thereto, and any other act concerning the bonds or other

securities, taxes or the pledged revenues, or any combination of such securities, such taxes and such revenues will not be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding bonds or securities until all such bonds and securities have been discharged in full or provision for their payment and redemption has been made fully, including, without limitation, the known minimum yield from the investment or reinvestment of money pledged therefor in federal securities.

(Added to NRS by [1999, 1090](#))

NRS 279.685 Certain cities to set aside revenue for low-income housing and public educational facilities; limitations; uses.

1. Except as otherwise provided in this section or subsections 6 and 7 of [NRS 279.676](#), an agency of a city whose population is 500,000 or more that receives revenue from taxes pursuant to paragraph (b) of subsection 1 of [NRS 279.676](#) shall set aside not less than:

(a) Fifteen percent of that revenue received on or before October 1, 1999, and 18 percent of that revenue received after October 1, 1999, but before October 1, 2011, to increase, improve and preserve the number of dwelling units in the community for low-income households;

(b) Eighteen percent of that revenue received on or after October 1, 2011, but before March 6, 2031, to:

(1) Increase, improve, preserve or enhance the operating viability of dwelling units in the community for low-income households; and

(2) Improve existing public educational facilities located within a redevelopment area or within 1 mile of a redevelopment area; and

(c) Eighteen percent of that revenue received on or after March 6, 2031, to improve existing public educational facilities described in subparagraph (2) of paragraph (b).

↪ For each fiscal year, the agency shall prepare a written report concerning the amount of money expended for the purposes set forth in subparagraph (2) of paragraph (b) or paragraph (c), as applicable, and shall, on or before November 30 of each year, submit a copy of the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year.

2. The obligation of an agency to set aside not less than 15 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of [NRS 279.676](#) is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before July 1, 1993, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after July 1, 1993, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

3. The obligation of an agency to set aside an additional 3 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of [NRS 279.676](#) is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before October 1, 1999, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after October 1, 1999, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

4. From the revenue set aside by an agency pursuant to paragraph (b) of subsection 1, not more than 50 percent of that amount may be used to:

(a) Increase, improve, preserve or enhance the operating viability of dwelling units in the community for low-income households; or

(b) Improve existing public educational facilities located within a redevelopment area or within 1 mile of a redevelopment area,

↪ unless the agency establishes that such an amount is insufficient to pay the cost of a project identified in the redevelopment plan for the redevelopment area.

5. Except as otherwise provided in paragraphs (b) and (c) of subsection 1 and subsection 4, the agency may expend or otherwise commit money for the purposes of subsection 1 outside the boundaries of the redevelopment area.

(Added to NRS by [1993, 1328](#); A [1999, 3615](#); [2001, 1972](#); [2011, 1205, 3747](#); [2013, 802, 2276](#))

NRS 279.687 Limitations on use of money set aside for public educational facilities. A school district shall not use any money received pursuant to subparagraph (2) of paragraph (b) of subsection 1 of [NRS 279.685](#) or

paragraph (c) of subsection 1 of [NRS 279.685](#) to reduce or supplant the amount of any money which the school district would otherwise expend for the purposes described in subparagraph (2) of paragraph (b) of subsection 1 of [NRS 279.685](#) and paragraph (c) of subsection 1 of [NRS 279.685](#), respectively.
(Added to NRS by [2013, 2273](#))

LOANS TO SMALL BUSINESSES

NRS 279.700 “Small business” defined. As used in [NRS 279.700](#) to [279.740](#), inclusive, “small business” means a business that employs not more than 25 persons.
(Added to NRS by [2013, 796](#))

NRS 279.710 Revolving loan account: Creation; investment; credit of interest and income; deposit of money; payment of claims; acceptance of gifts and grants.

1. Each legislative body shall create a revolving loan account in the treasury of the community. The account must be administered by the agency.

2. The money in a revolving loan account created pursuant to this section must be invested as money in other accounts in the treasury of the community is invested. All interest and income earned on the money in a revolving loan account must be credited to the account. Any money remaining in a revolving loan account at the end of a fiscal year does not revert to the general fund of the community, and the balance in the account must be carried forward.

3. All payments of principal and interest on loans made to a small business from a revolving loan account must be deposited with the treasurer of the community for credit to the account.

4. Claims against a revolving loan account must be paid as other claims against the agency are paid.

5. An agency may accept gifts, grants, bequests and donations from any source for deposit in the revolving loan account.

(Added to NRS by [2013, 796](#))

NRS 279.720 Revolving loan account: Authorized uses of money in account; limitation.

1. After deducting the costs directly related to administering a revolving loan account created pursuant to [NRS 279.710](#), an agency may use the money in the account, including repayments of principal and interest on loans made from the account, and interest and income earned on money in the account, only to make loans at or below market rate to small businesses located within the redevelopment area or persons wishing to locate or relocate a new small business in the redevelopment area for the costs incurred:

(a) In expanding or improving an existing small business, including, without limitation, costs incurred for remodeling; or

(b) In locating or relocating a small business in the redevelopment area.

2. The term of any loan that may be made from the revolving loan account must be 5 years or less.
(Added to NRS by [2013, 796](#))

NRS 279.730 Application for loan; requirements of contract for loan; regulations.

1. A small business located in a redevelopment area or a person who wishes to locate or relocate a new small business in a redevelopment area may submit an application to the agency for a loan from the revolving loan account created pursuant to [NRS 279.710](#). An application must include a written description of the manner in which the loan will be used.

2. An agency shall, within the limits of money available for use in the revolving loan account, make loans to small businesses and persons whose applications have been approved. If an agency makes a loan from the revolving loan account, the agency shall ensure that the contract for the loan includes all terms and conditions for repayment of the loan.

3. Each agency:

(a) Shall adopt regulations that prescribe:

(1) The process by which a small business may submit to the agency an application for a loan from the revolving loan account;

(2) The criteria for eligibility for a loan from the revolving loan account;

(3) The contents of an application for a loan from the revolving loan account, which must include, without limitation:

(I) A description of the business history of the applicant;

(II) A description of the income history of the applicant;

(III) A copy of the business plan of the applicant;

and (IV) A description of the contributions of the applicant to the revitalization of the redevelopment area;

(V) A statement of whether any money from the loan will be used by the applicant to maintain or create any jobs;

(4) The maximum amount of a loan which may be made from the revolving loan account;

(5) The rate of interest for loans made from the revolving loan account; and

(6) The collateral and security interest that a small business is required to provide as security for the loan, which must be an amount sufficient to allow the agency to recoup the amount of the loan made to a small business if the small business defaults on the loan.

(b) May adopt such other regulations as it deems necessary to carry out the provisions of NRS 279.700 to 279.740, inclusive.

(Added to NRS by 2013, 797)

NRS 279.740 Report of loans made from revolving loan account. [Effective through December 31, 2017.] For each fiscal year beginning with Fiscal Year 2013-2014 and ending with Fiscal Year 2016-2017, each agency in this State shall prepare a written report of the loans made from the revolving loan account created pursuant to NRS 279.710, which must include, without limitation, information concerning the amount of each loan made from the revolving loan account, the terms of each loan and a description of the small businesses which have received loans from the account. The agency shall, on or before November 30 of each year, submit a copy of the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, or if the Legislature is not in session, to the Legislative Commission.

(Added to NRS by 2013, 797)