



Truckee Meadows Regional Plan

◆ City of Reno ◆ City of Sparks ◆ Washoe County

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2007 Truckee Meadows Regional Plan

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USE OF THIS DOCUMENT

The comprehensive Truckee Meadows Regional Plan is intended to comply with the statutory requirements of Nevada Revised Statutes (NRS) 278.0274. In addition to the comprehensive Truckee Meadows Regional Plan, the Regional Planning Governing Board (RPGB) has adopted regulations pursuant to NRS 278.0265 that address a variety of topics not addressed in the comprehensive Truckee Meadows Regional Plan. No reliance should be placed on the comprehensive Truckee Meadows Regional Plan without consulting the applicable statutes, regulations adopted by the RPGB, and the guidelines adopted by the Regional Planning Commission (RPC).

REGIONAL PLAN - VISION STATEMENT

The Truckee Meadows Regional Plan is the foundation for a well-planned community which supports our unique quality of life and promotes a distinctive destination resort and recreation industry, while enabling our economic base to expand and diversify. Mindful of our Western Heritage, the Plan welcomes a diverse and growing population and values our precious waters and majestic Sierra Nevada and high desert country.

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INTRODUCTION

The Truckee Meadows Regional Planning Agency (TMRPA) was created in 1989 by the Nevada State Legislature to foster coordination among the three local governments: The Cities of Reno and Sparks and Washoe County.

The TMRPA is comprised of the Regional Planning Governing Board (RPGB), the Regional Planning Commission (RPC), the TMRPA's Director, and staff.

The first comprehensive Truckee Meadows Regional Plan ("Regional Plan") was adopted in March 1991 and updated for the first time as required by law in June 1996. The second update of the plan was completed in May 2002. The third update is scheduled for completion in 2007.

BACKGROUND

The area covered by the Regional Plan includes all of Washoe County except the portions within the drainage basin of Lake Tahoe (see Nevada Revised Statutes (NRS) 278.0288) and the lands of federally-recognized tribes. The effective planning area is the developed area in the southern 25% of Washoe County.

Creating and carrying out the Truckee Meadows Regional Plan is a cooperative effort involving a large number of agencies, organizations and individuals. Reno, Sparks, Washoe County and others implement the Regional Plan through their planning and regulatory efforts, capital improvement programs, and other programs.

Nevada law grants the authority and provides the direction for the regional planning process in the Truckee Meadows. The TMRPA, organized under NRS 278.026 - 278.029, was formed to develop and maintain a comprehensive Regional Plan for the jurisdictions of Reno, Sparks, and Washoe County.

Washoe County was established in 1861 and is a political subdivision of the State of Nevada operating under the provisions of the general laws of the State. It has a manager-commission form of government. The County covers an area of 6,600 square miles in the northwest section of the State bordering California and Oregon. The incorporated cities in Washoe County are Reno and Sparks. In 2005, Washoe County's population was 396,844 (Nevada State Demographer's Certified Population Estimates, 2005).

Reno is the largest city in Northern Nevada, covering 102 square miles. It is located in the southern part of Washoe County. Reno was incorporated in 1903 and is governed under a council-manager form of government. Reno's population is 206,735 (NV Demographer, 2005). The City of Sparks borders the City of Reno and was incorporated in 1905. It, too, operates with a council-manager form of government. Sparks covers an area of 33 square miles and has a population of 85,618 (NV Demographer, 2005).

As set forth in the NRS, the RPC develops the Regional Plan and determines whether other plans and projects are in conformance with it (NRS 278.0272). The RPGB adopts the Regional Plan with any amendments it deems necessary, after submitting the amendments to the RPC for review and comment (NRS 278.0276).

Units of local government maintain separate master plans, in conformance with the Regional Plan (NRS 278.0282).

The Regional Plan is a cooperative effort of the local and regional units of government, the major service providers, and the citizens of the Truckee Meadows. It is intended to represent a regional consensus reached through a process of public dialog and decision-making to provide a unifying framework for local and regional policies and services.

State law directs the RPC to update the Regional Plan not less than every five years (NRS 278.0272). The 1996 five-year revision constituted the first comprehensive revision of the 1991 Regional Plan developed by Robert Freilich. The second revision was adopted in May 2002. The 2007 update will be adopted within the requirements of state law, no later than May 2007.

The Plan focuses on the statutory mandates and measurable goals for addressing those mandates on an annual basis, as well as through the five-year update.

ROLES & RESPONSIBILITIES

The roles and responsibilities are delineated in NRS. Each of the following sections summarizes the roles and responsibilities of each of the entities in regards to the Regional Plan.

Regional Planning Commission (RPC)

The RPC has nine members, appointed by their respective governing bodies, including three each from the Reno, Sparks, and Washoe County local planning commissions. The members serve three-year terms and may be re-appointed. The RPC elects a chairperson from among its members to a one-year term, which rotates annually among the three jurisdictions.

NRS 278.0272 directs the RPC to develop a comprehensive Regional Plan for physical development and orderly management of growth in the Region for the next 20 years and hold public hearings. The statute also directs the RPC to review the plan annually, update it not less than every five years and forward its recommendations to the RPGB for final adoption.

One of the functions of the RPC is to review Projects of Regional Significance (PRS). The RPC adopts guidelines for determining whether a particular project is a PRS and, before a city or the County gives final approval to a PRS, must find it in conformance with the Regional Plan.

The RPC also reviews master plans, facilities plans, and other similar plans of local governments and affected entities to determine whether they conform to the Regional Plan. In addition, the RPC reviews plans and plan amendments of state agencies and of public utilities regulated by the Public Utilities Commission of Nevada (PUCN) and offers suggestions regarding their conformance with the Regional Plan. The RPC also reviews for conformance the transportation plan prepared by the Regional Transportation Commission and for consistency the water plan prepared by the Northern Nevada Water Planning Commission. Finally, by interlocal agreement, the RPC serves as the annexation commission for involuntary annexation proposals in the region.

Pursuant to the RPGB Regulations on Procedure, the RPC shall oversee processes for conducting and maintaining a regional population forecast for conformance review, and TMSA allocation. The adopted regional population forecast must be consistent with the estimated population that can be supported by the sustainable water resources identified in the Regional Water Management Plan.

[Amended 9/1/108; Amended 1/15/09; Amended 1/14/10]

Regional Planning Governing Board (RPGB)

The RPGB has ten members. The Washoe County Commission appoints three members (two of whom must reside in or represent the unincorporated area), the Reno City Council appoints four members, and the Sparks City Council appoints three members. The members serve three-year terms and may be re-appointed. The Reno, Sparks, and Washoe County governing bodies may appoint members from among their own members and traditionally have done so. The RPGB elects a chairperson from among its members to a one-year term; the chair rotates among the three jurisdictions.

Upon the recommendation of the RPC, the RPGB adopts the Regional Plan with any amendments that it deems necessary after holding required public hearings. The RPGB has all the powers and obligations that are delineated in NRS 278.0264 and NRS 278.0265.

Local Governments

Reno, Sparks, and Washoe County provide the necessary facilities and money to enable the Truckee Meadows Regional Planning Agency (TMRPA) to carry out its functions. To do this, they enter into an agreement to share the costs of regional planning, according to how many members each unit of government has on the RPGB. Under the NRS, local governments shall amend their master plans, facilities plans and other similar plans to conform to the provisions of the Regional Plan and submit them to the RPC for a finding of conformance. They also submit amendments to these plans for conformance findings.

The law also provides that each local government shall review and amend, if necessary, its existing ordinances to ensure their conformance with the provisions of a master plan that conforms to the Regional Plan. The local governments also prepare and submit annual comprehensive reports to the RPC.

With the involvement and cooperation of Washoe County, Reno and Sparks also adopt master plans for areas within their Spheres of Influence (SOI) designated in the Regional Plan and carry out annexation programs, which must conform with the Regional Plan.

Affected Entities

NRS defines an affected entity as a public utility, franchise holder, local or regional agency, or any other entity having responsibility for planning or providing public facilities relating to solid waste, air quality, transportation, public education, energy generation and transmission, and conventions and the promotion of tourism. However, the term does not include a State agency or a public utility subject to regulation by the Public Utilities Commission of Nevada (PUCN).

Thus, the list of affected entities includes (but is not limited to) Waste Management, the Reno-Tahoe Airport Authority, the Washoe County School District, the Regional Transportation Commission, the Washoe County Health District, the Reno and Sparks redevelopment agencies, and the Reno-Sparks Convention and Visitors Authority.

[Amended 8/12/10]

Affected entities are responsible for amending their master plans, facilities plans, and other similar plans to conform to the provisions of the Regional Plan. Before adopting or amending a master plan or similar plan, they must submit it to the RPC for a finding of conformance. Affected entities also submit annual reports to the RPC.

PURPOSE OF THE PLAN

The purpose of the Regional Plan is to implement the legislative mandate given to the RPC and RRGB. It is an opportunity to put into place a resource for the region with a collaborative structure that will serve the Truckee Meadows well into the future.

The four modules with their goals and policies focus on the coordination of master planning in Washoe County (less certain areas noted in statute) as it relates to land use, infrastructure provision, resource management, and plan implementation.

The plan includes an agreed upon feedback loop that includes annual monitoring and reporting. The reporting process feeds into the annual amendment cycle, local master plans, TMRPA's technical work program and budget, and the five-year update. The five-year update is a continuous improvement process.

RELATIONSHIP TO OTHER PLANS

As described in Chapter 278 of the Nevada Revised Statutes (NRS) the master plans, facilities plans, and other similar plans of local governments and affected entities must be found in conformance with the comprehensive Regional Plan.

In addition to the Truckee Meadows Regional Planning Agency, two other entities within the region are designated with planning for region-wide facilities, infrastructure or resources; the Northern Nevada Water Planning Commission, and the Regional Transportation Commission.

[Amended 9/11/08]

Regional Water Planning

The Northern Nevada Water Planning Commission (NNWPC) established pursuant to Chapter 531 Statutes of Nevada 2007 of the Nevada Special Acts is required to develop a plan for:

- quality of surface water;
- quality of groundwater;
- supply of surface water;
- supply of underground water;
- control of floods and drainage of storm water, as it relates to surface water;
- control of floods and drainage of storm water, as it relates to underground water; and,
- cost and financing related to facilities, sources of water, or other requirements of the plan.

Chapter 531 Statutes of Nevada 2007 requires that the Regional Water Management Plan (RWMP), developed by the NNWPC and adopted by the Western Regional Water Commission, must also be found to be consistent with the comprehensive Regional Plan. For goals and policies related to these topics please see the adopted Washoe County Regional Water Management Plan.

[Amended 9/11/08]

For the purpose of determining consistency, the RPC shall utilize the adopted conformance review methodology pursuant to the conformance policies contained in the Regional Plan.

[Amended 1/15/09]

Pursuant to the RPGB Regulations on Procedure that establish processes for conducting and maintaining a regional population forecast for conformance review and TMSA allocation, the NNWPC and WRWC will make findings, and forward those findings to the RPC, regarding comparison of the regional population forecast to the population estimate that can be supported by the sustainable water resources identified in the RWMP.

[Amended 1/14/10]

Regional Transportation Planning

The Washoe County Regional Transportation Commission (RTC) is the Metropolitan Planning Organization (MPO) and pursuant to Title 23 Code of Federal Regulations, part 450, and Title 49 Code of Federal Regulations, part 613, is required to develop and update the Regional Transportation Plan. The 2030 Regional Transportation Plan (RTP), adopted November 18, 2004, includes goals, objectives, and policies on the following major elements:

- streets and highways;
- public transportation;
- bicycle and pedestrian;
- aviation and goods movement;
- transportation management/intelligent transportation systems;
- financial;
- congestion management;
- air quality analysis and conformity determination; and,
- regional transportation plan conformity determination.

Pursuant to Chapter 278 of NRS, the RTC is classified as an affected entity; therefore, the Regional Transportation Plan must be found in conformance with the comprehensive Regional Plan.

The interactions, duties, and obligations of the various local governments and affected entities is governed by the applicable sections of NRS.

STRUCTURE OF THE COMPREHENSIVE REGIONAL PLAN

The Regional Plan is structured around the four modules developed during the 2002 Regional Plan update process.

Module #1 provides direction and standards for how and where development occurs in the Truckee Meadows. Module #2 addresses the management of natural resources. Module #3 is focused on the coordination of public services and facilities. Module #4 is the implementation framework for the plan.

The Truckee Meadows Regional Plan is a work in progress based on the needs of the local governments and the affected entities.

REGIONAL PLAN DEVELOPMENT METHODOLOGY

The desired outcome for the 2007 update of the Regional Plan is to ensure a process with strong stakeholder and public involvement, active participation by local governments, affected entities, and key public sector partners. The resulting plan is a consensus-based document that focuses on a revision of goals and policies within the existing plan rather than a wholesale rewrite of the plan.

The Regional Planning Commission (RPC) established a process oversight committee comprised of three members of the RPC (one from each jurisdiction). In addition, it established a Technical Advisory Committee (TAC) of staff from entities and organizations throughout the region to review and propose changes to the plan. The role of the TAC was to review the current Regional Plan, propose amendments to the plan, discuss alternatives, participate in dialogue, liaise with the entity/organization they represent, receive input from stakeholders and the public, participate in outreach activities, and work toward consensus on changes to each module of the Regional Plan.

A joint meeting of the RPC, RPGB, and TAC was held in September 2005 to review the Regional Plan and prioritize a broad list of issues to guide the update.

The TAC met twice monthly between October 2005 and December 2006 and used the services of a professional facilitator to accomplish consensus-based recommendations for changes to the plan. A springboard process was used whereby TAC members, when bringing forward problems, issues or concerns, also brought forward possible solutions to the issue raised.

FUNDAMENTAL ASSUMPTIONS

The following is a set of fundamental assumptions that the region has considered in planning for efficient land use, public services, and facilities through the year 2030.

THE GEOGRAPHIC SCOPE OF THE REGIONAL PLAN IS:

Geographic Coverage

Within the Nevada Revised Statutes (NRS), the geographic area covered by the Regional Plan includes all of Washoe County except the portions within the drainage basin of Lake Tahoe (NRS 278.0288) and the lands of federally-recognized tribes.

While the primary planning focus of the Regional Plan is on the southern 25% of Washoe County, with a northern boundary at T25N/T26N (north of Winnemucca Ranch), see Map I, the Regional Plan continues to have relevant jurisdiction over the broader area of Washoe County noted above.

The Regional Plan does not have jurisdiction over neighboring counties, nor lands managed by other entities (i.e., Tahoe Regional Planning Agency and local tribes). However, the Truckee Meadows Regional Planning Agency (TMRPA) attempts to monitor impacts of development within the designated plan areas of Washoe County on surrounding counties and entities, and the impact that development in surrounding counties and entities has on the well being of the region covered by the Truckee Meadows Regional Plan.

THE POPULATION IN 2030 WILL BE CHARACTERIZED AS FOLLOWS:

Population Growth

As noted in the introduction of the Regional Plan, Washoe County's population in 2005 was just under 400,000 people. The State Demographer estimates the population of Washoe County will be in excess of 575,000 people by 2025.

Ethnic and Cultural Diversity

In the future we will have a community that is more ethnically and culturally diverse. Trends show a growing proportion of minority residents in Washoe County. Based on U.S. Census Bureau population projections (1995 – 2025) this trend will continue over the next 20 years, leading to a more culturally diverse region.

Age Structure

According to the Consensus Forecast, the age distribution of the population is expected to change over the next two decades. Change of significance includes a net decrease in the percent of population under the age of 20 and a continued aging of the baby boomers. The decrease in the working group will see a greater proportion of retired senior citizens in our region.

THE NEEDS OF RESIDENTS ARE CHARACTERIZED AS FOLLOWS:

Housing Products

A growing and diversifying population will require a broader range of housing products such as multi-family housing units, assisted living facilities, and student housing. The population will also require a diverse range of opportunities in housing location and style including high-density living, suburban residential, and large-lot ranchettes.

Economic and Environmental Sustainability

In the future we will continue to see, and plan for, a strong and expanding economic base that not only emphasizes sustainable resource management, particularly in the areas of air quality and water quality and quantity, and promotes the advancement of renewable energies.

[Amended 12/13/07]

PLANNING PRINCIPLES, GOALS AND POLICIES

To create a well-planned region and to plan for the fundamental assumptions and manage their impacts, the Regional Plan will address the following issues:

- development in our region including our regional form, infrastructure provision, open space and greenways;
- management of our unique resources including wildlife habitat, air and water quality, and water quantity;
- provision of public services including roads, utilities, water and sewer services; and,
- efficiently implementing the Regional Plan.

These issues have been further refined into four modules and the associated goals and policies that implement them.

Terms and their definitions used in the modules, goals, and policies are included in Appendix 2 - Glossary of Terms.

MODULE #1:

REGIONAL FORM AND DEVELOPMENT PATTERNS

INTRODUCTION

The goals and policies associated with Module #1, along with related goals and policies listed under the other modules, will address a number of the following important objectives within the Truckee Meadows region:

- Promote sustainable growth and efficient growth patterns through a defined area within which municipal services and infrastructure will be provided;
- Ensure that the population forecast prescribed in the Regional Plan is consistent with the estimated population that can be supported by the sustainable water resources as identified in the Regional Water Management Plan; *[Amended 1/14/10]*
- Provide land use patterns which promote a world class tourist and destination resort community;
- Provide a land use pattern which will promote a more diverse and expanding economic base;
- Ensure that necessary public services and facilities to support new development are or will be available and adequate, based on adopted levels of service (LOS) standards, at the time the impact of new development occurs;
- Lessen sprawl and support a higher intensity and density of development within designated centers, transit corridors, and areas suitable for infill development;
- Promote the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of the region's households and allow for flexibility of housing location, type, and density;
- Recognize the need for regional corridors that emphasize automobile and freight mobility;
- Promote compatibility of land use and development with regional airport operations;
- Promote the coordination and compatibility of land uses with each military installation in the region, taking into account the location, purpose and stated mission of the military installation; *[Amended 1/18/07]*
- Preserve our designated natural resources and open space;
- Create a more compact, mixed pattern of residential units and employment locations, served by a region-wide multi-modal transportation system, to reduce levels of travel demand, facilitate efficient service provision, and promote a jobs-housing balance; *[Amended 8/12/10]*
- Plan for an increasing and diversifying population base;
- Place residential, commercial, civic and other uses in close proximity to each other to reduce the dependency upon the private automobile, reduce vehicle miles traveled, conserve energy, and achieve other goals as defined by the Regional Planning Commission

(RPC);

- Support the revitalization of, and maintain the character of, established neighborhoods and communities while encouraging infill development that is appropriate for its surroundings;
- Embrace the importance of place-making as the creation of spaces that are lively, inviting, enduring, and distinct in character. Important factors include access, comfort, image, activities, and social interactions. Place-making fosters a strong sense of community.
- Ensure implementation of designs that contribute to safe, diverse, and vital, bicycle-oriented and pedestrian-oriented communities; *[Amended 12/13/07]*
- Create a system of incentives to support a sustainable and economically healthy region; and,
- Place a high priority on improving transit efficiency, reliability, and the interface between land uses and transit within designated centers and transit corridors.

OVERVIEW OF THE GOALS AND POLICIES

This portion of the Regional Plan aims to limit the spread of the urban footprint and direct more development of homes and jobs toward the traditional core of the region, while promoting infill where it enhances the community – including but not limited to downtowns, designated centers, transit corridors and redevelopment areas. *[Amended 12/13/07]*

This strategy will make more efficient use of land, natural resources and community services; save money on infrastructure, reduce dependence on the private automobile; promote multi-modal transportation choices; protect air quality; conserve energy; preserve designated open space; and create more affordable communities.

This strategy, which will result in a more compact form of future development, as well as a more diverse mix of uses, will provide a variety of living and working situations, and will promote human, natural and economic capital, strengthen our communities and ensure that the region's assets are accessible to all.

The Core Areas

The traditional core consists of the two downtowns, other designated Regional Centers, and the transportation links among them. The core will be characterized by a vital mix of uses, including parks and civic uses, with a high priority on pedestrian activity. It will be well-served by public transit, and will have more intense residential and employment use than elsewhere in the urban footprint. The core has a priority for the provision of public improvements and services, with the highest priority assigned to the downtowns.

The eight identified Regional Centers have facilities or services that serve a population beyond the Truckee Meadows and contain unique regional assets, resources, or facilities that are not duplicated elsewhere within the region. They include such locations as the University of Nevada-Reno, the Reno-Tahoe International Airport, and the Meadowood retail area. The Regional Plan is designed to direct and enhance the provision of services and balance employment and residential uses in these Regional Centers.

The Transit Oriented Development (TOD) Corridors (as defined in Policy 1.2.9) will provide efficient, attractive links between downtowns and Regional Centers, and promote a more interconnected region. The Regional Plan will prioritize the provision of programs, policies, capital infrastructure and services to support infill, intensification, and revitalization in TOD Corridors.

The Truckee Meadows Service Areas (TMSA)

The TMSA is the defined area within which municipal services and infrastructure (including water supply, sanitary sewer, flood management, transportation [streets, transit, pedestrian, bicycle], public safety, parks, and schools) will be provided. The purpose of the TMSA is:

- to guide urban and suburban development and ensure orderly provision of services and infrastructure;
- to encourage the use and maintenance of existing infrastructure capacity to accommodate infill and new development;
- to guide urban and suburban development away from unsuitable areas, while recognizing that:
 - existing resources to support urban and suburban development are constrained;
 - the TMSA and the Rural Development Area (RDA) are interconnected; and,
 - the capacity of the TMSA will be absorbed over time and must, therefore, be monitored and expanded.

To promote efficient use of lands within the TMSA, the Regional Plan will encourage the removal of barriers to, and encourage the creation of incentives for, infill development and revitalization by directing mixed-use development to Regional Centers, Emerging Employment Centers, transit corridors, and other appropriate areas.

[Amended 8/12/10]

In order to accommodate a growing population, the Regional Plan will promote the creation of adequate infrastructure capacity within the TMSA based on the desired levels of density articulated in the plan. As areas for TMSA expansion are required, suitable lands identified in the Future Service Areas (FSA) or RDA may be converted to TMSA.

The Regional Plan identifies unincorporated areas located within the TMSA, but outside the two cities and their spheres of influence (SOI).

The TMSA for each city is also the SOI for that city and the remaining portions of the TMSA are for unincorporated development.

Within the unincorporated areas, communities may be designed as a component of the Washoe County Comprehensive Plan in accordance with the goals and policies contained in the Regional Plan, and upon designation will:

- constitute a comprehensive planning tool that will provide appropriate local opportunities for services and employment, reduce trips, and discourage linear low-density development;
- identify and plan for the areas in the unincorporated County that are expected to absorb their share of the planned 20-year growth;
- identify the services required in the developed and developing areas of the unincorporated County;
- identify funding sources for the provision of those services; and,
- identify land uses and services that will act to preserve community character and identity.

The Future Service Areas (FSA)

The Future Service Areas (FSA) are areas identified for future (beyond the 20 year Truckee Meadows Regional Plan horizon) inclusion in the TMSA (and SOI, if a city) for each jurisdiction. To add land to its TMSA, each jurisdiction must first prepare a natural resource management plan for the area to be added and must meet minimum density thresholds in its existing TMSA.

The Rural Development Area (RDA)

The RDA is outside the Truckee Meadows Service Areas, and contains dispersed development and employment on large parcels of land. The RDA will only receive limited public services and facilities. Ranches, agriculture, forestry, scattered residences and business or commercial services, and certain types of industrial and recreational uses not compatible with urban or suburban development, characterize the rural area. It is important to recognize, however, that future Regional Plan updates and amendments may extend the Truckee Meadows Service Areas into portions of the Rural Development Area.

The Development Constraints Area (DCA)

The DCA consists of playas, significant water bodies, jurisdictional water/wetland in accordance with Section 404 of the Clean Water Act, designated FEMA floodway areas within the floodplain Zone AE, natural slopes over 30%, publicly-owned open spaces, and properties that are deed restricted to prevent development. Constrained lands less than 1/3 acre in size will not be included in the DCA. The DCA overlay takes precedence over otherwise applicable policies describing the desired density and intensity of development within the TMSA, FSA, and RDA. In order to preserve the scenic, natural, public safety, recreational, and environmental values of these areas, local government and affected entity master plans must include components to preserve development constrained lands in an undeveloped state wherever possible.

[Amended 12/13/07; 9/11/08]

PLANNING PRINCIPLES

The Regional Plan will promote the following development patterns:

Regional Economy

- The Regional Plan will encourage and support a strong and expanding economic base comprised of the existing gaming sector along with the growth in diversified industry sectors such as business and financial services, software, clean energy, advanced manufacturing, advanced logistics, and life sciences (EDAWN, Target 2010, Report #2, Target Industry Identification and Analysis, prepared by Angelou Economics, dated July, 2006). The plan anticipates that our diversified economy will provide a higher proportion of higher paying jobs and an increased per capita disposable income. The Regional Plan recognizes that business attraction is in part based upon the availability of cultural and recreational opportunities within the region.
- Our land use decisions will support sustainable economic development in the region, which results in efficient use of resources and brings 'high export value' to the economy.
- The plan will support the provision of compatible development around existing educational infrastructure.
- The Regional Plan will provide for appropriate land stock for a wide range of land uses necessary to meet a growing and changing economy, and will encourage local governments to address adjacency issues as necessary.

Regional Form and Pattern

- The Regional Plan will promote a Regional Form that lessens sprawl and supports a higher intensity and density of development within centers and transit corridors. The plan will strongly promote infill development within centers and transit corridors, and areas appropriate for infill development to optimize existing infrastructure. The plan will encourage development that promotes:
 - the integration of mixed land uses;
 - the optimization of existing infrastructure;
 - human-scale design;
 - a range of housing choices;
 - a sense of place through distinct and attractive communities;
 - walkability;
 - new communities that are complementary to existing communities;
 - a range of transportation choices;
 - the preservation of open space, natural resources, and critical environmental areas; and,
 - the visual integrity of surrounding viewsheds.
- The combination of Centers, Emerging Employment Centers, Transit Oriented Development (TOD) Corridors, Secondary Corridors, residential areas, open space, greenways, and

natural features will define the Regional Form.

- Intensification within the region will be directed toward appropriate areas including, but not limited to, Centers and Corridors.
- Centers will be categorized as Downtown Centers, Regional Centers, and Emerging Employment Centers to reflect the impact that they have within the surrounding region. Corridors will be categorized as TOD or Secondary to reflect the impact they have within the region.
- The Regional Plan identifies the desired distribution of forecasted population and employment growth within the region. Downtown Centers, Regional Centers, Emerging Employment Centers, TOD Corridors, and Secondary Corridors will be the highest priority areas for intensification and development. These areas will accommodate an increasing proportion of the region's population and employment growth over the next 20 years.
- The portion of the TMSA for each city is also the SOI for that city, and the remaining portions of the TMSA are for unincorporated development (see Policy 3.3.1).
- Within the unincorporated areas, communities may be designated as a component of the Washoe County Comprehensive Plan in accordance with the goals and policies contained in the Regional Plan.

Centers and Corridors

- Within the Regional Plan, Centers, Emerging Employment Centers, TOD Corridors, and Secondary Corridors will help to define the Regional Form.
- The region will plan Centers and TOD Corridors that attract increasing levels of investment and development capital. These Centers and TOD Corridors will grow to absorb our increasing population through the development of high-density residential development. Commercial and mixed-use development will be directed to centers and transit corridors. Local government master plans may designate Secondary Corridors that provide for intensification, are walkable and mixed-use, connect to other Centers and TOD Corridors through multi-modal access, and support the increasing demand for transit.
- The Downtown Centers of the City of Reno and City of Sparks will be significant economic centers in our region. These regional mixed-use centers will include retail, high density residential, entertainment, office buildings, and public facilities.
- All Downtown and Regional Centers will be sited along or near TOD Corridors.
- All Centers will have internal circulation networks that promote interconnection between individual facilities or enterprises. Local government master plans will include design features that promote a pedestrian or bicycle friendly environment within Centers.
- Downtown Centers, Regional Centers, and TOD Corridors will be mixed-use, visually attractive, and will entice both local residents and visitors to the area, day and night. These Centers and TOD Corridors will promote multi-modal transportation and may support a range of activities including shopping, recreation, dining and entertainment, gaming and accommodation, employment, cultural or community events, as well as providing high density residential opportunities.

- Some Centers and portions of Corridors may require specialized planning to ensure compatibility with airport and military operations (e.g., Reno-Tahoe Regional Center); the Regional Plan allows for alternative densities in certain circumstances (see Policy 1.2.14). [Amended 11/8/07]
- TOD Corridors will promote a pedestrian-friendly environment that supports integrated transit opportunities (1/4 mile walking distance). These transit corridors should not be automobile dependent.
- TOD Corridors will provide for mixed-use, transit-oriented development and will be supported by multi-modal transportation opportunities. Development will be directed to TOD Corridors.
- To accommodate our changing population's needs, the Regional Plan will support the provision of more diverse market-rate and affordable housing products and opportunities, such as, assisted care and other elderly housing facilities, multi-family units, student housing, and mid to high rise apartments.
- Intense development will be directed to the Downtown Centers, Regional Centers, Emerging Employment Centers, and TOD Corridors.
- Specialized land use may be permitted in areas separated from the community. Specialized use may include quarries, sewage treatment facilities, land fills, hazardous waste disposal facilities, and power generation facilities or other designated enterprises that are not compatible with high-density areas.

Infrastructure

- All Downtown and Regional Centers will be linked by a multi-modal transportation system and supported with transit services.
- The Regional Plan will encourage the use of multi-modal transportation to reduce single vehicle trips. Our land use pattern will support reduced dependence upon the automobile.
- The plan will both clearly identify utility needs and encourage and report on the provision of infrastructure, including the location of utility corridors, and evaluate the regional impact of future power generation and transmission prior to approval of development. [Amended 2/10/11]
- Local service providers will anticipate right-of-way needs and make provisions in their facilities and master plans.
- The Regional Plan will identify the projected demand and projected capacity of major facilities within the region.
- The Regional Plan will promote the coordination and availability of infrastructure to support economic development within the region. This infrastructure includes, but is not limited to, support for cargo and passenger services through airports, rail, and interstate automobile corridors.
- Infrastructure may be provided to communities to support public health, safety and welfare standards but does not necessarily imply a right to further intensify development.

- In recognizing the complex nature of infill development, the Regional Plan will encourage a cooperative approach for infill planning which includes careful coordination between service and infrastructure providers, including public health agencies, with appropriate jurisdictional staff at the early stages of planning and project conceptualization, and thoughtful consideration of:
 - parks and greenways;
 - natural resources;
 - floodplains, floodways and drainage ways;
 - walkability;
 - alternative modes of transportation;
 - public health impacts related to land use decisions;
 - amenities; and,
 - recreation opportunities.

[Amended 9/11/08]

Open Space and Greenways Network

- Within the Regional Plan, open space and the greenways network will help to define the Regional Form.
- The Regional Plan will promote an integrated open space and greenways network that links centers and transit corridors to parks, bikeways, floodplains that are or will be maintained as open space, drainage ways, open space, surrounding public lands and facilities, and other outdoor recreation opportunities such as trails, and connects schools, neighborhoods and shopping centers.
- The Regional Plan will promote the development and management of a greater number of community, regional and neighborhood parks to support the intensification of land use within the region, associated smaller lot sizes, and higher density housing.

[Amended 9/11/08]

Infill Development

- To minimize sprawl and optimize infrastructure efficiency, the Regional Plan will give priority to infill development within Centers, TOD Corridors, and areas designated by local governments, and must take into account open space, facilities and utility corridor plans.

[Amended 12/13/07]

GOALS AND POLICIES

GOAL 1.1

Between 2007 and 2030, at least 99% of the region's population growth and 99% of the region's jobs growth will be located in the Truckee Meadows Service Areas (TMSA).

Policy 1.1.1

To conform with the Regional Plan, the master plans, facilities plans, and other similar plans of local governments and affected entities must utilize the adopted Consensus Forecast for determining future regional population estimates for the formulation of goals, policies, and service plans.

[Amended 1/14/10]

The Regional Plan recognizes that some affected entities due to service area size or targeted services need to utilize additional or supplementary population data. If these affected entities utilize additional or supplementary population data, the source and methodology must be clearly described in master plans, facilities plans, and other similar plans. These plans must clearly relate back to the adopted Consensus Forecast.

[Amended 1/14/10]

The RPC shall adopt a Consensus Forecast that is consistent with the estimated population that can be supported by the sustainable water resources as identified in the Regional Water Management Plan.

[Amended 1/14/10]

The adopted RRGB Regulations on Procedure, section XII, shall be used to update and maintain the Consensus Forecast including comparison with the estimated population that can be supported by the sustainable water resources as identified in the Regional Water Management Plan, jurisdictional splits and the allocation of population to smaller geographic units of the region.

[Amended 12/13/07; Amended 1/14/10]

Policy 1.1.2

To conform with the Regional Plan, master plans of local governments and affected entities must be consistent with the forecasts of population and employment growth in the service area by providing appropriate density and intensity of use, and by providing for the necessary services and resources to support the population and employment growth consistent with Goal 1.1.

Policy 1.1.3

For Reno, Sparks, and Washoe County the Regional Plan defines Truckee Meadows Service Areas (TMSA) and Future Service Areas (FSA) that avoid environmental degradation, optimize infrastructure, and maintain a compact form while providing for a variety of living and working situations. The TMSA for each jurisdiction are adopted on Map 1 and the FSA for each jurisdiction are adopted on Map 5. Amendments to the TMSA and FSA are defined in Policy 1.1.6, Policy 1.1.7 and in Module #4.

Policy 1.1.4

The Regional Plan further defines the Truckee Meadows Service Areas as being comprised solely of a city, a city's Sphere of Influence, the designated Development Constraints Area, or unincorporated areas where communities may be designated in the Washoe County Comprehensive Plan in accordance with policies and criteria in the Regional Plan (see Map 1).

Policy 1.1.5

The Regional Plan defines properties outside of the Truckee Meadows Service Areas as the Rural Development Area (RDA) (see Map 2). The Rural Development Area consists of dispersed residential, employment and other uses that do not require the provision of municipal services. To be in conformance with the Regional Plan, master plans of local governments must not allow additional development within the RDA that requires the provision of municipal service, and must not allow new divisions of land that would create a parcel less than 5 acres in size.

Master plans may continue to recognize zoning outside the TMSA that was in existence as of May 8, 2002, and may allow development and division of land in accordance with that zoning and Washoe County Health District regulations in effect on February 13, 2003.

[Amended 8/12/10]

To be in conformance with the Regional Plan, master plans of local governments may allow the location of resort destinations within the Rural Development Area as follows:

- 1) within a Resort Service Area (RSA), in accordance with Policy 1.1.13, if:
 - a) the resort is located south of T26N; or
 - b) the resort exceeds any of the following, regardless of location within the Rural Development Area:
 - i) accommodation for more than 100 people, including guests, residents and employees;
 - ii) traffic more than an average of 400 trips daily;
 - iii) water demand of more than 40 acre feet per year; or,
 - iv) sewage of more than 12,000 gallons per day.
- 2) north of T25N, and not to exceed the development thresholds listed in 1.b above, in accordance with Policy 1.1.14.

Policy 1.1.6

Based upon criteria established in Policy 1.1.7 and Module #4, the Truckee Meadows Service Areas may be amended to include lands currently within the RDA and FSA.

Policy 1.1.7

To make TMSA boundary changes including, to convert Future Service Areas (FSA) or Rural Development Area (RDA) to TMSA, or to move lands from one jurisdiction's portion of the TMSA to another jurisdiction's portion of the TMSA, applicants must address either Policy 1.1.7.1 or Policy 1.1.7.2 depending on the nature of the request.

[Amended 11/8/07]

Policy 1.1.7.1

When a local government applies to make TMSA boundary changes, the local government proposing the change must:

- 1) demonstrate that it (i.e., the local government) will have at least 4.0 people per acre in its existing TMSA before the population reaches the population forecast for the forecast year in the conforming master plan for the local governments, or utilize capacity provided under Policy 1.1.7.3. The data and method used to determine people per acre must be consistent with the data and method the U.S. Bureau of the Census uses to determine people per square mile for the decennial census; and,
- 2) include that property in its master plan, that master plan must address the natural resources on that property in an integrated manner, and that master plan must be found in conformance with the natural resource policies in the Truckee Meadows Regional Plan.

When proposing to make TMSA boundary changes, the local government proposing the change must demonstrate that the following ratio (numerator/denominator) is greater than or equal to four (4) persons per acre:

- The numerator is the projected population at the planning horizon, which is not less than 20 years and not more than 25 years, as set forth in the local government's population plan prepared in accordance with subsection 1(g) of NRS 278.160 and which the RPC has found in conformance with the Regional Plan.
- The denominator is the area, in acres, of the local government's designated portion of the TMSA, minus the area, in acres, of development constrained lands as defined by the Regional Plan.

[Amended 11/8/07; 2/14/08]

Policy 1.1.7.2

When a private property owner applies to make TMSA boundary changes, the applicant proposing the change must:

- 1) demonstrate that the applicable local government has capacity to absorb the property into its portion of the TMSA as described in Policy 1.1.7.1 (1) or Policy 1.1.7.3; and,
- 2) the applicable local government has committed to include that property in its master plan, that master plan must address the natural resources on that property in an integrated manner, and that master plan must be found in conformance with the natural resource policies in the Truckee Meadows Regional Plan.

[Amended 11/8/07; 2/14/08]

Policy 1.1.7.3

In the event that a local government exhausts its portion of the TMSA as calculated in Policy 1.1.7.1, a local government may increase its portion of the TMSA by an additional 640 acres to allow for development flexibility. The additional TMSA capacity is a separate, one-time only, allocation. Once the allocation has been used, the local government may not replenish this separate allocation by rolling back TMSA to create available capacity.

[Amended 2/14/08]

Policy 1.1.8

The Regional Plan defines the Development Constraints Area (DCA) as an overlay upon the Truckee Meadows Service Areas and the Rural Development Area (see Map 3). The Development Constraints Area consists of playas, jurisdictional water/wetland in accordance with Section 404 of the Clean Water Act, designated FEMA floodway areas within the floodplain Zone AE floodways, significant water bodies, natural slopes over 30%, publicly-owned open space, and properties that are deed restricted to prevent development. Constrained lands less than 1/3 acre in size will not be included in the Development Constraints Area. The Development Constraints Area overlay takes precedence over otherwise applicable policies describing the desired density and intensity of development within the Truckee Meadows Service Areas and the Rural Development Area.

[Amended 9/11/08]

An amendment to Map 3 constitutes a Regional Plan amendment and must be considered pursuant to regulations regarding Regional Plan amendments to be adopted by the RPGB.

[Amended 12/13/07]

Policy 1.1.9

To conform with the Regional Plan, local government master plans must include management plans for slopes from 15 to 30 percent, as set forth under the goals and policies for Module #2, Natural Resource Management (see Map 3).

Policy 1.1.10

To conform with the Regional Plan, as outlined in Module #3, master plans, facilities plans and other similar plans of service providers within the Truckee Meadows Service Areas must provide for the delivery of municipal services as outlined in NRS 278.0274 and must conform with the priorities for resource, service, and infrastructure provision outlined in Goal 1.2.

Policy 1.1.11

In accordance with subsections 7 and 8 of NRS 278.0272, local governments, the Regional Planning Commission, and the Regional Planning Governing Board may propose amendments to the Regional Plan to adjust the Truckee Meadows Service Areas.

Policy 1.1.12

To conform with the Regional Plan, local government master plans must address Emerging Employment Centers (as described in Policy 1.2.18) as areas where rapid employment growth is currently occurring, where such growth is planned, where opportunities for infill development will be provided, and where job centers are needed to provide for a jobs-housing balance within the region.

[Amended 12/13/07]

Policy 1.1.13

The Regional Plan hereby adopts the Resort Service Area(s) (RSA), south of T26N (see Maps 1 and 2). Map 2 describes the general location of the RSAs.

RSAs are located in the Rural Development Area and provide for the location of resort destinations within the region, south of T26N, outside the Truckee Meadows Service Areas.

Policies affecting the Rural Development Area apply to RSAs except as provided for in a conforming RSA plan.

To be in conformance with the Regional Plan, local governments shall develop RSA plans south of T26N (if any), as a component of their master plans, that must:

- 1) ensure that a resort destination is located on or has direct access to a major transportation route;
- 2) ensure that the resort destination makes reasonable provisions for employee transportation and housing, commensurate with:
 - a) the location and proximity to urbanized areas of the region;
 - b) the number of employees required to reside at the resort; and,
 - c) the nature and seasonality of employees' commute;
- 3) address the provision, timing, and phasing of necessary municipal services, power, and telecommunication infrastructure for the RSA, and ensure that the services and infrastructure do not promote expansion of surrounding development outside the RSA;
- 4) ensure that the resort destination provides for primary activities that are integral to the resort, other than gaming or shows, such as, but not limited to, snow sports and activities, golf, dude and guest ranches, health spas and resorts, backcountry adventures, hunting, fishing and water sports, that are dependent upon the surrounding topography or natural resources;
- 5) further refine the boundaries of the RSA and establish the specific size, intensity, character, and design criteria of the resort destination;
- 6) adhere to the provisions regarding the Development Constraints Area as described in Policy 1.1.8 and Policy 2.2.1; and,

- 7) ensure that a resort destination is not designed to allow for residential uses for persons other than transient guests and employees (i.e., ski area residential uses shall be primarily “ski-in/ski-out”) and is not designed to allow additional primary uses planned for development within urban areas.

The RSA plan may allow for accessory uses consistent with, and normally incidental to, the destination resort, such as, restaurants, bars, small scale retail shops, and gaming as follows:

- i) accessory uses must not meet or exceed the scale of the primary use; and,
- ii) accessory uses must be designed to meet the needs of the anticipated customer base of the resort, and must not be of a scale as to promote expansion of surrounding development outside the RSA.

Policy 1.1.14

Local government master plans may allow the location of resort destinations in the Rural Development Area, north of T25N, in accordance with a resort destination element in a conforming master plan.

To be in conformance with the Regional Plan, the resort destination element of the master plan must:

- 1) require the resort destination to have an appropriate level of roadway access, based on the proposed use, that meets the standards and requirements of the local government;
- 2) address how employee transportation and housing will be provided commensurate with:
 - a) the location and proximity to urbanized areas of the region;
 - b) the number of employees required to reside at the resort; and,
 - c) the nature and seasonality of employees’ commute;
- 3) require a resort destination to address the provision, timing and phasing of water, sewer, power and telecommunications infrastructure to support a resort destination, and ensure that the infrastructure does not promote expansion of surrounding development outside the resort destination;
- 4) ensure that the resort destination provides for primary activities that are integral to the resort, other than gaming or shows, such as, but not limited to, snow sports and activities, golf, dude and guest ranches, health spas and resorts, backcountry adventures, hunting, fishing and water sports, that are dependent upon the surrounding topography or natural resources;
- 5) define the specific size, intensity, character, and design criteria of the resort destination;
- 6) ensure that the resort destination will adhere to the provisions regarding the Development Constraints Area as described in Policy 1.1.8 and Policy 2.2.1, and the Rural Development Area as described in Policy 1.1.5 and Policy 1.1.8; and,
- 7) ensure that a resort destination is not designed to allow for residential uses for persons other than transient guests and employees.

The master plan may allow for:

- i) self-contained municipal services, such as, but not limited to, solar energy generation units and packaged treatment plants, subject to the requirements of local health agencies or other regulatory agencies; and,
- ii) accessory uses consistent with, and normally incidental to, the destination resort, such as, restaurants, bars, small scale retail shops and gaming as follows:
 - a) accessory uses must not meet or exceed the scale of the primary use; and,
 - b) accessory uses must be designed to meet the needs of the anticipated customer base of the resort, and must not be of a scale as to promote expansion of surrounding development outside the resort destination.

GOAL 1.2

Local government and affected entity master plans, facilities plans and other similar plans will provide for the necessary resources, services and infrastructure to support the densities summarized in Table 1.2.1 of the Regional Plan.

Policy 1.2.1

Table 1.2.1 represents the required densities in designated areas of the region to accommodate the forecasted population and employment growth. Table 1.2.1 is a general summary of densities described in various policies in Module 1 of the Regional Plan; see the specific policies for details.

Table 1.2.1

Regional Areas	Required Residential Density	Required Non-residential Density
Truckee Meadows Service Area (policy 1.1.7)	Minimum of 4 persons per acre	n/a
Downtown Centers* (policy 1.2.14)	Minimum density of 30 du / acre Average density of 45 du/ac	1.5 FAR
Regional Centers* (policy 1.2.14)	Minimum density of 18 du / acre Average density of 30 du/ac	1.5 FAR
TOD Corridors in nodes or station areas* (policy 1.2.14)	Minimum density of 18 du / acre Average density of 30 du/ac	1.5 FAR
TOD Corridors between nodes or station areas* (policy 1.2.14)	Minimum density of 18 du / acre Average density of 30 du/ac	0.25 FAR
Unincorporated areas* (goal 1.3)	Single family detached – Maximum 5 du/ acre	Based on generally accepted service standards for population, employment, service area and market analysis.
Rural Development Area and Future Service Areas* (policy 1.1.5)	No new divisions of land less than 5 acres	Limited non-residential development allowed

* Alternate densities may be allowed – see specific policies for details

FAR = Floor Area Ratio

DU = Dwelling unit

[Amended 1/15/09]

Policy 1.2.2

To conform with the Regional Plan, local government and affected entity master plans, Facilities Plans, and other similar plans, must promote and not conflict with the following priorities for managing regional growth:

- 1) Downtown Centers;
- 2) Regional Centers and Emerging Employment Centers;
- 3) TOD Corridors;
- 4) Infill opportunity areas as identified in local government master plans;
- 5) Secondary Corridors; and,
- 6) all other areas within the Truckee Meadows Service Areas.

Policy 1.2.3

Local government master plans may designate Secondary Corridors. Local government Secondary Corridor plans must:

- 1) establish the exact boundaries of the corridor;
- 2) require mixed-uses through amendments to zoning code and development standards for Secondary Corridors;
- 3) allow for efficient delivery of services and facilities through optimization of existing public investment and proximity of services to demand;
- 4) promote compatibility of new development, in consultation with the Reno-Tahoe Airport Authority;
- 5) specify land use and street design that support increasing intensification that enhances and encourages the use of public transportation and other multi-modal transportation options over time;
- 6) include development and design standards that support higher density and intensity surrounding Secondary Corridors, and feathering, as appropriate, to provide for compatibility with existing neighborhoods along or adjacent to the corridor; and,
- 7) ensure that Secondary Corridors are linked to the community, in particular linked to Centers and TOD Corridors, through multi-modal access.

[Amended 8/12/10]

Policy 1.2.4

As an additional priority, local government and affected entity master plans, facilities plans, and other similar plans may demonstrate a need to convert existing, private septic systems to a public sewer system in areas where those services are necessary for the continued health, safety, and welfare of the local citizens.

Policy 1.2.5

To conform to the Regional Plan, local government and affected entity master plans, facilities plans and other similar plans must promote and not conflict with the Regional Plan, including without limitation Policies 1.2.1 and 1.2.2 in terms of:

- 1) permissible uses;
- 2) permissible density and intensity of use;
- 3) size and capacity of public facilities;
- 4) location of public facilities; and,
- 5) provision of public services.

To meet the requirements of NRS 278.0284, local government and affected entity Capital Improvement Programs must identify expenditures and timing of public infrastructure investment consistent with master and facilities plans to support the desired population and employment growth and priorities identified in Policies 1.2.1 and 1.2.2.

Policy 1.2.6

The master plans of local governments must include policies that take maximum advantage of existing resources such as: special transportation assets (air, rail, streets and highways, public transit), education assets (e.g., college, university), and sources of raw construction materials.

Policy 1.2.7

To conform with the Regional Plan, local government and affected entity master plans must ensure that private investment in public infrastructure that is to be dedicated to the public and managed by a public entity must be identified within an approved Capital Improvement Program (CIP) (See NRS 278.0226 and Policy 3.4.1).

Policy 1.2.8

The Regional Plan defines the following Downtown Centers, which are generally 1 mile in diameter, as shown on Map 4:

- 1) Downtown Reno Center – downtown Reno and surrounding area
- 2) Downtown Sparks Center – downtown Sparks and surrounding area

To conform with the Regional Plan, the master plans of the City of Reno and the City of Sparks must further define the boundary and character of each Downtown Center within their respective jurisdiction.

Policy 1.2.9

The Regional Plan defines the following Regional Centers, which are generally 1 mile in diameter, as shown on Map 4:

- 1) Convention Regional Center - Meadowood Mall / Reno-Sparks Convention Center area
- 2) Medical Regional Center - Renown Medical Center area
- 3) Reno-Tahoe Airport Regional Center - Reno-Tahoe International Airport area
- 4) UNR Regional Center - University of Nevada, Reno area
- 5) Dandini Regional Center - Truckee Meadows Community College / Justice Facility/ DRI area
- 6) Stead Regional Center - Reno-Stead Airport area
- 7) Redfield Regional Center - Redfield Campus / Saint Mary's facility
- 8) Western Gateway Regional Center - Verdi / Garson Road area

To conform with the Regional Plan, local government master plans must further define the boundary and character of each Regional Center within their respective jurisdiction.

[Amended 8/13/09]

Policy 1.2.10

The Regional Plan defines the following Transit Oriented Development (TOD) Corridors, which are generally ¼ mile wide on each side of the designated transportation route or road with a central point of origin of Virginia Street and Fourth Street (Downtown Reno) as shown on Map 4:

- 1) Virginia Street, south to Mount Rose Highway, and Mount Rose Highway, west to the Redfield Center;
- 2) Virginia Street, north to Stead Blvd., and Stead Blvd. to the Stead Center;
- 3) Fourth Street, west to the I-80 intersection, and continuing along I-80 to Gold Ranch;
- 4) East Fourth Street/Prater Way to the Downtown Sparks Center, east to Vista Blvd., and including a proposed loop from Prater Way, south on Sparks Blvd. to Lincoln Ave., west, past the Sparks Marina to F Street, rejoining Prater Way; and,
- 5) Virginia Street, east on Fourth Street to Lake Street, south on Lake Street to Mill Street, east on Mill Street through the Medical Regional Center to Terminal Way, south on Terminal Way to the Reno-Tahoe Airport Center.

To conform with the Regional Plan, local master plans must contain TOD Corridor Plans that further define the boundary and character of each TOD Corridor, specifically outlined in Policy 1.2.11. Where TOD Corridors cross jurisdictions, each jurisdiction that manages a section of the TOD Corridor must demonstrate that their TOD Corridor Plan is compatible with the other jurisdiction's TOD Corridor Plan.

[Amended 8/13/09]

Policy 1.2.11

To conform with the Regional Plan, local governments, in consultation with affected entities, will develop Downtown and Regional Center, TOD Corridor, and Station Area Plans as a component of their master plans that:

- 1) establish the exact boundaries of Centers, Corridors, and Station Areas;
- 2) require mixed-uses through amendments of development codes for Centers, Corridors, and Station Areas;
- 3) allow for efficient delivery of infrastructure and services through optimization of existing public investment and proximity of services to demand;
- 4) promote compatibility of new development, in consultation with the Reno-Tahoe Airport Authority, with regional airport operations;
- 5) specify land use and street design that supports increasing intensification that enhances and encourages the use of public transportation and other multi-modal transportation options over time;
- 6) provide for development at a human scale;
- 7) include development and design standards that support density and intensity surrounding TOD Corridors, and feathering, as appropriate, to provide for compatibility with existing neighborhoods along or adjacent to the TOD Corridor; and,
- 8) ensure that TOD Corridors are linked to the community through multi-modal access.

[Amended 8/12/10]

Policy 1.2.12

The Regional Plan encourages local governments and the Reno-Tahoe Airport Authority to work together on the development of noise overlay zoning or similar measures to enhance the compatibility of surrounding development and airport operations.

Policy 1.2.13

To conform with the Regional Plan, local government master plans must include implementation tools to:

- 1) promote infill development;
- 2) preserve neighborhoods;
- 3) revitalize urban areas; and,
- 4) be consistent with densities summarized in Table 1.2.1.

In addition, master plans are encouraged to address human-scale design, inter-connections to other parts of the region and internally, diversity of land uses, and multi-modal transportation. Infill incentives, strategies, programs or policies may provide encouragements for public and/or private improvements in Downtowns and other development target areas.

To conform with the Regional Plan, local government master plans must include appropriate incentives, strategies, programs or policies to promote infill. These may include, but are not limited to:

- a) allowing higher density development – especially transit oriented development – along TOD Corridors and in other designated infill locations by right when implemented with development and design standards that provide for compatibility with existing neighborhoods along or adjacent to the TOD Corridor or infill area;
- b) adjustments to permit fees, impact fees and exactions, to encourage infill development by lowering development costs and accelerating the development approval process;
- c) use of public investment (Capital Improvement Programs, including those of affected entities such as the school district and RTC) and subsidies (e.g., redevelopment funds, HOME and CDBG funds, federal transportation money, etc.) to offset costs of infill development;
- d) appropriate development standard adaptations (e.g., parking standard reductions); and,
- e) other policies, strategies, or programs to achieve the requirements of NRS 278.0274 (3) and (4).

Policy 1.2.14

To be in conformance with the Regional Plan, local government master plans must:

- 1) provide for minimum residential densities for new development of 18 units per acre of residential, and for average densities of 30 units per acre of residential, within TOD Corridors, including Station Areas, and Regional Centers;
- 2) provide for minimum residential densities for new development of 30 units per acre of residential, and for average densities of 45 units per acre of residential within Downtown Centers; and,
- 3) provide for minimum floor area ratios (FAR) for non-residential developments and mixed-use developments of 1.5 FAR, within TOD Corridors, Station Areas, and Centers. Between Station Areas, minimum floor area ratios must be at least 0.25 FAR.

[Amended 8/12/10]

Alternative residential density and non-residential FARs may be specified in master plans in portions of TOD Corridors, Station Areas, and Centers if:

- 1) required densities are deemed incompatible; or,
- 2) analysis prepared under Policy 1.2.11 determines that those standards are sufficient to support the desired level of public transit; or,
- 3) natural resource constraints limit the desired density or intensity of use; or,
- 4) facilities or infrastructure are not currently available to support the desired density of development.

If alternative densities are specified an intensification plan must be completed. The intensification plan must:

- a) describe in detail how the factors noted in items 1 - 4 above limit the ability to develop at the required densities; and,
- b) address specific strategies to increase density and intensity of use over time, including the provision of facilities and infrastructure.

Policy 1.2.15

The Regional Plan identifies the desired future condition for TOD Corridors that:

- 1) identify for acquisition all the necessary rights-of-way;
- 2) incorporate transit stations at appropriate intervals;
- 3) employ streetscape, urban design, and capital improvements to promote transportation by transit, walking, and bicycling;
- 4) where conditions warrant, utilize near term transit priority elements such as exclusive bus or High Occupancy Vehicle lanes, bus signal priority signalizations, and queue jump lanes as proposed by the RTC;
- 5) when conditions warrant, provide long range implementation of a Bus Rapid Transit system along all TOD Corridors, consisting of a range of priority services for transit in consultation with the RTC;
- 6) accommodate local and express bus services where appropriate; and,
- 7) provide pedestrian ways.

To conform with the Regional Plan, the Regional Transportation Plan (RTP) and master plans of local governments and other affected entities must promote and not conflict with this desired future condition.

Policy 1.2.16

The Regional Plan establishes the following policies which apply when lands are added to, or removed from, a city's Spheres of Influence (SOI):

- 1) When lands are added to a city's SOI, the following policies apply:
 - a) the County land use and zoning that is in existence at the time of the SOI change, as translated to corresponding city land use and zoning, shall apply in the SOI of that city until Policy 1.2.16(2) is satisfied; and,
 - b) each city shall submit its master plan for conformance review with the land uses determined as described in Policy 1.2.16(1) and upon a finding of conformance take jurisdiction for actions covered under NRS 278.010-630.
- 2) When lands are removed from a city's SOI, the following policies apply:
 - a) the city land use that is in existence at the time of the SOI change, as translated to corresponding County land use in Appendix 8, shall provide guidance in the County until Policy 1.2.16(2)(b) is satisfied; and,
 - b) the County shall prepare and submit its master plan amendment for conformance review with the land uses determined as described in Policy 1.2.16(2)(a) within 120 days and upon a finding of conformance take jurisdiction for actions covered under NRS 278.010- 630.

[Amended 6/9/11]

Policy 1.2.17

The Regional Plan establishes the following policies which apply within Washoe County's portion of the TMSA (see Map 7):

- 1) lands contained in Washoe County's portion of the TMSA after May 9, 2002 and prior to July 27, 2006 shall be subject to the cooperative planning process; and,
- 2) lands added to Washoe County's portion of the TMSA after July 26, 2006 shall not be subject to the cooperative planning process.

Policy 1.2.18

The Regional Plan designates the following general areas for Emerging Employment Centers: east and north Sparks.

To conform with the Regional Plan, local government and affected entity master plans must maintain and improve the viability of these areas as major employment centers with the following master plan provisions:

- 1) provide adequate non-residential land supply;
- 2) provide convenient access to major roads and/or freeways;
- 3) require pedestrian connections throughout the areas and to nearby residential areas;
- 4) plan for transit service;
- 5) provide adequate residential land supply in the surrounding area to house the anticipated number of employees;
- 6) require design and intensity standards to maintain the character of nearby residential areas; and,
- 7) promote reverse commute and trip reduction strategies.

[Amended 8/13/09; 8/12/10]

Policy 1.2.19

The Regional Plan supports the use of redevelopment districts as a tool to encourage redevelopment of blighted areas within Downtowns and TOD Corridors.

Policy 1.2.20

A master plan may continue to recognize existing discretionary approvals or permits granted by a local government prior to May 9, 2002, including tentative maps, special use permits, and specific plans.

Policy 1.2.21

The Regional Plan encourages a cooperative approach to infill which includes careful coordination of plans between local governments and affected entities at the early stages of planning and project conceptualization, and thoughtful consideration of:

- parks and greenways;
- natural resources;
- floodplains, floodways, and drainage ways;
- walkability;
- alternative modes of transportation;
- sustainable design and construction;
- public health impacts related to land use decisions;
- amenities;
- recreation opportunities; and,
- airport and military installations.

[Amended 11/8/07; 9/11/08]

Policy 1.2.22

To conform with the Regional Plan local government master plans must provide for the coordination and compatibility of land uses with each military installation in the region, taking into account the location, purpose and stated mission of the military installation.

[Amended 11/8/07]

Policy 1.2.23

To conform with the Regional Plan, the City of Reno and the City of Sparks master plans may only allow density transfers from usable passive open space and may not allow density transfer from any of the following areas:

- 1) non-residential, mixed-use and public facility properties;
- 2) property in the Development Constraints Area;
- 3) existing golf courses;
- 4) existing parks; and,
- 5) existing regional street and rail right-of-way.

[Amended 12/13/07; 8/12/10]

GOAL 1.3

Unincorporated Washoe County within the TMSA will support Module #1 by providing a development pattern that includes a range of residential densities appropriate to the location and typified by medium density, and shall include appropriate neighborhood or local serving retail uses, and employment opportunities designed to reduce trips, enhance housing affordability and promote jobs-housing balance.

Policy 1.3.1

The Regional Plan defines unincorporated communities as a component of the Truckee Meadows Service Areas. Unincorporated communities are management units that may be designated in the Washoe County Comprehensive Plan in unincorporated areas, and if designated will:

- 1) constitute a comprehensive planning tool that will provide local opportunities for services and employment, reduce trips and discourage linear low-density development;
- 2) identify and plan for the areas in the unincorporated County that are expected to absorb their share of the planned 20 year growth;
- 3) identify the services required in the developed and developing areas of the unincorporated County;
- 4) identify funding sources for the provision of those services; and,
- 5) identify land uses and services that will act to preserve community character and identity.

Policy 1.3.2

To conform with the Regional Plan, the Washoe County master plan must support and reinforce Goals 1.1 and 1.2 and related policies of the Regional Plan and provide housing and location options within the region.

Detached single-family residential development within the unincorporated TMSA may occur at up to five units per acre to support compatibility with adjacent communities, transit usage and trip-reduction goals, and to support employment centers and jobs-housing balance.

In locations where attached housing types are appropriate to support affordability and transit goals, the Washoe County master plan shall designate such areas and determine densities on a case-by-case basis, subject to regional conformance review.

For purposes of complying with this policy, density transfers are allowed from usable passive open space and are not allowed from any of the following areas:

- 1) non-residential, mixed-use and public facility properties;
- 2) property in the Development Constraints Area;
- 3) property outside the Truckee Meadows Service Areas;
- 4) existing golf courses;
- 5) existing parks; and,
- 6) existing regional street and rail right-of-way.

[Amended 12/13/07; 8/12/10]

Policy 1.3.3

To conform with the Regional Plan, in unincorporated areas within the TMSA, local master plans may allow non-residential uses of appropriate scale to serve the community and not the greater region. The appropriate scale of non-residential development shall be based on generally accepted service standards for population, employment, service area, and market analysis.

Industrial/warehouse uses are permitted only within existing or master-planned multi-use business parks found in conformance with the Regional Plan.

GOAL 1.4

Within one year of the adoption of the Regional Plan local government master plans must include strategies based on quantifiable goals set by the jurisdiction to a) increase affordable housing opportunities for persons earning less than 80% AMI and b) increase workforce housing opportunities for persons earning between 80 and 120% of the AMI. The goals will be measurable, with a timeline that covers at least the five-year planning period.

Policy 1.4.1

To conform with the Regional Plan local government master plans must promote and not conflict with NRS 278.160, and include strategies that address jurisdiction regulations addressing the creation of new, and the maintenance of existing, housing, coordination efforts, financial tools, and community education with the aim of:

- identifying the needs of the community regarding affordable and workforce housing;
- reducing regulatory barriers to the provision of affordable housing;
- preserving or rehabilitating current affordable and workforce housing stock when possible;
- increasing new affordable and workforce housing stock;
- providing for a diverse range of housing types;
- documenting existing and new affordable and workforce housing; and,
- developing incentives, partnerships, and processes to facilitate the creation of additional affordable and workforce housing stock.

In developing these master plan elements, local governments are encouraged to coordinate with the HOME Consortium and other public and private affordable and workforce housing service providers.

MODULE #2:

MANAGEMENT OF THE REGION'S NATURAL RESOURCES

INTRODUCTION

It is the intent of the Regional Plan to identify and manage significant natural resources in a manner that sustains those resources for future generations and considers each resource as part of a larger natural system. To carry out this intent, the Regional Plan requires the master plans and facilities plans of local governments and affected entities to recognize the interdependent functions and contributing values of rivers, wetlands, other water bodies, aquifer recharge areas, ridgelines, steep slopes, open space, greenways, recreation areas, and habitat for wildlife and vegetation. In addition, the Regional Plan recognizes that the natural resources within our region are constrained.

The goals and policies listed under Module #2, as well as the goals and policies for regional form and pattern (Module #1) and public services and facilities (Module #3) encourage uses of the land that promote the responsible management of the region's air and water resources, and that attain and maintain state and federal standards for air quality and water quality.

The goals and policies listed under Module #4 ensure that natural resource constraints are considered when conformance reviews and evaluation of amendments to the Regional Plan are conducted.

The plan also promotes an integrated network of open space and greenways that links urbanized areas, public facilities, recreation opportunities, and surrounding public lands. This network will also enhance scenic quality, preserve and restore habitat, and protect significant natural, cultural and archeological resources.

The basis for goal and policy development for implementation of the Regional Plan are the following planning principles:

PLANNING PRINCIPLES

- The Regional Plan will ensure effective management of our natural resources.
- Within the Regional Plan, open space, greenways and natural features will help to define the regional form.
- Our unique and significant natural resources will be identified and managed in a sustainable manner and as whole systems to ensure the availability of resources for generations to come.
- The Regional Plan will require the review and implementation of the Air Quality Management Plan that ensures the region meets the National Ambient Air Quality Standards.
- The Regional Plan will require local government master plans to encourage land uses that

promote the responsible management of the region's air quality and water resources.

- The Regional Plan will require a regional approach to watershed, wastewater, and stormwater management to ensure state water quality standards are met.
- The Regional Plan will require the identification of sustainable regional water resources and the promotion of development patterns and practices that promote sustainable water use.
- The Regional Plan will require local government master plans to preserve the natural function and scenic value of mountains, rivers, significant ridgelines, wetlands, aquifer recharge areas, and water bodies as wilderness, habitats, open space, greenways, parks, trails, and recreational areas.
- Local governments and affected entities will manage our natural resources in cooperation with State and Federal partners.
- The Regional Plan recognizes that the natural resources within our region are constrained.
- The Regional Plan will ensure the effective management of our natural resources, recognizing their importance to the public health, safety, and welfare of our community.
- The Regional Plan will promote the coordination of the natural resource plans of local governments and affected entities.
- The Regional Plan will promote and encourage the practice of sustainable design and construction.

GOALS AND POLICIES

GOAL 2.1

To better coordinate natural resource management, local governments will prepare integrated plans to address natural resources in the region, in consultation with the community and key stakeholders.

Policy 2.1.1

To conform with the Regional Plan, and to coordinate natural resource management within the region, local government master plans will at least address the management of the following:

- 1) floodplains;
- 2) greenways;
- 3) open space;
- 4) wildlife migration paths;
- 5) habitat for wildlife and vegetation;
- 6) rivers, streams and riparian zones;
- 7) aquifer recharge areas;
- 8) recreation management/uses;
- 9) steep slopes;
- 10) ridgelines;
- 11) wetlands and other water bodies;
- 12) playas;
- 13) trails and trail networks;
- 14) urban/wildland interface, including weed management, and public safety service provision, wildland fire management and fuels reduction;
- 15) wellhead protection; and,
- 16) threatened and endangered species.

Local government master plans will provide for a coordination and communication strategy to ensure broad stakeholder participation and will address management strategies such as incentives, enhancements or offsets, mitigation, funding, acquisition, connectivity, and monitoring of the identified natural resources.

GOAL 2.2

Local government master plans will be revised to preserve the scenic, natural, public safety, and recreational values of sensitive land areas by constraining development on designated water bodies and ridgelines, natural slopes over 30 percent, and certain other lands.

Policy 2.2.1

To conform with the Regional Plan, master plans of local governments and affected entities must at least place the following limits on development within the Development Constraints Area:

- 1) As defined in conforming local government master plans, allowed land uses are limited to communication facilities, recreational facilities, parks and open space, utilities, agriculture, forestry, mining, and transportation infrastructure necessary to service development. Residential development is allowed at a maximum density of one unit per 40 acres or one unit per parcel in existence when the 2002 Regional Plan is adopted, whichever is greater. Other uses may encroach into the Development Constraints Area in isolated areas if the encroachments enhance the overall project design and a 2:1 ratio of non-constrained area is preserved as open space for every constrained area that is developed.
- 2) Commercial, office, industrial and residential development is not allowed in the Development Constraints Area, except as provided for in Policy 2.2.1(1).
- 3) All local government and affected entity master and facilities plans must include components to preserve development-constrained lands in an undeveloped state wherever possible, to minimize encroachments into the Development Constraints Area, and to provide additional design features to mitigate the visual impact of necessary encroachments.

GOAL 2.3

Local governments will review and revise their master plans to include management strategies for areas with natural slopes greater than 15 percent but less than 30 percent.

Policy 2.3.1

To be found in conformance with the Regional Plan, master plans shall include management strategies for slopes greater than 15 percent but less than 30 percent. These strategies must ensure that:

- 1) development on such slopes will not degrade the scenic, public safety, and environmental values of the area to be developed and the region as a whole;
- 2) development on such slopes incorporates on-site and off-site mitigation measures for impacts to habitat and water quality, and for fiscal effects associated with higher-than-normal costs of infrastructure, public safety facilities, and public safety services on slopes greater than 15 percent but less than 30 percent;
- 3) aquifer recharge function is protected; and,
- 4) activities comply with the terms of National Pollutant Discharge Elimination System (NPDES) permits.

GOAL 2.4

The Regional Plan encourages Washoe County, through coordination with local, state, federal, tribal, and private partners, to secure funding to implement the regional open space plan, and requires local governments to revise their master plans to establish a coordinated network of open space and greenways, wherever possible, that links urbanized areas, public facilities including schools, recreation opportunities, and surrounding public lands.

Policy 2.4.1

As provided for in Chapter 376A of the Nevada Revised Statutes, Washoe County is encouraged to identify and coordinate potential sources of private and public revenue to implement the regional open space plan in cooperation with its partners.

Policy 2.4.2

To conform with the Regional Plan, master plans of local governments must support and not conflict with the goals and policies of the Regional Plan regarding open space by including open space and greenways plans that must:

- 1) promote the protection of wildlife habitat;
- 2) connect trails systems including the Truckee River and the urban core;
- 3) encourage recreation and other uses of open space and greenways by pedestrians and bicyclists;
- 4) provide access to and links between public facilities including recreational facilities, schools, and public transportation;
- 5) support intensification by providing amenities to promote infill in Centers, Corridors and other appropriate areas;
- 6) link urban open space and greenways with passive open space or public lands surrounding the urbanized areas; and,
- 7) ensure connectivity at jurisdictional interfaces.

GOAL 2.5

The **NNWPC** and the **WRWC** will revise the **Regional Water Management Plan (RWMP)** and local governments will revise their master plans to: **(a) attain and maintain state and federal water quality standards, (b) protect water resources from degradation by stormwater runoff, and (c) protect natural resources and the public health, safety, and welfare during flood events.**

[Amended 9/11/08; 8/13/09]

Policy 2.5.1

To be consistent with the Regional Plan, the Regional Water Management Plan (RWMP) must utilize local master plans that have been determined to be in conformance with the Regional Plan for information on the location and intensity of anticipated development within the region for the next 20 years.

[Amended 1/15/09]

Policy 2.5.2

To be consistent with the Regional Plan, the RWMP must:

- 1) be consistent with the goals and policies regarding regional form and pattern (Module #1);
- 2) be consistent with local master plans that have been found in conformance with the Regional Plan; and,
- 3) comply with applicable sections of State Law regarding the management of:
 - a) surface water;
 - b) ground water; and,
 - c) floods and storm water drainage.

[Amended 1/15/09]

Policy 2.5.3

To be found in conformance with the Regional Plan, and in accordance with the water quality protection policies of the Washoe County Health District (WCHD) and the State Engineer, master plans of local governments must prohibit amendments to zoning that increase the density or intensity to allow division of parcels to less than 5 acres in size within the rural development area (RDA).

[Amended 8/12/10]

GOAL 2.6

The Washoe County Health District and local governments will review and revise their air quality plans and ordinances to attain and maintain state and federal air quality standards.

[Amended 8/12/10]

Policy 2.6.1

To be found in conformance with the Regional Plan, the air quality plans and ordinances of the WCHD shall include:

- 1) strategies to reduce the rate of increase in vehicle miles traveled (VMT) per capita;
- 2) strategies to increase the use of alternative fuels in motor vehicles;
- 3) standards and programs for the management of solid fuel-burning devices; and,
- 4) road, street, and parking area cleaning and sweeping programs.

[Amended 8/12/10]

Policy 2.6.2

To conform with the Regional Plan and to help attain and maintain air quality standards for carbon monoxide, ozone, and particulate matter, master plans of local governments must prohibit the use of diesel oil-fueled, internal combustion power generation units synchronized with the regional electric grid within the Truckee Meadows Service Areas (TMSA), except for emergency conditions such as weather related acts of God, unforeseen grid disturbances, maintenance activities including testing, or transmission limitations.

GOAL 2.7

The Regional Plan promotes and encourages the practice of sustainable design and construction.

Policy 2.7.1

To conform with the Regional Plan, master plans, facilities plans or other similar plans of local governments and affected entities must promote, encourage, or provide incentives for:

- 1) development practices that promote energy-efficient building technology for residential and non-residential development in terms of site location, building materials, building technology and other elements;
- 2) the use of alternative or renewable energy sources; and,
- 3) the use of low impact development (LID) practices.

GOAL 2.8

The Regional Planning Agency will facilitate coordination and cooperation in natural resources planning in the wider region, including the coordination and sharing of data and information to assist the region with decision making.

Policy 2.8.1

The Regional Planning Agency will facilitate the preparation of an inventory of regulations that apply to natural resource management in the wider region.

Policy 2.8.2

The Regional Planning Agency will establish a regional data portal emphasizing natural resources.

Policy 2.8.3

The Regional Planning Agency will facilitate a cooperative approach to natural resource planning with local, state, and federal agencies, the Nevada System of Higher Education (NSHE) in Washoe County, private partners, and surrounding jurisdictions.

MODULE #3:

PUBLIC SERVICES AND FACILITIES

INTRODUCTION

One of the purposes of the Regional Plan is to help coordinate the provision of effective and efficient public services by local governments and affected entities, to minimize duplication and overlap, and to promote fairness.

The Regional Plan calls for local governments and affected entities to review and revise their master plans, facilities plans, and Capital Improvement Programs (CIPs) to make them consistent with the goals and policies of the Regional Plan.

The annexation policies of local governments, and related actions that can result in boundary adjustments (e.g., joint planning), are very strongly tied to decisions regarding the provision of municipal services. Because of this, these goals and policies also require Reno and Sparks to review and revise their annexation programs.

As required by NRS 278.0274, the Regional Plan includes information relating to the provision of sanitary sewer facilities, solid waste management, flood control, potable water, and groundwater aquifer recharge, correlated with the goals and policies of the Regional Plan. Appendix I summarizes the following information for those services:

- problems and needs;
- providers of public service and their respective service territories; and,
- the timing of facilities and services necessary to support the development contemplated by the Regional Plan.

After revised master plans, facilities plans, and other similar plans are found to be in conformance with the Regional Plan, and CIPs have been submitted to the Regional Planning Agency, Appendix I will be updated.

To coordinate the provision of services and facilities, it will be necessary for the Regional Planning Agency to work with a large number of entities, including:

- a) local governments and affected entities;
- b) public utilities subject to the jurisdiction of the Public Utilities Commission of Nevada (PUCN); and,
- c) state and federal agencies.

The agency will work with the managers and chief planning officials of Reno, Sparks, and Washoe County; other officials within the region; and technical advisory committees authorized by state law.

A number of groups have looked at the question of regional services, consolidated services, and ways to make the most of scarce resources. Joint efforts and consolidation opportunities have been important to the Truckee Meadows for many years, and will be increasingly important as resources tighten and needs expand. The RPC and the RPGB may consider additional regionalization of public services, where it would support implementation of the plan.

Several goals and policies in Module 3 also address the challenge of maintaining a reliable supply of energy for utility customers in the region while minimizing conflicts between utility infrastructure and the communities it serves. This challenge was first met in 1999, when the work of a local citizens' committee resulted in the RPGB adopting the Regional Utility Corridor Report (RUCR). From 1999 to 2010, the RUCR guided the placement of transmission lines and sites via policies that established utility corridors and separation requirements from certain uses. Certain goals and policies in Module 3 build on the core concepts from the RUCR to require that existing and future corridors be maintained to allow for future expansion of transmission infrastructure within those corridors, reducing the need for additional corridors.

[Amended 8/12/10]

The policies in Module 3 also go beyond the core concepts in the RUCR by ensuring that:

- A regional dialogue occurs before a transmission line is approved for undergrounding; and,
- Renewable energy generation is encouraged and the transmission of energy from renewable sources is contained within existing corridors whenever possible.

[Amended 8/12/10]

The basis for goals and policy development for implementation of the Regional Plan are the following planning principles.

PLANNING PRINCIPLES

Local governments and affected entities will provide quality public services and facilities for our regional citizens.

- The Regional Plan will coordinate the provision of public services and facilities provided by affected entities including: the Regional Transportation Commission, Waste Management, Washoe County School District, Washoe County Health District, Air Quality Management, Reno-Tahoe Airport Authority, and Reno-Sparks Convention and Visitors Authority. *[Amended 8/12/10]*
- The Regional Planning Agency will work with entities regulated by the Public Utilities Commission and the Federal Energy Regulatory Commission, such as NV Energy and Tuscarora Gas Transmission Company, to coordinate the provision of public services and facilities. *[Amended 8/12/10]*
- The Regional Planning Agency will work with State, Federal, and local agencies, such as the Bureau of Land Management, the U.S. Forest Service, Nevada Department of Transportation, Nevada System of Higher Education (NSHE) in Washoe County, Truckee Meadows Water Authority, and Truckee Meadows Community College to coordinate the provision of public

services and facilities.

- The Regional Plan will promote and maintain opportunities for the provision of utilities including, but not limited to, the transmission of electricity, while at the same time aiming to reduce conflicts between utility infrastructure and the communities it serves. *[Amended 8/12/10]*
- When a transmission line is proposed to be undergrounded for safety reasons, the Regional Plan will ensure a forum for regional dialogue regarding the allocation of costs. *[Amended 8/12/10]*
- The Regional Plan will promote a renewable energy future by requiring local government master plans and facility plans to demonstrate a commitment to the generation and transmission of electricity from regional renewable energy generation sources. *[Amended 8/12/10]*
- The Regional Plan will ensure that necessary public services and facilities to support new development are or will be available and adequate, based on adopted levels of service (LOS) standards, at the time the impact of new development occurs.
- The Regional Plan promotes and encourages the practice of sustainable design and construction.

GOALS AND POLICIES

GOAL 3.1

The Northern Nevada Water Planning Commission (NNWPC) will update the Regional Water Management Plan (RWMP) to make it consistent with the Regional Plan including the goals and policies related to regional form and pattern, and the Regional Transportation Commission (RTC) will update the Regional Transportation Plan (RTP), to make it conform with the Regional Plan including the goals and policies related to regional form and pattern.

[Amended 9/11/08; Amended 1/15/09]

Policy 3.1.1

To be found consistent with the Regional Plan, the portions of the RWMP that address public water systems must:

- 1) be consistent with the goals and policies regarding regional form and pattern (Module #1);
- 2) be consistent with local master plans that have been found in conformance with the Regional Plan; and,
- 3) comply with applicable sections of Chapter 531 Statutes of Nevada 2007.

[Amended 1/15/09]

Policy 3.1.2

To be found consistent with the Regional Plan, the portions of the RWMP that address wastewater collection and treatment must:

- 1) be consistent with the goals and policies regarding regional form and pattern (Module #1);
- 2) be consistent with local master plans that have been found in conformance with the Regional Plan; and,
- 3) comply with applicable sections of Chapter 531 Statutes of Nevada 2007.

[Amended 1/15/09]

Policy 3.1.3

To be found in conformance with the Regional Plan, local government master plans must ensure that all development located within the Truckee Meadows Service Areas (TMSA), that requires a subdivision of land, or an amendment to the zoning or master plan that increases the density or intensity of use and relies on on-site sewage disposal, must require:

- 1) dry sewer mains to be constructed in accordance with the adopted Capital Improvement Plans (CIP) and facilities plans;
- 2) conformance with the water quality protection policies of the Washoe County Health District (WCHD); and,
- 3) a recorded waiver of protest to the formation and funding of a sewer improvement district.

[Amended 8/12/10]

Policy 3.1.4

To be found consistent with the Regional Plan, the portions of the RWMP that address stormwater management must:

- 1) be consistent with the goals and policies regarding regional form and pattern (Module #1);
- 2) be consistent with local master plans that have been found in conformance with the Regional Plan; and,
- 3) comply with applicable sections of Chapter 531 Statutes of Nevada 2007.

[Amended 1/15/09]

Policy 3.1.5

To be found in conformance with the Regional Plan, the Regional Transportation Plan must:

- 1) conform with the goals and policies regarding regional form and pattern (Module #1); and,
- 2) comply with applicable sections of State and Federal Law regarding the elements of the Regional Transportation Plan, including without limitation, Chapter 373 of NRS and Public Law 105-178 as amended, and the Transportation Equity Act for the 21st Century.

GOAL 3.2

Upon the determination, by the Regional Planning Commission (RPC), that applicable local master plans and the Transportation Plan conform with the Regional Plan and the Regional Water Plan is consistent with the Regional Plan, local governments and affected entities will review and revise facilities plans and Capital Improvement Programs (CIP) for parks, schools, streets, water supply, wastewater collection and treatment, stormwater management, and public safety facilities to serve the levels and distribution of population and employment described in local master plans.

[Amended 1/15/09]

Policy 3.2.1

Local governments and affected entities must review and submit their facilities plans and similar plans along with any necessary proposed amendments to the RPC for conformance review, in accordance with regulations, to be adopted by the Regional Planning Governing Board (RPGB). The RPC must determine that the local and affected entity facilities plans conform with the Regional Plan before the local government or affected entity takes final action on the amendment (NRS 278.0282).

Policy 3.2.2

Water purveyors, providers of community wastewater collection and treatment, and entities that provide or maintain stormwater and flood control facilities must review and submit their facilities plans, in accordance with regulations, to be adopted by the RPGB. Amended facilities plans for water, wastewater, stormwater, and flood control must specifically identify the nature, location, and capacity of necessary infrastructure consistent with the major facilities described in the RWMP.

[Amended 1/15/09]

GOAL 3.3

Reno and Sparks will review and revise existing annexation programs and plans.

Policy 3.3.1

The Regional Plan hereby adopts the Spheres of Influence (SOI) for the cities of Reno and Sparks, and the unincorporated area of jurisdiction, shown on Map 1. A Sphere of Influence is an area into which a city plans to expand within the next 20 years (see NRS 278.026 and NRS 278.02788). The portion of the TMSA for each city is also the SOI for that city and the remaining portions of the TMSA are for unincorporated development. Please refer to Policy 1.1.3.

Policy 3.3.2

Pursuant to NRS 268.625, the cities of Reno and Sparks must submit annexation programs to the RPC and RPGB for conformance determination. To be found in conformance with the Regional Plan, the annexation programs must promote and not conflict with the maps and policies of the Regional Plan regarding:

- 1) the desired regional form and pattern (See Module #1);
- 2) natural resource management (See Module #2);
- 3) public service and infrastructure provision (See Module #3); and,
- 4) the areas of jurisdiction of Washoe County.

GOAL 3.4

In accordance with state law, local governments and affected entities will review and revise their capital improvement programs (CIPs) to support conforming master plans, and submit them to the Regional Planning Agency, which will prepare a coordinated regional CIP summary.

Policy 3.4.1

Pursuant to NRS 278.0226, local governments must annually review, revise, and submit to the Regional Planning Agency, their CIPs to identify:

- 1) costs that the local government expects to incur; and,
- 2) sources of revenue that the local government will use, to acquire, maintain, operate, and replace capital improvements.

Affected entities must also review and revise their CIPs in accordance with applicable state and federal laws.

Each CIP must be consistent with conforming master plans, facilities plans, and other similar plans, and shall be submitted to the Regional Planning Agency, which shall prepare a summary of the CIPs (see subsection 5(d) of NRS 278.0274).

The CIP summary must be completed not later than 6 months after submission of CIPs to the Regional Planning Agency.

Policy 3.4.2

To conform with the Regional Plan, local government and affected entity master plans, facilities plans, and other similar plans must anticipate and develop strategies to preserve future necessary right-of-way (ROW) needs.

GOAL 3.5

The Regional Plan will coordinate the master plans, facilities plans, and other similar plans of local governments and affected entities to ensure that necessary public facilities and services to support new development are or will be available and adequate at the time the impacts of new development occur (i.e., concurrency).

Policy 3.5.1

To be in conformance with the Regional Plan, the master plans, facilities plans, and other similar plans of local governments and affected entities must ensure that necessary public facilities and services to support new development are or will be available and adequate, based on adopted levels of services (LOS) at the time the impacts of new development occur.

Policy 3.5.2

To be in conformance with the Regional Plan, local government and affected entities facilities plans, and other similar plans must be based at a minimum on the land use contained in adopted master plans that have been found in conformance with the Regional Plan.

These plans must address all applicable policies of the Regional Plan and include:

- 1) details on funding and timelines for the provision of required facilities;
- 2) a detailed description of all adopted levels of service;
- 3) an assessment of alternatives; and,
- 4) an identification of which facilities address:
 - a) existing deficiencies;
 - b) new development; and,
 - c) both existing deficiencies and new development.

Policy 3.5.3

The process shown in Appendix 7 and policies 3.5.3.1 and 3.5.3.2 shall be used by the local governments for planning and processing development applications requesting intensification effective July 1, 2007 or as soon as public facilities plans are found in conformance with the Regional Plan. Applicable facilities plans are: water supply, sanitary sewer, flood management, transportation (streets, transit, pedestrian, bicycle), fire, police, parks, and, if the Washoe County School District develops a facilities plan consistent with each local master plan, schools.

Policy 3.5.3.1

Areas outside the TMSA that do not have development constraints shall not be given more intense zoning designations (or land use if a one-map system is used), or other additional entitlements for development (except as provided by the adopted Regional Plan) until the area is included in the TMSA, is included in all applicable services and facilities plans that have been found in conformance with the Regional Plan, and the applicable services and facilities will be provided concurrent with the impacts from any additional entitlements for development.

Policy 3.5.3.2

Areas inside the TMSA that do not have development constraints shall not be given more intense designations (or land use if a one-map system is used), or other additional entitlements for development (except as provided by the adopted Regional Plan) until the area is included in all applicable service and facilities plans that have been found in conformance with the Regional Plan, and the applicable services and facilities will be provided concurrent with the impact from any additional entitlements for development.

GOAL 3.6

Local government and affected entity master plans, facilities plans, and other similar plans must identify and plan for the necessary resources, services, and infrastructure to support the densities summarized in Table 1.2.1 of the Regional Plan.

Policy 3.6.1

To conform with the Regional Plan, local government and affected entity master plans, facilities plans, and other similar plans must identify and plan for adequate public services and facilities to support the densities summarized in Table 1.2.1, in the following priority order:

- 1) Downtown Centers;
- 2) Regional Centers and Emerging Employment Centers;
- 3) TOD Corridors;
- 4) infill opportunity areas as defined in local government master plans;
- 5) Secondary Corridors; and,
- 6) all other areas within the Truckee Meadows Service Areas.

GOAL 3.7

Local government and affected entity master plans,WCSD school facilities plans, the Regional Transportation Plan, and other similar plans must ensure that the location of schools and arterial roads promotes and does not conflict with the regional form and pattern.

[Amended 8/13/09]

Policy 3.7.1

To conform with the Regional Plan, local government and affected entity master plans,WCSD school facilities plans, and other similar plans must not allow for the location of schools, South of T26N with a projected population of at least 300 full-time students throughout any part of the calendar year, outside the Truckee Meadows Service Areas.

[Amended 8/13/09]

Policy 3.7.2

To conform with the Regional Plan, local government and affected entity master plans,WCSD school facilities plans, and other similar plans must not allows for the location of a new school site at such a location and in such a manner that it will require any new speed controlled school zone on any arterial roadway as identified in the adopted Regional Transportation Plan.

[Amended 8/13/09]

Policy 3.7.3

To conform with the Regional Plan, the Regional Transportation Plan must not allow for the location of a new arterial road next to or adjacent to a proposed new or existing school site as identified in the adopted WCSD school facilities plan.

[Amended 8/13/09]

GOAL 3.8

The Regional Plan will establish, maintain, promote the use of, and protect the future expansion of identified utility corridors and sites for the transmission of electricity and promote the use of these corridors for the placement of other utilities.

[Amended 8/12/10]

Policy 3.8.1

The Regional Plan identifies all above ground and underground regional utility corridors and sites as shown on Maps 9 & 10.

The removal of existing, or establishment of new, utility corridors and sites requires a Regional Plan amendment. A Regional Plan amendment is also required for:

- the relocation of an existing transmission line such that a new easement is required;
- the conversion of above ground transmission lines to underground placement, or
- the conversion of underground transmission lines to above ground placement.

Per NRS 278.0272, Subsection 7, the RPC must hold a public hearing on an annual basis to consider requests for amendments to the Regional Plan. During the public hearing, any person may propose an amendment to the Regional Plan, including an amendment to add, modify, or delete regional utility corridors.

[Amended 8/12/10]

Policy 3.8.2

The width of existing and future corridors shall be equivalent to the width of the easement required by the National Electric Safety Code (NESC) plus any additional easement width required by the utility provider to ensure access to the infrastructure.

[Amended 8/12/10]

Policy 3.8.3

To be in conformance with the Regional Plan, local government master plans must preserve the viability of existing and future utility corridors and sites to accommodate new or expanded infrastructure by:

- Requiring a minimum setback of 10 feet on each side of existing regional utility corridors within which structures approved after August 12, 2010, are prohibited; and
- Specifying standards for passive uses within the setbacks including, but not limited to, parks, trails, parking, landscaping, and fencing.

Corridor widths and separation of uses from utility sites shall not be less than those specified in the NESC.

The minimum 10-foot setback shall not apply to development in existence or approved prior to August 12, 2010. For any modification or expansion of an existing structure located within the mandatory 10-foot setback, the applicable local government discretionary review process may apply.

If the width of an existing corridor is expanded as the result of expanding the utility infrastructure within the corridor, then the 10-foot minimum setback shall be added to each edge of the expanded easement. The new minimum setback shall only apply to new development.

[Amended 8/12/10]

Policy 3.8.4

To be in conformance with the Regional Plan, local government master plans must ensure the edge of an easement associated with a new or expanded above ground or underground electrical transmission line is a minimum of 10 feet from existing structures.

[Amended 8/12/10]

Policy 3.8.5

To be in conformance with the Regional Plan, local government master plans must require that utility project proponents, including private developers, NV Energy, or other multi-state utility-related entities, place new electrical transmission infrastructure in existing utility corridors, unless adequate justification can be provided that demonstrates why the new infrastructure cannot be placed in an existing corridor.

The placement of all new above ground and underground electrical transmission infrastructure shall be subject to the priority hierarchy in Policy 3.8.6. The establishment or modification of corridors is subject to Policy 3.8.1.

[Amended 8/12/10]

Policy 3.8.6

To be in conformance with the Regional Plan, local government master plans must use the following priority hierarchy for the placement of new above ground and underground electrical transmission infrastructure:

- 1) Locate new above ground or underground transmission infrastructure in an existing corridor that already contains above ground transmission infrastructure, without expanding the corridor width;
- 2) Locate new above ground or underground transmission infrastructure in either a federally designated corridor (i.e. BLM corridor) or an easement that has an approved preliminary or final Environmental Impact Statement (EIS);
- 3) Locate new above ground or underground transmission infrastructure in an existing corridor that already contains above ground transmission infrastructure, but with an expanded corridor width;
- 4) Request the creation of a new corridor based on the route of an existing above ground distribution line;
- 5) Locate new above ground transmission infrastructure within an existing corridor that already contains underground transmission infrastructure, without expanding the corridor width;
- 6) Locate new above ground transmission infrastructure within an existing corridor that already contains underground transmission infrastructure, but with an expanded corridor width; and,
- 7) Request the creation of a new corridor for the placement of new transmission infrastructure where no utility infrastructure currently exists.

In order to address unique community-level circumstances, local governments may establish standards beyond those specified in the Regional Plan for the location of new or expanded utility corridors, such as increased building setbacks.

[Amended 8/12/10]

Policy 3.8.7

To be in conformance with the Regional Plan, local government master plans must promote the use of utility corridors and sites for the placement of infrastructure related to other utilities (i.e. natural gas, telecommunications).

[Amended 8/12/10]

Policy 3.8.8

To be in conformance with the Regional Plan, local government master plans must ensure that any project that proposes new or expanded above ground or underground electrical transmission infrastructure within the Federal Aviation Regulations (FAR) Part 77 areas of public use airports within the region such as the Reno-Tahoe International Airport, Reno-Stead Airport, Spanish Springs Airport, and Empire Airport, or in close proximity to a private use airport be carried out in coordination with the Reno Tahoe Airport Authority or applicable airport operator.

[Amended 2/10/11]

For informational purposes, the general locations of all public and private airports with Federal Aviation Administration (FAA) location identifiers are shown on Maps 9 and 10. The current locations of the FAR Part 77 areas overlaying and surrounding the Reno-Tahoe International, Reno-Stead, and Spanish Springs public use airports are included in Map 11.

[Amended 8/12/10]

Policy 3.8.9

Pursuant to NRS 278.026, NRS 278.0278, and guidelines adopted by the RPC for the definition of projects of regional significance, prior to final approval by a local government, the RPC shall review certain projects related to utilities as projects of regional significance.

[Amended 8/12/10]

GOAL 3.9

To ensure electrical transmission lines are placed underground only when necessary and to provide for shared input from all local governments regarding the allocation of costs associated with the undergrounding of transmission lines, the Regional Plan will: (a) encourage the undergrounding of electrical transmission lines only in circumstances where above ground construction poses a justifiable safety risk that can be mitigated by underground construction; and (b) require projects involving the undergrounding of electrical transmission lines for safety reasons be submitted to the RPGB for an advisory review regarding the allocation of costs for undergrounding.

[Amended 8/12/10]

Policy 3.9.1

To conform with the Regional Plan, local government master plans shall support the placement of electrical transmission lines underground in circumstances where it can be determined that undergrounding will substantially mitigate the safety risk of above ground construction. In some, but not all cases, above ground transmission lines may pose a safety risk when located in proximity to airports.

[Amended 8/12/10]

Policy 3.9.2

To ensure shared input from all local governments regarding the allocation of costs due to the undergrounding of electrical transmission infrastructure, projects involving the undergrounding of a transmission line for safety reasons shall be forwarded to the RPGB for an advisory review and finding to confirm that the undergrounding is necessary for safety reasons and therefore of a benefit to the region.

Before a project involving the undergrounding of a transmission line for safety reasons is forwarded to the RPGB, the RPC shall review the project in accordance with the conformance review requirements in Policy 4.1.5 for Projects of Regional Significance.

When submitting a project that involves the undergrounding of an electrical transmission line for a finding of conformance with the Regional Plan, the sponsoring entity shall specify whether, and clearly demonstrate why and how, the undergrounding element of the project is necessary for safety reasons.

A finding of conformance with the Regional Plan by the RPC shall stand regardless of the outcome of the RPGB's advisory review of the undergrounding component, unless the conformance determination is appealed pursuant to NRS 278.0278.

An advisory decision by the RPGB regarding the merits of undergrounding transmission infrastructure due to safety concerns and final approval of the project by a local government shall not override any power or duty afforded to the Public Utilities Commission of Nevada (PUCN) in NRS Chapter 703.

[Amended 8/12/10]

GOAL 3.10

The Regional Plan shall promote the use of information regarding potential renewable energy resource areas, encourage local governments to support the expansion of renewable energy, and require where possible the use of existing corridors for the transmission of electricity from renewable energy generation sources.

[Amended 8/12/10]

Policy 3.10.1

To be in conformance with the Regional Plan, local government master plans shall require any new electrical transmission infrastructure originating from a regional renewable energy generation source be located in an existing utility corridor whenever practical.

In circumstances where it is not practical to place new electrical transmission infrastructure in an existing utility corridor that already contains above ground transmission infrastructure, local governments shall use the priority hierarchy in Policy 3.8.6 for the placement of new transmission infrastructure and provide adequate justification for the decision.

A Regional Plan amendment is required for the establishment of a new utility corridor originating from a regional renewable energy generation source. This policy does not apply to local renewable energy sources, such as small-scale wind machines, roofmounted photovoltaic solar panels, small-scale cogeneration units, small geothermal energy units, or any other energy source that produces electricity designed for immediate on-site use.

Local renewable energy sources that periodically provide small amounts of electricity to the grid as the result of net metering arrangements with the public utility provider are also excluded from the requirements of this policy.

In the event that the power generated from a local renewable energy source is made available to the regional power grid via a purchase power agreement or transmission service agreement with NV Energy or other utility provider such that the power being generated is serving a regional market, then the renewable energy source shall be considered a regional renewable energy source and be subject to the requirements of this policy.

[Amended 8/12/10]

Policy 3.10.2

To conform with the Regional Plan, local government master plans and facilities plans shall demonstrate a commitment to the development of regional renewable energy generation including the transmission infrastructure originating from regional renewable energy generation sources.

[Amended 8/12/10]

MODULE #4:

REGIONAL PLAN IMPLEMENTATION

INTRODUCTION

The goals and policies under Module #4 address the implementation of the regional planning process. The goals and policies address:

- 1) procedures and requirements for conformance review of master plans, facilities plans, other similar plans and projects of regional significance (PRS);
- 2) procedures and requirements for amending the Regional Plan;
- 3) joint planning and other cooperative planning efforts; and,
- 4) required reports and evaluations.

The Regional Planning Governing Board (RPGB) establishes regulations on procedures related to conformance review, Regional Plan amendments, joint planning areas, annexation programs, and annexation proposals.

The basis for goal and policy development for implementation of the Regional Plan are the following planning principles:

PLANNING PRINCIPLES:

The Regional Planning Agency will effectively manage growth within the region through the implementation of the Regional Plan where:

- The Regional Plan is a principle-based plan that recognizes the needs of our society, the economy, and the environment are inter-related and decisions affecting one area have implications for the others. The agency will clearly define and uniformly implement regional goals and policies by ensuring that master plans and facilities plans conform to regional policies.
- The Regional Plan and regulations adopted by the RPGB further identify processes and procedures to allow changes to the Regional Plan.
- The Regional Planning Agency will create a strategic planning process that includes:
 - annual reporting from local governments and affected entities as contemplated in NRS 278.0276 and as further defined by regulations adopted by RPGB;
 - coordination of discussions between regional stakeholders and regional service providers to anticipate regional trends, issues, and new ideas and provide for amending and/or setting regional priorities; and,
 - the development of a regional action plan that identifies resource requirements for its implementation.

- The Regional Planning Agency will implement, manage, and enforce the Regional Plan and will require consistency of implementation across all regional jurisdictions.
- The Regional Planning Agency will be adequately funded to accomplish its mission.

GOALS AND POLICIES

GOAL 4.1

The Regional Planning Commission (RPC) will review the master plans, facilities plans, and other similar plans of local governments and affected entities. These plans will be revised in accordance with policies set forth in the adopted Regional Plan, in order to conform with the regional form and pattern and all applicable goals and policies.

Policy 4.1.1

Pursuant to NRS 278.0282, before taking final action to adopt or amend any master plan, facilities plan, or other similar plan, each local government and affected entity shall submit the proposed plan or amendment to the RPC, which shall determine whether the proposed plan or amendment conforms with the Regional Plan.

Policy 4.1.2

Pursuant to NRS 278.0282, before taking final action to adopt or amend any master plan, facilities plan, or other similar plan of a state agency or a public utility whose plan must be approved by the Public Utilities Commission of Nevada (PUCN), the agency or utility shall submit the proposed plan or amendment to the RPC, and the RPC shall review the plan or amendment and offer suggestions to the agency or utility regarding the conformance of the plan with the Regional Plan.

Policy 4.1.3

A proposed master plan, facilities plan, cooperative plan, or similar plan conforms with the Regional Plan if it is not in conflict with the Regional Plan and it promotes the goals and policies of the Regional Plan (see NRS 278.0282). The RPC shall consider at least the following factors when evaluating whether a master plan, facilities plan, cooperative plan, or similar plan promotes the goals and policies of the Regional Plan:

- 1) consistency of the proposed plan with the regional form and pattern (as defined by the combination of Centers, Transit-Oriented Development (TOD) Corridors, residential areas, open space, greenways, and natural features), and with regional projections of population and employment growth;
- 2) compatibility of the proposed plan with goals and policies regarding development constraints;
- 3) compatibility of the proposed plan with goals and policies regarding infill development; housing and jobs-housing balance; *[Amended 8/12/10]*
- 4) compatibility of the proposed plan with existing and planned public service areas, policies, and priorities; availability, timing and phasing of infrastructure; fiscal analysis of service provision;
- 5) compatibility of the proposed plan with existing military installations, including their location, purpose and stated mission; and,

- 6) cumulative and indirect effects of the proposed plan.

[Amended 11/08/07]

Policy 4.1.4

A Project of Regional Significance (PRS) means a proposed project as defined in subsections 5 & 6 of NRS 278.026 and further defined by the guidelines adopted by the Regional Planning Commission (e.g., RPC Resolution 09-16 (September 9, 2009)).

[Amended 1/14/10]

Policy 4.1.5

Pursuant to NRS 278.0278, before a local government takes final action to approve a Project of Regional Significance (PRS), and before construction may begin, the RPC must determine that the project conforms with the Regional Plan. The RPC must limit its review to the substance and content of the Regional Plan and shall not consider the merits or deficiencies of a project other than as necessary to make its determination. To determine whether a PRS promotes the Regional Plan, the RPC must consider the items listed in subsections (1) through (6) of Policy 4.1.3.

[Amended 9/11/08]

Policy 4.1.6

The Regional Plan encourages a cooperative approach to planning which includes careful coordination of plans between local governments and affected entities at the early stages of planning and project conceptualization, and thoughtful consideration of:

- parks and greenways;
- natural resources;
- floodplains, floodways and drainage ways;
- walkability;
- alternative modes of transportation;
- sustainable design and construction;
- public health impacts related to land use decisions;
- amenities; and,
- recreation opportunities.

[Amended 9/11/08]

GOAL 4.2

Local governments will conduct joint planning programs for designated joint planning areas, as well as other cooperative planning efforts.

Policy 4.2.1

The Regional Planning Commission (RPC) may designate a joint planning area, for which the County and the affected city or cities shall jointly adopt a master plan (see NRS 278.02784). The master plan for a joint planning area must:

- 1) be consistent with the Regional Plan;
- 2) designate the portion of the area, if any, that is included within the Sphere of Influence of a city;
- 3) designate the portion of the area, if any, that is subject to the jurisdiction of the County for planning, zoning, and development decisions; and,
- 4) be submitted to the RPC for review for conformance with the Regional Plan.

Policy 4.2.2

The following area has been designated a joint planning areas and is depicted on Map 6:

- 1) the Reno-Stead Corridor, a joint planning area of Reno and Washoe County.
[Amended 8/13/09]

Policy 4.2.3

The Regional Planning Governing Board (RPGGB) may, through a Regional Plan amendment, affirm, modify or remove the designation of a joint planning area.

[Amended 12/13/07]

Policy 4.2.4

The Regional Plan designates cooperative planning areas, shown on Map 7, as follows:

- 1) spheres of influence (SOI) expanded after May 8, 2002 and prior to July 27, 2006;
- 2) land within the unincorporated county, identified by cities in the settlement agreement (October 17, 2002), but not including any amendments to the unincorporated portion of the TMSA made after July 26, 2006; and,
- 3) lands annexed within the cooperative planning areas.

The following lands are specifically excluded and are subject to the provisions prescribed in:

- a) the settlement agreement in Nevada Supreme Court Case 38749 (also known as Mortensen et al.); and,
- b) the stipulation regarding the Somersett properties in District Court Case CV02-03469 (Washoe County and the Sun Valley General Improvement District vs. Regional Planning Governing Board).

Policy 4.2.5

To be in conformance with the Regional Plan, local government master plans must require a cooperative planning process for all lands described in Policy 4.2.4.

Policy 4.2.6

To conform with the Regional Plan, a cooperative plan must satisfy the requirements of Policy 4.1.3.

GOAL 4.3

The Regional Planning Commission (RPC) may approve amendments to the Regional Plan and the Regional Planning Governing Board (RPGB) may adopt such amendments, pursuant to an orderly annual process with comprehensive reviews and updates at least every five years.

Policy 4.3.1

The RPC shall, annually, review the Regional Plan; annual reports as required by regulation; and requests from the RPGB and local governing bodies for Regional Plan amendments consistent with existing planning principles and goals.

Policy 4.3.2

The RPC may consider whether a proposed amendment is necessary to protect the public health or welfare, or to provide a substantial benefit to the region. If the amendment is necessary, the RPC may take action on the proposed amendment at any time (See subsection 8 of NRS 278.0272).

Policy 4.3.3

At least once every five years, the RPC shall conduct a comprehensive review of the Regional Plan. At a minimum, the review must consider the boundaries of the Truckee Meadows Service Areas (TMSA) in order to determine whether a sufficient supply of land is available to accommodate projected growth in population and employment, consistent with the policies of the Regional Plan. After its review, the RPC shall consider approval of amendments, if any, to the Regional Plan for consideration by the RPGB.

To assist the RPC during consideration of amendments, the RPC will review findings and recommendations of the annual reports prepared based on RPGB regulations and NRS 278.0286.

Policy 4.3.4

The Regional Planning Governing Board may prepare, or cause to be prepared, a package of studies to assist the RPGB in making determinations regarding future changes to the Future Service Areas (FSAs), Truckee Meadows Service Areas (TMSA) and component parts: cities and their Spheres of Influence, unincorporated areas, Centers, TOD Corridors and the Development Constraints Areas (DCA). The studies do not preclude an amendment of the TMSA or component parts prior to the completion of the studies. The studies may include, without limitation:

- 1) a regional land and resource capacity analysis within the Future Service Areas (FSA) and Truckee Meadows Service Areas (TMSA), including the establishment of the methodology in conjunction with local government and affected entity staff;
- 2) a regional needs analysis to determine the anticipated requirements for residential, commercial, and industrial land resources for the next 20 years and beyond, including the establishment of the methodology in conjunction with local government and affected entity staff;
- 3) an infrastructure/service provision study to determine the most efficient provider of public services and facilities to areas considered for expansion, including the establishment of the methodology, in conjunction with local government and affected entity staff;
- 4) in conjunction with local government and affected entity staff, an assessment of, and make recommendations on, land use and infrastructure provision roles of the local governments and affected entities in the region; and,
- 5) an analysis of potential impacts on natural resources within the region.

Policy 4.3.5

The RPC shall, from time to time, adopt schedules and procedures for consideration of Regional Plan amendments. Such schedules and procedures must not conflict with the Regional Plan and the regulations of procedure. Only the RPC, the RPGB, or a local governing body may submit a proposed Regional Plan amendment (see subsection 7 of NRS 278.0272).

Policy 4.3.6

The Regional Planning Commission and the Regional Planning Governing Board shall consider, at a minimum, the following criteria during consideration of a proposed amendment to the Regional Plan pursuant to NRS 278.0272:

- 1) regional form and pattern, including open space;
- 2) housing;
- 3) jobs-housing balance;
- 4) availability, timing, and phasing of infrastructure;
- 5) public service levels and fiscal impacts; and,
- 6) natural resource constraints.

[Amended 8/12/10]

GOAL 4.4

By April 1 each year, local governments and affected entities will evaluate their progress on the goals of the Regional Plan and submit annual reports as described by regulation for review by the RPC and the RPGB.

Policy 4.4.1

Pursuant to NRS 278.0286, the RPGB has adopted Regulations on Procedure (See RPGB Regulations on Procedure, as amended) for annual reporting.

Based on these regulations, local governments and affected entities will evaluate their progress on the goals of the Regional Plan and submit annual reports, by April 1, for review by the RPC and the RPGB.

GOAL 4.5

Local governments and the Truckee Meadows Regional Planning Agency will collaborate on state and federal legislation to implement the settlement agreement in the Reno annexation case (CV02-03469, dated August, 2005).

Policy 4.5.1

The cities of Reno and Sparks, Washoe County, and the Truckee Meadows Regional Planning Agency shall collaborate with the appropriate Federal legislators and officials to propose Federal lands disposal legislation to make the suitable federal land identified as future spheres of influence on Map 5 available for private purchase.

Policy 4.5.2

The cities of Reno and Sparks, Washoe County, and the Truckee Meadows Regional Planning Agency shall collaborate with the appropriate State legislators and officials to propose changes to NRS 268.610-268.668 to allow annexation of non-contiguous territory by a city if that territory is included in the sphere of influence of that city.

GOAL 4.6

The Regional Planning Agency will facilitate coordination and cooperation in planning in the wider region, including the coordination and sharing of data and information to assist the region with decision making, in order to identify and resolve issues as early as possible.

Policy 4.6.1

The Regional Planning Agency will establish a cooperative web-based clearinghouse of regional planning data.

Policy 4.6.2

The Regional Planning Agency will facilitate a cooperative approach to planning with local, state and federal agencies, the Nevada System of Higher Education (NSHE) in Washoe County, private partners, and surrounding jurisdictions.

Policy 4.6.3

The Regional Planning Agency will acknowledge and communicate with its neighbors located outside of its jurisdiction in order to better coordinate planning efforts.

Map 8 of the Regional Plan describes the wider region outside of Washoe County that impacts and is impacted by the planning and development of the region.

[Notes]

APPENDIX I

PUBLIC SERVICES AND FACILITIES IN THE TRUCKEE MEADOWS: PROBLEMS, NEEDS, SERVICE PROVIDERS, TIMING, AND PLANS FOR CAPITAL IMPROVEMENTS

A. Introduction

State law provides that the Regional Plan must contain certain information on public services and facilities in the planning area. Specifically, for sanitary sewer facilities, solid waste, flood control, potable water and groundwater aquifer recharge, subsection 5 of Nevada Revised Statutes (NRS) 278.0274 says the Regional Plan must:

- 1) Describe the problems and needs of the area and the general facilities that will be required;
- 2) Identify the providers of public services and their service areas (including service territories set by the Public Utilities Commission of Nevada [PUCN] for public utilities);
- 3) Establish the time within which necessary public facilities and services must be made available to serve the development contemplated by the Regional Plan; and,
- 4) Contain a summary of the capital improvement plans that are required of each local government and that may be prepared by the Northern Nevada Water Planning Commission (NNWPC), the Regional Transportation Commission (RTC), and the Washoe County School District (WCSD).

[Amended 9/11/08]

While it is a requirement of the Regional Plan that the contents of Appendix I be included, the information described herein is limited to key regional information described in published reports (referenced at the end of the Appendix) that have been either approved or adopted by governing bodies. Appendix I is not exhaustive of all available data sources. There are many documents describing planning efforts for these facilities in greater detail including those required by federal and state statutes, such as the Water Quality “208” Management Plan. These reports may currently be in progress; however, information contained in studies or plans that have not been approved or adopted by a governing body is not included. Since planning documents are under continual review, information provided in Appendix I presents only a snapshot in time, and is subject to change.

B. Problems and Needs

Sanitary sewer. To protect water quality in the Truckee River and Pyramid Lake, the region must carefully manage discharges of nutrients (nitrogen and phosphorus) and total dissolved solids (TDS) to surface waters. With respect to nutrients, very sophisticated water quality models of the Truckee River have been developed that enable local governments and regulators to better evaluate river health. Efforts are ongoing to address the appropriateness of nutrient water quality standards and total maximum daily loads (TMDLs) with respect to future flow conditions. The 2011 Regional Water Management Plan (RWMP), adopted by the Western Regional Water Commission (WRWC) on January 14, 2011, includes several strategies for addressing wastewater and storm water issues in the region. These strategies include minimizing the use of septic systems where possible, reducing non-point source pollution, and through the passage of AB 54, provide financial assistance for existing septic system users to connect to sewer infrastructure.

Disposal of effluent in hydrographically closed basins has challenges. Prior studies conducted by water planning agencies in the region evaluated effluent disposal options for anticipated increased development in the Reno-Stead, Lemmon Valley, and Cold Springs areas. These studies resulted in an amendment to the Regional Water Management Plan (RWMP) in 2006 to evaluate three of those options further. The 2011 RWMP includes as proposed action items the development of a facility plan for the build out of land uses in the Cold Springs portion of the TMSA and the development of a comprehensive water resource plan for the Cold Springs and portions of the adjacent Long Valley hydrographic basins in order to estimate baseline perennial yields.

Where the density of septic tanks exceeds the capacity of the soil-vegetation system to treat wastewater discharges, it will be necessary to address resulting groundwater contamination from nitrates. Currently, these areas include Warm Springs Valley, Washoe Valley, Golden Valley, Lemmon Valley, Spanish Springs Valley, and areas of Cold Springs Valley. The 2011 RWMP includes as proposed action items the continued conversion of septic tanks in high density areas to community sewer systems as funding is available.

Solid waste. According to the 2006 study 'Capacity Constraints in Regional Infrastructure Networks' (Hansford), an analysis of current day loads to the Lockwood regional landfill and aerial analysis of the property, it is estimated that the landfill has just over 20 years of life left. In 1995, it was thought the landfill had 75 years of capacity. This estimate would be considerably shorter if more contracts are approved with other regional entities to take their waste. According to the report, the Lockwood site has land to expand with a discretionary permit from Storey County; however, Storey County ordinances need to be changed to allow the expansion to happen. In addition to the landfill capacity, there is a need to add capacity at existing transfer stations or find new transfer station sites to accommodate future increases in waste collections.

Flood control. Flooding is a periodic problem in the Truckee Meadows and surrounding region. In January 1997, a flood damaged more than 1,420 buildings and – in northern Nevada as a whole – took two lives. This event is now used as the benchmark for flooding information and modeling in the region. The 1997 flood was a very large event with a recurrence interval of 117 years. Washoe County alone, experienced \$700 million in damages as a result of the flood. Total damages for all affected areas exceeded \$1 billion. In addition to monetary damage, floods can cause health and safety issues, damages from toxic and hazardous waste contamination, and loss of environmental resources in the flood plain.

Some areas of the region, notably southern Sparks and eastern Reno, and along Steamboat Creek are not necessarily protected from a 100-year flood event. According to a 2004 study by Washoe County, there is about \$5 billion of property in flood plains in the Truckee Meadows; however, this is subject to change as development intensifies in critical flood storage areas and outdated flood mapping information.

The Truckee River Flood Management Project, a joint effort among the Cities of Reno and Sparks, Washoe County, the US Army Corps of Engineers (ACOE), and other stakeholders, is developing the Living River Plan, which is also the locally preferred plan. The three primary goals of the plan are to: 1) reduce flood damages and deaths from a 1997 type flood (117-year event); 2) restore 50 miles of the Truckee River between Reno and Pyramid Lake, and 3) provide enhanced recreational opportunities and open space in the region. Implementation of many projects outlined in the plan are underway or already completed.

Potable water. Demand for potable water is one of three types of water demand in the Truckee Meadows (the other types are non-potable demand, for crops and irrigated open areas, and environmental demand, for evapotranspiration and non-consumptive use). Municipal water supplies are primarily derived from two sources, the Truckee River and groundwater aquifers.

A comparison by the WRWC of the 2010 Washoe County Consensus Forecast population to the sustainable water resources identified in the RWMP concluded that there are adequate water resources available to accommodate the estimated increase in population through the Regional Plan planning period. The use of available water resources may be constrained by the ability to legally prove the water rights and ability to pay for the price of water rights. Long-term, the adequacy of Truckee River water rights to meet future demands is a constraint to planning. The availability of groundwater resources to meet future demands also constrains planning. Most groundwater basins being used for municipal supply are over-appropriated with respect to the estimated annual yield of the groundwater resource. Current pumping is estimated to be approximately equal to, or exceeding the estimated perennial yield (which is lower than appropriations). Particular areas within a basin might be experiencing over-pumping while the basin as a whole is not. Annual pumping limitations and water rights dedication discount factors are being implemented in some basins to correct these imbalances. Those basins that are being, or could be, considerably over-pumped are East Lemmon and Golden Valleys, Spanish Springs, Warm Springs, and Cold Springs. In addition to municipal groundwater supplies, the effect of declining groundwater levels on domestic wells has become an important issue in the south Truckee Meadows and portions of Lemon Valley.

In some parts of the Truckee Meadows, groundwater pollution has impacted water supply by affecting water supply wells. The 2006 RWMP cited that in the central Truckee Meadows, contamination from tetrachloroethylene (TCE) (also known as perchloroethylene or "PCE") covers more than 16-square miles to a depth greater than 350 feet. Eleven production wells are currently affected, with three treatment facilities fitted with chemical strippers to remove the contamination. The removal of TCE and PCE is being funded through a remediation district. Compliance with new federal arsenic standards effective January 2006 requires continual evaluation of arsenic treatment facilities for more than 20 municipal wells in the region. According to the Central Truckee Meadows Remediation District Program, since 1996, nearly 23 billion gallons of groundwater have been treated, removing an average of almost 16 gallons of PCE from groundwater each year. For perspective, approximately 1 teaspoon of PCE can contaminate 450,000 gallons of water to levels exceeding the safe drinking water standard established by the U.S. Environmental Protection Agency (EPA).

Also, as mentioned under Sanitary Sewer, contamination of groundwater from septic tank discharges continues to be a problem in a number of areas. The passage of AB 54 will provide financial assistance for existing septic system users to connect to sewer infrastructure. The 2011 RWMP also includes policies and strategies for reducing pollution from septic systems.

Groundwater aquifer recharge. See Potable water. The 2011 RWMP, includes policies and strategies for protecting and enhancing groundwater recharge. One strategy includes using reclaimed water. According to the plan, use of reclaimed water for recharge is being studied with respect to regulatory issues, treatment technologies and public perception.

C. Required Facilities

Sanitary sewer. According to the 2011 RWMP, the Truckee Meadows Water Reclamation Facility (TMWRF) has a design capacity to treat 40 million gallons per day (MGD) of wastewater. The facility currently treats about 28 MGD average daily flow, disposing the majority of the treated effluent to the Truckee River and a small portion via effluent reuse systems in the Central Truckee Meadows, City of Sparks, and Spanish Springs. The TMWRF Phase III Expansion Project was initiated in 1999 and was completed in 2007. The goal of the project was to replace older equipment, upgrade treatment processes, and increase the permitted capacity to 46.5 MGD.

In 2001, Washoe County received federal grant funds and moved forward with the extension of the Lawton/Verdi Interceptor. The Boomtown and Verdi Meadows areas were connected to the interceptor, and their respective wastewater treatment facilities have been decommissioned. The interceptor will also allow for removal of numerous septic systems, and the future decommissioning of the Gold Ranch Wastewater Treatment Plant. The next largest wastewater treatment facility is the South Truckee Meadows Wastewater Reclamation Facility (STMWRF). Future expansions will be added when Washoe County staff project that flow at the plant will exceed capacity. Locating new sites for effluent reuse for STMWRF discharge is extremely important since there is no other means for the plant effluent to be disposed of. Capacities of the major treatment facilities are documented in the 2006 report 'Capacity Constraints in Regional Infrastructure Networks.'

The annexation by the City of Reno of land in Cold Springs and the anticipated intensification of development in Lemmon Valley and the Lower Truckee Canyon will all require planning for wastewater treatment and disposal. The Reno Stead Wastewater Reclamation Facility (RSWRF) is the primary wastewater treatment facility for the City of Reno in the Stead / Lemmon Valley area. It is anticipated that this plant will be expanded to serve the entire Stead / Lemmon Valley region, including both incorporated and unincorporated areas. According to the 2011 RWMP, RSWRF is permitted to treat a maximum month average day flow of 2.35 MGD. Flows to the RSWRF in 2006 were roughly 1.3 MGD average daily flow.

With the recent removal of the City of Sparks Sphere of Influence (SOI) and associated Truckee Meadows Service Areas (TMSA) from the East Truckee River Canyon (ETRC), the need to plan for wastewater treatment in the Lower Truckee Canyon may become less immediate. However, any new developments in the ETRC that cannot connect to existing or planned expansions of wastewater treatment plants because of their location in the rural development area may construct smaller treatment plants or pursue creative effluent disposal options.

Solid waste. The existing Lockwood landfill permit is for a 1,500 acre site with a footprint of 550 acres. An additional 4,000 acres around the existing site could be utilized for expansion purposes. Improvements such as a new access road have already been made to accommodate the planned expansion. New transfer station sites need to be identified and purchased to serve increased waste collections in the future.

Flood control. The Truckee River Flood Project's Living River Plan, in addition to the Master Plans and Facility Plans of local governments, address flood control issues. According to the 2011 RWMP, the Flood Project is the largest public works project ever undertaken in northern Nevada, with an estimated cost of \$1.2 billion to \$1.6 billion. The plan combines ecosystem restoration, recreation and flood control together in one visionary, integrated effort. The draft Environmental Impact Statement (EIS) for the project will be available for public review in April 2012. Authorization by Congress is anticipated in fall 2012 with a possible construction start by the ACOE in 2013. Several projects identified in the Living River Plan have already begun or have been completed using local or non-ACOE funding.

Potable water. According to the 2011 RWMP, the need to invest in new facilities for additional capacity to serve new development has diminished. There has been a resultant decrease in both water use and flows to the wastewater treatment plants, which has created under-utilized capacity within major facilities. This excess capacity will allow the utilities and local governments to defer major capital expenditures for new capacity. This reduction in anticipated investment is evident in the 2010/11-2014/2015 CIP Summary provided later in this appendix. Nonetheless, on-going repair and replacement of existing infrastructure remains a high priority.

Although water supplies are considered adequate for growth to continue through the RWMP planning period, supplies must be efficiently managed. Major issues in both the 2006 and 2011 versions of the RWMP include continued best use of water supplies in the Central Truckee Meadows, development of new water supplies for Spanish Springs and Cold Springs, increasing off-river water reliability, and integrated resource planning in Washoe Valley. Water conservation will continue to play a role in stretching the region's water supplies.

Groundwater aquifer recharge. See Potable water. In addition to water supply ongoing development plans and new initiatives, watershed management and protection priorities are included in the 2011 RWMP. The 2011 plan recommends that areas with highest recharge value should be prioritized and delineated and any new development employ passive groundwater recharge and/or storm water infiltration strategies such as infiltration basins or swales, porous paving, open space, meandering stream channels, or other low impact development (LID) practices).

D. Timing of Necessary Facilities and Services

Sanitary sewer. Recent plans adopted by the Truckee Meadows Water Authority (TMWA) for the central Truckee Meadows and similar plans for the south Truckee Meadows, Cold Springs, Stead/Lemon Valley, and Spanish Springs detail the water-related facility requirements for those areas. These schedules are subject to change, as the individual facilities plans and the RWMP are amended from time to time. The RWMP must be reviewed and revised, if necessary, to ensure it continues to be consistent with Regional Plan goals and policies.

Solid waste. Projections of capacity at the Lockwood landfill estimate just over 20 years of life left. This life span may shorten if loads from sources outside of Washoe County continue to increase. There is more than twice the current used acreage available for future landfill expansions and expansion plans are underway.

Flood control. The Truckee River Flood Management Project, which was formed following the 1997 flood event, is leading and coordinating the local efforts for Truckee River flood facility improvements that will ultimately be carried out in partnership with the ACOE. The ACOE is conducting hydraulic, floodplain, and economic analysis to determine which of two alternatives (the Living River Plan and an alternative National Economic Development plan) has the highest benefit-to-cost ratio. The Truckee River Flood Project is actively purchasing properties in critical areas for flood protection needs, for river restoration, and for new flood facility construction.

The Living River Plan identifies necessary flood control facilities in the Truckee Meadows region. The RWMP as well as local government master plans and facilities plans identify necessary flood control facilities.

Potable water. The 2010 TMWA Water Resources Plan and Water System Facility Plan detail the potable water-related facility requirements for the majority of the region. These plans are subject to change from time to time. As TMWA data is a key input into the RWMP, the data and assumptions should be reviewed and revised, if necessary, to ensure the RWMP continues to be consistent with the Regional Plan.

Groundwater aquifer recharge. See Potable water.

E. Service Providers and Service Areas

Sanitary sewer. The cities of Reno and Sparks, Washoe County, and other affected entities (e.g. general improvement districts) are the main providers of sanitary sewers and wastewater treatment. Sewer service providers and their service territories are depicted in the 2011 RWMP Figure 4-1.

Solid waste. Provision of solid waste service, including door-to-door and business collection, operation of waste treatment, hauling and disposal is privately operated based on franchise agreements with each of the local governments, including each general improvement district. The Washoe County Health District oversees all matters involving solid waste management in Washoe County, including monitoring waste collection and disposal; enforcing regulations involving permits; landfill and transfer station operations and importation of out-of-state municipal solid waste.

Flood control. The staff of the Truckee River Flood Management Project report to the Truckee River Flood Management Authority which is a body of elected officials from the cities of Reno and Sparks, and Washoe County, as well as key stakeholders from the region. The Flood Project is the primary entity responsible for flood control planning along the Truckee River.

Potable water. Washoe County and TMWA are the main providers of potable water in the region. Water service providers and their service territories are depicted in the RWMP Figure 3-1.

Groundwater aquifer recharge. See *Potable water*.

F. Summary of Capital Improvement Plans

The governing body of each local government whose budget includes any expenditure for the acquisition or maintenance of a capital improvement must annually prepare a capital improvement plan (CIP) that conforms with its master plan and includes at least three but not more than 20 fiscal years. The CIP must identify the expected costs and the sources of revenue for acquiring, maintaining, operating, and replacing improvements (see NRS 278.0226).

Capital projects are usually major, fixed, and non-recurring assets. Examples include bridges, streets, and land for parks. (The CIP of Washoe County's Department of Water Resources also includes water-related facility planning costs in addition to fixed assets). The approved annual budget of a local jurisdiction provides money for capital improvements in the fiscal year covered by the budget.

The City of Sparks, Washoe County (including Washoe County's DWR) and TMWA have 5-year CIPs. The City of Reno has a 20-year CIP. The RTC and WCSD both have short-range CIPs of 5-years, and long-range plans. The RTC's current long-range plan meets federal requirements by planning through 2030; however, future updates will likely go beyond the 20-year requirement. The WCSD has an 18-year long range facilities plan.

The required summary of CIPs is provided in the 'Regional Capital Improvements Program Summary Report' section of this Appendix. The TMRPA updates this table annually as CIPs are updated and submitted. Only projects listed in the first five years of each of the CIPs are included in the summary table of the report.

References:

Washoe County Comprehensive Regional Water Management Plan 2004-2025, adopted January 2005, Washoe County.

Washoe County Comprehensive Regional Water Management Plan 2011-2030, adopted January 2011, Washoe County.

Central Truckee Meadows Remediation District Program. 2011.

Capacity Constraints in Regional Infrastructure Networks, May 2006, Hansford Economic Consulting and Eagle Nest Engineering LLC.

[Amended 8/1/11]

REGIONAL CAPITAL IMPROVEMENTS PROGRAM SUMMARY REPORT

FISCAL YEARS 2010/2011 THROUGH 2014/2015

[Amended 9/11/08; 1/15/09; 1/14/10; 8/11/11]

STATE REGULATIONS

As required by Nevada Revised Statutes (NRS), this report summarizes the capital improvement programs (CIPs) for the cities of Reno and Sparks, Washoe County, the Regional Transportation Commission (RTC), the Washoe County School District (WCSD) and the Truckee Meadows Water Authority (TMWA).

NRS, Section 278.0274 (d) requires that the regional plan must:

Contain a summary prepared by the regional planning commission regarding the plans for capital improvements that:

- 1) are required to be prepared by each local government in the region pursuant to NRS 278.0226; and
- 2) may be prepared by the water planning commission of the county, the regional transportation commission and the county school district.

The legislative intent behind this requirement is the belief that local governments and other regional entities should have coordinated capital improvement programs. This regional report provides information on the proposed capital improvements for a five year period and planned expenditures for fiscal year 2010-2011.

TRUCKEE MEADOWS REGIONAL PLAN

The Truckee Meadows Regional Plan gives direction to local governments and certain entities with regard to their review of capital improvement programs as follows:

Goal 3.4

In accordance with state law, local governments and affected entities will review and revise their capital improvement programs (CIPs) to support conforming master plans, and submit them to the Regional Planning Agency which will prepare a coordinated regional CIP summary.

Policy 3.4.1

Pursuant to NRS 278.0226, local governments must annually review, revise, and submit to the Regional Planning Agency, their CIPs to identify costs that the local government expects to incur, and sources of revenue that the local government will use, to acquire, maintain, operate, and replace capital improvements.

Jurisdictions and affected entities must also review and revise their CIPs in accordance with applicable state and federal laws. Each CIP must be consistent with conforming master plans, facilities plans, and other similar plans, and shall be submitted to the Truckee Meadows Regional Planning Agency (TMRPA), which shall prepare a summary of the CIPs (see subsection 5(d) of NRS 278.0274). The CIP summary must be completed not later than 6 months after submission of CIPs to the Truckee Meadows Regional Planning Agency (TMRPA).

WHAT ARE CAPITAL IMPROVEMENTS?

Capital improvements are projects funded with major fixed assets and can be carried out over several years, but are not typically on-going. For example, projects may include construction activities on bridges, streets, sewers, or other infrastructure, or may provide for the acquisition of land for facilities and parks. Capital improvement plans can include costs for studies, planning, design, and purchases such as equipment, vehicles, and computer hardware/software. This report summarizes capital project costs within the categories listed below:

- Parks, recreation, trails, greenways, and open space (Parks);
- Public buildings and facilities (Public Buildings);
- Public Schools (Schools);
- Streets, sidewalks, highways, bridges, and signals (Streets);
- Water facilities, wastewater, storm drain and flood control (Water);
- Technology and software equipment (Technology);
- Redevelopment (Redevelopment); and,
- Major equipment, vehicles and busses (Equipment).

There is an inter-relationship between a jurisdiction's and/or entity's CIP, annual budget, and master plan/facilities plans. Capital improvements are considered when development is proposed, and changes in land use are approved. The CIPs can indicate the adequacy of existing infrastructure, identify what facilities will be required to serve future development, and estimate costs to provide the facilities/services.

Capital improvements in this region:

With regard to schools, the Washoe County School District (WCSD) provides for the construction and maintenance of public school systems (Kindergarten and Grades 1-12) to ensure that the population can be served adequately.

In reviewing the CIPs for jurisdictions and affected entities, it is noted that individual local governments provide many of the same services. For example, Washoe County and the cities of Reno and Sparks each provide for the provision of recreational activities, and the construction and maintenance of parks, open space, trails, buildings, sewer, flood control, storm water systems, and streets. The cities of Reno and Sparks also fund redevelopment projects. Funding that is committed by a local government typically benefits that jurisdiction.

With regard to parks, trails, greenways and open space, the Truckee Meadows Regional Plan requires that jurisdictions and affected entities ensure connectivity and coordination. The jurisdictions and/or entities are involved in an on-going process to complete better parks and trail systems with connectivity. Some park facilities are shared by more than one jurisdiction and/or entity. This approach allows for better collaboration and coordination, and requires less funding. Some capital improvements have been provided wholly or partially by developers, which reduces the costs to taxpayers.

With regard to streets, improvements can be jointly funded by the Regional Transportation Commission (RTC), the Nevada Department of Transportation (NDOT), and local, state, and federal governments. These jurisdictions and/or entities are working in concert on projects like capacity improvements, maintenance on regional roads, transportation enhancements (sidewalks, landscaping, etc.), traffic signals and bridges, and transit for the region. In some cases the improvements may be listed in multiple CIPs. There can be some overlap of improvements between various CIPs, but it is not significant.

Currently, there are two main water purveyors in the region, along with several smaller water service providers. The approved capital improvements for TMWA, which is owned jointly by the local jurisdictions, the Washoe County Department of Water Resources (WCDWR), and the Sun Valley General Improvement District are included in this CIP Summary. There have been numerous efforts to merge TMWA and the WCDWR water utility, however, at the time of this report, those efforts are still on-going and the agencies remain substantially separate.

The region is jointly managing and planning for storm water through the Truckee Meadows Regional Storm Water Quality Management Program. Flood control is addressed through the Truckee River Flood Management Project. Flood project expenditures are described in the Washoe County CIP for FY 2010/2011. Specific local flood control-related projects are represented in the individual local government CIPs under the water category.

Annual approval process for CIPs:

Every fiscal year, the governing boards for jurisdictions and entities review and approve projects, revisions to projects, proposed costs, and funding commitments. These activities generate the individual CIPs for each entity.

All of the entities have slight differences in how the CIPs are developed, and what time period is covered in the report. Currently, all of the submitting jurisdictions and/or entities have a five-year CIP plan, except the City of Reno, which has a twenty year CIP plan. Typically, these plans are updated annually. The only approved CIP projects and related costs, are those that are committed to in the plan for the corresponding year. All future years presented in these plans are considered projections, and may change annually when the CIP is prepared. In addition, CIPs and projects can be amended throughout the year. Annual budgets are subject to change during the fiscal year as a result of changes in actual revenues received, as well as elected official priorities.

In addition, due to the ever changing national economic climate, capital improvement program costs, timelines, and funding commitments may change over time as projected growth is delayed or does not occur (thereby foregoing the need for capital investment). For the latest information on funding commitments for CIP projects, the reader is advised to contact the individual entities.

FY 10/11 Capital Improvement Program (CIP) Summary Report:

All of the jurisdictions and entities submitted information on their approved CIPs to TMRPA staff to review for the development of this summary report. For purposes of this report, all the latest capital improvement costs were summarized for a five-year period, beginning with fiscal year 2010/2011 and moving through 2014/2015. In addition, capital improvement cost information from the recent past is presented to provide a historical perspective, for example, Tables 1 and 2.

As Table 1 indicates, projected capital expenditures for parks and public buildings increased marginally over the previous fiscal year's projections. Increased spending for public buildings appears to be affected by an infusion of funds in FY 2010/2011 from the American Recovery and Reinvestment Act (ARRA) funds. All other categories - schools, streets, water, and redevelopment - decreased. Despite combining technology, vehicles, and other expenditures in the CIP summary for this year, FY 10/11 still witnessed a substantial decrease in projected expenditures for these categories combined.

The categories with the highest total capital cost for FY10/11 are street projects (\$678,777,198) and water projects (\$608,229,232). Costs for these types of projects have historically been the highest for all expenditure categories. In FY 10/11, significant reductions in projected expenditures for street and water infrastructure contribute most to the 45% reduction in projected 5-year expenditures compared to the previous fiscal year.

Table 2 provides a more detailed breakdown of each CIP category by jurisdiction and/or entity. Costs identified within the column titled, "Capital Cost" are only projections. Expenditures identified within the column titled, "Funded in FY 2010/2011" have been approved as part of the annual budgeting process for the jurisdictions and/or entities. The right-most column in table 2 provides the funding source where available. A summary of abbreviations is provided as table 3.

In summary, with the on-going implementation of the region's CIPs, there is communication, coordination, and collaboration among all of the jurisdictions and/or entities. These activities further leverage limited funds, increase efficiency, and make implementation more affective. All of these efforts ultimately result in savings to taxpayers.

CIP DOCUMENTS SUBMITTED TO TMRPA FOR REVIEW:

- City of Reno, Nevada - FY 2010-2030 Capital Improvement Plan
- City of Sparks Approved Capital Improvement Program (CIP) - For Fiscal Years 2010-2011 through 2014-2015
- Washoe County FY 2010-2014 Capital Improvements Program

- Truckee Meadows Water Authority Five Year Capital Improvement Plan, Fiscal Year 2011-2015
- Regional Transportation Commission of Washoe County, Regional Transportation Improvement Program, FY 2009-2013, Administrative Modification #12
- Washoe County School District, 2010-2011 through 2014-2015 Five Year Capital Improvement Plan
- Sun Valley General Improvement District Sewer and Water Master Plans CIP

TABLE I. Total Five-Year Capital Cost by Beginning Fiscal Year

Category	FY 04/05	FY 05/06	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11
Parks	\$70,609,501	\$125,294,033	\$322,161,304	\$174,307,726	\$158,521,393	\$182,597,541	\$247,719,454
Public Buildings	\$115,131,190	\$201,709,355	\$236,882,404	\$274,010,343	\$328,869,131	\$353,929,018	\$366,401,172
Schools	\$474,719,228	\$514,340,000	\$263,700,000	\$325,300,000	\$310,907,914	\$260,588,162	\$58,556,000
Streets	\$798,044,130	\$771,274,506	\$900,040,226	\$625,792,303	\$620,266,468	\$833,923,310	\$678,777,198
Water	\$742,178,986	\$912,972,995	\$1,088,708,622	\$2,439,775,871	\$1,690,872,836	\$1,796,792,015	\$613,579,232*
Redevelopment	\$18,855,050	\$19,949,462	\$4,727,400	\$90,171,341	\$31,560,000	\$21,050,000	\$370,000***
Technology	\$57,327,589	\$74,415,090	\$64,794,938	\$43,841,332	\$31,575,022	\$11,006,622	
Vehicles	\$75,792,000	\$73,426,400	\$31,871,400	\$194,134,000	\$217,816,000	\$225,541,500	\$153,251,840***
Other	\$7,780,000	\$42,592,319					
TOTAL	\$2,360,437,674	\$2,735,974,160	\$2,912,886,294	\$4,167,332,916	\$3,390,388,764	\$3,685,428,168	\$2,118,654,896
\$ Change from Previous FY	N/A	\$375,536,486	\$176,912,134	\$1,254,446,622	(\$776,944,152)	\$295,039,404	(\$1,566,773,272)
% Change from Previous FY	N/A	16%	6%	43%	-19%	9%	-43%

* FY 10/11 Includes SVGID

** Sparks was the only entity to specifically denote a FY10/11 CIP commitment to redevelopment

*** For FY 10/11 Technology, Vehicles, and Other have been combined - see Table 2 for more information

TABLE 2. REGIONAL CAPITAL IMPROVEMENTS SUMMARY FY 2010/2011 THROUGH 2014/15

PROJECT CATEGORIES	PROJECT DESCRIPTION	CAPITAL COST	FUNDED IN FY 10/11	REMAINING COSTS	FUNDING SOURCES
Parks, Trails, Open Space, and Maintenance					
Washoe County	Parks/Open Space/Storm water/Erosion Control	89,236,702	17,513,613	71,723,089	PCF, PCT, State, Fed, Other
Reno	Parks/Recreation Improvements	139,852,100	0	139,852,100	GF, CCPF
Sparks	Parks/Recreation Improvements	18,630,652	4,308,900	14,321,752	PCT, NSSOI, CFF, GCP
Total		247,719,454	21,822,513	225,896,941	
Buildings, Facilities, and Maintenance					
Washoe County	Facilities, Buildings, and Maintenance	133,672,102	7,025,920	126,646,182	CFF, DF, Other
Reno	Facilities, Buildings, and Maintenance	183,307,500	22,267,148	161,040,352	GF, CCPF, EERB
Sparks	Facilities, Buildings, and Maintenance	49,421,570	3,628,233	45,793,337	GF, PT, NSSOI, MCA, VSRT, GCP
Sparks	Redevelopment	0	370,000	0	RDF
Total		366,401,172	33,291,301	333,109,871	
School Buildings, Facilities, and Maintenance					
WCSD	Capital Renewal	21,324,000	3,006,000	18,318,000	Bonds, Sales Tax
	School Revitalization	26,246,000	2,879,000	23,367,000	Bonds, Sales Tax
	Technology	10,915,000	600,000	10,315,000	Bonds, Sales Tax
	Program Management	71,000	71,000	0	Bonds, Sales Tax
Total		58,556,000	6,556,000	52,000,000	
Freeways, Highways, Bridges, Streets, Sidewalks, Signals, Landscaping, and Maintenance					
Washoe County	Streets & Parking Areas	13,409,801	3,462,654	9,947,147	Gen. Fund, Cap Imp Fund
Reno	Streets/Sidewalks/Signals/Bridges	106,579,000	25,485,000	81,094,000	SF, CDBG, RTC, CCPF,
Sparks	Streets/Sidewalks/Signals	33,428,397	7,674,723	25,753,674	TSF, CDBG, SC, CFF,
RTC-Surface Transportation	Bond Repayment, I-80, Trip Reduction	42,200,000	17,000,000	25,200,000	Federal, State, Local
RTC-National Highway	Freeways	146,430,000	51,810,000	94,620,000	Federal, State
RTC-Enhancement	Streetscape/Sidewalks/Bike paths	5,628,000	3,628,000	2,000,000	Federal, Local
RTC-CMAQ	Congestion and Air Quality	20,663,000	907,000	19,756,000	Federal, State, Local
RTC-Fuel Tax	Rehab and Reconstruction	67,061,000	35,278,000	31,783,000	LFT
RTC-RRIF	Road Impact Fee Benefit District	64,650,000	29,350,000	35,300,000	Local
RTC-Locally Funded	Freeway Interchanges	57,950,000	8,000,000	49,950,000	Developer
RTC-Other	Various Projects	120,778,000	86,108,000	34,670,000	Federal, State, GT
Total		678,777,198	268,703,377	410,073,821	

TABLE 2 (Continued). REGIONAL CAPITAL IMPROVEMENTS SUMMARY FY 2010/2011 THROUGH 2014/15

PROJECT CATEGORIES	PROJECT DESCRIPTION	CAPITAL COST	FUNDED IN FY 10/11	REMAINING COSTS	FUNDING SOURCES
Water, Wastewater, Storm Drain, Storm Water, Flood Control, and Maintenance					
Washoe County (Including TR Flood Project)	Wastewater/Storm/Drainage/Flood	64,391,520	26,903,820	37,487,700	WRF, VMF, State, Fed, TRFMF
Reno	Wastewater/Storm/Drainage/Flood	347,234,100	7,500,000	339,734,100	SSF, CCPF
Sparks	Wastewater/Storm/Drainage/Flood	117,151,412	32,654,276	84,497,136	SUF, Bonds
SVGID	Wastewater	9,719,500	0	9,719,500	Consumer Rates, Developer, Grant
SVGID	Potable Water	2,542,700	450,300	2,092,400	Consumer Rates, Developer, Grant
TMWA	Raw Water Supply Improvements	3,125,000	625,000	2,500,000	Customer Rates, Grant
	Ground Water Development	4,800,000	1,800,000	3,000,000	Customer Rates, Developer
	Treatment Improvements	11,050,000	5,350,000	5,700,000	Customer Rates, Developer
	Distribution Improvements	35,425,000	10,175,000	25,250,000	Customer Rates, Developer
	Storage Improvements	2,900,000	300,000	2,600,000	Customer Rates
	Hydroelectric Improvements	2,910,000	610,000	2,300,000	Customer Rates
	Customer Service	6,980,000	465,000	6,515,000	Customer Rates, Developer
	Administration & Equipment	5,350,000	800,000	4,550,000	Customer Rates
Total		613,579,232	99,445,296	514,133,936	
Major Equipment, Vehicles, Technology, Misc					
Washoe County	Computer, Software, Other	19,546,240	3,667,120	15,879,120	CFE, GF, Other
Reno	Fire/Fleet Vehicles, Tech, Parking Meters	20,599,600	950,000	19,649,600	GF, MVF
Sparks	Heavy Equip & Fleet Vehicles	4,898,000	898,000	4,000,000	MVF
RTC- FTA	Operations, Buses, Vans, & Facilities	108,208,000	37,938,000	70,270,000	Federal, Local
Total		153,251,840	43,453,120	109,798,720	
Total All		2,118,284,896	461,459,707	1,656,825,189	

**TABLE 3. CIP Summary Abbreviations and Notes
Sources of Funding**

CFF	Capital Facility Fund	RDF	Redevelopment Funds
CCPF	City Capital Projects Fund	RRIF	Regional Road Impact Fee
CDBG	Community Development Block Grant	RTC	Regional Transportation Commission
CMAQ	Congestion Mitigation Air Quality	ST	Sales Tax
CT	Capital Tax	SSF	Sanitary Sewer Fund
DF	Debt Financing	SUF	Sewer User Fees
EERB	Energy Efficiency Renewal Bonds	SCT	Street Capital Tax
GT	Gas Tax	SC	Street Cut Fund
GF	General Fund	STP	Surface Transportation Program (State/Local)
GID	General Improvement District Funds	TSF	Transportation Systems Fund
GST	Government Services Tax	TMWA	Truckee Meadows Water Authority
GCP	Green Capital Projects	TRFMIF	Truckee River Flood Management Fund
LFT	Local Fuel Tax	VSRT	Victoria Square Room Tax
MCA	Muni Court Admin. Fund	WMFVWRF	Water Management Fee, Water Resource Fund
MVF	Motor-Vehicle Fund		
NDOT	Nevada Dept. of Transportation		
NSSOI	N.Spark's SOI Impact Fees		
PCF	Parks Capital Fund		
PCT	Park Construction Tax		
PT	Property Tax		

Note #1: The Sparks water projects total does not include TMWRF projects funded by Reno.

Note #2: The Reno and Sparks streets projects totals do not include funds forwarded to RTC to fund projects.

[Amended 8/11/11]

[Notes]

APPENDIX 2

GLOSSARY OF TERMS

Above Ground [Utility Infrastructure]	The placement of utility infrastructure above the surface of the ground. <i>[Amended 8/12/10]</i>
Affected Entity	A public utility, franchise holder, local or regional agency, or any other entity having responsibility for planning or providing public facilities relating to transportation, solid waste, energy generation and transmission, conventions and the promotion of tourism, air quality, or public education. Does not include a state agency or a public utility that is subject to regulation by the public utilities commission of Nevada (NRS 278.026).
Affordable Housing	Housing that is affordable for a family with a total gross income equal to or less than 80 percent of the median gross income for the county concerned based upon the estimates of the U.S. Department of Housing and Urban Development (HUD) of the most current median gross family income for the county (NRS 278.0105).
Agriculture	The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, animal and poultry husbandry, and the necessary accessory uses for storing the products.
Air Quality Management Plan	A detailed description of the programs a state will use to carry out its responsibilities under the federal Clean Air Act. The plan is a collection of reports and regulations used by an area to reduce air pollution. Also known as a State Implementation Plan (SIP), the Environmental Protection Agency must approve the document.
Amendment	Any repeal, modification, or addition to a goal, policy, or procedure, any new goal, policy or procedure, or any change in the number, shape, boundary or area or any repeal or modification of any map, part thereof or addition thereto.
Annexation	The process used by a municipality to add surrounding fringe areas to the City or town.
Annual Reporting	A means by which local governments and affected entities submit material and data on an annual basis with regards to information contained in the Regional Plan.
Area Median Income (AMI)	The Area Median Income is established by the U.S. Department of Housing and Urban Development (HUD) based on a family of four and adjusted for family size. HUD issues a listing of the area media incomes by Metropolitan Statistical Area (MSA) and by county each year. Also known as “median gross family income.”
Archeological Resources	Any material of past human life, activities, or habitation that are of historic or prehistoric significance. Such material includes, but is not limited to, pottery, basketry, bottles, weapon projectiles, tools, structures, pit houses, rock paintings, rock carvings, intaglios, graves, skeletal remains, personal items and clothing, household or business refuse, printed matter, manufactured items, or any piece of the foregoing items.

Assisted Living Facilities	A living arrangement in which people with special needs, especially seniors with disabilities, reside in a facility that provides help with everyday tasks such as bathing, dressing, and taking medication.
Attainable Housing	Housing that is affordable for a family with a total gross income greater than 80 percent and equal to or less than 120 percent of the median gross income for the county concerned based upon the estimates of the U.S. Department of Housing and Urban Development (HUD) of the most current median gross family income for the county (NRS 278.0105). Also known as “workforce housing.”
Boundary	A line which may or may not follow a visible feature that defines the limits of a geographic entity such as a block, block numbering area, census tract, county, or place.
Bureau of Land Management	An agency within the U.S. Department of the Interior which administers 264 million acres of America’s public lands located primarily in 12 Western States. The BLM sustains the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.
Bureau of Land Management Cultural Resource Inventory General Guidelines	A document, which acts as a set of guidelines for instructions for conducting cultural resource inventories on BLM lands, or lands affected by BLM actions, within the state of Nevada.
Capital Improvements Program	A plan for capital expenditures to be incurred each year over a fixed period of several years setting forth each capital project identifying the expected beginning and ending date for each project, the amount to be expended in each year, and the method of financing those expenditures.
Census	A complete enumeration, usually of a population but also businesses and commercial establishments, farms, governments, and so forth.
Cities’ Areas of Interest	The area of land beyond the expanded spheres of influence where cities have an interest in a specific aspect of County planning as described in the Settlement Agreement in the case of Washoe County and the Sun Valley General Improvement District vs. the Truckee Meadows Regional Planning Governing Board (CV02-03469). This excludes properties added to the Washoe County portion of the TMSA after July 26, 2006 (see Map 7).
Civic Uses	Any land, building or facility providing a service or function supported and managed by a City, County, or State Government.
Co-location [of utility infrastructure]	The use of existing utility infrastructure to affix or erect additional utility equipment <i>[Amended 8/12/10]</i>
Community	A sub-area of the County located within the Truckee Meadows Service Area consisting of residential, institutional, and commercial uses sharing a common identity.
Compatible	Any property, use, or service that is capable of direct association with certain other uses because it is complementary, congruent, or otherwise non-detrimental. Airport noise compatibility may include noise attenuation north of Interstate 80.

Concurrency	A land use planning and implementation tool that is designed to ensure that necessary public services and facilities to support new development are or will be available and adequate, based on adopted levels of service (LOS) standards, at the time the impact of new development occurs.
Consensus Forecast	A methodology combining the population/employment forecasts from various reliable sources.
Cooperative Planning Area	Areas within the Truckee Meadows where more than one jurisdiction has an interest in the density, intensity, or character of development as described in the Settlement Agreement in the case of Washoe County and the Sun Valley General Improvement District vs. the Truckee Meadows Regional Planning Governing Board (CV02-03469) (see Map 7).
Core Area	The area within the Truckee Meadows area consisting of the two downtowns, other designated Regional Centers, and the transportation links among them. The core areas are characterized by a vital mix of uses, including parks and civic uses. Planning for development in core areas should focus on a high degree of pedestrian activity and be well-served by public transit. <i>[Amended 12/13/07]</i>
Cultural Resources	Those resources that possess qualities of significance in American, Nevada, or Washoe County history, architecture, archaeology, and culture present in districts, sites, structures, and objects that possess integrity of location, design, setting, materials, workmanship, congruency, and association.
Density	The result of dividing the total number of dwelling units on a site by the total site area. For purposes of calculating density, the site area shall include passive open space with legal public access, and shall not include any of the following: 1) non-residential, mixed-use and public facility properties; 2) property in the Development Constraints Area; 3) property outside the Truckee Meadows Service Areas; 4) existing golf courses; 5) existing parks; and 6) existing regional street and rail rights-of-way. <i>[Amended 12/13/07; 8/12/10]</i>
Development	Any building, construction, renovation, mining, extraction, dredging, filling, excavation, or drilling activity or operation; any material change in the use or appearance of any structure or in the land itself; the division of land into parcels; any change in the intensity or use of land, such as in increase in the number of dwelling units in a structure or a change to a commercial or industrial use from a less intensive use; any activity that alters a shore, beach, seacoast, river, stream, lake, pond, canal, marsh, dune area, woodlands, wetland, endangered species habitat, aquifer or other resource area, including coastal construction or other activity.
Development Constraints Area	Area consisting of playa, significant water bodies, jurisdictional water/wetland in accordance with Section 404 of the Clean Water Act, designated FEMA floodway areas within the Zone AE, natural slopes over 30%, publicly owned open space, and properties that are deed restricted to prevent development, but not including constrained lands less than 1/3 acre in size (see Map 3). <i>[Amended 12/13/07; 9/11/08]</i>
Diverse	Difference among otherwise similar elements that give them unique forms and qualities.

Downtown Centers	Mixed-use areas that contain developments, services and facilities that provide the primary social, cultural, civic, and economic focal points of the region. The Downtown Centers will contain high-density residential developments and will have the highest level and range of activities in the region including shopping, recreation, dining and entertainment, gaming and accommodation, employment and education, cultural or community events, and public services and facilities. Downtown Centers will be multi-modal and/or transit hubs will be sited along automobile or transit corridors.
Dwelling	A building, or part of a building, containing living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy by one or more families.
Economy	Management of the resources of a community or business.
Educational Infrastructure	Facilities and services which serve to provide educational instruction to students.
Easement	A grant by a property owner to the use of land by the public, a corporation, or persons for specific purposes such as the construction of utilities, drainage ways and roadways (Source: American Planning Association). <i>[Amended 8/12/10]</i>
Electrical Distribution Line	A utility line with the capacity to carry less than 60 kilovolts of electricity typically extending from a feeder cable into a specific area for the purpose of providing service to that area. <i>[Amended 8/12/10]</i>
Electrical Transmission Line	A utility line with the capacity to carry 60 kilovolts or more of electricity. <i>[Amended 8/12/10]</i>
Emerging Employment Centers	Areas to be identified in local government master plans where rapid employment growth is currently occurring or planned, and areas where job centers are needed to provide a jobs-housing balance within the region. <i>[Amended 8/12/10]</i>
Environment	The physical conditions which exist within the area that will be affected by a proposed project, including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic significance.
Ethnic	Of or pertaining to a religious, racial, national, or cultural group.
Expanded Sphere of Influence	The area of land contained within the City of Reno and the City of Sparks sphere of influence, as amended, but not including any lands contained within a city's sphere of influence prior to May 9, 2002 and after July 26, 2006.
Expansion [electrical transmission]	Any increase in the capacity of an existing electrical transmission line or utility corridor. <i>[Amended 8/12/10]</i>
Facility Plans	A plan for the development of public facilities that will have a regional impact or aide in accomplishing regional goals relating to transportation, solid waste, energy generation and transmission, conventions and the promotion of tourism, air quality, or public education. The term does not include a plan for the development of a specific site or regulations adopted by an affected entity to implement the Regional Plan. Also known as "Facilities Plan" (see subsection 2 of NRS 278.026).

Feathering (of densities)	A graduated change in density between areas of higher intensity of use to areas of lower intensity of use. Feathering strategies may include, but are not limited to, a gradual change in lot size, compatible frontage widths for lots facing each other, building designs that create compatibility on facing lots, or landscape buffering.
Federal Aviation Regulation (FAR) Part 77 Area	The airspace surrounding a public-use airport into which the penetration of vertical structures may pose a safety hazard to aeronautical activity. The Federal Aviation Administration, through FAR Part 77, establishes criteria for determining the length, slope, trajectory, and other characteristics of the imaginary surface planes that constitute FAR Part 77 areas. <i>[Amended 8/12/10]</i>
Federal Energy Regulatory Commission	An independent commission that regulates the transmission of oil and natural gas, the transmission and wholesale sale of electricity, and the licensing of hydroelectric companies.
Federal Emergency Management Agency (FEMA)	An independent agency that provides a single point of accountability for all federal emergency preparedness, mitigation, and response activities.
FEMA Floodplain Zone AE	Areas that have a 1% probability of flooding in any year (also known as the “100-year floodplain”), and where predicted flood water elevations above mean sea level have been established. Properties in Zone AE are considered to be at high risk of flooding under the National Flood Insurance Program (NFIP). Flood insurance is required for all properties in Zone AE that have federally-backed mortgages. Construction in these areas must meet local jurisdiction floodplain ordinance requirements. <i>[Amended 9/11/08]</i>
Floor-Area Ratio (FAR)	The ratio of the total floor area of buildings on a certain location to the size of the land of that location. As a formula: Floor Area Ratio = (Total covered area on all floors of all buildings on a certain plot)/(Area of the plot). Thus, an FAR of 2.0 would indicate that the total floor area of a building is two times the gross area of the plot on which it is constructed.
Floodway Area	The floodway is defined as: “the channel of a river or stream, and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.” Floodways are generally associated with moving water during a flood event. Under local jurisdiction floodplain ordinances, most construction is prohibited in a floodway. <i>[Amended 9/11/08]</i>
Forecasts	The most probable of a set of projections to happen.
Fundamental Assumptions	A series of points thought to be taken as true without proof or demonstration constituting or functioning as an essential component of the Truckee Meadows Regional Plan.
Future Service Areas (FSA)	Future Service Areas (FSA) are areas identified for future (beyond the 20 year Truckee Meadows Regional Plan) inclusion in the TMSA (and SOI, if a city) for each jurisdiction. To add land to its TMSA, each jurisdiction must first prepare a natural resource management plan for the area to be added and must meet minimum density thresholds in its existing TMSA.

Gaming Sector	Those activities pertaining to a full range of gaming activities including, for example; race and sports betting, lotteries, casinos, community gaming (eg. “housie”), non-casino gaming machines, Internet and cross-border gaming.
Geographic Area	The primary focus of the Truckee Meadows Regional Plan which includes the southern 15% of Washoe County with a northern boundary at T26N. Excluded from this region are the lands administered by the Tahoe Regional Planning Agency and the Tribal Lands.
Goal	A desired state of affairs to which planned effort is directed.
Governing Body	The City council or other legislative body of the City or the board of County commissioners or, in the case of Carson City, the board of supervisors (NRS 278.015).
Greenways	A linear open space of varying width that is part of a bigger network established along a corridor, such as a river or road right-of-way, that is usually developed for non-vehicular public use. <i>[Amended 8/12/10]</i>
Growth	An increase in size, number, value, or strength.
Housing Products	The broad range of styles and types of residences or dwelling places for people.
Human Scale Development	Development designed to create and sustain a pleasant and efficient environment for pedestrians, through the utilization of such features as ample sidewalks; short walking distances; choices of pedestrian routes; continuity of pedestrian routes; provisions of amenities for pedestrians; restrained scale of lots, blocks, buildings, setbacks, signage, street widths, parking areas and commercial and residential clusters; fine-grained mixed uses; eye-level architectural detail; and, access by multiple transportation modes.
Implementation	Actions, procedures, programs, or techniques that carry out policies.
Incorporated City	Areas/neighborhoods organized for the purpose of self-government. Reno and Sparks are the only incorporated cities in Washoe County.
Industrial Development	A business use or activity at a scale greater than home industry involving manufacturing, fabrication, assembly, warehousing, and/or storage.
Industry Sector	A distinct part of division which pertains to the manufacture, fabrication, processing, reduction, or destruction of any article, substance or commodity, or any treatment thereof in such a manner as to change the form, character, or appearance thereof, and includes storage elevators, truck storage yards, warehousing, wholesale storage, and other similar types of enterprise.
Infill	Development or redevelopment of land that has been by-passed, remained vacant, and/or is underused as a result of the continuing urban development process. Generally, the areas and/or sites are not particularly of prime quality; however, they are usually served by or are readily accessible to infrastructure.
Infrastructure	The basic facilities such as roads, schools, power plants, transmission lines, transportation, and communication systems on which the continuance and growth of a community depends.

Intensity	Any ratio that assesses the relative level of activity of a land use, including, but not limited to, a floor area ratio, building coverage ratio, or impervious surface ratio.
Jurisdictions	Any governmental unit or political division or subdivision including, but not limited to city, county, state, district, or territory over which the governmental unit exercises power and authority.
Kilovolt (kV)	The equivalent of 1,000 volts (see definition of “volt”). <i>[Amended 8/12/10]</i>
Land Use	The primary or primary and secondary uses of land such as single family residential, multiple-family residential, commercial, industrial or agriculture. The description of a particular land use should convey the dominant character of a geographic area and thereby establish the types of activities which are appropriate and compatible with primary uses.
Land Stock	An inventory of the quantity of land available for use.
Local Government	The City of Reno, City of Sparks, or Washoe County. <i>[Amended 8/12/10]</i>
Local Renewable Energy Source	Energy generated from, but not limited to, solar, geothermal, hydroelectric, biomass, methane, and waste heat recovery that is intended solely for a single end use on or directly adjacent to the parcel on which the energy is generated. Small amounts of the electricity generated from local renewable energy sources may temporarily return to the power grid in circumstances where net metering arrangements exist. <i>[Amended 8/12/10]</i>
Lot	A distinct part or parcel of land that has been subdivided to transfer ownership or to build. The term does not include a parcel of land used or intended solely for use as a location for a water well (NRS 278.0165).
Low Impact Development (LID) Practices	Policies, procedures, and general guidance concerning site design techniques for improving the quality and reducing the quantity of storm water runoff from new development and redevelopment.
Master Plan	A comprehensive, long-term, general plan for the physical development of the city, County, or region which includes analysis, recommendation, and proposals for the geographic area it covers.
Military installation	Military installation means a base or facility at which or from which the Air Force, Army, Coast Guard, Marine Corps, Navy, Air Force Reserve, Army Reserve, Coast Guard Reserve, Marine Corps Reserve, Navy Reserve or National Guard conducts exercises, maneuvers, operations, patrols or training. <i>[Amended 11/8/07]</i>
Minority	A racial, religious, political, national, or other group regarded as different from the larger group of which it is part.
Mixed-use Development	A single building or land containing more than one type of land use or single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

Multi-family	A detached building designed and used exclusively as a dwelling by three or more families occupying separate suites.
Multi-modal	Any and all forms of transportation including but not limited to walking, bicycling, transit services, automobile, and rail systems.
Municipal Services	Services traditionally provided by local government and/or affected entities including water and sewer, roads, parks, schools, and public safety.
National Electric Safety Code (NESC)	A document published by the Institute of Electrical and Electronics Engineers that sets the ground rules for practical safeguarding of persons during the installation, operation, or maintenance of electric supply and communication lines and associated equipment. The NESC contains the basic provisions that are considered necessary for the safety of employees and the public under the specified conditions (Source: IEEE). <i>[Amended 8/12/10]</i>
National Ambient Air Quality Standards	A set of standards published by the USEPA in Title 40 of the code of Federal Regulations Subpart 50 that define the levels of air quality necessary to protect human health. The standards apply to the following pollutants: Carbon Monoxide, Ozone, Nitrogen Dioxide, Sulfur Dioxide, Particulate Matter, and Lead.
Natural Resource	As used in Policies 4.1.3 and 4.3.6, natural resource means: air quality, quality and quantity of surface water and groundwater; habitat for fish, vegetation, and wildlife; open space; floodplains; wetlands, aquifer recharge areas; stream channels; soils; scenic quality; and energy sources. <i>[Amended 9/11/08]</i>
Neighborhood	An area of a community with characteristics that distinguish it from other community areas that may include schools, social clubs, or boundaries defined by physical barriers, such as major highways and railroads, or natural features, such as rivers.
Net Metering	A method of metering the energy produced by local renewable energy sources that allows excess electricity produced by the energy source to be returned to the power grid at a credit to the utility customer. Excess power is often credited at full retail price and is used to offset any electricity purchased from the utility. The metered customer is then billed only for the net energy consumed from the power grid. <i>[Amended 8/12/10]</i>
Nevada Department of Transportation	A governmental agency of Nevada that serves to efficiently plan, design, construct, and maintain a safe and effective transportation system for Nevada's economic, environmental, social, and intermodal needs.
Northern Nevada Water Planning Commission	Body of Public Works Directors, Water Resource Managers and individuals appointed by the Western Regional Water Planning Commission. This commission's primary function is to serve as the Technical Advisory Committee to the Western Regional Water Commission and is responsible for developing and maintaining the Regional Water Management Plan. <i>[Amended 9/11/08]</i>

Open Space	Properties with free and legal public access that are generally in a natural state. Open space may include spaces that are inappropriate for access or development for any reason such as sensitive environments or hazardous areas (e.g., landslide areas). Open spaces provide native plant and wildlife habitat, passive recreational opportunities, enhance the scenic character of the region, and allow for preservation of significant cultural and archaeological resources.
Optimization	The process of making a system as effective or as functional as possible.
Pedestrian Access and Amenities	Include, but are not limited to, adequate sidewalks (width and connectivity), plazas, frequent crosswalks, on-demand crosswalk signals, wheelchair accessibility, covered shelters, publicly accessible restrooms, public art, benches, public telephones, landscaping, trash facilities, and public spaces such as small parks.
Pedestrian Friendly	Pedestrian friendly features are designed to promote increased walking, street life, and transit ridership. Pedestrian friendly features such as wide, continuous sidewalks, bulb-outs at intersections, shorter crossing distance and signal cycles, mid-block crosswalks, tight radii curb returns, and closely spaced transit access encourage pedestrian use and enhance transit ridership.
Placemaking	The process of creating great places that attract people because they are lively, inviting, interesting, enduring, and offer the chance to see and interact with other people. Place-making is characterized by a focus on activities, community, and sociability.
Plan	A document, adopted by an agency, that contains, in text, maps, and/or graphics, a method of proceeding, based on analysis and the application of foresight, to guide, direct, or constrain subsequent actions, in order to achieve goals. A plan may contain goals, policies, guidelines, and standards.
Playa	Generally a dry or intermittently dry lakebed in the lowest spot of a closed valley. Salt contents are generally quite high.
Point Source	Any discernible, confined and discrete conveyance, including but not limited to a pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. The term does not include return flows from irrigated agriculture (NRS 445A.395).
Policy	A specific statement of principle or of guiding actions that implies clear commitment. A general direction that a governmental agency sets to follow in order to meet its goals and objectives.
Portal	A website considered as an entry point to other websites.
Power Generation Capacity	The maximum amount of electricity (usually measured in watts) capable of being produced at a given power generation facility. <i>[Amended 8/12/10]</i>
Power Generation Facilities	Any facility owned and operated by a public or private utility company or independent power producer for the purpose of generating electric power for distribution through the local electric distribution network or for sale to electric transmission companies.
Preservation	To keep in perfect or unaltered condition; maintain unchanged.
Projections	A statement about the future based upon the past.

Promote	To contribute to the progress of, or growth of; further.
Public Access	A means of physical approach to, along, and into lands available to the general public.
Public Facilities	A use conducted by, or a facility or structure owned or managed by, a publicly funded entity that provides a governmental function, activity, or service for public benefit.
Public Lands	Any land area owned and managed by a public entity for the public good.
Public Utilities Commission of Nevada	Pursuant to NRS Chapter 703, the PUCN is a body of three commissioners each appointed by the governor with the power and duty to supervise and regulate the operation and maintenance of public utilities in the state. <i>[Amended 8/12/10]</i>
Quarries	A lot of land or part thereof used for the purpose of extracting stone, sand, gravel, or top soil for sale and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.
Ranchettes	A single dwelling unit occupied by a non-farming household on a parcel of 2.5 to 20 acres that has been subdivided for limited use.
Recommendations	Preferred courses of action which assist in the achievement of goals. Recommendations are planning, land use, and general government-related activities that can be pursued, ideally as a whole, to help the community meet its goals and thresholds.
Region	An area located in southern Washoe County, south of T26N, excluding the Tahoe Regional Planning Area and Tribal lands.
Regional Centers	Mixed-use areas that contain developments, services and facilities that provide a regional benefit. Regional Centers will have a primary specialized focus and will be substantially self-contained. Regional Centers may contain high-density residential developments and will have a high level and range of activities including shopping, recreation, dining and entertainment, gaming and accommodation, employment and education, cultural or community events, and public services and facilities. Regional Centers will include a high level of pedestrian activity. Regional Centers will be multi-modal and/or transit hubs will be sited along automobile or transit corridors.
Regional Open Space Plan	A plan created pursuant to NRS 376A.020, which directs Washoe County to develop and coordinate a Regional Open Space Program to include major open space areas that will link to trails or open space corridors.
Regional Planning Commission	The RPC has nine members, including three each from the Reno, Sparks, and Washoe County local planning commissions, appointed by their respective governing bodies (NRS 278.0262).
Regional Planning Governing Board	The RPGB consists of ten members including three from the Washoe County Commission, four from the Reno City Council, and three from the Sparks City Council (NRS 278.0264).

Regional Renewable Energy Source	Energy generated from, but not limited to, solar, geothermal, hydroelectric, biomass, methane, and waste heat recovery sources that generate enough power such that the electricity generated is purchased by a utility provider for region-wide use. This does not apply to local renewable energy sources that produce electricity for immediate on-site use. <i>[Amended 8/12/10]</i>
Regional Transportation Commission	The Regional Transportation Commission is the designated Metropolitan Planning Organization for Washoe County and is responsible under the Transportation Equity Act for the 21st Century for developing the Regional Transportation Plan.
Regional Transportation Plan	The 2030 RTP serves as the region's long-range transportation plan to accommodate the Regional Form and land-use, master-planned development in the City of Reno, the City of Sparks, and Washoe County.
Regional Utility Corridor	A planning designation assigned to a utility easement that contains or is proposed to contain one or more electrical transmission lines. The width of a regional utility corridor shall be equivalent to the width of the easement required by the responsible utility. The width of the easement may not be less than that specified by the NESC. <i>[Amended 8/12/10]</i>
Regional Utility Corridor Setback	The minimum distance by which any structure must be set back from the edge of a regional utility corridor. <i>[Amended 8/12/10]</i>
Regional Water Management Plan	Document which provides the region with an outline of how water will be managed to meet the needs of the citizens into the future. Major components of the plan are identification of future water supply and wastewater facilities, regional flood control and drainage projects, and development of a conservation program. Serves the area generally described as all lands within Washoe County south of T25N, excluding the Lake Tahoe watershed, Pyramid Lake Paiute Indian Reservation, and other tribal trust lands within the planning areas.
Regulation	A rule or order prescribed for management by government.
Renewable Energy	Energy generated from rapidly renewable or inexhaustible sources including, but not limited to, solar, geothermal, hydroelectric, biomass, methane, and waste heat recovery sources. <i>[Amended 8/12/10]</i>
Resort Destination	A resort facility or development of multiple buildings intended primarily for transient guests where the primary attraction is generally recreational facilities or activities, including, but not limited to snow sports and activities (i.e., ski area residential uses shall be primarily "ski-in / ski-out"), golf, dude and guest ranches, health spas and resorts, backcountry adventures, hunting, fishing, and water sports. A resort destination is generally located in a setting of significant natural amenities, and may include a range of on-site indoor or outdoor recreation facilities.
Resort Destination Element	An element of the local master plan that addresses Regional Plan Policy I.1.14 and related policies regarding the establishment of destination resorts within the Rural Development Area, north of T25N.

Resort Service Area	An area inside the Rural Development Area, south of T26N and outside the Truckee Meadows Service Areas, where local government master plans may allow for the development of resort destinations.
Right-of-way	A strip of land acquired by reservation, dedication, prescription, or condemnation intended to be occupied by a street, trail, water line, sanitary sewer, and/or other public utilities or facilities.
Road	All property dedicated or intended for public or private road, street, alley, highway, freeway, or roadway purposes, or dedicated or intended for public easements therefore.
RTC's Primary Transit Network	The Primary Transit Network is intended to improve the appeal of public transportation to a diverse group of riders, to reduce individual automobile trips, and to provide the lowest cost to riders by achieving maximum productivity. The PTN includes concepts such as Bus Rapid Transit, conversion of Prater Way and Virginia Street to transit corridors with exclusive transit travel lanes, retrofitting signals on Virginia Street to add queue jumping capabilities to improve transit reliability, and other improvements to support and encourage transit ridership.
Rural Development Area	Area within the region lying outside the Truckee Meadows Service Areas.
School	A school is defined as being either a primary, secondary, or non-traditional secondary (public or private) institution of learning which offers instruction in one or more branches of learning. <i>[Amended 8/13/09]</i>
Secretary of Interior's Standards for Archeology and Historic Preservation	A document which provides technical advice about archaeological and historic preservation activities and methods. It includes identification, evaluation, documentation, registration, and treatment of historic properties.
Shall	Mandatory to carry out the policy, even if a timeframe is not included. Meaning imperative and non-discretionary. Subject to funding and budgetary constraints, which may not allow for implementation of the policy and subject to provisions of the annual budget.
Significant Ridgelines	Ridgelines that surround or visually dominate the valley landscape either through their size in relation to the hillside or mountain terrain of which they are a part; their visual dominance as characterized by a silhouetting appearance against the sky; as a significant backdrop feature or separation of communities; through visual dominance due to proximity and view from existing development or major corridors; or as an area of significant ecological, historical or cultural importance such as those which connect park or trail systems.
Sphere of Influence	An area into which a City plans to expand as designated in a comprehensive Regional Plan adopted pursuant to NRS 278.026 to 278.029, inclusive, within the time designated in the comprehensive Regional Plan (NRS 268.623).
Sprawl	Premature growth or outward expansion of development. Low-density land-use patterns that are automobile-dependent, energy and land consumptive, and require a very high ratio of road surface to development served.

Stakeholder	Individuals and/or groups which have a shared interest in an enterprise.
Station Area	A concentrated intense area of development and activity within a TOD Corridor or Center that is mixed-use, includes a rapid transit stop, supports high transit frequency and efficient transit function, provides amenities for pedestrians and bicyclists, and is a high priority for infill development.
Streets	Open and public thoroughfares including streets, avenues, boulevards, roads, lanes, alleys, viaducts, public easements and right-of-way, and other ways (NRS 278.018). <i>[Amended 8/12/10]</i>
Substation [Electrical]	An assemblage of equipment that switches, changes, or regulates voltage in the electric transmission and distribution system. Substations that connect two or more transmission circuits without transforming the voltage are called switching stations or taps (see also “utility site”). <i>[Amended 8/12/10]</i>
Substation [Natural Gas]	An assemblage of equipment for the use of managing the supply of natural gas in the regional system (see also “utility site”). <i>[Amended 8/12/10]</i>
Suburban	Suburban development includes residential uses at generally one to three single family units per acre and supportive nonresidential and public development.
Sustainability	Community use of natural resources in a way that does not jeopardize the ability of future generations to live and prosper.
Sustainable design and construction	Design and construction techniques that maintain or enhance economic opportunity and community well-being while protecting and restoring the natural environment upon which people and economies depend. Sustainable design and construction meet the needs of the present without compromising the ability of future generations to meet their own needs.
Tentative Map	A map made to show the design of a proposed subdivision and the existing conditions in and around it (NRS 278.019).
Transit Hub	A transit hub is a central transportation facility capable of accommodating multiple modes of transportation. A transit hub in Reno could include Citi-Center, a Greyhound Bus Terminal, an Amtrak Depot, accommodation for taxi’s and tour busses, and perhaps a parking structure and retail shops.
Transit Oriented Development (TOD)	Moderate and high-density housing concentrated in mixed-use developments located along transit routes. The location, design, and mix of uses in a TOD emphasize pedestrian-oriented environments and encourages the use of public transportation.
Transit Oriented Development (TOD) Corridor	Corridors depicted on Map 4 of the Regional Plan, generally ¼ mile wide on each side of the designated transportation route or road, as further defined in local government master plans.
Transit Stations	Provide the interface between pedestrians and the transit service and will include consistent design within TOD Corridors and at a minimum will include seating capacity and signage. The establishment of stations acknowledges that future progression of transit services (i.e. bus to bus rapid transit, to light rail, etc.) is an option that the community may wish to pursue in the future.

Transmission Capacity	The maximum voltage able to be carried in a given electrical transmission line. <i>[Amended 8/12/10]</i>
Transportation System Management	Includes, but not limited to, signal coordination and prioritization, queue jumping at all signal intersections, wide sidewalks, bike lanes and designated High Occupancy Vehicle (HOV) lanes.
Truckee Meadows Regional Plan	A comprehensive Regional Plan for the physical development and orderly management of the growth of the region for the next 20 years.
Truckee Meadows Service Areas (TMSA)	The defined areas within which municipal services and infrastructure will be provided. This area includes the high intensity core areas and existing and planned urban and suburban uses.
Underground Construction (Undergrounding)	The placement of utility infrastructure below the surface of the ground. <i>[Amended 8/12/10]</i>
Unincorporated Areas	Areas outside any city and under Washoe County's jurisdiction
Unincorporated Communities	Management units that may be designated in the Washoe County Comprehensive Plan in unincorporated areas within the TMSA and outside the two cities and their Spheres of Influence.
Urban Development	Development occurring at an intensity greater than 3 dwelling units per acre that is served by community water and sewer.
Urban Growth	Development that makes intensive use of land for the location of buildings, other structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, fiber, or other agricultural products, or the extraction of mineral resources and that, when allowed to spread over wide areas, typically requires municipal services.
Utilities	All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable. <i>[Amended 8/12/10]</i>
Utility Corridor	See: "Regional Utility Corridor." <i>[Amended 8/12/10]</i>
Utility Provider	Any public or private entity including a governmental utility, a public utility regulated by the PUCN, a rural electric cooperative, a cooperative association, nonprofit corporation, nonprofit association or provider of electric service, or a community water system that provides water service, electric service or natural gas service to 500 or more service locations; or operates any pipeline that is necessary to provide such service (NRS 239C.110). <i>[Amended 8/12/10]</i>
Utility Site	An electrical or natural gas substation. <i>[Amended 8/12/10]</i>
Viewshed	The area within view from a defined observation point.
Volt	A unit of measurement of force, or pressure, in an electrical circuit. <i>[Amended 8/12/10]</i>

Vision Statement	A statement that defines a community's preferred future.
Water Bodies	Areas that include lakes, playas, rivers, streams, and federally designated wetlands and floodways.
Watershed	All lands enclosed by a continuous hydrologic drainage divide and lying upslope from a specified point on a stream. Also referred to as water basin. A ridge of relatively high land dividing two areas that are drained by different river systems.
Water System Facility Plans	A plan that describes service area and pressure zone boundaries, facilities necessary to serve developments within these boundaries, and the location and timing of the necessary facility improvements.
Western Regional Water Commission	Board of elected officials from each of the local jurisdictions and publicly owned water purveyors set up by Senate Bill 487, which was passed in the 2007 Legislative Session. This Board's main focus will be to improve water resource planning at the regional level, facilitate coordinated resource management among all water purveyors and adopt or revise the Regional Water Management Plan as needed. [Amended 9/11/08]
Wetland	Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marches, bogs, and similar areas. Specifically, jurisdictional water/wetland in accordance with Section 404 of the Clean Water Act. [Amended 12/13/07]
Workforce Housing	Housing that is affordable for a family with a total gross income greater than 80 percent and equal to or less than 120 percent of the median gross income for the county concerned based upon the estimates of the US Department of Housing and Urban Development (HUD) of the most current median gross family income for the county. (NRS 278.0105) Also known as "attainable housing."
Zone	Any section or sections of a City or County for which the regulations governing the use of land and the use, density, bulk, height, and coverage of buildings and other structures, are uniform.
Zoning	A local ordinance that divides a community into districts and specifies allowable uses and development standards for each consistent with the adopted community master plan.

[Notes]

APPENDIX 3

LIST OF ACRONYMS AND ABBREVIATIONS

BLM	Bureau of Land Management
CIP	Capital Improvement Program
DCA	Development Constraints Area
FAR	Floor-Area Ratio
FEMA	Federal Emergency Management Agency
FSA	Future Service Area(s)
HOV	High Occupancy Vehicle
NDEP	Nevada's Division of Environmental Protection
NRS	Nevada Revised Statutes
NSHE	Nevada System of Higher Education
PRS	Project of Regional Significance
PUCN	Public Utilities Commission of Nevada
RDA	Rural Development Area
ROW	Right-of-Way
RPC	Regional Planning Commission
RPGB	Regional Planning Governing Board
RSA	Resort Service Area
RTC	Regional Transportation Commission
RTP	Regional Transportation Plan
RWMP	Regional Water Management Plan
NNWPC	Northern Nevada Water Planning Commission
SOI	Sphere of Influence
TAC	Technical Advisory Committee
TMRPA	Truckee Meadows Regional Planning Agency
TMSA	Truckee Meadows Service Areas
TMWA	Truckee Meadows Water Authority
TOD	Transit Oriented Development
UNR	University of Nevada, Reno
USEPA	United States Environmental Protection Agency
VMT	Vehicle Miles Traveled
WCHD	Washoe County Health District
WCSD	Washoe County School District
WRWC	Western Regional Water Commission

[Amended 9/11/08; 8/12/10]

[Notes]

APPENDIX 4

NEVADA REVISED STATUTES (NRS)

As of the 2009 session of the Nevada State Legislature

CONTENTS:

NRS 278.026 through 278.029

NRS 268.610 through 268.670

NRS Chapter 376A

NRS Chapter 540A

NRS Chapter 531

NRS 278.026 THROUGH 278.029

REGIONAL PLANNING IN COUNTIES WHOSE POPULATION IS 100,000 OR MORE BUT LESS THAN 400,000

NRS 278.026 Definitions. As used in NRS 278.026 to 278.029, inclusive, unless the context otherwise requires:

1. "Affected entity" means a public utility, franchise holder, local or regional agency, or any other entity having responsibility for planning or providing public facilities relating to transportation, solid waste, energy generation and transmission, conventions and the promotion of tourism, air quality or public education. The term does not include:

b) A state agency; or

c) A public utility which is subject to regulation by the Public Utilities Commission of Nevada.

4. "Facilities plan" means a plan for the development of public facilities which will have a regional impact or which will aid in accomplishing regional goals relating to transportation, solid waste, energy generation and transmission, conventions and the promotion of tourism, air quality or public education. The term does not include a plan for the development of a specific site or regulations adopted by an affected entity to implement the comprehensive regional plan.

5. "Governing board" means the governing board for regional planning created pursuant to NRS 278.0264.

6. "Joint planning area" means an area that is the subject of common study and planning by the governing body of a county and one or more cities.

7. "Project of regional significance," with respect to a project proposed by any person other than a public utility, means a project which:

h) Has been identified in the guidelines of the regional planning commission as a project which will result in the loss or significant degradation of a designated historic, archeological, paleontological, cultural or scenic resource;

i) Has been identified in the guidelines of the regional planning commission as a project which will result in the creation of significant new geothermal or mining operations;

j) Has been identified in the guidelines of the regional planning commission as a project which will have a significant effect on the natural resources, public services, public facilities, including, without limitation, schools, or the adopted regional form of the region; or

k) Will require a change in zoning, a special use permit, an amendment to a master plan, a tentative map or other approval for the use of land which, if approved, will have an effect on the region of increasing:

- 1) Employment by not less than 938 employees;
- 2) Housing by not less than 625 units;
- 3) Hotel accommodations by not less than 625 rooms;
- 4) Sewage by not less than 187,500 gallons per day;
- 5) Water usage by not less than 625 acre feet per year; or
- 6) Traffic by not less than an average of 6,250 trips daily.

The term does not include any project for which a request for an amendment to a master plan, a change in zoning, a tentative map or a special use permit has been approved by the local planning commission before June 17, 1989.

6. "Project of regional significance," with respect to a project proposed by a utility, includes:

- a) An electric substation;
- b) A transmission line that carries 60 kilovolts or more;
- c) A facility that generates electricity greater than 5 megawatts;
- d) Natural gas storage and peak shaving facilities; and
- e) Gas regulator stations and mains that operate over 100 pounds per square inch.

7. "Sphere of influence" means an area into which a city plans to expand as designated in the comprehensive regional plan within the time designated in the comprehensive regional plan.

(Added to NRS by 1989, 759; A 1991, 1733; 1995, 2662; 1997, 1981; 1999, 2124; 2005, 1586; 2009, 378)

NRS 278.0261 Legislative findings and declaration. The Legislature hereby finds and declares that:

1. The process of regional planning in a county whose population is 100,000 or more but less than 400,000, as set forth in NRS 278.026 to 278.029, inclusive, ensures that comprehensive planning will be carried out with respect to population, conservation, land use and transportation, public facilities and services, annexation and intergovernmental coordination.

2. The process of regional planning set forth in NRS 278.026 to 278.029, inclusive, does not specifically limit the premature expansion of development into undeveloped areas or address the unique needs and opportunities that are characteristic of older neighborhoods in a county whose population is 100,000 or more but less than 400,000.

3. The problem of the premature expansion of development into undeveloped areas and the unique needs and opportunities that are characteristic of older neighborhoods may be addressed through:

- a) Cooperative efforts to preserve and revitalize urban areas and older neighborhoods; and
- b) Review of the master plans, facilities plans and other similar plans of local governments and other affected entities.

4. It is the intent of the Legislature with respect to NRS 278.026 to 278.029, inclusive, that each local government and affected entity shall exercise its powers and duties in a manner that is in harmony with the powers and duties exercised by other local governments and affected entities to enhance the long-term health and welfare of the county and all its residents.

(Added to NRS by 1999, 2123)

NRS 278.0262 Regional planning commission: Creation; membership; chair; compensation; training.

1. There is hereby created in each county whose population is 100,000 or more but less than 400,000, a regional planning commission consisting of:

- a) Three members from the local planning commission of each city in the county whose population is 60,000 or more, appointed by the respective governing bodies of those cities;
- b) One member from the local planning commission of each city in the county whose population is less than 60,000, appointed by the respective governing bodies of those cities; and
- c) Three members from the local planning commission of the county, appointed by the governing body of the county, at least two of whom must reside in unincorporated areas of the county.

2. Except for the terms of the initial members of the commission, the term of each member is 3 years and until the selection and qualification of his or her successor. A member may be reappointed. A member who ceases to be a member of the local planning commission of the jurisdiction from which he or she is appointed automatically ceases to be a member of the commission. A vacancy must be filled for the unexpired term by the governing body which made the original appointment.

3. The commission shall elect its chair from among its members. The term of the chair is 1 year. The member elected chair must have been appointed by the governing body of the county or a city whose population is 60,000 or more, as determined pursuant to a schedule adopted by the commission and made a part of its bylaws which provides for the annual rotation of the chair among each of those governing bodies.

4. A member of the commission must be compensated at the rate of \$80 per meeting or \$400 per month, whichever is less.

5. Each member of the commission must successfully complete the course of training prescribed by the governing body pursuant to subsection 2 of NRS 278.0265 within 1 year after the date on which his or her term of appointment commences. A member who fails to complete successfully the course of training as required pursuant to this subsection forfeits his or her appointment 1 year after the date on which his or her term of appointment commenced.

(Added to NRS by 1989, 759; A 1999, 2125; 2001, 1965)

NRS 278.0263 Regional planning commission: Request for assistance. The regional planning commission shall request assistance from the governing body of a county, the governing body of a city, a state agency or an affected entity as required to perform its duties.

(Added to NRS by 1991, 1732)

NRS 278.02632 Regional planning commission: Study and development of incentives for certain types of development. The regional planning commission shall continue to study and develop methods to provide incentives for:

1. Mixed-use development, transit-oriented development, the development of a brownfield site and development which minimizes the negative impact on the environment. As used in this subsection, "brownfield site" has the meaning ascribed to it in 42 U.S.C. § 9601.

2. Large commercial development which provides employee parking at a site other than the commercial development. Such incentives may be developed in cooperation with the regional transportation commission and other local governmental entities.

(Added to NRS by 2005, 1583)

NRS 278.0264 Governing board for regional planning: Creation; membership; chair; compensation; operational needs; capacity to sue and be sued; budget.

1. There is hereby created in each county whose population is 100,000 or more but less than 400,000, a governing board for regional planning consisting of:

a) Three representatives appointed by the board of county commissioners, at least two of whom must represent or reside within unincorporated areas of the county. If the representative is:

1) A county commissioner, his or her district must be one of the two districts in the county with the highest percentage of unincorporated area.

- 2) Not a county commissioner, he or she must reside within an unincorporated area of the county.
 - b) Four representatives appointed by the governing body of the largest incorporated city in the county.
 - c) Three representatives appointed by the governing body of every other incorporated city in the county whose population is 60,000 or more.
 - d) One representative appointed by the governing body of each incorporated city in the county whose population is less than 60,000.
2. Except for the terms of the initial members of the governing board, the term of each member is 3 years and until the selection and qualification of his or her successor. A member may be reappointed. A vacancy must be filled for the unexpired term by the governing body which made the original appointment.
3. The governing bodies may appoint representatives to the governing board from within their respective memberships. A member of a local governing body who is so appointed and who subsequently ceases to be a member of that body, automatically ceases to be a member of the governing board. The governing body may also appoint alternative representatives who may act in the respective absences of the principal appointees.
4. The governing board shall elect its chair from among its members. The term of the chair is 1 year. The member elected chair must have been appointed by the governing body of the county or a city whose population is more than 60,000, as determined pursuant to a schedule adopted by the governing board and made a part of its bylaws which provides for the annual rotation of the chair among each of those governing bodies.
5. A member of the governing board who is also a member of the governing body which appointed him or her shall serve without additional compensation. All other members must be compensated at the rate of \$40 per meeting or \$200 per month, whichever is less.
6. The governing board may appoint such employees as it deems necessary for its work and may contract with city planners, engineers, architects and other consultants for such services as it requires.
7. The local governments represented on the governing board shall provide the necessary facilities, equipment, staff, supplies and other usual operating expenses necessary to enable the governing board to carry out its functions. The local governments shall enter into an agreement whereby those costs are shared by the local governments in proportion to the number of members that each appoints to the governing board. The agreement must also contain a provision specifying the responsibility of each local government, respectively, of paying for legal services needed by the governing board or by the regional planning commission.
8. The governing board may sue or be sued in any court of competent jurisdiction.
9. The governing board shall prepare and adopt an annual budget and transmit it as a recommendation for funding to each of the local governments.

(Added to NRS by 1989, 760; A 1991, 1734; 2001, 1966)

NRS 278.0265 Governing board for regional planning: Adoption of regulations; prescription of training for members of regional planning commission; fees for services provided; entry into cooperative agreements and interlocal agreements. The governing board:

1. Shall adopt such regulations as are necessary to carry out its specific powers and duties.
2. Shall prescribe an appropriate course of at least 12 hours of training in land use planning for the members of the regional planning commission. The course of training must include, without limitation, training relating to:
 - a) State statutes and regulations and local ordinances, resolutions and regulations concerning land use planning; and
 - b) The provisions of chapter 241 of NRS.

3. May establish and collect reasonable fees for the provision of any service that is authorized pursuant to the provisions of NRS 278.026 to 278.029, inclusive.

4. May enter into an agreement pursuant to NRS 277.045 or 277.080 to 277.180, inclusive, for a purpose that is consistent with the provisions of NRS 278.026 to 278.029, inclusive.

(Added to NRS by 1991, 1732; A 1993, 572; 1999, 2126; 2001, 756; 2005, 1587)

NRS 278.0266 Director of regional planning: Appointment; qualifications; powers and duties. There is hereby created the position of director of regional planning. The director:

1. Is appointed by the governing board from a list of three names submitted by the regional planning commission, and serves at the pleasure of the governing board;

2. Must be selected on the basis of his or her training, experience, capability and interest in planning;

3. Must have the demonstrated ability to administer a major program relating to planning;

4. Shall devote his or her entire time and attention to the business of that office and shall not pursue any other business or occupation or hold any other office of profit;

5. Shall not hold any other position relating to planning with a regional or local entity in the county or be on leave of absence from any other regional or local entity in the county while holding the position of director;

6. Is responsible for administration of the regional planning program;

7. Shall appoint a professional assistant experienced in planning to assist in administration of the program; and

8. May:

a) Appoint professional, technical or clerical staff to, and dismiss them from, positions which are approved by the governing board;

b) Execute contracts for services and interlocal agreements which are approved by the governing board;

c) Direct the activities of all other persons employed by the governing board; and

d) Prepare an annual budget.

(Added to NRS by 1989, 761)

NRS 278.0268 Appointment of subcommittees and advisory committees.

1. The governing board and the regional planning commission may, jointly or separately, appoint subcommittees for any purpose that is consistent with NRS 278.026 to 278.029, inclusive. A subcommittee appointed pursuant to this subsection must be composed only of:

a) Members of the governing board or regional planning commission, as appropriate, if the subcommittee is appointed separately; or

b) Members from both the governing board and the regional planning commission, if the subcommittee is appointed jointly.

2. To assist in the formulation and the implementation of the comprehensive regional plan, the governing board and the regional planning commission may, jointly or separately, appoint advisory committees to advise and report to the governing board, regional planning commission, director of regional planning or a combination of such entities.

3. The governing board and the regional planning commission may, jointly or separately, appoint advisory committees to examine issues that affect the county in which the governing board and regional planning commission are located. The governing board and regional planning commission may appoint persons from outside the county in which the governing board and regional planning commission are located and from outside this State to serve on an advisory committee appointed pursuant to this section. An advisory committee appointed pursuant to this subsection may:

a) Identify, examine and discuss regional issues that affect the county in which the governing board and regional planning commission are located, including, without limitation, issues relating to land use, fiscal matters, air quality and infrastructure; and

b) Make recommendations to the governing board, regional planning commission, or both, concerning regional issues.

(Added to NRS by 1989, 763; A 2001, 757)

NRS 278.0272 Development, review and amendment of regional plan; public hearings required.

1. The regional planning commission shall develop a comprehensive regional plan for the physical development and orderly management of the growth of the region for the next 20 years.

2. The plan must consist of written text, appropriate maps and such goals and policies, including those addressing current and future problems, as may, in the opinion of the commission, affect the region as a whole and are proper for inclusion in the regional plan.

3. In developing the plan, the commission shall:

a) Review and consider each existing regional plan and master plan that has been adopted pursuant to the provisions of this chapter and that applies to any area in the region, and any similar plan of a local government, and may seek and consider the advice of each local planning commission and any other affected entity; and

b) Coordinate the elements of the plan and make them consistent with each other.

4. Before approving the plan, the commission must hold a public hearing on the proposed plan in each of the cities within the region and in the unincorporated area of the county.

5. Before amending the plan, the commission must hold at least one public hearing on the proposed amendment at a location in the region.

6. The approval of the plan or any amendment to it must be by resolution of the commission carried by the affirmative votes of not less than two-thirds of its total membership.

7. The regional planning commission shall review the plan annually, update it not less than every 5 years, and forward its recommendations regarding proposed amendments to the plan to the governing board for adoption. Amendments to the comprehensive regional plan may be proposed only by the regional planning commission, the governing board or a local governing body. Except as otherwise provided in subsection 8, all requests for amendments to the plan must be studied and considered at public hearings held annually by the commission.

8. The commission may consider a proposed amendment and determine whether it is necessary to the health and welfare of the community or substantially benefits the community in general. If the commission determines that the amendment is necessary, it may schedule a public hearing on the amendment at any time. Any person may appeal the determination of the commission to the governing board.

9. Except as otherwise provided in this subsection, notice of the time and place of each hearing required by the provisions of this section must be given by publication in a newspaper of general circulation in the region at least 10 days before the day of the hearing. If there is more than one newspaper of general circulation in the region, notice must be given by publication in at least two such newspapers. Notice of the time and place of the initial meeting of the regional planning commission and the hearing at which the commission receives testimony concerning final approval of the comprehensive regional plan must be given by publication at least 30 days before the day of the meeting or hearing. Notice given pursuant to this subsection must be a display advertisement of not less than 3 inches by 5 inches.

(Added to NRS by 1989, 761)

NRS 278.0274 Contents of regional plan. The comprehensive regional plan must include goals, policies, maps and other documents relating to:

1. Population, including a projection of population growth in the region and the resources that will be necessary to support that population.

2. Conservation, including policies relating to the use and protection of air, land, water and other natural resources, ambient air quality, natural recharge areas, floodplains and wetlands, and a map showing the areas that are best suited for development based on those policies.

3. The limitation of the premature expansion of development into undeveloped areas, preservation of neighborhoods, including, without limitation, historic neighborhoods, and revitalization of urban areas, including, without limitation, policies that relate to the interspersions of new housing and businesses in established neighborhoods and set forth principles by which growth will be directed to older urban areas.

4. Land use and transportation, including the classification of future land uses by density or intensity of development based upon the projected necessity and availability of public facilities, including, without limitation, schools, and services and natural resources, and the compatibility of development in one area with that of other areas in the region. This portion of the plan must:

a) Address, if applicable:

1) Mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts; and

2) The coordination and compatibility of land uses with each military installation in the region, taking into account the location, purpose and stated mission of the military installation;

b) Allow for a variety of uses;

c) Describe the transportation facilities that will be necessary to satisfy the requirements created by those future uses; and

d) Be based upon the policies and map relating to conservation that are developed pursuant to subsection 2, surveys, studies and data relating to the area, the amount of land required to accommodate planned growth, the population of the area projected pursuant to subsection 1, and the characteristics of undeveloped land in the area.

5. Public facilities and services, including provisions relating to sanitary sewer facilities, solid waste, flood control, potable water and groundwater aquifer recharge which are correlated with principles and guidelines for future land uses, and which specify ways to satisfy the requirements created by those future uses. This portion of the plan must:

a) Describe the problems and needs of the area relating to public facilities and services and the general facilities that will be required for their solution and satisfaction;

b) Identify the providers of public services within the region and the area within which each must serve, including service territories set by the Public Utilities Commission of Nevada for public utilities;

c) Establish the time within which those public facilities and services necessary to support the development relating to land use and transportation must be made available to satisfy the requirements created by that development; and

d) Contain a summary prepared by the regional planning commission regarding the plans for capital improvements that:

1) Are required to be prepared by each local government in the region pursuant to NRS 278.0226; and

2) May be prepared by the water planning commission of the county, the regional transportation commission and the county school district.

6. Annexation, including the identification of spheres of influence for each unit of local government, improvement district or other service district and specifying standards and policies for changing the boundaries of a sphere of influence and procedures for the review of development within each sphere of influence. As used in this subsection, "sphere of influence" means an area into which a political subdivision may expand in the foreseeable future.

7. Intergovernmental coordination, including the establishment of guidelines for determining whether local master plans and facilities plans conform with the comprehensive regional plan.
8. Any utility project required to be reported pursuant to NRS 278.145.
(Added to NRS by 1989, 762; A 1991, 953; 1997, 1982; 1999, 2126; 2005, 1587; 2007, 340; 2009, 2759)

NRS 278.0276 Adoption of regional plan. The governing board shall adopt the plan approved by the regional planning commission with any amendments it deems necessary. Before adopting the plan with any amendments the board shall submit each proposed amendment to the regional planning commission for its review and comment. The commission shall complete its review and return the plan to the governing board within 30 days or as specified by the board. Within 30 days after its receipt of the commission's comments, the governing board shall consider those comments and adopt the plan with or without amendment. The adoption of the plan or any amendment must be by resolution of the governing board carried by a simple majority of its total membership. Before the adoption of the plan or any amendment, the governing board must hold a public hearing, notice of the time and place of which must be given by publication in a newspaper of general circulation in the region not later than 10 days before the day of the hearing.

(Added to NRS by 1989, 763)

NRS 278.0277 Project of regional significance: Adoption of guidelines and procedures for review of proposal. The regional planning commission shall adopt guidelines and procedures for the review of whether a proposal for the use of land submitted to a county or city located in the region is a project of regional significance. The county or city shall use the guidelines and procedures adopted by the regional planning commission to determine if a proposal for the use of land is a project of regional significance.

(Added to NRS by 1991, 1731)

NRS 278.0278 Project of regional significance: Finding of conformance with adopted regional plan required before final approval and commencement of construction; appeal of determination to governing board.

1. Before a project of regional significance is approved finally by the county or city and before construction on a project of regional significance may begin, the regional planning commission must make a finding that the project is in conformance with the adopted regional plan. In making its determination, the commission shall limit its review to the substance and content of the adopted comprehensive regional plan and shall not consider the merits or deficiencies of a project in a manner other than is necessary to enable it to make that determination.

2. If the commission fails to make any finding regarding a project of regional significance within 60 days after the project is submitted to it, it shall be deemed that the commission has made a finding that the project conforms with the regional plan.

3. If the commission determines that the project is not in conformance with the regional plan, the determination may be appealed to the governing board within 45 days after the determination is made. The governing board shall consider the appeal and may reverse the determination of the commission or recommend that the county or city take actions to make the proposal consistent with the comprehensive regional plan. The county or city shall, within 45 days after receipt, consider any such recommendations and direct such changes in the project as are necessary to assure the consistency of the proposal with the adopted regional plan.

4. The limits on time imposed in subsection 2 of NRS 278.315, subsection 5 of NRS 278.330 and subsection 2 of NRS 278.349 are extended by 60 days or such period as may be necessary to complete the review and any appeal provided for in this section.

(Added to NRS by 1989, 764; A 1991, 1735)

NRS 278.02784 Joint planning area: Designation in regional plan; master plan required for area.

1. The regional planning commission may designate one or more joint planning areas in the comprehensive regional plan.
 2. If an area is designated a joint planning area, the county and the affected cities shall jointly adopt a master plan for the area.
 3. The master plan for a joint planning area must:
 - a) Be consistent with the comprehensive regional plan;
 - b) Designate the portion of the area, if any, that is included within the sphere of influence of a city;
 - c) Designate the portion of the area, if any, that is subject to the jurisdiction of the county for planning and zoning and development decisions; and
 - d) Be submitted to the regional planning commission for review pursuant to NRS 278.028.
- (Added to NRS by 1991, 1731)

NRS 278.02786 Joint planning area: Procedure for recommendation and adoption of master plan.

1. Before recommending the master plan for a joint planning area, each affected local planning commission shall jointly hold at least one public hearing thereon. Notice of the time and place of the hearing must be given by at least one publication in a newspaper of general circulation in the county at least 10 days before the day of the hearing.
 2. The recommendation of the master plan for a joint planning area must be by resolution of each affected local planning commission in the joint planning area carried by the affirmative votes of not less than two-thirds of the total membership of each commission. The resolution must refer expressly to the maps, descriptive matter and other matter intended by the county planning commission and the planning commission of each city in the joint planning area to constitute the recommended master plan for the joint planning area.
 3. The master plan for the joint planning area that is recommended by the affected local planning commissions must be considered for adoption by each affected local governing body.
 4. The affected local governing bodies may adopt such parts thereof as may practicably be applied to the development of the joint planning area. The master plan for the joint planning area becomes effective upon the approval by a majority of the membership of each affected local governing body.
 5. Before adopting the master plan for the joint planning area, or part thereof, the affected local governing bodies shall jointly hold at least one public hearing thereon. Notice of the time and place of the hearing must be published at least once in a newspaper of general circulation in the county at least 10 days before the day of the public hearing.
- (Added to NRS by 1991, 1732)

NRS 278.02788 Adoption of master plan for sphere of influence; appeal of decision concerning use of land within sphere of influence.

1. If a city has a sphere of influence that is designated in the comprehensive regional plan, the city shall adopt a master plan concerning the territory within the sphere of influence. The master plan and any ordinance required by the master plan must be consistent with the comprehensive regional plan. After adoption and certification of a master plan concerning the territory within the sphere of influence and after adopting the ordinances required by the master plan, if any, the city may exercise any power conferred pursuant to NRS 278.010 to 278.630, inclusive, within its sphere of influence.

2. If the comprehensive regional plan designates that all or part of the sphere of influence of a city is a joint planning area, the master plan and any ordinance adopted by the city pursuant to subsection 1 must be consistent with the master plan that is adopted for the joint planning area.

3. Before certification of the master plan for the sphere of influence pursuant to NRS 278.028, any action taken by the county pursuant to NRS 278.010 to 278.630, inclusive, within the sphere of influence of a city must be consistent with the comprehensive regional plan.

4. A person, county or city that is represented on the governing board and is aggrieved by a final determination of the county or, after the certification of the master plan for a sphere of influence, is aggrieved by a final determination of the city, concerning zoning, a subdivision map, a parcel map or the use of land within the sphere of influence may appeal the decision to the regional planning commission within 30 days after the determination. A person, county or city that is aggrieved by the determination of the regional planning commission may appeal the decision to the governing board within 30 days after the determination. A person, county or city that is aggrieved by the determination of the governing board may seek judicial review of the decision within 25 days after the determination.

(Added to NRS by 1991, 1731)

NRS 278.028 Review and amendment of existing master plan, facilities plan or other similar plan; objection filed with regional planning commission; appeal of final determination to board.

1. Following the initial adoption of the comprehensive regional plan or any portion of it, each local planning commission, and any other affected entity shall review its respective master plan, facilities plan and other similar plans, amend them to conform with the provisions of the comprehensive regional plan, and submit them, within 60 days after the adoption of the comprehensive plan, to the regional planning commission. The regional planning commission shall review the plans at one or more public hearings held within 180 days after their submission and determine whether they conform with the comprehensive regional plan. The regional planning commission shall specify which parts of the plan, if any, are not in conformance and why they fail to conform.

2. If the regional planning commission fails to make a determination within 180 days after the submission of a plan pursuant to this section, the plan shall be deemed to be in conformance with the comprehensive regional plan.

3. An affected entity or local governing body that has submitted a plan and disagrees with the reasons given by the regional planning commission for making a determination of nonconformance pursuant to this section may file an objection with the regional planning commission within 45 days after the issuance of that determination. The affected entity or local governing body shall attach its reasons why the plan is in conformance with the comprehensive regional plan. The regional planning commission shall consider the objection and issue its final determination of conformance or nonconformance within 45 days after the objection is filed. The determination may be appealed to the governing board not later than 30 days after its issuance.

4. Within 45 days after its receipt of an appeal, the governing board shall consider the appeal and issue its decision. If the board affirms the determination of the commission, the affected entity or local governing body shall, within 60 days after the issuance of the decision, propose revisions to the plan and resubmit the plan together with the proposed revisions to the commission for review in accordance with this section.

(Added to NRS by 1989, 765)

NRS 278.0282 Review of proposed adoption or amendment of master plan, facilities plan or other similar plan; objection filed with regional planning commission; appeal of final determination to board.

1. Before the adoption or amendment of any master plan, facilities plan or other similar plan, each governing body and any other affected entity shall submit the proposed plan or amendment to the regional planning commission, which shall review the plan or amendment at one or more public hearings held within 60 days after its receipt of that plan or amendment and determine whether the proposed plan or amendment conforms with the comprehensive regional plan. The commission shall specify those parts of the plan or amendment, if any, that are not in conformance and why they fail to conform.

2. Before the adoption or amendment of any master plan, facilities plan or other similar plan by a state agency or a public utility whose plan must be approved by the Public Utilities Commission of Nevada, the agency or utility shall submit the proposed plan or amendment to the regional planning commission, which shall, within 60 days after its receipt, review the plan or amendment and offer suggestions to the agency or utility regarding the conformance of the plan with the comprehensive regional plan.

3. Except as otherwise provided in NRS 278.028, a local governing body or any other affected entity shall not adopt a master plan, facilities plan or other similar plan, or any amendment to any of those plans, unless the regional planning commission has determined that the plan or amendment is in conformance with the comprehensive regional plan. A proposed plan is in conformance with the comprehensive regional plan if it is not in conflict with the comprehensive regional plan and it promotes the goals and policies of the comprehensive regional plan.

4. If the regional planning commission fails to make a determination within 60 days after its receipt from an affected entity or local governing body of a proposed plan or amendment pursuant to this section, the plan or amendment shall be deemed to be in conformance with the comprehensive regional plan.

5. An affected entity or a local governing body which has submitted a proposed plan and which disagrees with the reasons given by the regional planning commission for making a determination of nonconformance pursuant to this section, may file an objection with the regional planning commission within 45 days after the issuance of that determination. The affected entity or local governing body shall attach its reasons why the plan is in conformance with the comprehensive regional plan. The regional planning commission shall consider the objection and issue its final determination of conformance or nonconformance within 45 days after the objection is filed. The determination may be appealed to the governing board not later than 30 days after its issuance.

6. Within 45 days after its receipt of an appeal, the governing board shall consider the appeal and issue its decision, which must be made by the affirmative votes of a simple majority of its total membership. If the board affirms the determination of the commission, the affected entity or local governing body shall, within 60 days after the issuance of the decision, propose revisions to the plan and resubmit the plan together with those proposed revisions to the commission for review in accordance with the provisions of this section.

7. Any determination of conformance made by the commission pursuant to this section must be made by the affirmative votes of not less than two-thirds of its total membership.

(Added to NRS by 1989, 764; A 1997, 1983)

NRS 278.0284 Conformity of local ordinances and regulations to master plan. Any action of a local government relating to development, zoning, the subdivision of land or capital improvements must conform to the master plan of the local government. In adopting any ordinance or regulation relating to development, zoning, the subdivision of land or capital improvements, the local government shall make a specific finding that the ordinance conforms to the master plan. Within 1 year after its adoption of any portion of a master plan, the local government shall review and, if necessary, amend its existing ordinances to ensure their conformity with the provisions of the master plan. If any provision of the master plan is inconsistent with any regulation relating to land development, the provision of the master plan governs any action taken in regard to an application for development.

(Added to NRS by 1989, 766)

NRS 278.0286 Annual report by local planning commission; local government to file information relating to proposed actions concerning regional plan.

1. Each local planning commission responsible for the preparation of a city or county master plan and each affected entity shall prepare and submit to the regional planning commission and the governing board a complete report by April 1 of each year indicating any action taken within the previous calendar year which furthers or assists in carrying out the policies or programs contained in the comprehensive regional plan, and any work relating to the comprehensive regional plan that is proposed for the next fiscal year.

2. Before submitting a recommendation for proposed legislation or beginning any program or project relating to the mandatory provisions of the comprehensive regional plan, a unit of local government or an affected entity shall file all relevant information relating to that request, program or project with the governing board.

(Added to NRS by 1989, 766)

NRS 278.0288 Exempted region. The region defined in NRS 278.790 is exempt from the provisions of NRS 278.026 to 278.029, inclusive, and 278.145.

(Added to NRS by 1989, 766; A 1991, 954)

NRS 278.029 Facilities plan not required. Nothing contained in the provisions of NRS 278.026 to 278.029, inclusive, requires any entity that has not already adopted a facilities plan to do so.

(Added to NRS by 1989, 766)

NRS 268.610 THROUGH 268.670

ANNEXATION BY CITIES IN OTHER COUNTIES

NRS 268.610 Applicability of NRS 268.610 to 268.670, inclusive.

1. The provisions of NRS 268.610 to 268.670, inclusive, apply only to cities located in a county whose population is less than 400,000.

2. The provisions of NRS 268.610 to 268.670, inclusive, except NRS 268.663, do not apply to any city specified in subsection 1 whose charter provides specifically for the creation of an annexation commission to serve the city.

(Added to NRS by 1967, 1619; A 1969, 1538; 1973, 1075; 1977, 675; 1979, 527; 1989, 1914)

NRS 268.612 Definitions. As used in NRS 268.610 to 268.670, inclusive, the words and terms defined in NRS 268.614 to 268.624, inclusive, unless the context otherwise requires, have the meanings ascribed to them in those sections.

(Added to NRS by 1967, 1620; A 1977, 676; 1991, 1737)

NRS 268.614 “City” defined. “City” means an incorporated city.

(Added to NRS by 1967, 1620)

NRS 268.616 “Commission” defined. “Commission” means a city annexation commission or, for the purposes of NRS 268.630 to 268.670, inclusive, in counties where no city annexation commission exists, the board of county commissioners, or in Carson City, the board of supervisors or, in a county which has entered an interlocal agreement pursuant to subsection 2 of NRS 268.626, the regional planning commission.

(Added to NRS by 1967, 1620; A 1969, 325; 1991, 1737)

NRS 268.618 “Contiguous” defined. “Contiguous,” as applied to an area proposed to be annexed in relation to a city, means that not less than 15 percent of the total boundary of such area is conterminous with the boundary of the city.

(Added to NRS by 1967, 1620)

NRS 268.620 “Executive officer” defined. “Executive officer” means:

1. With respect to a city annexation commission, the county manager or like administrative officer of the county.
2. With respect to a city annexation commission in a county that has executed an interlocal agreement pursuant to subsection 2 of NRS 268.626, the director of regional planning.
3. With respect to a board of county commissioners, the county manager or like administrative officer of the county, or the clerk of such board.

(Added to NRS by 1967, 1620;A 1991, 1737)

NRS 268.622 “Majority of the property owners” defined. “Majority of the property owners” in a territory means the owners of real property:

1. Whose combined value is greater than 50 percent of the total value of real property in the territory, as determined by assessment for taxation; and
2. Whose combined area is greater than 50 percent of the total area of the territory excluding lands held by public bodies.

(Added to NRS by 1967, 1620;A 1971, 278)

NRS 268.623 “Sphere of influence” defined. “Sphere of influence” means an area into which a city plans to expand as designated in a comprehensive regional plan adopted pursuant to NRS 278.026 to 278.029, inclusive, within the time designated in the comprehensive regional plan.

(Added to NRS by 1991, 1736)

NRS 268.624 “Value” defined. “Value” means the assessed valuation for purposes of taxation, as established by the most recent tax roll which has been extended by the county auditor.

(Added to NRS by 1967, 1620)

NRS 268.625 Program of annexation: Adoption by certain cities; requirements for adoption; certification by regional planning commission; appeal of adverse determination.

1. A city located in a county whose population is 100,000 or more but less than 400,000 that has adopted a comprehensive regional plan pursuant to NRS 278.026 to 278.029, inclusive, shall adopt a program of annexation. The program must identify areas in any sphere of influence of the city to be considered for annexation within the next 7 years. The city shall not consider the annexation of any area that is not within the designated sphere of influence and is not included in its program of annexation.

2. Before adopting a program of annexation pursuant to subsection 1, the city must hold one or more public hearings. Notice of the time and place of the hearing must be mailed to all owners of real property in the proposed program of annexation. At the public hearing the city shall consider:

- a) The location of property to be considered for annexation;
- b) The logical extension of city limits;
- c) The need for the expansion to accommodate planned regional growth;
- d) The location of existing and planned water and sewer service;
- e) Community goals that would be met by any proposed annexation;
- f) The efficient and cost-effective provision of service areas and capital facilities; and
- g) Any other factors concerning any proposed annexation deemed appropriate for consideration

by the governing body of the city.

3. The city shall submit its program of annexation adopted pursuant to subsection 1 to the regional planning commission and the county in which the city is located for recommendations.

4. The regional planning commission must certify that a program of annexation adopted pursuant to subsection 1 conforms with the comprehensive regional plan before the program is put into effect. The county or the city may appeal an adverse determination of the regional planning commission in the manner provided in subsections 3 and 4 of NRS 278.028.

5. After certification of a program of annexation pursuant to subsection 4, any facilities plan, capital improvement program, development project or location of facilities by a county, a city, an annexation commission, a regional planning commission, the governing board or any other affected entity must be consistent with the certified program of annexation.

(Added to NRS by 1991, 1736)

NRS 268.6255 Requirements for land proposed for annexation by certified program of annexation.

1. The land proposed for annexation by a certified program of annexation must be contiguous to the annexing city unless:

- a) The proposal is a voluntary annexation;
- b) The timing of the proposal is consistent with the certified program of annexation; and
- c) The services and facilities required for the development of the land proposed for annexation

will be provided upon annexation.

2. The annexation of the land must not have the effect of:

- a) Creating an island of 40 acres or less; or
- b) Dividing an individual lot or parcel of land so that only a portion of the lot or parcel is

proposed for annexation.

(Added to NRS by 1991, 1737; A 1999, 904)

NRS 268.626 Annexation commission: Creation in certain counties; number and selection of members; transfer of duties to regional planning commission.

1. There is hereby created, in each county of the State whose population is 100,000 or more and less than 400,000, a city annexation commission which consists of members to be selected as follows:

- a) Two members representing the county, one of whom must be the chair of the board of county commissioners and the other a member of the board to be chosen by the board.
- b) One member representing each city, who must be a member of the governing body to be chosen by the governing body.
- c) If the provisions of paragraphs (a) and (b) result in an even number of members, the Governor shall appoint an additional member who is the chair of the regional planning commission.

2. The governing bodies of a county and each incorporated city in the county may execute an interlocal agreement to transfer the duties of the city annexation commission to the regional planning commission.

(Added to NRS by 1967, 1620; A 1969, 1538; 1979, 527; 1989, 1914; 1991, 1737)

(Added to NRS by 1967, 1620; A 1969, 1538; 1979, 527; 1989, 1914; 1991, 1737)

NRS 268.628 Annexation commission: Members; terms; vacancies; chair; expenses.

1. The first members must be chosen by the respective bodies during the month of May 1967, and serve until the selection and qualification of their successors. Thereafter, members of the commission must be chosen by the respective bodies during the month of January of each odd-numbered year, and serve until the selection and qualification of their successors.

2. Any member who ceases to be a member of the body from which the member was chosen ceases to be a member of the commission. Any vacancy must be filled by the body which made the original choice, for the unexpired term.

3. The chair of the regional planning commission shall serve as chair of the commission. The members of the commission shall elect a vice chair, who presides in the absence of the chair.

4. Commission members shall serve without compensation but must be reimbursed the actual amounts of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their office.

(Added to NRS by 1967, 1620; A 1991, 1738)

NRS 268.630 Annexation commission: Powers and duties. The commission shall have the following powers and duties:

1. To review and approve or disapprove, with or without amendment, wholly, partially or conditionally, proposals for the annexation of territory to cities within the county.

2. To adopt procedures for the evaluation of proposals for the annexation of territory to cities within the county.

(Added to NRS by 1967, 1621)

NRS 268.632 Services of planning commission and county officers. The county or regional planning commission, if any, shall render advisory services to the city annexation commission upon its request. Other county officers, including without limitation the county engineer and the district attorney, shall cooperate with the city annexation commission by furnishing information and staff services within their respective fields.

(Added to NRS by 1967, 1621)

NRS 268.634 Annexation commission: Personnel; professional and consulting services; quarters, equipment and supplies.

1. To the extent that the assistance rendered to the commission under NRS 268.632 is insufficient for its needs, the commission may appoint and assign staff personnel necessary for the performance of its duties and functions and the commission may employ and contract for professional or consulting services to carry out and effect the functions specified in NRS 268.630, 268.638 to 268.652, inclusive, and 268.664.

2. The commission may also incur usual and necessary expenses for the accomplishment of its functions.

3. The board of county commissioners shall furnish the commission with necessary quarters, equipment and supplies, and the usual and necessary operating expenses incurred by the commission shall be a county charge.

(Added to NRS by 1967, 1621)

NRS 268.636 Procedures for initiating annexation or detachment of property. The annexation of territory not included within the boundaries of any city to a city, or the detachment of territory from one city and its annexation to another city, may be initiated by either of the following methods:

1. Whenever a majority of the property owners of any territory lying contiguous to a city desire to annex such territory to the city, they may cause an accurate map or plat of the territory to be made under the supervision of a competent surveyor. A copy of the map or plat, certified by the surveyor, and a petition in writing signed by a majority of the property owners of such territory shall be filed in the office of the clerk of the governing body of such city.

2. Whenever the governing body of any city deems it necessary to annex any contiguous territory to the city, the governing body may adopt a resolution declaring its intention to annex such territory. The resolution shall:

a) Describe the territory to be annexed; and

- b) Order a plat of the territory to be filed in the office of the clerk of the governing body.
(Added to NRS by 1967, 1621)

NRS 268.638 Notice of intention to annex: Contents; filing with commission. Upon the initiation of an annexation by either of the methods provided in NRS 268.636, and within 5 days after the filing of the necessary documents if initiated by property owners, the clerk of the governing body shall file a notice, in duplicate, of intention to annex with the commission. The notice shall contain the specific boundaries of the territory proposed to be annexed.

(Added to NRS by 1967, 1622)

NRS 268.640 Review of proposed annexation by planning commission; findings.

1. Within 5 days after the filing with the commission of a notice to annex, the executive officer of the commission shall transmit one copy of such notice to the county or regional planning commission, if any, having jurisdiction over the area proposed to be annexed. Within 30 days after receiving such copy, the planning commission shall review the proposed annexation in the light of its master plan and of any other information in its possession, and report its findings to the city annexation commission.

2. The commission may also request the advice and shall consider the master plan of any city planning commission whose territory is within 7 miles of the territory proposed to be annexed.

(Added to NRS by 1967, 1622)

NRS 268.642 Public hearing: Date; notice. Following receipt of the copy of the report, if any, of the planning commission and of the notice prescribed by NRS 268.638, the commission shall set the date, time and place for a public hearing on the proposal. The date of the hearing shall not be more than 60 days following receipt by the commission of such notice. The commission shall notify the governing body of each city within 7 miles of the exterior boundaries of the territory proposed to be annexed, any interested person who has filed a written request with the executive officer of the commission for such notice, and the proponents of the annexation, of the date, time and place of the public hearing at least 15 days prior to the date fixed for the hearing.

(Added to NRS by 1967, 1622)

NRS 268.644 Scope of public hearing; regulations. At the hearing, the commission shall hear only interested persons who have made formal request to appear and be heard, and the report of the commission's staff. The commission and its presiding officer shall have the power to make and enforce such rules and regulations as will provide for orderly and fair conduct of the hearings. The statements of interested persons shall be confined to the criteria listed in NRS 268.646.

(Added to NRS by 1967, 1622)

NRS 268.646 Factors to be considered in review of proposed annexation. Factors that must be considered in the review of an annexation proposal include, but are not limited to:

1. Population, population density, land area and land uses, per capita assessed valuation, topography, including natural boundaries and drainage basins, proximity to other populated areas, and the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next 10 years.

2. The need for organized community services, the present cost and adequacy of governmental services and controls in the area, probable future needs for such services and controls, and the probable effect of the proposed formation and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

3. The effect of the proposed annexation and of alternative actions on adjacent areas, on mutual social and economic interests and on the local governmental structure of the county.

4. The effect of the proposed annexation and of alternative actions upon the availability and requirement of water and other natural resources throughout the affected area.

5. Any determination by the Bureau of Land Management that the territory proposed to be annexed is suitable for residential, commercial or industrial development, or will be opened to private acquisition.

6. The consistency of the annexation proposal with any applicable comprehensive regional plan, area plan or master plan and any program of annexation adopted and certified pursuant to NRS 268.625.

(Added to NRS by 1967, 1622;A 1991, 1738)

NRS 268.648 Commission's determination following hearing; adjournments.

1. Upon conclusion of the hearing, the commission may take the matter under consideration and shall, within 30 days following conclusion of the hearing, present its determination. The commission may also adjourn a hearing from time to time, but not to exceed a total of 30 days.

2. A commission in any county that is subject to the provisions of NRS 278.026 to 278.029, inclusive, shall:

a) Disapprove a proposal for annexation that is determined by the regional planning commission to be inconsistent with the comprehensive regional plan or with a program of annexation that is adopted and certified pursuant to NRS 268.625.

b) Approve a proposal for annexation that is consistent with the comprehensive regional plan and a program of annexation that is adopted and certified pursuant to NRS 268.625.

3. If the commission approves the annexation, proceedings therefor may be continued as provided in NRS 268.610 to 268.670, inclusive. Except as otherwise provided in this subsection, if the commission disapproves the proposed annexation, further proceedings to annex the territory to the city must terminate. If a county and affected cities have executed an interlocal agreement to transfer the duties of the annexation commission of the city to the regional planning commission, a county or city may appeal a determination of the regional planning commission in accordance with NRS 278.028. If the commission approves the proposed annexation with modifications or conditions, further proceedings for the annexation may be continued only in compliance with such modifications or conditions.

(Added to NRS by 1967, 1623;A 1977, 676; 1991, 1739)

NRS 268.650 Disapproval of annexation: No subsequent notice of intention to annex may be filed within 1 year. If the annexation of territory to a city is not approved, a notice of intention to annex the same or substantially the same territory to that city must not be filed with the commission for at least 1 year after the date of disapproval.

(Added to NRS by 1967, 1623;A 1991, 1739)

NRS 268.652 Notice of commission's action to be given by executive officer to clerk of governing body of city; findings. Notice of the action taken by the commission shall be given by the executive officer to the clerk of the governing body of the city to which the annexation is pending, within 5 days from the date of such action, and shall be accompanied by the findings of fact upon which such action is based.

(Added to NRS by 1967, 1623)

NRS 268.654 Publication of petition or resolution of intention to annex after commission's approval; mailing of copies to owners of real property in territory proposed to be annexed.

1. Upon receipt of a notice of approval from the commission, the clerk of the governing body shall cause a copy of the petition or resolution of intent to annex, and of any modifications or conditions imposed by the commission, to be published in a newspaper of general circulation in the territory proposed to be annexed, or, if there is none, in a newspaper of general circulation published in the county. If no such newspapers are published, a copy of the petition or resolution shall be posted at the front door of the city hall or county courthouse and in at least two conspicuous places in the territory proposed to be annexed, for not less than 20 days before the next regular meeting of the governing body and before there is a vote by the governing body upon the question of annexation.

2. Publication of the petition or resolution pursuant to this section shall be for at least 20 days. Three publications in a newspaper published once a week or oftener are sufficient, but the first and last publications shall be at least 6 days apart. The period of notice commences upon the first day of publication and terminates either upon the day of the third publication or at the end of the 20th day, including therein the first day, whichever period is longer. At the time the first publication is made, the clerk of the governing body shall send a copy of such petition or resolution by certified mail, return receipt requested, to each owner of real property in the territory proposed to be annexed.

3. Included with the petition or resolution in the notice as published or posted and mailed shall be a list of all property owners of record in the territory proposed to be annexed.

(Added to NRS by 1967, 1623)

NRS 268.656 Protests to proposed annexation by owners of real property.

1. Any owner of real property in the territory proposed to be annexed may file a written protest to such annexation during the 20-day notice period and may appear and be heard prior to any vote of the governing body on the annexation.

2. Such protest may relate to a part only of such territory and when so relating shall be granted for any good cause shown, including without limitation the inability of the annexing city to provide appropriate governmental services within a reasonable time to such part.

(Added to NRS by 1967, 1624)

NRS 268.658 Hearing; consideration of protests; annexation effected.

1. The governing body, at the next regular meeting after the 20-day notice period or if there is no such regular meeting at a special meeting called for such purpose within 30 days after the expiration of such period, shall hear any property owner who has filed a written protest as provided in NRS 268.656, and who desires to be heard. After hearing and considering such protests the governing body shall vote upon the question of such annexation. If a majority of all the members vote for such annexation an ordinance shall be enacted or other appropriate legal action taken declaring the annexation of the territory and the extension of the limits of the city accordingly.

2. Any person who desires his or her protest to be considered for the purposes of NRS 268.660 shall state his or her name to the clerk of the governing body.

(Added to NRS by 1967, 1624)

NRS 268.660 Denial of annexation; annexation over protest; exclusion of lands owned by public body.

1. Except as provided in subsection 2, the annexation must be denied if protests are made, either in writing as provided in NRS 268.656 or at the public hearing, by:

a) A majority in number of the real property owners of the territory proposed to be annexed;

or

- b) The owners of real property whose combined value is greater than 50 percent of the total value of real property in the territory proposed to be annexed, as determined by assessment for taxation.
- 2. Annexation of territory to a city may be approved over any protest if:
 - a) The territory proposed to be annexed is entirely surrounded by such city and:
 - 1) Does not exceed 40 acres in area; or
 - 2) Is subdivided for residential, commercial or industrial purposes;
 - b) Provision of municipal services, including without limitation water, sewerage, police protection and fire protection, to the territory proposed to be annexed is necessary to the public health, safety, convenience or welfare; and
 - c) The city to which annexation is proposed is or within a reasonable time will be able to supply the municipal services so required.
- 3. In a county that is subject to the provisions of NRS 278.026 to 278.029, inclusive, if an annexation is denied because of:
 - a) A protest made pursuant to subsection 1, the regional planning commission shall review the program of annexation and the comprehensive regional plan and shall:
 - 1) Place the territory removed from the program of annexation in a category in the comprehensive regional plan that is not scheduled to receive public facilities or public services for the duration of the annexation program;
 - 2) Place the territory removed from the program of annexation, with the consent of the governing body of the county and the governing body of the affected city, in a category in the comprehensive regional plan that is scheduled to receive public facilities and public services from the county; or
 - 3) Retain the territory within the program of annexation. This subparagraph does not preclude a subsequent proceeding with respect to all or part of that territory if the proceeding is commenced more than 1 year after the public hearing.
 - b) A failure of the city to put into effect the program of annexation, the regional planning commission may direct that the territory be placed in a category in the comprehensive regional plan that allows the county to provide services to the territory.
- 4. A public body may exclude its own lands from annexation if they are held for purposes other than highways.

(Added to NRS by 1967, 1624; A 1971, 278; 1991, 1740)

NRS 268.662 Determination of number and identity of owners of real property; sufficiency of petitions and protests.

1. Whenever it is necessary for the purposes of NRS 268.610 to 268.670, inclusive, to determine the number or identity of the owners of real property in a territory proposed to be annexed, a list of such owners, certified by the county assessor on any date between the initiation as provided in NRS 268.636 and the hearing as provided in NRS 268.658, both dates inclusive, shall be prima facie evidence that only those persons named thereon are such owners.

2. A petition or protest is sufficient for the purposes of NRS 268.610 to 268.670, inclusive, as to any parcel of real property:

- a) Which is owned by more than one natural person, if it is signed by a majority of the owners.
- b) Which is owned by an artificial person, if it is signed by any authorized agent.

(Added to NRS by 1967, 1624)

NRS 268.663 Inclusion of county road, state highway or railroad in annexed territory.

When a city annexes territory which is not included within its existing boundaries, the territory annexed includes the following:

1. If the annexed territory abuts upon one side of a county road, state highway or railroad and the territory which abuts upon the opposite side of the road, highway or railroad is not within the boundaries of the annexing city, the annexed territory extends to the middle of the road, highway or railroad. The governing body of a city may, at the request of the board of county commissioners of the county in which the city is located, annex the remaining portion of the road, highway or railroad, and that portion of any county road which is then included in the annexed territory becomes a city street.

2. If the annexed territory abuts upon a county road, state highway or railroad on both sides of the road, highway or railroad, or if the annexed territory abuts upon one side of a county road, state highway or railroad and the territory which abuts upon the opposite side of the road, highway or railroad is within the existing boundaries of the annexing city, the annexed territory includes the portion of road, highway or railroad so abutted on both sides, and the portion of the county road which is included in the annexed territory becomes a city street.

3. If the annexed territory is a subdivision, the portions of the county roads which provide the primary access to the subdivision are also annexed and become city streets.

(Added to NRS by 1977, 675; A 1985, 360)

NRS 268.664 Proceedings for detachment of territory from city.

1. The governing body shall have power by ordinance or other appropriate legal action taken to diminish, reduce and contract the established limits or boundaries of the city and to detach and sever from the city any area or territory within such limits, in the following manner:

a) The governing body, of its own motion or upon petition in writing signed by a majority of the property owners within the area proposed or sought to be detached, shall cause to be prepared and filed with its clerk an accurate map or plat, made and certified by a competent surveyor, showing the area proposed or sought to be detached and the boundaries contemplated to be diminished or contracted.

b) Two copies of such plat, with a brief statement in duplicate of the reasons for the proposed action, shall then be filed with the commission, which shall review the proposal and act upon it in the manner provided by NRS 268.638 to 268.652, inclusive.

c) The governing body shall then cause to be published in a newspaper in the city for not less than 1 week a notice of its intention to consider an act upon the matter of the proposed change in the boundaries, briefly describing such change and referring to the map on file, and fixing a time when the governing body will meet and consider objections or protests against the proposed change.

d) At the time fixed, unless there is presented and filed written objections or protests against such change, signed by a majority of the property owners within the area proposed or sought to be detached, the governing body may take favorable action upon the matter, and may by ordinance or other appropriate legal action taken declare the area under consideration severed and detached from the city, and the boundaries diminished or contracted as proposed.

e) A copy of the map mentioned in paragraph (a), certified by the surveyor and by the clerk, with a certified copy of the ordinance or action as passed, approved and published, shall be at once filed with the county recorder of the proper county and upon such filing the change in boundaries shall be deemed complete and the area detached.

2. Where any territory is detached from a city as provided in this section, provision shall be made for such proportion of any outstanding general obligations of such city as the assessed valuation of property in the territory bears to the total assessed valuation of property in such city and for such proportion of any obligations secured by the pledge of revenues from a public improvement as the revenue arising within the territory bears to the total revenue from such improvement as follows:

a) If the territory is annexed to another city, such proportionate obligation shall be assumed according to its terms by the annexing city.

b) If the territory is not so annexed, taxes shall be levied by the board of county commissioners upon all taxable property in the district, sufficient to discharge such proportionate general obligation according to its terms.

c) In lieu of either method provided in paragraphs (a) and (b), where substantially all of the physical improvements for which the obligation was incurred are within the territory remaining, and with the consent of the governing body of the city from which such territory is detached and of the holders of such obligations, the entire obligation may be assumed by such city and the detached territory released therefrom.

(Added to NRS by 1967, 1625)

NRS 268.666 Boundaries of city not to be changed within 90 days before election; exception.

1. Except as otherwise provided in this subsection, a change in the boundaries of a city, including, without limitation, a change in the boundaries of a city resulting from an annexation, must not become effective within the 90 days immediately preceding an election at which officers are chosen for the city or issues are determined for the city. If the area that is being added to or removed from the boundaries of a city consists entirely of vacant land, the change in the boundaries of the city may become effective within the 90 days immediately preceding such an election.

2. As used in this section, "vacant land" means land that:

- a) Has not been developed for any purpose; and
- b) Is not used as a residence by any person.

(Added to NRS by 1967, 1626; A 2001, 548)

NRS 268.668 Order of district court staying proceeding for annexation or detachment; annulment of annexation. At any stage of an annexation or detachment proceeding, or within 90 days from the date of its completion as provided in NRS 268.658 or 268.664, any person or city claiming to be adversely affected by such proceeding may apply to the district court having jurisdiction of the territory proposed to be annexed for an order staying such proceeding or annulling such completed action. The court may accord such application precedence over any civil business not involving the public interest. In hearing and deciding on such application, the court shall consider any evidence or statements introduced at any administrative or legislative hearing and any evidence which it finds to have been arbitrarily or capriciously excluded. If the court finds that any of the steps required by NRS 268.610 to 268.670, inclusive, have not been duly taken or that any officer or body has abused its discretion in taking any action, the court shall make such temporary or final order in the premises as the ends of justice may require.

(Added to NRS by 1967, 1626)

NRS 268.670 Annexation of contiguous territory owned by city or upon petition of all owners of real property: Alternative procedures.

1. As an alternative to the procedures for initiation of annexation proceedings set forth in NRS 268.610 to 268.668, inclusive, the governing body of a city may, subject to the provisions of NRS 268.663 and after notifying the board of county commissioners of the county in which the city lies of its intention, annex:

- a) Contiguous territory owned in fee by the city.
- b) Other contiguous territory if 100 percent of the owners of record of individual lots or parcels of land within such area sign a petition requesting the governing body to annex such area to the city. If such petition is received and accepted by the governing body, the governing body may proceed to adopt an ordinance annexing such area and to take such other action as is necessary and appropriate to accomplish such annexation.

2. For the purposes of this section, “contiguous” means either abutting directly on the boundary of the annexing municipality or separated from the boundary thereof by a street, alley, public right-of-way, creek, river or the right-of-way of a railroad or other public service corporation, or by lands owned by the annexing municipality, by some other political subdivision of the State or by the State of Nevada.

(Added to NRS by 1967, 1626; A 1969, 642; 1975, 537; 1977, 676)

NRS CHAPTER 376A

TAXES FOR DEVELOPMENT OF OPEN-SPACE LAND

NRS 376A.010 Definitions. As used in this chapter, unless the context otherwise requires:

1. “Open-space land” means land that is undeveloped natural landscape, including, but not limited to, ridges, stream corridors, natural shoreline, scenic areas, viewsheds, agricultural or other land devoted exclusively to open-space use and easements devoted to open-space use that are owned, controlled or leased by public or nonprofit agencies.

2. “Open-space plan” means the plan adopted by the board of county commissioners of a county to provide for the acquisition, development and use of open-space land.

3. “Open-space use” includes:

- a) The preservation of land to conserve and enhance natural or scenic resources;
- b) The protection of streams and stream environment zones, watersheds, viewsheds, natural vegetation and wildlife habitat areas;
- c) The maintenance of natural and artificially created features that control floods, other than dams;
- d) The preservation of natural resources and sites that are designated as historic by the Office of Historic Preservation of the Department of Cultural Affairs; and
- e) The development of recreational sites.

(Added to NRS by 1991, 2048; A 1993, 1579; 2001, 940)

NRS 376A.020 Adoption of open-space plan in certain counties. [Effective through September 30, 2029.]

1. The board of county commissioners of a county whose population is less than 400,000 may adopt an open-space plan. If an open-space plan is adopted, the plan must provide for:

- a) The development and use of open-space land for a period of 20 years;
- b) The financing for the acquisition of open-space land; and
- c) The maintenance of open-space land acquired pursuant to the open-space plan and the maintenance of any existing open-space land in the county.

2. Before the board of county commissioners adopts the open-space plan, the open-space plan must be found by the governing board for regional planning to be in conformance with the comprehensive regional plan adopted pursuant to NRS 278.0282.

3. Before the open-space plan is adopted, the board of county commissioners shall:

- a) Send a copy of the open-space plan to the city council of each incorporated city within the county and request that the city council review and comment on the open-space plan within 60 days after receipt of the open-space plan; and
- b) Consider and respond to any comments provided by a city council that are received by the board of county commissioners within 90 days after sending the open-space plan to the city council.

(Added to NRS by 1991, 2048; A 1999, 2130)

NRS 376A.020 Adoption of open-space plan in certain counties. [Effective October 1, 2029.]

1. The board of county commissioners of a county whose population is more than 100,000 but less than 400,000, may adopt an open-space plan. If an open-space plan is adopted, the plan must provide for:
 - a) The development and use of open-space land for a period of 20 years;
 - b) The financing for the acquisition of open-space land; and
 - c) The maintenance of open-space land acquired pursuant to the open-space plan and the maintenance of any existing open-space land in the county.
2. Before the board of county commissioners adopts the open-space plan, the open-space plan must be found by the governing board for regional planning to be in conformance with the comprehensive regional plan adopted pursuant to NRS 278.0282.
3. Before the open-space plan is adopted, the board of county commissioners shall:
 - a) Send a copy of the open-space plan to the city council of each incorporated city within the county and request that the city council review and comment on the open-space plan within 60 days after receipt of the open-space plan; and
 - b) Consider and respond to any comments provided by a city council that are received by the board of county commissioners within 90 days after sending the open-space plan to the city council.

(Added to NRS by 1991, 2048; A 1999, 2130, effective October 1, 2029)

NRS 376A.030 Authority of board of county commissioners following adoption of open-space plan.

1. If an open-space plan is adopted pursuant to NRS 376A.020, the board of county commissioners may:
 - a) Operate, manage, improve and maintain as open space land, any land to which the county holds title, or to which a city within the county holds title if the governing body of the city so requests; and
 - b) Acquire by purchase, contracts of purchase which extend beyond their respective terms of office, by gift, or by any other manner, parcels of land, rights in land or water rights in connection therewith for open-space use in accordance with the open-space plan.
2. For the purpose of this section, title is held by the county or the city if the county or the city has the right to acquire a clear title by discharging a fixed encumbrance, whether created by contract, mortgage or deed of trust.

(Added to NRS by 1991, 2049)

NRS 376A.035 Special election for NRS 376A.040, 376A.050 and 376A.070 only upon determination by board of county commissioners that emergency exists.

1. For the purposes of NRS 376A.040, 376A.050 and 376A.070, a special election may be held only if the board of county commissioners determines, by a unanimous vote, that an emergency exists.
2. The determination made by the board is conclusive unless it is shown that the board acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the board must be commenced within 15 days after the board'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 board to prevent or mitigate a substantial financial loss to the county or to enable the board to provide an essential service to the residents of the county.

(Added to NRS by 1993, 1072)

NRS 376A.040 Imposition, payment and distribution of sales and use tax in certain counties; use of proceeds. [Effective through September 30, 2029.]

1. In addition to all other taxes imposed on the revenues from retail sales, a board of county commissioners of a county whose population is less than 400,000 may by ordinance, but not as in a case of emergency, impose a tax at the rate of up to one-quarter of 1 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed, in the county, after receiving the approval of a majority of the registered voters of the county voting on the question at a primary, general or special election. The question may be combined with questions submitted pursuant to NRS 376A.050 or 376A.070, or both.

2. If a county imposes a sales tax pursuant to this section and NRS 376A.050, the combined additional sales tax must not exceed one-quarter of 1 percent. A tax imposed pursuant to this section applies throughout the county, including incorporated cities in the county.

3. Before the election may occur, an open-space plan must be adopted by the board of county commissioners pursuant to NRS 376A.020 and the adopted open-space plan must be endorsed by resolution by the city council of each incorporated city within the county.

4. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid pursuant to this section must be paid to the Department of Taxation in the form of remittances payable to the Department of Taxation. The Department of Taxation shall deposit the payments with the State Treasurer for credit to the Sales and Use Tax Account in the State General Fund.

5. The State Controller, acting upon the collection data furnished by the Department of Taxation, shall monthly:

a) Transfer from the Sales and Use Tax Account 1.75 percent of all fees, taxes, interest and penalties collected during the preceding month to the appropriate account in the State General Fund as compensation to the State for the cost of collecting the tax.

b) Determine for each county an amount of money equal to any fees, taxes, interest and penalties collected in or for that county pursuant to this section during the preceding month, less the amount transferred to the State General Fund pursuant to paragraph (a).

c) Transfer the amount determined for each county to the Intergovernmental Fund and remit the money to the county treasurer.

6. The money received from the tax imposed pursuant to subsection 5 must be retained by the county, or remitted to a city or general improvement district in the county. The money received by a county, city or general improvement district pursuant to this section must only be used to pay the cost of:

a) The acquisition of land in fee simple for development and use as open-space land;

b) The acquisition of the development rights of land identified as open-space land;

c) The creation of a trust fund for the acquisition of land or development rights of land pursuant to paragraphs (a) and (b);

d) The principal and interest on notes, bonds or other obligations issued by the county, city or general improvement district for the acquisition of land or development rights of land pursuant to paragraphs (a) and (b); or

e) Any combination of the uses set forth in paragraphs (a) to (d), inclusive.

7. The money received from the tax imposed pursuant to this section and any applicable penalty or interest must not be used for any neighborhood or community park or facility.

8. Any money used for the purposes described in this section must be used in a manner:

a) That is consistent with the provisions of the open-space plan adopted pursuant to NRS 376A.020; and

b) That provides an equitable allocation of the money among the county and the incorporated cities within the county.

(Added to NRS by 1991, 2049; A 1993, 1072; 1999, 2130; 2003, 20th Special Session, 179; 2009,

2087)

NRS 376A.040 Imposition, payment and distribution of sales and use tax in certain counties; use of proceeds. [Effective October 1, 2029.]

1. In addition to all other taxes imposed on the revenues from retail sales, a board of county commissioners of a county whose population is 100,000 or more but less than 400,000, may by ordinance, but not as in a case of emergency, impose a tax at the rate of up to one-quarter of 1 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed, in the county, after receiving the approval of a majority of the registered voters of the county voting on the question at a primary, general or special election. The question may be combined with questions submitted pursuant to NRS 376A.050 or 376A.070, or both.

2. If a county imposes a sales tax pursuant to this section and NRS 376A.050, the combined additional sales tax must not exceed one-quarter of 1 percent. A tax imposed pursuant to this section applies throughout the county, including incorporated cities in the county.

3. Before the election may occur, an open-space plan must be adopted by the board of county commissioners pursuant to NRS 376A.020 and the adopted open-space plan must be endorsed by resolution by the city council of each incorporated city within the county.

4. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid pursuant to this section must be paid to the Department of Taxation in the form of remittances payable to the Department of Taxation. The Department of Taxation shall deposit the payments with the State Treasurer for credit to the Sales and Use Tax Account in the State General Fund.

5. The State Controller, acting upon the collection data furnished by the Department of Taxation, shall monthly:

a) Transfer from the Sales and Use Tax Account 1.75 percent of all fees, taxes, interest and penalties collected during the preceding month to the appropriate account in the State General Fund as compensation to the State for the cost of collecting the tax.

b) Determine for each county an amount of money equal to any fees, taxes, interest and penalties collected in or for that county pursuant to this section during the preceding month, less the amount transferred to the State General Fund pursuant to paragraph (a).

c) Transfer the amount determined for each county to the Intergovernmental Fund and remit the money to the county treasurer.

6. The money received from the tax imposed pursuant to subsection 5 must be retained by the county, or remitted to a city or general improvement district in the county. The money received by a county, city or general improvement district pursuant to this section must only be used to pay the cost of:

a) The acquisition of land in fee simple for development and use as open-space land;

b) The acquisition of the development rights of land identified as open-space land;

c) The creation of a trust fund for the acquisition of land or development rights of land pursuant to paragraphs (a) and (b);

d) The principal and interest on notes, bonds or other obligations issued by the county, city or general improvement district for the acquisition of land or development rights of land pursuant to paragraphs (a) and (b); or

e) Any combination of the uses set forth in paragraphs (a) to (d), inclusive.

7. The money received from the tax imposed pursuant to this section and any applicable penalty or interest must not be used for any neighborhood or community park or facility.

8. Any money used for the purposes described in this section must be used in a manner:

a) That is consistent with the provisions of the open-space plan adopted pursuant to NRS 376A.020; and

b) That provides an equitable allocation of the money among the county and the incorporated cities within the county.

(Added to NRS by 1991, 2049; A 1993, 1072; 1999, 2130; 2003, 20th Special Session, 179, 180; 2009, 2087, 2088, effective October 1, 2029)

NRS 376A.050 Imposition, payment and distribution of additional sales and use tax in certain counties. [Effective through September 30, 2029.]

1. Except as otherwise provided in subsection 2, in addition to all other taxes imposed on the revenues from retail sales, a board of county commissioners in each county whose population is less than 400,000 may by ordinance, but not as in a case of emergency, impose a tax at the rate of up to one-quarter of 1 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed, in the county, after receiving the approval of a majority of the registered voters of the county voting on the question at a primary, general or special election. The question may be combined with questions submitted pursuant to NRS 376A.040 or 376A.070, or both.

2. If a county imposes a sales tax pursuant to this section and NRS 376A.040, the combined additional sales tax must not exceed one-quarter of 1 percent. A tax imposed pursuant to this section applies throughout the county, including incorporated cities in the county.

3. Before the election occurs, an open-space plan must be adopted by the board of county commissioners pursuant to NRS 376A.020 and the adopted open-space plan must be endorsed by resolution by the city council of each incorporated city in the county.

4. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid pursuant to this section must be paid to the Department of Taxation in the form of remittances payable to the Department of Taxation. The Department of Taxation shall deposit the payments with the State Treasurer for credit to the Sales and Use Tax Account in the State General Fund.

5. The State Controller, acting upon the collection data furnished by the Department of Taxation, shall monthly:

a) Transfer from the Sales and Use Tax Account 1.75 percent of all fees, taxes, interest and penalties collected during the preceding month to the appropriate account in the State General Fund as compensation to the State for the cost of collecting the tax.

b) Determine for each county an amount of money equal to any fees, taxes, interest and penalties collected in or for that county pursuant to this section during the preceding month, less the amount transferred to the State General Fund pursuant to paragraph (a).

c) Transfer the amount determined for each county to the Intergovernmental Fund and remit the money to the county treasurer.

(Added to NRS by 1991, 2050; A 1993, 1073; 1999, 2132; 2003, 20th Special Session, 181; 2009, 2089)

NRS 376A.050 Imposition, payment and distribution of additional sales and use tax in certain counties. [Effective October 1, 2029.]

1. Except as otherwise provided in subsection 2, in addition to all other taxes imposed on the revenues from retail sales, a board of county commissioners in each county whose population is 100,000 or more but less than 400,000, may by ordinance, but not as in a case of emergency, impose a tax at the rate of up to one-quarter of 1 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed, in the county, after receiving the approval of a majority of the registered voters of the county voting on the question at a primary, general or special election. The question may be combined with questions submitted pursuant to NRS 376A.040 or 376A.070, or both.

2. If a county imposes a sales tax pursuant to this section and NRS 376A.040, the combined additional sales tax must not exceed one-quarter of 1 percent. A tax imposed pursuant to this section applies throughout the county, including incorporated cities in the county.

3. Before the election occurs, an open-space plan must be adopted by the board of county commissioners pursuant to NRS 376A.020 and the adopted open-space plan must be endorsed by resolution by the city council of each incorporated city in the county.

4. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid pursuant to this section must be paid to the Department of Taxation in the form of remittances payable to the Department of Taxation. The Department of Taxation shall deposit the payments with the State Treasurer for credit to the Sales and Use Tax Account in the State General Fund. The State Controller, acting upon the collection data furnished by the Department of Taxation, shall monthly:

a) Transfer from the Sales and Use Tax Account 1.75 percent of all fees, taxes, interest and penalties collected during the preceding month to the appropriate account in the State General Fund as compensation to the State for the cost of collecting the tax.

b) Determine for each county an amount of money equal to any fees, taxes, interest and penalties collected in or for that county pursuant to this section during the preceding month, less the amount transferred to the State General Fund pursuant to paragraph (a).

c) Transfer the amount determined for each county to the Intergovernmental Fund and remit the money to the county treasurer.

(Added to NRS by 1991, 2050; A 1993, 1073; 1999, 2132; 2003, 20th Special Session, 181; 2009, 2089, 2090, effective October 1, 2029)

NRS 376A.060 Mandatory provisions of ordinance imposing sales and use tax. Any ordinance enacted pursuant to NRS 376A.040 or 376A.050 must include:

1. Provisions substantially identical to those contained in chapter 374 of NRS, insofar as applicable.

2. A provision that all amendments to chapter 374 of NRS after the date of enactment of the ordinance, not inconsistent with the chapter, automatically become a part of the ordinance imposing the tax.

3. A provision that specifies the date on which the tax is first imposed or on which any change in the rate of the tax becomes effective, which must be the first day of the first calendar quarter that begins at least 120 days after the effective date of the ordinance.

(Added to NRS by 1991, 2051; A 2003, 2382; 2005, 1778)

NRS 376A.070 Imposition in certain counties of ad valorem tax on property; increase in allowed revenue for county. [Effective through September 30, 2029.]

1. The board of county commissioners in a county whose population is less than 400,000 may levy an ad valorem tax at the rate of up to 1 cent on each \$100 of assessed valuation upon all taxable property in the county after receiving the approval of a majority of the registered voters of the county voting on the question at a primary, general or special election. The question may be combined with questions submitted pursuant to NRS 376A.040 or 376A.050, or both. A tax imposed pursuant to this section applies throughout the county, including incorporated cities in the county.

2. The Department of Taxation shall add an amount equal to the rate of any tax imposed pursuant to this section multiplied by the total assessed valuation of the county to the allowed revenue from taxes ad valorem of the county.

3. Before the tax is imposed, an open-space plan must be adopted by the board of county commissioners pursuant to NRS 376A.020 and the adopted open-space plan must be endorsed by resolution by the city council of each incorporated city within the county.

(Added to NRS by 1991, 2051; A 1993, 1074; 1999, 2132; 2003, 20th Special Session, 182)

NRS 376A.070 Imposition in certain counties of ad valorem tax on property; increase in allowed revenue for county. [Effective October 1, 2029.]

1. The board of county commissioners in a county whose population is 100,000 or more but less than 400,000, may levy an ad valorem tax at the rate of up to 1 cent on each \$100 of assessed valuation upon all taxable property in the county after receiving the approval of a majority of the registered voters of the county voting on the question at a primary, general or special election. The question may be combined with questions submitted pursuant to NRS 376A.040 or 376A.050, or both. A tax imposed pursuant to this section applies throughout the county, including incorporated cities in the county.

2. The Department of Taxation shall add an amount equal to the rate of any tax imposed pursuant to this section multiplied by the total assessed valuation of the county to the allowed revenue from taxes ad valorem of the county.

3. Before the tax is imposed, an open-space plan must be adopted by the board of county commissioners pursuant to NRS 376A.020 and the adopted open-space plan must be endorsed by resolution by the city council of each incorporated city within the county.

(Added to NRS by 1991, 2051; A 1993, 1074; 1999, 2132; 2003, 20th Special Session, 182, effective October 1, 2029)

NRS 376A.080 Use of proceeds of tax imposed pursuant to NRS 376A.050 or 376A.070.

1. The money received from any tax imposed pursuant to NRS 376A.050 or 376A.070 and any applicable penalty or interest must be retained by the county, or remitted to a city or general improvement district in the county, and used as provided in this section.

2. The money received by a county, city or general improvement district pursuant to NRS 376A.050 and 376A.070 must only be used to pay the cost of:

a) Planning the acquisition and other administrative acts relating to the acquisition of open-space land; and

b) The operation and maintenance of open-space land.

3. The money received from the tax imposed pursuant to NRS 376A.050 and 376A.070 and any applicable penalty or interest must not be used for any neighborhood or community park or facility.

4. Any money used for the purposes described in this section must be used in a manner:

a) That is consistent with the provisions of the open-space plan adopted pursuant to NRS 376A.020; and

b) That provides an equitable allocation of the money among the county and the incorporated cities within the county.

(Added to NRS by 1991, 2051)

CHAPTER 540A

REGIONAL PLANNING AND MANAGEMENT

GENERAL PROVISIONS

NRS 540A.010 Definitions. As used in this chapter, unless the context otherwise requires:

1. "Board" means the board of county commissioners.

2. "Commission" means the Northern Nevada Water Planning Commission created by section 36 of chapter 531, Statutes of Nevada 2007, at page 3293.

3. "Comprehensive plan" or "plan" means the plan developed by a regional water commission created by special act.

4. "Division" means the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

(Added to NRS by 1995, 2648; A 1997, 1342; 2007, 3286)

NRS 540A.020 Applicability of chapter. This chapter applies only to counties whose population is 100,000 or more but less than 400,000.

(Added to NRS by 1995, 2648; A 1997, 656, 1342)

NRS 540A.030 Boundaries of region.

1. In each county to which this chapter applies, except as otherwise provided in subsections 2 and 3, the region within which water is to be managed, and with respect to which plans for its use are to be made, pursuant to this chapter is the entire county except:

a) Any land within the region defined by NRS 277.200, the Tahoe Regional Planning Compact; and

b) Lands located within any Indian reservation or Indian colony which are held in trust by the United States.

2. The board may exclude from the region any land which it determines is unsuitable for inclusion because of its remoteness from the sources of supply managed pursuant to this chapter or because it lies within a separate hydrologic basin neither affecting nor affected by conditions within the remainder of the region.

3. The board may include within the region an area otherwise excluded if it finds that the land requires alleviation of the effect of flooding or drainage of storm waters or another benefit from planning or management performed in the region.

(Added to NRS by 1995, 2649; A 1997, 1342)

ADMINISTRATION BY BOARD OF COUNTY COMMISSIONERS

NRS 540A.040 Super majority required for actions governed by this chapter. An affirmative vote of two-thirds of the members elected to the board is required to take action with respect to any matter governed by this chapter.

(Added to NRS by 1995, 2649; A 1997, 1342)

NRS 540A.050 Grants; contracts; employees; disposition of property. The board may for the purposes of this chapter:

1. Accept grants of money.

2. Enter into contracts, including interlocal agreements, consistent with its authority under this chapter.

3. Employ and fix the compensation of employees and professional advisers.

4. Acquire, hold, lease and dispose of real and personal property inside and outside the region, without limitation, by requirements applicable to a board of county commissioners in its capacity as the governing body of a county.

(Added to NRS by 1995, 2649; A 1997, 1342)

NRS 540A.240 Acquisition and use of water rights and other sources of water in accordance with plan; imposition of charge by board. The board may acquire water rights or other sources of water, within or outside the region, for future use in accordance with the adopted comprehensive plan. Any right or source of water belonging to a local government or governmental agency within the region must be used in accordance with the adopted comprehensive plan. The board may impose a reasonable charge upon a person seeking a commitment from a public utility to provide water, for making water from a source so acquired available for that use.

(Added to NRS by 1995, 2656; A 1997, 1342)

REMEDIATION OF QUALITY OF WATER

NRS 540A.250 Creation of district for remediation; recovery of expenses.

1. The board shall create a district for remediation of the quality of water if the county or district health officer or the Administrator of the Division certifies in writing to the board that a condition exists in an area of the region which is affecting or will affect the quality of water that is available for municipal, industrial or domestic use within the region.

2. Upon receipt of the certificate, the board shall proceed, in cooperation with the health officer and the Division, to verify the existence and extent of the condition and establish the appropriate boundaries of the district. Money expended by the board for this purpose may be recovered, after the district is established, from the proceeds of bonds issued pursuant to NRS 540A.267 or from a fee or tax imposed pursuant to NRS 540A.265.

3. The district created pursuant to this section must include:

a) The area where the condition which requires remediation is determined by the board to be present or for which remediation is determined by the board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out; and

b) If the board determines that the condition which requires remediation affects the quantity or quality of drinking water within the region, the wholesale and retail service area of any provider of water that has used or uses for any portion of its supply wells located in the area described in paragraph (a).

(Added to NRS by 1995, 2657; A 1997, 656, 1335)

NRS 540A.260 Preparation and approval of plan for remediation; duty of board to determine costs of developing and carrying out plan; liability of owner or lessee of property.

1. Before creating a district for remediation pursuant to NRS 540A.250, the board shall prepare a plan for remediation which must be approved by the Division.

2. The plan for remediation may include any action which is reasonable and economically feasible in the event of the release or threat of release of any hazardous substance into the environment which may affect the water quality in this state. Such action may include:

a) Monitoring, assessing and evaluating the water which may be affected by the substance;

b) Removing or disposing of the substance or remedying the condition of the water in any other manner; and

c) Taking such actions as are necessary to prevent, minimize or mitigate damage to the affected water.

3. After the plan for remediation is approved by the Division, the board shall determine, and may from time to time redetermine, the costs of developing and carrying out the plan for remediation. The costs may include all or part of:

a) The cost of acquisition, construction, equipment or other improvement of real and personal property in developing and carrying out the plan for remediation;

b) The cost of engineering and design in connection with developing and carrying out the plan for remediation;

- c) The cost of operation, maintenance, monitoring, administration, collection and other continuing charges in connection with developing and carrying out the plan for remediation;
- d) Any reimbursements as provided in subsection 2 of NRS 540A.250 or NRS 540A.270;
- e) Principal, interest and other charges due in connection with bonds or other borrowing incurred to pay the costs of developing and carrying out the plan for remediation;
- f) The cost of operation, maintenance, administration and other continuing charges in connection with carrying out the responsibilities of the district for remediation, including the cost to notify the general public of the plan for remediation and the activities of the district; and
- g) All other costs and expenses that the board determines are reasonably related to the development and carrying out of the plan for remediation or the financing thereof, or to the activities or responsibilities of the district for remediation.

4. An owner or lessee of property within the district who did not cause or contribute to the condition which the district was created to remedy is not subject to criminal or civil liability, including, without limitation, any liability for the cost of remediation or any related damage or injury caused by the condition, except to the extent of any unpaid assessments levied against the property.

5. No person, governmental agency or charitable organization, whether or not otherwise exempt from assessment or taxation, except the Federal Government, is exempt from an assessment levied pursuant to this section.

(Added to NRS by 1995, 2657; A 1997, 656, 1336)

NRS 540A.262 Prerequisites to determining, expanding or amending boundaries of district for remediation: Hearing; publication of notice of hearing; adoption of ordinance; certain bonds or financial obligations paid in full; territory not required to be contiguous.

1. Before determining the boundaries of a district for remediation, the board shall hold a hearing. It shall cause notice of the hearing to be published at least once not less than 15 days before the hearing in a display advertisement at least 3 by 5 inches in size in a newspaper of general circulation in the county. The notice must contain a description of the boundaries of the district by assessor's parcel number, or by metes and bounds or other legal description, or state that a description of the boundaries of the district is on file at the office of the county clerk for public examination.

2. After the hearing, the board shall make such adjustments to the proposed boundaries of the district as appear to the board to be necessary, but the boundaries may not be expanded to include any property not included in the proposed boundaries of the district described in the notice of hearing or filed with the county clerk unless another hearing is held, after notice given by publication in the manner provided in subsection 1. After the hearing and any adjustment to the boundaries of the district required by this section, the board shall designate the boundaries of the district by ordinance, which may not be adopted as if an emergency existed.

3. The board may from time to time amend the boundaries of the district. Any such amendment must be made by ordinance adopted after a hearing held in the manner provided in subsection 1. Notice of that hearing must be given by publication in the manner provided in subsection 1. The board may not amend the boundaries of the district to exclude any property if bonds have been issued or other financial obligations incurred for the district until those bonds or other financial obligations have been paid in full.

4. The territory of the district established pursuant to subsection 2 and, if applicable, expanded pursuant to subsection 3 need not be contiguous.

(Added to NRS by 1997, 1332)

NRS 540A.265 Determination of annual fee for properties within district for remediation; collection and enforcement of fee; duty of persons who sell water to provide board with list of clients; power of board to impose ad valorem tax on property within district in lieu of annual fee.

1. The board, by ordinance, which may not be adopted as if an emergency existed, may determine and from time to time redetermine the amount of an annual fee, to recover the costs of developing and carrying out the plan for remediation, to be imposed on the properties in the district for remediation. In making the determination, the board may apportion the fee on the basis of improved square footage, zoning, current or previous land use, area or any other factor determined relevant and equitable by the board. If the condition requiring remediation affects the quality or quantity of drinking water within the region, the fee must:

a) Be based upon a percentage of the total amount billed in the preceding calendar year to each parcel or property within the district for water by the provider of retail water service to the parcel or property;

b) Be weighted and adjusted between parcels or properties within the district, if applicable, to reflect varying levels of effect of the contamination, varying levels of value resulting from remediation or other factors deemed relevant by the board;

c) For any parcel or property for which the fee is weighted or adjusted, not be less than one-half or more than twice the percentage established pursuant to paragraph (a); and

d) For parcels or properties within the district where retail water service is not provided or for which a full calendar year's billing is unavailable, be based upon an estimated billing taking into account a partial year's billing extended to 12 months or an average of fees for parcels or properties with comparable zoning or uses.

2. A fee imposed pursuant to subsection 1 must be collected by the county treasurer with the general taxes of the county, and the payment therefor must be enforced in the same manner and with same remedies as are provided for the collection of general taxes.

3. If so requested by the county, all persons who sell water at wholesale or retail within the district shall furnish to the county, within 3 months after a request or at a later time specified by the board, a list identifying by assessor's parcel number each property for use on which water was sold and the amount billed with respect to each parcel for water during the year designated by the board. No charge may be made to the county for furnishing the list.

4. In lieu of the fee authorized by subsection 1, the board may constitute the district for remediation as a special taxing district and impose a general ad valorem tax on all taxable property in the district at a rate sufficient to pay the costs of developing and carrying out the plan for remediation. The board is the governing body of any special taxing district established pursuant to this subsection. The budget of any such special taxing district must be included as part of the budget of the county and its meetings must be held as part of the meetings of the board. Any tax imposed pursuant to this subsection is exempt from the limitations on taxes ad valorem stated in chapter 354 of NRS. No portion of any tax imposed pursuant to this subsection may be allocated to any redevelopment area or tax increment area whose boundaries overlap in whole or in part the district for remediation.

(Added to NRS by 1997, 1333)

NRS 540A.267 Power of board to issue bonds or otherwise become obligated to pay costs of developing and carrying out plan for remediation; bonds or other obligations secured by certain fees or taxes.

1. The board may issue bonds and otherwise borrow money in anticipation of the fees or taxes, or any combination thereof, collected pursuant to NRS 540A.265 to pay the costs of developing and carrying out the plan for remediation, including any of the costs mentioned in subsection 3 of NRS 540A.260.

2. The board may issue those bonds as, or may borrow money evidenced by, special obligations of the county secured solely by those fees or taxes, or any combination thereof, or general obligations of the county, whose payment is additionally secured by those fees or taxes, or any combination thereof.

3. The taxes or fees that are pledged as additional security for those general obligations are pledged revenues for the purposes of subsection 3 of NRS 350.020.

(Added to NRS by 1997, 1334)

NRS 540A.269 Applicability of chapters 332 and 338 of NRS to contract for plan for remediation; county ownership of property on which remediation equipment or improvements are located not required if certain conditions met.

1. Chapters 332 and 338 of NRS do not apply to a contract made by a person to accomplish the purposes of NRS 540A.250 to 540A.285, inclusive, or to a contract made by the county to carry out the plan for remediation with any provider of water service to the district for remediation.

2. The county need not own the property on which any remediation equipment or improvements are located or used, or acquire ownership of any remediation equipment or improvements whose cost is paid from money of the county, including proceeds of bonds issued pursuant to NRS 540A.267, if the board determines there are adequate contractual safeguards to ensure that the equipment or improvements are used to further the plan for remediation.

(Added to NRS by 1997, 1334)

NRS 540A.270 Reimbursement of expenses to identify, study and remedy condition if costs and expenses in conformity with plan; establishment of criteria for reimbursement; reimbursement subject to availability of proceeds from certain bonds, fees or taxes.

1. The board may reimburse a person, governmental agency or public utility for any expenses incurred in identifying, studying and remedying, or attempting in good faith to remedy, the condition before the district is created, or thereafter for costs and expenses that are in conformity with and further the plan for remediation or operation of the district. No reimbursement may be allowed for any expense that any person incurs in connection with disturbing the ground for the construction or improvement of property in the district unless the board determines that the cost or expense is in furtherance of the plan for remediation and is a cost or expense which would have been cost-effective and beneficial to incur to further the plan for remediation.

2. The board may establish criteria for the reimbursement of a person, governmental agency or public utility for expenses pursuant to subsection 1. The criteria must include adequate safeguards so that costs reimbursed include only the actual costs of the activities undertaken as provided in this section. No reimbursement may be provided for any cost incurred after the creation of the district unless before the cost is incurred by the person or entity seeking reimbursement, the amount is approved by the board and the board determines that the cost is in furtherance of the plan for remediation. The board may establish criteria with respect to the amount of reimbursement for particular activities and with respect to the process to be followed in establishing reasonable costs for reimbursement, including, at the board's discretion, any requirement for bidding on any construction or any acquisition of equipment.

3. The reimbursement may be made only if money is available from the proceeds of bonds issued or from fees or taxes imposed pursuant to NRS 540A.250 to 540A.285, inclusive, which are not otherwise required to be expended for other purposes. Those sections do not constitute a requirement that the county make any reimbursements.

(Added to NRS by 1995, 2658; A 1997, 1338)

NRS 540A.280 State Department of Conservation and Natural Resources authorized to recover costs of remediation from person who caused or contributed to condition requiring remediation; priority of distribution of money recovered from responsible person; use of money distributed to board.

1. If, during an investigation to establish the boundary of a district for remediation, development of a plan for remediation or the carrying out of the plan, the board acquires evidence that a person has caused or contributed to the condition requiring remediation, the board shall provide this evidence to the Division for appropriate action. In addition to any other action authorized by statute, the Department may by legal action recover from the person responsible the costs of remediation incurred by the county or district. Any monetary recovery from the person responsible, excluding any money recovered as a penalty, must be distributed and applied in the following order of priority:

a) To the Department to pay the costs of recovery and to offset the costs of remediation incurred by the Department; and

b) To the board to offset the costs of remediation incurred by the county or district.

2. Any recovery distributed to the board must be used to reduce the fee or tax or to defray any increase in the fee or tax that would otherwise be charged against the parcels or properties within the district, as determined by the board.

3. As used in this section, "Department" means the State Department of Conservation and Natural Resources.

(Added to NRS by 1995, 2658; A 1997, 1338)

NRS 540A.285 Determination by board conclusive and incontestable in absence of fraud or gross abuse of discretion; review of determination by district court.

1. A determination by the board pursuant to NRS 540A.250 to 540A.285, inclusive, including a determination of the boundaries of a district for remediation or any expansion thereof, determination of the costs of developing or carrying out a plan for remediation, determination of the apportionment of the fee to recover those costs pursuant to NRS 540A.265, determination of the amount of any fee or tax pursuant to NRS 540A.265, determination as to guidelines for the provision of any reimbursement of the cost of remediation pursuant to NRS 540A.270, determination of the amount of any reimbursements and any determinations made in connection with the issuance of bonds pursuant to NRS 540A.267, is conclusive and incontestable in the absence of fraud or gross abuse of discretion.

2. A property owner or other person who is aggrieved by a determination of the board pursuant to NRS 540A.250 to 540A.285, inclusive, may seek review of the determination in the district court in and for the county within 15 days after the board makes the determination. Such a review may not be sought after the expiration of that period. If, in such an appeal, the court finds that the determination was a result of fraud or gross abuse of discretion, it shall remand the matter to the board for a new determination. If the court does not find the determination was a result of fraud or gross abuse of discretion, it shall uphold the action of the board.

(Added to NRS by 1997, 1334)

CHAPTER 531, STATUTES OF NEVADA 2007

WESTERN REGIONAL WATER COMMISSION ACT

AN ACT relating to water; providing for the regional management and conservation of water resources in certain portions of Washoe County; creating the Western Regional Water Commission; setting forth the powers and duties of the Western Regional Water Commission; creating the Northern Nevada Water Planning Commission to advise and assist the Western Regional Water Commission; repealing certain provisions relating to regional planning and management of water in certain counties; and providing other matters properly relating thereto.

[Approved: June 14, 2007]

(Leadlines for sections have been supplied by the Legislative Counsel of the State of Nevada)

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Sec. 3. Short title. Sections 3 to 56, inclusive, of this act may be cited as the Western Regional Water Commission Act.

(Ch. 531, Stats. 2007 p. 3287)

Sec. 4. Legislative findings and declarations.

1. The Legislature hereby finds that:

a) The provisions of section 22 of this act describe a hydrologically unique area which is distinguished by the presence of Lake Tahoe and the Truckee River, a water system which is governed by a unique combination of state and federal law, by federal decree and by the Truckee River Operating Agreement; and

b) The unique hydrological conditions of the area described in section 22 of this act and the complex legal framework governing the use of water within that area are special circumstances and conditions to which a general law cannot be made applicable and necessitate this special act which provides for a special structure for the coordinated planning and management of water resources in that area.

2. It is hereby declared as a matter of legislative determination that:

a) The organization of the Western Regional Water Commission having the purposes, powers, rights, privileges and immunities provided in this act will serve a public use and will promote the general welfare by facilitating unified and cooperative efforts to secure and develop additional water supplies, maintain and cooperatively establish policies for managing existing water resources and water supplies, provide for integrated regional water resources and management of water supplies, provide for integration of efforts to manage storm water, provide for protection of watersheds and provide for regional conservation efforts, subject to and in accordance with the Truckee River Operating Agreement.

b) The planning for the acquisition, development, management and conservation of regional water supplies and any associated facilities by the Regional Water Commission is for a public and governmental purpose and a matter of public necessity.

c) The geographical boundaries of the Regional Water Commission are within the area described in section 22 of this act.

d) The Regional Water Commission shall, in carrying out the provisions of this act:

1) Make full use of any available resources for sustainability, economic viability and maintenance of environmental values;

2) Communicate the decisions and policies of the Regional Water Commission in an effective manner;

3) Provide for a centralized system of decision making;

4) Facilitate the effective coordination of land use and resource planning;

5) Facilitate the effective and efficient planning, management and operation of facilities; and

6) Plan for the effective stewardship of water resources, including, without limitation, ensuring the quantity and quality of surface water and groundwater and the control point and nonpoint sources of pollution.

e) For the accomplishment of the purposes stated in this subsection, the provisions of this act shall be broadly construed.

(Ch. 531, Stats. 2007 p. 3287)

Sec. 5. Definitions. As used in this act, unless the context otherwise requires, the words and terms defined in sections 6 to 21, inclusive, of this act have the meanings ascribed to them in those sections.

(Ch. 531, Stats. 2007 p. 3288)

Sec. 6. “Board of Trustees” or “Board” defined. “Board of Trustees” or “Board” means the Board of Trustees of the Regional Water Commission.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 7. “City of Reno” defined. “City of Reno” means the municipal corporation in Washoe County, created and existing pursuant to the provisions of chapter 662, Statutes of Nevada 1971, as amended.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 8. “City of Sparks” defined. “City of Sparks” means the municipal corporation in Washoe County, created and existing pursuant to the provisions of chapter 470, Statutes of Nevada 1975, as amended.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 9. “Comprehensive Plan” defined. “Comprehensive Plan” means the plan developed pursuant to sections 34 to 52, inclusive, of this act.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 10. “Division” defined. “Division” means the Division of Environmental Protection of the State Department of Conservation and Natural Resources.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 11. “Facilities” defined. “Facilities” means any facility necessary for the beneficial use of water supplies, including, without limitation, any diversion, dam, reservoir, other water storage facility for the water supplies, water conveyance, well, pump, treatment facility, storage tank, pipe, turnout and any other facility required to provide water services or to provide for the conservation of water or enhanced control of floods.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 12. “Planning area” defined. “Planning area” means the area described in section 22 of this act.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 13. “Public purveyor” defined. “Public purveyor” means:

1. The Truckee Meadows Water Authority, or its successor;
2. The Washoe County Department of Water Resources, or its successor;
3. The South Truckee Meadows General Improvement District, or its successor;
4. The Sun Valley General Improvement District, or its successor; or
5. Any other governmental entity engaged in the retail delivery of potable water in the planning area.

(Ch. 531, Stats. 2007 p. 3288)

Sec. 14. “Regional Water Commission” defined. “Regional Water Commission” means the Western Regional Water Commission created pursuant to section 23 of this act.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 15. “Truckee Meadows Water Authority” defined. “Truckee Meadows Water Authority” means the political subdivision of the State of Nevada created by a cooperative agreement effective December 4, 2000, pursuant to the provisions of NRS 277.080 to 277.180, inclusive.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 16. “Truckee River Operating Agreement” defined. “Truckee River Operating Agreement” means all agreements relating to the implementation of Public Law 101-618, 104 Stat. 3324, as amended, including, without limitation, the Operating Agreement referenced in section 205(a) of Public Law 101-618, 104 Stat. 3324, as amended, whether entered into before, on or after April 1, 2008, to which the Truckee Meadows Water Authority, its predecessor or its successor, if any, is a party.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 17. “Washoe County” defined. “Washoe County” means the county created by and described in NRS 243.340.
(Ch. 531, Stats. 2007 p. 3288)

Sec. 18. “Water Planning Commission” defined. “Water Planning Commission” means the Northern Nevada Water Planning Commission created pursuant to section 36 of this act.
(Ch. 531, Stats. 2007 p. 3289)

Sec. 19. “Water Quality Settlement Agreement” defined. “Water Quality Settlement Agreement” means the Agreement entered into on October 10, 1996, by the City of Reno, the City of Sparks, Washoe County, the United States Department of the Interior, the United States Department of Justice, the United States Environmental Protection Agency, the Division and the Pyramid Lake Paiute Tribe, and any agreements entered into to implement that Agreement including, without limitation, any applicable provisions of the Truckee River Operating Agreement.
(Ch. 531, Stats. 2007 p. 3289)

Sec. 20. “Water right” defined. “Water right” means any entitlement to the beneficial use of surface water or groundwater supplies, including, without limitation, an entitlement that exists by contract, by interest in real property, by decree or by rights granted or recognized by the State of Nevada, the State of California or any other governmental agency.
(Ch. 531, Stats. 2007 p. 3289)

Sec. 21. “Water supplies” defined. “Water supplies” means surface water, groundwater, wastewater or effluent capable of being put to beneficial use.
(Ch. 531, Stats. 2007 p. 3289)

Sec. 22. Planning area: Boundaries; exclusions; exceptions.

I. The planning area in which plans for the use, management and conservation of water are to be made, pursuant to this act, is the entire area within the boundaries of Washoe County except:

- a) Any land within the region defined by NRS 277.200, the Tahoe Regional Planning Compact;
- b) Land located within any Indian reservation or Indian colony which is held in trust by the United States;
- c) Land located within the Gerlach General Improvement District or its successor created pursuant to chapter 318 of NRS;
- d) Land located within the following administrative groundwater basins established by the United States Geological Survey and the Division of Water Resources of the State Department of Conservation and Natural Resources:

- 1) Basin 22 (San Emidio Desert);
 - 2) Basin 23 (Granite Basin); and
 - 3) Basin 24 (Hualapai Flat); and
- e) Any land excluded by the Board pursuant to subsection 2 and not otherwise included pursuant to subsection 3.

2. The Board may exclude from the planning area any land which it determines is unsuitable for inclusion because of its remoteness from the water supplies which are the subject of the Comprehensive Plan or because it lies within a separate hydrologic basin neither affecting nor affected by conditions within the remainder of the planning area.

3. The Board may include within the planning area any land otherwise excluded pursuant to subsection 2 if it finds that the land requires alleviation of the effect of flooding or drainage of storm waters or requires another benefit from planning or management performed in the planning area.

(Ch. 531, Stats. 2007 p. 3289)

Sec. 23. Regional Water Commission: Creation; exemption from taxation.

1. The Western Regional Water Commission is hereby created. The Regional Water Commission is a body corporate and politic and a municipal corporation.

2. The property and revenues of the Regional Water Commission, any interest of any creditor therein and any possessory interest in or right to use that property which the Regional Water Commission may grant are exempt from all state, county and municipal taxation.

(Ch. 531, Stats. 2007 p. 3289)

Sec. 24. Regional Water Commission: Exercise of powers authorized by cooperative agreement. By entering into a cooperative agreement pursuant to NRS 277.080 to 277.180, inclusive, the City of Reno, City of Sparks, Washoe County, Sun Valley General Improvement District, South Truckee Meadows General Improvement District and Truckee Meadows Water Authority may jointly authorize the Regional Water Commission to exercise such powers, privileges or authority that each of those entities may individually exercise pursuant to the laws of this State which are not inconsistent with the provisions of this act.

(Ch. 531, Stats. 2007 p. 3290)

Sec. 25. Board: Composition; appointment; terms; vacancies.

1. The Regional Water Commission must be directed and governed by a Board of Trustees composed of the following nine members appointed pursuant to this section:

- a) Two members of the City Council of the City of Reno;
- b) Two members of the City Council of the City of Sparks;
- c) Two members of the Board of County Commissioners of Washoe County;
- d) One member representing the Truckee Meadows Water Reclamation Facility or its successor;
- e) One member designated by the Board of Trustees of the South Truckee Meadows General Improvement District or its successor; and
- f) One member of the Board of Trustees of the Sun Valley General Improvement District or its successor.

2. The City Council of the City of Reno, the City Council of the City of Sparks and the Board of County Commissioners of Washoe County shall each appoint one trustee from their membership for an initial term of 2 years.

3. The Board of Directors of the Truckee Meadows Water Authority or its successor shall appoint from its membership, for initial terms of 3 years:

- a) One trustee who is a member of the City Council of the City of Reno;

- b) One trustee who is a member of the City Council of the City of Sparks; and
- c) One trustee who is a member of the Board of County Commissioners of Washoe County.

The trustees appointed pursuant to this subsection must be different persons than those appointed pursuant to subsection 2.

4. The Board of Trustees of the Sun Valley General Improvement District or its successor and the Board of Trustees of the South Truckee Meadows General Improvement District or its successor shall each appoint one trustee for an initial term of 3 years.

5. The owners of the Truckee Meadows Water Reclamation Facility or its successor shall jointly appoint one trustee for an initial term of 2 years.

6. After the initial terms, each trustee who is appointed to the Board serves for a term of 2 years. A trustee may be reappointed.

7. All trustees must be elected officials. No trustee may serve beyond his or her term of office.

8. The position of a trustee must be considered vacated upon the trustee's loss of any of the qualifications required for his or her appointment, and in such event, the appointing authority shall appoint a successor to fill the remainder of the unexpired term.

9. For the purpose of this section, the Mayor of the City of Sparks shall be deemed to be a member of the City Council of the City of Sparks.

(Ch. 531, Stats. 2007 p. 3290; A—Ch. 184, Stats. 2009 p. 672)

Sec. 26. Board: Oath; bond. Each member of the Board shall file with the County Clerk of Washoe County:

1. His or her oath of office.

2. A corporate surety bond furnished at the Regional Water Commission's expense, in an amount not to exceed \$5,000, and conditioned for the faithful performance of his or her duties as a member of the Board.

(Ch. 531, Stats. 2007 p. 3290)

Sec. 27. Board: Election, terms and duties of officers.

1. The Board shall elect one of its members as Chair and one of its members as Vice Chair, and shall elect a Secretary and a Treasurer, who may be members of the Board. The Secretary and the Treasurer may be the same person. The terms of the officers expire on December 31 of each year.

2. The Secretary shall keep audio recordings or transcripts of all meetings of the Board and, in a well-bound book, a record of all the proceedings of the Board, minutes of all meetings, certificates, contracts, bonds given by employees and all other acts of the Board. Except as otherwise provided in NRS 241.035, the minute book, audio recordings, transcripts and records must be open to the inspection of all interested persons, at all reasonable times and places.

3. The Treasurer shall keep, in permanent records, strict and accurate accounts of all money received by and disbursed for and on behalf of the Board and the Regional Water Commission.

(Ch. 531, Stats. 2007 p. 3291)

Sec. 28. Board: Meetings; quorum.

1. The Board shall meet regularly at a time and in a place to be designated by the Board. The Board shall provide for the calling of a special meeting when action is required before a regular meeting would occur.

2. Except as otherwise provided in this subsection, a majority of the members of the Board constitutes a quorum at any meeting. Each motion and resolution of the Board must be adopted by at least a majority of the members present at the meeting.

(Ch. 531, Stats. 2007 p. 3291)

Sec. 29. Regional Water Commission: Public employer; applicability of provisions governing employees' retirement. The Regional Water Commission is a public employer within the meaning of NRS 286.070, and the provisions of chapter 286 of NRS apply to the Regional Water Commission and its employees.

(Ch. 531, Stats. 2007 p. 3291)

Sec. 30. Regional Water Commission: Powers. The Regional Water Commission may do all things necessary to accomplish the purposes of this act. The Regional Water Commission has perpetual succession and, except as otherwise provided in section 33 of this act, has the following powers to:

1. Sue and be sued.
2. Enter into agreements with Washoe County, the Cities of Reno and Sparks, and any public purveyor.
3. Prepare, adopt, update and oversee the implementation of the Comprehensive Plan pursuant to sections 34 to 52, inclusive, of this act.
4. Plan for the implementation of a mechanism for:
 - a) Scheduling the delivery of water supplies held by public purveyors to maximize the yield of regional water supplies and facilitate the cooperative administration of regional water conveyance and treatment facilities for the benefit of the public purveyors.
 - b) Maximizing conjunctive use by the public purveyors. As used in this paragraph, "conjunctive use" means the combined use of surface water and groundwater systems to optimize resource use.
5. Prepare, adopt and update a water conservation plan for the use of municipal, industrial and domestic water supplies within the planning area, and make recommendations for water conservation agreements among water purveyors and local governmental entities.
6. Study and recommend to the Board of County Commissioners of Washoe County, the City Council of the City of Reno and the City Council of the City of Sparks ordinances for the implementation of a water conservation plan adopted pursuant to subsection 5 and the Comprehensive Plan.
7. Contract with public purveyors or any other public entity for the provision of services to or by the Regional Water Commission and, in the performance of its functions, use the officers, agents, employees, services, facilities, records and equipment of any public purveyor, Washoe County, the City of Reno or the City of Sparks, with the consent of the respective public purveyor or governmental entity, and subject to such terms and conditions as may be agreed upon.
8. Employ or contract with such persons as it deems necessary and hire and retain officers, agents and employees, including fiscal advisers, engineers, attorneys or other professional or specialized personnel.
9. Seek, apply for and otherwise solicit and receive from any source, public or private, such contributions, gifts, grants, devises and bequests of money and personal property, or any combination thereof, as the Regional Water Commission determines is necessary or convenient for the exercise of any of its powers.
10. Participate with relevant agencies of the United States, the State of Nevada and other entities on issues concerning the supply of water.
11. Adopt such rules and regulations for the conduct of the affairs of the Regional Water Commission or of the Board as the Board may deem necessary or desirable.
12. Perform such other functions conferred on the Regional Water Commission by the provisions of this act.

(Ch. 531, Stats. 2007 p. 3291)

Sec. 31. Board: Authority to develop plan for establishment of service territories within planning area. The Board may develop a plan for the establishment of service territories within the planning area in which the public purveyors and all systems for the supply of water which are controlled or operated by the public purveyors may, on and after April 1, 2008, provide new retail or wholesale water services to new customers. A plan developed pursuant to this section does not apply to any public purveyor unless each public purveyor agrees to the provisions of the plan. The provisions of this section do not affect the ability of public purveyors to continue to provide retail and wholesale water services to customers who received that type of service before April 1, 2008, or pursuant to agreements for water service existing before April 1, 2008. In developing the plan, the Board shall:

1. Seek to ensure the coordination of the delivery of water at the lowest reasonable cost, considering all the facilities, improvement and operations required to provide that water as measured by the net present value of those facilities, improvements and operations existing at the time of the determination, generally using current dollars;
 2. Seek to ensure that existing or future customers are not affected inequitably;
 3. Seek to provide for the most effective management, development and integration of systems for the efficient use of water supplies and associated facilities; and
 4. Consider:
 - a) Any specific planning conducted by public purveyors before April 1, 2008, for existing or new customers;
 - b) The topography of the service territories and the readiness and ability of public purveyors to serve customers with existing facilities;
 - c) Any policies for land use that affect the service territories; and
 - d) The rate of growth within the service territories projected over a reasonable period.
- (Ch. 531, Stats. 2007 p. 3292)

Sec. 32. Board: Necessary, incidental and implied powers. The Board has and may exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this act. Such specific powers are not a limitation upon any power necessary or appropriate to carry out the purposes and intent of this act.

(Ch. 531, Stats. 2007 p. 3293)

Sec. 33. Effect of act on certain agreements. Notwithstanding the provisions of this act, the Truckee Meadows Water Authority or its successor is and shall remain the entity with the sole and exclusive power and authority to negotiate and execute and to implement its obligations under the Truckee River Operating Agreement, as the successor in interest to Sierra Pacific Power Company. All water supplies provided or available to the Truckee Meadows Water Authority or its successor pursuant to the Truckee River Operating Agreement must be considered as acquired before April 1, 2008, and must be managed, scheduled and operated in accordance with that Agreement. Nothing in this act alters the rights and obligations of the Water Quality Settlement Agreement, and all water supplies must be managed, scheduled and operated in accordance with the Water Quality Settlement Agreement.

(Ch. 531, Stats. 2007 p. 3293)

Sec. 34. Board: Additional powers regarding water management. The Board may, upon the recommendation of the Water Planning Commission:

1. Adopt and revise the Comprehensive Plan;
2. Make recommendations concerning methods for conserving existing water supplies which are consistent with any other plans required by law;
3. Make recommendations concerning methods of collecting and treating sewage to protect and conserve water supplies;

4. Provide information to members of the public regarding present and potential uses of water; and
 5. Make recommendations concerning the management and use of water within the planning area to:
 - a) The governing body and the Planning Commission of Washoe County and the Cities of Reno and Sparks;
 - b) The Governing Board for Regional Planning and the Regional Planning Commission established in Washoe County pursuant to NRS 278.0264 and 278.0262, respectively;
 - c) The State Engineer;
 - d) The Federal Government; and
 - e) Such other entities as the Board deems appropriate.
- (Ch. 531, Stats. 2007 p. 3293)

Sec. 35. Board: Authority to impose fee to fund planning, administration and implementation of Comprehensive Plan; limitations; requirements; billing.

1. To fund the planning and administration required by this act and the implementation of the Comprehensive Plan, the Board may impose a fee at a rate not to exceed 1.5 percent of the amount otherwise billed, to be collected by each public purveyor and supplier of water from customers within the planning area. If the Board determines to impose such a fee, the Board must impose the fee by resolution after holding a hearing.

2. A public purveyor or supplier of water must state separately on its billings to customers the amount charged as a result of any fee imposed pursuant to subsection 1.

(Ch. 531, Stats. 2007 p. 3293)

Sec. 36. Water Planning Commission: Creation; composition; appointment, terms and vacancies of voting members.

1. The Northern Nevada Water Planning Commission is hereby created in the planning area. The Water Planning Commission must consist of the following voting members who are residents of Nevada:

- a) The Director of Public Works for the City of Reno, or his or her designee;
- b) The Director of Public Works for the City of Sparks, or his or her designee;
- c) The Director of Water Resources for Washoe County, or his or her designee;
- d) A member of the South Truckee Meadows General Improvement District or its successor;
- e) The General Manager of the Sun Valley General Improvement District or its successor, or his or her designee;
- f) The General Manager of the Truckee Meadows Water Authority or its successor, or his or her designee;
- g) The General Manager of the Truckee Meadows Wastewater Reclamation Facility or its successor, or his or her designee;
- h) One member appointed by the governing body of the Indian reservation which is the largest in area and contiguous to the planning area;
- i) One member of the public at large appointed by the Board to represent environmental, biological, conservation or public concerns;
- j) One member appointed by the Board to represent owners of domestic wells;
- k) One member appointed by the Board of Directors of the Washoe County Water Conservation District or its successor; and
- l) Such additional members with expertise in any area that the Board determines is necessary, appointed by the Board.

The terms of the ex officio members described in paragraphs (a) to (g), inclusive, are concurrent with the employment of those members in the respective positions specified in those paragraphs. The members appointed pursuant to paragraphs (h) to (l), inclusive, serve initial terms of 2 years.

2. After the initial terms, the term of office of each member appointed pursuant to paragraphs (h) to (l), inclusive, of subsection 1 is 3 years. A member may be reappointed. A vacancy must be filled for the unexpired term by the appointing entity.

(Ch. 531, Stats. 2007 p. 3293; A—Ch. 184, Stats. 2009 p. 673)

Sec. 37. Water Planning Commission: Appointment of nonvoting members. In addition to the voting members, the Water Planning Commission includes the following nonvoting members:

1. One member appointed by the Public Utilities Commission of Nevada;
2. One member appointed by the Consumer's Advocate of the Bureau of Consumer Protection in the Office of the Attorney General;
3. One member appointed by the Administrator of the Division;
4. One member appointed by the State Engineer;
5. One member appointed by the Chief of the Water Planning Section of the Division of Water Resources of the State Department of Conservation and Natural Resources;
6. One member appointed by the board of directors of the water conservancy district which is largest in area in the planning area;
7. One member appointed by the county or district board of health;
8. One member of the public at large appointed by the affirmative vote of a majority of the voting members; and
9. Additional members with expertise in an area that the majority of the voting members determines is necessary, appointed by the affirmative vote of a majority of the voting members.

(Ch. 531, Stats. 2007 p. 3294)

Sec. 38. Water Planning Commission: Qualifications of certain voting members; restrictions on holding certain elective offices. The members of the Water Planning Commission appointed pursuant to paragraphs (h) to (l), inclusive, of subsection 1 of section 36 of this act or any alternative designees appointed pursuant to paragraphs (a) to (g), inclusive, of subsection 1 of section 36 of this act may not hold any elective governmental office but may be engaged or employed in private enterprise or be employees of state or local government, and each member must be qualified pursuant to at least one of the following subsections:

1. A professional engineer licensed pursuant to the provisions of chapter 625 of NRS;
2. Experienced in comprehensive planning, natural resources or environmental protection;
3. A specialist in hydrologic science;
4. Experienced in law, management or planning related to water;
5. Experienced in municipal finance or resource economics;
6. Experienced in construction, planning or operation of facilities or systems for supplying or treating water, for collecting or treating sewage, for drainage of storm water or for control of floods; or
7. Knowledgeable in the areas of water conservation, biology, natural systems, water quality and water management.

(Ch. 531, Stats. 2007 p. 3295)

Sec. 39. Water Planning Commission: Chair. The Water Planning Commission shall establish a schedule for the selection of its Chair for a term of 1 year, in rotation, from among the members.

(Ch. 531, Stats. 2007 p. 3295)

Sec. 40. Water Planning Commission: Meetings; quorum; restrictions on compensation.

1. The Water Planning Commission shall meet at the call of the Chair or any three members. The Water Planning Commission shall establish a schedule of regular meetings and provide for the calling of a special meeting when action is required before a regular meeting would occur.

2. A quorum consists of a majority of the members. The affirmative vote of a majority of the members present is required to take action, unless a larger proportion is required by this act for a particular action.

3. A member of the Water Planning Commission is not entitled to compensation for his or her services as a member.

(Ch. 531, Stats. 2007 p. 3295)

Sec. 41. Duty of Water Planning Commission to develop Comprehensive Plan; contents and requirements; recommendations to Board.

1. The Water Planning Commission shall develop, and as necessary recommend revisions to, a Comprehensive Plan for the planning area covering the supply of municipal and industrial water, quality of water, sanitary sewerage, treatment of sewage, drainage of storm waters and control of floods. The initial Comprehensive Plan must be developed on or before January 1, 2011. The provisions of the comprehensive plan developed and revised pursuant to the former provisions of NRS 540A.130 before April 1, 2008, remain in effect until the Board adopts the initial Comprehensive Plan.

2. The Comprehensive Plan must consist of written text, appropriate maps and goals and policies to deal with current and future problems affecting the planning area as a whole with respect to the subjects of the Comprehensive Plan set forth in subsection 1. In developing the Comprehensive Plan, the Water Planning Commission shall consider any water resource plan developed by a public purveyor and, to the extent feasible and consistent with the objectives of the Regional Water Commission, seek to incorporate such a plan.

3. The Comprehensive Plan must:

a) Describe the problems and needs of the planning area relating to the subjects of the Comprehensive Plan set forth in subsection 1;

b) Identify the providers of services relating to the subjects of the Comprehensive Plan within the planning area and the area within which each provides service, including service territories of public utilities and public purveyors;

c) Identify alternatives to reduce demand or increase water supply;

d) Identify and provide for existing and future sources of water needed to meet the present or future needs of the planning area, including, without limitation, existing and future demand for water within each public purveyor's service territory;

e) Define priorities and general location for additional major facilities needed to provide services relating to the subjects of the Comprehensive Plan set forth in subsection 1;

f) Describe programs to mitigate drought, achieve conservation of water, protect wellheads and otherwise manage water;

g) Provide for the development, acquisition and stabilization of surface water and groundwater supply in the planning area, including policies regarding dedication of privately held water resources by applicants for water service;

h) Provide for the oversight of, protection of, regional management of and maximization of efficient conjunctive use of, the supply of surface water and groundwater and major water resource facilities in the planning area, including use of reclaimed water and recharge and recovery or underground storage and recovery of water, and the scheduling of the delivery of water supplies held by public purveyors;

i) Identify and provide for the extent to which reuse or effluent water is to be put to beneficial use or discharged, directly or indirectly, into the Truckee River;

- j) Provide for the regional conservation and prevention of long-term depletion of surface water and groundwater resources in the planning area in support of the Comprehensive Plan;
 - k) Provide for adequate supplies of municipal and industrial water, quality of water, sanitary sewerage, treatment of sewage, drainage of storm waters and control of floods within the planning area;
 - l) Identify and provide for the peaking capacity required for delivery of water supplies to each public purveyor, if applicable, and the means by which such requirements will be met;
 - m) Include a water budget identifying water supplies available to each public purveyor from all sources; and
 - n) Seek to make full use of any unused capacity of facilities that are owned by public purveyors, if such use is otherwise economical and efficient.
4. The Water Planning Commission shall make recommendations to the Board for the adoption of, and any revisions to, the Comprehensive Plan.
(Ch. 531, Stats. 2007 p. 3295)

Sec. 42. Elements of Comprehensive Plan. The Comprehensive Plan must include the following elements:

1. Quality of surface water, which must include, without limitation:
 - a) Compliance with standards of quality for bodies of water;
 - b) Locations and capacities of plants to treat wastewater;
 - c) Intended quantity and quality of discharge from those plants and its reuse, service areas and interceptors; and
 - d) Programs to attain protection from pollution by both concentrated and diffuse sources.
2. Quality of groundwater, which must include, without limitation:
 - a) Compliance with standards of quality for hydrographic basins and septic tanks;
 - b) Capacities for withdrawal of water from hydrographic basins;
 - c) Programs to protect wellheads;
 - d) Programs to clean up contaminated groundwater from hydrographic basins; and
 - e) Programs to attain protection from pollution by both concentrated and diffuse sources.
3. Supply of surface water, which must include, without limitation:
 - a) Existing and planned sources of surface water;
 - b) Existing and planned uses for all surface water, including municipal and industrial uses, requirements for return flow, reserves for drought and future growth, uses to improve the quality of water, uses to provide habitat and uses in conjunction with underground water;
 - a) Major facilities to convey and store surface water;
 - b) Standards, service areas, rates of flow and reserves for storage; and
 - c) Facilities to treat surface water.
4. Supply of underground water, which must include, without limitation:
 - a) Existing and planned sources of underground water;
 - b) Existing and planned uses for all underground water, including municipal and industrial uses, maintenance of minimum groundwater level and the need for recharge, reserves for drought and future growth, uses to improve the quality of water, uses to provide habitat and uses in conjunction with surface water;
 - c) Major facilities to extract and convey underground water;
 - d) Compliance with standards for treated and nontreated water, service areas, rates of flow and reserves for storage; and
 - e) Facilities to treat and store underground water.
5. Control of floods and drainage of storm water, as it relates to surface water, which must include, without limitation:
 - a) Minimum standards of design for controlling floods in the planning area;

- b) Nonstructural alternatives and standards for facilities to control floods in the planning area and single drainage basins;
 - c) Regional facilities to control floods; and
 - d) Generalized facilities and standards of design for single drainage basins.
6. Control of floods and drainage of storm water, as it relates to underground water, which must include, without limitation:
- a) Groundwater level and capacity for additional storage of water underground as a means of mitigating floods;
 - b) Location and capacities of major facilities for controlling floods which utilize storage of water underground to mitigate floods; and
 - c) Standards of design for devices to infiltrate storm water and other minor facilities for controlling floods which utilize storage of water underground to mitigate floods.
7. Cost and financing, which must include an estimate of the cost of each major facility, source of water or other requirement of the Comprehensive Plan and an analysis of alternatives for financing and funding the facility, source or other requirement, or alternatives thereto, as well as the effect of the funding alternatives on other facilities included in the Comprehensive Plan. The estimate of cost must state the financial impact on persons within the planning area, including, without limitation, all direct and indirect costs of connecting to a system for supplying water, if applicable.
8. Recommendations for developing and implementing consistent policies of, and among, public purveyors concerning regional drought reserve standards, developer costs, impact fees, dedication of water rights and standards for the drainage of water.
9. Evaluation and recommendations regarding the consolidation of public purveyors in the planning area, which must include costs and benefits of consolidation, the feasibility of various consolidation options, analysis of water supplies, operations, facilities, human resources, assets, liabilities, bond covenants, and legal and financial impediments to consolidation and methods, if any, for addressing any such impediments.

(Ch. 531, Stats. 2007 p. 3296)

Sec. 43. Consistency of Comprehensive Plan with certain other plans and agreements.

- 1. The Comprehensive Plan must be consistent with and carry out the provisions of the Comprehensive Regional Plan adopted by the Governing Board for Regional Planning in Washoe County pursuant to NRS 278.0276 and the master plans and any other plans for the use of land which are adopted by governmental entities within the planning area.
- 2. The Comprehensive Plan must be consistent with and carry out or support the carrying out of all aspects of the Truckee River Operating Agreement and Water Quality Settlement Agreement.
- 3. The Comprehensive Plan must be consistent with the state water plan that is in effect at the time that the Comprehensive Plan is adopted.

(Ch. 531, Stats. 2007 p. 3298)

Sec. 44. Duties of Water Planning Commission regarding development of Comprehensive Plan. In developing the Comprehensive Plan, the Water Planning Commission shall:

- 1. Receive and consider information from public purveyors, public utilities and other entities supplying municipal and industrial water within the planning area;
- 2. Receive and consider information from entities providing sanitary sewerage, treatment of sewage, drainage of storm water and control of floods within the planning area;
- 3. Receive and consider information from entities concerned with water quality within the planning area;

4. Review and consider any plan or recommendation of the State Engineer concerning the development, conservation and use of water resources, existing water conservation plans, the regional plan and any master plan that has been adopted pursuant to the provisions of chapter 278 of NRS and any similar plan of a local government which applies to any area in the planning area, and may seek and consider the advice of each local planning commission and any other affected entity;

5. Coordinate and make consistent the elements of the Comprehensive Plan set forth in section 42 of this act;

6. Consider existing applicable laws;

7. Recognize and coordinate the needs of the incorporated areas of the planning area with the needs of the unincorporated areas of the planning area; and

8. Receive and consider information from other interested persons.

(Ch. 531, Stats. 2007 p. 3298)

Sec. 45. Duties of Water Planning Commission regarding submission of Comprehensive Plan to Board.

1. Before submitting the Comprehensive Plan to the Board, the Water Planning Commission shall hold at least one public hearing on the Comprehensive Plan within the planning area.

2. Before acting on a proposed amendment to the adopted Comprehensive Plan, the Water Planning Commission shall hold at least one public hearing on the proposed amendment at a location in the planning area relevant to the proposed amendment.

3. Notice of the time and place of each hearing must be given by publication in a newspaper of general circulation in the planning area at least 10 days before the day of the hearing. If there is more than one newspaper of general circulation in the planning area, notice must be given by publication in at least two such newspapers.

4. The decision to submit the proposed Comprehensive Plan or any amendment to the adopted Comprehensive Plan to the Board must be made by resolution of the Commission carried by the affirmative votes of a majority of the total voting members of the Water Planning Commission. The resolution must refer expressly to the text, maps and descriptive or other matter intended by the Water Planning Commission to constitute the Comprehensive Plan or an amendment thereto.

(Ch. 531, Stats. 2007 p. 3299)

Sec. 46. Duties of Board before taking action on Comprehensive Plan.

1. An attested copy of the proposed Comprehensive Plan or an amendment thereto must be submitted by the Water Planning Commission to the Board.

2. Before taking any action on the proposed Comprehensive Plan or an amendment thereto, the Board shall convene a public hearing.

3. Notice of the hearing must be given at least 10 days before the date of the hearing. The notice must include, without limitation:

a) A statement of the time, place and nature of the hearing;

b) A statement of the legal authority under which the hearing is to be held; and

c) A reference to the particular sections of any applicable laws.

4. Not less than 30 days before the hearing, the Board shall cause to be placed a copy of the proposed Comprehensive Plan or amendment thereto in the office of the County Clerk of Washoe County and publish notice that the Comprehensive Plan or amendment thereto is available for public inspection.

5. Each notice required by this section must be published in a newspaper of general circulation in the planning area. If there is more than one newspaper of general circulation in the planning area, notice must be given by publication in at least two such newspapers. The notice must be a display advertisement not less than 3 by 5 inches in size.

(Ch. 531, Stats. 2007 p. 3299)

Sec. 47. Duties of Board and Water Planning Commission regarding changes or additions to Comprehensive Plan.

1. The Board shall not change or add to the proposed Comprehensive Plan or an amendment thereto as submitted by the Water Planning Commission until it has submitted the substance of the proposed change or addition to the Water Planning Commission in writing with its reasons for the change or addition.

2. The Water Planning Commission shall, if it agrees to the change or addition, revise the submitted Comprehensive Plan or amendment thereto accordingly. If the Water Planning Commission does not agree, it shall report to the Board in writing its reason for disagreeing and any alternative proposal.

3. In either case, the Water Planning Commission shall present its revision or report to the Board within 40 days after the Board's change or amendment is submitted to the Water Planning Commission.

4. If the Water Planning Commission does not agree with the proposed change or addition and the Board refuses to rescind its proposal or to accept an alternative proposal of the Water Planning Commission, the Water Planning Commission shall revise the originally submitted Comprehensive Plan or amendment thereto to incorporate the change or addition proposed by the Board.

(Ch. 531, Stats. 2007 p. 3299)

Sec. 48. Review of Comprehensive Plan by Regional Planning Commission.

1. After adoption by the Board, the Comprehensive Plan or an amendment thereto must be submitted for review to the Regional Planning Commission in Washoe County established pursuant to NRS 278.0262. The Regional Planning Commission shall review the Comprehensive Plan or amendment thereto only for consistency with the Comprehensive Regional Plan adopted pursuant to NRS 278.0276 and the master plans and any other plans for the use of land which are adopted by local governmental entities within the planning area. The Regional Planning Commission shall review the Comprehensive Plan or amendment thereto at one or more public hearings. Notice of the time and place of a hearing must be given in accordance with NRS 278.0276.

2. If the Regional Planning Commission fails to make a determination within 40 days after the submission of the Comprehensive Plan or amendment thereto, the Comprehensive Plan or amendment thereto shall be deemed to be consistent with the Comprehensive Regional Plan.

3. If the Regional Planning Commission determines that the Comprehensive Plan or amendment thereto is not consistent with the Comprehensive Regional Plan, it shall state its reasons why the Comprehensive Plan or amendment thereto is not consistent. Unless an appeal is filed pursuant to section 49 of this act, the Water Planning Commission and the Board shall respectively develop and adopt, in accordance with sections 44 to 47, inclusive, of this act, proposed revisions to the Comprehensive Plan or amendment thereto, and the Board shall resubmit the revised Comprehensive Plan or amendment thereto to the Regional Planning Commission.

(Ch. 531, Stats. 2007 p. 3300)

Sec. 49. Appeal of determination of Regional Planning Commission.

1. An affected entity that disagrees with the reasons given by the Regional Planning Commission for its determination of consistency or inconsistency pursuant to section 48 of this act may file an appeal with the Governing Board for Regional Planning in Washoe County not later than 10 days after the determination of consistency or inconsistency. As used in this subsection, "affected entity" means Washoe County, the City of Reno, the City of Sparks or any other governmental entity or public purveyor or a public utility providing services relating to the subject matter of the Comprehensive Plan within the planning area.

2. Within 45 days after its receipt of an appeal, the Governing Board for Regional Planning shall consider the appeal and issue its decision. If the decision of the Governing Board for Regional Planning is that the Comprehensive Plan or amendment thereto is not consistent with the Comprehensive Regional Plan, it shall state its reasons why the Comprehensive Plan or amendment thereto is not consistent. The Water Planning Commission and the Board shall then respectively develop and adopt, in accordance with sections 44 to 47, inclusive, of this act, proposed revisions to the Comprehensive Plan or amendment thereto, and the Board shall resubmit the revised Comprehensive Plan or amendment thereto to the Regional Planning Commission for review.

(Ch. 531, Stats. 2007 p. 3300)

Sec. 50. Periodic review of Comprehensive Plan by Water Planning Commission. The adopted Comprehensive Plan must be reviewed by the Water Planning Commission on a schedule to be established by the Board, which must at least provide for review of the Comprehensive Plan within 5 years after its adoption and at least every 5 years thereafter. After each review, the Water Planning Commission shall submit to the Board any proposed amendment to the Comprehensive Plan or report that there are no amendments.

(Ch. 531, Stats. 2007 p. 3301)

Sec. 51. Requirements regarding construction of facilities after Comprehensive Plan is approved.

1. Except as otherwise provided in subsection 2, on and after the date the initial Comprehensive Plan is finally approved, no facility intended to provide a service relating to a subject of the Comprehensive Plan within the planning area may be constructed, if the facility is of such a kind or size as to affect the working of the Comprehensive Plan as distinct from providing normal service to customers, unless it is included in the Comprehensive Plan or has been reviewed and approved as provided in subsection 3.

2. The Comprehensive Plan may allow for the construction of facilities not included within the Comprehensive Plan in order to meet an emergency as defined in the Comprehensive Plan.

3. A proposal to construct a facility described in subsection 1 within the planning area must be submitted to the Water Planning Commission for review and recommendation to the Board concerning the conformance of the proposal with the Comprehensive Plan. The review must include an evaluation of stranded costs, the need for the facility within the planning area and the impact that construction of the facility will have on any potential consolidation of public purveyors. If the Water Planning Commission fails to make such a recommendation within 30 days after the proposal is submitted to it, the Water Planning Commission shall be deemed to have made a recommendation that the proposal conforms to the Comprehensive Plan. The Board shall consider the recommendation of the Water Planning Commission and approve or disapprove the proposal as conforming to the Comprehensive Plan. Any disapproval must be accompanied by recommended actions to be taken to make the proposal conform to the Comprehensive Plan. The Water Planning Commission and the Board shall limit their review to the substance and content of the Comprehensive Plan and shall not consider the merits or deficiencies of a proposal in a manner other than is necessary to enable them to make a determination concerning conformance with the Comprehensive Plan.

4. The Board shall provide, by resolution after holding a hearing, for the Water Planning Commission or its staff to make final decisions concerning the conformance of classes of proposed facilities to the Comprehensive Plan. A resolution adopted pursuant to this section must provide an opportunity for the applicant or a protestant to appeal from a decision of the Water Planning Commission or its staff to the Board.

(Ch. 531, Stats. 2007 p. 3301)

Sec. 52. Water right or source of water belonging to governmental entity must be used consistently with Comprehensive Plan. Any water right or source of water belonging to a governmental entity within the planning area must be used in accordance with the Comprehensive Plan.
(Ch. 531, Stats. 2007 p. 3301)

Sec. 53. Act does not supersede authority of certain state officers and agencies. The provisions of this act do not supersede the authority granted by law to the State Engineer, the State Environmental Commission and the State Department of Conservation and Natural Resources.
(Ch. 531, Stats. 2007 p. 3301)

Sec. 55. Continuation of certain fees. The fee authorized pursuant to NRS 540A.070 must remain in effect and be collected by Washoe County and transferred to the Western Regional Water Commission, created pursuant to section 23 of this act, until such time as the Board of Trustees of the Regional Water Commission adopts a resolution pursuant to section 35 of this act imposing a new fee.
(Ch. 531, Stats. 2007 p. 3302)

Sec. 56. Legislative Committee to Oversee the Western Regional Water Commission: Creation; composition; appointments; terms; vacancies; meetings; budget; quorum; compensation; powers and duties. [Effective through June 30, 2013.]

1. There is hereby created the Legislative Committee to Oversee the Western Regional Water Commission created pursuant to section 23 of this act. The Committee must:

a) Consist of six Legislators as follows:

- 1) One member of the Senate appointed by the Chair of the Senate Committee on Natural Resources;
- 2) One member of the Assembly appointed by the Chair of the Assembly Committee on Natural Resources, Agriculture, and Mining;
- 3) One member of the Senate appointed by the Majority Leader of the Senate;
- 4) One member of the Senate appointed by the Minority Leader of the Senate;
- 5) One member of the Assembly appointed by the Speaker of the Assembly; and
- 6) One member of the Assembly appointed by the Minority Leader of the Assembly.

b) Insofar as practicable, represent the various areas within the planning area.

c) Elect a Chair and a Vice Chair from among its members. The Chair must be elected from one House of the Legislature and the Vice Chair from the other House. After the initial selection of a Chair and a Vice Chair, each of those officers holds office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the office of Chair or Vice Chair, the members of the Committee shall select a replacement for the remainder of the unexpired term.

2. Any member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session of the Legislature convenes.

3. Vacancies on the Committee must be filled in the same manner as original appointments.

4. Except as otherwise ordered by the Legislative Commission, the members of the Committee shall meet not earlier than November 1 of each odd-numbered year and not later than August 31 of the following even-numbered year at the times and places specified by a call of the Chair or a majority of the Committee.

5. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program. The Director of the Legislative Counsel Bureau or the Director's designee shall act as the nonvoting recording Secretary.

6. The Committee shall prescribe regulations for its own management and government.

7. Except as otherwise provided in subsection 8, four members of the Committee constitute a quorum, and a quorum may exercise all the powers conferred on the Committee.

8. Any recommended legislation proposed by the Committee must be approved by a majority of the members of the Senate and by a majority of the members of the Assembly appointed to the Committee.

9. Except during a regular or special session of the Legislature, the members of the Committee are entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session, the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218A.655 for each day or portion of a day of attendance at a meeting of the Committee and while engaged in the business of the Committee. The salaries and expenses paid pursuant to this subsection and the expenses of the Committee must be paid from the Legislative Fund.

10. The Committee shall review the programs and activities of the Western Regional Water Commission. The review must include an analysis of potential consolidation of the retail distribution systems and facilities of all public purveyors in the planning area, which is described in section 22 of this act.

11. The Committee may:

a) Conduct investigations and hold hearings in connection with its powers pursuant to this section.

b) Direct the Legislative Counsel Bureau to assist in the study of issues related to oversight of the Western Regional Water Commission.

12. In conducting the investigations and hearings of the Committee:

a) The Secretary of the Committee or, in the Secretary's absence, any member of the Committee may administer oaths.

b) The Secretary or Chair of the Committee may cause the deposition of witnesses, residing either within or outside of the State, to be taken in the manner prescribed by rule of court for taking depositions in civil actions in the district courts.

c) The Chair of the Committee may issue subpoenas to compel the attendance of witnesses and the production of books and papers.

13. If any witness refuses to attend or testify or produce any books and papers as required by the subpoena issued pursuant to this section, the Chair of the Committee may report to the district court by petition, setting forth that:

a) Due notice has been given of the time and place of attendance of the witness or the production of the books and papers;

b) The witness has been subpoenaed by the Committee pursuant to this section; and

c) The witness has failed or refused to attend or produce the books and papers required by the subpoena before the Committee which is named in the subpoena, or has refused to answer questions propounded to the witness, and asking for an order of the court compelling the witness to attend and testify or produce the books and papers before the Committee.

14. Upon a petition pursuant to subsection 13, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and to show cause why the witness has not attended or testified or produced the books or papers before the Committee. A certified copy of the order must be served upon the witness.

15. If it appears to the court that the subpoena was regularly issued by the Committee, the court shall enter an order that the witness appear before the Committee at the time and place fixed in the order and testify or produce the required books or papers. Failure to obey the order constitutes contempt of court.

16. Each witness who appears before the Committee by its order, except a state officer or employee, is entitled to receive for his or her attendance the fees and mileage provided for witnesses in civil cases in the courts of record of this State. The fees and mileage must be audited and paid upon the presentation of proper claims sworn to by the witness and approved by the Secretary and Chair of the Committee.

17. On or before January 15 of each odd-numbered year, the Committee shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the review conducted pursuant to subsection 10 and any recommendations for legislation.

(Ch. 531, Stats. 2007 p. 3302; A—Ch. 272, Stats. 2009 p. 1156; Ch. 348, Stats. 2009 p. 1568)

[Amended 1/14/10]

APPENDIX 5

SELECTED REGIONAL PLANNING COMMISSION RESOLUTIONS

CONTENTS:

RPC Resolution No. 09-16 – A resolution adopting guidelines for the definition of Projects of Regional Significance (September 9, 2009)

[Amended 1/14/10]



REGIONAL PLANNING COMMISSION

MEMBERS

Jim Newberg, Chair	Kendall Mattina
Dian VanderWell, Vice-Chair	Dennis Romeo
Roger Edwards	Doug Voelz
Roy Hibdon	Kevin Weiske
Tom Lean	
Rosanna Coombes, Director	

RESOLUTION NO. 09-16 (RPC) A RESOLUTION ADOPTING GUIDELINES FOR THE DEFINITION OF PROJECTS OF REGIONAL SIGNIFICANCE

WHEREAS, Subsection 1 of NRS 278.0278 requires that before a project of regional significance is approved finally by the county or city and before construction on a project of regional significance may begin, the regional planning commission must make a finding that the project is in conformance with the adopted regional plan; and

WHEREAS, NRS 278.0277 provides for the adoption of guidelines for the review of whether a proposal for the use of land is a project of regional significance; and

WHEREAS, NRS 278.026 contains a definition of “project of regional significance” which makes reference to the guidelines of the regional planning commission; and

WHEREAS, on May 5, 1993, the Regional Planning Commission adopted Resolution 93-2, which established guidelines for determination of whether a proposal constituted a project of regional significance; and

WHEREAS, on May 12, 2004, the Regional Planning Commission adopted Resolution 04-04, which amended and replaced Resolution 93-2 establishing the guidelines for determination of whether a proposal constituted a project of regional significance;

WHEREAS, on January 11, 2006, the Regional Planning Commission adopted Resolution 06-01, which amended and replaced all previous resolutions establishing the guidelines for determination of whether a proposal constituted a project of regional significance;

WHEREAS, during the 2009 regular session of the Nevada Legislature, Assembly Bill 289 was adopted amending Nevada Revised Statutes 278.026, subsection 5(a), requiring the Regional Planning Commission to include consideration of the loss or significant degradation of a designated paleontological resource in the Regional Planning Commission’s guidelines governing projects of regional significance; and

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WHEREAS, on September 9, 2009, the Regional Planning Commission adopted Resolution 09-16, which amended and replaced all previous resolutions establishing the guidelines for determination of whether a proposal constituted a project of regional significance.

NOW, THEREFORE, BE IT RESOLVED that officials of Reno, Sparks and Washoe County shall use the following guidelines to determine if a proposal for the use of land is a project of regional significance:

1. The following guidelines apply to projects which are proposed by anyone other than a public utility:
 - A. The project will require a change in zoning, a special use permit, an amendment to a master plan, a tentative map or other approval for the use of land which, if approved, will have an effect on the region of increasing:
 - i. Employment by not less than 938 employees;
 - ii. Housing by not less than 625 units;
 - iii. Hotel accommodations by not less than 625 rooms;
 - iv. Sewage by not less than an average of 187,500 gallons per day;
 - v. Water usage by not less than 625 acre feet per year;
 - vi. Traffic by not less than an average of 6,250 trips daily; or
 - vii. Student population (K-12) by not less than 325 students.
 - B. The project is a geothermal well field gathering system and power generation facility or a mining operation on any land within 20 miles of the Truckee Meadows Service Areas, as depicted on Map 1 of the 2007 Regional Plan.
 - C. The project is located within the 100-year flood zone and:
 - i. will alter the stream channel or banks of a portion of the Truckee River or any of its tributaries as identified on Figure 2-1, "Surface Waters Tributary to Truckee River" of the 2004 – 2025 Regional Water Management Plan, or
 - ii. will alter any wetlands delineated through the Section 404 permit process.
 - D. The project is a new or significantly expanded landfill or other land disposal facility subject to regulation under Section 090 of the Washoe County District Board of Health regulations governing solid waste management; or any facility involved with the treatment and/or permanent disposal of hazardous or infectious wastes.
 - E. The project will result in the loss or significant degradation of a designated paleontological site as identified in the adopted local government master plans, if such sites have been designated.
2. The following guidelines apply to a project that is proposed by any entity or person:
 - A. An electric substation;
 - B. A transmission line that carries 60 kilovolts or more;
 - C. A facility that generates electricity greater than 5 megawatts;

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- D. Natural gas storage and peak shaving facilities;
 - E. Gas regulator stations and mains that operate over 100 pounds per square inch;
3. For purposes of this resolution, the following definitions apply:
- A. "Hazardous waste" means any wastes which meet the criteria contained in NRS 459.430.
 - B. "Infectious waste" means any waste meeting the definition in Section 010.286 of the Washoe County District Board of Health regulations governing solid waste management.
 - C. "Mining operation" means the process and facilities involved in the extraction of metallic ores from the earth and specifically excludes non-metallic materials, such as sand, gravel, cinders, diatomaceous earth, slate, shale, gypsum, clay or crushed stone.
 - D. "Proposal for the use of land" and "approval for the use of land" include any use of land which requires the issuance of a building permit.
 - E. "Public utility" has the meaning ascribed to it in NRS 704.020 and 704.030.
 - F. "Traffic" means the average daily trips generated by a project on the peak day.
 - G. "Water usage" does not include reuse of treated effluent for irrigation purposes.
4. Applicability:
- A. For a proposed project that involves the redevelopment or adaptive reuse of a developed property, the thresholds contained in Section 1-A of these guidelines apply only to the incremental increase resulting from the project.
 - B. For a proposed project that includes the conversion of existing hotel rooms into residential dwelling units, the threshold for housing units contained in Section 1-A(i) of these guidelines applies only to any increase in housing units over and above the existing number of hotel rooms.
 - C. A project that the RPC has found in conformance with the Regional Plan and that is subsequently proposed to be amended is considered to fall within the definition of a project of regional significance and therefore becomes subject to conformance review if:
 - i. With the proposed amendment, the project will exceed any of the thresholds contained in Section A of these guidelines that by the original project did not exceed; or
 - ii. The proposed amendment will increase the impact of the overall project by ten percent or more for any of the thresholds contained in Section A of these guidelines that qualified the original project as a project of regional significance.
 - D. The determination as to whether or not a project meets any one of the criteria listed above shall be based on the total size of the proposed use of land, including all phases, additions, and expansions.

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BE IT FURTHER RESOLVED, that these guidelines replace all previous resolutions on this subject and take effect immediately upon adoption of this resolution.

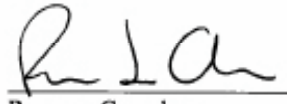
Adopted this day September 9, 2009, by an affirmative vote of the Regional Planning Commission:
Aye: 9; Nay: ; Abstain: .

Approved by:



Jim Newberg, Chair
Regional Planning Commission

Attest:



Rosanna Coombes
Director of Regional Planning

[Notes]

APPENDIX 6

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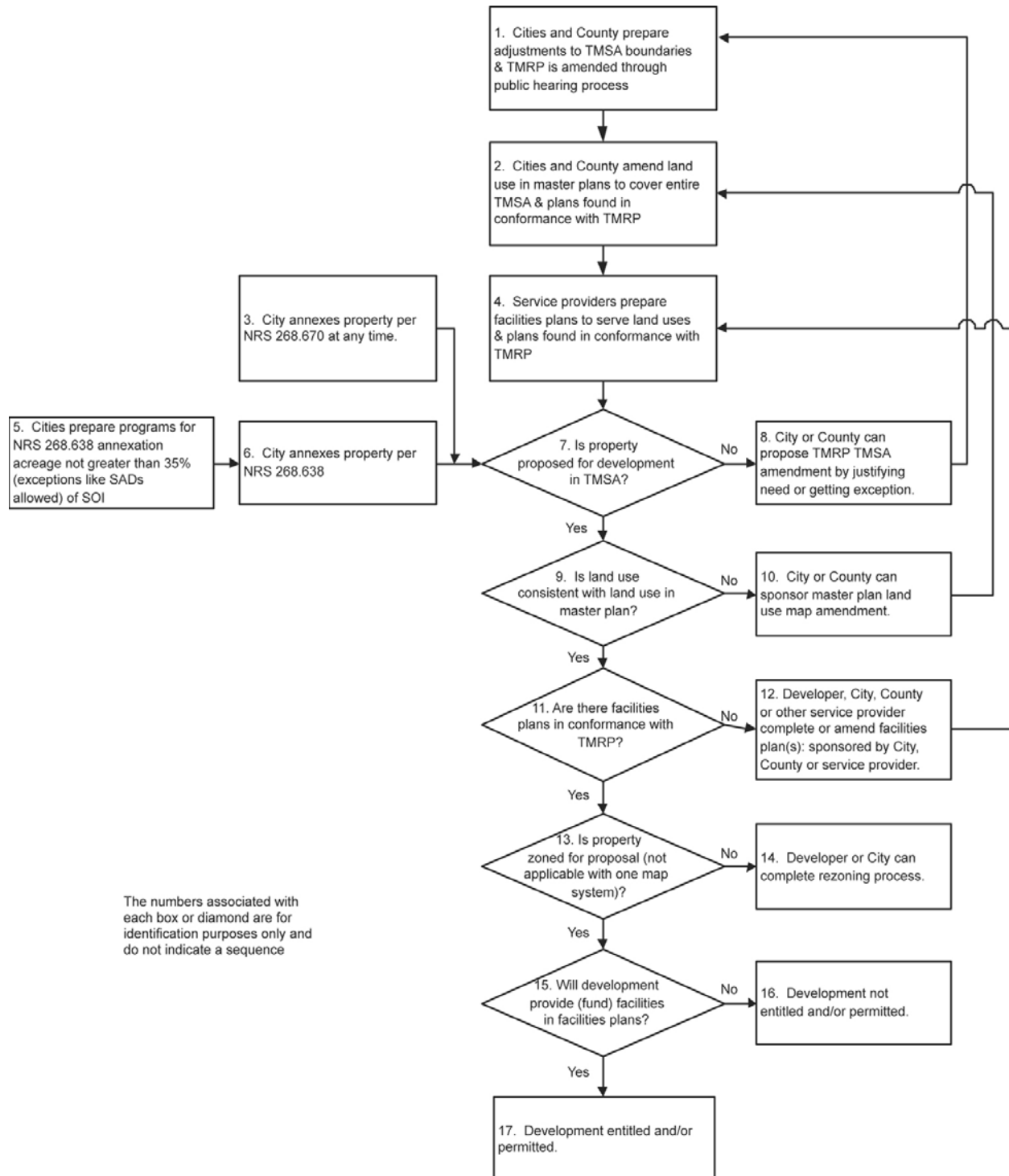
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[Notes]

APPENDIX 7

PROCESS FOR PLANNING AND PROCESSING DEVELOPMENT APPLICATIONS BY RENO, SPARKS AND WASHOE COUNTY

(SEE GOAL 3.5)



[Notes]

APPENDIX 8

TRANSLATION OF LAND USE UPON REMOVAL OF A CITY’S

SPHERE OF INFLUENCE (SOI)

(SEE POLICY 1.2.16)

The following table is applicable when lands are removed from the City of Reno’s SOI

Reno Master Plan Land Use	Washoe County Land Use
Unincorporated Transition	Rural Residential or Rural Residential
Single-Family Residential	Rural Residential or Suburban Residential
Mixed Residential	Suburban Residential or Urban Residential
Urban Residential/Commercial	Urban Residential or Commercial
Industrial	Industrial
Public Facility	Open Space
Park/Recreation/Open Space	Open Space
Special Planning Area	Rural or Commercial

The following table is applicable when lands are removed from the City of Sparks’ SOI

Sparks Master Plan Land Use	Washoe County Land Use
5 - 10 ac/du	Rural Residential
Estate Density Res. 1-3 du/ac	Suburban Residential
Low Density Res. 3-7 du/ac	Suburban Residential
Low Density Res./Medium Density Res.	Suburban Residential
Low Medium Density Res. 7-14 du/ac	Suburban Residential or Urban Residential
Medium Density Res. 14-20 du/ac	Urban Residential
High Density Res. 20-43 du/ac	Urban Residential
Mixed Use	Commercial
Industrial	Industrial
Tourist Commercial	Commercial
Tourist Commercial/General Commercial	Commercial
Office Professional	Commercial
OS/Rural Reserve	Rural or Rural Residential
Park	Allowed in all WC land uses
Public Facility	Allowed in all WC land uses
School	Allowed in all WC land uses

[Notes]

APPENDIX 9**SCHEDULE OF AMENDMENTS TO THE****2007 TRUCKEE MEADOWS REGIONAL PLAN**

The following amendments have been made since the 2007 Regional Plan was adopted on July 19, 2007

Amendment Adoption Date	Version Number	Type of changes made	Affected section(s) of the plan
October 11, 2007	2	TMSA amendment based on an application from Sierra Triple Net, LLC	Maps 1 - 8
November 8, 2007	3	TMSA amendment based on an application from Dean and Kristina Tischler	Maps 1 - 8
November 8, 2007	3	Text amendments pursuant to SB269 - military installations	Add military installation to the Glossary of terms; amend text in Module 1 - Introduction; add new policy [see Policy 1.2.22]; amend policies 1.2.21 and 4.1.3
November 8, 2007	3	Text amendments regarding TMSA boundary changes (transfer of land from one jurisdiction's portion of the TMSA to another jurisdiction).	Amends policies 1.1.7, 1.1.7.1 and 1.1.7.2
December 13, 2007	4	Text amendment regarding population forecasting	Amends policy 1.1.1
December 13, 2007	4	Text amendments regarding density transfer	Adds a new policy (1.2.23), amends policy 1.3.2, amends the definitions of development constraints area, density, and wetlands throughout the document
December 13, 2007	4	Technical amendments to text (grammatical and format corrections)	Introduction (pg 8), Module 1 (pg 2), Module 1 (pg 8), Module 1 (pg 12), Module 4, (pg 5) and Appendix 2 - core area
December 13, 2007	4	TMSA amendments based on applications submitted by Dolan et al., and Brad and Sharon Stanley	Maps 1 - 8
December 13, 2007	4	Update all maps with new road data, update Map 4 with new boundaries for the West 4th Street TOD corridor, So. Virginia TOD Corridor, Convention Center Regional Center and the Reno-Tahoe International Airport Center	Maps 1 - 8
February 14, 2008	5	Text amendment to add 640 acres to each jurisdiction's portion of the TMSA	Amends policies 1.1.7.1 and 1.1.7.2; adds a new policy (See 1.1.7.3)

Amendment Adoption Date	Version Number	Type of changes made	Affected section(s) of the plan
February 14, 2008	5	TMSA amendment based on an application submitted by Peter Thomas and Jennifer Silvas	Maps 1 - 8
September 11, 2008	6	Text amendment related to new water legislation pursuant to SB-487 of the 2007 Nevada legislative session. Renaming of Regional Water Planning Commission to Northern Nevada Water Planning Commission, add Western Regional Water Commission	Acknowledgements (pg IV), Introduction (pp 3, 4, and 5) , TOC (pg 4), Module 2 (pg 7), Module 3 (pg 3), Appendix 1 (pp 1, 2, and 11), Glossary of Terms - Appendix 2 (pg 9), Appendix 3 (pg 1), Appendix 4 (pg 4), and Appendix 6 (pg 4)
September 11, 2008	6	Clarification of policy 4.1.5 regarding Projects of Regional Significance as described in the 2007 Regional Plan	Module 4 (pg 4)
September 11, 2008	6	Update to Appendix 1 to include the addition of the FY2007/2008-2011/12 Regional Capital Improvements Program	Appendix 1
September 11, 2008	6	Update all maps with new Washoe County street center line data, amended the South Virginia TOD boundary for the City of Reno, City of Reno and City of Sparks incorporated boundary	Maps 1 - 8
January 15, 2009	7	Updated all maps with new Washoe County street center line data, incorporated new boundary lines for the cities of Reno and Sparks, amended development constrained areas with new data for slopes greater than 30% and FEMA Zone AE Floodways. Also updated the Regional Utility Corridor Report (RUCR) map (version 3) with the most recent GIS information. The RUCR is adopted into the Regional Plan by reference	Maps 1-8
January 15, 2009	7	Amended CIP summary report to reflect updated funding commitments by the local entities for capital projects	Appendix 1
January 15, 2009	7	Corrected typographic errors found in policy references in Table 1.2.1 of Module 1	Module 1 (Table 1.2.1)

Amendment Adoption Date	Version Number	Type of changes made	Affected section(s) of the plan
January 15, 2009	7	Provided clarifying terminology regarding consistency review of the Regional Water Management Plan	TOC (pp 4 and 5), Intro (pp 3 and 5), Mod 2 (Policies 2.5.1 and 2.5.2), Mod 3 (Goal 3.1, Policies 3.1.1, 3.1.2, and 3.1.4, Goal 3.2 and Policy 3.2.2)
August 13, 2009	8	Update all maps with new city incorporated boundaries and new road data, update Map 4 with new boundaries for the West 4th Street TOD corridor, N.Virginia TOD Corridor, and Medical Regional Center	Maps 1 - 8
August 13, 2009	8	Adds a goal, policies, and a definition addressing the siting of schools	TOC (pg 6), Mod 3 (Goal 3.7 and policies 3.7.1, 3.7.2 and 3.7.3); Appendix 2 (School)
August 13, 2009	8	Corrections or amendments to text regarding water quality to reference role of the WRWC; regional centers to change Mill Street Center to Medical Regional Center; correct Lincoln Ave completion and reference Medical Regional Center; and delete SETM EEC designation	TOC (pg 4), Goal 2.5, Mod 1 (Policy 1.2.9, Policy 1.2.10, and Policy 1.2.18)
August 13, 2009	8	Deletion of the Spanish Springs Joint Planning Area	Map 6
August 13, 2009	8	Removes two parcels from the Reno-Stead Corridor Joint Plan (RTM Sky Vista, LLC and ERGS, Inc APN 086-380-02 and 036-390-16)	Map 6
January 14, 2010	9	TMSA amendment based on an application submitted by Brad and Sharon Stanley	Maps 1 - 8 & RUCR Map
January 14, 2010	9	TMSA amendment based on an application submitted by Washoe County on behalf of Lifestyle Homes TND, LLC	Maps 1, 5, 6, 7 & RUCR Map
January 14, 2010	9	Text amendment implementing Washoe County Question #3 by requiring local government master plans be based upon and in balance with identified and sustainable water resources available within Washoe County	Intro (pp 3 and 5) and Mod 1 (pp 1 and Policy 1.1.1)

Amendment Adoption Date	Version Number	Type of changes made	Affected section(s) of the plan
January 14, 2010	9	Update to Appendix I to include the addition of the FY2009/2010-2013/14 Regional Capital Improvements Programs	Appendix I
January 14, 2010	9	Update to Appendix 5 adding paleontological resources to the RPC Guidelines for the Definition of Projects of Regional Significance pursuant to AB-289 of the 2009 Nevada legislative session and minor text amendments to bring guidelines current with the 2007 Regional Plan and the Washoe County Health District [Amended 8/12/10]	Appendix 5
January 14, 2010	9	Update all maps with new city incorporated boundaries and new road data, update Map 4 with new boundaries for the Downtown Sparks Center, the Sparks TOD corridor, the Gateway Regional Center, the Dandini Regional Center, and the University Regional Center	Maps 1 - 8 & RUCR Map
January 14, 2010	9	Removes eight parcels from the Reno-Stead Corridor Joint Plan (Lemmon Valley Land Company, Inc. and ERGS, Inc. APNs 552-261-03; 552-261-07; 552-250-09; 552-250-10; 552-250-13; 552-250-14; 086-390-18; and 086-390-19)	Map 6
August 12, 2010	10	Adds goals, policies, and definitions addressing the siting of transmission utilities to replace the Regional Utility Corridor Report RUCR and deletes Policy 3.2.3 and the RUCR Map	TOC (pp 6 and 7), Module 3 (pp 2 and 3, Goal 3.8 and Policies 3.8.1, 3.8.2, 3.8.3, 3.8.4, 3.8.5, 3.8.6, 3.8.8, 3.8.8 and 3.8.9, Goal 3.9 and Policies 3.9.1 and 3.9.2, and Goal 3.10 and Policies 3.10.1 and 3.10.2), Appendix 2 (pp 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, and 13), and Maps 9 - 11

Amendment Adoption Date	Version Number	Type of changes made	Affected section(s) of the plan
August 12, 2010	10	Text and mapping amendments to: update all maps with new city incorporated boundaries and new road data; correct mapping errors in proximity to the Redfield Regional Center; correct grammatical use of terms including 'jobs-housing balance,' 'right-of-way,' and 'mixed-use;' correct a typographical error; and, correct institutional name changes based on recent changes	Acknowledgements (pg IV), TOC (pp 2 and 4), Introduction (pg. 4), Module 1 (pp 1 and 4, Policies 1.1.5, 1.2.3, 1.2.11, 1.2.14, 1.2.23 and 1.3.2), Module 2 (Policy 2.5.3, Goal 2.6 and Policy 2.6.1), Module 3 (Policy 3.1.3), Module 4 (Policies 4.1.3 and 4.3.6), Appendix 2 (pp 3, 4, 6 and 12), Appendix 3 (pg 1), Appendix 6 (pg 7)
August 12, 2010	10	Removes EEC designation from the Patrick Interchange of the east Truckee River Canyon	Module 1 (Policy 1.2.18)
August 12, 2010	10	Removes two parcels from the Reno-Stead Corridor joint planning area (Millway, LLC APN's 552-261-04 and 552-261-06) and generally updates the boundary of the Reno-Stead Corridor joint planning area as proposed by the City of Reno and Washoe County	Map 6
February 10, 2011	11	Mapping amendment to establish a new regional utility corridor associated with the San Emidio Geothermal Facility	Map 10
February 10, 2011	11	Mapping amendments to: add existing but previously unmapped regional utility corridors, identify all public and private airports, and correct a segment of the Tracy to Silverlake transmission line	Maps 9-11
February 10, 2011	11	Text amendments to correct inconsistencies related to references to the Regional Utility Corridor Report and add the Empire Airport to Policy 3.8.8	Module 1 (pg 7) & Module 3 Policy 3.8.8
June 9, 2011	12	Text amendment providing a process for the transition of land use upon the roll-back of a city's sphere of influence including the addition of a land use translation table as an appendix to the Regional Plan	Module 1 (Policy 1.2.16) & Appendix 8

Amendment Adoption Date	Version Number	Type of changes made	Affected section(s) of the plan
June 9, 2011	12	TMSA amendment based on an application submitted by Lee and Sally Weston	Maps 1-9 & Map 11
June 9, 2011	12	Mapping amendment removing 128 parcels located in the East Truckee River Canyon from Sparks' Sphere of Influence & portion of the TMSA	Maps 1-9 & Map 11
June 9, 2011	12	Mapping amendment realigning an existing regional utility corridor associated with the Virginia Peak Wind Project in the Pah Rah Mountains	Map 9
August 11, 2011	13	Update to Appendix I including the addition of the FY2010/2011-2014/15 Regional Capital Improvements Program	Appendix I
August 11, 2011	13	Mapping amendment modifying existing regional utility corridors, establishing new regional utility corridors, and establishing a new regional utility site associated with the proposed Reno Technology Park and Sparks Energy Park project	Map 9
August 11, 2011	13	Update all maps with new jurisdictional boundaries and new road data & update Map 4 with new boundaries for the North Virginia Street TOD corridor	Maps 1 - 11

APPENDIX 10

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