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 Publishers of  
**RENO GAZETTE-JOURNAL**  
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 Legal Advertising Office (775) 788-6394

Customer Account # 349008  
 PO# /ID# 944  
 Legal Ad Cost \$141.32

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**PROOF OF PUBLICATION**

STATE OF NEVADA  
 COUNTY OF WASHOE **MAR 31 2003**

ss: Julia Ketcham

Being first duly sworn, deposes and says:  
 That as the legal clerk of the RENO  
 GAZETTE-JOURNAL, a daily newspaper  
 published in Reno, Washoe County,  
 State of Nevada, that the notice:

Bill 1371

has published in each regular and entire  
 issue of said newspaper on the following  
 dates to wit:  
 March 14, 21, 2003

Signed: *Julia Ketcham*

Subscribed and sworn to before me this  
**MAR 26 2003**

*Tana Ciccotti*

 TANA CICCOTTI  
 Notary Public - State of Nevada  
 Appointment Recorded in Washoe County  
 No: 02-75259-2 - Expires May 16, 2006

**NOTICE OF ADOPTION  
 WASHOE COUNTY  
 ORDINANCE NO. 1192**

NOTICE IS HEREBY GIVEN  
 THAT: Bill No. 1371, Ordinance No. 1192 entitled

An Ordinance amending provisions relating to Washoe County Code Chapter 110, Article 822, provisions for amendments to local master plans and zone changes in areas subject to cooperative planning under the regional plan settlement agreement to address those criteria to be evaluated in the processing of a cooperative plan amendment within the post-May 8, 2002 sphere of influence of the City of Sparks and the City of Reno, lands identified by the cities as an area of interest and lands annexed by the City of Reno and Sparks under the provisions of NRS 268.670 in the regional plan except those lands identified in the settlement agreement in Nevada Supreme Court Case 38749 (also known as the Verdi matter). Cooperative plan amendment criteria apply throughout the cooperative planning areas unless the text of a specific policy states otherwise. The master plan policies and goals and zoning amendment criteria include regional form and pattern (including open space), desired population and employment distribution and jobs/housing balance; regional centers; transit oriented development corridors; potential regional open space; Truckee Meadows Service Area development standards; concurrency, timing and phasing of infrastructure; facility plans for public infrastructure; public service levels and fiscal effect; and open space, resource constraints and cooperative planning considerations not elsewhere addressed, and other matters properly relating thereto.

was adopted on Tuesday, March 11, 2003 by Commissioners Galloway, Sferrazza and Weber. This ordinance shall be in full force and effect from and after March 21, 2003.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

AMY HARVEY,  
 Washoe County Clerk and  
 Clerk of the Board of County  
 Commissioners  
 No.944 Mar 14, 21, 2003

1192 ✓

SUMMARY: Amends Washoe County Code by adding Article 822, Provisions for Amendments to Local Master Plans and Zone Changes in Areas Subject to Cooperative Planning Under the Regional Plan Settlement Agreement, and other matters properly relating thereto.

BILL NO. 1371

ORDINANCE NO. 1192

AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 822, PROVISIONS FOR AMENDMENTS TO LOCAL MASTER PLANS AND ZONE CHANGES IN AREAS SUBJECT TO COOPERATIVE PLANNING UNDER THE REGIONAL PLAN SETTLEMENT AGREEMENT TO ADDRESS THOSE CRITERIA TO BE EVALUATED IN THE PROCESSING OF A COOPERATIVE PLAN AMENDMENT WITHIN THE POST-MAY 8, 2002 SPHERE OF INFLUENCE OF THE CITY OF SPARKS AND THE CITY OF RENO, LANDS IDENTIFIED BY THE CITIES AS AN AREA OF INTEREST AND LANDS ANNEXED BY THE CITY OF RENO AND SPARKS UNDER THE PROVISIONS OF NRS 268.670 IN THE REGIONAL PLAN EXCEPT THOSE LANDS IDENTIFIED IN THE SETTLEMENT AGREEMENT IN NEVADA SUPREME COURT CASE 38749 (ALSO KNOWN AS THE VERDI MATTER). COOPERATIVE PLAN AMENDMENT CRITERIA APPLY THROUGHOUT THE COOPERATIVE PLANNING AREAS UNLESS THE TEXT OF A SPECIFIC POLICY STATES OTHERWISE. THE MASTER PLAN POLICIES AND GOALS AND ZONING AMENDMENT CRITERIA INCLUDE REGIONAL FORM AND PATTERN (INCLUDING OPEN SPACE), DESIRED POPULATION AND EMPLOYMENT DISTRIBUTION AND JOBS/HOUSING BALANCE; REGIONAL CENTERS; TRANSIT ORIENTED DEVELOPMENT CORRIDORS; POTENTIAL REGIONAL OPEN SPACE; TRUCKEE MEADOWS SERVICE AREA DEVELOPMENT STANDARDS; CONCURRENCY, TIMING AND PHASING OF INFRASTRUCTURE; FACILITY PLANS FOR PUBLIC INFRASTRUCTURE; PUBLIC SERVICE LEVELS AND FISCAL EFFECT; AND OPEN SPACE, RESOURCE CONSTRAINTS AND COOPERATIVE PLANNING CONSIDERATIONS NOT ELSEWHERE ADDRESSED, AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1.

Article 822, "Provisions for Amendments to Local Master Plans and Zone Changes in Areas Subject to Cooperative Planning Under the Regional Plan Settlement Agreement" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit A which is attached and incorporated by reference.

Proposed on the 25 day of February, 2003.

Proposed by Commissioner Sferrazza.

Passed on the 11 day of March, 2003.

Vote: **3-0**

Ayes: **Galloway, Sferrazza, Weber**

Nays:

Absent: **Humke, Shaw**

*for* Bonnie Weber  
David E. Humke, Chairman  
Washoe County Commission

ATTEST:

Amy Harvey  
County Clerk

This ordinance shall be in force and effect from and after the 21 day of March, 2003

*1192*  
*24A(3)*

*Article 822*  
**PROVISIONS FOR AMENDMENTS TO  
 LOCAL MASTER PLANS AND ZONE  
 CHANGES IN AREAS SUBJECT TO  
 COOPERATIVE PLANNING UNDER THE  
 REGIONAL PLAN SETTLEMENT  
 AGREEMENT**

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**Sections:**

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<b>110.822.25</b>	<b>Findings for Regional Form and Pattern including Open Space</b>
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<b>110.822.35</b>	<b>Findings for Concurrency, Timing and Phasing of Infrastructure</b>
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<b>110.822.45</b>	<b>Findings for Open Space, Resource Constraints and Cooperative Planning Considerations Not Elsewhere Addressed</b>

**Section 110.822.00 Introduction.** Subsequent to adoption of the updated 2002 Truckee Meadows Regional Plan, the Regional Plan Settlement Agreement Case No. CV02-03469 (hereinafter referred to as "settlement agreement") was reached that disposed of certain litigation over the Regional Plan and related matters. Among subsequent actions required by the settlement agreement was the development of certain specific objective criteria that would establish findings necessary for zone changes within areas defined as "cooperative planning areas" in the Truckee Meadows. This is addressed in this article. The settlement agreement also required development of certain minimum development standards common throughout the entire cooperative planning area to minimize potential negative impacts of new development on existing development within the incorporated and unincorporated areas. These common minimum standards are addressed in Article 434, Regional Development Standards within Cooperative Planning Areas and all of Washoe County. Together, Articles 434 and 822 are intended to promote effective implementation of the Truckee Meadows Regional Plan of 2002 by applying specific standards and criteria, and requiring findings during the local zoning and master plan amendment process. Principle #1 of the Regional Plan, adopted May 9, 2002, states that the 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—its downtowns, its designated Regional Centers, and its traditional transportation corridors. This strategy will redirect growth that might otherwise occur at the urban fringe; make more efficient use of land, natural resources and community services; save*

*1192*  
*2-A(3)*

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."

[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]

**Section 110.822.05 Purpose.**

- (a) Articles 434 and 822 are intended to implement certain portions of the October 17, 2002 Regional Plan Settlement Agreement and to function as the master documents for the settlement agreement. These standards will be on file with all settlement signatories and the Court.
- (b) The cooperative planning criteria and development standards have been developed and implemented to provide better assurance to the communities and citizens as to what, where, when and how development will occur within their neighborhoods and to what standards or criteria these areas will be developed.
- (c) For the full term of the 2002 Regional Plan, the codes of Reno, Sparks and Washoe County must contain all the provisions specified in Articles 434 and 822. Codes for any of these jurisdictions may exceed these requirements, but they shall contain no provisions that contradict or weaken the effect of these provisions. Any variance to the provisions contained within this article, including any proposed modifications pursuant to special use permit or other special exception, shall be processed only as specified in NRS 278.300 (1)(c) as that statutory provision is implemented in Article 110.804 of the Washoe County Development Code and [the] corresponding provisions of the City of Sparks and City of Reno codes. Specific Plan, Transit Oriented Development, Emerging Employment Centers, Planned Unit Development or any other area within the cooperative planning areas may not be exempted from these provisions. Neither the Regional Plan nor any of the codes of the three jurisdictions, shall be amended in any way so as to negate the provisions of these articles during the term of the 2002 Regional Plan. Notwithstanding the above, any or all of these provisions may be amended through majority vote of each of the three local governing bodies.

[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]

**Section 110.822.10 Applicability.** The following policies apply to amendments to local master plans and zoning changes throughout the cooperative planning areas of the Truckee Meadows region, including Transit Oriented Development areas and Emerging Employment Centers within cooperative planning areas, unless the text of the specific policy states otherwise. "Cooperative Planning Areas" means:

- (a) The expanded city spheres of influence (SOIs), post-May 8, 2002;
- (b) Land within the unincorporated area and outside the expanded spheres of influence, but within the Truckee Meadows Service Area (TMSA) that was identified by the cities as within the "areas of interest" in the settlement agreement; and
- (c) Lands annexed by a city under the provisions of NRS 268.670 outside the pre-May 9, 2002 spheres of influence, except as prescribed in the settlement

agreement in Nevada Supreme Court Case No. 38749 (also known as the Verdi matter).

*[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]*

**Section 110.822.15 Definitions.** Except as otherwise noted in this subsection or in a specific section that follows, the definitions of terms used in this article are the same as the definitions on pp. 54 through 64 of the Truckee Meadows Regional Plan adopted May 9, 2002.

- (a) "Development constraints areas" shall also include "earthquake fault areas" and "natural recharge areas", as well as wetlands and areas with greater than 30 percent slope.
- (b) "Earthquake fault areas" are areas within fifty (50) feet of the line of a known earthquake fault.
- (c) "Natural recharge areas" are areas that have been identified as a result of scientific study to be particularly important to maintaining the recharge of a particular hydrographic basin.

*[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]*

**Section 110.822.20 Master Plan Policies and Goals, and Zoning Amendments Criteria.**

Local governments considering amendments within cooperative planning areas shall be required to make all the applicable findings identified in Sections 110.822.25 through 110.822.45.

*[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]*

**Section 110.822.25 Findings for Regional Form and Pattern including Open Space.**

- (a) Findings for Regional Plan Policy 1.1.6 – Rural Development Area (for an amendment located within a Rural Development Area): (See subsection (i) for Truckee Meadows Service Area findings). The following findings must be made:
  - (1) The amendment does not allow new divisions of land that would create a parcel less than five (5) acres in size, except as allowed by existing zoning/master plan classifications and District Health Regulations as of May 9, 2002.
  - (2) The permitted uses do not require community water or sewage disposal systems or new publicly maintained roads or parks.
- (b) Findings for Policies 1.1.8 and 2.1.1 – Development Constraints Area (for an amendment located within a Development Constraints Area). The following findings must be made:
  - (1) Allowed land uses are limited to communication facilities, recreational facilities, parks and open space, utilities, agriculture, forestry, mining, transportation infrastructure necessary to service development, and residential uses that are limited to a maximum density of one (1) unit per forty (40) acres or one (1) unit per parcel in existence on May 9, 2002.
  - (2) Open space identified for future acquisition, parkland and natural recharge areas, to the extent known, shall be maintained at current densities and be identified in the Regional Open Space Plan, local master plans and local parks master plans of the entities with jurisdiction.
  - (3) For any use not listed in finding (1) above: it must be found that the uses allowed by the proposed master plan and/or land use designation within the Development Constraints Area are isolated, enhance the overall

design of a proposed project, and preserve as open space a two to one (2:1) ratio of non-constrained area for every constrained area that is developed.

- (c) Findings for Policies 1.1.9 and 2.2.1 – Slope Management (15 percent to 30 percent) (for an amendment with identified slopes in excess of 15 percent): The following findings must be made:
- (1) The local government making the amendment already has in effect an applicable adopted Slope Management Plan for slopes greater than 15 percent but less than 30 percent that includes the entire area in which the amendment is proposed and that has been found in conformance with the Regional Plan. To be found in conformance, that Slope Management Plan must contain, at a minimum:
    - (i) Provisions sufficient to ensure full compatibility with the development standards contained in Article 434 throughout the entire area of the Slope Management Plan.
    - (ii) Additional requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to mitigate the visual impact of the Visually Important Ridgeline area development on existing developed areas and ensure that, at a minimum, throughout the entire area of the Slope Management Plan and its plan. 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.
      - (●) 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.
      - (●) Recharge areas are protected; and development in recharge areas is discouraged and, if it occurs, the impact on recharge is fully mitigated.
      - (●) Activities comply with the terms of National Pollutant Discharge Elimination System (NPDES) permits.
    - (iii) An impact assessment that reasonably shows that, at buildout, the management strategy will assure that above requirements of subsection (ii) will be met.
  - (2) The amendment is in conformance with that Slope Management Plan.
- (d) Findings for Policies 1.1.12 and 1.2.16 – Emerging Employment Centers (for an amendment in an area identified as an Emerging Employment Center). The following findings must be made:
- (1) The local government making the amendment already has in effect an applicable adopted development plan for the entire Emerging

Employment Center in which the amendment is proposed, and which has been found in conformance with the Regional Plan. To be found in conformance, that Emerging Employment Center plan must contain, at a minimum, applicable throughout the entire area of the Emerging Employment Center:

- (i) Requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to mitigate the visual impact of the Emerging Employment Center area development on existing developed areas and ensure that, at a minimum, throughout the entire area of the Emerging Employment Center and its plan:
    - (•) Adequate non-residential land supply;
    - (•) Convenient access to major roads and/or freeways;
    - (•) Pedestrian connections throughout the areas and to nearby residential areas;
    - (•) A plan for transit service;
    - (•) Adequate residential land supply in the surrounding area to house the anticipated number of employees;
    - (•) Maintenance of the character of nearby standards; and
    - (•) Compatibility with reverse commute and trip reduction strategies.
  - (ii) An impact assessment that reasonably shows that, at buildout, the management strategy will assure that requirements of subsection (i) will be met.
  - (iii) A professional economic analysis has been provided that reasonably shows that, at buildout, the tax revenues for both the city and Washoe County, generated by the uses and resident population of the Emerging Employment Center, shall meet or exceed the costs of services provided by city and county government to the uses and to the resident population in the Emerging Employment Center. These costs shall include costs for both the maintenance and replacement of infrastructure. If this analysis requires intensity to meet this condition, the intensity is specifically required by the plan.
  - (iv) All utilities that will be providing services to the Emerging Employment Center have submitted statements that, under the rates and fee structure of the utility, the cost of providing service to the Emerging Employment Center will not be shifted onto ratepayers in other areas.
- (2) The amendment is in conformance with that plan.



- (e) Findings for Regional Plan Policy 1.2.1 – Desired population and employment distribution and Jobs/Housing balance. The amendment must demonstrate that it will contribute to, and further the achievement of the purposes of, Regional Plan Policy 1.2.1 through application of the following criteria:
- (1) The amendment shall provide a detailed up-to-date assessment of the impact on the desired population, housing and employment distribution articulated in Regional Plan Policy 1.2.1. The model for this review shall be developed, maintained and updated annually by the Truckee Meadows Regional Planning Agency, in cooperation with local governments and affected entities. This annual update shall also assess where and how the cost of housing has been impacted by the Regional Plan policies.
  - (2) The amendment must make a finding that the distribution of population, housing and employment envisioned in Regional Plan Policy 1.2.1 will be reinforced by the proposed amendment. Infill projects inside the McCarran Ring should be encouraged, and development outside should be discouraged, until such time as the infill growth standard is met or exceeded.
- (f) Findings for Regional Plan Policy 1.2.12 – Regional Centers (for an amendment within an identified Regional Center).
- (1) The local government making the amendment already has, in effect, an applicable adopted development plan for the entire Regional Center in which the amendment is proposed and that Regional Center plan has been found in conformance with the Regional Plan. To be found in conformance, that Regional Center plan must contain, at a minimum, applicable throughout the entire area of the Regional Center:
    - (i) Requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to ensure that, at a minimum, applicable throughout the entire area of the Regional Center and its plan:
      - (•) Minimum residential densities for new development of eighteen (18) units per acre of residential, residential and for average densities of thirty (30) units per acre of residential within the entire area of the Regional Center plan;
      - (•) Minimum floor area ratios (FAR) for non-residential developments and mixed use developments of 1.5 FAR;
      - (•) Multi-modal transportation including future transit support where called for by the Regional Transportation Commission planning (supporting statement by Regional Transportation Commission required); and
      - (•) The required intensity and other features of the buildout under the plan is not detrimental to the character of any adjacent, existing communities.



- (ii) An impact assessment that reasonably shows that, at buildout, the Regional Center plan will assure that requirements of subsection (i) will be met.
  - (iii) A professional economic analysis has been provided that reasonably shows that, at buildout, the tax revenues for both the city and Washoe County, generated by the uses and resident population of the Regional Center, shall meet or exceed the costs of services provided by city and county government to the uses and to the resident population in the Regional Center. These costs shall include costs for both the maintenance and replacement of infrastructure. If this analysis requires intensity to meet this condition, the intensity is specifically required by the plan.
  - (iv) All utilities that will be providing services to the Regional Center have submitted statements that, under the rates and fee structure of the utility, the cost of providing service to the Regional Center will not be shifted onto ratepayers in other areas.
- (2) The amendment is in full conformance with that plan.
- (g) Findings for Regional Plan Policies 1.2.8, 1.2.9 and 1.2.12 – Transit Oriented Development Corridors (for an amendment within a Transit Oriented Development). The amendment must be found to make a significant positive contribution to achieving the purposes and objectives of the Transit Oriented Development Corridors. The following findings must be made:
- (1) The local government making the amendment already has, in effect, an applicable adopted development plan for the entire Transit Oriented Development Corridor in which the amendment is proposed; and that plan has been found in conformance with the Regional Plan. To be found in conformance, that Transit Oriented Development Corridor plan must contain, at a minimum, applicable throughout the entire area of the Transit Oriented Development corridor and plan:
    - (i) Requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to ensure that, at a minimum:
      - (•) Minimum residential densities for new development of eighteen (18) units per acre of residential, residential and for average densities of thirty (30) units per acre of residential within the entire area of the Transit Oriented Development Corridor Plan;
      - (•) Minimum floor area ratios (FAR) for non-residential developments and mixed use developments of 1.5 FAR;
      - (•) Within one-quarter mile of a designated transportation route, as identified in Regional Plan Policy 1.2.8;

- (•) The required intensity and other features of the buildout under the plan is not detrimental to the character of any adjacent, existing communities;
  - (•) Compatibility with aviation and operational requirements of the Airport Authority of Washoe County (supporting statement by Airport Authority required);
  - (•) Land use and design that supports and enhances multi-modal transportation, including future transit, and that is compatible with Regional Transportation Commission planning (supporting statement by Regional Planning Commission required); and
  - (•) Human scale design.
- (ii) An impact assessment that reasonably shows that, at buildout, the Regional Center plan will assure that requirements of subsection (i) will be met.
- (2) The amendment is in conformance with the adopted conforming Transit Oriented Development Corridor Plan.
- (h) Findings for properties identified as potential Open Space within the adopted Regional Open Space Plan:
- (1) A finding that the property owner has noticed local, regional, state, national and federal organizations charged with the mission of maintaining or enhancing open space in this region that an amendment to the cooperative plan to change zoning will be submitted.
  - (2) Open space identified for future acquisition, parkland and natural recharge areas, to the extent known, shall be maintained at current densities and identified on the Regional Open Space Plan, local master plans and local parks master plans of the entities with jurisdiction.
- (i) Findings for Regional Plan Policies 1.3.2 and 1.3.3 – Truckee Meadows Services Area (TMSA) – development standards (for an amendment in the Truckee Meadows Services Area outside the sphere of influence).
- (1) The local government making the amendment already has an area plan that includes the entire area to be amended in the Truckee Meadows Services Area outside the cities' sphere of influence, and that area plan has been found in conformance with the Regional Plan. That area plan must contain, at a minimum, applicable throughout the entire area of the area plan:
    - (i) Requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to ensure that, at a minimum, throughout the entire area of the area plan:
      - (•) Residential density no greater than three (3) dwelling units per acre in the Truckee Meadows Services Area;

- (•) Commercial retail is restricted to a floor area of sixty thousand (60,000) square feet or less for any single tenant and a maximum size for any single development to one hundred thousand (100,000) square feet of floor area;
  - (•) Commercial office is restricted to a floor area of twenty thousand (20,000) square feet or less for any single tenant and a maximum size for any single development to forty thousand (40,000) square feet of floor area;
  - (•) No industrial or warehouse uses;
  - (•) Institutional/civic uses will be commensurate with the surrounding immediate community;
  - (•) There will be a maximum ten (10) acres of contiguous non-residential properties and these must be separated by a minimum of one (1) mile from the nearest non-residential property;
  - (•) Open space identified for future acquisition, parkland and natural recharge areas, to the extent known, shall be maintained at current densities and identified in the Regional Open Space Plan, local master plans and local parks master plans of the entities with jurisdiction;
- (ii) Such alternative standards as may be submitted and approved as allowed in the 2002 Truckee Meadows Regional Plan; and
  - (iii) The proposed amendment is in conformance with the adopted area plan.
- (j) Findings for Visually Important Ridgeline (VIR) areas, as identified on the Visually Important Ridgelines & Related Landforms map dated May 1994 in the Washoe County Regional Open Space Plan and those significant ridgelines identified on the Development Suitability maps contained within the August 13, 2002 Washoe County Forest Area Plan, Washoe County North Valleys Area Plan and Washoe County Verdi Area Plan, shall be considered in applications for master plan and zoning map amendments.
- (1) The local government making the amendment already has an applicable adopted VIR area plan which has been found in conformance with the Regional Plan and that includes all of the area of the proposed amendment. To be found in conformance, that VIR area plan must contain, at a minimum, applicable throughout the entire area of the VIR Plan:
    - (i) Identification of potential developable areas (0 to 30 percent slope).
    - (ii) Description of the existing landscape of such slope.

- (iii) Requirements, including proposed land use (both master plan and zoning, if different) and a map to specify allowable and prohibited land uses, and development standards<sup>1</sup> sufficient to mitigate the visual impact of the VIR area development on existing developed areas and ensure that, at a minimum:
    - (•) The maximum height, placement, design and coloration of structures will minimize visual impacts of areas identified in the sight-line analyses; and
    - (•) Minimum setbacks and height limits for structures on the back sides of slopes will minimize visual impacts of areas identified in the sight-line analyses.
- (2) The proposed amendment is in conformance with the adopted conforming VIR area plan.

[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]

**Section 110.822.30 Findings for Housing.** The amendment must make a positive contribution to community housing goals as articulated by the following findings:

- (a) The amendment is consistent with criteria for densities established in Section 110.822.25, Findings for Regional Form and Pattern including Open Space, including subsections (a), (b), (f), (g) and (i).
- (b) The amendment is consistent with the local governments' requirements for inclusionary affordable housing as identified in Regional Plan Policy 1.1.13, which must be reviewed by Regional Planning no later than October 2004.
- (c) Prior to conformance of the local governments' requirements for inclusionary affordable housing, the amendment must document that it is not detrimental to the HOME Consortium's housing efforts and will provide affordable, accessible and appropriate housing opportunities and options to the community. Agency comments from the HOME Consortium must be solicited on the amendment).

[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]

**Section 110.822.35 Findings for Concurrency, Timing and Phasing of Infrastructure.** The following findings, either (a) or (b), as applicable, must be made. Each amendment must demonstrate how it makes a positive contribution to concurrent, orderly, efficient and safe provision of community infrastructure:

- (a) Service capacity for water, wastewater, stormwater, roads and parks exists or is planned to exist prior to construction of development within the amendment.
- (b) When using a community system, each of the following studies must identify and mitigate the cumulative impacts on existing infrastructure and facilities plans. These conceptual studies must propose infrastructure mitigation that constitutes reasonable care with respect to adjacent or adjoining areas.
  - (1) The amendment includes a conceptual drainage study consistent with the adopted standards of the local government.

<sup>1</sup> In developing the VIR plan and standards, a minimum of three (3) sight-line analyses shall have been provided from the existing built environment, generally within ¼ to ½ mile of the project site. Staff members of the local governments involved in the cooperative plan shall jointly select the locations for the sight-line analyses to represent typical views of the project site from nearby neighborhoods. The development standards of the conforming VIR area

- (2) The amendment includes a conceptual wastewater treatment and conveyance, including septic systems, study consistent with the adopted standards of the local government.
- (3) The amendment includes a conceptual traffic study that is consistent with the adopted Regional Transportation Plan.
- (4) The amendment includes a conceptual potable water supply and conveyance, including individual wells, study.
- (5) The amendment includes a conceptual parks plan consistent with the adopted standards of the local government.
- (6) The proposed cooperative plan amendment that proposes a community system must identify a funding plan for the improvement program.

*[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]*

**Section 110.822.40 Findings for Public Service Levels and Fiscal Effect.** Through application of the following criteria and assessments, the amendment must support a finding that it will not cause, or will mitigate, adverse impacts upon the cost and efficient provision of public services (including public safety, recreation and education) to existing residents and communities within Washoe County:

- (a) The amendment must assess the impacts to public services including police, fire and public recreation based on a level of service that has been adopted by the local government and this assessment reasonably demonstrates that the level of service to the existing communities is not negatively impacted.
- (b) The amendment provides mitigation measures when the impact to public services drops below the adopted level of service for the local government.
- (c) The proposed Cooperative Plan Amendment must analyze the fiscal revenue and service expenditures of development.
- (d) The amendment must identify and evaluate the impacts on public schools.

*[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]*

**110.822.45 Findings for Open Space, Resource Constraints and Cooperative Planning Considerations Not Elsewhere Addressed.**

- (a) Findings for Wildlife:
  - (1) The proposed amendment provides a full and detailed assessment of wildlife habitats that have been identified in the Regional Open Space Plan. The amendment must be found to include preservation, enhancement and/or mitigation measures as necessary for the maintenance of habitat.
  - (2) The amendment demonstrates how it is not detrimental to the protection, preservation and enhancement of wildlife habitat, as applicable.
- (b) Findings for Water-related Constraints: The amendment is compatible with either the interim or updated plan and policies (whichever is in effect) drafted and adopted by the Regional Water Planning Commission (RWPC) in accordance with the terms of the settlement agreement.

- (c) Findings for Open Space and Natural Recharge Areas. Open space identified for future preservation by acquisition, parkland and natural recharge areas, to the extent known, shall be maintained at current densities and identified in the Washoe County Regional Open Space Plan, local master plans and local parks master plans of the entities with jurisdiction.

[This Section added by Ord. \_\_\_\_, provisions eff. \_\_/\_\_/\_\_.]