

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

A

\$ 28,000
cost

**TRUCKEE MEADOWS
REGIONAL PLANNING AGENCY
2001 REGIONAL PLAN UPDATE**

Initial Summary Of Surveys

January, 2002

**ORIGINALS ON FILE IN THE
RESEARCH LIBRARY**

ASSEMBLY GOVERNMENT AFFAIRS
DATE: 3-31-03 ROOM: 3143 EXHIBIT J
SUBMITTED BY: NEAL COBB
PAGE 1 of 25

GENERAL AWARENESS

Generally, 40 percent of those in the random sample and 79 percent of those in community meetings say they are **very or somewhat familiar with the Truckee Meadows Regional Plan**. One-fourth of those living in Reno say they never heard of the Regional Plan until the survey, compared with only 19 percent for Sparks residents and 13 percent of unincorporated Washoe County residents.

GROWTH MANAGEMENT

On a scale of 1 to 10 where 1 is the worst possible and 10 is the best possible, most of those in the telephone survey think the region is performing about "average", or about 5 for many planning issues evaluated. Rated highest are **water quality** at 6.2, **air quality** at 6.2 and **choices in housing types** at 6.3, with lowest ratings of 4.1 for **traffic congestion on freeways and major roads**, 4.4 for **managing growth**, 4.6 for **managing roads, traffic and public transportation** and 4.6 for **annexation of county areas into cities**.

Those living in unincorporated Washoe County give slightly lower average ratings for **water quality** (6.0), **water quantity** (5.4) and **annexation of county areas into cities** (3.8) compared with those living in Reno and Sparks.

Average ratings by those responding to the feedback sheet is only slightly higher for **choices for housing types** at 6.6, but significantly lower for most other areas compared with the telephone survey. Lowest average ratings were given for the following:

- ✱ cooperating and coordination of local governments – 2.8
- ✱ annexation of county areas into the cities – 3.3
- renovation of urban areas – 3.5
- development of hillsides and ridgelines – 3.6
- managing growth – 3.7
- preservation of neighborhood character – 4.2
- traffic congestion on freeways and major roads – 4.3
- managing roads, traffic and public transportation – 4.4

CONCEPTS AND TRADEOFFS

Currently, most live in **single-family, detached homes** – 62 percent for the telephone survey and 81 percent for the feedback sheet – and this is the housing type in which over eight-out-of-ten prefer to live as well. A higher percentage of those in Reno live in apartments (26 percent), while a higher percentage of those in unincorporated Washoe County live in mobile or manufactured homes (30 percent).

The following summarizes those who say they would prefer to live in specific housing environments, with the following scenarios:

EXHIBIT J
PAGE 2025

How can I make my opinions count?

1) Complete a public feedback sheet as requested by the Truckee Meadows Regional Planning Agency. You can obtain this form off their website at www.tmrpa.org or call them at 321-8385. Washoe County also has forms available at various sites throughout the County; call 328-6169 for locations. The form must be received by the TMRPA by December 21, 2001.

Below is Washoe County's position on selected questions on the feedback form:

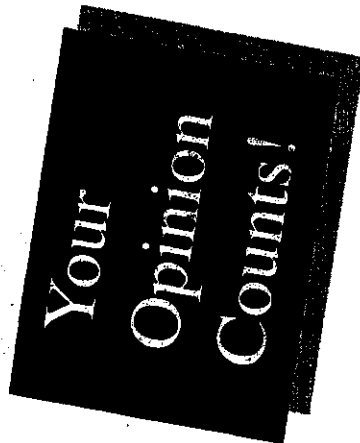
Question 30: Neither option is acceptable as both take away local control.

Question 31: Select Option 2 (Reason: This option eliminates Mt. Rose/US 395 intersection as a corridor identified for intense development.)

Question 32: Select Option 2 (Reason: Option 1 prevents communities from planning commercial development compatible to their area.)

Question 34: Select Option 1 (Reason: Option 2 can't be implemented because the Regional Planning Governing Board does not have taxing authority.)

Question 24 & 36: Select Options 2 & 3 (Reason: Both these options allow the current SOI to remain the same and to only be changed every five years based on demonstrated need.)



■ Attend the public workshop Monday, December 17, 2001

■ Submit written comments

■ Complete a public feedback sheet and return by December 21, 2001

Question 37: Select Option 2 (Reason: Option 2 allows local governments and their citizens to retain control over their services.)

Question 38: Select Option 3 (Reason: By law Joint Plans, which are developed jointly by a city and county, can only be changed if both parties agree through a public process.)

2) Submit written comments to the TMRPA. You can contact them by email at input@tmrpa.co.washoe.nv.us or write them at One East First Street, Suite 900, Reno, NV 89501.

3) Attend the Public Workshop scheduled for Monday, December 17th from 5-8 p.m. at the Lawlor Events Center. This is a self-directed workshop that you can attend any time between 5 and 8 p.m. and stay as long as like.

The Truckee Meadows Regional Plan is your plan. It will determine how your community develops, our children's future, and our quality of life. *Whatever way you choose to be heard, remember to submit your input by December 21, 2001.*

For more information:

www.co.washoe.nv.us

www.tmrpa.co.washoe.nv.us

Call Washoe County Planner Eric Young at 328-3613.

B

Regional Planning and You



Presented by Washoe County

What is the Regional Plan?

Who decides what's in the plan?

Regional planning is a process that involves the participation of public officials, private citizens, and business leaders. The plan is developed through a series of public hearings and workshops. The plan is then adopted by the regional council of governments.

- Maintaining the character of communities and avoiding sprawl.
- Manage our natural resources.
- Make sure open space is accessible.
- Make the plan predictable.
- Manage growth.
- Define roles of local government.
- Work together as a region.

What's in the plan?

The plan is intended to provide guidance for development and growth in the region. It includes information on land use, transportation, and economic development. The plan also provides for the protection of the environment and the promotion of a strong economy.

Where should we grow?

Development should be concentrated in areas that are already developed or have the potential for development. This includes areas near major transportation corridors and areas that are close to existing infrastructure. The plan also identifies areas that are suitable for agriculture and other rural uses.

Why do we need a plan?

The population of the Truckee Meadows will increase by 110,000 people. How do we meet the needs of this population while maintaining a high quality of life? By planning ahead, we can make sure that our growth is managed in a way that works for us rather than against us.

What can I do to make sure we grow smart?

You can let us know what you think! The updated plan has been drafted, but there are several key decisions that still need to be made that will impact our region for the next 20 years. Following are some of the key decisions that still need to be made and Washoe County's position on them.

How should growth occur in SOIs?

Development should be concentrated in areas that are already developed or have the potential for development. This includes areas near major transportation corridors and areas that are close to existing infrastructure. The plan also identifies areas that are suitable for agriculture and other rural uses.

Should growth occur along corridors?

Development should be concentrated in areas that are already developed or have the potential for development. This includes areas near major transportation corridors and areas that are close to existing infrastructure. The plan also identifies areas that are suitable for agriculture and other rural uses.

Without a demonstration project for the development of rural interchanges, we believe future development should be concentrated along existing urban corridors. This is a city's core. The community's priorities and the plan's principles support this.

C

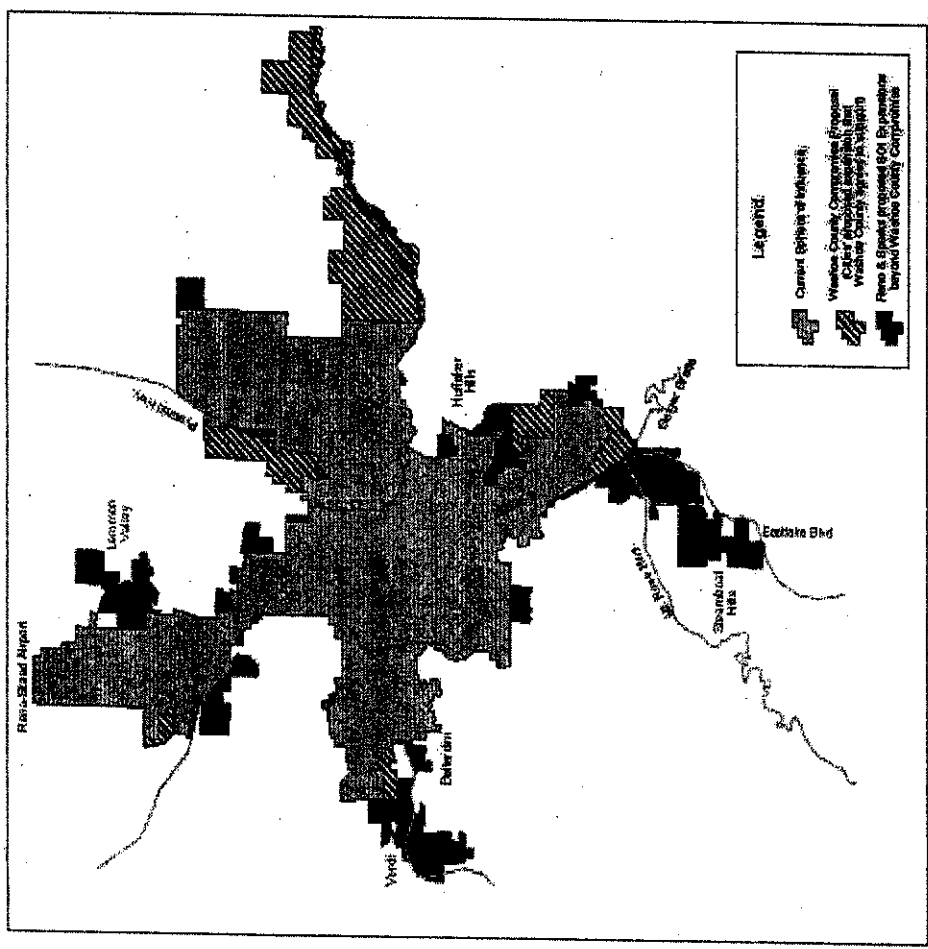
RESPONSIBLE GROWTH PLANNING

How the Truckee Meadows Regional Plan Affects You



Presented by
Washoe County

OFFICE OF
WASHOE COUNTY MANAGER
1001 E. 9th Street
PO. Box 11130
RENO, NEVADA 89520



For more information about the Regional Plan and responsible growth planning:
www.co.washoe.nv.us

www.tmrpa.org

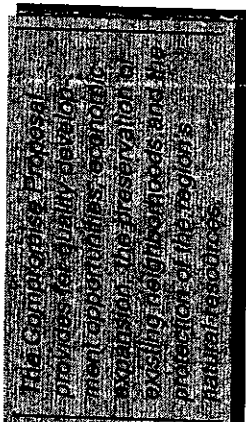
Call Washoe County Planner Eric Young at 328-3613

Call Truckee Meadows Regional Planning Agency at 321-8385

April 2002
2500

EXHIBIT J
PAGE 25

On March 26, 2002, the Washoe County Commission unanimously endorsed a **Compromise Proposal** to the recommended 2002 Draft Truckee Meadows Regional Plan that benefits the region without unduly restricting the needs and goals of each jurisdiction. They also directed that this **Compromise Proposal** be shared with the public.



The County's compromise includes a significant reduction in the cities' proposed immediate growth, yet still allows for reasonable city growth in the near-term. Future expansions would only occur when identified regional criteria and thresholds are met.

Background

The Truckee Meadows Regional Plan guides our community's development and growth over a 20-year period, and must be updated every five years.

The Regional Planning Commission's (RPC) currently proposed update includes a greatly expanded Sphere of Influence (SOI). This SOI defines where cities will grow. Typically, growth within an incorporated city is more intense than growth outside of city limits.

The RPC proposal increases the existing SOI by 34,580 acres—that's a 243% increase! The proposed SOI extends south through the rural areas of Pleasant Valley, west to the California border and about 10 miles east along I-80 in the Truckee River Canyon. In some areas, this proposed expansion appears to target development potential for generating tax revenue, rather than building upon proven land use needs. It directly conflicts with what the region's citizens have said they want for the region. The proposed SOI "cherry picks" communities for annexation and, as a result, government services become more costly to provide and sprawl continues.

Compromise Proposal Reflects Community Input

Hundreds of hours have been spent by Washoe County, the cities of Reno and Sparks and the Regional Planning Agency in collecting public input on the plan. The **Compromise Proposal** advanced by Washoe County reflects the spirit of that public input while addressing the needs of the various jurisdictions involved. It provides our region with a mechanism for determining when expansion of a city's sphere is appropriate.

Washoe County's **Compromise Proposal** provides for additional land resources for cities to expand where it makes sense. Specifically, the **Compromise Proposal** provides for 15,883 additional acres, expanding the current SOI by 111%. These areas include the Damonte Ranch and the Curti Ranch in the southeast, land adjacent to the Sommerset project northwest of I-80, some acreage in the north valleys, and the Truckee River Canyon area along east I-80. Under the **Compromise Proposal**, the area identified for city growth will double. The **Compromise Proposal** provides enough land for city expansion to ensure healthy, responsible development that will benefit our region and its citizens.

What's Next?

Opportunities are running out for the public to be involved in this decision that will determine our community's growth and its quality of life in the next 20 years. **Now is the time to get involved and have your voice heard for responsible growth planning.**

Regional Planning Commission

Wednesday, April 24 @ 6:30 p.m.*
Washoe County Commission Chambers
1001 E. 9th Street, Reno

*the **Regional Planning Commission** is scheduled to vote on whether to send the current **Regional Plan proposal** or a revised version to the **RPGGB**

Regional Planning Governing Board

Thursday, May 9th @ 2:00 p.m.*
Washoe County Commission Chambers
1001 E. Ninth Street, Reno

*this may be the final decision

2001 Regional Plan Update

12/17/01 PHASE II PUBLIC INVOLVEMENT PUBLIC WORKSHOP FEEDBACK DRAFT REGIONAL PLAN FOR PUBLIC COMMENT

D

On December 17, 2001 a public workshop was held at the Lawlor Events Center on the 2001 Regional Plan Update. All members of the public were invited to attend the workshop to ask questions and comment on the draft 2001 Regional Plan. Individuals were invited to write comments on large sheets of paper located at each of the stations set up at the workshop. In addition to writing comments on large sheets of paper, they were encouraged to fill out and turn in a written feedback sheet.

Attached are the recorded questions and comments from the public workshop on the draft 2001 regional Plan. Comments were recorded in exactly the same manner as they were written which includes spelling and grammatical mistakes. Words that were not legible are symbolized by "xxxxx".

2001 REGIONAL PLAN UPDATE

Background/Fundamental Assumptions

Feedback:

- RATHER THAN BUILDING MORE WIDE ROADS, INVEST IN WIDENING McCARRAN AND PUTTING IN SOME OVERPASSES AND FRONTAGE ROADS.
- QUIT ALLOWING BUILDING ON RIDGES-EVEN EAST OF VISTA BLVD.!
- NOT ENOUGH TIME OR NOTICE FOR PUBLIC INPUT AND RESPONSE- MOST RESIDENTS DID NOT RECEIVE ANY WRITTEN MATERIAL OR NOTICE OF 12-17-01 MEETING.
- THESE MEETINGS SHOULD BE HELD ON THE WEEKENDS!
- REGIONAL PRIORITIES MAP IS DIFFICULT TO UNDERSTAND- ARE THE INFILL AREAS EXTENDING ALL THE WAY TO WASHOE VALLEY, THAT'S VERY INAPPROPRIATE.
- THE REGIONAL OPEN SPACE PLAN NEEDS TO BE A PART OF THIS PLAN AND ALL SUCH LAND INCLUDED IN THE DCA.
- WHY DOES RENO AND SPARKS "NEED" SO MUCH EXCESS LAND? NOW! THIS IS SIMPLY A LAND GRAB- WILL PROMOTE SPRAWL. HIGH RISE APTS NEXT TO 1 & 2 ACRES HOMES IS INAPPROPRIATE!
- PLAN DOES NOT INCLUDE ANTICIPATED AVAILABILITY & COST OF WATER, ROADS-NEW AND WIDENED TO SUPPORT TRAFFIC, INCREASE IN COMMUTE MILES OR AIR POLLUTION.
- DOESN'T WATER AVAILABILITY BELONG IN FUNDAMENTAL ASSUMPTIONS? WHAT IS THE EQUATION RELATING POP. GROWTH AND WATER USAGE AND AVAILABILITY?
- YOUR PLAN INCORPORATES THE IDEA OF FILLING IN EXISTING CORRIDORS WITH HIGH RISE APARTMENTS. THIS IS THE CHARACTER OF INNER CITIES THAT PEOPLE MOVE HERE TO ESCAPE.
- WE NEED MORE BETTER ROADS BOTH WEST & EAST AND NORTH & SOUTH.
- IF I WANTED 30-45 UNITS PER ACRE I WOULD MOVE TO SAN FRANCISCO. THIS IS NOT THE LIFESTYLE I WANT.

- FREEZE SOI'S DO A NEEDS & CAPACITY ANALYSIS.
- TOD'S DEVELOPED BY ENTITY INVOLVED.
- *WHAT IMPACT WOULD THIS HAVE ON OUR PROPERTY VALUE? WE MOVED OUT TO THE RED ROCK AREA BECAUSE IT IS NOT SO POPULATED. PUT AFFORDABLE HOUSING ELSEWHERE.
- IN MY OPINION THERE HAS BEEN TOO MUCH DEVELOPMENT OF THE AGRICULTURAL LAND IN THE VALLEYS -TOO MUCH GROWTH PERIOD. WHAT ABOUT WATER? IS THERE ENOUGH?
- "OPEN SPACES AND GREEN SPACES" DOESN'T MEAN GOLF COURSES! DOES IT?
- THE PLAN SINGLES THE COUNTY OUT WHERE IS THE EQUITY IN THAT?
- ONE GOVERNMENT, BUT KEEP THE CHECKS AND BALANCE OF THE TWO CITIES AND THE COUNTY.
- IF YOU THINK THAT HIGH DENSITY, LOW COST HOUSING IN THE NORTH VALLEYS IS SOUND PLANNING, DRIVE 395 DURING RUSH HOUR. THAT FREEWAY WILL BE AT A STANDSTILL FOR YEARS.
- SUBURBIAN SPRAWL IS RUINING THIS BEAUTIFUL VALLEY; BOUNDARIES ARE NEEDED TO CHECK THIS. LET'S BE CREATIVE IN OUR THINKING AS WE DEAL W/ POPULATION GROWTH, OUR DECREASING RESOURCES.
- OPEN SPACE AND RURAL LIFESTYLE NEED TO BE PROTECTED CITY BOUNDARIES SHOULD BE SET UP BASED UPON CURRENT NEED NOT ON PROJECTIONS.

2001 REGIONAL PLAN UPDATE

Planning Principle #1: Regional Form and Development Pattern Feedback:

- KEEP SOI'S AS EXISTING!
- OPTION 1 IS BETTER.
- NO EXPANSION OF SOI'S WITHOUT NEED!
- PROPOSED SOI'S DO NOT MEET REQUIREMENTS OF STATE LAW (NRS).
- MORE BIKE LANES.
- IT'S NOT LEGAL TO ALLOW APPOINTED RPGB GROUPS TO OVER RIDE ELECTED OFFICIALS DECISIONS.
- THE TMSA IS TOO LARGE! PROBABLY ADEQUATE FOR 40 YEARS.
- SOI'S ARE A WASTE.
- SOI'S ARE FLAWED. FREEZE AT CURRENT AREA. ELECTED OFFICIALS SHOULD HAVE FINAL SAY OVER OWN AREAS!!!
- SOI'S ARE CITIES NEED FOR REVENUE NEEDS.
- RPC & RPGB HAVE NO AUTHORITY FOR APPELATE DECISION.
- IN SOI'S ONE MAN ONE VOTE. AS AN INDIVIDUAL I HAVE NO VOTE FOR THE ENTITY IN CHARGE OF LAND USE DECISIONS IN SOI IN MY COMMUNITY OR NEIGHBORHOOD.
- REGIONAL CENTER & TOD MAY BE IN EITHER COUNTY OR CITIES. NOT MUST BE IN CITY.
- INCLUDE STRONG FLOODPLAIN MANAGEMENT PLANS FOR ALL AREAS FLOODED IN 1997. ADVOCATE FOR A FLOODPLAIN MNGMT. AGENCY TO ADOPT AND INTERFACE NEW FLOOD PROTECTION CODEOULD BE HELD ON THE WEEKENDS!

- KEEP SPHERES OF INFLUENCE AS THEY ARE NOW.
- ADOPT CONCEPT OF DESIGNATED COMMUNITIES FOR UNINCORPORATED AREAS.
- FREEZE SOI'S UNTIL FUTURE GROWTH SHOWS A NEED. SOI'S AROUND RURAL COMMUNITIES ARE AGAINST PRESERVATION OF CHARACTER OF EXISTING COMMUNITIES.
- STOP THE SPRAWL IN S. MEADOWS (MT. ROSE CORRIDOR) AND PROTECT THE BEAUTY OF OUR COMMUNITY.
- METER WATER USE BY MULTI-FAMILY PROPERTIES. SAVE 30% OF WATER USAGE.
- PROPOSED SOI'S SHOULD NOT BE SHOWN IN "DEVELOPMENT CONSTRAINT" AREAS EAST OF RED ROCK SHOWS PROPOSED SOI – BUT THAT AREA IS PLAYA, AND AN "ECOLOGICALLY SENSITIVE AREA". NOTHING IS TO BE BUILT THERE.
- YOU NEED A BETTER SYSTEM OF NOTIFICATION. VERY FEW OF THE 450 PEOPLE THAT I REPRESENT HAD EVER HEARD OF THIS MEETING. PLEASANT VALLEY CAB.
- MAKE DOWNTOWN VIRGINIA STREET INTO A PEDESTRIAN ROW.
- ENVIRONMENTAL CENTERS AND CORRIDORS SHOULD BE IN E- CENTERS AND E- CORRIDORS. EX. WETLANDS, PARKS, FLOODPLAIN, IMPORTANT BIRD AREAS EX. TRUCKEE RIVER, STEAMBOAT CREEK, OTHER CREEKS.
- BY ALL MEANS USE THE ATTRACTIVE OPTION OF TRANSIT CORRIDORS ALONG THESE MAIN ROADS, INTERSECTIONS AS SEEN IN THE SLIDES. I DON'T WANT LOCATION OF THE TRANSIT CORRIDORS GOING TO THE REDFIELD CAMPUS! LEAVE THAT BE, BUT DOWNTOWN RENO, SPARKS COULD UTILIZE THESE CORRIDORS IN AN ASTHETIC MANNER.

2001 REGIONAL PLAN UPDATE

Planning Principle #2: Unique Resources Management Feedback:

- MUST ALLOW ACCESS WAYS/PATHS TO MAINTAIN TRAILS- RIGHT NOW, MANY HILLSIDES ARE CUTOFF BY CONTINUOUS HOUSING/FENCING
- AMEN.
- ALL LAND DESIGNATED AS OPEN SPACE IN THE OPEN SPACE PLAN SHOULD BE INCLUDED IN THE DCA.
- WHY IS THE YELLOW PLAYA AREA OF LEMMON VALLEY –A DCA- ALSO INCLUDED IN RENO'S REQUEST TO EXPAND SOI'S. WHAT DO THEY WANT & NEED IT FOR?
- WHERE ARE YOU GOING TO GET ALL THE WATER.
- GROWTH NEEDS A LIGHT RAIL SYSTEM.
- LEAVE DEVELOPMENT AT 15%
- WATER & SEWER SHOULD HAVE BEEN IN THE FRONT OF THE PLAN NOT AFTER POPULATION & HIGH DENSITY HAVE BEEN DECIDED AND ONLY TO FIND OUT AT THE END OF THE PLAN NO WATER OR SEWER FOR POPULATION.
- SOUTH TRUCKEE MEADOWS FACILITY PLAN DONE IN JULY 2002 – WATER SHORTAGE FOR NORMAL DENSITY.
- NO 40 UNITS PER ACRE- 3 PER ACRE UNLESS IN CITY.
- WHAT ABOUT CANYONS AND RIPERIAN AREAS? REQUIRE A COORDINATED TRAILS AND REC. PLAN AS PART.
- CONTIGUOUS SMOOTH BIKE/ROLLERBLADE PATH FROM MUSTANG→ VERDI WOULD MAKE AREA ATTRACTIVE.
- MAINTAIN THE INTEGRITY OF ALL DEVELOPMENT CONSTRAINTS AREA. NO RESIDENTIAL OR

COMMERCIAL DEVELOPMENT.

- ALL REGIONAL PARKS SHOULD BE CONSIDERED UNDER THIS "DEV. CONSTRAINED" AREAS CATEGORY. WE'RE TIRED OF SLICING UP OUR PARKS.
- NO ROADS IN DEVELOPMENT CONSTRAINTS AREAS.
- INCENTIVES NEED TO BE IDENTIFIED IN THE PLAN TO ENCOURAGE THE "PLANNED INFILL" AND DISCOURAGE DEVELOPMENT IN THE DCA AREAS.
- THE HOMES ON RIDGES ARE NOT AN ATTRACTIVE SKYLINE-ITS UNNATURAL! HOMES ON SLOPES ARE TOLERABLE IN THIS BEAUTIFUL VALLEY.

2001 REGIONAL PLAN UPDATE

Planning Principle #3: Public Services and Facilities

Feedback:

- WHAT HAPPENED TO REGIONAL PLANNING WHEN RENO DECIDED TO BUILD RR TRENCH, OBLIGING EVERYONE TO PAY FOR IT WITH BALLOT QUESTION.
- SAVE THE MOUNTAINS! NO DEVELOPMENT ON RIDGELINES & AREAS >30% & IN OPEN SPACE.
- NO EXPANSION OF SOI's
- OPTION #3 IS THE ONLY SOI MAP THAT SHOULD BE CONSIDERED. RENO & SPARKS SHOULD PROVE THE "NEED" EXISTS BEFORE SOI EXPANSION. AND TO SPLIT EXISTING COMMUNITIES INTO PARTS (LEMMON VALLEY) IS A TRAVESTY!!!
- OPTION 3 NOTHING ELSE !!
- METER WATER USE BY MULTI-FAMILY PROPERTIES. SAVES UP TO 30% OF WATER USED.
- BUILD THE TRENCH.
- REDFIELD CAMPUS DOES NOT BELONG IN SOI OR REGIONAL CENTER ONLY 1,000 STUDENTS = YEAR 2005 & MAYBE 10,000 AFTER YEAR 2020 PER UNR DR. FUGERSON AND ONLY IF RESOURCES ARE THERE. MAY NOT COMPLETE PROJECT IF NO RESOURCES.
- OPTION 2 IF YOU MEAN CURRENT SOI's IN 1996 PLAN.
- PUT THE RAILROAD TRENCH TO A CITIZENS' REFERENDUM!
- DEFINITELY OPTION 2 FOR SOI.
- I SUPPORT OPTION 2 CONCERNING SOI's.
- OPTION 1 IS THE BEST.

• OPTION #1 FOR SURE JUST LOOK AT OUR GROWTH.

• ONLY OPTION 3 MAKES SENSE.

2001 REGIONAL PLAN UPDATE

Planning Principle #4: Fiscal Management Feedback:

- WHAT ARE THE TRADEOFFS ON THIS OBSCURE OPTION? #37 WHO "WINS", WHO "LOSES"?
- FISCAL EQUITY IS A FLAWED CONCEPT AND HAS NO PLACE IN THE REGIONAL PLAN.
- THIS SECTION IS PROBABLY NOT LEGAL! SHOULD NOT BE IN THE PLAN THAT IS SUPPOSED TO BE GUIDELINES OF GROWTH.
- FISCAL EQUITY DOES NOT BELONG IN THE PLAN!
- LEGAL ISSUES?
- EACH ENTITY IN CHARGE OF OWN EQUITY. I VOTE FOR MY PUBLIC OFFICIAL TO HANDLE FISCAL EQUITY WHERE I LIVE.
- FISCAL EQ DOES NOT BELONG IN THIS PLAN. I AM WILLING TO SEE MY TAXES INCREASE SLIGHTLY TO SHOULDER MY SHARE. BUT NOT IN THIS PLAN.
- FISCAL EQUITY IS AN UNRELATED ISSUE IT DOES NOT BELONG IN THE R.P.
- EQUITY? THE VOTERS WERE NOT ASKED ABOUT THE HUGE TRENCH CAPITAL PROJECT & DEBT ARISING.
- OPTION 2.
- FISCAL EQUITY DOES NOT BELONG IN THIS ISSUE!
- THE CITY OF RENO SHOULD NOT THINK THAT THE PEOPLE IN THE UNINCORPORATED AREAS OF WASHOE COUNTY 1.) VISIT OR WORK IN RENO OR 2.) ARE NOT SMART ENOUGH TO REALLY KNOW WHAT YOU ARE DOING.
- FISCAL EQUITY SHOULD NOT BE A PART OF THE RP

2001 REGIONAL PLAN UPDATE

Planning Principle #5: Implementation of the Regional Plan Feedback:

- IT SEEMS LIKE OPTION 3 WOULD BE THE ONLY FAIR WAY TO DO THE MODIFICATION OF A JURISDICTIONAL BOUNDARY (SOI, AREA PLAN, ETC.) ALL 3 ENTITIES WOULD HAVE TO AGREE, OTHERWISE YOU WOULD HAVE THE POSSIBILITY OF 2 ENTITIES "GANGING UP" ON THE THIRD. THIS WOULD JUST ENCOURAGE MORE CONFLICT.
- I AGREE
- DO IT CORRECTLY! ONLY THE PEOPLE WHO AGREED CAN MAKE THE CHANGES! OPTION 3 ONLY. NO CONSIDERATION OF OPTIONS 1 & 2!
- OPTION 3 ONLY.
- OPTION 3 IS THE ONLY OPTION THAT WILL NOT DIVIDE THE COMMUNITY.
- ONCE AGAIN-IT'S NOT LEGAL TO GIVE VETO POWERS AN APPOINTED BOARD. (RPGB) OVER ELECTED OFFICIALS- OPTION 3 IS THE ONLY CHOICE!!!!
- OPTION 3- INDIVIDUAL CITIZENS INVOLVED NEED THE SAY ITS THEIR COMMUNITIES.
- OPTION3- BUT ONLY IF INPUT IS TAKEN FROM THE CITIZENS (HOMEOWNERS) WHO WILL BE AFFECTED.
- OPTION #3 SHOULD REQUIRE A CONSOLIDATED GOVERNMENT! NOT A VIABLE OPTION UNTIL THEN!
- WHAT ARE THE TRADEOFFS ON THESE OPTIONS?#38 -Who "WINS"? Who "LOSES"?
- IF OUR OPINIONS ARE VALUED- WHY NOT ALLOW A VOTE BY MAJORITY RULE ON THE TRAIN TRENCH & BOWLING STADIUM.
- OPTION 3 IS THE ONLY ONE THAT GIVES AFFECTED CITIZENS A CHANCE TO HAVE INPUT.

This review is for Ver 1.4 (see binder)
Ver 2 went for public review 2-8-02

STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

Writer's Direct Dial (775) 684-1222

Facsimile (775) 684-1108

MEMORANDUM

E

DATE: February 8, 2002
TO: Truckee Meadows Regional Plan Governing Board
and Truckee Meadows Regional Planning Commission
FROM: Norman J. Azevedo, Chief Deputy Attorney General *NJA*
SUBJECT: Legal Review of 2001 Regional Plan Update

I. Introduction

The scope of the legal review is limited to compliance with Chapter 278 of the Nevada Revised Statutes and other applicable Nevada Revised Statute references. The legal review should not be interpreted to address any Planning or business issues that the Regional Planning Commission and the Regional Governing Board must or should address during the five-year update mandated by statute. This memorandum addresses the separate elements of the proposed Plan Update.

II. The Required Elements of the Comprehensive Regional Plan

NRS 278.0274 clearly delineates what elements must be included in the Regional Plan. The elements required to be included in the comprehensive Regional Plan are:

1. Population

- (a) a provision in the Plan addressing a projection of population growth in the region;
- (b)* a provision in the Plan addressing the resources that will be necessary to support that population; *not there*

P 645/82

2. Conservation

- (a) a provision in the Plan which includes a policy addressing the use and protection of air;
- (b)* a provision in the Plan which includes a policy addressing the use and protection of land; *2.1.1.8*
- (c)* a provision in the Plan which includes a policy addressing the use and protection of water; *1.2.3*
- (d) a provision in the Plan which includes a policy addressing the use and protection of other natural resources;
- (e) a provision in the Plan which includes a policy addressing ambient air quality;
- (f)* a provision in the Plan which includes a policy addressing natural recharge areas;
- (g)* a provision in the Plan which includes a policy addressing floodplains; *2.4.4*
- (h)* a provision in the Plan which includes a policy addressing wetlands;

2.4.3

*All points have scope mandated
not there*

3. Land Use and Transportation

- (a)* a provision in the Plan which addresses the classification of future land uses by density or intensity of development based upon the projected necessity of availability of public facilities and services and natural resources; 1.2.8
1.2.7
- (b)* a provision in the Plan which addresses the compatibility of development in one area with that of the other areas in the region;¹

4. Public Facilities and Services

- (a) a provision in the Plan addressing sanitary sewer facilities;
- (b) a provision in the Plan addressing solid waste;
- (c)* a provision in the Plan addressing flood control;
- (d)* a provision in the Plan addressing potable water;
- (e) a provision in the Plan addressing ground-water aquifer recharge;²

5. Annexation

- (a) a provision in the Plan addressing the identification of spheres of influence;
- (b)* a provision in the Plan addressing the standards and policies for changing the boundaries of a sphere of influence;
- (c)* a provision in the Plan addressing the procedures for the review of development within each sphere of influence;

6. Intergovernmental Coordination

- (a)* a provision in the Plan addressing guidelines for determining whether local master Plans and facility Plans conform with the comprehensive Regional Plan;

7. Utilities

- (a)* a provision in the Plan addressing any utility project which is required to be reported pursuant to NRS 278.145.

¹ This portion of the Plan must:

- (1) allow for a variety of uses;
- (2) describe the transportation facilities that will be necessary to satisfy the requirements created by those future uses;
- (3) be based upon the policies and map relating to conservation that is developed pursuant to 278.0276, 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 the Plan, and the characteristics of undeveloped land in the area.

² The provisions in the Plan addressing issues regarding public facilities and services, i.e. potable water, must correlate with the principles and guidelines for future land uses which address ways to satisfy the public facilities and service requirements created by those future uses. The public facilities and service portions of the Plan must describe the problems and needs of the area and the general facilities that will be required to satisfy those needs. Further, the public facilities and service portion of the Plan must identify the providers of the public services within the region, the area which each provider of public services must serve, and finally provide the time when the provider of public services must make the services available to satisfy the requirements created by the development.

new plan pg 22 must include incentives

I can find no legal authority to require local governments to develop incentives, strategies and programs to ensure infill. See Policy 1.2.11. Accordingly, I recommend this provision be removed from the Update to the Comprehensive Regional Plan. Further, there is a provision in Policy 1.2.11 regarding a legislative package. There is no legal authority to mandate the Regional Plan Governing Board seek a legislative package. As such, it is my recommendation that these provisions in the Update be deleted.

Policy 1.2.14 is in conflict with NRS 278.0278. Accordingly, it is my recommendation this provision be removed from the Update to the Comprehensive Regional Plan.

Policy 1.2.16 (Option 1) section (1c)(i)(ii) requires specific acts by Washoe County and creates a procedural remedy in the event of a denial by the Washoe County Commission. I can find no legal authority that permits inclusion of such a provision in the Comprehensive Regional Plan. Accordingly, I recommend the removal of this provision to the Update to the Comprehensive Regional Plan. The same conclusions are applicable to Policy 1.2.16 (Option 2).

In Policy 1.3.5 (Options 1 and 2) require a dedicated revenue source for unincorporated communities. There is no legal authority to support the inclusion of this mandate in the Update to the Comprehensive Regional Plan. Accordingly, I recommend removal of the provision from the Update to the Comprehensive Regional Plan.

E. Unique Resources Management

I recommend the following deletions, changes and additions to the Unique Resources Management section of the Update to the Comprehensive Regional Plan.

still in Goal 2.3 provides that "Washoe County to secure funding to implement the Regional open space Plan." I can find no legal authority to support such a goal. I recommend this goal be removed.

2611 Policy 2.3.1 and Policy 2.4.2. I can find no legal authority to support inclusion in the Comprehensive Regional Plan, therefore, I recommend removal from the Comprehensive Regional Plan.

gone Goal 2.6 and Policy 2.6.1 I can find no legal authority to support inclusion in the Comprehensive Regional Plan, therefore, I recommend removal of the foregoing from the Comprehensive Regional Plan.

F. Public Services and Facilities

I recommend the following deletions, changes and additions to the Public Services and Facilities section of the Update to the Comprehensive Regional Plan.

still in (3) Policy 3.1.2 and Policy 3.1.4 require conformance with Chapter 540A of the Nevada Revised Statutes. There is no authority to include such a mandate in the Update to the Comprehensive Regional Plan. Accordingly, I recommend removing the same from the Update. See 540A.150 (consistency).

EXHIBIT J
PAGE 20 of 25

OK Policy 3.1.2⁵ requires the Regional Transportation Plan to contain specific provisions. There is no authority for the Comprehensive Regional Plan to mandate specific elements in the Regional Transportation Plan. Accordingly, I recommend this provision be removed from the Update to the Comprehensive Regional Plan.

gone Policy 3.1.6 requires the Regional Transportation Commission to amend the Regional Road Impact Fee. There is no legal authority in Chapter 278 of the Nevada Statutes to support this and, therefore, I recommend this policy be removed from the Update to the Comprehensive Regional Plan.

Policy 3.4.1 (Option 2) regarding the amendment to Spheres of Influence can only occur during the five (5) year Update. This provision does not conform to State law. Accordingly, this provision should be removed from the Update to the Comprehensive Regional Plan. Further, this policy requires studies to occur prior to amendment of a Sphere of Influence. There is no legal authority to support inclusion of this requirement in the Comprehensive Regional Plan. Accordingly, I recommend this provision of the Update to the Comprehensive Regional Plan be removed.

gone/gone There is no legal authority to support inclusion of Goal 3.6 and Policy 3.6.1 in the Update to the Comprehensive Regional Plan. Accordingly, I recommend removal of this provision from the Comprehensive Regional Plan Update.

G. Fiscal Management (Option 1) [Fiscal Balance and Equity]

H. Fiscal Management (Option 2) [Fiscal Equity]

* I can find no authority to support inclusion of these two sections in the Comprehensive Regional Plan. As such, I recommend removal of the foregoing sections from the Comprehensive Regional Plan.

I. Implementation of the Regional Plan

I recommend the following deletions, changes and additions to the Implementation of the Regional Plan section of the Update to the Comprehensive Regional Plan.

still there Pg 42 Ver 5 In the Planning Principles delineated on page 53, the Plan refers to the Regional Planning Agency "will create a principle-based Plan" and to assure conformance of the Master Plans and Facility Plans to the Comprehensive Regional Plan. This provision is inconsistent with State law. See NRS 278.078. Therefore, I recommend the provision be revised to conform to State law.

The Planning Principles on page 54 requires specific reporting by local governments. NRS 278.0286 provides the annual reporting requirements by local governments with regard to the Comprehensive Regional Plan. The Comprehensive Regional Plan Update should contain the mandates of NRS 278.0286. This recommendation also applies to Goal 5.4, Policies 5.4.1, 5.4.2, 5.4.3, Goal 5.5, Policies 5.5.1, 5.5.2, 5.5.3, 5.5.4, Goal 5.6, Policies 5.6.1, 5.6.2, 5.6.3, Goal 5.7, Policies 5.7.1, 5.7.2 and 5.7.3.

Still in 4.1.3 Vers

Policy 5.1.3 addresses factors evaluating conformance with the Comprehensive Regional Plan. This policy reverses the statutory mandates in NRS 278.0282. I recommend conforming this policy to the mandates of NRS 278.0282(3).

? Policy 5.1.4 needs to conform to NRS 278.0277 and NRS 278.026(5) and (6). RPC Resolution 93-2 (May 25, 1993) should also be conformed to NRS 278.0277, NRS 278.026(5) and (6).

? Goal 5.3 needs to be amended to remove the annual process requirements. NRS 278.0272(7) does not permit restrictions on amendments to the Comprehensive Regional Plan. The foregoing is also applicable to Policies 5.3.1, 5.3.2, 5.3.3, 5.3.4 and 5.3.5.

~~gone~~ Goal 5.8 and Policy 5.8.1. As such, I recommend removal of the same from the Comprehensive Regional Plan.

~~gone~~ There is no legal authority for the inclusion of Goal 5.9 and Policy 5.9.1. I recommend removal of the same from the Proposed Update to the Comprehensive Regional Plan.

J. Standard Operating Procedures

I have no comments on this section.

IV. Conclusion

I hope the foregoing has been helpful. The scope of my review is limited to assuring that the proposed Plan is in compliance with applicable Nevada law. None of the foregoing comments or recommendations should be construed to address either Planning or land use concerns raised by the Regional Planning Commission. Further, there are sections of the Plan that are "still to be completed." These sections could materially alter the legal analysis provided in this memorandum. Accordingly, the legal review could raise additional concerns upon completion of these sections. Finally, within the document, the Comprehensive Regional Plan is referred to in a variety of different manners and I would recommend conforming the name of the Plan Update.

NJA:srh

APPENDIX 3

REGIONAL PLANNING AGENCY RECOMMENDATION

Spheres of Influence - Goal 3.4

Background:

At the initiation of the 2001 Regional Plan Update, Regional Planning Commissioners, local government staff and the public requested that significant decisions within the region, such as Sphere changes, be based on some objective criteria.

Currently, Spheres of Influence are based upon and amended through recommendations from local governments, they are debated in a public forum and a vote taken on subjective criteria. This process perpetuates a confrontational approach to setting sphere boundaries.

Data and information must be compiled and analyzed based upon land use and infrastructure provision roles of the local government entities in the region in order to provide for a more objective process in establishing and amending spheres. Once these elements have been determined, the Regional Planning Agency can provide for a more objective process to establish spheres of influence.

Recommendation:

In order to provide some degree of objectivity into the decision making process, Regional Staff is recommending the following:

- Regional Planning Governing Board fund and direct staff to conduct, or contract with a consultant to conduct, the following package of studies to enable the spheres of influence to be amended:
 - a regional land and resource capacity analysis within the Truckee Meadows Service Areas. The initial study will include the establishment of the methodology, in conjunction with local government and affected entity staff;
 - a regional needs analysis to determine the anticipated requirements for residential, commercial and industrial land resources for the next 20 years. The initial study will include the establishment of the methodology, in conjunction with local government and affected entity staff;
 - an infrastructure/service provision study to determine the most efficient provider of infrastructure/services to areas considered for expansion of a city's sphere of influence. The initial study will include the establishment of the methodology, in conjunction with local government and affected entity staff;
 - in conjunction with local government and affected entity staff, conduct an assessment of and establish land use and infrastructure provision roles of the local government and affected entities in the region.

**2002 REGIONAL PLAN
MAP 5
Policy 3.3.1, 3.3.2**

Version 7 (04-24-02)

**Spheres of Influence (SOI)
SOI Study Areas**



Truckee Meadows
Service Areas (TMSA)

Spheres of Influence (SOI) per Policy 3.3.1



Reno

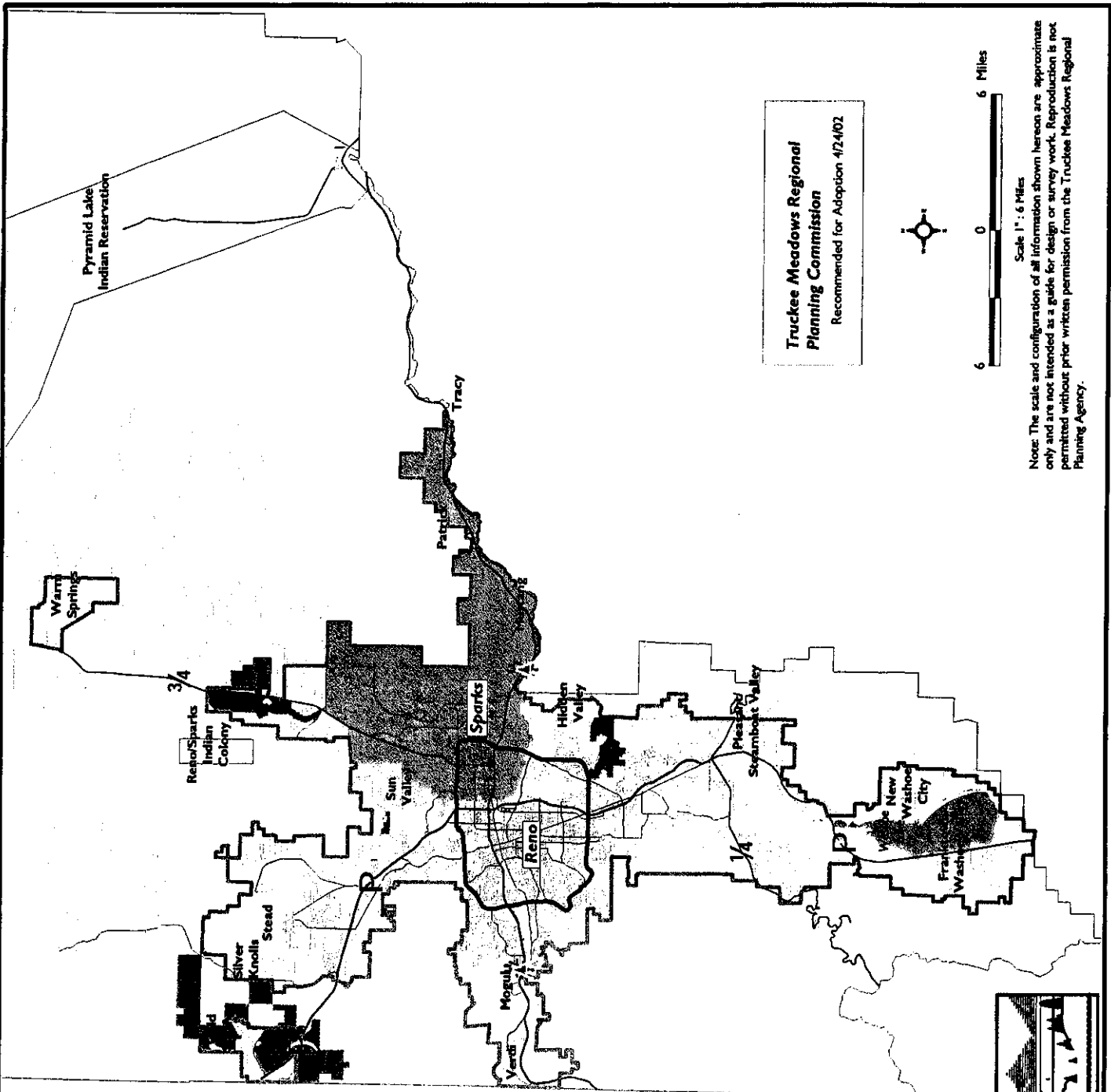


Sparks

Study Areas per Policy 3.3.2
(See Appendix 7, Table 2 with listing
of parcel numbers)



SOI Study Areas



**Truckee Meadows Regional
Planning Commission**
Recommended for Adoption 4/24/02



Scale 1" = 6 Miles

Note: The scale and configuration of all information shown hereon are approximate only and are not intended as a guide for design or survey work. Reproduction is not permitted without prior written permission from the Truckee Meadows Regional Planning Agency.

**Truckee Meadows
Regional Planning Agency**
One East Erie Street, Suite 200, Reno, NV 89501-1893
(775) 321-8185 Fax (775) 211-4286
Website: <http://www.trmpa.org> Email: input@trmpa.co.washoe.nv.us

THE GOAL OF THE REGIONAL PLAN WAS TO LET CITIZENS AND THEIR COMMUNITIES KNOW THE HOW, WHEN AND WHERE ANNEXATIONS WOULD TAKE PLACE.

H

AB 380

The following are elements in the legislative intent of NRS 278

Legislative intent - Intergovernmental coordination

- The Regional Plan as adopted on May 9, 2002 Version 5 failed to provide all entities with intergovernmental coordination as required in the legislative intent. (NRS 278.0261 (1).
- Public survey cost of \$28,000 by Marketec. *See attachment A*
- Out of a scale lowest 1 – 10 highest.
 - ** Cooperating and coordination of local governments received 2.8
 - ** Annexation of county areas into the cities 3.3

Legislative intent – Cooperative efforts to preserve and revitalize urban areas and older neighborhoods.

- Public comments and concerns were ignored. Expansion is planned in every older neighborhood and *every vacant piece of ground*. Reno's expanded sphere from 8,814 acres to 29,424 over 300% and Sparks 7,592 acres to 21,449 over 280%. *See attachment B, C*

Legislative intent – It is the intent 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 longterm health and welfare of the county and all its residents.

- This plan was developed not in harmony but rather the two cities against the county.

NRS 278.0274 – Contents of regional plan.

Legislative intent - (6) Annexation, including the identification of spheres of influence for each unit of local government, improvement district and 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 spheres of influence.

- The draft document went out to public comments during December 2001. attached comments from public hearing at Lawlor Event Center. *See attachment D.*
- Legal gave his review of draft plan on February 8, 2002 almost a month and a half after public meetings. *see attachment E.*
- In version 3.4.1 of the draft plan dated February/March 2002 Reno and Sparks requested that their attached map for their sphere of influence be approved.
- Legal/Staff for the Truckee Meadows Regional Plan in policy 3.4.1 option 2. (Version of plan 3.4.1) *see attachment F. Requested that studies be performed for land and resource capacity for residential, industrial and commercial with resources and infrastructure. This was not adopted in the final draft version 5. The Cities SOI was adopted with no analysis now policy 3.3.1.*

EXHIBIT J
PAGE 25 of 25