

Douglas County Board of County Commissioners

AGENDA ACTION SHEET

Title: For possible action. Discussion on the possible modification or dissolution of the Redevelopment Plan for Douglas County Redevelopment Area No. 1 and Area No. 2. (Larry Werner)

Recommended Motion: Provide direction to staff regarding any future action related to Redevelopment Area No. 1 or Area No. 2.

Financial Impact: None

Prepared by: Debbie Beam, Admin. Services Manager

Meeting Date: March 21, 2017 **Time Required:** 15 minutes

Agenda: Administrative

Background Information: On October 2, 1997, the Board of County Commissioners created the Douglas County Redevelopment Agency for the purpose of addressing blighted areas due to age, obsolescence, deterioration, mixed character or shifting use, economic dislocation or disuse and the existence of inadequate streets, open spaces and other public uses. Subsequently, the County adopted a Redevelopment Plan for the Douglas County Redevelopment Area No. 1 (known as the North County RDA) on August 6, 1998, and adopted a Redevelopment Plan for the Douglas County Redevelopment Plan for Area No. 2 (known as the South Lake Tahoe RDA) just one year ago, on February 18, 2016.

Currently, the Area No. 1 plan is generating approximately \$2 million per year and Area No. 2 is anticipated to generate approximately \$180,000 annually.

Since its inception, the main use of the revenues from Area No. 1 has been for infrastructure. There are several additional projects that have been identified that are anticipated to be funded through Area No. 1 revenues, as well as commitments the County made in the Riverwood Development Agreement. Although the Riverwood Development Agreement is set to expire in December 2017, there are infrastructure improvements that may be necessary to serve the area in the future.

These projects are:

- a) The extension of Vista Grande from its terminus off of Clear Creek Road to Jacks Valley Road at an estimated cost of \$2.5 million;
- b) The completion of the current expansion of the North Valley Sewer Treatment Plant at a cost of \$2.7 million;

- c) Infrastructure Improvements for the Riverwood area of approximately \$2.5 million; and
- c) A potential land purchase in Genoa for public parking, community facilities, and public grounds for approximately \$0.5 million.

The funds generated in Area No. 2 are anticipated to be used for economic development, including an event center at the South Shore area of Lake Tahoe to cover the initial design and parking studies and to assist in paying for center's construction costs.

The Douglas County Redevelopment Area No. 1 currently has approximately \$1.7 million in the ending fund balance.

Agenda Item # 2

**RESOLUTION NO. 97R-069
(Resolution of Need)**

**A RESOLUTION ESTABLISHING A REDEVELOPMENT AGENCY;
AND OTHER MATTERS RELATED THERETO.**

WHEREAS, NRS 279.428 provides that the Board of Commissioners, may by resolution declare that there is a need for a redevelopment agency to function in the community; and

WHEREAS, on April 18, 1996, the Board of Commissioners adopted Resolution R96-017, adopting the 1996 Douglas County Master Plan; and

WHEREAS, the Master Plan contains the Economic Development Element and Land Use Element which indicate the need for the County to diversify the County's economic base, expand the tax base, provide infrastructure to urbanizing areas, diversify the employment base and encourage re-development of existing communities; and

WHEREAS, the Board and Planning Commission have resolved to implement the Master Plan; and

WHEREAS, the Board held public workshops on June 19, 1997 and September 11, 1997 to accept public input and assess redevelopment, its possible benefits to Douglas County; and

WHEREAS, the Board of County Commissioners has determined that there are portions of Douglas County which due to age, obsolescence, deterioration, mixed character or shifting use, economic dislocation or disuse and the existence of inadequate streets, open spaces and other public utilities, which may combine to create blighted areas; and

WHEREAS, a Redevelopment Agency will assist in the elimination of blighted areas within Douglas County; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners does hereby find and declare that there is a need for a Redevelopment Agency to function in the community to carry out redevelopment activities; and

IT IS FURTHER RESOLVED, that the Douglas County Board of Commissioners establishes and declares itself to be the agency for Douglas County and the communities thereof, and shall be vested all rights, powers, duties, privileges and immunities vested by NRS 279.382 to 279.680, inclusive.

ADOPTED this 2ND day of OCTOBER, 1997, by the following vote:

Resolution No. 97R-069
Page 2

VOTE: AYES

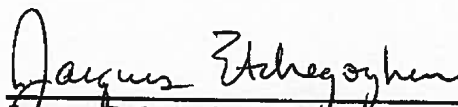
Commissioners: JACQUES ETCHEGOYHEN
DONALD H. MINER
BERNARD W. CURTIS
KELLY D. KITE
STEVE WEISSINGER

NAYS

Commissioners: NONE

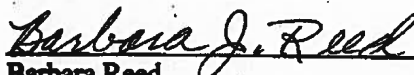
ABSENT

Commissioners: NONE




Jacques Etchegoyhen, Chairman
Douglas County Board of Commissioners

ATTEST:



Barbara Reed,
Douglas County Clerk

By: 

Deputy

Attachment: Resolution No. 97R-069 (2221 : Redevelopment Plan)

LAW 38
RDA 1

ORDINANCE NO. 98-846

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, NEVADA, APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1

WHEREAS, the Board of County Commissioners of Douglas County (the "Board of Commissioners") has received from the Douglas County Redevelopment Agency (the "Agency") the proposed Redevelopment Plan (the "Redevelopment Plan") for the Douglas County Redevelopment Area No. 1 (the "Redevelopment Area"), as described in the "Legal Description of the Redevelopment Area," attached hereto and incorporated herein by reference, and as approved and recommended by the Agency, a copy of which is on file at the office of the Agency at 1594 Esmeralda, Room 307, Minden, Nevada, and at the office of the County Clerk at 1594 Esmeralda, Room 105, Minden, Nevada, together with the Report of the Agency to the Board of Commissioners on the proposed Redevelopment Plan, including: (1) the reasons for the selection of the Redevelopment Area; (2) a description of the physical, social and economic conditions existing in the Redevelopment Area; (3) a description of the proposed method of financing the Redevelopment Plan in sufficient detail so that the Board of Commissioners may determine the economic feasibility of the Redevelopment Plan; (4) a plan for the relocation of persons and families who may be temporarily or permanently displaced from housing facilities in the Redevelopment Area; (5) an analysis of the Preliminary Plan for the Redevelopment Area; and (6) the Report and Recommendations of the Planning Commission of Douglas County (the "Planning Commission"); and

WHEREAS, on July 14, 1998, the Planning Commission determined that the Redevelopment Plan conforms to the Master Plan of the County of Douglas and has recommended approval of the Redevelopment Plan; and

WHEREAS, the Board of Commissioners held a public hearing in the Courtroom of the Douglas County Administrative Building, 1616 Eighth Street, Minden, Nevada, on July 23, 1998, to consider adoption of the Redevelopment Plan; and

WHEREAS, a notice of said hearing was duly and regularly published in the Record Courier, a newspaper of general circulation in Douglas County, once a week for four successive weeks prior to the date of said hearing, and a

particularly set forth in the Report of the Agency to the Board of Commissioners:

The Redevelopment Area is characterized by and suffers from a combination of blighting physical and economic conditions, including, among others: buildings and structures that are unfit and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime because of defective design and character of physical construction, inadequate provision for ventilation, light, sanitation, open spaces and recreational facilities and age, obsolescence, deterioration, dilapidation, mixed character or shifting of uses; an economic dislocation, deterioration or disuse resulting from faulty planning; the subdividing and sale of lots of irregular form and shape and inadequate size for proper usefulness and development; the existence of inadequate streets, open spaces and utilities; a prevalence of depreciated values, impaired investments and social and economic maladjustment to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered; and a growing or total lack of proper utilization of some parts of the area resulting in a stagnant and unproductive condition of land that is potentially useful and valuable for contributing to the public health, safety and welfare.

(b) The Redevelopment Plan will redevelop the Redevelopment Area in conformity with the Community Redevelopment Law and in the interests of the peace, health, safety and welfare of the community. This finding is based upon the fact that redevelopment of the Redevelopment Area will implement the objectives of the Community Redevelopment Law by: aiding in the elimination and correction of the conditions of blight; providing for planning, development, redesign, clearance, reconstruction, or rehabilitation of properties that need improvement; providing additional employment opportunities; and providing for higher economic utilization of potentially useful land.

(c) Adequate provisions have been made for the payment of the principal of and interest on any bonds that may be issued by the Agency. This finding is based on the facts, as more particularly set forth in the Report of the Agency to the Board of Commissioners, that under the Redevelopment Plan the Agency will be authorized to seek and utilize a variety of potential financing resources, including tax increments; that the nature and timing of public redevelopment assistance will depend on the amount and availability of such financing resources, including tax increments generated by new investment in the Redevelopment Area; and that under the Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity.

(d) The Redevelopment Plan conforms to the Master Plan of the County of Douglas. This finding is based upon the finding of the

Planning Commission that the Redevelopment Plan conforms to the Master Plan of the County of Douglas.

(e) The condemnation of real property, as provided for in the Redevelopment Plan, is necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for the payment for property to be acquired as provided by law. This finding is based upon the need to ensure that the provisions of the Redevelopment Plan will be carried out and to prevent the recurrence of blight.

(f) The redevelopment plan will not result in the temporary or permanent displacement of occupants of housing in the Redevelopment Area. This finding is based upon the fact that the Redevelopment Plan does not authorize the use of eminent domain for residentially zoned properties and the Agency has no plans or expectations to acquire residential property for redevelopment.

(g) All noncontiguous areas of the Redevelopment Area are either blighted or necessary for effective redevelopment of the Redevelopment Area. This finding is based upon the fact that the boundaries of the Redevelopment Area were chosen to include lands that were underutilized because of blighting influences, or affected by the existence of blighting influences, and land uses significantly contributing to the condition of blight, which inclusion is necessary to accomplish the objectives and benefits of the Redevelopment Plan.

(h) Inclusion of any lands, buildings or improvements in the Redevelopment Area which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the entire area of which they are a part. This finding is based upon the fact that the boundaries of the Redevelopment Area were chosen as a unified and consistent whole to include all properties contributing to or affected by the blighting conditions characterizing the Redevelopment Area.

Section 3. In order to implement and facilitate the effectuation of the Redevelopment Plan, certain official actions must be taken by the Board of Commissioners; accordingly, the Board of Commissioners hereby: (a) pledges its cooperation in helping to carry out the Redevelopment Plan; (b) directs the various officials, departments, boards, and agencies of the County of Douglas having administrative responsibilities in the Redevelopment Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; (c) stands ready to consider and take appropriate action on proposals and measures designed to effectuate the Redevelopment Plan; and (d) declares its intention to undertake and complete any proceeding, including the expenditure of

moneys, necessary to be carried out by the County under the provisions of the Redevelopment Plan.

Section 4. That certain document entitled "Redevelopment Plan for the Douglas County Redevelopment Area No. 1," a copy of which is on file in the office of the County Clerk and attached hereto, is hereby incorporated by reference herein and designated as the official "Redevelopment Plan for the Douglas County Redevelopment Area No. 1."

Section 5. The Douglas County Building Department is hereby directed after the effective date of this Ordinance to advise all applicants for building permits within the Redevelopment Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment area.

Section 6. The County Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan.

Section 7. The County Clerk is hereby directed to record with the County Recorder of Douglas County a notice of the approval and adoption of the Redevelopment Plan pursuant to this Ordinance, containing a description of the land within the Redevelopment Area and a statement that proceedings for the redevelopment of the Redevelopment Area have been instituted under the Community Redevelopment Law.

Section 8. The County Clerk is hereby directed to transmit a copy of the description and statement recorded pursuant to Section 9 of this Ordinance, a copy of this Ordinance, and a map or plat indicating the boundaries of the Redevelopment Area, to the auditor and tax assessor of Douglas County; to the officer who performs the functions of auditor or assessor for any taxing Agency that, in levying or collecting its taxes, does not use the County assessment roll or does not collect its taxes through the County; and to the governing body of each of the taxing agencies that receives taxes from property in the Redevelopment Area within thirty (30) days following adoption of this Ordinance.

Section 9. The County Clerk is hereby ordered and directed to certify to the passage of this Ordinance and to cause the same to be published once in the Record Courier, a newspaper of general circulation, published and circulated in the County of Douglas.

Section 10. If any part of this Ordinance or the Redevelopment Plan which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Redevelopment Plan, and this Board of Commissioners hereby declares that

it would have passed the remainder of this Ordinance or approved the remainder of the Redevelopment Plan if such invalid portion thereof had been deleted.

Section 11. This Ordinance shall be in full force and effect twenty (20) days after its adoption.

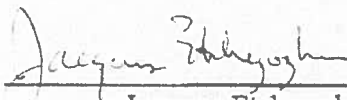
PASSED AND ADOPTED this 6TH day of AUGUST, 1998, by the following vote:

AYES: MINER; CURTIS; KITE; WEISSINGER; ETCHEGOYHEN

NOES: NONE

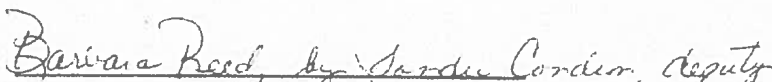
ABSENT: NONE

ABSTAIN: NONE



Jacques Etchgoyhen,
Chairman, Board of Commissioners

ATTEST:



Barbara Reed, by: *Sandra Conder, deputy*
County Clerk

20438

REDEVELOPMENT PLAN
FOR THE
DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1

Prepared by the
DOUGLAS COUNTY REDEVELOPMENT AGENCY
7/23/98

Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

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- | | |
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**REDEVELOPMENT PLAN
FOR THE
DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1**

I. [§100] INTRODUCTION

A. [§101] General Description of the Plan

This is the Redevelopment Plan (the "Plan") for the Douglas County Redevelopment Area No. 1 (the "Project") in Douglas County (the "County"), State of Nevada, and consists of the Text, the Legal Description of the Redevelopment Area Boundaries (Attachment No. 1), the Redevelopment Area Map (Attachment No. 2) and the Redevelopment Land Use Map (Attachment No. 3). This Plan was prepared by the Douglas County Redevelopment Agency (the "Agency") pursuant to the Community Redevelopment Law of the State of Nevada (NRS 279.382 to 279.685, inclusive) and all applicable local laws and ordinances.

All references to "NRS" in this Plan mean the Nevada Revised Statutes. Douglas County Redevelopment Area No. 1 is a "redevelopment area," as defined in NRS 279.410, and is hereinafter referred to as the "Redevelopment Area."

This Plan provides the Agency with the powers, duties and obligations authorized or required in the Nevada Community Redevelopment Law in order to implement and further the program generally formulated in this Plan for the redevelopment of the Redevelopment Area. The term "redevelopment," as used in the Nevada Community Redevelopment Law and this Plan means the planning, development, replanning, redesign, clearance, reconstruction or rehabilitation, or any combination of these, of all or part of the Redevelopment Area, and the replanning, redesign or original development of undeveloped areas. Because of the long-term nature of this Plan, the Agency needs to retain flexibility in order to respond to market and economic conditions, property owner and developer interests, and opportunities presented for redevelopment. As a result, this Plan does not present a precise plan or establish specific projects for the redevelopment of any area within the Redevelopment Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Redevelopment Area. Instead, this Plan contains the authorities, powers and methods granted to the Agency which will serve as the basic framework within which specific plans will be presented, specific projects will be established and specific solutions will be proposed. The Agency recognizes the diversity that exists within the Redevelopment Area and acknowledges the importance of maintaining this unique character as specific plans, projects and solutions are developed.

In addition to this Introduction Section of the Plan, the Plan includes the following additional eight sections:

- Section II Description of the Redevelopment Area
- Section III Proposed Redevelopment Activities
- Section IV Land Use, Planning and Building Elements
- Section V Methods of Financing the Project
- Section VI Actions by the County
- Section VII Enforcement of the Plan
- Section VIII Duration of the Plan
- Section IX Procedure for Amendment of the Plan

B. [§102] Relationship to Preliminary Plan, Master Plan and Other County Codes, Ordinances and Laws

This Plan is based upon a Preliminary Plan formulated and adopted by the Planning Commission of Douglas County (the "Planning Commission") by Resolution No. PC 98-013, adopted on April 14, 1998, and amended by Resolution No. PC 98-017, adopted on June 9, 1998.

The proposed redevelopment of the Redevelopment Area, as described in this Plan conforms to the Master Plan of the County of Douglas (the "Master Plan"), adopted by the Board of County Commissioners (the "Board") on April 18, 1996, as amended to date.

This Plan implements the Master Plan. It will assist in carrying out Master Plan goals which will further the purposes of redevelopment set forth in the Community Redevelopment Law and which could not be achieved without redevelopment. This Plan requires compliance with all existing County codes, ordinances and laws.

C. [§103] Purposes and Goals

1. [§104] Purposes

The purposes of the Community Redevelopment Law that will be attained through this Plan are:

- a. The elimination of blight conditions in the Redevelopment Area, including, among others, inadequate public streets and utilities, inadequate recreational facilities, obsolete or aged building types, substandard additions with inadequate ventilation and light, lots of irregular form, shape or size, impaired investments and economic maladjustment.
- b. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Redevelopment Area.

- c. The replanning, redesign and development of undeveloped areas which are stagnant or improperly utilized.
- d. The strengthening of the economic base of the Redevelopment Area by the installation of needed site improvements to stimulate new commercial development.
- e. The expansion of employment opportunities.
- f. The preservation of the public health and safety and the maintaining of adequate public services, utilities and recreational facilities.
- g. The provision of opportunities for participation by owners in the improvement of their properties.
- h. The provision of adequate land for parking and open spaces.

2. [\$105] Goals

The goals of this Plan include:

- a. Promote new, and replacement of deficient, public improvements to complement and invite private development, which are modern and cost effective to maintain.
- b. Encourage the elimination of environmental and physical manifestations of blight and deterioration of structures and lack of public improvements within the Redevelopment Area to improve the health, safety, and general welfare of residents and visitors alike.
- c. Diversify the commercial opportunities in North Douglas County through the creation of new and the replacement of deficient public utilities and improvements, consolidation of properties and improvements of traffic circulation within commercially zoned properties.

- d. Preserve the presence of the natural landscape and open space areas by improving public utilities to improve the clustering of development, dedication of open areas and possible creation of access points which may improve access to public lands and related facilities.
- e. Increase the range of experiences to be had in the Redevelopment Area, by providing residents and visitors with more shopping, employment and recreational opportunities within the Redevelopment Area.
- f. Improve the outdoor environment with greater access to public lands to increase opportunities for enhanced outdoor activities and improvement of park facilities.
- g. Preservation, through rehabilitation and retrofitting, among other means, of structures, facilities and properties which are historically or culturally significant by reason of architectural, economic or social contributions to Douglas County and the State of Nevada.
- h. Improve public infrastructure and long range planning through the development and implementation of regional water and sewer systems to address existing deficiencies and to serve future residential and commercial development.
- i. Enhance the level of fire protection for residents and businesses through the planning and implementation of community water systems with increased storage and fire flow capacity to protect the public health, safety and welfare of the Redevelopment Area.
- j. Improve public rights-of-way and other related facilities to reduce or eliminate the threat of property damage due to excessive drainage to better protect the public health, safety and welfare of the Redevelopment Area.
- k. Support the orderly and coordinated development and improvement of the Redevelopment Area in such a way as to maximize private and public sector cooperation, and to minimize impediments to ensure and enhance economic stability and growth.
- l. Promote implementation of the goals and policies of the Master Plan to assure retention of the historic/rural character of existing residential areas, provide for coordinated development efforts to maintain a high quality of life for residents, employees, visitors and businesses in the Redevelopment Area.

- m. Encourage the provision of sufficient office, retail and other business uses to enhance the Redevelopment Area's attractiveness and economic viability for private development.
- n. Promote the removal of conditions endangering life, safety, public health, welfare and economic viability of the Redevelopment Area.
- o. Promote the strengthening and improvement of the economic base of the Redevelopment Area specifically, and the community as a whole, by encouraging investment in projects, improvements and programs which enhance the economic vitality and desirability of real and other property in the Redevelopment Area.
- p. Promote participation by the community in the continued improvement of the Redevelopment Area.
- q. Promote the establishment of methods and programs to protect the quantity and quality of ground and surface water in the Project Area. Promote the establishment of groundwater re-charge within the foothill area.

These goals provide a framework within which to accomplish revitalization of the Redevelopment Area. This Plan recognizes the importance of the Redevelopment Area to residents, business interests, and visitors alike. It also acknowledges that in order to continue to improve the quality of life and attractiveness of the Redevelopment Area there are complex tasks which require participation and coordination by the public sector through the auspices of the Douglas County Redevelopment Agency.

II. [§200] DESCRIPTION OF THE REDEVELOPMENT AREA

The boundaries of the Redevelopment Area are described in the "Legal Description of the Redevelopment Area Boundaries," attached hereto as Attachment No. 1 and incorporated herein by reference, and are shown on the "Redevelopment Area Map," attached hereto as Attachment No. 2 and incorporated herein by reference.

III. [§300] PROPOSED REDEVELOPMENT ACTIVITIES

A. [§301] General

The Agency proposes to eliminate and prevent the spread of blight in the Redevelopment Area by taking the following actions where necessary to carry out the redevelopment purposes and goals of this Plan:

1. the provision for participation by owners of property located in the Redevelopment Area;
2. the acquisition of non-residentially zoned real property;
3. the demolition or removal of buildings and improvements;
4. the management of any property acquired by and under the ownership and control of the Agency;
5. the provision of relocation assistance to displaced Project occupants;
6. the installation, construction or reconstruction of streets, utilities and other public improvements and facilities;
7. the disposition of property for uses in accordance with this Plan;
8. the redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
9. the rehabilitation of structures and improvements by present owners, their successors and the Agency; and
10. the assembly of adequate sites for the development and construction of commercial facilities.

Except as expressly limited herein, in order to accomplish these purposes and implement this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

B. [§302] Owner Participation

1. [§303] Opportunities for Owner Participation

In accordance with this Plan and the rules for participation by owners adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are owners of real property in the Redevelopment Area shall be given a reasonable

opportunity to participate in redevelopment by: (1) retaining all or a portion of their properties and developing or improving such property for use in accordance with this Plan; (2) acquiring adjacent or other properties within the Redevelopment Area and developing or improving such property for use in accordance with this Plan; or (3) selling their properties to the Agency and purchasing other properties in the Redevelopment Area.

2. [§304] Rules for Owner Participation Opportunities, Priorities and Preferences

In order to provide opportunities to owners to participate in the redevelopment of the Redevelopment Area, the Agency shall promulgate rules for participation by owners within the Redevelopment Area. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners. Some of the factors to be considered in establishing these priorities and preferences may include a participant's length of occupancy in the area; accommodation of as many participants as possible; similarity of land use; the necessity to assemble sites for integrated, modern development; conformity of a participant's proposal with the intent and objectives of this Plan; and service to the community of a participant's proposal.

In addition to opportunities for participation by individual persons and firms, participation shall be available for two or more persons, firms or institutions to join together in partnerships, corporations or other joint entities.

Participation opportunities shall necessarily be subject to and limited by such factors as: (1) the elimination and changing of some land uses; (2) the construction, widening or realignment of some streets; (3) the ability of participants to finance acquisition and development or rehabilitation in accordance with this Plan; (4) the reduction in the total number of individual parcels in the Redevelopment Area; and (5) the construction or expansion of public facilities.

3. [§305] Owner Participation Agreements

The Agency may require that, as a condition to participation in redevelopment, each participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, use and maintain the property in conformance with this Plan and to be subject to the provisions hereof. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Redevelopment Area.

In the event a participant fails or refuses to rehabilitate, develop and use and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency, as authorized in §309, and sold or leased for rehabilitation or development in accordance with this Plan.

4. [\\$306] Conforming Owners

The Agency may, at its sole and absolute discretion, determine that certain real property within the Redevelopment Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use and maintain the real property within the requirements of this Plan. However, a conforming owner may be required by the Agency to enter into a participation agreement with the Agency in the event that such owner desires to: (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (b) acquire additional property within the Redevelopment Area.

C. [\\$307] Cooperation with Public Bodies

Pursuant to NRS 279.432, for the purpose of aiding and cooperating in the planning, undertaking, construction or operation of a redevelopment project located within the area in which it is authorized to act, any public body, upon the terms and with or without consideration as it determines, may: dedicate, sell, convey or lease any of its property to the Agency; cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with redevelopment within the Project: furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake; plan or replan, zone or rezone any part of such area and make any legal exceptions from building regulations and ordinances; enter into agreements with the Federal Government respecting action to be taken by such public body pursuant to any of the powers granted by NRS 279.382 to 279.685, inclusive, and any such agreements may extend over any period, notwithstanding any law to the contrary; purchase or legally invest in any of the bonds of the agency and exercise all of the rights of any holder of such bonds.

The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Redevelopment Area. Any public body which owns property in the Redevelopment Area will be afforded all the privileges of owner participation if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Redevelopment Area by a public body shall be subject to Agency approval, in addition to any County approvals required.

The Agency may impose on all public bodies the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agency may, with the consent of the Board, pay all

or part of the value of the land for and the cost of the construction of any public building, facility, structure or other improvement located within or outside the Redevelopment Area, if the Board determines that the buildings, facilities, structures or other improvements are of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located; and that no other reasonable means of financing those buildings, facilities, structures or other improvements are available.

D. [\$308] Property Acquisition

1. [\$309] Real Property

Within the Redevelopment Area or for purposes of redevelopment, except as specifically exempted herein, the Agency may, but is not required to, purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise or otherwise, or acquire by eminent domain, any real property, any interest in real property and any improvements thereon.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Redevelopment Area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method.

The Agency shall not acquire any real property that is zoned for residential uses by eminent domain.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner unless: (a) such building requires structural alteration, improvement, modernization or rehabilitation; (b) the site, or lot on which the building is situated, requires modification in size, shape or use; or (c) it is necessary to impose upon such property any of the controls, limitations, restrictions and requirements of this Plan, and the owner fails or refuses to execute a participation agreement in accordance with the provisions of this Plan.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property transferred to private ownership before redevelopment of the Redevelopment Area is completed, unless the Agency and the private owner enter into a participation agreement and the owner completes his responsibilities under the participation agreement.

The Agency shall not acquire from any of its members or officers any property or interest in property except through eminent domain proceedings.

2. §310] Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property acquired in connection with the real property acquired by the Agency in the Redevelopment Area by any lawful means, including eminent domain.

E. §311] Property Management

During such time as property, if any, in the Redevelopment Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

The Agency may in any year during which it owns property in the Redevelopment Area pay to any county, district or other public corporation which would have levied a tax upon such property, had it not been exempt, an amount of money in lieu of taxes.

F. §312] Assistance for Relocation

The Agency shall provide assistance for relocation and shall make all of the payments to persons (including businesses, individuals and families, if any, and others) displaced by the Agency, as required in NRS 342.005 to 342.075, inclusive.

G. §313] Demolition, Clearance, and Building and Site Preparation

1. §314] Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures and other improvements from any real property in the Redevelopment Area as necessary to carry out the purposes of this Plan.

2. §315] Preparation of Building Sites

The Agency is authorized to develop as a building site any real property owned or acquired by the Agency. In connection with such development, the Agency may cause, provide for or undertake the installation or construction of streets and highways, sidewalks and curbs, and public utilities necessary to carry out this Plan. The Agency is also authorized to construct foundations, platforms and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for the uses provided in this Plan.

I. [§316] Property Disposition and Development

1. [§317] Real Property Disposition and Development

a. [§318] General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale or transfer without public bidding but only after a public hearing, noticed in accordance with NRS 279.472.

Except as provided in NRS 279.486, all real property acquired by the Agency in the Redevelopment Area shall be sold or leased for development for the uses permitted in this Plan, except property conveyed by the Agency to the County.

All purchasers or lessees of property acquired from the Agency shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

b. [§319] Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, deeds, contracts, agreements and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Douglas County Recorder.

All property in the Redevelopment Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Redevelopment Area. All property sold, leased, conveyed or subject to a participation agreement shall be expressly subject by appropriate

documents to the restriction . all deeds, leases or contracts for the . lease, sublease or other transfer of land in the Redevelopment Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

Where the Agency determines appropriate for a particular redevelopment project being proposed, the Agency shall require that the proposal include an employment plan in accordance with NRS 279.482, 2.

Pursuant to NRS 279.500, 2., if the Agency provides property for development at less than the fair market value of the property, or provides financial incentives to the developer with a value of more than \$100,000, the Agency must provide in an agreement with the developer that the development project is subject to the payment of prevailing wage provisions of NRS 338.010 to 338.090, inclusive, to the same extent as if the Agency had awarded the contract for the development project.

In accordance with NRS 279.678, property owned by the Agency and leased to private persons for redevelopment shall be assessed and taxed in the same manner as privately owned property. Therefore, whenever real property within a Redevelopment Area is leased by the Agency to a private person, the lease, contract or other document between the Agency and the lessee shall provide that the lessee shall pay taxes upon the assessed value of the entire property leased and not merely upon the assessed value of his, her or its leasehold interest.

c. [\$320] Development by the Agency

To the extent now or hereafter permitted by law, with the consent of the Board, the Agency is authorized to pay all or part of the value of the land for and the cost of construction of any building, facility, structure or other improvement which is publicly or privately owned and located within or without the Redevelopment Area, which buildings, facilities, structures or other improvements are or would be of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located and where there are no other financial means available for such buildings, facilities, structures or other improvements.

In addition to the public improvements authorized under Section 315, the Agency is authorized to install and construct, or to cause to be installed and constructed, within or outside the Redevelopment Area, for itself or for any public body or entity for the benefit of the Redevelopment Area, public improvements and public utilities, including, but not limited to, the following: (1) wastewater, water, street and traffic circulation, storm drain and other infrastructure or public health and safety improvements, facilities and utilities, recharge areas/basins; (2) parks and recreational facilities, and bicycle or pedestrian paths; (3) parking improvements or facilities; and (4) landscaped or other open space areas.

The Agency may enter into contracts, leases and agreements with the County or other public body or entity pursuant to this Section 320, and the obligation of the Agency under such contract, lease or agreement shall constitute an indebtedness of the Agency

which may be made payable out of the taxes levied and allocated to the Agency under paragraph (b) of subsection 1 of NRS 279.676, or out of any other available money.

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

Any work of grading, clearing, demolition undertaken by the Agency shall be subject to the competitive bid requirements contained in NRS 279.498, and any contract for new construction, repair or reconstruction which is awarded by the Agency for work to be done in the Redevelopment Area shall be subject to the prevailing wage provisions of NRS 338.010 to 338.090, inclusive.

d. [\$321] Development Plans

All development plans (whether public or private) shall be submitted to the Douglas County Community Development Department for approval. The Douglas County Community Development Department will refer copies of development plans to the Agency for comment. All development in the Redevelopment Area must conform to County codes, ordinances and laws, including County design review standards.

2. [\$322] Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber or otherwise dispose of personal property which is acquired in connection with real property acquired by the Agency.

J. [\$323] Rehabilitation, Conservation and Moving of Structures

1. [\$324] Rehabilitation and Conservation

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Redevelopment Area. The Agency is also authorized and directed to advise, encourage and assist in the rehabilitation and conservation of property in the Redevelopment Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve buildings of historic or architectural significance. Agency payment of improvements under this Section 324, shall require consent of

the Board and a determination by the Board that payment of these improvements are of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located and that no other reasonable means of financing these improvements are available.

2. [§325] Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any standard structure or building or any structure or building which can be rehabilitated to a location within or outside the Redevelopment Area, in compliance with all applicable federal, state and local regulations.

K. [§326] Housing

1. [§327] Low-income Housing

In accordance with NRS 279.425, the Agency may provide and improve housing which can be rented or sold to families with low incomes, as defined in NRS 279.397, and which is within or outside the Redevelopment Area.

IV. [§400] LAND USE, PLANNING AND BUILDING ELEMENTS

A. [§401] Redevelopment Land Use Map

The "Redevelopment Land Use Map," attached hereto as Attachment No. 3 and incorporated herein by reference, illustrates the location of the six sub-areas of the Redevelopment Area boundaries, major streets within each sub-area of the Redevelopment Area and the proposed land uses to be permitted in each sub-area of the Redevelopment Area.

B. [§402] Designated Land Uses

1. [§403] Residential Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for residential uses shall be used for the residential uses permitted and described in the Master Plan, as may be amended from time to time.

2. [§404] Commercial Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for commercial uses shall be used for the commercial uses permitted and described in the Master Plan, as may be amended from time to time.

3. §405 Community or Public Facility Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for community facility or public facility uses shall be used for the community facility or public facility uses permitted and described in the Master Plan, as may be amended from time to time.

C. §406 Other Land Uses

1. §407 Public Rights-of-Way

As illustrated on the Redevelopment Area Map (Attachment No. 2 and Attachment No. 2, Insets A through F), the principal public streets within the Redevelopment Area include, Jacks Valley Road, Vista Grande Boulevard, Genoa Lakes Drive, Carson Street, Mica Drive, Foothill Road, Genoa Street, First Street, Nixon Street, Fifth Street, and Genoa Lane. Other minor streets also included in the Redevelopment Area are shown on the Redevelopment Area Map (Attachment No. 2, Insets A through F).

Additional public streets, alleys and easements may be created in the Redevelopment Area as needed for proper development. Existing streets, alleys and easements may be abandoned, closed or modified as necessary for proper development of the Project.

Any changes in the existing interior or exterior street layout shall be in accordance with the Master Plan, the objectives of this Plan and the County's design standards, shall be effectuated in the manner prescribed by state and local law and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners under the rules for owner participation adopted by the Agency for the Project and any participation agreements executed thereunder;
- b. The requirements imposed by such factors as topography, traffic safety and aesthetics; and
- c. The potential need to serve not only the Redevelopment Area and new or existing developments but to also serve areas outside the Project by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities and activities typically found in public rights-of-way.

2. [\$408] Other Public, Semi-Public, Institutional and Nonprofit Uses

In any area shown on the Redevelopment Land Use Map (Attachment No. 3), the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way and facilities of other similar associations or organizations. All such uses shall conform to the provisions of the Master Plan. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Redevelopment Area, provided they are not in conflict with the Master Plan.

3. [\$409] Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Redevelopment Area for temporary interim uses that are not in conformity with the uses permitted in this Plan.

4. [\$410] Nonconforming Uses

The Agency may permit an existing use to remain in an existing building in good condition which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Redevelopment Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Redevelopment Area.

The Agency may authorize additions, alterations, repairs or other improvements in the Redevelopment Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

D. [\$411] General Controls and Limitations

All real property in the Redevelopment Area is made subject to the controls and requirements of this Plan. Except properties zoned and used as single-family residential properties, no real property shall be developed, rehabilitated or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

1. [§412] Construction

All construction in the Redevelopment Area shall comply with all applicable state and local laws and codes in effect from time to time. In addition to applicable codes, ordinances or other requirements governing development in the Redevelopment Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Redevelopment Area.

2. [§413] Rehabilitation and Retention of Properties

Any existing structure within the Redevelopment Area approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

3. [§414] Limitation on the Number of Buildings

The number of buildings in the Redevelopment Area shall not exceed the number of buildings permitted under the Master Plan.

4. [§415] Number of Dwelling Units

The number of dwelling units presently in the Redevelopment Area is approximately 242 and shall not exceed the number of dwelling units permitted under the Master Plan.

5. [§416] Limitation on Type, Size and Height of Buildings

Except as set forth in other sections of this Plan, the type, size and height of buildings shall be as limited by federal, state and local statutes, ordinances and regulations, including, but not limited to, the Master Plan.

6. [§417] Open Spaces, Landscaping, Light, Air and Privacy

The approximate amount of open space to be provided in the Redevelopment Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Redevelopment Area to ensure optimum use of living plant material, in accordance with the Douglas County Code, as amended from time to time.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air and privacy.

7. §418] Signs

All signs shall conform to County sign ordinances as they now exist or are hereafter amended. Design of all proposed new signs shall be submitted to the Douglas County Community Development Department prior to installation for review and approval pursuant to the procedures of this Plan, and the Douglas County Code.

8. §419] Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible and where required by the County.

9. §420] Incompatible Uses

No non-residential use or structure which by reason of appearance, traffic, smoke, glare, noise, odor or similar factors would be incompatible with the surrounding areas or structures shall be permitted in any part of the Redevelopment Area.

10. §421] Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Redevelopment Area.

11. §422] Subdivision of Parcels

No parcel in the Redevelopment Area, including any parcel retained by a participant, shall be subdivided without the approval of the Agency.

12. §423] Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions and controls established by this Plan. In order to permit such variation, the Agency must determine that:

- a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls;

- c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
- d. Permitting a variation will not be contrary to the objectives of this Plan or of the Master Plan.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under County codes and ordinances.

E. [\$424] Design for Development

Within the limits, restrictions and controls established in this Plan, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access and other development and design controls necessary for proper development of both private and public areas within the Redevelopment Area, provided such requirements and controls shall be consistent with the Douglas County Code.

No new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with this Plan and any such controls and, in the case of property which is the subject of a disposition and development or participation agreement with the Agency and any other property, in the discretion of the Agency, in accordance with architectural, landscape and site plans submitted to and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Redevelopment Area. Therefore, such plans shall give consideration to good design, open space and other amenities to enhance the aesthetic quality of the Redevelopment Area. The County shall not approve any plans that do not comply with this Plan.

F. [\$425] Building Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Redevelopment Area from the date of adoption of this Plan until the application for such permit has been made and processed in a manner consistent with all County requirements.

The Agency is authorized to establish permit procedures and approvals in addition to those set forth above where required for the purposes of this Plan. Where such additional procedures and approvals are established, a building permit shall be issued only after the applicant for same has been granted all approvals required by the County and the Agency at the time of application.

V. [§500] METHODS OF FINANCING THE PROJECT

A. [§501] General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with financial assistance from the County, State of Nevada, federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans for survey and planning and for the operating capital for nominal administration of this Project may be provided by the County until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the County. The County, as it is able, may also supply additional assistance through County loans and grants for various public facilities.

B. [§502] Tax Increment Funds

All taxes levied upon taxable property within the Redevelopment Area each year, by or for the benefit of the State of Nevada, the County of Douglas, any district or any other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this Plan (the "Ordinance"), shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of such property by the taxing agency, last equalized prior to the effective date of the Ordinance, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid. To allocate taxes levied by or for any taxing agency or agencies which did not include the territory in the Redevelopment Area on the effective date of the Ordinance but to which the territory has been annexed or otherwise included after the effective date, the assessment roll of the County of Douglas last equalized on the effective date of the Ordinance must be used in determining the assessed valuation of the taxable property in the Redevelopment Area on the effective date. If property shown on the assessment roll used to determine the amount of taxes allocated to

the taxing agencies pursuant to this paragraph 1 hereof is later transferred to the state and becomes exempt from taxation, the assessed valuation of the exempt property as shown on the assessment roll must be subtracted from the assessed valuation used to determine the amount of revenue allocated to the taxing agencies.

2. Except as provided in paragraph 3 hereof, that portion of the levied taxes each year in excess of the amount set forth in paragraph 1 hereof must be allocated to and when collected must be paid into a special fund of the Agency to pay the costs of redevelopment and to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, redevelopment. Unless the total assessed valuation of the taxable property in the Redevelopment Area exceeds the total assessed value of the taxable property in the Redevelopment Area as shown by the last equalized assessment roll referred to in paragraph 1 hereof, all of the taxes levied and collected upon the taxable property in the Redevelopment Area must be paid into the funds of the respective taxing agencies. When the Plan is terminated as provided in Section 800 hereof, and all loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Redevelopment Area must be paid into the funds of the respective taxing agencies as taxes on all other property are paid.
3. That portion of the taxes in excess of the amount set forth in paragraph 1 that is attributable to a tax rate levied by a taxing agency to produce revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness or that is attributable to a new or increased tax rate levied by a taxing agency which was approved by the voters of the taxing agency on or after November 5, 1996, must be allocated to and when collected must be paid into the appropriate fund of the taxing agency.

The portion of taxes divided and allocated to the Agency in any fiscal year pursuant to paragraph 2 hereof must not exceed an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 15 percent of the total assessed valuation of the Douglas County.

The Agency shall not issue securities or incur any indebtedness beyond twenty (20) years from the date of adoption of this Plan, except that the Agency may enter into leases or incur indebtedness at any time before the termination of this Plan if the leases are terminated and the indebtedness is fully repaid no later than the termination of this Plan. Any securities issued by or

on behalf of the Agency to finance, in whole or in part, redevelopment, must mature and be fully paid, including any interest thereon, before the termination of this Plan.

The portion of taxes mentioned in paragraph 2 above are hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance the Project, in whole or in part. The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the County or the state, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

C. [\$503] Other Loans and Grants

Any other loans, grants, guarantees or financial assistance from the United States, the State of Nevada or any other public or private source will be utilized if available.

D. [\$504] Economic Feasibility of the Plan

The economic feasibility of the Plan is determined by estimating the costs of the potential redevelopment programs and projects that would be needed to assist in the elimination of the blight conditions and comparing those costs with the estimated potential sources of funds that could be available to the Agency to carry out the redevelopment programs and projects in the Redevelopment Area.

The Agency's Report to the Board prepared pursuant to NRS 279.578 included a detailed analysis of the economic feasibility of the Plan which, in summary, included the following findings:

1. The actions necessary to effect the removal of blighting conditions found within the Redevelopment Area will primarily involve the construction, reconstruction, or reconfiguration of public facilities and infrastructure serving the Redevelopment Area, including but not limited to: water and wastewater systems, other utilities, roads and other traffic infrastructure, storm drainage facilities, and parks.

2. Preliminary cost estimates for a limited number of public improvements that the County has targeted as necessary to effect the removal of blighting conditions within the Redevelopment Area total to approximately \$9.1 million.
3. Preliminary cost estimates for Agency staff and overhead necessary to support Plan implementation and administration are approximately \$80,000 per year. For the duration of the Plan, this would result in total administration costs of approximately \$2.4 million.
4. Projections of potential property tax increment indicate that over the life of the Plan, the Project would potentially generate in excess of \$29 million in tax increment revenues that would accrue to the Agency. The Agency will seek to leverage its own funds with funds provided by other public and private entities wherever possible to pay for projects, programs, and activities permitted by this Plan.
5. It is unlikely that the cost of other Agency projects, programs and activities in the Redevelopment or in support of the Project that are as yet unidentified, would exceed the difference between the currently projected \$29 million property tax increment and the total \$11.5 million in project costs estimated at this time.
6. Therefore, it is expected that the revenues available to the Agency during the life of this Plan would be adequate to pay for necessary projects, programs, and other activities that the Agency would undertake within the Redevelopment Area, or in support of this Plan.

VI. [§600] ACTIONS BY THE COUNTY

The County shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the Redevelopment Area of conditions causing blight. Actions by the County shall include, but not be limited to, the following:

- A. Institution and completion of proceedings for opening, closing, vacating, widening or changing the grades of streets, alleys and other public rights-of-way and for other necessary modifications of the streets, the street layout and other public rights-of-way in the Redevelopment Area. Such action by the County shall include the requirement of abandonment, removal and relocation by the public utility companies of their operations of public rights-of-way as appropriate to carry out this Plan, provided that

nothing in this Plan shall be construed to require the cost of such abandonment, removal and relocation to be borne by others than those legally required to bear such cost.

- B. Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned public utilities within or affecting the Redevelopment Area.
- C. Revision of County Master Plan policies, land use designations, zoning (if necessary) within the Redevelopment Area to permit the land uses and development authorized by this Plan.
- D. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Redevelopment Area to ensure their proper development and use.
- E. Provision for administrative enforcement of this Plan by the County after development. The County and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Redevelopment Area throughout the duration of this Plan.
- F. Preservation of historical sites.
- G. Performance of the above actions and of all other functions and services relating to public peace, health, safety and physical development normally rendered in accordance with a development review processing schedule which will permit the redevelopment of the Redevelopment Area to be commenced and carried to completion without unnecessary delays.
- H. The undertaking and completing of any other proceedings necessary to carry out the Project.

The foregoing actions to be taken by the County do not constitute any commitment for financial outlays by the County.

VII. [§ 700] ENFORCEMENT OF THE PLAN

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the County.

VIII. [§ 800] DURATION OF THIS PLAN

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for thirty (30) years from the effective date of the ordinance approving this Plan.

IX. [§900] PROCEDURE FOR AMENDMENT OF THE PLAN

This Plan may be amended by means of the procedure established in NRS 279.608 or by any other procedure hereafter established by law.

ATTACHMENT NO. 1

LEGAL DESCRIPTION OF THE REDEVELOPMENT AREA BOUNDARIES

Attachment No. 1

Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

110-08-98
06/18/98

DESCRIPTION
Walley's Hot Springs Area

All that real property situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land located within a portion of the west one-half of the southeast one-quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 15 and the west one-half of the northeast one-quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 22, Township 13 North, Range 19 East, Mount Diablo Meridian, more particularly described as follows:

Parcel E and Parcel F as shown on that certain Record of Survey for Walley's Hot Springs, Inc. recorded May 14, 1998 in the Office of the Recorder, Douglas County, Nevada in Book 598 at Page 2700 as Document No. 439613.

The above described parcel of land is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and/or county ordinance.

Note: Refer this description to your title company before incorporating into any legal document.

Prepared By: R.C. ANDERSON ENGINEERING, INC.
P.O. Box 2294
Winden, Nevada 89423



110-06-98
06/19/98
Page 1 of 2

DESCRIPTION
Genoa Area

A parcel of land located within a portion of Sections 9 and 10, Township 13 North, Range 19 East, Mount Diablo Meridian, described as follows:

All that property as shown on the Record of Survey for Coit Enterprises, Document No. 303571;

Together with all that property as shown on the Parcel Map for Coit Enterprises, Document No. 293701;

Together with all that property as shown on the Record of Survey for H.H. Haight III and K.E. Haight Trust, Document No. 154806;

Together with Lots 11 thru 33 of Block 13 of 1874 Map of Genoa, along with that portion of 5th Street abandoned per Douglas County Commissioners, Page 114 dated November 7, 1960 at Book 17, Page 486;

Together with that portion of the East one-half (E $\frac{1}{2}$) of Section 9, Township 13 North, Range 19 East, Mount Diablo Meridian bound on the North by Genoa Lane, State Route 758, bound on the West by Main Street, State Route 206;

Together with all of Blocks 2, 3, 9 and 12 of said Map of Genoa;

Together with all of Block 11 of said Map of Genoa, along with that portion of Genoa Street abandoned by Douglas County Commissioners August 18, 1988, per Document No. 199133;

Together with all of Block 1 of said Map of Genoa, along with that parcel acquired by QuitClaim, Document No. 69622;

Together with all that property as shown on the Record of Survey for Robert P. and Juliet D. Brush, Document No. 104602;

Together with all of Block 8 of said Map of Genoa, along with that portion of Main Street abandoned by the Nevada State Highway Department per Document No. 145620;

Together with all that property as shown on the Record of Survey of Genoa Block 4 and Adjusted Area, Document No. 046263;

110-08-98
06/19/98
Page 2 of 2

Together with all of Block 7 of said Map of Genoa, along with that portion of Main Street abandoned by the Nevada State Highway Department per Document No. 145620;

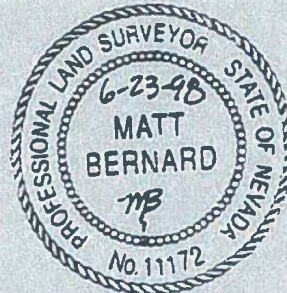
Together with all of Block 6 of said Map of Genoa, along with that portion of Main Street abandoned by the Nevada State Highway Department per Document No. 145620;

Together with all that property as shown on the Record of Survey for Ridl Ltd., Document No. 32482;

Together with all that property as shown on the Record of Survey for Gottlieb T. and Bernice L. Huber, Document No. 216691.

Note: Refer this description to your title company before incorporating into any legal document.

Prepared By: R.O. ANDERSON ENGINEERING, INC.
P.O. Box 2294



110-08-98
06/19/98

DESCRIPTION
(Genoa Lakes Area)

All that real property situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land located in a portion of Sections 2, 3 and 10, Township 13 North, Range 19 East, Mount Diablo Meridian, more particularly described as follows:

Parcels 5, 6 and 7 and Tracts 1, 2, 3 and 4 and Phase 1 as shown on that certain Final Map of Genoa Lakes, A Planned Unit Development recorded in Book 393, at Page 316J as Document No. 302137 at the Douglas County Recorder's Office.

The above described parcel of land is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and/or county ordinance.

Note: Refer this description to your title company before incorporating into any legal document.

Prepared By: F.C. ANDERSON ENGINEERING, INC.
P.O. Box 2194
Minden, Nevada 89423



110-08-98
06/18/98

DESCRIPTION
Little Mondeaux Area

All that real property situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land located in portions of Sections 26, 27, 34 & 35 of Township 14 North, Range 19 East, Mount Diablo Meridian, more particularly described as follows:

Parcels 10, 12, 16, 17, 19, 19, 22 and 23 as shown on that certain Record of Survey To Support A Boundary Line Adjustment for Ronald L. Simek, Little Mondeaux Limousin Corporation and the Pivot Limited Partnership, recorded in Book 1296 at Page 4975 as Document No. 403935 at the Douglas County Recorder's Office.

Together with:

Adjusted Parcel 13 and Adjusted Parcel 15 as shown on that certain Record of Survey To Support A Boundary Line Adjustment for Little Mondeaux Limousin Corporation recorded in Book 298, at Page 4672, as Document No. 433368 at the Douglas County Recorder's Office.

Together with:

Adjusted Parcel 24 as shown on that certain Record of Survey To Support a Boundary Line Adjustment for Ronald L. Simek recorded in Book 698 at Page 2781, as Document No. 441786 at the Douglas County Recorder's Office.

The above described parcel of land is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and/or county ordinance.

Note: Refer this description to your title company before incorporating into any legal document.

Prepared By: R.O. ANDERSON ENGINEERING, INC.
P.O. Box 2294
Minden, Nevada 89423



110-08-98
06/18/98

Ridgeview Area

A parcel of land located within a portion of Section 7, Township 14 North, Range 19 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

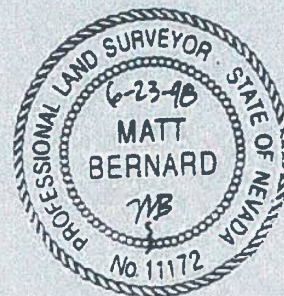
All that portion of Vista Grande Subdivision, Unit #1, as recorded as Document No. 26518;

Together with all that portion of Vista Grande Subdivision, Unit #2, as recorded as Document No. 58273;

Together with all that portion of Ridgeview Estates Subdivision, as recorded as Document No. 63503;

Together with all that portion of land bound on the North by Mica Drive per said Vista Grande Subdivision, Document No. 26518, bound on the East by Highland Estates, Unit No. 3, Document No. 20213 and by Block "C" of Highland Estates, Unit No. 4, Document No. 20214, bound on the South by Ridgeview Estates, Document No. 63503, and bound on the West by Vista Grande Blvd. per Ridgeview Estates, Document No. 63503.

The above described parcel of land is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and/or county ordinance.



110-08-98
06/18/98

North County Area

A parcel of land located within a portion of the East one-half (E½) of Section 6, Township 14 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

All that portion of the East one-half (E½) of Section 6, Township 14 North, Range 20 East, Mount Diablo Meridian, being South of the Carson City/Douglas County line, West of the westerly right-of-way line of U.S. Highway 395 and North of the northerly right-of-way line of Jacks Valley Road.

The above described parcel of land is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and/or county ordinance.

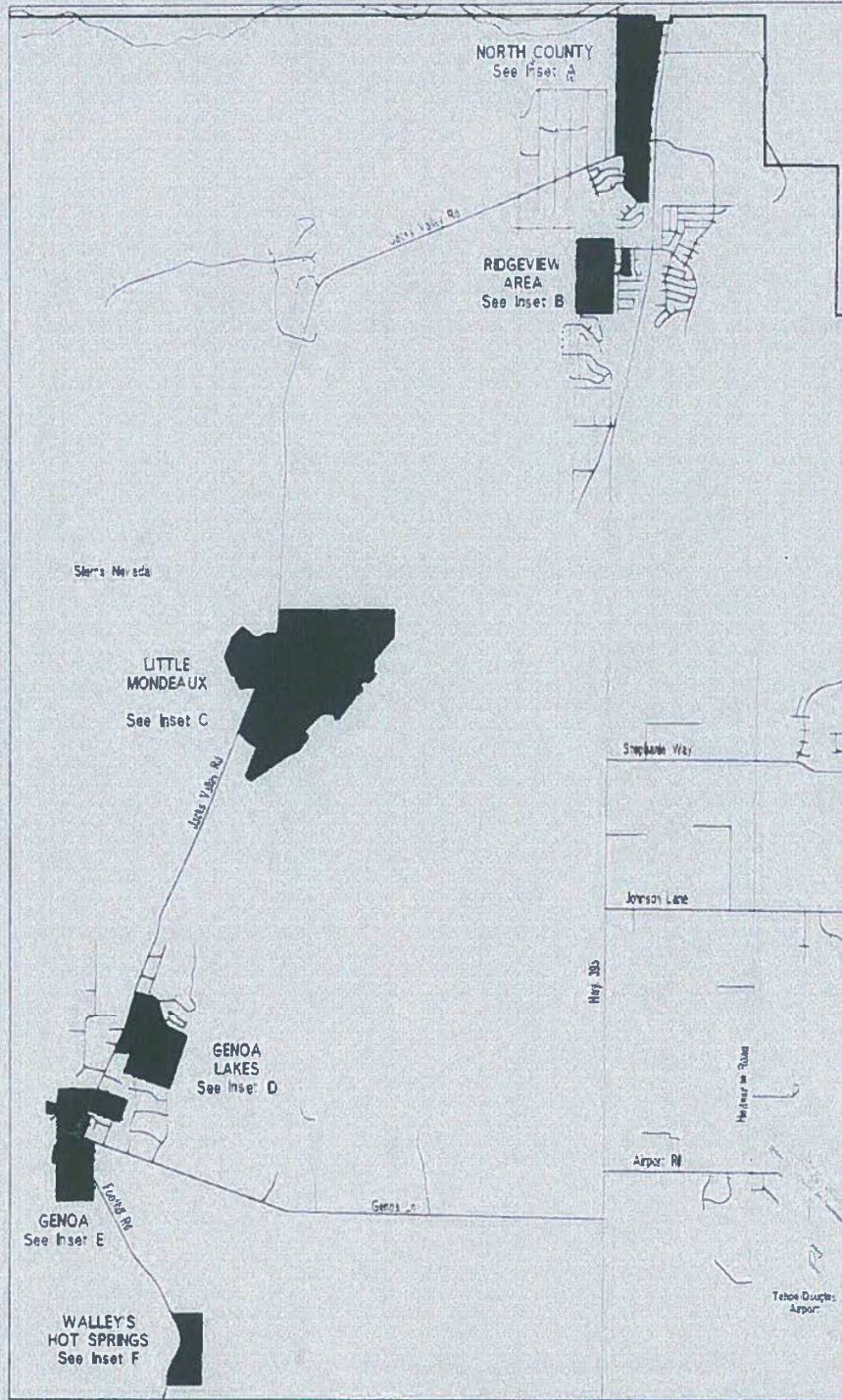


ATTACHMENT NO. 2
REDEVELOPMENT AREA MAP

Attachment No. 2

Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1



Attachment 2 - Redevelopment Area Map

Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

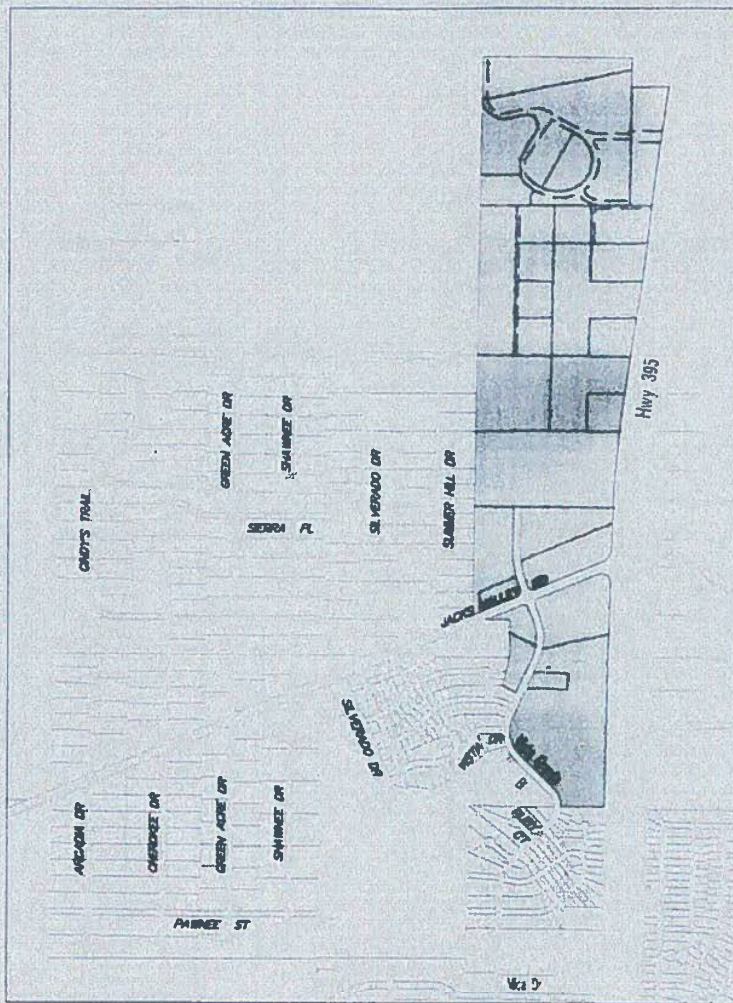
ATTACHMENT NO. 3

REDEVELOPMENT LAND USE MAP

Attachment No. 3

Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1

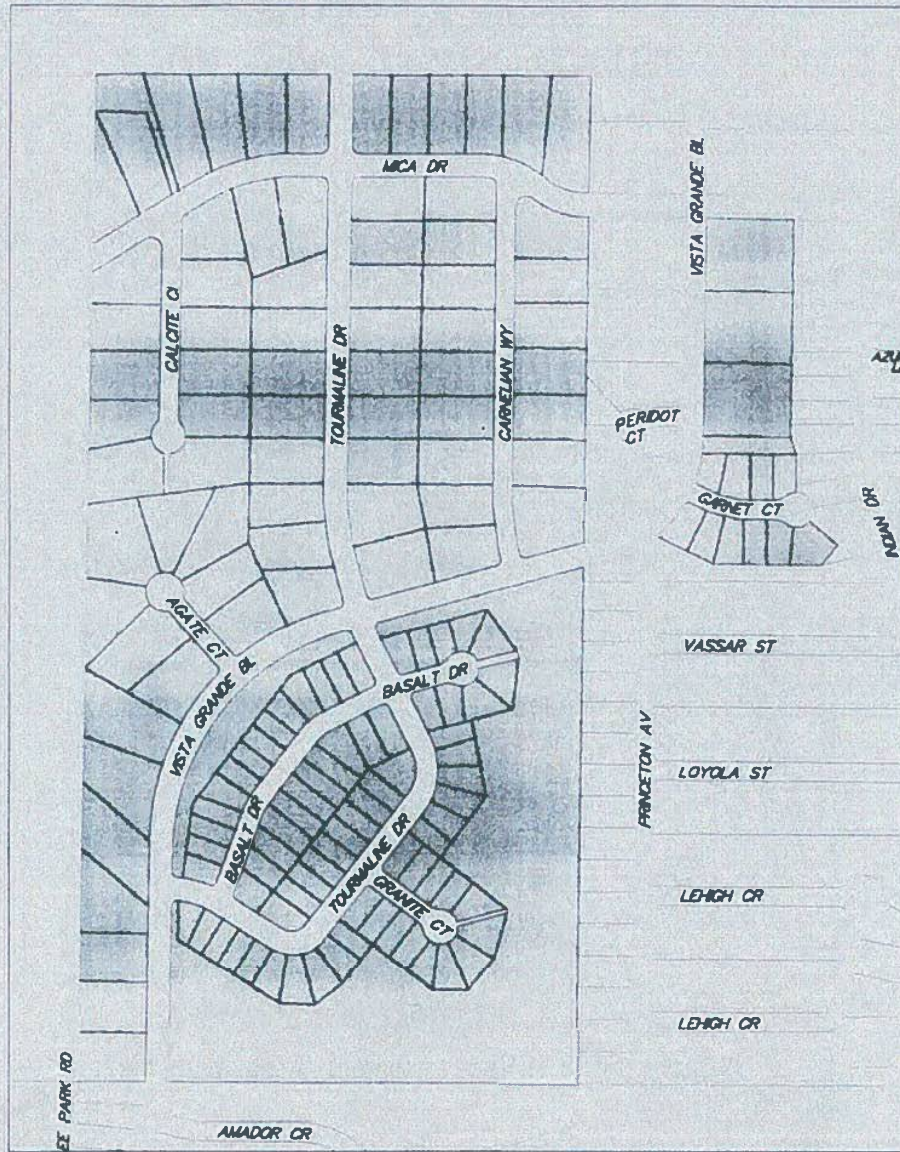


Attachment 2 - Redevelopment Area Map, Inset A



Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1

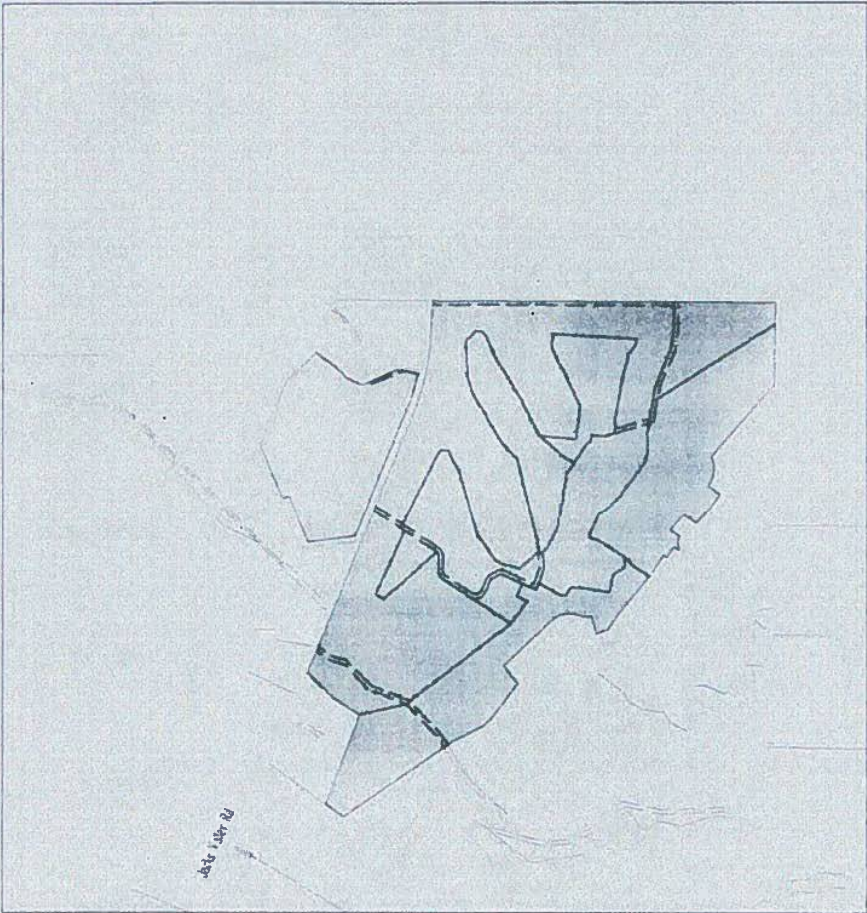


Attachment 2 - Redevelopment Area Map, Inset B



Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1

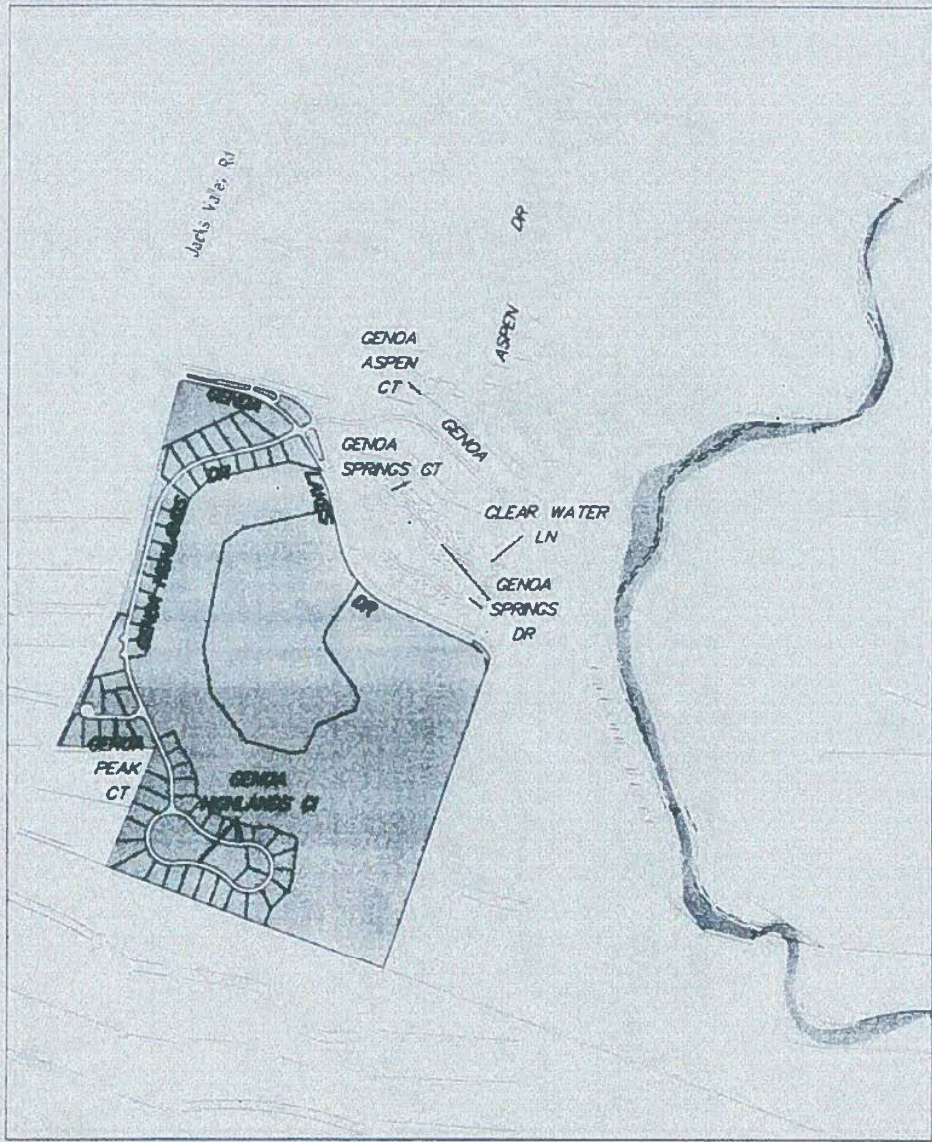


Attachment 2 - Redevelopment Area Map, Inset C



Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1

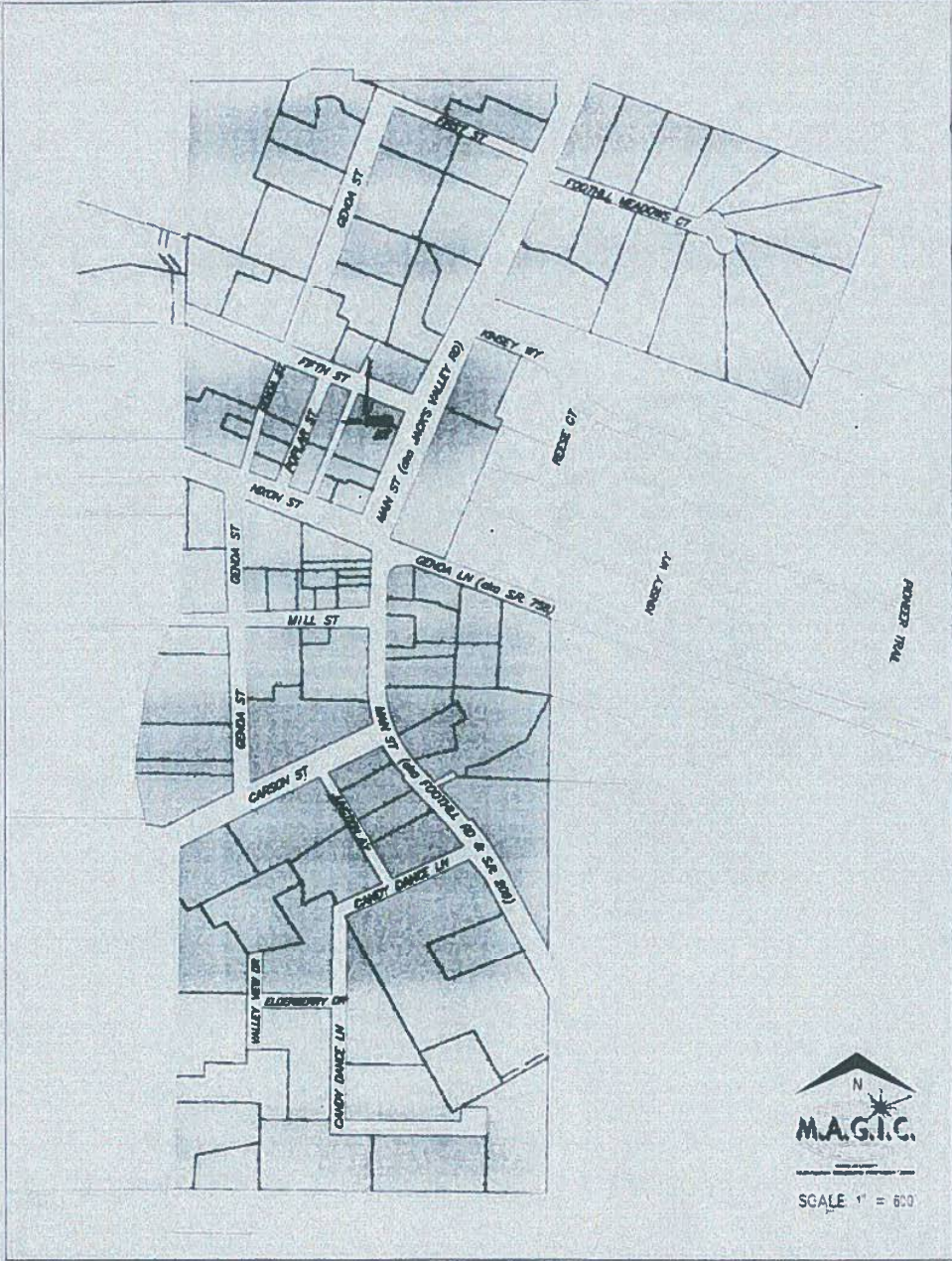


Attachment 2 - Redevelopment Area Map, Inset D



Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

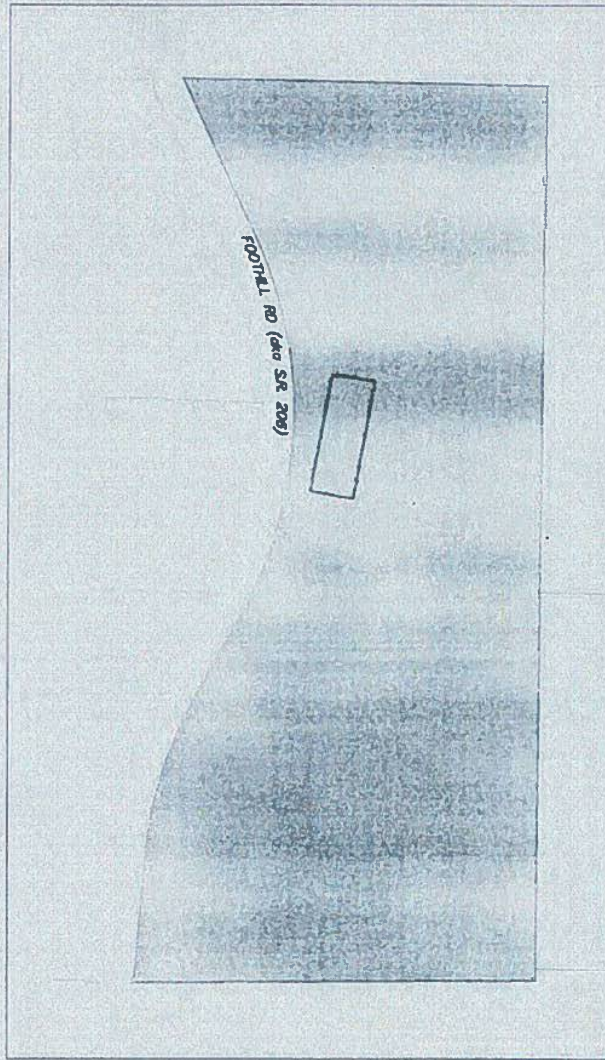
DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1



Attachment 2 - Redevelopment Area Map, Inset E

Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1

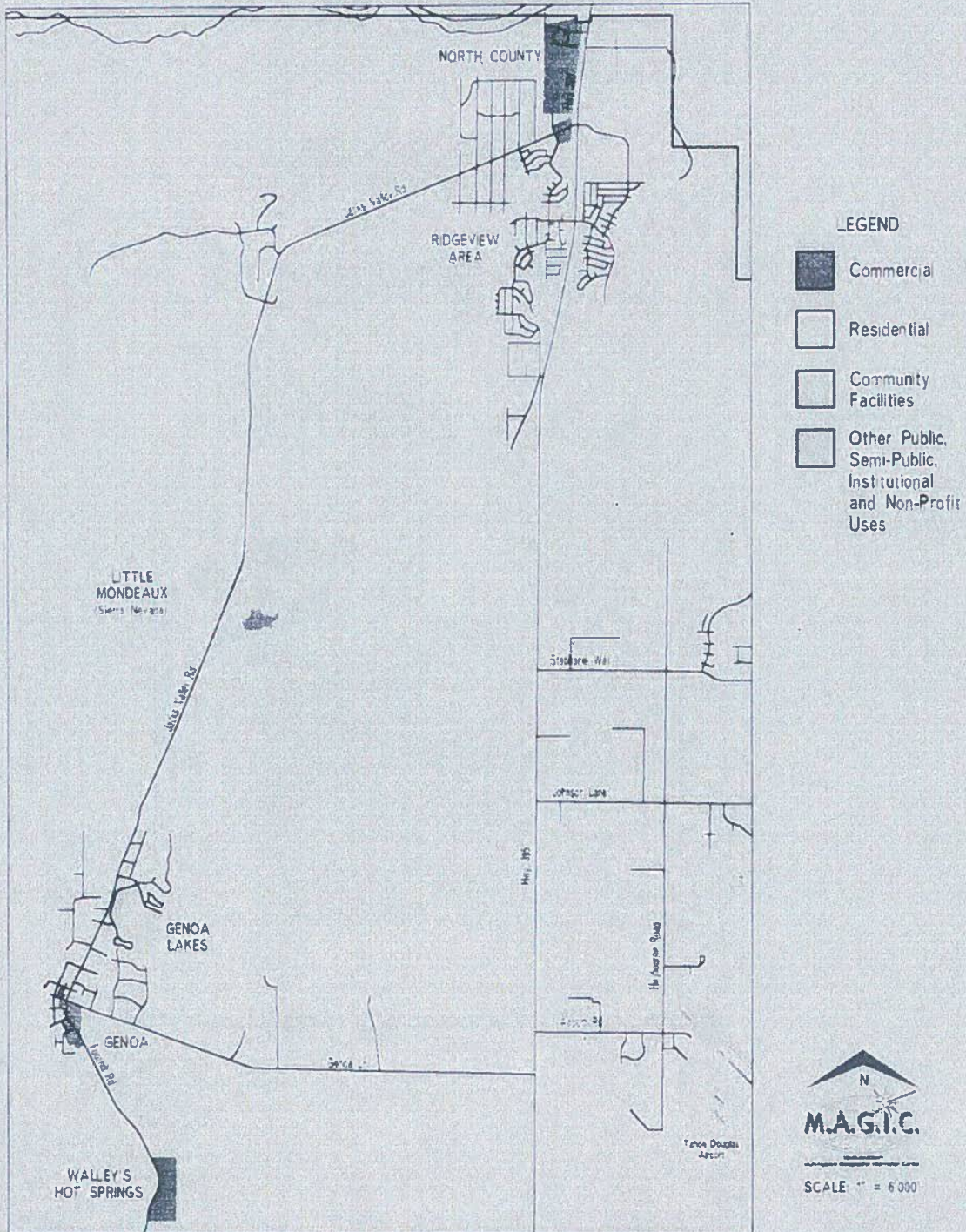


Attachment 2 - Redevelopment Area Map, Inset F



Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

DOUGLAS COUNTY REDEVELOPMENT AREA NO. 1



Attachment 3 - Redevelopment Land Use Map

Attachment: Redevelopment Area No. 1 (2221 : Redevelopment Plan)

LAW 38

DOUGLAS COUNTY, NEVADA
REDEVELOPMENT PLAN
REDEVELOPMENT AREA NO. 2

NOVEMBER 19, 2015

Prepared by the
DOUGLAS COUNTY REDEVELOPMENT AGENCY

Attachment: Redevelopment Area No. 2 (2221 : Redevelopment Plan)

Douglas County Nevada | Redevelopment Plan | Redevelopment Area No. 2



Attachment: Redevelopment Area No. 2 (2221 : Redevelopment Plan)

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INTRODUCTION

This is the Redevelopment Plan (the "Plan") for Redevelopment Area Number 2 (the "Redevelopment Area"), which is located in the territorial jurisdiction of Douglas County, Nevada (the "County") generally in the Stateline, Nevada area and depicted in the Map attached as Exhibit "A".

This Plan has been prepared pursuant to Nevada Revised Statutes (NRS) Chapter 279 which provides for the exercise of redevelopment authority by a redevelopment agency.

Implementation of this Plan by the County and the Redevelopment Agency of the County is governed by the provisions contained in this Plan as it may be amended from time to time. The definitions of general terms which are contained in the Nevada Revised Statutes govern the construction of this Plan, unless more specific terms and definitions are otherwise provided in this Plan. All statutory references hereinafter shall be to the Nevada Revised Statutes.

Many of the requirements contained in this Plan are necessitated by, and in accord with, statutory provisions in effect at the time of adoption of this Plan. Such statutory provisions may be changed from time to time. In the event that any such changes affect this Plan's requirements, and would be applicable to the Agency, the Redevelopment Area, or this Plan, whether or not this Plan is formally amended to reflect such changes, then the requirements of this Plan that are so affected shall be superseded by such statutory changes, to the extent necessary to be in conformity with such changes.

The Redevelopment Area includes all properties indicated on the Redevelopment Area Map attached as Exhibit A.

The proposed redevelopment of the Redevelopment Area as described in this Plan conforms to and is governed by the Douglas County Master Plan and documents referenced or incorporated by the Master Plan as applicable, including the Tahoe Regional Planning Agency ("TRPA") Regional Plan updated in December 2012, the South Shore Area Plan ("SSAP") adopted by TRPA on September 25, 2013, and the Draft Tahoe Douglas Area Plan ("TDAP").

This Redevelopment Plan is based upon the Preliminary Plan formulated and adopted by the Douglas County Planning Commission (the "County Planning Commission") on November 10, 2015.

This Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the Redevelopment Area. This Plan does not present a specific plan or establish priorities for specific projects for the redevelopment, rehabilitation, and revitalization of any particular area within the Redevelopment Area. Instead, this Plan presents possible methods for revitalization which are designed to reduce and eliminate decline, deterioration, and obsolescence, stimulate new investment, stabilize the tax base, and maintain the viability of existing businesses within the Redevelopment Area. This Plan will also provide a basic framework within which specific (re)development plans will be presented and priorities for specific projects will be established. The Plan is intended to provide the Agency tools to fashion, develop, and proceed with such specific plans, projects and solutions for the Redevelopment Area.

Douglas County Nevada | Redevelopment Plan | Redevelopment Area No. 2

In general, the goals and objectives of the redevelopment program in the Redevelopment Area are as follows:

1. To eliminate and prevent the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Redevelopment Area in accord with the Master Plan and other applicable planning documents, the Redevelopment Plan and local codes and ordinances.
2. To achieve an environment reflecting a high level of concern for architectural, landscape, and urban design, land use, and environmental improvement principles appropriate for attainment of the objectives of the Redevelopment Plan.
3. To minimize unplanned growth by guiding revitalization activities and new development in such fashion as to meet the needs of the Redevelopment Area, the County and its citizens.
4. To retain existing businesses by means of redevelopment and rehabilitation activities and by encouraging cooperation and participation of owners, businesses and public agencies in the revitalization of the Redevelopment Area.
5. To encourage investment by the private sector in the development and redevelopment of the Redevelopment Area by eliminating impediments to such development and redevelopment.
6. To encourage maximum participation of residents, businesspersons, property owners, and community organizations in the redevelopment of the Redevelopment Area.
7. To replan, redesign and (re)develop areas which are stagnant, obsolete, or improperly used.
8. To insure adequate utility capacity to accommodate redevelopment, new development, and environmental goals and projects within the Redevelopment Area.

Redevelopment of the Redevelopment Area pursuant to this Redevelopment Plan and the above goals and objectives will attain the purposes of the NRS Chapter 279 by:

1. Elimination of areas suffering from economic dislocation, and disuse in affected areas;
2. Re-planning, redesign and/or redevelopment of areas which are stagnant or improperly utilized, in ways which could not be accomplished solely by private enterprise without public participation and assistance;
3. Protection and promotion of sound development and redevelopment of blighted areas and the general welfare of the citizens of the County by remedying such injurious conditions through the employment of appropriate means;
4. Installation of new, or replacement of existing public improvements, facilities, parks and/or other recreation facilities, and utilities in areas which are currently inadequately served with regard to such improvements, facilities and utilities; and
5. Other means as determined appropriate.

GENERAL DEFINITIONS AND REDEVELOPMENT AREA BOUNDARY

General Definitions

The following definitions are used in this Plan unless otherwise indicated by the text:

1. "Agency" means the Douglas County Redevelopment Agency, Nevada.
2. "County" means Douglas County, Nevada.
3. "County Commission" means the Douglas County Board of County Commissioners.
4. "Community Redevelopment Law" means the Community Redevelopment Law of the State of Nevada within NRS Chapter 279.
5. "Redevelopment Area" means the area included within the boundaries of the Redevelopment Area, as established by this Plan and as depicted and described in the map attached hereto as Exhibit A.
6. "Legislative Body" means the Douglas County Board of County Commissioners.
7. "NRS" means the Nevada Revised Statutes for the State of Nevada.
8. "State" means the State of Nevada.
9. "Plan" means the Redevelopment Plan for Redevelopment Area No. 2 in Douglas County, Nevada.

Redevelopment Area Boundary

The boundaries of the Redevelopment Area are shown on the Redevelopment Area Map attached as Exhibit "A".

PROPOSED REDEVELOPMENT ACTIVITIES

The Agency proposes to eliminate and prevent the spread of blight and blighting influences, and strengthen the economic base of the Redevelopment Area and the County, by some or all of the following:

1. Permitting participation in the redevelopment process by owners and occupants of properties located in the Redevelopment Area, consistent with this Plan and rules adopted by the Agency;
2. Acquisition of real property;
3. Management of property under the ownership and/or control of the Agency;
4. Relocation assistance to displaced occupants of property acquired by the Agency in the Redevelopment Area;
5. Demolition of property for uses in accordance with this Plan;
6. Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan;
7. Rehabilitation of structures and improvements by present owners, their successors, and the Agency;
8. Provision, maintenance, and/or enhancement of utilities, roads, streets, landscaping, parking facilities, stormwater and drainage facilities, and other public improvements; and
9. Consideration of the implementation of appropriate land use controls or regulations within the Redevelopment Area.

In the accomplishment of these activities, and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers to the extent now or hereafter permitted by law Nevada law.

Owner Participation and Business Reentry Preferences

Owner Participation

1. Pursuant to NRS 279.566, owners of real property within the Redevelopment Area shall be extended reasonable opportunities to participate in the redevelopment of property in the Redevelopment Area if such owners agree to participate in the redevelopment in conformity with this Redevelopment Plan and the owner participation implementation rules adopted by the Agency. These owner participation opportunities will be explained in more detail in the Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences for Property Owners in the Redevelopment Area contained in the Report later presented to the County Commission.

Douglas County Nevada | Redevelopment Plan | Redevelopment Area No. 2

2. In appropriate circumstances where such action would foster the goals and objectives contemplated by the Redevelopment Plan, an owner may participate in substantially the same location either by retaining all or portions of his property; retaining all or portions of his property and purchasing adjacent property if needed and available for (re)development; rehabilitating or demolishing all or part of his existing buildings; initiating new development; or selling property to the Agency.

Participation opportunities shall necessarily be subject to and limited by factors including but not limited to the following:

1. The elimination and/or modification, if any, of existing land uses;
2. The construction, vacation, realignment and/or alteration, if any, of existing streets;
3. The ability of participants to finance and complete proposed developments and rehabilitations;
4. The capability and/or experience of the owner participant, as determined by the Agency, to implement the proposed development;
5. The proposed land uses for redevelopment of the Redevelopment Area;
6. Intensification of certain land uses; and
7. The construction or expansion of public facilities.

Participation by Tenants

1. Non-property owners who are tenants engaged in business or residing in the Redevelopment Area may be extended reasonable preferences if they wish to purchase property at their present location for the purpose of rehabilitating and/or expanding existing improvements or to build new improvements in conformance with the designated land uses and other requirements of this Plan. However, the preference provided to such business or residential tenants will be subordinate to, or follow, the preference provided to the existing property owners.
2. Businesses and residential tenants may also submit proposals for rehabilitation and/or new development at locations other than their existing location, as long as said property conforms to the Plan. However, no preference shall be provided to business and/or tenants for this type of proposal.

Participation Agreements

1. The Agency may require that, as a condition of participating in redevelopment, each participant shall enter into a binding written participation agreement with the Agency by which the participant agrees to rehabilitate, develop or use the property in conformance with this Plan and to be subject to the provisions hereof and such other provisions and conditions to which the

Douglas County Nevada | Redevelopment Plan | Redevelopment Area No. 2

parties may agree. In such agreements, participants who retain real property may be required to make the provisions of this Plan and such participation agreement applicable to their properties.

2. If an owner fails to participate in the redevelopment under a participation agreement or breaches the agreement, the Agency shall have the right to acquire the subject property for redevelopment by any legal means permitted under the law and the provisions of this Plan. If so provided in the participation agreement, the price of such acquisition will be the property's fair market value at the time of execution of the participation agreement. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Redevelopment Area.

Implementing Rules

The Owner Participation provisions shall be implemented according to the rules adopted by the Agency simultaneous with the final adoption of this Plan by the County Commission, and as the same may be from time to time amended by the Agency. Where there is a conflict between the participation provisions in this Plan and such rules adopted by the Agency, the Plan shall prevail.

Property Acquisition

1. Acquisition of Real Property
 - A. In accordance with NRS 279.576, the Agency may acquire, but is not required to acquire, any real property located in the Redevelopment Area by gift, purchase, lease, or condemnation.
 - B. The Agency may exercise the power of eminent domain to acquire property for a redevelopment project if: (a) The property sought to be acquired is necessary to carry out this Plan; and (b) The Agency has made reasonable effort to negotiate in good faith the purchase of the property. The method the Agency would use to acquire property through eminent domain is subject to statutory requirements, including NRS 279.421 and 279.4712, and as set forth in the Agency's Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences To Property Owners in the Redevelopment Area.
 - C. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee interest.
2. Acquisition of Personal Property

Generally, personal property may not be acquired by the Agency. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Redevelopment Area by any lawful means. The Agency may also acquire by gift, purchase, lease or condemnation any personal property in connection with real property acquired by the Agency.

Property Management

In accordance with NRS 279.470, the Agency is authorized to manage and control all real property acquired by it. Such property may be rented or leased by the Agency, and such rental or lease shall be in conformity with this Plan.

Relocation of Persons (Including Individuals and Families), Business Concerns and Others Displaced by the Project

1. Assistance in Finding Other Locations

As may be required by applicable law, the Agency may assist all persons, business concerns, and others displaced by Agency action in the Redevelopment Area in finding other locations and facilities. In order to carry out the Redevelopment Plan with a minimum of hardship to persons, business concerns, and others, if any, displaced from their respective places of residence or businesses, the Agency may assist such persons, business concerns and others in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations, and otherwise suitable to their respective needs.

2. Relocation Payments

As may be required by applicable law, the Agency may make relocation payments for moving expenses and direct losses of personal property to persons, business concerns, and others displaced by Agency action in the Redevelopment Area and shall make additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to Chapter 342 of Nevada Revised Statutes. The Agency, at its option, may make such other payments as may be appropriate and for which funds are available.

Demolition, Clearance, Public Improvements, Building and Site Preparation

1. Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures, and other improvements from any real property acquired in the Redevelopment Area as necessary to carry out the purpose of this Plan.

Public Improvements

The Agency is authorized to install and construct, or to cause to be installed and constructed, the public improvements, facilities and utilities necessary to carry out this Plan. Such public improvements, facilities and utilities include, but are not limited to the following:

1. Sewers;
2. Storm drains and related drainage facilities;

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3. Electrical, natural gas, telephone and water distribution systems;
4. Parks, plazas, entertainment venues, amphitheaters;
5. Playgrounds;
6. Parking and transportation facilities;
7. Landscaped areas;
8. Street and circulation improvements;
9. Flood control improvements and facilities;
10. Entryway features;
11. Recreational improvements; and
12. Other public facilities serving the needs of Redevelopment Area occupants.

Preparation of Building Sites

The Agency is authorized to prepare, or cause to be prepared, as building sites, any real property in the Redevelopment Area owned or acquired by the Agency.

Property Disposition and Development

1. General
 - A. For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. The Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding but only after a public hearing, notice of which shall be given by publication for not less than once a week for two weeks in a newspaper of general circulation published in Douglas County.
 - B. A lease or sale by the Agency of real property acquired by it in the Redevelopment Area shall be conditioned on the redevelopment and use of the property in conformity with this Plan.
 - C. All real property acquired by the Agency in the Redevelopment Area may be sold or leased to public or private persons or entities for development for the uses permitted in this Plan, and any such sale or lease may be for an amount at less than fair market value if necessary to effectuate the purposes of this Plan. Real property may also be conveyed by the Agency

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to the County, and, where beneficial to the Redevelopment Area, to any other public body without charge or for an amount at less than fair market value.

- D. All purchasers or lessees of property from the Agency may be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

2. Disposition and Development Documents

- A. The Agency shall reserve powers and controls in disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is expeditiously carried out pursuant to this Plan.
- B. To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Plan and any adopted Design Guidelines and other conditions imposed by the Agency by leases, deeds, contracts, agreements, declarations of restrictions, provisions of the zoning ordinance, conditional use permits, or other means. Where appropriate as determined by the Agency, such documents or portions thereof shall be recorded in the Office of the Recorder of Douglas County.
- C. The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, or any other provision necessary to carry out this Plan.

3. Development Plans

All development plans (whether public or private) shall be processed in the manner provided by applicable County codes, as they are, or as they may be, amended from time to time. All development in the Redevelopment Area must conform to County (as appropriate) and Agency design review procedures, including any Design Guidelines adopted by the Agency.

4. Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

Cooperation with Public Bodies

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

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1. Dedicate, sell, convey or lease any of its property to the Agency.
2. Cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with a redevelopment plan.
3. Furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake.
4. Plan or replan, zone or rezone any part of such area and make any legal exceptions from building regulations and ordinance.
5. Enter into agreements with the federal government respecting action to be taken by such public body pursuant to any of the powers granted by NRS Chapter 279, inclusive. Such agreements may extend over any period, notwithstanding any law to the contrary.
6. Purchase or legally invest in any of the bonds of the Agency and exercise all of the rights of any handler of such bonds.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Redevelopment Area. Any public body which owns or leases property in the Redevelopment Area will be afforded all the privileges of owner participation if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Redevelopment Area by a public body shall be subject to Agency approval.

Development Financing by the Agency or Other Public Bodies or Entities

The Agency may, with the consent of the Legislative Body, pay all or part of the value of the land for, and the cost of the construction of, any building, facility, structure or other improvement and the installation of any improvement which is publicly or privately owned and located within the redevelopment area. Before the Legislative Body may give its consent, it shall determine that:

1. The buildings, facilities, structures or other improvements are of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located; and
2. No other reasonable means of financing those buildings, facilities, structures or other improvements are available.
3. Those determinations by the Agency and the Legislative Body are final and conclusive.
4. If the value of the land or the cost of the construction of that building, facility, structure or other improvement, or the installation of any improvement has been, or will be, paid or provided for initially by the community or other governmental entity, the Agency may enter into a contract with that community or governmental entity under which it agrees to reimburse the community

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or governmental entity for all or part of the value of that land or the cost of the building, facility, structure or other improvement, or both, by periodic payments over a period of years. The obligation of the Agency under that contract constitutes an indebtedness of the Agency which may be payable out of taxes levied and allocated to the Agency under paragraph (b) of subsection 1 of Nevada Revised Statutes 279.676, or out of any other available money.

Employment Plan

In accordance with NRS 279.482, the Agency shall, as it determines to be appropriate, require that a proposal for a redevelopment project include an employment plan which includes:

1. A description of the existing opportunities for employment within the Redevelopment Area;
2. A projection of the effect that the redevelopment project will have on opportunities for employment within the Redevelopment Area; and
3. A description of the manner in which an employer relocating his business into the Redevelopment Area plans to employ persons living within the area of operation who are:
 - A. Economically disadvantaged;
 - B. Physically handicapped;
 - C. Members of racial minorities;
 - D. Veterans; or
 - E. Women.

LAND USES AND DEVELOPMENT REQUIREMENTS

Redevelopment Area Map and Major Redevelopment Area Land Uses

The Redevelopment Area Map attached hereto as Exhibit "A" illustrates the location of the Redevelopment Area parcel boundaries and identifies the major streets within the Redevelopment Area. The Master Plan and related planning documents designate the major land uses authorized within the Redevelopment Area. The County will from time to time update and revise its Master Plan. It is the intention of this Redevelopment Plan that the County's Master Plan and all associated and incorporated planning documents, as it currently exists, or as they may from time to time be amended, and as implemented and applied by County ordinances, resolutions and other laws be used as a guide to long range planning and redevelopment of the Redevelopment Area. The major land uses authorized within the Redevelopment Area by the Master Plan are described below:

Major Land Uses

Major land uses permitted within the Redevelopment Area include:

- Residential
- Commercial
- Public/Semipublic
- Park/Open Space

The preceding uses may be used for any of the various kinds of uses specified for or permitted within such areas by the Master Plan, as it currently exists or as it may be amended from time to time.

Other Land Uses

1. Public Rights-of-Way and Layout of Streets
 - A. Major public streets and their layout within the Redevelopment Area are detailed on the Redevelopment Area Map as Exhibit "A" and are listed as follows:
 - U.S. Highway 50 (terminating at the California State line)
 - Kahle Drive
 - Lake Parkway
 - Stateline Avenue
 - B. Additional public streets, alleys and easements may be created in the Redevelopment Area as needed for proper use and/or development. Existing streets and alleys may be abandoned, closed or modified as necessary for proper use and/or development.
 - C. Any changes in the existing street layout shall be in accord with the County's Master Plan, and all other applicable planning documents.

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2. Conforming Properties

Without the consent of the owner, the Agency shall not acquire any real property on which an existing building is to be continued on its present site and in its present form and use unless an existing building requires structural alteration, improvement, modernization or rehabilitation, or the site or lot on which the building is situated requires modification in size, shape or use, or it is necessary to impose upon such property any of the standards, restrictions and controls of this Plan. The Agency may acquire such property if the owner refuses to enter into a participation agreement or Disposition and Development Agreement or fails to redevelop the property or otherwise carry out the provisions of such agreement.

3. Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Redevelopment Area for interim uses not in conformity with the uses permitted in this Plan. Such interim use shall conform to all applicable County codes and planning documents.

4. Nonconforming Uses

- A. The Agency is authorized to permit an existing use to remain in an existing building in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Redevelopment Area, and abatement of such uses is not required by applicable County codes.
- B. The Agency may authorize additions, alterations, repairs or other improvements in the Redevelopment Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Redevelopment area where, in the determination of the Agency, such improvements would be compatible with surrounding Redevelopment Area uses and development and are permitted under applicable County codes.

5. General Controls and Limitation

All real property in the Redevelopment Area is hereby made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated, or otherwise changed after the latest effective date of the ordinance adopting this Plan, except in conformance with the provisions of this Plan.

A. Construction

All construction within the Redevelopment Area shall be reviewed by the Redevelopment Agency and shall comply with all applicable State and local laws in effect at the time.

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B. Limitation on the Number of Buildings

The number of buildings in the Redevelopment Area shall not exceed the number of buildings permitted under the Master Plan and other applicable planning documents

C. Number of Dwelling Units

The number of dwelling units in the Redevelopment Area shall not exceed the maximum number allowed under the densities permitted under the County's Master Plan and other applicable planning documents, as implemented and applied by local codes and ordinances.

D. Limitations on Type, Size and Height of Buildings

The type, size, and height of buildings shall be as limited by the County Master Plan, other applicable planning documents, and applicable federal, state and local statutes and ordinances.

E. Open Spaces, Landscaping, Light, Air and Privacy

- i. The approximate amount of open space to be provided in the Redevelopment Area is the total of all area which will be in the public rights-of-way, the public grounds, spaces around buildings, and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Redevelopment Area to ensure optimum use of living plant material.
- ii. In all areas, sufficient space shall be maintained between buildings to provide adequate light, air and privacy.

F. Signs

All signs shall conform to County codes/requirements as appropriate.

G. Utilities

The Agency shall require that all utility placements be governed according to the prevailing Douglas County codes.

H. Incompatible Uses

No use or structure which, in the Agency's opinion would, by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors, be incompatible with the surrounding areas or structures shall be permitted in any part of the Redevelopment Area.

I. Use of Land for Public Purposes

The intent of this Redevelopment Plan is to maintain the amount of property currently being used for public purposes. However, in any area the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or non-

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profit uses, including park, entertainment, and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, and facilities of other similar associations or organizations. All such uses shall conform so far as possible to the provisions of this Plan applicable to the uses in the specific area involved and as permitted under the Master Pan. The Agency may impose such other reasonable restrictions as are necessary to protect the development and uses in the Redevelopment Area.

J. Other Covenants, Conditions and Restrictions

The Agency is authorized to permit minor variations from the limits, restrictions and controls established by this Plan. In order to permit any such variation, the Agency must determine that:

- A. The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan;
- B. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and control;
- C. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area;
- D. Permitting a variation will not be contrary to the objectives of the Plan; and
- E. The Agency will ensure that any deviation will not impair the purpose of this Plan, the Zoning district or any applicable zoning regulations.

Design Guidelines

Within the limits, restrictions, and controls established in this Plan, applicable planning documents, and County Code, the Agency is authorized to establish heights of buildings, land coverage, set back requirements, design and sign criteria, traffic circulation, traffic access, parking, and other development and design controls necessary for proper development and use of both private and public areas within the Redevelopment Area. These may be established by the approval of specific developments, by the adoption of general restrictions and controls, by resolution of the Agency, or by the adoption of one or more Design Guidelines pursuant to this Section.

Building Permits

1. In accordance with NRS 279.6035, all applicants for building permits in the redevelopment area must be advised by the Douglas County Building Department that the site for which a building permit is sought for the construction of a building or for other improvements is within a redevelopment area. Any permit that is issued must be in conformance with the provisions of this Plan, any Design Guidelines adopted by the Agency, any restrictions or controls established by resolution of the Agency, and any applicable participation or other agreement.

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2. The County may request that the Agency comment on an application for a building permit in order to determine whether the application conforms to the requirements of this Plan. Agency review will be advisory only and will not control the County's approval or disapproval of an applicant.

METHOD OF FINANCING THE AREA

General Description of the Proposed Financing Method

1. The Agency is authorized to finance activities in the Redevelopment Area with tax increment funds; interest income; Agency bonds, donations; loans from private financial institutions; the lease or sale of Agency owned property; owner participant or developer loans; participation in development; or with financial assistance from Douglas County, the State of Nevada, the federal government, or any other available source, public or private.
2. In accordance with NRS Chapter 279, the Agency is also authorized to obtain advances, borrow funds, issue bonds, and create indebtedness in carrying out this Plan. The principal and interest on such obligations may be paid from tax increments or any other funds available to the Agency. Advances and loans for surveys and planning, and for the operating capital for administration of the Redevelopment Area, may be provided by the County or any other available source, public or private, until adequate tax increment or other funds are available or sufficiently assured to repay the advances and loans and to permit borrowing adequate working capital from other sources. The County, as it is able, may also supply additional assistance through the issuance of bonds, loans and grants and in-kind assistance.
3. Tax increment financing, as authorized by this Plan and NRS Chapter 279, is intended as a source of financing (in combination with other sources of financing that may be available) for specific activities in the Redevelopment Area.
4. The Agency is authorized to finance this Plan by all means permitted by law. The analysis and description of the proposed method of financing the Redevelopment Plan is contained in the Agency's Report to the County Commission. The analysis provides sufficient detail to determine the economic feasibility of this Plan.

Tax Increment Funds

All taxes levied upon taxable property within the Redevelopment Area each year, by or for the benefit of the State of Nevada, Douglas County, or any district or any other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this Plan, shall be divided in accordance with the provisions of NRS 279.676 as may be amended from time to time.

Agency Bonds

1. The Agency is authorized to issue bonds from time to time, if it deems it appropriate to do so, in order to finance all or any part of activities in the Redevelopment Area in accordance with the Plan
2. Neither the members of the Agency, Agency staff, nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

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3. The bonds and other obligations of the Agency are not a debt of the County, the State or any of its political subdivisions and neither the County, the state nor any of its political subdivisions is liable on them, nor in any event shall the bonds or obligations shall so state on their face. The bonds do not constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

Time Limit on Issuing Securities or Establishment of Indebtedness

1. Securities must not be issued and no indebtedness may be incurred in any other manner, by or on behalf of the Agency to finance, in whole or in part, the Redevelopment Plan beyond 20 years after the date on which the Redevelopment Plan is adopted, except that the Agency may incur indebtedness at any time before the termination of the Redevelopment Plan if the indebtedness is fully repaid no later than the termination of the Redevelopment Plan. The maturity date of any securities which are refunded must not extend beyond the date of termination of the Redevelopment Plan.
2. Any securities issued by or on behalf of the Agency to finance, in whole or in part, redevelopment pursuant to NRS 279.620 to 279.626, inclusive, and 279.634 to 279.672, inclusive, must mature and be fully paid, including any interest thereon, before the termination of the Redevelopment Plan.

Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the State of Nevada, or any other public or private source will be utilized if available as appropriate in carrying out activities in the Redevelopment Area. In addition, the Agency may make loans as permitted by law to public or private entities for any of its redevelopment purposes.

ACTIONS BY THE COUNTY

The County may aid and cooperate with the Agency in carrying out this Plan and may take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the County may include, but are not limited to, the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, in the Redevelopment Area. Such action by the County shall include the requirement of abandonment, removal, and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan, provided that nothing in this Plan shall be construed to require the cost of such abandonment, removal, and relocation be borne by others than those legally required to bear such costs;
2. Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned utilities within or affecting the Redevelopment Area;
3. Revision or adoption of the County zoning ordinance(s), specific plan(s), or the Master Plan as appropriate within the Redevelopment Area to permit the land uses and development authorized by or necessary or desired to carry out this Plan;
4. Imposition wherever necessary (by covenants or restrictions, conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Redevelopment Area to ensure their proper development and use;
5. Execution of statutory development agreements where necessary and appropriate to facilitate developments approved by the Agency;
6. Provisions for administrative enforcement of this Plan by the County, as appropriate, after development;
7. Performance of the above actions, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Redevelopment Area to be commenced and carried to completion without unnecessary delays;
8. Provisions of services and facilities by the various officials, offices and departments of the County for the Agency's purposes under this Plan;
9. Provision of financial assistance in accordance with this Plan or as authorized by law; and/or
10. The undertaking and completing of any other proceedings necessary to carry out activities in the Redevelopment Area.

The foregoing actions to be taken by the County may involve financial outlays by the County, but do not constitute a commitment to make such outlays.

ENFORCEMENT

1. The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the County.
2. Without limitation on the powers conferred on the County or Agency by statute or law, the provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by litigation instituted by either the Agency or the County. Such remedies may include, but are not limited to, specific performance, damages, re-entry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Redevelopment Area may be enforced by such owners.

DURATION OF THIS REDEVELOPMENT PLAN

The provisions of this Plan and any amendments hereto shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for thirty (30) years after the date on which this Plan is adopted. This Plan and any amendments hereto will terminate thirty (30) years after the date on which this Plan is adopted.

PROCEDURE FOR AMENDMENT

This plan may be amended by means of the procedure established in NRS Chapter 279, or by any other procedure established by law.

IMPLEMENTATION AGREEMENTS

The Agency and County may enter into any agreement(s) between them which they deem necessary to implement the provisions of this Plan. Such agreements shall relate only to the implementation of this Plan and shall not revise, change or modify any of the provisions, requirements or limitations of this Plan.

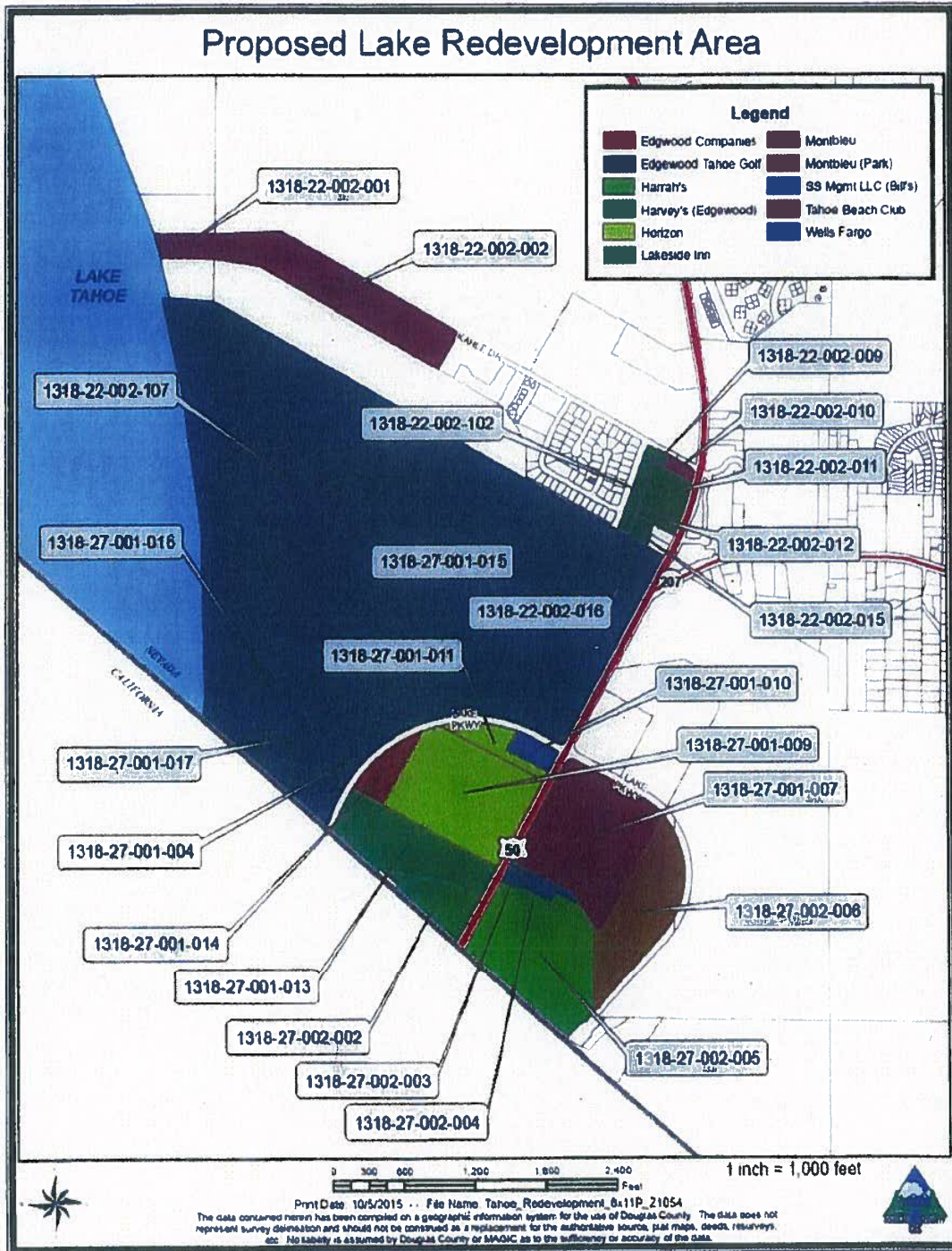
SEVERABILITY

If any provision, section, subsection, subdivision, sentence, clause or phrase of this Plan is for any reason held to be invalid, unenforceable, or unconstitutional, such decision shall not affect the validity and effectiveness of the remaining portion or portions of the Plan. In the event that any portion of the Redevelopment Area shall be determined to have been invalidly or incorrectly included in the Redevelopment Area that is the subject of this Plan, such portion of the Redevelopment Area shall be deemed severable from the remainder of the Redevelopment Area and the remainder of the Redevelopment Area shall remain fully subject to the provisions of this Plan.

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EXHIBIT A - Redevelopment Area Map



Attachment: Redevelopment Area No. 2 (2221 : Redevelopment Plan)

EXHIBIT "A"

JN 8778.000
Task 004

REDEVELOPMENT AREA

All that real property situate within portions of Sections 22, 23, 26, & 27, Township 13 North, Range 18 East, M.D.M., County of Douglas, State of Nevada, being more particularly described as follows:

AREA 1

A.P.N.'s 1318-22-002-009, 010, 011, 012, 015, 016, & 102

COMMENCING at a point on the west right of way line of United States Highway 50, created by Deed recorded in Book U of Deeds, Page 10, Douglas County, Nevada records, said point being described as bearing South 60°13'00" West, 127.00 feet from the Section Corner common to Sections 22, 23, 26, and 27, Township 13 North, Range 18 East, M.D.M.

THENCE North 60°56'54" West, 170.00 feet to the westerly corner of that certain parcel of land as described in Grant, Bargain, Sale Deed, Document Number 842158, Douglas County, Nevada records; and the **TRUE POINT OF BEGINING**;

THENCE North 60°56'54" West, 180.00 feet;

THENCE North 18°23'35" East, 786.21 feet to the southerly right of way line of Kahle Drive as on the Official Recorded Map of Oliver Park, filed in the Office of the County Recorder of Douglas County, Nevada, on February 2, 1959, as Document No. 14030.

THENCE easterly along said southerly right of way, South 61°11'11" East, 306.88 feet;

THENCE continuing along said southerly right of way, South 41°47'56" East, 60.25 feet to the westerly right of way line of said United States Highway 50, said point lying in a curve concave to the west having a radius of 2,460.00 feet, the radius point of said curve bears North 79°47'54" West;

THENCE southerly along said westerly right of way line 573.75 feet along said curve, through a central angle of 13°21'47" to the easterly corner of that certain parcel of land as described in Grant Deed, Document Number 841731, Douglas County, Nevada records;

THENCE leaving said westerly right of way line along the northerly line of said parcel of land as described in Grant Deed, Document Number 841731, North 61°00'00" West, 200.00 feet to the corner of said parcel;

THENCE along the westerly line of said parcel of land as described in Grant Deed, Document Number 841731, South 24°26'47" West, 75.00 feet to a corner of said parcel;

THENCE along the southerly line of said parcel of land as described in Grant Deed, Document Number 841731, South 61°00'00" East, 12.36 feet to a corner of said parcel;

THENCE along the westerly line of said parcel of land as described in Grant Deed, Document Number 841731, South 18°24'08" West, 12.73 feet to a corner of said parcel and the northerly corner of that certain parcel of land as described in Grant, Bargain, Sale Deed, Document Number 842158, Douglas County, Nevada records;

THENCE along the westerly line of said parcel of land as described in Grant, Bargain, Sale Deed, Document Number 842158, Douglas County, Nevada records, South 18°24'08" West, 109.24 feet to the **TRUE POINT OF BEGINNING**.

TOGETHER WITH Lots 1 through 12 inclusive, in Block 1, as shown on the Official Recorded Map of Oliver Park, filed in the Office of the County Recorder of Douglas County, Nevada, on February 2, 1959, as Document No. 14030.

AREA 2

A.P.N.'s 1318-22-002-001 & 002

All that certain real property located at 346 Eugene Drive, Stateline, Nevada 86448, identified as Douglas County Assessor's Parcel Numbers 1318-22-002-001 and 1318-22-002-002, and commonly known as the Tahoe Shores Mobile Home Park, described in that Grant, Bargain and Sale Deed, Document Number 2015-870076, more particularly described as follows:

PARCEL NO. 1

Being a portion of the South one-half and the Southeast one-quarter of the Northwest one-quarter of Section 22, Township 13 North, Range 18 East, M.D.B. & M., described as follows:

COMMENCING at the section corner common to Sections 22, 23, 26 and 27 of said Township and Range;

THENCE South 60°13' West, a distance of 127.20 feet;

THENCE North 61° West, a distance of 1340.20 feet to the most easterly corner of the Nevada State Farm Bureau property as described in the deed recorded January 7, 1954 in Book B-1 of Deeds, at Page 14, Douglas County, Nevada, Records, being also the southwesterly corner of the property shown on the map of Oliver Park, as filed on February 2, 1959 in the office of the County Recorder of Douglas County, Nevada;

THENCE North along the easterly line of said Farm Bureau property, a distance of 300.00 feet to an angle point and being the northwesterly corner of Lot 15, in Block 3 as shown on the Map of Oliver Park;

THENCE continuing along the northeasterly and northerly lines of said Farm Bureau property, and the southerly line of the property conveyed to Tahoe Village Properties, Inc., by deed recorded August 19, 1955 in Book B-1 of Deeds, at Page 417, Douglas County, Nevada, Records, North 32°20'40" West, a distance of 362.80 feet;

THENCE continuing along the line common to said properties North 60°40'41" West, a distance of 648.68 feet, to the southwesterly corner of the property conveyed to R.D. Keillor, Et Al, by deed recorded April 16, 1963 in Book 16 of Official Records, at Page 695, Douglas County, Nevada, Records, the **TRUE POINT OF BEGINNING**;

THENCE from the **TRUE POINT OF BEGINNING**, North 60°46'32" West (North 60°40'53" West), 1744.35 feet; (1744.33 feet);

THENCE North 81°15'50" West (North 81°12'08" West), 399.30 feet (399.40 feet) to the southwesterly corner of the property conveyed to Tahoe Village Properties, Inc., as above referred to;

THENCE North 00°02'04" West (North), 217.00 feet along the west line of said property;

THENCE North 86°49'14" East (North 86°55'13" East), along the northerly line of said property, a distance of 561.96 feet;

THENCE continuing along said northerly line, South 61°16'41" East (South 61°11'11" East), a distance of 1747.00 feet, to a point from which the point of beginning bears South 28°48'49" West;

THENCE South 28°44'42" West (South 28°48'49" West), along the northerly extension of the westerly line of the property conveyed to R. D. Keillor, Et Al, as above referred to and the westerly line thereof, a distance of 366.03 feet (365.71 feet) to the **TRUE POINT OF BEGINNING**.

PARCEL NO. 2

BEGINNING at a point on the meander line of Lake Tahoe, which point is the Southwest corner of Lot 2, of Section 22, Township 13 North, Range 18 East, M.D.B. & M.,

THENCE along a line hereafter referred to as Course 1, North 89°59'24" East 509.52 feet along the quarter section line to the Center-West one sixteenth corner (West one sixteenth corner);

THENCE South 00°02'04" East (South along the one sixteenth line), 217.00 feet;

THENCE North 89°11'56" West (North 89°11'30" West), 457.06 feet, to a point on the Meander Line, which point is South 14°02'15" East (South 14°00'00" East) 217.00 feet from the **POINT OF BEGINNING**;

THENCE continuing North 89°11'56" West (North 89°11'30" West), 50 feet, more or less, to a point on the ordinary low water line of Lake Tahoe at elevation 6233.00 Lake Tahoe Datum;

THENCE northwesterly, 222 feet, more or less, along said ordinary low water line at 6223.00 Lake Tahoe Datum, to a point on the westerly extension of the aforesaid Course 1;

THENCE along the westerly extension of the aforesaid Course 1, North 89°59'24" East, 75 feet, more or less, to the **POINT OF BEGINNING**.

Excepting any portion of the above described property lying below the 6223.00 level of Lake Tahoe and also any artificial accretions to said land waterward of said land or natural ordinary

low water or if lake level has been artificially lowered. Excepting any portion below such elevation as may be established as the boundary by boundary line adjustment with the State or by quiet title action in which the State is a party.

AREA 3

**A.P.N.'s 1318-27-002-002, 003, 004, 005, 006, a Portion of 008
1318-27-001-004, 007, 009, 010, 011, 013, 014, 015, 016, 017
1318-22-002-107 and a Portion of Roadways**

All that certain real property in the County of Douglas, State of Nevada, being a portion of the South ½ of Section 22, and the North ½ of Section 27, Township 13 North, Range 18 East, M.D.B.& M. described as follows:

BEGINNING at the point on the intersection of the California-Nevada State Line and the Western right-of-way line of Lake Parkway, from which a General Land Office (GLO) Brass Cap monument, also on said State Line, stamped "1946", shown on Parcel Map Document #361489 of Official Records of Douglas County, bears South 47°51'50" East a distance of 487.96 feet;

THENCE along said State Line, North 47°51'50" West a distance of 1263.56 feet to a GLO Brass Cap monument as shown on said Document #361489 of Official Records of Douglas County;

THENCE continuing along said State Line, North 47°51'50" West a distance of 124.43 feet to a point on the Low Water Line of Lake Tahoe, being elevation 6223.0 feet above mean sea level on Lake Tahoe Datum;

THENCE leaving said State Line and continuing along the said low water line of Lake Tahoe, North 03°53'55" East a distance of 151.92 feet;

THENCE continuing along said Low Water Line, North 01°05'58" West a distance of 1427.87 feet;

THENCE continuing along said Low Water Line, North 07°47'41" West a distance of 1209.12 feet as per Book 288 Page 501 of Official Records of Douglas County;

THENCE continuing along said Low Water Line, North 12°25'21" West a distance of 776.32 feet;

THENCE leaving said Low Water Line, South 85°08'03" East a distance of 434.79 feet;

THENCE South 60°14'33" East a distance of 4256.91 to a point on the North line of Section 27, Township 13 North, Range 18 East, M.D.B.&M., from which said point the Northeast corner of said Section 27 bears South 87°53'49" East a distance of 233.68 feet;

THENCE South 60°14'33" East a distance of 141.07 feet to a point on the western right-of-way line of U.S. Highway 50;

THENCE along said western right-of-way of U.S. Highway 50, South 28°47'40" West a distance of 1806.07 feet, more or less, to the intersection of the U.S. Highway 50 right of way projection and the centerline of Lake Parkway (formerly known as Loop Road);

THENCE along said centerline of Lake Parkway, South 62°00'03" East a distance of 755.28 feet, more or less, to the beginning of a curve to the right, having a radius of 830.00 feet;

THENCE continuing along said centerline, along said curve, a distance of 1,511.72 feet, through a central angle of 104°21'20";

THENCE continuing along said centerline, South 42°21'28" West a distance of 852.58 feet;

THENCE continuing along said centerline, South 43°10'06" West a distance of 325.56 feet, more or less, to the intersection of the California-Nevada State Line;

THENCE along said California-Nevada State Line, North 47°52'13" West a distance of 1957.4 feet, more or less to the southerly corner of that certain parcel of land as described in Grant, Bargain, and Sale Deed, Document Number 620271, Douglas County, Nevada records;

THENCE leaving said California-Nevada State Line, along the following 3 courses around that said parcel of land as described in Grant, Bargain, and Sale Deed, Document Number 620271;

1. North 41°18' East, 50 feet;
2. North 48°42' West and parallel to said California-Nevada State Line, 200 feet;
3. North 80°42' West, 95.42 feet to said California-Nevada State Line;

THENCE along said California-Nevada State Line, North 47°51'50" West a distance of 501 feet, more or less, to the **POINT OF BEGINNING** and **END OF THIS DESCRIPTION**.



01/07/16

Prepared by Lumos & Associates
 Gregory S. Phillips, P.L.S. 17616
 800 E. College Parkway
 Carson City, NV 89706

RDA 2

ORDINANCE NO. 2016-1456**SUMMARY**

Ordinance 2016-1456 approving and adopting the Redevelopment Plan for the Douglas County Redevelopment Area No. 2, and providing for other properly related matters.

TITLE

Ordinance 2016-1456 approving and adopting the Redevelopment Plan for the Douglas County Redevelopment Area No. 2, and providing for other properly related matters.

The Board of County Commissioners of the County of Douglas, State of Nevada, does ordain as follows:

WHEREAS, the Board of County Commissioners of Douglas County (the "Board of Commissioners") has received from the Douglas County Redevelopment Agency (the "Agency") the proposed Redevelopment Plan (the "Redevelopment Plan") for the Douglas County Redevelopment Area No. 2 (the "Redevelopment Area"), as described in the "Legal Description of the Redevelopment Area" both attached hereto and incorporated herein by reference, a copy of which is on file at the office of the Agency at 1594 Esmeralda Avenue, Minden, Nevada, 89423, and at the Office of the County Clerk at 1616 8th Street, Minden, Nevada, 89423 together with the Report of the Agency to the Board of Commissioners on the proposed Redevelopment Plan, including: (1) the reasons for the selection of the Redevelopment Area; (2) a description of the physical, social, and economic conditions existing in the Redevelopment Area; (3) a description of the proposed method of financing the Redevelopment Plan in sufficient detail so that the Board of Commissioners may determine the economic feasibility of the Redevelopment Plan; (4) a plan for the relocation of persons and families who may be temporarily or permanently displaced from housing facilities in the Redevelopment Area; (5) an analysis of the Preliminary Plan for the Redevelopment Area; and (6) the Report and Recommendation of the Planning Commission of Douglas County (the "Planning Commission"); and

WHEREAS, on December 8, 2015, the Planning Commission determined that the Redevelopment Plan conforms to the Master Plan of the County of Douglas and has unanimously recommended approval of the Redevelopment Plan; and

WHEREAS, the Board of Commissioners held a public hearing at the Tahoe Transportation Center, 169 Highway 50, Stateline, Nevada on February 18, 2016, to consider adoption of the Redevelopment Plan; and

WHEREAS, a notice of said hearing was duly and regularly published in the Record Courier, a newspaper of general circulation in Douglas County once a week for four consecutive weeks prior to the date of said hearing.

Section 1 – As particularly set forth in the Report of the Agency to the Board of Commissioners, the following findings and determinations are made by the Board of County Commissioners concerning the Redevelopment Area and Redevelopment Plan:

- (1) The Redevelopment Area is characterized and suffers from a combination of blighting physical and economic conditions, including: buildings and structures that are unfit or conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime because of defective design and character of physical construction, inadequate provision for ventilation, light, sanitation, open spaces and recreational facilities, and aged obsolescence, deterioration, dilapidation or disuse resulting from faulty planning; the subdividing and sale of lots of irregular form and shape and inadequate size for proper usefulness and development; the existence of inadequate streets, open spaces and utilities; a prevalence of depreciated values, impaired investments and social and economic maladjustment to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered or needed; and/or a growing or total lack of proper utilization of some parts of the area resulting in a stagnant and unproductive condition of land that is potential useful and valuable for contributing to the public health, safety, and welfare.
- (2) The Redevelopment Plan will redevelop the Redevelopment Area in conformity with the Nevada Community Redevelopment Law and in the interests of the peace, health, safety and welfare of the community. This finding is based upon the fact that redevelopment of the Redevelopment Area will implement the objectives of the Community Redevelopment Law by: aiding in the elimination and correction of the conditions of blight; providing for planning, development, redesign, clearance, reconstruction, or rehabilitation of properties that need improvement(s); providing additional employment opportunities; and providing for higher economic utilization of potentially useful land.
- (3) Adequate provisions have been made for the payment of principal and interest on any bonds that may be issued by the Agency. This finding is based on the facts, as more particularly set forth in the Report of the Agency to the Board of Commissioners, and requirements of the Redevelopment Plan that under the Redevelopment Plan the Agency will be authorized to seek potential financing resources, including property tax increment funding; that the nature

and timing of public redevelopment assistance will depend on the amount and availability of available financing resources, including property tax increments generated by new investment in the Redevelopment Area; and that under the Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity.

- (4) The Redevelopment Plan conforms to the Master Plan of the County of Douglas. This finding is based upon the goals established for the Redevelopment Area in Douglas County Planning Documents, and the unanimous finding of the Planning Commission that the Redevelopment Plan conforms to the Master Plan.
- (5) The condemnation of real property, if any, as provided for in the Redevelopment Plan, may be necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for the payment for property to be acquired as provided for by Nevada law. This finding is based upon the need to ensure that the provisions of the Redevelopment Plan will be carried out and to prevent the recurrence of blight.
- (6) If temporary or permanent displacement of occupants of housing in the Redevelopment Area is necessary in accordance with carrying out the objectives of the Redevelopment Plan, adequate permanent housing is or will be made available in the community for displaced occupants of the Redevelopment Area at rents comparable to those in the community at the time of the displacement in accordance with Nevada law.
- (7) All noncontiguous areas of the Redevelopment Area are either blighted or necessary for effective redevelopment of the Redevelopment Area. This finding is based upon the fact that the boundaries of the Redevelopment Area were chosen to include lands that were under or improperly utilized because of blighting influences, or affected by the existence of blighting influences, or have land uses that significantly contribute to blighting conditions, or which are necessary to accomplish the objectives and benefits of the Redevelopment Plan.
- (8) Inclusion of any lands, buildings, or improvements in the Redevelopment Area which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the entire Redevelopment Area of which they are a part.

Section 2 – In order to implement and facility the effectuation of the Redevelopment Plan, certain official actions must be taken by the Board of Commissioners; accordingly, the Board of Commissioners hereby: (a) pledges its cooperation in helping to carry out the Redevelopment Plan; (b) directs the various officials, departments, boards, and

agencies of the County of Douglas having administrative responsibilities in the Redevelopment Area likewise to cooperate to such ends and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; (c) stands ready to consider and take appropriate action on proposals and measures designed to effectuate the Redevelopment Plan; and (d) declares its intention to undertake and complete any proceeding, including the expenditure of moneys, necessary to be carried out by the County under the provisions of the Redevelopment Plan.

Section 3 – That certain document entitled “Douglas County, Nevada – Redevelopment Plan – Redevelopment Area No. 2” a copy of which is on file in the office of the County Clerk and attached hereto, is hereby incorporated by reference herein and designated as the official Redevelopment Plan for Redevelopment Area No. 2.

Section 4 – The Douglas County Building Department is hereby directed after the effective date of this Ordinance to advise all applicants for building permits within the Redevelopment Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment area.

Section 5 – The County Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan.

Section 6 – The County Clerk is hereby directed to record with the County Recorder of Douglas County a notice of the approval and adoption of the Redevelopment Plan pursuant to this Ordinance, containing a description of the land within the Redevelopment Area and a statement that proceedings for the redevelopment of the Redevelopment Area have been instituted under the Nevada Community Redevelopment Law.

Section 7 – The County Clerk is hereby directed to transmit a copy of the description and statement recorded pursuant to Section 6 of this Ordinance, a copy of this Ordinance, and a map indicating the boundaries of the Redevelopment Area, to the auditor and Assessor of Douglas County; to the officer who performs the functions of auditor or assessor for any taxing agency that, in levying or collecting its taxes, does not use the County assessment roll or does not collect its taxes through the County; and to the governing body of each of the taxing agencies that receives taxes from the property in the Redevelopment Area within twenty (20) days following adoption of this Ordinance.

Section 8 – The County Clerk is hereby directed to certify the passage of this Ordinance and to cause the same to be published once a week for two weeks in a newspaper of general circulation in the County of Douglas.

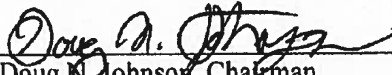
Section 9 – If any part of this Ordinance or the Redevelopment Plan which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Redevelopment Plan, and this Board of Commissioners hereby declares that it would have passed the remainder of this

Ordinance and/or approved the remainder of the Redevelopment Plan if such portion thereof had been deleted.

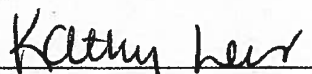
Section 10 – This Ordinance shall be in fully force and effect immediately upon its adoption by the Board of Commissioners.

Adopted this 18th day of February, 2016, by the following vote:

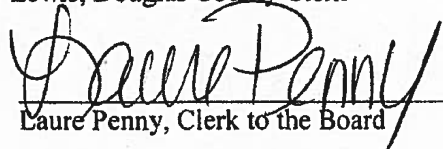
Vote:	Ayes: Commissioners	<u>Doug N. Johnson</u>
		<u>Nancy McDermid</u>
		<u>Greg Lynn</u>
		<u>Barry Penzel</u>
		<u>Steve Thaler</u>
	Nays: Commissioners	<u>None</u>
	Absent: Commissioners	<u>None</u>



 Doug N. Johnson, Chairman
 Douglas County Board of Commissioners

Attest:


 Kathy Lewis, Douglas County Clerk



 Laure Penny, Clerk to the Board

This Ordinance is effective on the 3rd day of March, 2016.

Attachment: Ordinance No. 2016-1456 (2221 : Redevelopment Plan)