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Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary:

BILL NO. _____

ORDINANCE NO. _____

Title:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 408, by applying the findings that reference site specific characteristics only when those characteristics are present on the parcels in question to ensure the design flexibility and associated public benefits inherent to common open space development is potentially available to all subdividable parcels.

WHEREAS:

- A. This Commission desires to amend the Washoe County Development Code (Chapter 110 of the Washoe County Code) in Article 408, in order to ensure the benefits of common open space development are available for a diversity of parcels and,
- B. The Washoe County Planning Commission initiated the proposed amendments to Washoe County Code Development Code (Chapter 110), Article 408 by Resolution Number 26-09 on June 2, 2026; and,
- C. The amendments and this ordinance were drafted in concert with the District Attorney's Office, and the Planning Commission held a duly noticed public hearing for WDCA26-

0002 on June 2, 2026, and adopted Resolution Number 26-09 recommending adoption of this ordinance; and,

- D. Following a first reading and publication as required by NRS 244.100 (1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and,
- E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in NRS Chapter 278; and therefore, it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Section 110.408.28 Findings Required for Common Open Space Developments, of the Washoe County Code is hereby amended to read as follows:

Section 110.408.28 Findings Required for Common Open Space Developments.

Prior to approving an application for a common open space development, the Planning Commission or Parcel Map Review Committee, as applicable, shall find ~~that all of the following findings a-c below~~ have been satisfied, **and that findings d and e have been satisfied when they can reasonably be applied to the parcels in question.** This is to ensure that the benefits provided by the proposed common open space development are commensurate with the flexibility afforded by common open space development.

- ~~(a) — Preserve or Provide Open Space. The development preserves existing steep slope areas, developmentally constrained areas, and heavily treed areas from development and provides future residents an option for open space above and beyond any applicable minimum requirements of Article 432.~~
- ~~(b) — Protect Natural and Scenic Resources. The development identifies and protects natural and scenic resources, including but not limited to ridgelines, waterways, large diameter trees, and habitat for special status species.~~
- ~~(c) — Achieve a More Efficient Use of Land. The development utilizes density clustering to further protect and preserve open spaces.~~
- ~~(d) — Minimize Road Building. The development is designed in a manner that reduces the overall linear distance of roadways (e.g. cul-de-sacs).~~
- ~~(e) — Encourage a Sense of Community. The development provides community amenities such as trail connectivity, bike trails/walking trails, dog parks, playgrounds, pocket parks, etc.~~

- (a) **Achieve a More Efficient Use of Land.** The development utilizes density clustering to further protect and preserve open spaces.
- (b) **Minimize Road Building.** The development is designed in a manner that reduces the overall linear distance of roadways (e.g. cul-de-sacs).
- (c) **Encourage a Sense of Community.** The development provides community amenities such as trail connectivity, bike trails/walking trails, dog parks, playgrounds, pocket parks, etc.
- (d) **Preserve or Provide Open Space.** The development preserves existing steep slope areas, developmentally constrained areas, and heavily treed areas from development and provides future residents an option for open space above and beyond any applicable minimum requirements of Article 432.
- (e) **Protect Natural and Scenic Resources.** The development identifies and protects natural and scenic resources, including but not limited to ridgelines, waterways, large diameter trees, and habitat for special status species.

SECTION 4. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney's Office is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it

DRAFT: June 2, 2026

cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

DRAFT: June 2, 2026

Passage and Effective Date

Proposed on _____ (month) _____ (day), 2026.

Proposed by Commissioner _____.

Passed on July 14, 2026.

Vote:

Ayes:

Nays:

Absent:

Clara Andriola, Chair
County Commission

ATTEST:

Jan Galassini, County Clerk

This ordinance shall be in force and effect from and after the 24th day of the month of July of the year 2026.