



TXT20-00006

DEVELOPMENT AGREEMENT

City Council

August 12, 2020

What is a Development Agreement?

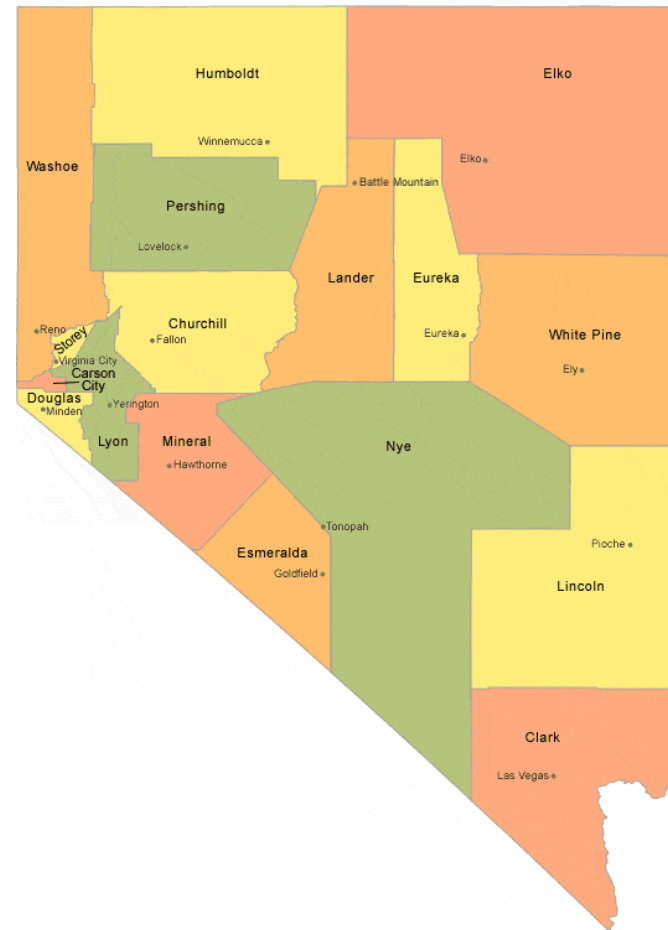
- A development agreement is a **voluntary contract** between a local jurisdiction and a person who owns or controls property within the jurisdiction.
 - Details the **obligations of both parties** and defines the regulations, commitments and conditions that will govern development of the property.
 - Although the agreements are voluntary, once made they are **binding on the parties and their successors**.



Who Uses Development Agreements

- Examples of local jurisdictions using DA's:

- Reno
- Sparks
- Carson City
- Fernley
- Washoe County
- Clark County
- Boulder
- Nye County
- Henderson
- Las Vegas
- Elko



NRS Components of a Development Agreement

- Duration of the agreement
- Specifies what constitutes breach of the agreement
- Reviewed by Council every 24 months
- May contain provisions relating to:
 - Permitted uses
 - Density or intensity of the use
 - Maximum height and size of proposed buildings
 - Dedication of land for public use or payment of fees in lieu
 - Protection of environmentally sensitive land
 - Preservation and restoration of historic structures
 - Phasing of development
 - Terms of infrastructure and financing of public infrastructure
 - Terms and timing of annexation
 - Terms of improvement districts
 - Schedule of fees and charges



Findings for a Development Agreement

City Council is required by NRS to make two *findings*:

1. Consistent with the City's Master Plan
2. Consistent with Nevada or federal law



Proposed Changes to RMC

- History
 - Added to RMC in the early 2000's
 - Driven by Meadowoods Mall development
 - Requires that Development Agreements have a regional impact and are in association with either a SUP, PUD or SPD
- Proposed Changes
 - Enhanced reference to the NRS requirements
 - Removal of the requirement for project of regional significance requirements and discretionary permits (SUP, PUD, and SPD requirements)
 - Removal of text that is redundant of NRS requirements
 - Written to allow for flexibility and adaptability
- Planning Commission Recommendation
 - Require Planning Commission review and recommendation of all DA's.

Examples of Development Agreements

- Developer funded affordable housing in exchange for deferred fees.
- Preservation of historic buildings.
- Extended timelines to record final maps between phases.
- Payment of additional fees such as fire or park fees.
- Allowances for extended timelines on infrastructure in exchange for new projects in targeted areas.

