

STAFF REPORT

TO: Regional Planning Commission

FROM: Chris Tolley, Regional Planner

SUBJECT: PUBLIC HEARING – 2019 Regional Plan Amendment (RPA21-005) and Conformance Review (CR21-011), Mogul Sphere of Influence (SOI) Removal – The subject parcels are located on the south side of Interstate 80 off Exit 7 and north of Mogul Road

- i. **Possible adoption of RPC Resolution 21-07 providing a recommendation to the RRGB regarding a mapping amendment to Map 1 of the 2019 Regional Plan to remove 2 parcels totaling ±27.9 acres from the City of Reno’s Sphere of Influence (SOI) boundary (RPA21-005)**
- ii. **Conformance review of an amendment to the City of Reno Master Plan to remove the existing City of Reno Master Plan land use designation(s) and analyze the corresponding Washoe County Master Plan land use designation(s) that will be established per Table 3.3 of the 2019 Regional Plan (CR21-011)**

(AGENDA ITEM 6.C.i and 6.C.ii)

The proposed amendment to the Regional Plan as well as the proposed amendment to the City of Reno Master Plan have been submitted to the Regional Planning Commission (RPC) for a determination of conformance with the adopted 2019 Truckee Meadows Regional Plan. This request is for 1) a Regional Plan Amendment (RPA) to remove 2 parcels totaling ±27.9 acres from the City of Reno’s Sphere of Influence (SOI) boundary, and 2) a Master Plan amendment to remove the existing City of Reno Master Plan land use designation(s) and analyze the corresponding Washoe County Master Plan land use designation(s) that will be established per Table 3.3 of the 2019 Regional Plan. The subject parcels are located on the south side of Interstate 80 off Exit 7 and north of Mogul Road.

These proposed changes will necessitate related maps in the 2019 Regional Plan be amended if the proposal is adopted.

After reviewing the documentation that has been submitted by the City of Reno, Regional Planning staff recommends that the proposed Regional Plan amendment conforms with the goals and policies of the 2019 Truckee Meadows Regional Plan.

BACKGROUND

On July 28, 2021, the Reno City Council held a meeting to consider the request to remove the subject site from the City of Reno Sphere of Influence, and voted 5 to 2 in favor to sponsor the proposed amendment to the Regional Plan. This item was brought before to the Reno City Council by the Reno Community Development Department, and was based on a request from the from the property owner(s) in the subject site.

Prior to becoming effective, the Regional Plan Amendment must be approved by the Regional Planning Governing Board (RPGB) and the Master Plan Amendment must be found in conformance with the Regional Plan. The request for conformance review was received on July 29, 2021.

For additional context, the City of Reno Community Development staff discussed the proposal and process with Regional Planning staff and Washoe County Community Services staff.

Finally, this request was not required to be reviewed by the Reno Planning Commission.

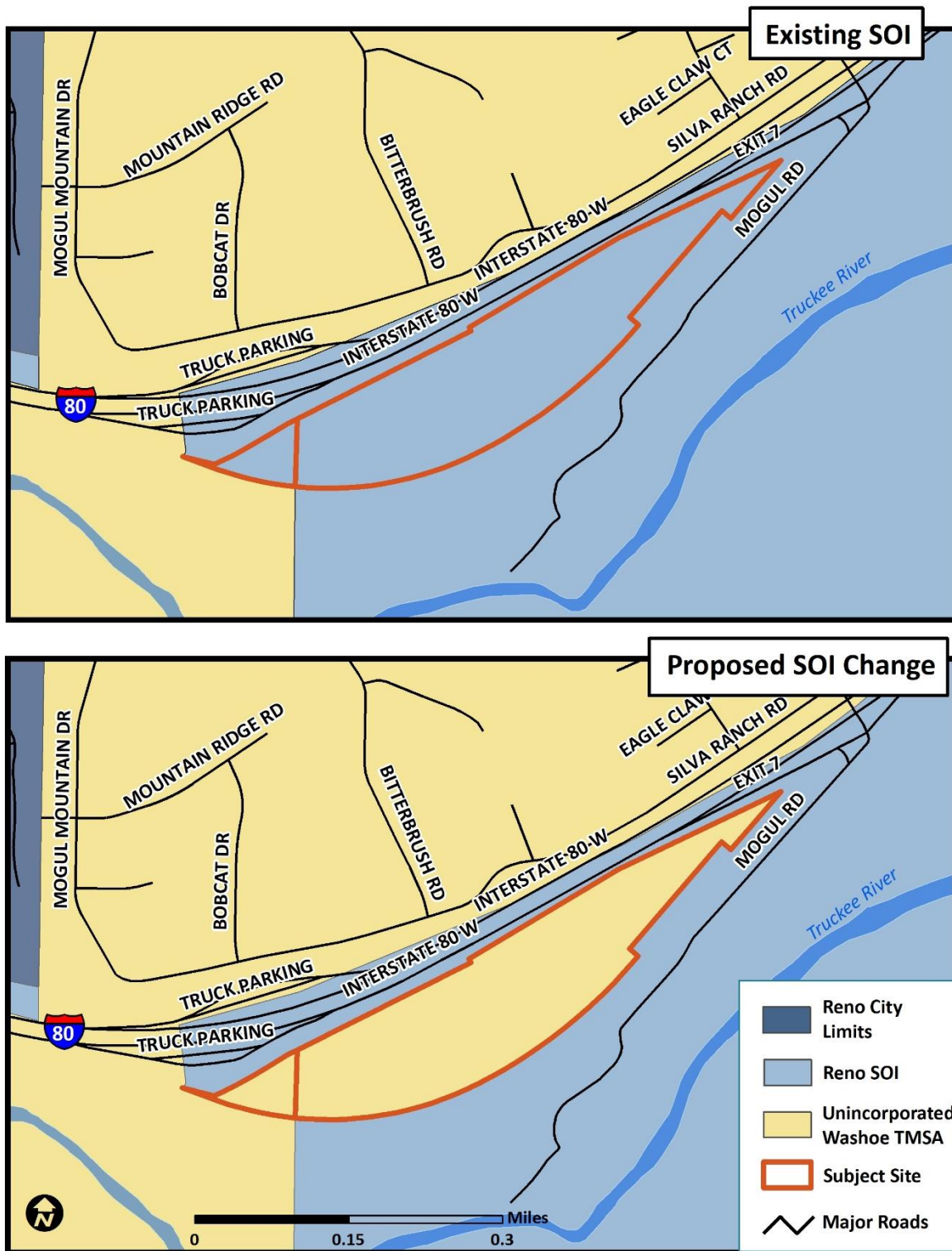
AMENDMENT OVERVIEW

The proposal includes an amendment to the 2019 Truckee Meadows Regional plan to remove the subject site from the City of Reno Sphere of Influence, and a conformance review of the amendment to the City of Reno Master Plan to remove the existing City of Reno Master Plan land use designation(s) and analyze the corresponding Washoe County Master Plan land use designation(s) that will be established per Table 3.3 of the 2019 Regional Plan.

Table 3.3 is located in Policy *RC 2 – Spheres of Influence (SOI)*, which provides a translatable land use between each jurisdiction. The table does not specify the accompanying zoning; however, the jurisdiction Master Plans and/or Zoning Code are utilized to determine this component. In the case of the proposal, the City of Reno Master Plan land use designation is Mixed-Employment, and will translate to the Commercial land use designation in Washoe County. The Conformance Review portion of this staff report analyzes the corresponding Washoe County Master Plan land use designation, as noted, identified in Table 3.3.

Washoe County will need to submit a subsequent Master Plan amendment for a Conformance Review in order to complete the overall process.

Figure 1. Proposed Sphere of Influence Change Map



As reported in the City of Reno staff report for the subject case, a 2003 interlocal agreement between the City of Reno and Washoe County was created to govern extra-territorial jurisdiction within the SOI. The agreement put in place the following (again, as noted in the City of Reno staff report):

“For properties located within the SOI, yet outside the City of Reno limits, the City of Reno has zoning/land use authority and shall process and inspect all building permits and construction. Within this area, Washoe County maintains business license and code enforcement authority but the City master plans, zones, and issues building permits.”

The request is being sought by the property owner, as the City of Reno previously denied a request to remove the property from its SOI in 2017, and more recently, denied a request for a special use permit to establish a mini-warehouse and industrial business park on the site.

Finally, the subject site maps are provided in Attachment 1: Subject Site Maps.

REGIONAL PLAN AMENDMENT FINDINGS

The RPC and RPGB are required to consider the criteria listed in Policy RC 10 – Regional Plan Amendment Findings (listed below) and determine whether the proposed amendment conforms with the listed criteria.

RC 10 – Regional Plan Amendment Findings

The Regional Planning Commission and the Regional Planning Governing Board shall consider the following criteria during consideration of a proposed amendment to the Regional Plan pursuant to NRS 278.0272:

1. Regional capacities and growth projections
2. Existing and planned development
3. Existing and planned public facility and service availability, timing, adequacy, and fiscal impacts
4. Natural resources
5. Intergovernmental impacts
6. Vision, goals, and policies of the Regional Plan
7. Health and welfare of the community

REGIONAL PLAN AMENDMENT EVALUATION

Regional Planning staff has reviewed the criteria in Policy RC 10 and offers the following analysis of the proposed Regional Plan amendment to remove two parcels totaling ±27.9 acres from the City of Reno’s Sphere of Influence (SOI). The analysis focuses on potential impacts (or lack thereof) resulting from said amendment.

Regional capacities and growth projections

The proposal to remove two parcels from the City of Reno’s SOI boundary is not anticipated to influence or impact regional capacities and growth projections.

The subject parcels are unbuilt/vacant and the translation from the Mixed-Employment Reno land use to Commercial Washoe County land use and will not cause an increase of development intensity or density allowed on the parcels.

Existing and planned development

This proposal is not anticipated to influence or impact any existing or planned developments. The subject parcels are unbuilt/vacant and the land uses will be translated per Regional Plan Policy RC 3 with no increase in development intensity or density allowed on the parcels.

Existing and planned public facility and service availability, timing, adequacy, and fiscal impacts

As previously mentioned, the subject parcels are unbuilt/vacant and no additional infrastructure or facilities burden is being imposed by removing the parcels from the City of Reno’s SOI. The proposal is not anticipated to influence or impact existing and planned public facility and service availability, timing, adequacy, and fiscal impacts.

Natural resources

As this request is simply a change in Master Plan authority over these parcels, no direct impacts to natural resources will occur. If approved, Washoe County will have Master Plan authority and the policies regarding natural resources contained in the 2019 Regional Plan are sufficiently addressed by the Washoe County Master Plan.

Finally, a review of the **2019 Truckee Meadows Regional Plan Map 4 – Development Constraints Areas** identified that subject site overlaps with a very small amount of Development Constraints Area (DCA) for slopes greater than 30%. Any subsequent action would be subject to the Washoe County Master Plan’s policies regarding Development Constraints, which were found to be in conformance with the 2019 Regional Plan.

Intergovernmental impacts

The proposal to amend the 2019 Truckee Meadows Regional Plan to remove the parcels from the City of Reno’s SOI will facilitate better intergovernmental coordination to the benefit of the owner(s) of these parcels. Given the City of Reno has indicated no intent to annex the properties, the removal of Reno SOI on these parcels will provide the land owner clarity in terms of the development process and a single entity to deal with for any subsequent approvals.

Vision, goals, and policies of the Regional Plan

The vision, goals, and policies of the 2019 Truckee Meadows Regional Plan were established through a collaborative, coordinated and inclusive process with the local governments, affected entities and other

stakeholders. This proposal seeks to remove the Reno SOI from the subject parcels, and is not anticipated to impact the vision, goals, or policies of the 2019 Regional Plan.

Health and welfare of the community

The proposal to remove the subject parcels from the City of Reno’s SOI will not negatively affect the health and welfare of the community.

CONFORMANCE REVIEW FINDINGS

The RPC is required to review each jurisdiction’s master plan, or amendment thereto, for conformance with the 2019 Truckee Meadows Regional Plan. Policy *RC 9 – Conformance Review Findings* of the Regional Plan identifies the review criteria that the RPC must consider when evaluating the conformance of a master plan, facilities plan, or similar plan, with the 2019 Truckee Meadows Regional Plan:

Policy RC 9

The Regional Planning Commission shall consider the following factors when evaluating whether a project of regional significance, master plan, facilities plan, joint plan, cooperative plan, programs of annexation, or similar plan is consistent/compatible with the goals and policies of the Regional Plan, including the following elements of the Regional Plan:

- 1) Population Growth
- 2) Regional Form
- 3) Public Facilities/Services
- 4) Natural Resources
- 5) Regional Coordination

CONFORMANCE REVIEW EVALUATION

Regional Planning staff has evaluated the subject case with the goals and policies related to the five policy sections of the Regional Plan, listed in Policy *RC 9* of the 2019 Regional Plan. The analysis presented below supports staff’s determination regarding this case. Additionally, the Conformance Review Evaluation Form which identifies the applicable policies for the subject case is presented in Attachment 2: Conformance Review Evaluation Form.

As noted, this conformance review analyzes the removal of the subject site from the City of Reno’s SOI, and the corresponding Washoe County Master Plan land use designation(s) that will be established per Table 3.3 of the 2019 Regional Plan.

Population Growth

The first section of the Regional Plan policy chapter, Population Growth (PG), generally describes TMRPA’s role in providing a projection of population growth for the Region over a 20-year timeframe and how the region should plan to meet the needs of that projected growth. This request includes no increase in density and thus will not change projected housing capacities.

Regional Form

In the Regional Plan, the Regional Form (RF) section generally describes the anticipated and desired form of development for the Region. The Truckee Meadows Service Area (TMSA) as well as the tiered structure of the TMSA is identified in the 2019 Truckee Meadows Regional Plan as the area where growth and necessary service provision is expected to occur over a 20-year horizon. The subject site is located in Tier 2 of the TMSA. Per the Regional Plan, development in Tier 2 land is generally exhibits lower densities and is developed at suburban levels.

As noted, the current City of Reno land use designation is Mixed-Employment. Per **Table 3.3 – Jurisdictional Master Plan Land Use Translation Table** of the 2019 Truckee Meadows Regional Plan the City of Reno, Mixed-Employment land use translates to the Commercial Washoe County land use.

Public Facilities/Services

As stated in the Public Facilities/Service section, one of the purposes of the Regional Plan is to help coordinate the provision of effective and efficient public services and infrastructure. This objective is supported through the establishment of the Facilities and Service Standards (Table 3.2 – Facilities and Service Standards) contained in Policy *PF 1*. Ultimately, the standards table sets region-wide targets for facilities and services to be included in the land use planning decision making process.

Considering that the proposal does not include an intensification of land uses (see the identified land use translation listed **Table 3.3 – Jurisdictional Master Plan Land Use Translation Table** in the 2019 Regional Plan) the existing facilities and services are adequate. City of Reno Staff has indicated that facilities to support development, including sewer and water are available at the site. Furthermore, this component will be reviewed in detail for a specific development proposal at Washoe County if the SOI rollback is approved.

Natural Resources

In the Regional Plan, the Natural Resources (NR) section generally describes the preservation of our environment and management of our Region's natural resources. While the subject site is unbuilt/vacant; the surrounding area is largely built-out (lower density residential, railroad, roadways, storage, etc.) and no Natural Resource constraints or impacts are anticipated.

Finally, a review of the **2019 Truckee Meadows Regional Plan Map 4 – Development Constraints Areas** identified that the subject site overlaps with a very small amount of Development Constraints Area (DCA) for slopes greater than 30%. Any subsequent action would be subject to the Washoe County Master Plan's policies regarding Development Constraints, which were found to be in conformance with the 2019 Regional Plan.

Regional Coordination

The last section of the Regional Plan policies, Regional Coordination (RC), generally describes intergovernmental coordination, annexations, Spheres of Influence (SOI), and implementation of the Plan.

Applicable policies in this section include *RC 2 – Spheres of Influence (SOI)*, *RC 9 - Conformance Review Findings*, and *RC 10 – Regional Plan Amendment Findings*.

LEGAL REQUIREMENTS

Given that this is both a Regional Plan amendment and a conformance review with differing voting requirements (detailed below), staff recommends that the RPC make a motion on each component of the proposal.

Regional Plan Amendment

Pursuant to the Nevada Revised Statutes (NRS) and the Regional Planning Governing Board's (RPGB) *Regulations on Procedure*, an affirmative vote by a two-thirds majority of the total membership of the RPC is required to forward a recommendation of approval to the RPGB for a Regional Plan amendment.

Conformance Review

NRS 278.0282(7) requires that any determination of conformance by the Regional Planning Commission must be made by a vote of not less than two-thirds of the total membership of the Commission. A vote of less than six members in favor of conformance constitutes a denial.

Finally, Regional Planning Commission members voting against a motion of conformance should specify what part(s) of the proposal do not conform with the Regional Plan and why.

RECOMMENDATION

After reviewing the documentation that has been submitted by the City of Reno, Regional Planning staff concludes that the proposed Regional Plan amendment and master plan amendment conform with the goals and policies of the 2019 Truckee Meadows Regional Plan.

It is therefore RECOMMENDED that the Regional Planning Commission adopt RPC Resolution 21-07 (see Attachment 3), forwarding a recommendation to adopt the proposed Regional Plan amendment, and make a determination that proposed master plan amendment conforms with the 2019 Truckee Meadows Regional Plan, based on the following findings:

Regional Plan Amendment

1. Find that a proposed amendment at this time is a benefit to the community in general, and
2. Recommend that the Regional Planning Governing Board adopt the amendment to the 2019 Regional Plan as described in the RPC staff report of September 23, 2021.

Conformance Review

1. The Regional Planning Commission held a public hearing, considered the factors listed in Policy RC 9 in its evaluation of the Mogul SOI Removal amendment of the City of Reno Master Plan, and finds that the proposal is in conformance with the 2019 Truckee Meadows Regional Plan.

Proposed Motions

Regional Plan Amendment

I move to adopt RPC Resolution 21-07 regarding an amendment to the 2019 Truckee Meadows Regional Plan, based on the findings listed in the staff report.

And

Conformance Review

I move to find the Mogul SOI Removal amendment to the City of Reno Master Plan in conformance with the 2019 Truckee Meadows Regional Plan, based on the findings listed in this staff report.

Please do not hesitate to contact Chris Tolley (ctolley@tmrpa.org or 775-321-8392) if you have any questions or comments on this agenda item.

cc: Kelly Mullin, City of Reno

Attachments

Attachment 1: Subject Site Maps

Attachment 2: Conformance Review Evaluation Form

Attachment 3. RPC Resolution 21-07

Note: All materials submitted for consideration by the Regional Planning Commission (RPC) and the Truckee Meadows Regional Planning Agency (TMRPA) for the subject case are available at the following web address: tmrpa.org/submittedMaterials