



# Planning Commission Staff Report

Meeting Date: November 13, 2014    Agenda Item Number: 7A

Subject: Request to Initiate Development Code and Master Plan Amendments

Applicant: Planning and Development Division

Summary: To initiate amendments to Washoe County Code, Chapter 110, Development Code and the Washoe County Master Plan for the purposes of separating water management responsibilities within Washoe County and changing the names of the water management agencies in response to the merger between the Washoe County Water Resources and the Truckee Meadows Water Authority.

**Recommendation: Adopt and authorize the Chair to sign the attached resolution.**

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Planning and Development Division

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## **Description**

To initiate amendments to Washoe County Code, Chapter 110, Development Code, and the Washoe County Master Plan for the purposes of separating water management responsibilities within Washoe County and changing the names of the agencies responsible for the different aspects of water management within the County in response to the merger between Water Resources of the Washoe County Community Services Department and the Truckee Meadows Water Authority. The affected Development Code articles include Article 104 (County Growth Management System), Article 208 (North Valleys Area Plan Regulations), Article 416 (Flood Hazards), Article 422 (Water and Sewer Resource Requirements), Article 606 (Parcel Maps), Article 610 (Final Subdivision Maps), Article 704 (Adequate Public Facilities: Sanitary Sewer), Article 706 (Impact Fees), and Article 916 (Establishment of Committees). The affected changes to the Washoe County Master Plan will involve the Conservation, Land Use and Transportation, and Public Services and Facilities Elements; the Reno-Stead Corridor Joint Plan and the Southeast Truckee Meadows Specific Plans; and the Cold Springs, Forest, High Desert, North Valleys, South Valleys, Southeast Truckee Meadows, Southwest Truckee Meadows, Spanish Springs, Sun

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Valley, Truckee Canyon, Verdi, and the Warm Springs Area Plans. Amendments to the Development Code and the Master Plan will also change the name of the Department of Water Resources to the Community Services Department where appropriate in response to the County’s consolidation of several departments into a single department.

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**Initiating Development Code and Master Plan Amendments**

The Washoe County Development Code is Chapter 110 of the Washoe County Code (WCC). The Development Code broadly regulates allowable and permitted land uses, subdivision of land, planning permit requirements and procedures, signage, infrastructure availability, land use development standards, and other related matters, while the Master Plan provides general guidance and development policies to the overall form and pattern of growth in the County. Because the Development Code and Master Plan covers so many varying aspects of land use and development standards and policies, it is expected that from time to time it may be necessary to change or amend one or more portions of the Development Code or the Master Plan to keep it up to date with the most current events or changes to the County organization.

The Development Code and Master Plan amendment processes provide a method of review and analysis for proposed development changes. Development Code amendments may be initiated by the Washoe County Board of County Commissioners, the Washoe County Planning Commission, or an owner of real property. Development Code amendments are initiated by resolution of the Washoe County Board of County Commissioners or the Planning Commission. There are a number of ways Master Plan amendments may be initiated: by the Board of County Commissioners or the Planning Commission through resolution, by an owner of real property through an application filed with the Community

Services Department, or by a citizens advisory board petitioning the Planning Commission to initiate an amendment.

After initiation, the Planning Commission considers the proposed amendments in a public hearing. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendments. The Planning Commission records its recommendation by resolution.

The Washoe County Board of County Commissioners (BCC) hears all amendments recommended for approval, and amendments recommended for denial upon appeal. For Development Code Amendments, the BCC will hold a first reading and introduction of the ordinance (proposed amendment), followed by a second reading and possible ordinance adoption in a public hearing at a second meeting at least two weeks after the first reading. Unless otherwise specified, ordinances are effective 10 days after adoption. Master Plan Amendments follow a similar process but have the additional requirements of a neighborhood meeting and the amendments are required to be submitted to the Truckee Meadows Regional Planning Agency after BCC approval for a conformance review to assure the amendments are in conformance with the Truckee Meadows Regional Plan.

### **Public Notice**

There are no public notice requirements established within the Development Code for initiation of a Development Code or Master Plan amendment.

### **Background**

The imminent merger of Water Resources of the Washoe County Community Service Department and the Truckee Meadows Water Authority, scheduled for December 31, 2014, necessitates a number of policy and administrative changes to the Washoe County Development Code and the Washoe County Master Plan to reflect the adjustment of responsibilities for water management between the two agencies. For example, administrative changes will involve required name changes from “The Department of Water Resources” to either the “Community Services Department” or “Truckee Meadows Water Authority” to reflect agency responsibilities. At the same time, amendments are required to change the name of “The Department of Water Resources” in both documents to the “Community Services Department” to reflect the recent County consolidation of several departments into a single department.

These amendments must be processed concurrently with all other aspects of the merger given the ongoing economic recovery and the increasing interest in parceling and subdividing land. This increased development activity requires the Planning and Development Division to ensure that all required amendments are adopted and in place concerning the oversight of providing water service, specifically for the development regulations contained in Article 422 (Water and Sewer Resource Requirement). The most important change in this article involves the division of authority for providing water service. Currently, the water and sewer improvements required for new development both inside and outside the Truckee Meadows Water Authority (TMWA) Water Service Area are

reviewed and approved by the Water Resources Division of the Community Services Department. After the merger, TMWA will have the responsibility for the review, approval and operation of all water system improvements within their Service Area, with the Community Services Division then responsible for water service matters outside of the TMWA Service Area. All sewer system improvements whether inside or outside the TMWA Service Area remains the responsibility of the Community Services Department. Correctly identifying the agencies responsible for different aspects of water management is critical to provide correct direction to the public as they develop land in the unincorporated County. The other significant change in this article is the insertion of a disclaimer stating Washoe County is not a public water purveyor and will not own or operate any water systems; and, that the creation of any new private water system will be the responsibility of the developer or property owner who must comply with the requirements of the Public Utilities Commission of Nevada. Finally, agency names will change from “the Department of Water Resources” to the “Community Services Department” for sewer service requirements to reflect the past County department reorganization.

The additional articles of the Development Code requiring a similar division of responsibilities and name changes from the “Department of Water Resources” to either the “Community Services Department” or “Truckee Meadows Water Authority” include Article 104 (County Growth Management System), Article 208 (North Valleys Area Plan Regulations), Article 416 (Flood Hazards), Article 606 (Parcel Maps), Article 610 (Final Subdivision Maps), Article 704 (Adequate Public Facilities: Sanitary Sewer), Article 706 (Impact Fees), and Article 916 (Establishment of Committees).

The merger also requires a large number of name changes within the Washoe County Master Plan from the “Department of Water Resources” to either the “Truckee Meadows Water Authority” or the “Community Services Department,” depending on agency responsibilities. The following sections of the Master Plan will need these changes:

- Master Plan Elements: Conservation, Land Use and Transportation, and Public Services and Facilities
- Specific Plans: the Reno-Stead Corridor Joint Plan and the Southeast Truckee Meadows Specific Plan
- Area Plans: Cold Springs, Forest, High Desert, North Valleys, South Valleys, Southeast Truckee Meadows, Southwest Truckee Meadows, Spanish Springs, Sun Valley, Truckee Canyon, Verdi, and Warm Springs.

### **Recommendation**

Staff recommends that the Planning Commission adopt the resolution as set forth in Exhibit A initiating an amendment to Washoe County Code, Chapter 110, Development Code, and the Washoe County Master Plan to separate the water responsibilities between the Community Services Department and the Truckee Meadows Water Authority, and to make the necessary name changes which are required to reflect changes resulting from the merger between the Water Resources Division of the Community Services Department and TMWA. The following motion is provided for your consideration:

**Motion**

“After giving reasoned consideration to the information contained in the staff report, I move to adopt the resolution contained in Exhibit A to initiate amendments to Washoe County Code, Chapter 110, Development Code and the Washoe County Master Plan to implement the separation of water responsibilities and to initiate the needed name changes from the “Department of Water Resources” to either the “Community Services Department” or the “Truckee Meadows Water Authority,” the amendment of both documents being needed to reflect changes resulting from the merger of the Water Resources Division of the Community Services Department and the Truckee Meadows Water Authority. I further move to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the Washoe County Planning Commission and to direct staff to bring the Development Code amendments back to this Commission for a hearing within 125 days of today’s date.”

Attachment: Exhibit A, Resolution

xc: Gregory Salter, Esq., District Attorney’s Office  
Bill Whitney, Director, Planning and Development  
Bob Webb, Planning Manage



## **RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION**

### **INITIATING AMENDMENTS TO THE WASHOE COUNTY CODE AT CHAPTER 110, DEVELOPMENT CODE, AND THE WASHOE COUNTY MASTER PLAN TO REFLECT REQUIRED NAME AND RESPONSIBILITY CHANGES RESULTING FROM THE MERGER OF THE WATER RESOURCES DIVISION OF THE WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT AND THE TRUCKEE MEADOWS WATER AUTHORITY.**

Resolution Number 14-\_\_\_

Whereas the Washoe County Development Code requires that amendments to the Code be initiated by resolution of the Washoe County Planning Commission; and

Whereas the Washoe County Planning Commission received a report on November 13, 2014, concerning potential amendments to Washoe County Code, Chapter 110, Development Code, Article 104 (County Growth Management System), Article 208 (North Valleys Area Plan Regulations), Article 416 (Flood Hazards), Article 422 (Water and Sewer Resource Requirements), Article 606 (Parcel Maps), Article 610 (Final Subdivision Maps), Article 704 (Adequate Public Facilities: Sanitary Sewer), Article 706 (Impact Fees), and Article 916 (Establishment of Committees), and portions the Washoe County Master Plan, including the Conservation, Land Use and Transportation, and Public Services and Facilities Elements; the Reno-Stead Corridor Joint Plan and the Southeast Truckee Meadows Specific Plans; and the Cold Springs, Forest, High Desert, North Valleys, South Valleys, Southeast Truckee Meadows, Southwest Truckee Meadows, Spanish Springs, Sun Valley, Truckee Canyon, Verdi, and Warm Springs Area Plans, said amendments consisting of assignment of water resource responsibilities and changing the name of the Department of Water Resources to the Community Services Department or the Truckee Meadows Water Authority; and

Whereas such amendments are required as a result of the merger of the Water Resource Division of the Community Services Department and the Truckee Meadows Water Authority;

Now, therefore, be it resolved that pursuant to Washoe County Code Section 110.818.05(a) and Washoe County Code Section 110.820.05(b) that an amendment is initiated to the Washoe County Code, Chapter 110, Development Code and to the Washoe County Master Plan as set forth in the agenda for the November 13, 2014, meeting of the Washoe County Planning Commission, that a public hearing with this Planning Commission on the

Planning Commission Resolution 14-  
CSD – TMWA Merger Initiation

Development Code amendments shall be held within 125 days of this resolution’s adoption date, and that the amendments are initiated without prejudice to its final disposition.

ADOPTED on November 13, 2014.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

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Carl R. Webb, Jr. AICP, Secretary

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Roger Edwards, Chairman