



Planning Commission Staff Report

Meeting Date: August 4, 2015

Subject: Request to Re-Initiate Development Code Amendment

Applicant: Engineering and Capital Projects Division

Agenda Item Number: 8B

Summary: To re-initiate an amendment to Washoe County Code, Chapter 110, Development Code, to amend Article 422, *Water and Sewer Resource Requirements*, to reflect the merger of Washoe County Water Utility functions into the Truckee Meadows Water Authority (TMWA).

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

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Initiation Description

Possible action to adopt a resolution re-initiating an amendment to Washoe County Code, Chapter 110, Development Code, to amend Article 422, *Water and Sewer Resource Requirements*, to reflect the merger of Washoe County Water Utility functions into the Truckee Meadows Water Authority (TMWA). The Washoe County Planning Commission initiated this code amendment at its meeting of November 13, 2014, however the 125 day period to return for a public hearing before the Planning Commission has expired and the amendment must therefore be re-initiated pursuant to Washoe County Code Section 110.818.15(b).

Staff Report Contents

Description..... Page 1

Contents Page 2

Initiating Development Code Amendments Page 2

Public Notice..... Page 2

Background..... Page 3

Recommendation..... Page 3

Motion..... Page 3

Exhibits Contents

Resolution.....Exhibit A

Initiating Development Code 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, water and waste water resources, land use development standards, and other related matters. Because the Development Code covers so many varying aspects of land use and development standards, it is expected that from time to time it may be necessary to change or amend one or more portions of the Development Code to keep it up to date with the most current and desirable trends in planning and development.

The Development Code amendment process provides a method of review and analysis for such proposed changes. Development Code amendments may be initiated by the Washoe County Board of Commissioners (Board), the Washoe County Planning Commission (PC), or an owner of real property. Development Code amendments are initiated by resolution of the Board or the PC. Real property owners may submit an application to initiate a Development Code amendment.

After initiation, the PC considers the proposed amendment in a public hearing. The PC may recommend approval, approval with modifications or deny the proposed amendment. The PC records its recommendation or denial by resolution.

The Board hears all amendments recommended for approval, and amendments denied by the PC upon appeal. The Board 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.

Public Notice

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

Background

Amendments to the Development Code are often necessary to keep it up to date with the most current requirements or changes. Washoe County and Truckee Meadows Water Authority (TMWA) concluded the merger of their water utility functions on December 31, 2014. The proposed amendments to the County Code reflect the necessary changes to implement the merger which eliminates Washoe County as a regional water purveyor and replace appropriate regulations with TMWA.

WCC Section 110.818.15(b) requires that the Planning Commission hold a public hearing on any development code amendments within 125 days from the date of the initiation resolution. The Planning Commission initiated the original amendment on November 13, 2014; however, staff was unable to schedule the required public hearing prior to the 125 day limitation. Therefore, this request to re-initiate the development code amendment.

The following is a brief schedule summary for the processing of this development code amendment:

1. August 4, 2015 – Planning Commission re-initiates Code Amendment
2. September 10, 2015 – Proposed Code Amendment presented to Development Services Forum
3. October 6, 2015 – Planning Commission considers recommendation to Board of County Commissioners (BCC) on Code Amendment
4. November 10 & December 8, 2015 - BCC 1st and 2nd reading/public hearing dates

Recommendation

Staff recommends that the Planning Commission adopt the resolution as set forth in Exhibit A re-initiating an amendment to Washoe County Code, Chapter 110, Development Code, to amend Article 422, *Water and Sewer Resource Requirements*. 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 the staff report to re-initiate an amendment to Washoe County Code, Chapter 110, Development Code, to amend Article 422, *Water and Sewer Resource Requirements*; and, to authorize the Chair to sign the Resolution on behalf of the Planning Commission. I further move to direct staff to bring the amendment back to this Commission for a hearing within 125 days of today’s date.”

xc: Nate Edwards, Deputy District Attorney, District Attorney’s Office
Bill Whitney, Director, Planning and Development Division
Dwayne Smith, Director, Engineering and Capital Projects Division



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RE-INITIATING AMENDMENTS TO THE WASHOE COUNTY CODE AT CHAPTER 110, ARTICLE 422 OF THE DEVELOPMENT CODE TO REFLECT THE MERGER OF WATER UTILITY FUNCTIONS OF WASHOE COUNTY INTO THE TRUCKEE MEADOWS WATER AUTHORITY (TMWA).

Resolution Number 15-11

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, and on August 4, 2015 concerning potential amendments to Washoe County Code, Chapter 110, Development Code, Article 422, *Water and Sewer Resource Requirements*, said amendments consisting of merger of the water utility functions of Washoe County into TMWA ; and

Whereas such amendments are required as a result of the merger of water utility functions of Washoe County into the Truckee Meadows Water Authority (TMWA);

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 be re-initiated to the Washoe County Code, Chapter 110, Development Code as set forth in the agenda for the August 4, 2015 meeting of the Washoe County Planning Commission, that a public hearing with said Planning Commission on the amendment shall be held within 125 days of this resolution's adoption date, and that this amendment is initiated without prejudice to its final disposition.

ADOPTED on August 4, 2015

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Carl R. Webb, Jr. AICP, Secretary

Roger Edwards, Chairman

Exhibit A

CSD - TMWA MERGER