



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 RPGB 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 7.B.i and 7.B.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 SOI, and voted 5 to 2 in favor to sponsor the proposed amendment to the Regional Plan. This item was brought to the Reno City Council by the Reno Development Services Department (formerly known as the Community Development Department), and was based on a request from the property owner(s) of the subject site.

Prior to becoming effective, the Regional Plan Amendment must be approved by the Regional Planning Governing Board (RPGGB) 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, and the item was set to be heard by the RPC at its regularly scheduled September meeting. A request to continue the item was submitted by City of Reno staff on September 21, 2021 and the item is now being brought forward after appropriate noticing of the RPA.

For additional context, the City of Reno Planning staff discussed the proposal and process with Regional Planning staff and Washoe County Community Services staff. This discussion primarily occurred later in the process, after the request was approved by the Reno City Council. Washoe County staff have provided a letter explaining how they intend to process land use and zoning amendments if the SOI rollback is approved. That letter, included here as Attachment 1: Letter from Washoe County dated November 30, 2021, indicates Washoe County will respect the existing Industrial zoning and submit a Master Plan Amendment to designate the land use as Industrial once the parcels have reverted fully to their jurisdiction. Regional Planning staff is committed to enhancing coordination with jurisdictional staff for SOI modifications, which also supports implementation of 2019 Regional Plan Policy *RC 2 – Spheres of Influence (SOI)*. Policy *RC 2* is presented in greater detail below in the Amendment Overview section.

Expanded Background Information

The following is background information to help convey a more complete historical record. While under Washoe County's jurisdiction, the property was designated Industrial in the Washoe County Master Plan and zoned Industrial. While the subject property has remained undeveloped, the adjoining property on the east side is built with a storage unit (built in 1990, according to the Washoe County Assessor's records).

Between 2000 and 2002, the site's jurisdictional status changed to be included in the City of Reno's SOI. The inclusion in the City's SOI is related to the 2002 Truckee Meadows Regional Plan update effort. Upon inclusion in the City's SOI, the subject property was designated Industrial in the City of Reno Master Plan, but never zoned by the City of Reno. Washoe County's online zoning map indicates that it remains Industrial zoning in Washoe County. During the ReImagine Reno effort (2017), the two parcels were redesignated as Mixed Employment land use in the new City of Reno Master Plan.

The materials submitted by the City of Reno (available at tmrpa.org/submittedMaterials) identify that a 2003 interlocal agreement between the City of Reno and Washoe County governs the details associated with SOI areas. In particular, the City has zoning/land use authority and shall process and inspect all building permits and construction, and the County maintains business license and code enforcement authority.

Further, prior to the recent approval by the Reno City Council to remove the subject property from its SOI, the property owner had made requests to the City of Reno, including a proposed SOI rollback and a special use permit for a mini-warehouse and industrial business park, however both requests were denied.

AMENDMENT OVERVIEW

First, the Truckee Meadows Regional Planning Agency (TMRPA) is required to maintain the SOI mapping data as part of the Nevada Revised Statutes (NRS) statutes, section 278.0274. Any changes proposed to the SOI must be reflected in the Regional Plan as adopted by the RPGB. Regional Plan Policy *RC 2 – Sphere of Influence (SOI)* provides additional details regarding where SOI can exist, and how it can be modified (including the required information for consideration by the RPC and RPGB). Policy *RC 2* also contains **Table 3.3 – Jurisdictional Master Plan Land Use Translation Table**, which indicates the default master plan land use translation between jurisdictions. Finally, for any change to a SOI, as required by Policy *RC 2*, TMRPA is required to process a Regional Plan Amendment and a Conformance Review of the accompanying local jurisdiction master plan amendments.

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 (SOI). This proposal also includes 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. See Figure 1 at the end of this section, and the Subject Site Maps in Attachment 2 for a depiction of the subject site.

As noted, Table 3.3 is located in Policy *RC 2*, which provides a translatable land use between each jurisdiction. The table does not specify the accompanying zoning, as that parameter is controlled by the local jurisdictions. In this proposal, the City of Reno Master Plan land use designation is Mixed-Employment which translates to the Commercial land use designation in Washoe County. Thus, the Conformance Review portion of this staff report analyzes the corresponding Washoe County Master Plan land use designation of Commercial, as identified in Table 3.3.

Policy *RC 2*, referenced above, also requires a rationale for the requested SOI amendment. The materials submitted by the City of Reno indicate that the action was being sought by the owner because the property was never zoned or annexed by the City of Reno and the property owner desired to move forward with development on the site under Washoe County’s jurisdiction.

The owner desires to maintain the Washoe County designated Industrial zoning and establish an Industrial land use under Washoe County’s jurisdiction. If the proposed rollback is approved, Washoe County plans to accept the parcels with an interim regulatory zoning of Industrial. Washoe County has also indicated that it will immediately pursue a Master Plan Amendment to Industrial to match up the zoning and master plan designations if the SOI rollback is approved (*See Attachment 1*).

Policy *RC 2* was designed around the concept that processing any SOI modification and corresponding Master Plan Amendment concurrently would give the decision makers (the RPC and RPGB) clarity about the full scope of changes proposed and the end state of the parcels in question. That said, the processing

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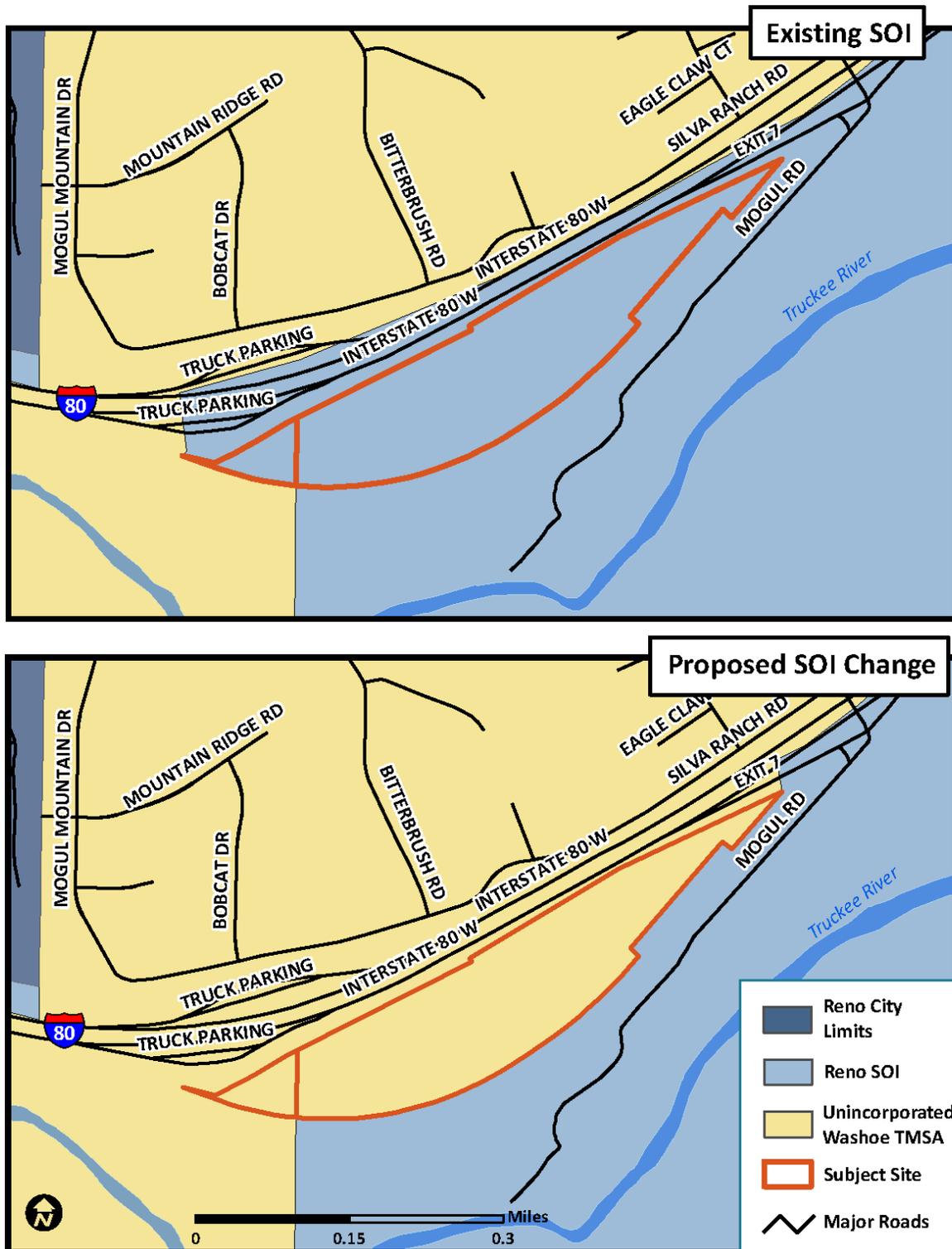
of this request has uncovered current limitations that preclude Washoe County from submitting a Master Plan Amendment request to TMRPA until the lands are removed from the SOI. If the rollback is approved, Washoe County will submit a Master Plan Amendment for a Conformance Review in order to complete the overall process.

Regional Planning staff recognize that both Commercial and Industrial designations are acceptable uses of land within Tier 2. Staff further recognizes the long history of planned Industrial use on the site. However, in the absence of a Master Plan Amendment request, the subject parcel will have a land use as set forth in the translation table (Table 3.3.) found in policy RC 2 of the 2019 Regional Plan. The translation table ensures that RPC and RPGB decision-making will not result in parcels existing without a master plan land use designation for any interim period. Washoe County is not required to adopt the translated land use in perpetuity, however if an alternate land use is desired, an official Master Plan Amendment request will be needed to update the designation on the site. The subsequent request will be brought back to the Regional Planning Commission for final approval.

One additional note regarding the proposed change to the SOI boundary; the portion covering Interstate 80, as it abuts the subject property, would also be removed should the subject request be adopted. This freeway right-of-way area does not have any underlying parcel information in the Washoe County Assessor data. The proposed change to the SOI boundary is depicted in Figure 1, below.

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Figure 1. Proposed Sphere of Influence Change Map



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 and vacant, and the rollback from City of Reno sphere of influence to unincorporated Washoe County is not expected to 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 and vacant, and the land uses will be translated per Regional Plan Policy *RC 2*, which is not expected to increase 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

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anticipated to influence or impact existing and planned public facility and service availability, timing, adequacy, and fiscal impacts. The parcels are located in the Tier 2 Regional Land Designation where facilities and services are generally available to serve development uses.

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 landowner 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 pursuant to Table 3.3 (found in Policy *RC 2*) of the 2019 Regional Plan. As noted, Washoe County will need to submit a subsequent Master Plan amendment for a Conformance Review in order to complete the overall process.

Washoe County is not required to strictly follow Table 3.3; however, a specific Master Plan Amendment has not been proposed by Washoe County so the analysis contained in the Regional Plan Amendment and Conformance Review sections will consider the Mixed Employment land use in the City of Reno changing to the Commercial land use in Washoe County.

Finally, pursuant to Policy *RC 2*, Subsection 3.a, the conformance review analysis required for this case is not subject to a strict review of the policies in the Regional Plan; however, master plan amendments that are not in line with a nearly equivalent land use would require substantive (or normal) review of the Regional Plan policies, pursuant to Subsection 3.b.

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 residential 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. The subject site has been planned for non-residential use for several decades, and no impacts to Regional Form have been identified.

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 adopted.

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 4), 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 December 6, 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.

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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: Letter from Washoe County dated November 30, 2021

Attachment 2: Subject Site Maps

Attachment 3: Conformance Review Evaluation Form

Attachment 4: 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**

21-12-06 RPC Meeting Agenda Item 7.B

**RPA21-005 & CR21-011 – Mogul Sphere of
Influence (SOI) Removal**

**Attachment 1: Letter from Washoe County
dated November 30, 2021**



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Planning and Building

Attachment J
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1001 EAST 9TH STREET
RENO, NEVADA 89520-0027
PHONE (775) 328-6100
FAX (775) 328.6133

November 30, 2021

To: Truckee Meadows Regional Planning Commission

From: Trevor Lloyd, Planning Manager, Washoe County Community Services Department

Subject: Memo – AMENDED
2019 Regional Plan Amendment (RPA21-005) and
Conformance Review (CR21-011), Mogul Sphere of Influence (SOI) Removal –

This memorandum serves as Washoe County's preliminary analysis and response to the proposed removal of APNs 038-181-01 and 038-172-14 from the City of Reno's Exerted Sphere of Influence and their reversion back into the unincorporated County's jurisdiction.

Washoe County has not yet completed a full review of the proposed SOI removal and cannot initiate a Master Plan Amendment and Regulatory Zone Amendment until the affected parcels have reverted fully into the unincorporated County's jurisdiction as outlined by Truckee Meadows Regional Plan Policy RC 2.

The City of Reno has provided the subject parcels with a Mixed Employment Land Use Category but has provided no regulatory zoning for the parcels. Under WCC 110.106.30, the regulatory zoning of the parcels reverts to their pre-1993 zoning of (ME) per the pre-1993 zoning maps. ME regulatory zone translates to the current Industrial (I) regulatory zone under WCC Table 110.106.30.1.

Once these parcels are confirmed to be within Washoe County's jurisdiction, staff will be required to update the Master Plan category (MPC) to be in conformance with the Truckee Meadows Regional Plan per WCC 110.104.20 through a master plan amendment. Although the current city of Reno master plan designation of mixed employment (ME) has a translation of commercial (C) per Table 3.3 of the Truckee Meadows Regional Plan, Washoe County is not obligated to adopt a commercial master plan land use. Washoe County staff will propose a master plan land use category of Industrial (I) which is consistent with the existing Industrial (I) regulatory zone as discussed above. The TMRP conformance review will occur pending approval from the Washoe County Board of County Commissioners.

Staff will undertake duly noticed regulatory zone amendment (RZA) to ensure conformance of the regulatory zone map with the master plan map concurrently with the required master plan amendment. If you have any questions, please don't hesitate to contact myself at 775-328-3628 or Trevor Lloyd at 775-328-3617.



INTEGRITY



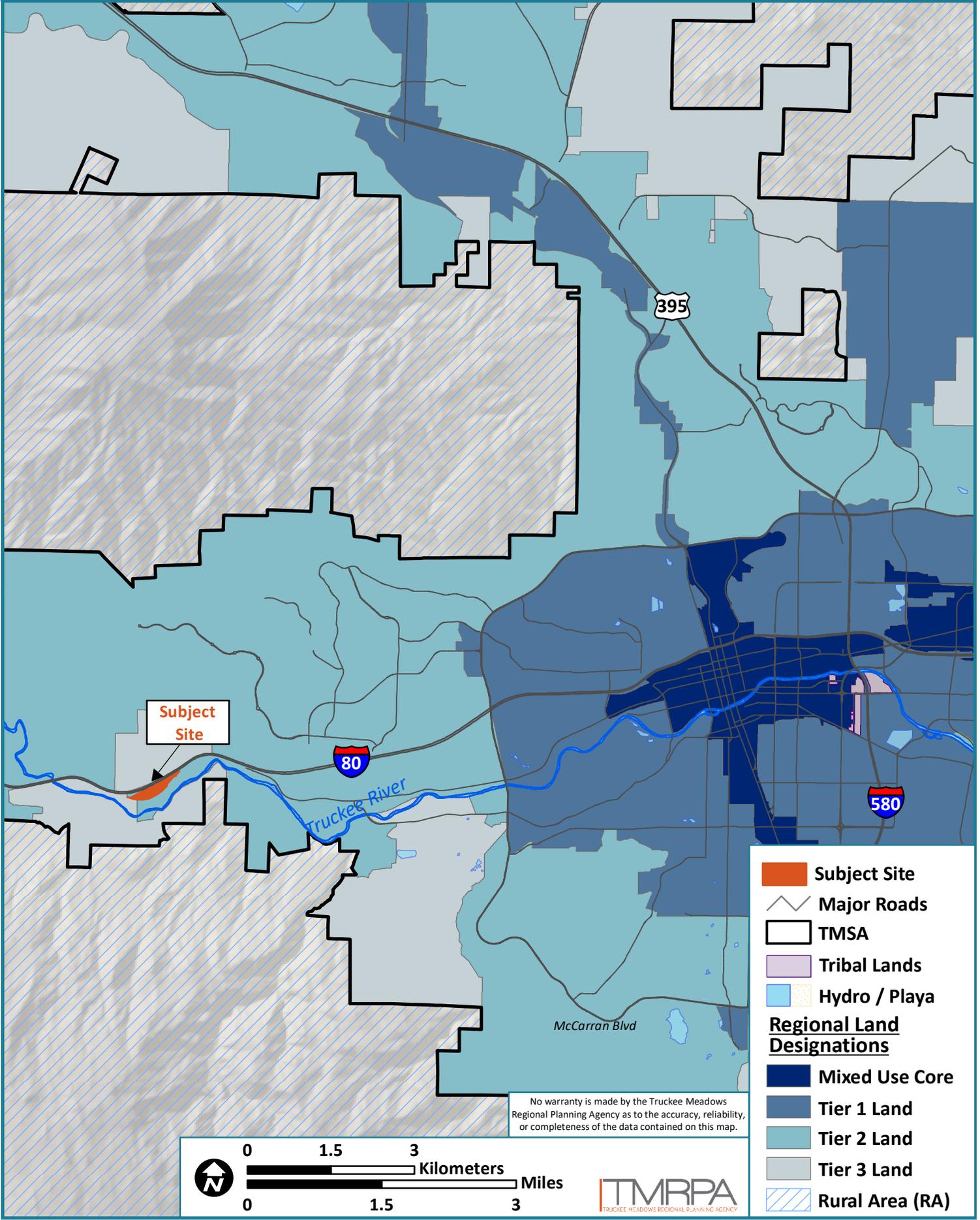
EFFECTIVE
COMMUNICATION



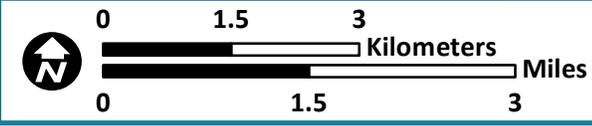
QUALITY
PUBLIC SERVICE

21-12-06 RPC Meeting Agenda Item 7.B
RPA21-005 & CR21-011 – Mogul Sphere of
Influence (SOI) Removal
Attachment 2: Subject Site Maps

Attachment 1: Map 1 - Regional Form

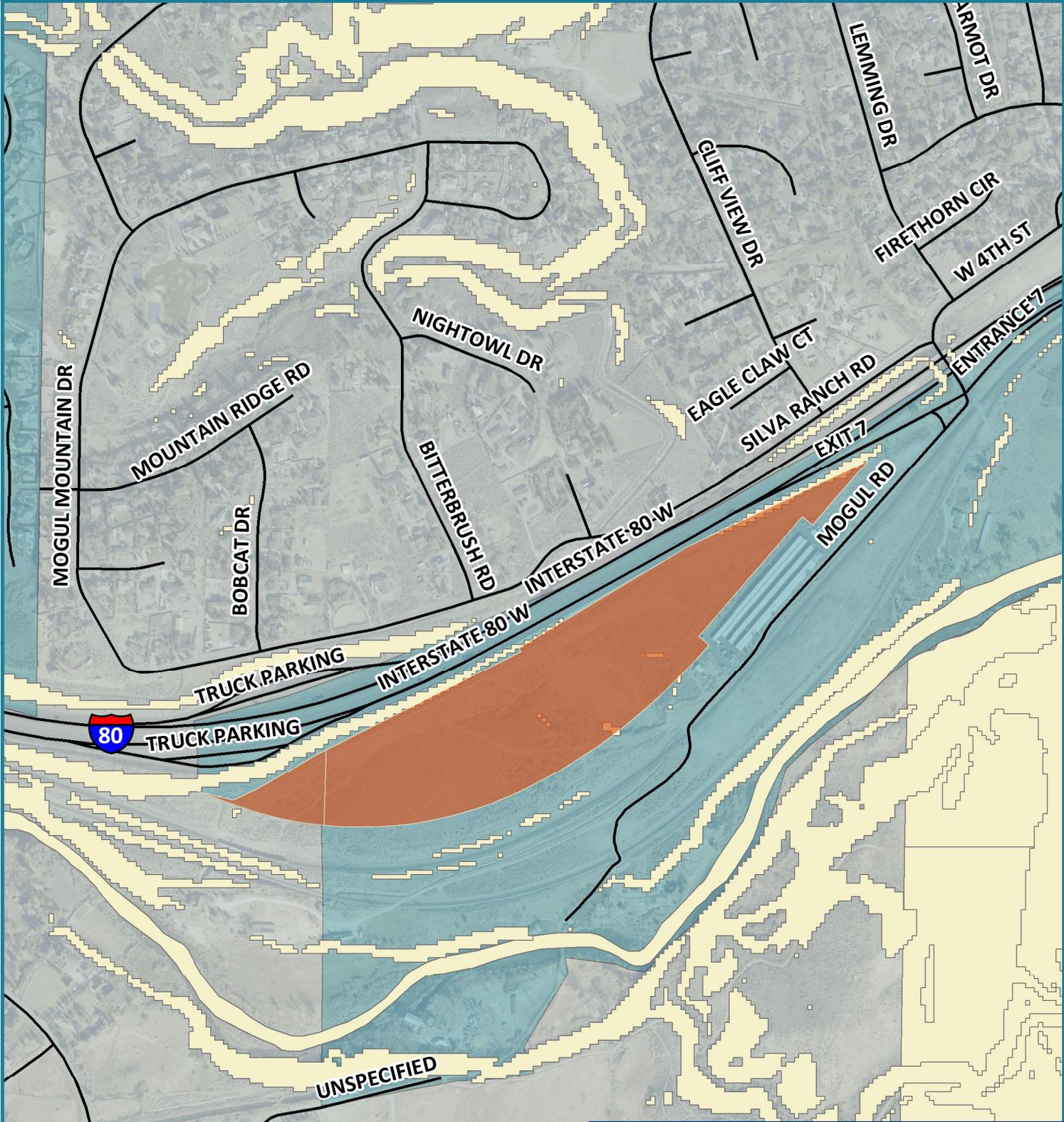


No warranty is made by the Truckee Meadows Regional Planning Agency as to the accuracy, reliability, or completeness of the data contained on this map.

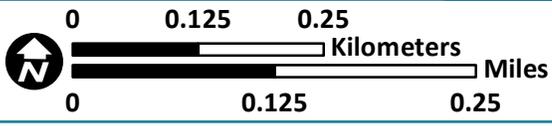


- Subject Site
- Major Roads
- TMSA
- Tribal Lands
- Hydro / Playa
- Regional Land Designations**
- Mixed Use Core
- Tier 1 Land
- Tier 2 Land
- Tier 3 Land
- Rural Area (RA)

Attachment 1: Map 2 - Neighborhood



No warranty is made by the Truckee Meadows Regional Planning Agency as to the accuracy, reliability, or completeness of the data contained on this map.

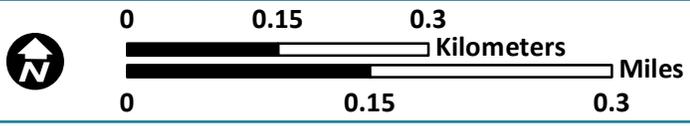


<u>Regional Land Designations</u>	
	Subject Site
	Tier 2 Land
	Major Roads
	Tier 3 Land
	Development Constraints Area (DCA)

Attachment 1: Map 3 - Aerial



No warranty is made by the Truckee Meadows Regional Planning Agency as to the accuracy, reliability, or completeness of the data contained on this map.



-  Subject Site
-  Major Roads

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RPA21-005 & CR21-011 – Mogul Sphere of
Influence (SOI) Removal
Attachment 3: Conformance Review
Evaluation Form

2019 Truckee Meadows Regional Plan Conformance Review Case Information

Case Information:	
Case Name: Mogul SOI Removal	RPA Case No.: CR20-011
Submitting Jurisdiction/Entity: City of Reno	
Proposal:	
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	
Location:	
South side of Interstate 80 off Exit 7 and north of Mogul Road	
Important Dates:	
Submitted to RPA: July 29, 2021	Complete notice sent: September 17, 2021
CR Deadline: November 16, 2021	RPC hearing date: December 6, 2021
60-day conformance review deadline waived (received): September 21, 2021	
Conformance Review Type: Check those below that apply	
<input checked="" type="checkbox"/> <u>Master Plan Amendment</u>	
<input checked="" type="checkbox"/> Site specific <input type="checkbox"/> Joint Planning Area/Cooperative Plan	<input type="checkbox"/> Text amendment <input type="checkbox"/> Other (specify):
<input type="checkbox"/> <u>Master Plan/Facilities Plan - Comprehensive Conformance Review</u>	
<input type="checkbox"/> <u>Project of Regional Significance</u>	
Project will affect region by increasing:	
<input type="checkbox"/> Employment ≥ 938 employees <input type="checkbox"/> Housing ≥ 625 units <input type="checkbox"/> Student population ≥ 325 students <input type="checkbox"/> Traffic ≥ 6,250 average daily trips	<input type="checkbox"/> Water usage ≥ 625 acre feet per year <input type="checkbox"/> Hotel accommodations ≥ 625 rooms <input type="checkbox"/> Sewage ≥ 187,500 gallons per day <input type="checkbox"/> Other (specify):
Projects of regional significance proposed by anyone other than a public utility:	
<input type="checkbox"/> Project creates significant new geothermal or mining operations within 20 miles of the TMSA	
<input type="checkbox"/> Project is within a 100-yr flood zone and alters the stream channel or banks of the Truckee River or alters 404 wetlands	
<input type="checkbox"/> Project creates new or significantly expanded landfill, other land disposal facility, or facility that treats or disposes hazardous or infectious waste	
<input type="checkbox"/> Project will result in loss or degradation of designated paleontological site, archeological, cultural, or scenic resource	
<input type="checkbox"/> Project will have significant effect on natural resources, public services, public facilities, or the adopted regional form	

Projects of regional significance proposed by a utility or any entity:

- | | |
|--|--|
| Electric substation | Transmission line that carries ≥ 60 kilovolts |
| Facility generates elect. > 5 MW | Nat. gas storage and peak shaving facilities |
| Gas regulator stations and mains that operate > 100 pounds per square inch | |

Annexation

- Annexation plan (specify):
Voluntary annexation (specify):

Regional Form: Check those below that apply

- | | |
|--|--|
| <input checked="" type="checkbox"/> TMSA | <input checked="" type="checkbox"/> City of Reno |
| Mixed Use Area | City of Sparks |
| Tier 1 | <input checked="" type="checkbox"/> Unincorporated Washoe County |
| <input checked="" type="checkbox"/> Tier 2 | <input checked="" type="checkbox"/> City of Reno Sphere of Influence |
| Tier 3 | City of Sparks Sphere of Influence |
| Rural Area | Joint Planning Area |
| Rural Development Area | Cooperative Plan Area |
| Free Standing Communities | |
| Resort Service Area: | |

Surrounding Master Plan Land Use Designations:

North: Suburban Residential (Washoe County)

South: Mixed-Employment; Unincorporated Transition

East: Parks, Greenways and Open Space; Public/Quasi-Public; Unincorporated Transition

West: Suburban Residential (Washoe County); Rural Residential (Washoe County)

Natural Resource Features: Check those below that apply

Strict Development Constraints

- Is all or portions of the site located within the Development Constraints Area (DCA)?
- Slopes $\geq 30\%$
- FEMA Zone AE floodway
- Playas or significant water bodies
- Publicly-owned open spaces, or deed restricted lands
- Jurisdictional water/wetland in accordance with Section 404 of the Clean Water Act

Other potential development constraints

- Does all or portions of the site have slopes from 15-30%?
- Is all or portions of the site located within a 100-year FEMA flood zone?
- Are water features not identified in DCA section above present on the site?
- Is the site located in an area of significant habitat for sensitive plant or animal species?
- Is the site located in or include an area of good potential aquifer recharge (RWMP)?
- Does the site have implications for source water protection?

Other considerations: List all those that apply

2019 Truckee Meadows Regional Plan
Conformance Review Evaluation Form

Applies Conforms

Population Growth (PG) Policies

PG 1 - Washoe County Consensus Forecast	No	
PG 2 - Spatial Disaggregation of the Consensus Forecast	No	
PG 3 - Use of the Consensus Forecast for Planning	No	
PG 4 - Affordable Housing Strategies	No	

Regional Form (RF) Policies

RF 1 - Establishment of the TMSA and Regional Land Designations	No	
RF 2 - Priority Hierarchy for Development in the Region	No	
RF 3 - Density Requirement and Nonresidential Standards	Yes	Yes
RF 4 - Allowance of Existing Land Uses, Entitlements, and Zoning	No	
RF 5 - Regional Land Designation Amendments	No	
RF 6 - Rural Area (RA) Requirements	No	
RF 7 - Rural Development Area (RDA) Establishment Requirements	No	
RF 8 - Resort Service Area (RSA) Establishment and Requirements	No	
RF 9 - Freestanding Community Requirements	No	
RF 10 - Military Installation Compatibility	No	
RF 11 - Compatibility Factors	Yes	Yes

Public Facilities/Services (PF) Policies

PF 1 - List of Facilities and Service Standards	Yes	Yes
PF 2 - Promotion of Priority Hierarchy for Public Facility/Service Provision	No	
PF 3 - Creation of a Public Infrastructure Investment Plan (PIIP)	No	
PF 4 - Rural Area Public Facility/Service Provision Requirements	No	
PF 5 - Capital Improvement Programs (CIP)	No	
PF 6 - Regional Water Management Plan (RWMP) Requirements	No	
PF 7 - Water/Wastewater Requirements for Master Plans	No	
PF 8 - School Requirements	No	

	Applies	Conforms
PF 9 - Rural Area School Requirements	No	
PF 10 - Regional Transportation Plan (RPT) Requirements	No	
PF 11 - Regional Utility Corridor and Sites Regional Plan Amendment Requirements	No	
PF 12 - Regional Utility Corridor Width and Setbacks	No	
PF 13 - Preference for Use of Existing Regional Utility Corridors	No	
PF 14 - Priority Hierarchy for Placement of New Transmission Infrastructure	No	
PF 15 - Use of Utility Corridors and Sites for Other Utilities	No	
PF 16 - Airports and Aviation Regulations for Electrical Transmission Infrastructure	No	
PF 17 - Option for the RRGB to Provide Advisory Recommendation for the Allocation of Costs to the Public Utilities Commission of Nevada (PUCN)	No	
PF 18 - Regional Renewable Energy Generation	No	

Natural Resources (NR) Policies

NR 1 - Natural Resources Plan	No	
NR 2 - Resilient Region	No	
NR 3 - Development Constraints Area	Yes	Yes
NR 4 - Open Space	No	
NR 5 - Natural Slopes greater than 15% and less than or equal to 30%	Yes	Yes
NR 6 - Ridgelines	No	
NR 7 - Wildlife Habitat	No	
NR 8 - Wildland/Urban Interface	No	
NR 9 - Parks and Open Space Connectivity	No	
NR 10 - Urban Heat Island	No	
NR 11 - Air Quality	No	
NR 12 - Regional Water Management Plan	No	
NR 13 - Significant Waterways	No	
NR 14 - Sustainable Development	No	
NR 15 - Cultural Resources	No	

Applies Conforms

Regional Coordination (RC) Policies		
RC 1 - Annexation Programs	No	
RC 2 - Spheres of Influence (SOI)	Yes	Yes
RC 3 - Joint Planning Areas	No	
RC 4 - Cooperative Plans	No	
RC 5 - Initial Review by TMRPA	No	
RC 6 - Project of Regional Significance	No	
RC 7 - Local Government and Affected Entity Annual Reports	No	
RC 8 - Truckee Meadows Annual Report	No	
RC 9 - Conformance Review Findings	Yes	Yes
RC 10 - Regional Plan Amendment Findings	Yes	Yes
RC 11 - Convening of Committees	No	
RC 12 - Federal Lands Disposal Legislation	No	

21-12-06 RPC Meeting Agenda Item 7.B
RPA21-005 & CR21-011 – Mogul Sphere of
Influence (SOI) Removal
Attachment 4: RPC Resolution 21-07



REGIONAL PLANNING COMMISSION

Mark Johnson, Chair • Sarah Chvilicek, Vice-Chair • Scott Carey • Larry Chesney • Peter Gower • Kate Nelson • Shelley Read • Kathleen Taylor • Kyle West • Jeremy M. Smith, Director of Regional Planning

RESOLUTION NO. 21-07 (RPC)

REGARDING A MAPPING AMENDMENT TO MAP 1 TO REMOVE 2 PARCELS TOTALING ±27.9 ACRES FROM THE CITY OF RENO SPHERE OF INFLUENCE (SOI), LOCATED ON THE SOUTH SIDE OF INTERSTATE 80 OFF EXIT 7 AND NORTH OF MOGUL ROAD

RPA21-005

WHEREAS, the Regional Planning Governing Board (RPGB) adopted a comprehensive five year update to the Truckee Meadows Regional Plan on October 10, 2019; and

WHEREAS, *Nevada Revised Statutes (NRS) 278.0272* and the RPGB's *Regulation on Procedure* establish the required procedure for amending the comprehensive Regional Plan; and

WHEREAS, on July 28, 2021, the Reno City Council sponsored an amendment to the 2019 Truckee Meadows Regional Plan to remove two parcels totaling ±27.9 acres from the City of Reno's Sphere of Influence (SOI) boundary; and

WHEREAS, after giving notice in compliance with the provisions of subsection 9 of NRS 278.0272, the RPC held a public hearing on the proposed amendment to the comprehensive 2019 Regional Plan regarding this matter; and

WHEREAS, the RPC considered the criteria listed in Policy RC 10 – Regional Plan Amendment Findings of the 2019 Regional Plan in evaluating the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED THAT the Regional Planning Commission does hereby:

1. Find that a proposed amendment at this time is a substantial 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 December 6, 2021

Adopted this day, December 6, 2021, by an affirmative vote of the Regional Planning Commission:

Ayes: _____; Nays: _____; Abstain: _____.

RPC Resolution 21-07
December 6, 2021
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Approved by:

Mark Johnson, Chair
Regional Planning Commission

Jeremy M. Smith
Director of Regional Planning



REGIONAL PLANNING COMMISSION

Mark Johnson, Chair • Sarah Chvilicek, Vice-Chair • Scott Carey • Larry Chesney • Peter Gower • Kate Nelson • Shelley Read • Kathleen Taylor • Kyle West • Jeremy M. Smith, Director of Regional Planning

MINUTES REGIONAL PLANNING COMMISSION (RPC)

Monday, December 6, 2021, 6:00 p.m.

The Regional Planning Commission (RPC) met in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada, and online via Zoom, and conducted the following business:

The meeting was called to order by Chair Johnson at 6:00 p.m.

1. ROLL CALL

The clerk called the roll and the following Commissioners were present: Scott Carey, Larry Chesney, Sarah Chvilicek, Peter Gower (*via Zoom*), Mark Johnson, Kate Nelson (*via Zoom*), Shelley Read, Kathleen Taylor (*via Zoom*), Kyle West

Commissioners Absent: None

Truckee Meadows Regional Planning Agency (TMRPA) staff present: Jeremy M. Smith, Director of Regional Planning; Jessica Prunty, Legal Counsel; Damien Kerwin; Nate Kusha; Chohnny Sousa; Chris Tolley

2. SALUTE TO THE FLAG

Commissioner Chesney led the Pledge of Allegiance.

3. [For possible action] APPROVAL OF THE AGENDA

COMMISSIONER CHVILICEK MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY COMMISSIONER CHESNEY. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) COMMISSIONERS PRESENT.

4. PUBLIC COMMENT

None

5. APPROVAL OF THE MINUTES

A. [For possible action] August 26, 2021 RPC Meeting

COMMISSIONER READ MADE A MOTION TO APPROVE THE MINUTES, SECONDED BY COMMISSIONER CHESNEY. THE MOTION CARRIED WITH EIGHT (8) IN FAVOR AND ONE (1) ABSTENTION BY COMMISSIONER TAYLOR.

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B. [For possible action] September 23, 2021 RPC Meeting

COMMISSIONER GOWER MADE A MOTION TO APPROVE THE MINUTES, SECONDED BY COMMISSIONER CHVILICEK. THE MOTION CARRIED WITH EIGHT (8) IN FAVOR AND ONE (1) ABSTENTION BY COMMISSIONER WEST.

6. CONSENT AGENDA

A. [For possible action] Possible adoption of the advance schedule of RPC meeting dates for calendar year 2022

COMMISSIONER WEST MADE A MOTION TO APPROVE THE CONSENT AGENDA, SECONDED BY COMMISSIONER CHVILICEK. MOTION CARRIED UNANIMOUSLY WITH NINE (9) COMMISSIONERS PRESENT.

7. BUSINESS OF THE DAY

A. [For possible action] PUBLIC HEARING – 2019 Regional Plan Amendment (RPA21-007) and Conformance Review (CR21-012), Rock Springs Solar – The sites are located on ±660 contiguous acres across 9 parcels, located approximately 45 miles northwest of Reno, near Flannigan

- i. Possible adoption of RPC Resolution 21-09 providing a recommendation to the Regional Planning Governing Board (RPGb) regarding an amendment to the 2019 Truckee Meadows Regional Plan to add a new regional utility site (RPA21-007)
- ii. Conformance review of a project of regional significance (PRS) for the request to add a new electric substation and a new facility that generates electricity greater than 5 megawatts (CR21-0012)

Chohnny Sousa, Regional Planner, presented the staff report.

[The public comment portion of the hearing was opened.]

There were no public comments submitted or requests to speak.

[The public comment portion of the hearing was closed.]

COMMISSIONER CHVILICEK MADE A MOTION TO ADOPT RPC RESOLUTION 21-09 REGARDING AN AMENDMENT TO THE 2019 TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER CHESNEY.

Commissioner Carey discussed the need to refine our Regional Plan in the future to take a closer look at where this type of use makes sense.

MOTION CARRIED UNANIMOUSLY WITH NINE (9) COMMISSIONERS PRESENT.

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COMMISSIONER CHVILICEK MADE A MOTION TO FIND THAT THE ROCK SPRINGS SOLAR PROJECT OF REGIONAL SIGNIFICANCE IS IN CONFORMANCE WITH THE 2019 REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER CHESNEY. MOTION CARRIED UNANIMOUSLY WITH NINE (9) COMMISSIONERS PRESENT.

- B. [For possible action] 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 RPGB 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 (CR21-0011)

Commissioner Carey disclosed that he had text communications with the property owner’s representative and returned a phone call from Emanuela Heller.

Chair Johnson disclosed that he spoke with a representative for the potential applicant and met on site with Emanuela.

Commissioner Chvilicek disclosed that she was contacted by Emanuela.

Commissioner West disclosed that he received a Zoom presentation regarding this agenda item from S3 Development Company and their legal representative. He also met on the site to listen to a couple of the neighbors, Emanuela Heller and Kris Engstrom.

Commissioner Chesney disclosed that he received a couple of voicemails but did not return the calls.

Commissioner Read disclosed that she exchanged some emails with one of the homeowners and she had a Zoom meeting with the attorney for the property owner.

Commissioner Nelson disclosed that she had a brief conversation with Emanuela and she received a summary email.

Commissioner Taylor disclosed that she had the same Zoom presentation, received emails, and met with Emanuela on the site.

Commissioner Gower disclosed that he received the Zoom presentation from the property owner’s representative, spoke with members of the public, and read public comment.

Chris Tolley, Regional Planner, presented the staff report.

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[The public comment portion of the hearing was opened.]

Paul MacNeilage spoke in opposition.

Emanuela Heller-MacNeilage spoke in opposition.

Kris Engstrom spoke in opposition.

Tom Potts spoke in opposition.

Lori Leonard spoke in opposition.

Ron Kamikow spoke in opposition and also submitted written comment.

Caryn Neidhold (via Zoom) spoke in opposition.

[The public comment portion of the hearing was closed.]

Jessica Prunty, Legal Counsel, reminded the commissioners of their jurisdictional authority. The RPC does not have jurisdiction to dictate or require zoning decisions by either the City of Reno or Washoe County.

Jeremy Smith, Director of Regional Planning, answered questions from Commissioner Carey regarding the portion of the site that includes I-80.

Trevor Lloyd, Washoe County Planning Manager, answered questions from Commissioner West regarding the procedures Washoe County follows to evaluate existing traffic conditions and identify mitigations for projects on industrial property. He also noted that we are not looking at a project at this time.

Commissioner Taylor asked for information on the historic nature of the site and the timing of this request coming before the RPC.

Angela Fuss, City of Reno Assistant Director of Development Services, stated there is an historic marker on the site that was put there by the State Historic Preservation Society that was coordinated through the Nevada Department of Transportation (NDOT).

Director Smith explained the process and timing of this item coming before the RPC.

There was discussion regarding land use designations referenced in Table 3.3 for this site as part of the City of Reno's SOI versus it being part of Washoe County's SOI, and potential uses that would be allowed in those land use designations.

Mr. Lloyd explained for Commissioner Gower that Washoe County doesn't have a light industrial land use category so they would likely request a master plan amendment for an industrial land use to be consistent with the existing zoning.

Ms. Fuss and Mr. Lloyd answered questions from commissioners regarding the site and processes that would be required for various zoning and land use options.

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Commissioner Carey stated that he appreciates the concerns that were brought up tonight. The future development concerns brought up by the public are outside of our legislative mandate as the Regional Planning Commission with respect to this proposed rollback. I appreciate the County's willingness to immediately process a master plan amendment for industrial. I believe that is very much in the spirit of regional cooperation. I hope the property owner and county staff were paying close attention tonight to the public comments. From a regional plan perspective, I can make the findings and I support staff's recommendation. We as a region have identified these subject sites as a Tier 2 growth area and under the Tier 2 growth area we have said as a region that both commercial and industrial designations are acceptable uses.

Commissioner Read agreed with Commissioner Carey and stated we are not voting on a project right now.

Commissioner Chvilicek stated that no matter what jurisdiction this is in, there is always opportunity for public input.

Commissioner West stated that his questions have been answered. There is a lot of misunderstanding regarding what this move would result in for the public. Whether a project comes through the city or the county an assessment would be required by NDOT that would address traffic concerns.

Commissioner Taylor stated several commissioners did receive presentations on a project even though we are not deciding on a project at this time. She stated that she probably won't support this based on Regional Plan Amendment Findings 3, 6 and 7.

Commissioner Gower agreed with Commissioner Taylor that we understand there is a project being proposed. Our decision space here is very narrow. It is clear from the history of the property that the intent has been industrial development. It is unfortunate that the city has decided to move this forward into the regional arena to advance a project by pushing it essentially over into the county's lap and not evaluate the appropriateness of certain types of development on the property whether it be in the city's jurisdiction or in the county's. I hope that in the county's process that there is consideration of the appropriateness of the use in this area and not just a default to industrial.

COMMISSIONER CHESNEY MADE A MOTION 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, SECONDED BY COMMISSIONER READ. MOTION CARRIED WITH EIGHT (8) IN FAVOR AND ONE (1) OPPOSITION BY COMMISSIONER TAYLOR.

COMMISSIONER CHESNEY MADE A MOTION TO FIND THE MOGUL SOI REMOVAL AMENDMENT TO THE CITY OF RENO MASTER PLAN IN CONFORMANCE WITH THE 2019 REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER READ. MOTION CARRIED WITH EIGHT (8) IN FAVOR AND ONE (1) OPPOSITION BY COMMISSIONER TAYLOR.

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- C. [For possible action] RPC training segment: presentation and discussion of the Wildland Urban Interface (WUI) concept

Nate Kusha, Policy Analyst, gave the presentation and answered questions regarding how WUI is addressed in the Regional Plan.

8. REPORTS

- A. [For possible action] Members' and Director's reports

The next RPC meeting date is scheduled for January 13, 2022.

Director Smith reported on the status of the Natural Resource Plan and stated they have initiated the data gathering effort. Staff had a successful presentation at the Nevada APA Conference on the Natural Resource Plan. The budget was on the agenda for the October RPGB meeting for review and should be adopted in February. The census counted population for Washoe County is over 486,000 people which is higher than the State Demographer's estimates of around 473,000. Staff is engaging in projects to reflect that before our consensus forecast next year. Director Smith was invited to serve on a group that is working out of the University of Virginia's Bio Complexity Institute where they are looking at improvements to the census and use of the data. Mr. Tolley and Director Smith will be reaching out to local jurisdiction planning staff to start the annual reporting process and as part of that, kick off the public infrastructure investment planning process as well.

- B. [For possible action] Legal Counsel's report

Ms. Prunty stated she will bring forward a training segment in January in response to Commissioner Carey's request for an overview of the bylaws. She also reported on Norm Azevedo's announcement that he will be retiring at the end of this year.

9. [For possible action] REQUESTS FOR FUTURE AGENDA ITEMS

None

10. PUBLIC COMMENT

None

11. WRITTEN CORRESPONDENCE

None

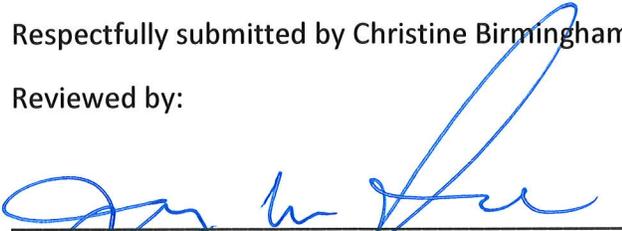
12. [For possible action] ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

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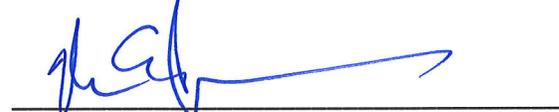
Respectfully submitted by Christine Birmingham.

Reviewed by:



Jeremy M. Smith, Director
Truckee Meadows Regional Planning Agency

Approved by:



Mark Johnson, Chair
Regional Planning Commission

APPROVED BY THE REGIONAL PLANNING COMMISSION IN SESSION ON 1/27, 2022.