

**Staff Report**  
**Board Meeting Date: March 26, 2026**

**TO:** District Board of Health (DBOH)  
**FROM:** David Kelly, EHS Supervisor  
775-846-6623, [dakelly@nnph.org](mailto:dakelly@nnph.org)  
**SUBJECT:** Recommendation to uphold the decision of the Sewage, Wastewater & Sanitation (SWS) Hearing Board to approve Variance Case #H26-0001 VARI of the Northern Nevada Public Health Regulations Governing Sewage, Wastewater, and Sanitation, a variance to section 040.030 to allow a reduced lot size for a second parcel map on a lot created after October 23, 2001, Parcel 038-280-67, 430 River Pines, Washoe County, NV.

---

**SUMMARY**

This staff report summarizes the Environmental Health Services Division's (EHS) review of the variance request along with the recommendation of the Sewage, Wastewater, and Sanitation Hearing Board (SWS Board) for Variance Case #H26-0001 VARI for Assessor's Parcel Number (APN) 038-280-67 as heard on March 5, 2026.

**District Health Strategic Priorities supported by this item:**

- 1. Healthy Environment:** Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

**PREVIOUS ACTION**

The District Board of Health (DBOH) has taken no previous action on this item.

**BACKGROUND**

The Northern Nevada Public Health regulations governing Sewage, Wastewater, and Sanitation (REGULATIONS) require that any second or subsequent parcel map from [an] parcel as it existed on October 23, 2001 have a minimum lot size of five (5) acres if they are to be served by septic. This regulation has been in place since 2001 and was intended to reduce the density of septic systems in Washoe County to minimize potential impact on groundwater. The REGULATIONS do allow developers to apply for a reduced lot size if they can demonstrate that the reduced lot size will not have a greater impact on groundwater quality than the five (5) acre lot size. The REGULATIONS require that any proposal for a reduced lot size be approved by the SWS Board and the DBOH.

Date: March 26, 2026

Subject: Recommendation uphold #H26-0001VARI decision of the Sewage Wastewater and Sanitation Hearing Board

Page: 2 of 3

The proposal in question does request that parcel 038-280-67, originally created in May 2019 be allowed a second parcel map, splitting into 2 parcels with reduced lot sizes; one parcel would be 1 acre (the minimum for any parcel served by septic) and one parcel would be 1.71 acres. To demonstrate that the two parcels would not impact groundwater quality more than the single larger parcel, the applicant hired a hydrogeologist to conduct a groundwater study. The study utilized a State of Nevada Bureau of Water Pollution Control model to evaluate the potential for impact on groundwater and compare it to drinking water standards. The model utilized conservative estimates for base line groundwater quality and compared the addition of septic discharge along with dilution from precipitation to evaluate potential degradation from two septic systems. NNPH checked actual water quality data from nearby public water system wells to ensure that the assumptions in the model were reasonable; actual baseline groundwater quality was lower than the model used (making it even more conservative). The end conclusion of the model was that it would be possible to have an equal or lesser impact to groundwater quality IF denitrifying treatment systems were utilized.

Denitrifying systems, certified to NSF 245, are becoming more accepted throughout the septic industry. These technologies are known to treat effluent to levels to much cleaner levels than the standard single pass sand filter system that has been used in Washoe County for years. A recent update to the Regulations (adopted by DBOH on Jan 22, 2026, approved by State Board of Health on March 6, 2026) allows for the first time these types of systems to be used without a variance. The inclusion of these technologies in the regulations is based on staff's comfort level with the treatment abilities of the systems, provided they are maintained. In the variance proposal, staff was satisfied that the applicant had demonstrated that two NSF 245 denitrifying septic systems would have the same or lesser impact on groundwater and was supportive of the variance request.

The variance only allows the applicant to continue through the normal parceling process through the City of Reno Development Services Department (Planning). All other Planning requirements would have to be met. It should be noted that the applicant took the extra step of communicating their intent with neighbors and received supportive letters from them that they were not concerned with the impact. The variance does not specify the exact septic system type or layout, only that each property must be served by an NSF 245 denitrifying system. All other setbacks and regulations must be met during the plan review and construction phase.

The case was heard at the March 5, 2026, SWS Board meeting where the SWS Board voted to recommend approval of the variance to the DBOH. They accepted staff's recommended conditions and added an additional condition requiring the property owner to conduct some additional groundwater sampling before and after installation. This information will be provided to the NNPH to assist with evaluating the function of the system and whether the model accurately predicted the potential impact. This in turn will help evaluate any future proposals and variance requests in this area.

Attached to this staff report are the draft minutes from the SWS Board meeting and the complete variance application packet.

### **FISCAL IMPACT**

There is no fiscal impact should the Board uphold the recommendation of the SWS Board to approve the variance request. All applicable permit fees will be assessed, and permits will not be granted if they are not paid.

Date: March 26, 2026

Subject: Recommendation uphold #H26-0001VARI decision of the Sewage Wastewater and Sanitation Hearing Board

Page: 3 of 3

### **RECOMMENDATION**

Staff recommends the Board uphold the decision of the SWS Board to approve variance #H26-0001VARI, allowing a reduced lot size for a second parcel map on a lot created after October 23, 2001, Parcel 038-280-67, 430 River Pines, Washoe County, NV with no additional conditions.

### **ALTERNATIVE**

Should the Board wish to consider an alternative to upholding the Staff recommendation, as presented, possible alternatives are:

1. The Board may decide to not uphold the decision of the SWS Board to approve variance #H26-0001VARI.
2. The Board may decide to modify the decision of the SWS Board to approve variance #H26-0001VARI with any conditions as they see fit.

### **POSSIBLE MOTION(s)**

Should the Board agree with Staff's recommendation, the motion would be:

1. "Move to uphold the decision of the SWS Board to approve variance #H26-0001VARI, with no additional conditions.

Or, should the Board consider an alternative, the possible motions may be:

2. "Move to modify the decision of the SWS Board in the following manner:"

Or

3. "Move to reverse the decision of the SWS Board"

Or

4. "Move to refer the variance back to the SWS Board for further additional consideration."