

Subject: Please share with [REDACTED]
From: Webb, Bob (bwebb@washoecounty.us)
To: doctoe@att.net;
Cc: EKrause@washoecounty.us;
Date: Tuesday, April 3, 2018 8:02 AM

Debbie:

The NRS section that enables the City of Reno to establish a sphere of influence (SOI) and then to exert planning and building authority (outside of its municipal boundary) within that SOI is below.

NRS 278.02788 Adoption of master plan for sphere of influence; appeal of decision concerning use of land within sphere of influence.

1. If a city has a sphere of influence that is designated in the comprehensive regional plan, the city shall adopt a master plan concerning the territory within the sphere of influence. The master plan and any ordinance required by the master plan must be consistent with the comprehensive regional plan. After adoption and certification of a master plan concerning the territory within the sphere of influence and after adopting the ordinances required by the master plan, if any, the city may exercise any power conferred pursuant to NRS 278.010 to 278.630, inclusive, within its sphere of influence.
2. If the comprehensive regional plan designates that all or part of the sphere of influence of a city is a joint planning area, the master plan and any ordinance adopted by the city pursuant to subsection 1 must be consistent with the master plan that is adopted for the joint planning area.
3. Before certification of the master plan for the sphere of influence pursuant to NRS 278.028, any action taken by the county pursuant to NRS 278.010 to 278.630, inclusive, within the sphere of influence of a city must be consistent with the comprehensive regional plan.
4. A person, county or city that is represented on the governing board and is aggrieved by a final determination of the county or, after the certification of the master plan for a sphere of influence, is aggrieved by a final determination of the city, concerning zoning, a subdivision map, a parcel map or the use of land within the sphere of influence may appeal the decision to the regional planning commission within 30 days after the determination. A person, county or city that is aggrieved by the determination of the regional planning commission may appeal the decision to the governing board within 30 days after the determination. A person, county or city that is aggrieved by the determination of the governing board may seek judicial review of the decision within 25 days after the determination.

(Added to NRS by 1991, 1731; A 2013, 3218; 2015, 315)

The legal mechanism to enable the City to exert its influence within its SOI was established in an interlocal agreement established between the City of Reno and the County in early 2003 (a similar agreement exists between the County and the City of Sparks). The other documents are maps amending the Reno SOI over the past several years.

As you can read in the NRS section, the SOI is actually established in the Truckee Meadows Regional Plan. That document provides the geographic boundaries of the SOI and sets the future expansion boundary of the City. The SOI equals the Truckee Meadows Service Area (TMSA). Within the TMSA, the City can 1) exert planning and building authority according to the interlocal agreement prior to annexation and 2) annex territory within the TMSA without property owner consent or without being contiguous to its municipal boundaries. The current TMSA is found in the Truckee Meadows Regional Plan which is located on the internet at http://www.tmrpa.org/files/Regional%20Plan_2012%20Regional%20Plan%20version%2011.pdf, and the maps are found at <http://tmrpa.org/tmrpa-maps/> (see map 1).

As to the lawsuits, I am not familiar with the actual citations of the lawsuits nor their actual outcomes. I would suggest contacting the District Attorney Civil Division at 337-5700 with a public records request for any regional planning lawsuits since 2003 involving the County and the City of Reno and/or the City of Sparks.

I'll call later, but this is the information you need to answer your inquiry.

Bob Webb

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Attachments

- Reno Exert SOI March 2008 map.pdf (3.03MB)
- Reno Exert SOI March 2008.pdf (26.57KB)
- Reno exert SOI, Rilite parcel, Dec 22 2017.pdf (1.16MB)
- Reno Agreement.pdf (5.38MB)
- Reno Exert SOI February 2003.pdf (509.13KB)
- image002.png (10.46KB)