

TRUCKEE MEADOWS REGIONAL PLANNING - FACT SHEET



Settlement Agreement – Regional Plan Lawsuit

Overview

Shortly after the 2002 Truckee Meadows Regional Plan was adopted by the Regional Planning Governing Board (May 9, 2002), the Board of Washoe County Commissioners and the Sun Valley General Improvement District (SVGID) filed a writ of mandamus in the Second Judicial District Court against the Regional Planning Governing Board, to prohibit the implementation of the Regional Plan.

The case of *Washoe County and the Sun Valley General Improvement District vs. the Truckee Meadows Regional Planning Governing Board* is commonly referred to as the Regional Plan lawsuit.

The case was assigned to Chief Judge James W. Hardesty, Second Judicial District Court. In September, 2002, Judge Hardesty sought agreement from all of the parties to the case to participate in a mediated settlement. The settlement negotiations took place in the fall of 2002 and after approximately four weeks of discussions, all parties agreed to abide by the Regional Plan lawsuit Settlement Agreement (Settlement Agreement).

The Settlement Agreement is effective as of October 17, 2002, and calls for a number of tasks to be completed by the parties within 120 days of settlement (February 14, 2003) or 240 days from settlement (June 13, 2003).

Parties To The Settlement Agreement

The parties to the case include Washoe County (petitioner), the Sun Valley General Improvement District (petitioner), the Truckee Meadows Regional Planning Governing Board (respondent), City of Reno (intervener), City of Sparks (intervener), and a number of Verdi property owners (interveners).

Summary Of The Settlement Agreement

In broad terms, the Settlement Agreement calls for the following:

- Rollback of the City of Reno and City of Sparks spheres of influence in a number of areas around the region;
- Rollback of the Truckee Meadows Service Areas (the area where municipal services will be provided over the next 20 years) from Washoe Valley;
- Agreement on a cooperative planning approach for areas of common planning concern including the newly expanded city spheres of influence and unincorporated Washoe County areas that the cities have a planning interest in;
- Identification of cooperative planning areas and development of cooperative planning criteria; and
- A number of Regional Plan amendments.

Key Elements Of The Settlement Agreement

The following is a summary of the key elements of the Settlement Agreement:

Adjustments to City Spheres of Influence and the Truckee Meadows Service Areas

The parties to the Settlement Agreement agree to specific rollbacks of the spheres of influence of both the City of Reno and the City of Sparks in a number of areas around the region. A map of these changes may be obtained by contacting the Truckee Meadows Regional Planning Agency (Telephone: 321-8385).

In addition, the parties agreed to remove the Truckee Meadows Service Areas (TMSA) from Washoe Valley and expand the TMSA to include nine parcels north of Sun Valley.

Cooperative Planning

A central element of the Settlement Agreement is the identification of cooperative planning areas in the region and the development of cooperative planning criteria. The newly expanded spheres of influence for both the City of Reno and the City of Sparks will be classified as cooperative planning areas. In these areas, the master planned land use and zoning of Washoe County will be used as a baseline for development. Should a City wish to change the master planned land use and zoning as translated from the County system, a number of cooperative planning criteria must be met in order to proceed with the changes.

In addition, the Settlement Agreement identifies areas of the unincorporated County that have the potential to affect service provision, infrastructure efficiency and natural resource management in the two cities. These areas are also identified as cooperative planning areas. Where Washoe County wishes to change its master plan in these areas, the County must allow the cities the opportunity to review and comment on the impacts of the changes.

The Settlement Agreement requires the development and agreement upon the cooperative planning criteria within 120 days of finalization of the Settlement Agreement (Due Date: February 14, 2003).

The Settlement Agreement requires a review of the boundaries of the cooperative planning areas be undertaken and final sign-off on the boundaries within 240 days of finalization of the Settlement Agreement (Due date: June 13, 2003).

Regional Plan Amendments

The Settlement Agreement requires the Regional Planning Commission and Regional Planning Governing Board to adopt a series of 2002 Regional Plan Amendments consistent with the Settlement Agreement. The amendments include changes to the spheres of influence and Truckee Meadows Service Areas noted above and a number of policy adjustments. The policy changes include enabling language supporting cooperative planning, clarifying language indicating that the Regional Plan is resource constrained, an amendment regarding existing zoning outside the TMSA, and changes to the language governing future amendments to the Regional Plan and conformance review standards.

Review of the Settlement Agreement

The Settlement Agreement may be amended by mutual agreement of the parties, subject to supervision of the District Court, and will be reviewed before adoption of the next five year update of the Truckee Meadows Regional Plan.

Further Reading:

- 2002 Truckee Meadows Regional Plan (available by calling TMRPA at 321-8385 or online at www.tmrpa.org)
- Regional Plan Lawsuit Settlement Agreement (available by calling TMRPA at 321-8385 or online)
- Fact Sheets are also available on the following related topics:
 - Regional Planning In The Truckee Meadows
 - Settlement Agreement - Regional Plan Lawsuit

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