



Regional Plan Amendments

FACT SHEET

OVERVIEW

Chapter 278 of the *Nevada Revised Statutes* (NRS), the Regional Planning Governing Board (RPGB) *Regulations on Procedure*, and Module 4 of the Truckee Meadows Regional Plan (Regional Plan) defines the process for conducting amendments to the Truckee Meadows Regional Plan.

WHO CAN INITIATE AN AMENDMENT TO THE REGIONAL PLAN?

NRS 278.0272 (7) states “Amendments to the comprehensive regional plan may be proposed only by the regional planning commission, the governing board, or a local governing body” (Reno, Sparks and Washoe County).

The action of proposing an amendment to the Regional Plan is also referred to as “sponsoring” an amendment.

WHAT TRIGGERS AN AMENDMENT TO THE REGIONAL PLAN?

There are a number of triggers that initiate an amendment to the Regional Plan, these include:

5 year update - NRS 278.0272(7) requires the Regional Planning Commission (RPC) to update the Regional Plan not less than every five (5) years and forward proposed amendments to the RPGB for adoption.

The last two update processes have taken as much as 18 months to complete with numerous public meetings.

Annual review - NRS 278.0272(7) also requires the RPC to conduct an annual review of the Regional Plan and forward any proposed amendments to the RPGB for adoption.

The annual review process utilizes information contained in the annual reports of local governments prepared pursuant to NRS 278.0286, and submitted to the RPC and RPGB. The annual reports include information on progress to implement the Regional Plan in the last year and plans for implementation in the following year.

In addition, the RPC holds a public hearing in late summer/early fall to receive input from stakeholders, and other interested parties on possible amendments to the Regional Plan.

Following the hearing and the review of local government annual reports, the RPC deliberates on the need for amendments to the Regional Plan and takes action to sponsor any amendments it deems necessary.

Request from a sponsoring body - Pursuant to NRS 278.0272 (8), and the RPGB *Regulations on Procedure*, Section II.A.5(a), the RPC may consider a proposed Regional Plan amendment at any time, if it finds that the proposed amendment is necessary to the health and welfare of the community, or substantially benefits the community in general.

The amendments must be sponsored by the RPC, RPGB or a local governing body.

Statutory changes - As legislative changes occur to Chapter 278, Sections 278.026 - 029, amendments to the Regional Plan may be required to fulfill the revised requirements of state law.

Truckee Meadows Regional Planning Agency staff monitor each Legislative Session and provide a final report to the RPC and RPGB on changes that will necessitate a

Regional Plan amendment.

The RPC or RPGB provides direction to staff to initiate the Regional Plan amendments in a timely manner, work with the appropriate stakeholders to develop the appropriate policy or mapping changes, and agendize the item for sponsorship, and ultimately the required public hearings.

Private Property Owner Request to amend the Truckee Meadows Service Areas (TMSA) -

The Truckee Meadows Service Areas (TMSA) is the defined area within which municipal services and infrastructure will be provided. The purpose of the TMSA is to guide urban and suburban development and ensure the orderly provision of services and infrastructure, to encourage the use and maintenance of existing infrastructure to support infill and new development, and guide urban and suburban development away from unsuitable areas. The Regional Plan recognizes that from time to time the boundaries of the TMSA may need to be adjusted.

The RPGB *Regulations on Procedure* establish a process that allows private property owners to approach either the local governments or the RPC and request that one of these bodies sponsor or initiate an amendment to the Regional Plan. It is at the discretion of each of the governing bodies to determine the merits of the request before taking action to initiate the amendment. Once the amendment has been initiated, the RPC will conduct a thorough analysis of the merits of the request and hold the required public hearings before making a recommendation to the RPGB for adoption.

THE AMENDMENT PROCESS

NRS establishes the broad framework for conducting amendments to the Regional Plan. In addition, the RPGB *Regulations on Procedure* (Section II), and Module 4 of the Regional Plan provide procedures, guidelines, and criteria for the evaluation of Regional Plan amendments. Combined these documents provide the process for conducting amendments to the Regional Plan.

In simple terms the process generally follows this pattern:

- an amendment is triggered by one of the events listed earlier in this fact sheet;
- one of the 5 allowed bodies sponsors an amendment;
- stakeholders may be invited to participate in the amendment process if they have not already participated to this point;
- the amendment is reviewed by Truckee Meadows

Regional Planning Agency staff and is scheduled for a public hearing before the RPC. TMRPA staff prepare a staff report and recommendations for the RPC's consideration;

- the RPC holds at least one public hearing to receive public input. In some cases the RPC will hold three public hearings, one in each of the three local government jurisdictions;
- the RPC deliberates and either continues the item to address issues, or recommends approval, denial, or modification of the request to the RPGB;
- TMRPA staff schedules a hearing before the RPGB, and prepares a staff report to accompany the amendment; and,
- the RPGB conducts a public hearing to receive input, deliberates and may adopt, deny or modify the Regional Plan amendment.

If the amendment is modified by the RPGB, it must return the amendment to the RPC and begin the public hearing process again.

PUBLIC NOTIFICATION

NRS 278.0272(9) provides the guidance for the public notification required for a Regional Plan amendment. When processing a Regional Plan amendment, the RPC and RPGB place a display advertisement in both the Reno Gazette-Journal and the Sparks Tribune that is at least 3" x 5" in size that states the time and place of each hearing, and describes the amendments that are being considered. For five-year updates to the Regional Plan, the RPC and RPGB place the display advertisements in the newspapers at least 30 days in advance of the day of the hearing.

APPEALS

NRS 278.0272 (8) provides an appeal process for any person to appeal a determination of the RPC regarding proposed amendments deemed necessary for public benefit, health, or welfare. In addition, the RPGB *Regulations on Procedure* (Section I) establish a procedure for appeals regarding RPC determinations on Regional Plan amendments, and NRS 278.0235 establishes the requirements for seeking judicial review of RPGB determinations on Regional Plan amendments.

FOR MORE INFORMATION ON THIS TOPIC CONTACT:



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