A MORATORIUM RESOLUTION OF THE RENO CITY COUNCIL
&
THE WASHOE COUNTY BOARD OF COMMISSIONERS*

WHEREAS, Lemmon Valley covers about 93 square miles that includes lands within the municipal boundary of the City of Reno and unincorporated areas of Washoe County;

WHEREAS, Lemmon Valley consists of two adjacent hydrographic basins, Lemmon Valley - Western Part, containing Silver Lake, and Lemmon Valley – Eastern Part, containing Swan Lake;

WHEREAS, years of urbanization in Lemmon Valley have led to an increase in impermeable areas and alteration to the natural landscape of channels that carry storm water run-off from higher elevation areas that rim the valley into the two lakes;

WHEREAS, the two sanitary sewer systems operated by the City of Reno and Washoe County to serve the general Lemmon Valley area discharge treated effluent into Swan Lake and/or have sludge ponds within historic lake boundaries;

WHEREAS, the winters of 2017 and 2019 both involved levels of high precipitation illustrating the complexity of the Lemmon Valley watershed, and reaffirming that playa lakes which have low permeability lake-bottoms do not readily allow water to percolate and drain over time;

WHEREAS, the natural boundaries of the lakes have been encroached upon by development so that the lakes are no longer able to expand in surface area in response to natural or artificial inflows without impacts to the public and private property;

WHEREAS, private homes, public infrastructure and the health and safety of the general public to live, work, travel and do business has been compromised by the resultant flooding situation of overfull Silver and Swan Lakes;

WHEREAS, the City of Reno and Washoe County have broad powers to regulate land development and to take measures to ensure that storm water run-off and increased sanitary sewer demand resulting in increased effluent will not negatively impact Lemmon Valley;

WHEREAS, there is a need to understand how to alleviate the current Lemmon Valley flooding, minimize the recurrence of flooding, and ensure public infrastructure is available to serve existing and planned development; NOW THEREFORE

*DRAFT PROPOSAL PREPARED BY RENO CITY COUNCIL MEMBER JENNY BREKhiUS–APRIL 29, 2019
BE IT ORDAINED BY THE RENO CITY COUNCIL AND THE WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS THAT IT IS NECESSARY AND ESSENTIAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PUBLIC TO ADOPT A MORATORIUM DESCRIBED HEREIN FOR A PERIOD OF ONE YEAR FROM THE ENACTMENT OF THIS RESOLUTION FOR THE PURPOSES OF STUDY, ADOPTION OF LAND PLANS AND REGULATIONS, IMPLEMENT FINANCING OF PUBLIC INFRASTRUCTURE AND/OR CONSTRUCT PUBLIC IMPROVEMENTS AND OTHER MEASURES THAT MAY BE NECESSARY.

SECTION 1. Development Activities Subject to Moratorium: No building permit (including grading, site work or structural) with the exception of that for existing single-family residences, that for public facilities constructed by public agencies, tenant improvements to existing buildings and remodels, shall be issued for any property within the boundaries of Lemmon Valley (see attached map).

SECTION 2. Effluent Restricted. No building permit shall be issued for any development that results in an increase in effluent discharge to Swan Lake with the exception of that deemed necessary to by the respective Community Development Director to address immediate public and private safety needs, such as in the instance of a failed private septic system requiring immediate sewer service hook up.

SECTION 3. Water Connections Restricted. No building permit requiring new connections to a water source, including a private well or any private or public water system, whether or not regulated by the Nevada Public Utilities Commission, shall be approved with the exception of that deemed necessary by the respective Community Development Director to address immediate public or private safety needs, or one deemed essential by a public agency for a public purpose.

SECTION 4. Applications Not Accepted. During the moratorium period there shall be no acceptance of the following development applications for private development activity: Regional Plan Amendments, Master Plan Amendments, Zoning Map Amendments and Tentative Subdivision Maps.

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Figure 1. Physiographic map of Lemmon Valley – Western Part (Hydrographic Basin 7-092A) and Lemmon Valley - Eastern Part (Hydrographic Basin 7-092B). Source: NV State Engineer, 2015

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