



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: March 10, 2020

**DATE:** January 24, 2020

**TO:** Board of County Commissioners

**FROM:** Eric Young, Senior Planner, Community Services Department  
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**THROUGH:** Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building Community Services Dept., 328-3619, [mhauenstein@washoecounty.us](mailto:mhauenstein@washoecounty.us)

**SUBJECT:** Introduce and conduct a first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), replacing Article 220, *Tahoe Area Plan modifiers* with two new articles, Article 220 *Tahoe Area Plan modifiers* and article 220.1 *Tahoe Area Design Standards*. These amendments are meant to ensure the express conformance of Washoe County's plans with the 2012 Regional Plan adopted by the Tahoe Regional Planning Agency (TRPA) and are generally not intended to increase densities or intensities beyond what is currently permitted by the Regional Plan. The changes include but are not limited to the following: Adopting the TRPA's permissible uses set forth in TRPA Regional Plan Chapter 21, *Permissible Uses*, in lieu of Washoe County's allowed uses set forth in Article 302 of the Washoe County Development Code; Adopting design standards that are in conformance with the requirements set forth in the TRPA Regional Plan Chapter 13 *Area Plans* and Chapter 36 *Design Standards*; Adopting development standards that are consistent with the developments standards set forth in the TRPA Regional Plan; Adopting neighborhood plans utilizing the boundaries and allowed uses of TRPA's plan area statements and community plans in lieu of Washoe County's regulatory zones set forth in Article 106 of the Washoe County Development Code; and including the Washoe County Planning Commission's direction to expand an available density incentive from only memory care only to all residential care and nursing care uses; and other matters necessarily connected therewith and pertaining thereto. If supported, set the public hearing for second reading and possible adoption of the Ordinance for March 24, 2020. (All Commission Districts.)

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### SUMMARY

Introduction and first reading of an ordinance updating Washoe County Code Chapter 110, Development Code, by replacing Article 220 Tahoe Area Plan modifiers with two new articles, Article 220 Tahoe Area Plan modifiers and Article 220.1 Tahoe Area

AGENDA ITEM # \_\_\_\_\_

Design Standards. These development code updates are part of a comprehensive package of amendments that include master plan (Tahoe Area Plan) amendments and regulatory zone amendments intended to bring Washoe County's planning and development policies and codes into conformance with the 2012 Tahoe Regional Planning Agency's Regional Plan.

Washoe County Strategic Objective supported by this item: Stewardship of our community.

### **PREVIOUS ACTION**

On February 4, 2020, the Washoe County Planning Commission heard this item, initiated the code amendment, and voted five (5) in favor with one (1) dissent (Commissioner Bruce) to recommend approval of the proposed development code amendment WDCA19-0007 to the Board of County Commissioners (see Attachment C, Draft Minutes February 4, 2020 PC Meeting).

### **BACKGROUND**

The proposed development code amendment (WDCA19-0007) is one component of a group of related amendments that also includes amendments to the Tahoe Planning Area Master Plan and the Tahoe Planning Area Regulatory Zone Map. Taken as a whole these three amendments are commonly referred to as the Tahoe Area Plan Update. The Tahoe Area Plan Update was necessitated by the adoption of the Tahoe Regional Planning Agency's 2012 Regional Plan. The three proposed amendments represent a multi-year effort to review and update our planning documents and ultimately come into conformance with the TRPA regional plan. This staff report is to support the first reading of the ordinance that regards WDCA19-0007 (Development Code Amendment), the development code amendment. When this amendment comes forward for a second reading and possible adoption, it will be accompanied on the agenda by WMPA19-0007 (Master Plan Amendment), and WRZA19-0007 (Regulatory Zone Map Amendment), the two complementary amendments that complete the update package. The package of amendments is not intended to increase the density or intensity of uses beyond what is currently permitted by the TRPA Regional Plan.

The Planning Commission heard all three proposed amendments during the same public hearing. The Planning Commission staff report, attached here as Attachment B, discusses each amendment in detail as well as the relationship between the three amendments (WDCA, WMPA, WRZA.) The Planning Commission resolution, which includes the proposed ordinance, is attached as Attachment A to this staff report.

### **FISCAL IMPACT**

No fiscal impact.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners introduce and conduct a first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), replacing Article 220, Tahoe Area Plan modifiers with two new

articles, Article 220 Tahoe Area Plan modifiers and article 220.1 Tahoe Area Design Standards. These amendments are meant to ensure the express conformance of Washoe County's plans with the 2012 Regional Plan adopted by the Tahoe Regional Planning Agency (TRPA) and are generally not intended to increase densities or intensities beyond what is currently permitted by the Regional Plan. The changes include but are not limited to the following: Adopting the TRPA's permissible uses set forth in TRPA Regional Plan Chapter 21, Permissible Uses, in lieu of Washoe County's allowed uses set forth in Article 302 of the Washoe County Development Code; Adopting design standards that are in conformance with the requirements set forth in the TRPA Regional Plan Chapter 13 Area Plans and Chapter 36 Design Standards; Adopting development standards that are consistent with the developments standards set forth in the TRPA Regional Plan; Adopting neighborhood plans utilizing the boundaries and allowed uses of TRPA's plan area statements and community plans in lieu of Washoe County's regulatory zones set forth in Article 106 of the Washoe County Development Code; and including the Washoe County Planning Commission's direction to expand an available density incentive from only memory care only to all residential care and nursing care uses; and other matters necessarily connected therewith and pertaining thereto. If supported, set the public hearing for second reading and possible adoption of the Ordinance for March 24, 2020.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to Introduce and conduct a first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), replacing Article 220, Tahoe Area Plan modifiers with two new articles, Article 220 Tahoe Area Plan modifiers and article 220.1 Tahoe Area Design Standards. These amendments are meant to ensure the express conformance of Washoe County's plans with the 2012 Regional Plan adopted by the Tahoe Regional Planning Agency (TRPA) and are generally not intended to increase densities or intensities beyond what is currently permitted by the Regional Plan. The changes include but are not limited to the following: Adopting the TRPA's permissible uses set forth in TRPA Regional Plan Chapter 21, Permissible Uses, in lieu of Washoe County's allowed uses set forth in Article 302 of the Washoe County Development Code; Adopting design standards that are in conformance with the requirements set forth in the TRPA Regional Plan Chapter 13 Area Plans and Chapter 36 Design Standards; Adopting development standards that are consistent with the developments standards set forth in the TRPA Regional Plan; Adopting neighborhood plans utilizing the boundaries and allowed uses of TRPA's plan area statements and community plans in lieu of Washoe County's regulatory zones set forth in Article 106 of the Washoe County Development Code; and including the Washoe County Planning Commission's direction to expand an available density incentive from only memory care only to all residential care and nursing care uses; and other matters necessarily connected therewith and pertaining thereto.

Also, introduce Bill Number (insert bill number as provided by the County Clerk) and set the public hearing for second reading and possible adoption of the Ordinance for March 24, 2020.”

Attachments: A - Planning Commission Signed Resolution 20-08  
B - Planning Commission Staff Report for WDC19-0007  
C - Draft Minutes February 4, 2020 PC Meeting  
D - Draft Ordinance for WDC19-0007