



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

**BOARD MEETING DATE:** September 11, 2018

**DATE:** August 10, 2018

**TO:** Board of County Commissioners

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**THROUGH:** Mojra Hauenstein, Arch., Planner, Division Director, Planning &  
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**SUBJECT:** Public Hearing: Second reading and adoption of an ordinance amending Washoe County Code Chapter 110 (Development Code) within Article 302, *Allowed Uses*, Table 110.302.05.2, Table of Uses (Civic Use Types), specifying that Private School Facilities will be allowed with a Board of Adjustment special use permit in all regulatory zones except industrial and open space and that Public School Facilities will be allowed in all regulatory zones except industrial and open space with no special use permit required; within Article 304, *Use Classification System*, Section 110.304.20, Civic Use Types, to add to the definition of Education the sub-definitions of Private School Facilities and Public School Facilities. (All Commission Districts.)

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### **SUMMARY**

To conduct a second reading of, and possibly adopt, an ordinance amending Washoe County Code Chapter 110 within Table 110.302.05.2, Table of Uses (Civic Use Types) adding Private School Facilities and Public School Facilities; and adding to Section 110.304.20, Civic Use Types definitions for Private School Facilities and Public School Facilities.

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

### **PREVIOUS ACTION**

On August 28, 2018, the Washoe County Board of Commissioners (Board) introduced and conducted a first reading of an ordinance amending Washoe County Code Chapter 110 Table 110.302.05.2, Table of Uses (Civic Use Types) adding Private School Facilities and Public School Facilities; and Adding to Section 110.304.20, Civic Use Types definitions for Private School Facilities and Public School Facilities.

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

On July 3, 2018 the Washoe County Planning Commission voted unanimously to recommended approval of proposed development code amendment WDCA18-0002.

On April 3, 2018, the Washoe County Planning Commission had heard this item and recommended initiation and approval. However, the definition of Education, Section 110.304.20, to be amended with the following wording, “This use type does not refer to home schooling of children who live on-site” was not included in the noticing. Legal counsel recommended that the amendment be re-heard by the Planning Commission. The item was re-noticed, another public workshop was held and then heard by the Planning Commission for review again.

### **BACKGROUND**

In 2013 the Washoe County Board of Commissioners approved an update to the Development Code 110 to implement AB87, which created common standards for development of public schools. Article 440, Public School Facilities Design Standards, was created to govern the development of public schools buildings, additions or alterations. Article 440 eliminated the need for a special use permit for public school facilities. However, Table of Uses 110.302.05.2, which regulates regulatory zones, was not updated and the Table of Uses currently requires a Special Use Permit for Education.

To fully implement AB87, staff is requesting to amend Table 110.302.05.2 and update Section 110.304.20. Under Education use type Private and Public School Facilities is proposed to be added to Table 110.302.05.2. A Special Use permit will be required for Private School Facilities and not for Public School Facilities. Section 110.304.20 will be updated clarifying that Education is not “referring to home schooling of children who live on-site” and with separate definitions for Private and Public School Facilities, to clarify the difference between the two school facilities types.

### **FISCAL IMPACT**

No fiscal impact.

### **RECOMMENDATION**

It is recommended the Board of County Commissioners conduct a second reading and adopt an ordinance amending Washoe County Code Chapter 110 (Development Code) within Article 302, Allowed Uses, Table 110.302.05.2, Table of Uses (Civic Use Types), specifying that Private School Facilities will be allowed with a Board of Adjustment special use permit in all regulatory zones except industrial and open space and that Public School Facilities will be allowed in all regulatory zones except industrial and open space with no special use permit required; within Article 304, Use Classification System, Section 110.304.20, Civic Use Types, to add to the definition of Education the sub-definitions of Private School Facilities and Public School Facilities; and to address other matters necessarily connected therewith and pertaining thereto.

It is further recommended that the Board affirm the four findings of fact that the Washoe County Planning Commission made on July 3, 2018, as recorded within Resolution Number 18-18 (Attachment B).

If adopted, the Ordinance will be effective on September 21, 2018.

**POSSIBLE MOTION**

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

“Move to adopt Ordinance Number (insert ordinance number as provided by the County Clerk) amending Washoe County Code Chapter 110 (Development Code) within Article 302, Allowed Uses, Table 110.302.05.2, Table of Uses (Civic Use Types), specifying that Private School Facilities will be allowed with a Board of Adjustment special use permit in all regulatory zones except industrial and open space and that Public School Facilities will be allowed in all regulatory zones except industrial and open space with no special use permit required; within Article 304, Use Classification System, Section 110.304.20, Civic Use Types, to add to the definition of Education the sub-definitions of Private School Facilities and Public School Facilities; and to address other matters necessarily connected therewith and pertaining thereto; and to affirm the four findings of fact that the Washoe County Planning Commission made on July 3, 2018, as recorded with Resolution Number 18-18 and attached to the staff report for this item.”

Attachments: A – Proposed Ordinance  
B – Planning Commission Signed Resolution  
C – Planning Commission Staff Report  
D – Planning Commission Minutes