



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: January 26, 2021

DATE: January 6, 2021

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 &
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SUBJECT: Public Hearing: Second reading and adoption 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 development 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 memory care only to all residential care and nursing care uses; and other matters necessarily connected therewith and pertaining thereto.

The ordinance was introduced and a first reading was conducted on March 10, 2020. (All Commission Districts.)

SUMMARY

Second reading and adoption 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 March 24, 2020, this item was scheduled to be heard by the Board of County Commissioners. The meeting was cancelled due to COVID-19 restrictions.

On March 10, 2020, the Board of Commissioners conducted a first reading of the proposed ordinance and set the date for the second reading as March 24, 2020.

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, 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 express 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 generally 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.

The Tahoe Regional Plan requires that the newly adopted Development Code undergo a conformance review process in order to ensure it is consistent with the regional plan. This process is in conjunction with the associated Master Plan and Regulatory Zone

conformance review. The proposed development code will become effective upon a finding that the Area Plan as a whole is in conformance with the regional plan. Chapter 13.6.4 of the Tahoe Regional Plan states the following regarding conformance review:

“Approval of Area Plan by TRPA: For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers the goals and policies of the Regional Plan. This finding shall be referred to as a finding of conformance and shall be subject to the same voting requirements as approval of a Regional Plan amendment.”

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board hold the public hearing for the second reading and adoption 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 development 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 memory care only to all residential care and nursing care uses; and other matters necessarily connected therewith and pertaining thereto.

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) and set the effective date as April 15, 2021.”

Attachments: A - Planning Commission Signed Resolution 20-08
B - Planning Commission Staff Report for WDCA19-0007
C - Minutes February 4, 2020 PC Meeting
D – Draft Ordinance WDCA19-0007