



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: July 20, 2021

DATE: June 9, 2021

TO: Board of County Commissioners

FROM: Dan Cahalane, Planner, Planning and Building Division, Community Services Department, 328-3628, dcahalane@washoecounty.us

THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building, Community Services Dept., 328-3619, mhauenstein@washoecounty.us

SUBJECT: Public Hearing: Second reading and adoption of an ordinance amending the Washoe County Code at Chapter 110 (Development Code) within Articles 304 and 902 by amending various definitions in order to better define the Continuum of Care Facility use type as a commercial use type; clarify that the application of residential density does not apply to Continuum of Care Facilities; specifically exempt Continuum of Care Facilities from the definition of “dwelling” and “dwelling unit”; and create a definition for Continuum of Care Unit; and other matters necessarily connected therewith and pertaining thereto. (All Commission Districts.)

SUMMARY

The Washoe County Board of County Commissioners (Board) is asked to hold the second reading and adoption of an ordinance amending the Washoe County Code Chapter 110 (Development Code) within Articles 304 and 902 by amending various definitions in order to better define the Continuum of Care Facility use type as a commercial use type; clarify that the application of residential density does not apply to Continuum of Care Facilities; specifically exempt Continuum of Care Facilities from the definition of “dwelling” and “dwelling unit”; and create a definition for Continuum of Care Unit.

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

PREVIOUS ACTION

On June 8, 2021, the Board held the first reading of an ordinance (Bill no. 1859) amending the Washoe County Code Chapter 110 (Development Code) within Articles 304 and 902 by amending various definitions in order to better define the Continuum of Care Facility use type as a commercial use type; clarify that the application of residential density does not apply to Continuum of Care Facilities; specifically exempt Continuum of Care Facilities from the definition of “dwelling” and “dwelling unit”; and create a definition for Continuum of Care Unit; and set the public hearing for second reading and possible adoption of the ordinance for July 13, 2021. The meeting was postponed to July 20, 2021.

AGENDA ITEM # _____

On May 4, 2021, the Washoe County Planning Commission (PC) reviewed the proposed changes to Washoe County Code Chapter 110, Articles 304 and 902, and voted unanimously to recommend approval of Development Code Amendment WDCA21-0003 with no modifications.

On March 10, 2021, staff conducted a neighborhood meeting to solicit public feedback on the proposed language.

BACKGROUND

Washoe County is experiencing increased demand for Continuum of Care Facilities use types. However, the increased demand has revealed contradictions between the residential densities allowed in regulatory zones where the Continuum of Care Facilities use type is permissible with an approved Special Use Permit.

The proposed development code amendment rectifies this contradiction by clarifying the definition of Continuum of Care Facilities use types and the application of residential density to commercial use types.

Proposed Amendments

The proposed code amendments for Chapter 110 (Development Code), Articles 304 and 902, have been provided in Attachment A and is summarized below:

Article 304 Use Classification System:

- Removal of residential density from the definition of Continuum of Care Facilities, Seniors.
- Specifying the commercial nature of Continuum of Care Facilities and the types of services that a facility must have to be classified as a Continuum of Care Facility.

Article 902 Definitions:

- Clarification that “Density” and “Residential Density” is applicable strictly to residential use types.
- Exclusion of Continuum of Care facilities from the definition of “Dwelling”.
- Clarification that the definition of “Dwelling Units” is applicable strictly to residential use types.
- Defining Continuum of Care Unit for use of regulating this activity.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board conduct a second reading and adopt the ordinance as provided as Attachment A.

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*) which sets forth an ordinance amending the Washoe County Code at Chapter 110 (Development Code) within Articles 304 and 902 by amending various definitions in order to better define the Continuum of Care Facility use type as a commercial use type; clarify that the application of residential density does not apply to Continuum of Care Facilities; specifically exempt Continuum of Care Facilities from the definition of “dwelling” and “dwelling unit”; and create a definition for Continuum of Care Unit; and other matters necessarily connected therewith and pertaining thereto.”

Attachments:

- A. Draft Ordinance (Working Copy)
- B. Draft Minutes of May 4, 2021 Planning Commission Meeting
- C. Planning Commission Signed Resolution 21-04
- D. Planning Commission Staff Report and Attachments for WDCA21-0003
- E. Draft Ordinance (Clean Copy)