



Attachment B

Planning Commission Action Order

Development Code Amendment Case Number WDCA25-0002 (Article 904)

Decision: **Approval with Conditions**
Decision Date: May 6, 2025
Mailing/Filing Date: May 9, 2025
Staff Planner: Julee Olander, Planner
Phone: 775.328.3627
E-Mail: jolander@washoecounty.gov

Development Code Amendment Case Number WDCA25-0002 (Article 904)– For hearing, discussion and possible action to initiate an amendment and approve a resolution to amend Washoe County Code Chapter 110 (Development Code), Article 904 Nonconformance, to revise the timeframe to obtain building permits for nonconforming uses of a structure and nonconforming structures that have been partially or totally destroyed; and to clarify the requirement for bringing a nonconforming use of land or nonconforming use of a structure into compliance with current development code provisions; and all matters necessarily connected therewith and pertaining thereto.

If the proposed amendments are initiated, the Planning Commission may recommend approval of the proposed ordinance as submitted, recommend approval with modifications based on input and discussion at the public hearing, or deny the proposed amendment if approval is recommended, the Planning Commission is asked to authorize the Chair to sign a resolution to that effect.

- Development Code: Authorized in Article 818, Amendment of Development Code
- Commission District: All Districts
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Notice is hereby given that the Washoe County Planning Commission granted approval with conditions of the above referenced case number based on the findings in accordance with Washoe County Code Chapter 110 (Development Code) Article 818, *Amendment of Development Code*. If no appeals have been filed within 10 calendar days after the Mailing/Filing date shown on this Action Order, the approval by the Washoe County Planning Commission is final. If filed, an appeal stays any further action on the permit until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912, *Establishment of Commissions, Boards and Hearing*

Examiners, of the Development Code. This decision is based on the ability to make at least one of the following four findings in accordance with Washoe County Code Section 110.818.15(e):

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed development code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed development code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within seven days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy or final approval shall not be issued until all of the Conditions of Approval (attached) are satisfied. Additionally, compliance shall be required with all federal, state and local statutes, ordinances, and regulations applicable to the approved project.

This Action Order does not authorize any development, to include building construction and grading, without the required permits from the Washoe County Planning and Building Division, Building Program.

Washoe County Community Services Department
Planning and Building Division



Trevor Lloyd
Secretary to the Planning Commission

TL/JO/BR

Subject: WDCA25-0002 (Article 904)
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Enclosure: Signed Resolution

xc: Dave Solaro, Assistant County Manager
Eric Crump, Community Services Department Director
Jennifer Gustafson, Deputy District Attorney
Kelly Mullin, Planning and Building Division Director



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

INITIATING AND RECOMMENDING APPROVAL OF AN AMENDMENT TO WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE) IN ARTICLE 904, NONCONFORMANCE, TO REVISE THE TIMEFRAME TO OBTAIN BUILDING PERMITS FOR NONCONFORMING USES OF A STRUCTURE AND NONCONFORMING STRUCTURES THAT HAVE BEEN PARTIALLY OR TOTALLY DESTROYED; AND TO CLARIFY THE REQUIREMENT FOR BRINGING A NONCONFORMING USE OF LAND OR NONCONFORMING USE OF A STRUCTURE INTO COMPLIANCE WITH CURRENT DEVELOPMENT CODE PROVISIONS; AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 25-04

WHEREAS

- A. Washoe County Code Section 110.818.05 requires that amendments to Washoe County Code Chapter 110 (Development Code) be initiated by resolution of the Washoe County Board of Commissioners or the Washoe County Planning Commission; and
- B. The Washoe County Planning Commission initiated amendments to Washoe County Code Chapter 110 (Development Code) in Article 904, Nonconformance, on May 6, 2025 as fully described in Exhibit A-1 to this resolution; and
- C. Development Code Amendment Case Number WDCA25-0001, came before the Washoe County Planning Commission for a duly noticed public hearing on May 6, 2025; and
- D. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Development Code Amendment; and
- E. Whereas, pursuant to Washoe County Code Section 110.818.15(e), the Washoe County Planning Commission made the following findings necessary to support its recommendation for adoption of the proposed Development Code amendment Case Number WDCA25-0001:
 - 1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;

2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Planning Commission recommends approval of the ordinance attached hereto as Exhibit A-1.

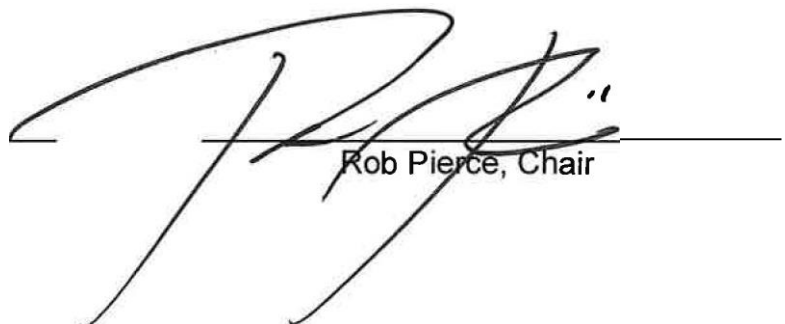
A report describing this amendment, discussion at this public hearing, this recommendation, and the vote on the recommendation will be forwarded to the Washoe County Board of County Commissioners within 60 days of this resolution's adoption date.

ADOPTED on May 6, 2025.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:


Trevor Lloyd, Secretary


Rob Pierce, Chair