



# WASHOE COUNTY

Integrity Communication Service

[www.washoecounty.gov](http://www.washoecounty.gov)

## STAFF REPORT

BOARD MEETING DATE: January 23, 2024

**DATE:** December 8, 2023

**TO:** Board of County Commissioners

**FROM:** Courtney Weiche, Senior Planner, Planning & Building Division, Community Services Dept., 328-3608, [cweiche@washoecounty.gov](mailto:cweiche@washoecounty.gov)

**THROUGH:** Kelly Mullin, AICP, Division Director, Planning & Building Division, Community Services Department, 328.3619, [kmullin@washoecounty.gov](mailto:kmullin@washoecounty.gov)

**SUBJECT:** Introduction and first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.275 (Wood Creek Regulatory Zone) to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone; and all matters necessarily connected therewith and pertaining thereto.

If supported, set the public hearing for second reading and possible adoption of the Ordinance for February 20, 2024. (All Commission Districts.)

---

### SUMMARY

This is an introduction and first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area). The requested code amendments are described in detail beginning on page 2 of this staff report. Additional analysis can be found in Attachment D, Planning Commission staff report.

Washoe County Strategic Objective supported by this item: Economic Impacts:  
Support a thriving community.

### PREVIOUS ACTION

November 7, 2023. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area, and voted unanimously to recommend approval of Development Code Amendment WDCA23-0001 to the Board.

### BACKGROUND

January 26, 2021. The Board of County Commissioners ("BCC") adopted a comprehensive package of amendments that amended the Washoe County Master Plan, Tahoe Area Plan (WMPA19-0007) and Tahoe Area Regulatory Zone Map (WRZA19-

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

0007) and Development Code Amendments (WDCA19-0007) 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.

May 26, 2021. The Tahoe Regional Planning Agency (“TRPA”) Governing Board adopted Washoe County’s Tahoe Area Plan and included Washoe County Development Code Articles 220 and 220.1 as part of this adoption.

June 8, 2023. The applicant submitted a Development Code Amendment application (WDCA23-0001) to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone.

September 27, 2023. The TRPA Regional Plan Implementation Committee (RPIC), a subcommittee of the TRPA Governing Board, held a duly noticed public meeting on the requested amendment for informational purposes only. The meeting allowed governing board members and the public the opportunity to provide comments and raise concerns before a formal vote is held in the future. TRPA received nearly 100 written public comments, approximately thirty-six (36) were in opposition and fifty-five (55) expressed support for the amendment. *See* Exhibit D - RPIC Staff Report and Public Comment to Attachment D PC Staff Report. No public (verbal) testimony was given in opposition and all RPIC members expressed support for the proposal with no notable concerns raised.

November 7, 2023. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area, and voted unanimously to recommend approval of Development Code Amendment WDCA23-0001 to the Board.

**Article 220 Amendments**

The following is a summary of the specific section of Article 220 requested for amendment:

**Section 110.220.275 Wood Creek Regulatory Zone.**

Add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres.

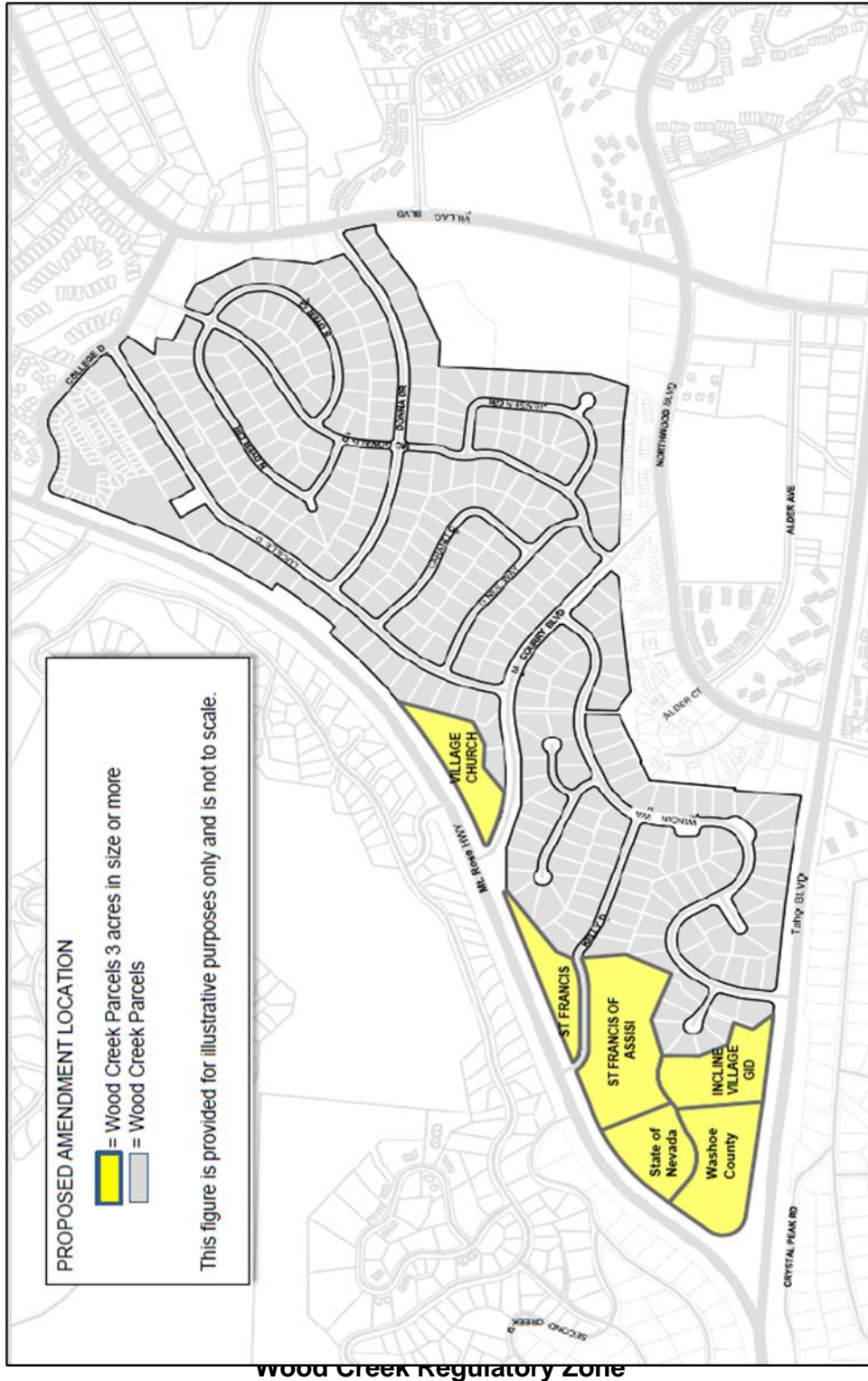
The proposed text amendment is shown in Bold **Red**.

**Section 110.220.275 Wood Creek Regulatory Zone.**

<b>WOOD CREEK REGULATORY ZONE</b>		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Single Family Dwelling	A	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	S	5 units per parcel
Public Service		

Schools – Kindergarten through Secondary*	S	
Local Public Health and Safety Facilities	S	
Transit Stations and Terminals	S	
Pipelines and Power Transmission	S	
Transmission and Receiving Facilities	S	
Transportation Routes	S	
Public Utility Centers	S	
Churches	S	
Day Care Centers/Pre-Schools	S	
Recreation		
Participant Sports Facilities	S	
Day Use Areas	A	
Riding and Hiking Trails	A	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Special Cut	A	
Thinning	A	
Early Successional Stage Vegetation Management	A	
Structural and Nonstructural Fish/Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment/Management	A	
Insect and Disease Suppression	A	
Sensitive and Uncommon Plant Management	A	
Erosion Control	A	
SEZ Restoration	A	
Runoff Control	A	
WOOD CREEK REGULATORY ZONE SPECIAL AREA		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
Privately Owned Assembly and Entertainment	S	
Public Service		
Same as General List, Plus:		
Regional Public Health and Safety Facilities	S	
Cultural Facilities	S	
Government Offices	S	
Local Assembly and Entertainment	S	
Recreation		
Same as General List, Plus:		
Sport Assembly	S	
Outdoor Recreation Concessions	A	
Rural Sports	S	
Visitor Information Center	S	
Resource Management		
Same as General List		

**\*On those parcels in size equal to, or greater than, three-acres.**



**Neighborhood Meeting**

On June 2, 2023, the applicant(s) held a neighborhood meeting at Saint Francis of Assisi located in Incline Village. Notice was sent to 198 separate property owners, 10 days prior to the meeting. Twenty people were in attendance. Public concerns voiced at the meeting

included traffic, noise, parking, environmental impacts, fire safety, and the potential negative impact to public schools. The applicant provided a summary of the neighborhood meeting and responses to public input, included as Exhibit D – Appendix 3 to Attachment D, Planning Commission Staff Report.

### **Planning Commission’s Findings**

Washoe County Code Section 110.818.15(e) required the Planning Commission to make **at least one** of the following findings of fact. The Planning Commission was able to make all four findings in support of the subject amendment.

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 allows for a more desirable utilization of land within the regulatory zones.
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.

### **FISCAL IMPACT**

No fiscal impact.

### **RECOMMENDATION FROM PLANNING COMMISSION**

The Planning Commission recommends that the Board of County Commissioners introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code) within Article 220, Tahoe Area. If supported, the Board is asked to set the public hearing for second reading and possible adoption of the Ordinance for February 20, 2024.

### **POSSIBLE MOTION**

Should the Board agree with Planning Commission’s recommendation, a possible motion would be:

“Move to introduce and conduct a first reading of Bill Number [insert Bill number provided by County Clerk], which is an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.275 Wood Creek Regulatory Zone to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater

than, three-acres within the Tahoe - Wood Creek Regulatory Zone; and all matters necessarily connected therewith and pertaining thereto.”

Further move to schedule a public hearing for the second reading and possible adoption of the ordinance for February 20, 2024.”

Attachments:

- A. Working Copy of Proposed Ordinance
- B. Clean Copy of Ordinance
- C. Planning Commission Resolution No. 23-16
- D. Planning Commission Staff Report and Exhibits
- E. Public Comment Received after Planning Commission Posting