



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: November 19, 2024

DATE: October 11, 2024

TO: Board of County Commissioners

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THROUGH: Kelly Mullin, AICP, Division Director, Planning & Building Division, Community Services Department, 328.3619, kmullin@washoecounty.gov

SUBJECT: Introduction and first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 310 Temporary Uses and Structures, to modify the administrative permit application requirements to occupy a travel trailer or recreational vehicle when necessary to temporarily care for the infirm, specifically by allowing nurse practitioners and physician's assistants, in addition to physicians, to sign the required affidavit identifying both the initial and subsequent annual need for on-premise care; and all matters necessarily connected therewith and pertaining thereto. And if supported, set a public hearing for the second reading and possible adoption of the ordinance for December 10, 2024. (All Commission Districts.) **FOR POSSIBLE ACTION**

SUMMARY

This is an introduction and first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 310 Temporary Uses and Structures, by revising provisions related to temporary occupancy for the care of the infirm. The requested code amendments are described in detail beginning on page 2 of this staff report. Additional analysis can be found in Attachment C, Planning Commission staff report.

Washoe County Strategic Objective supported by this item:

Vulnerable Populations: Expand appropriate housing options across community.

PREVIOUS ACTION

September 3, 2024. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code) and voted unanimously to recommend approval of Development Code Amendment

AGENDA ITEM # _____

WDCA24-0005 to the Board. In doing so, the Planning Commission made all of the following findings listed in 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 amendments allow for a more desirable utilization of land within the regulatory zones; and
4. No Adverse Affects. 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.

BACKGROUND

Washoe County Code has allowed the temporary use of a travel trailer or recreational vehicle for care of the infirm since 1998. Per Washoe County Code (“WCC”) Section 110.310.35, property owners can apply for an administrative permit to request approval for either an infirmed resident or their caretaker to temporarily reside in a travel trailer or recreational vehicle on a parcel with a single-family residence, so that the infirmed resident can receive necessary on-premise care. A recent increase in applications has revealed two existing challenges in the regulation: first, that it only allows a physician to sign the required affidavit attesting to the need for on-premise care; and second, that there is a lack of clarity regarding what is required for the annual renewal. To address these issues, these code amendments propose that physicians, physician’s assistants, and nurse practitioners all be allowed to sign the application affidavit, and specify that the annual renewal requires the submittal of a new affidavit attesting to the need for on-premise care. The primary goal of these amendments is to ensure a clearer and more accessible permitting process for applicants.

PROPOSED AMENDMENTS

The proposed text additions are show in **red bold**. All deletions are shown in ~~red-strike through~~. Only the modified subsection of code is shown.

Section 110.310.35 Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles.

- (g) Temporary Occupancy for the Care of the Infirm. One self-contained travel trailer or recreational vehicle may be temporarily occupied as a legal use when it is necessary for the care of an infirm resident on-site. This use is reserved for

properties containing a permanent single-family dwelling occupied by either the infirm person or the person responsible for the care of the infirm person. The self-contained travel trailer or recreational vehicle may be occupied by either the infirm person or the person responsible for the care of the infirm person. Prior to the establishment of this use, the requirements of Article 808, Administrative Permits, must be satisfied. The administrative permit application shall include a signed affidavit from a Nevada licensed physician, **nurse practitioner, or physician's assistant** identifying the need for such on-premise care. ~~The administrative permit must be renewed~~ **Once permitted, the applicant must provide a signed affidavit from a Nevada licensed physician, nurse practitioner, or physician's assistant** on an annual basis to ensure that the need for such on-premise care still exists. The travel trailer or recreational vehicle shall be located on the parcel to provide as much screening as practical from being viewed from the street. No discharge of any litter, sewage, effluent or other matter shall occur except into sanitary facilities designed to dispose of the material. Any temporary utility connections shall be to the satisfaction of the Washoe County Health District and the Building Program of the Planning and Building Division.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners introduce and conduct a first reading of the attached ordinance amending Washoe County Code Chapter 110 (Development Code), Article 310 Temporary Uses and Structures, by revising provisions related to temporary occupancy for the care of the infirm. If supported, the Board is asked to set the public hearing for second reading and possible adoption of the Ordinance for December 10, 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 310 Temporary Uses and Structures, by revising provisions related to temporary occupancy for the care of the infirm.

And further move to schedule a public hearing for the second reading and possible adoption of the ordinance for December 10, 2024.”

Attachments:

- A. Copy of Proposed Ordinance
- B. Planning Commission Resolution No. 24-18
- C. Planning Commission Staff Report for WDCA24-0005
- D. Draft of September 3, 2024 Planning Commission Minutes