



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: APRIL 14, 2026

**DATE:** March 13, 2026

**TO:** Board of County Commissioners

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**THROUGH:** Kelly Mullin, AICP, Division Director, Planning & Building Division, Community Services Department, (775)-328-3619, [kmullin@washoecounty.gov](mailto:kmullin@washoecounty.gov)

**SUBJECT:** Public Hearing: Second reading and possible adoption of an ordinance amending Washoe County Code Chapter 110 (Development Code) in Division Three—Regulation of Uses and Division Nine—General Provisions. These amendments include adding various sections within Article 336 Housing Incentives to establish an expedited review process for attainable housing projects and to establish an expedited process for projects which qualify as Tier 1-5 Affordable Housing. These amendments also include amending Section 110.902.15 to add and delete various definitions; and all matters necessarily connected therewith and pertaining thereto. This ordinance is part of a group of amendments the Board has identified as a top priority for implementation of the master plan. (All Commission Districts.) FOR POSSIBLE ACTION

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### **SUMMARY**

The Board is asked to hold a second reading and possibly adopt an ordinance amending Washoe County Code Chapter 110 (Development Code) to establish an expedited review process for qualified attainable housing projects and for affordable housing types, in compliance with AB 540. The proposed 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 our community.

### **PREVIOUS ACTION**

March 10, 2026. The Washoe County Board of County Commissioners (“BCC” or “Board”) conducted an introduction and first reading of the proposed ordinance for Development Code Amendment WDCA25-0012 (Attainable Housing Expedited Process).

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

February 3, 2026. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code) and voted 6-0 to recommend approval of Development Code Amendment WDCA25-0012 to the Board. In doing so, the Planning Commission made all four possible findings (only one is required) set forth in Washoe County Code Section 110.818.15(e), which are set forth below:

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; 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**

Housing affordability and attainability are identified in strategic planning and vision documents as one of the most pressing issues in Washoe County. Currently, 49.7% of renters in Washoe County are cost burdened (e.g. spend more than 30% of household income on housing costs). Challenges related to housing affordability are prevalent statewide which is why in the 2025 Legislative Session, the Nevada State Legislature adopted several bills related to housing provisions. Those bills included Assembly Bill 540 (AB 540), which attempts to address housing on many different fronts. The changes included modifications to affordable housing definitions and requirements for an expedited review processes for attainable housing projects and types. WDCA25-0012 proposes changes to comply with the updated state definitions and requirements.

## **PROPOSED AMENDMENTS**

Proposed changes occur in Division Three—Regulation of Uses and Division Nine—General Provisions. The changes are summarized below. A draft ordinance showing all code amendments is attached as Attachment A.

### **Article 336 Housing Incentives**

AB 540 requires development code changes to create expedited review processes for the following types of housing:

- “**Attainable housing projects**,” which are housing projects affordable to those with an area median income (AMI) of 150% and below AND receive funding from the Nevada Attainable Housing Account.
- Projects for “attainable housing,” which are housing projects affordable to those with an area median income (AMI) of 150% and below. These projects do not necessarily receive funding from the Nevada Attainable Housing Account. For clarity, in code and in this staff report these projects are referred to as **Tier 1-5 Affordable Housing**, which is defined in NRS 278.

Attainable housing projects are required by AB 540 to be eligible for administrative approval, even if they typically require a special use permit or other permit decided upon by a board or commission. The proposed changes to Article 336 will therefore allow any required permits related to attainable housing projects to be approved through the **administrative review process** rather than the standard processes, provided that applicants provide evidence of funding received from the Nevada Attainable Housing Account. An administrative review permit still requires public notice and allows for the imposition of conditions of approval, but it does not require a public hearing.

Tier 1-5 Affordable Housing is required by AB 540 to be prioritized, to the extent practicable, over all other projects. The proposed changes to Article 336 will fulfill this requirement by allowing such projects to request a **staff liaison** to expedite review through efficient coordination. A housing project does not need to receive state funding to be eligible for this expedited process. However, a project receiving state funding would be able to utilize the staff liaison in addition to requesting the use of the administrative review process. These proposed changes are designed to fulfill the requirements of AB 540, allow for sufficient review and consideration of complex projects, and fit into existing review processes.

### **FISCAL IMPACT**

No fiscal impact.

### **PUBLIC WORKSHOP**

Staff held a public workshop via Zoom on Thursday, January 8<sup>th</sup>. Approximately 15 citizens attended. Planning representatives described the overall intent of the amendments and presented the draft changes. There was an opportunity for questions and discussion.

Questions and comments were related to the upcoming process, how often the expedited processes can be utilized, how the expedited processes interface with the Tahoe Regional Planning Agency deed-restricted housing types, and more. A summary of the workshop is attached as Exhibit B of Attachment C.

### **PUBLIC NOTICE**

Pursuant to Washoe County Code Section 110.818.20, notice of this public hearing was published in the newspaper at least 10 days prior to this meeting. Members of the Citizen Advisory Boards (CABs) also received notice, as a courtesy.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners hold a second reading and adopt the attached ordinance amending Washoe County Code Chapter 110 (Development Code) in Division Three—Regulation of Uses and Division Nine—General Provisions as set forth in WDCA25-0012; and all matters necessarily connected therewith and pertaining thereto. In making its determination, the Board shall either affirm, modify or reject the findings of fact included in the Planning Commission’s recommendation.

### **POSSIBLE MOTION**

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

“Move to adopt Ordinance Number [insert Ordinance number provided by the County Clerk], which is an ordinance amending Washoe County Code Chapter 110 (Development Code) in Division Three—Regulation of Uses and Division Nine—General Provisions. These amendments include adding various sections within Article 336 Housing Incentives to establish an expedited review process for attainable housing projects and to establish an expedited process for projects which qualify as Tier 1-5 Affordable Housing. These amendments also include amending Section 110.902.15 to add and delete various definitions; and all matters necessarily connected therewith and pertaining thereto.

In making this motion, the Board is affirming the Planning Commission’s findings of fact included in the Planning Commission’s recommendation and included in Washoe County Code Section 110.818.15(e).”

#### Attachments:

- A. Working Copy of Proposed Ordinance
- B. Clean Copy of Proposed Ordinance
- C. Planning Commission Staff Report for WDCA25-0012
- D. Planning Commission Action Order and Resolution No. 26-02
- E. Planning Commission Staff Presentation
- F. February 3, 2026 Planning Commission Minutes